Miscarriages of JusticeUK (MOJUK)
22 Berners St, Birmingham B19 2DR
Tele: 0121- 507 0844 Email: mojuk@mojuk.org.uk Web: www.mojuk.org.uk

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R (Haralambous) (Appellant) v Crown Court at St Albans and another

On appeal from the QBD Divisional Court (England and Wales)

This appeal arises in relation to search and seizure warrants issued by the St. Albans Magistrates' Court in the absence of the appellant on 16 June 2014. These were executed on 26 June 2014, and on 16 September 2014 materials on which the police had relied in obtaining the warrants were provided to the appellant in redacted form. The appellant applied to the Magistrates' Court for disclosure of the redacted materials, and his application was refused by District Judge Mellanby on 25 September 2014 on grounds of public interest immunity.

The appellant subsequently challenged the legality of the warrants and consequent searches by means of an application for judicial review. This was conceded by the police on 24 March 2015, who made a protective application under s.59 of the Criminal Justice and Police Act 2001 for continued retention of the seized materials. That application was granted by HHJ Bright QC on 11 June 2015, and the appellant sought judicial review of this decision. Permission was granted but judicial review was refused on 22 April 2016. The issues in this case are: 1. In proceedings for judicial review of the legality of a search warrant issued ex parte, is it permissible for the High Court to have regard to evidence which is not disclosed to the subject of the warrant? 2. If so, does the same apply to judicial review proceedings regarding the legality of an order made inter parties for retention of unlawfully seized material under s.59 of the Criminal Justice and Police Act 2001? 3. If the answer to both (a) and (b) are yes, do the principles in Tariq v Home Office concerning irreducible minimum disclosure apply to proceedings concerning search warrants?

The Supreme Court unanimously dismisses the appeal. The Criminal Procedure Rules contemplate that the magistrate or Crown Court will see and rely on information not disclosable for public interest immunity reasons. It would be unjust if the High Court on judicial review had to address a case on a different basis from the magistrate.

Background to the Appeal: This appeal concerns the extent to which courts can rely on information which, in the public interest, cannot be disclosed to a person affected by a search and seizure warrant. In this case, search and seizure warrants were issued under s.8 of the Police and Criminal Evidence Act 1984 ("PACE") by the St. Albans Magistrates' Court in the absence of the Appellant ("ex parte") on 16 June 2014, and executed on 26 June 2014. The Appellant was provided with a redacted version of the written application for the warrants on 16 September 2014. He applied for disclosure of the unredacted materials which was refused on grounds of public interest immunity ("PII") on 25 September 2014. On 26 September 2014 the Appellant sought return of the material seized by a judicial review claim on the basis that the warrants, entries, searches and seizures were unlawful. By a consent order signed on 27 March and sealed on 6 May 2015 the Second Respondent agreed that the warrants should be quashed. Prior to consenting, on 23 March 2015, the Second Respondent made a protective application under s.59 of the Criminal Justice and Police Act 2001 ("CJPA") for continued retention of the seized materials. That application was granted on 11 June 2015. The Appellant sought a further judicial review of that decision. This was dismissed by the Divisional Court which held that it was open to a magistrate issuing a search and seizure warrant and a court deciding an application under s.59 of CJPA to consider material which was withheld from disclosure on PII grounds.

The Supreme Court addressed five issues on appeal: (i) how far a Magistrates' Court, on an ex parte application for a search and seizure warrant under ss.8 and 15(3) of PACE, can rely on information which in the public interest cannot be disclosed to the subject of the warrant; (ii) whether in proceedings for judicial review of the legality of a search warrant, issued ex parte under ss. 8 and 15(3) of PACE (a) it is permissible for the High Court to have regard to evidence upon which the warrant was issued which is not disclosed to the subject of the warrant and (b) whether, where a Magistrates' Court is permitted to consider evidence not disclosable to the subject of the warrant, but the High Court is not, it follows that the warrant must be quashed if the disclosable material is insufficient on its own to justify the warrant; (iii) whether there is jurisdiction in a Crown Court to rely on evidence not disclosable to the subject of the warrant in an application made in the presence of both parties ("inter partes") to retain unlawfully seized material under s.59 of CJPA; (iv) whether in proceedings for judicial review of an order made inter partes for retention of unlawfully seized material under s.59 of CJPA it is permissible for the High Court to have regard to evidence (upon which the warrant was issued) which is not disclosed to the subject of the warrant; and (v) whether the principles concerning irreducible minimum disclosure apply to proceedings concerning search warrants.

The Supreme Court unanimously dismisses the appeal. Lord Mance writes the judgment .

The background to the appeal is that no express Parliamentary authorisation exists for the operation of a closed material procedure in any of the contexts outlined in the issues [11]. Under ss.8 and 15 of PACE premises, not a person, is the subject of a warrant [12]. Any analysis should start from the initial application for a warrant, rather than the end position of the application for judicial review but any conclusions reached about earlier stages will be reviewed in light of the analysis of later stages [14].

Issue (i) The statutory scheme of ss.8 and 15 of PACE permits a Magistrates' Court in an ex parte application for a search and seizure warrant to have regard to material which cannot on public interest grounds be disclosed to a person affected by the warrant or order, even where this material is decisive for the legitimacy of the warrant [22, 37]. The statutory scheme of ss.8 and 15 of PACE is intended to be ex parte. It is a process designed to be operated speedily and simply on the basis of information provided by a constable satisfying a magistrate that there are reasonable grounds for believing the matters set out in s.8(1) of PACE. There is nothing in the statutory scheme which expressly restricts the information on which the magistrate may act [27]. The statutory procedure under s.8 and the Criminal Procedure Rules also provide protections to persons affected by a warrant and the Rules themselves contemplate that the magistrate or Crown Court will see and rely on information not disclosable for PII reasons [25-27, 34]. Requiring the police in these cases to refrain from seeking a warrant would limit important sources of information and the efficacy of police investigations [27]. A statutory ex parte procedure of this nature to secure evidence on premises is not within the general prohibition on closed procedures without express statutory authorisation recognised in Al Rawi v Security Service [2012] 1 AC 531.

Issue (iii) The Crown Court can on an inter partes application under s.59(7) of CJPA operate a closed material procedure on PII grounds [43]. The Crown Court is required to put itself in the shoes of a hypothetical Magistrates' Court being asked, immediately after the return of the property, to issue a fresh warrant with a view to seizure of that property [40]. In view of the answer to issue (i), that Magistrates' Court is entitled in an ex parte application to have regard to information which cannot be disclosed for PII reasons [40]. Parliament must have intend-

ed PACE and CJPA to operate coherently and contemplated the Crown Court being able to operate a closed material procedure under s.59 [41]. An analogy is drawn with Bank Mellat v HM Treasury (No 2) [2014] AC 700 where there was no express provision enabling the Supreme Court to operate a closed material procedure on appeal, but without such a power an appeal to it against a wholly or partially closed judgment could not be effective [42]. Issues (ii) and (iv) are considered together as they raise essentially the same point

The High Court can conduct a closed material procedure on judicial review of a magistrate's order for a warrant under s.8 of PACE or a magistrate's order for disclosure or a Crown Court's order under s.59 of CJPA [59]. The reference to judicial review in Al Rawi, was not directed to this situation [59]. An alternative analysis whereby, in the absence of a closed material procedure, a court must presume that a public authority has acted properly, depriving judicial review of any real teeth, is unacceptable [46-52]. Although judicial review and an appeal are not precisely equivalent, many of the considerations identified in Bank Mellat as favouring a closed material procedure in the context of an appeal also militate in favour of a similar result in the context of judicial review [54-57]. It would be unjust and potentially absurd if the High Court on judicial review had to address a case on a different basis from the magistrate or Crown Court or quashed the order and remitted it to the lower court on a basis different from that which the lower court originally adopted. The High Court would also be unable to give effect to the decision which the lower court or tribunal should have reached or to consider an outcome on the same basis as the lower court as may be required under s.31 of the Senior Courts Act 1981 unless it can operate a closed material procedure when necessary [57-58]. Issue (v) Open justice should prevail to the maximum extent possible [61]. However, it cannot be axiomatic that even the gist of the relevant information must be supplied to any person claiming to be affected and seeking to object to the warrant, search or seizure. Each case must be considered in the light of the particular circumstances. In general terms, issue (v) should be answered in the negative [65].

R (on the application of Gibson) (Appellant) v Secretary of State for Justice

The issue in this case is: when a confiscation order is made under the Drug Trafficking Act 1994 ("DTA"), do the words "the said sum… as was due at the time the period of detention was imposed" in s79(2) of the Magistrates' Court Act 1980 ("MCA") mean the sum due when the default term was fixed by the Crown Court judge or the sum due when the default term was activated by the Magistrates' Court. After a conviction the appellant was sentenced to 25 years imprisonment. By a confiscation order under the DTA, the Crown Court ordered a sum to be recovered from him and, in default of payment, a term of 6 years (2190 days) to be served. The appellant failed to satisfy the order and by the time of enforcement proceedings the original sum had accrued significant interest. The Magistrates' Court activated the default term and a commitment warrant was issued. Some sums were received from the appellant in part payment of the sum. But the repayments were credited against the default term by reference to the amount outstanding at the date of enforcement (including accrued interest) rather than the amount ordered by the judge less the payments made. The reduction on the sentence was smaller than if accrued interest was not treated as part of the reduction formula.

The Supreme Court unanimously allows the appeal. The default term in the case of Crown Court orders must be the term that the court imposed at the time of making its order.

Background To The Appeal: The appellant was convicted of drug trafficking offences on 21 May 1999 and sentenced to 25 years imprisonment. On 29 March 2000, he was ordered to pay a little over £5.4 million by way of a confiscation order. The order required the appellant to pay the

amount within 12 months or serve six years imprisonment in default of payment.

On 4 May 2007, a receiver appointed to realise the appellant's assets paid £12,500. The magistrates deducted seven days from the six-year term in default, to account for that part payment. At that time interest had increased the net sum outstanding, allowing for the part payment, to £8.1 million. Later in 2007 and 2011, the appellant's receiver made further payments of £12,500 and £65,370. The prison authorities calculated the reduction in the six-year default term on the basis of the proportion which these payments bore to the £8.1 million at the time of his committal. That produced a total reduction of 24 days. Had the arithmetic been applied instead to an outstanding figure confined to the original £5.4m, an extra 11 days reduction would have been made.

The issue in the appeal is whether interest is included in the starting point under s.79(2) Magistrates' Courts Act 1980 for the giving of proportionate credit for part payment of a confiscation order.The Supreme Court unanimously allows the appeal.

Reasons for the Judgment: The key provisions of the Drug Trafficking Act 1994 ("DTA"), as in force at the relevant time, were s.10(1), which treats interest for the purposes of enforcement as part of the amount to be recovered under the confiscation order and s.10(2) which enables a Crown Court judge to refix and increase the default term if the addition of accrued interest takes the sum outstanding into a higher bracket in the relevant schedule of defaults terms. [7]

At the relevant time, s.9 DTA stated that where the Crown Court orders a defendant to pay any amount under s.2 DTA, ss.139(1) – (4) and 140(1) – (3) of the Powers of Criminal Courts (Sentencing Act) 2000 (the "2000 Sentencing Act") shall have the effect as if that amount were a fine imposed on the defendant by the Crown Court. [9]

S.140(1) of the 2000 Sentencing Act treats for enforcement purposes a fine imposed by the Crown Court as if it had been imposed by the magistrates, and thus a confiscation order is treated the same. S.76 Magistrates' Courts Act 1980 contains the magistrates' power to commit an individual to prison for failure to pay a fine and an alternative power to issue a warrant of distress (now named a warrant of control). S.79 Magistrates' Courts Act 1980 is the only provision dealing with part payments. [11]

The difficulties in this case arise from the fact that the enforcement of confiscation orders is achieved by applying statutory provisions to confiscation orders which were not designed for them. A confiscation order is thus treated as if it was a fine imposed by the magistrates. The difference between a magistrates imposed fine and a Crown Court imposed fine is that magistrates do not fix a default term when imposing the fine. Imprisonment in default is only considered in the event of a default and, at that time, the magistrates will know whether the default is total or partial. Thus, credit can be given for part payments made before the commitment process is undertaken. However, s.139(2) of the 2000 Sentencing Act mandates the fixing of an anticipatory default term at the time the fine or order is imposed. [12]

The difference in practices led the lower courts to analyse s.79(2) Magistrates' Courts Act 1980 as assuming the standard magistrates' practice and thus to conclude that the references in that subsection to a period of imprisonment having been "imposed… in default of payment" were references to the act of the magistrates in issuing the warrant of commitment. This caused the consequential difficulty that s.79(2) would say nothing about how to deal with part payments made in Crown Court cases between the Crown Court making a confiscation order and the later magistrates' proceedings. Hence the Court of Appeal understandably read additional words into s.79(2). [13]

The period of imprisonment in default of payment is "imposed" for the purposes of s.79 when the Crown Court discharges its statutory duty under s.139(2) of the 2000 Sentencing Act and fixes the (anticipatory) term in default. This construction follows from s.150 Magistrates' Courts Act 1980 and is necessary to make sense of s.140(3) of the 2000 Sentencing Act. It is also assumed by the Magistrates' Court Rules. Thus, the default term in the case of Crown Court orders must be the term that the court imposed at the time of making its order. [15-17]

The operative words of s.79(2) expressly say that the days to be deducted are to be the number which bear the same proportion to the total default term imposed (by the Crown Court) as the part payments bear "to so much of the said sum… as was due at the time the period of detention was imposed". At the time the Crown Court imposed the default term, there was as yet no interest accrued at all. [20]

Straining of the wording of s.79(2) cannot be justified where it would adversely impact on the period of imprisonment to which a person is subject. Penal legislation, particularly legislation imposing penalties that deprive liberty, is construed strictly. The natural construction of the section is that the starting point for the arithmetical calculation of reduction in days of imprisonment is the sum outstanding at the time of the Crown Court order. [21] References in the section to the costs and charges of distress do not support the respondent's construction. The reference is explained by the case of magistrates first issuing a warrant for distress and only subsequently fixing the default term for non-payment. The addition of such costs and charges is expressly provided for and that does not mean that an equivalent provision can be read in as a consequence of a provision in different statute (s.10(1) DTA). [22]

Note: This summary is provided to assist in understanding the Court's decision. It does not form part of the reasons for the decision. The full judgment of the Court is the only authoritative document. Judgments are public documents and are available at:

110,000 People Detained Across the UK, 70 Deaths a Month In Or After Release From Detention

More than 110,000 people were detained in the UK across prisons, immigration centres, secure settings for children and young adults and psychiatric hospitals, according to a snapshot of the detained population last year. The figure, for 31 March 2017, has emerged in new analysis by the National Preventive Mechanism (NPM) – the prevention of torture and ill-treatment body established to strengthen the protection of people in detention through independent monitoring in England, Wales, Scotland and Northern Ireland. The Chair of the NPM, John Wadham, said the true figure may be higher, as not all government and other official agencies provided complete and comparable data. The figure did not include those held in police custody on 31 March 2017. The figures we've been able to collate show staggering numbers of people are being detained across all four nations of the UK. However, because of gaps in official data, there is still a lot we don't know about precisely how many people are held in all the different places of detention."

The NPM's analysis found that on 31 March 2017: • An estimated 87,499 adults over the age of 21 were detained in prisons in England, Wales and Scotland; • 5,872 people aged 20 or under were detained in youth custody in England, Wales and Scotland; • There were 3,389 adults held in residential immigration detention in the UK; • More than 15,000 individuals were detained under mental health legislation in England and Wales alone.

The numbers of people detained on 31 March 2017 do not include those in police custody (because of difficulties sourcing the data). However, the NPM found that between 1 April 2016 to 31 March 2017 there were at least 840,607 "detention events" in police custody across the UK. The

NPM also found an average of 70 deaths per month, with at least 841 people dying in or following detention in prisons, secure settings for children and young adults, police custody, immigration centres and psychiatric hospitals, including those detained under the Mental Health Act.

The deaths included some of the most vulnerable people held in detention: • two children, both aged 17 years old, who died in Secure Children's Homes in England and Wales; • eight young adults aged 18-20 years old who died in prisons or YOIs in England, Wales and Scotland; • six adults who died in or following immigration detention; and one apparently self-inflicted death of a person detained in prison for immigration purposes.

Mr Wadham said "Worryingly, we do know from our research that an average of 70 people per month have died in or shortly after being held in detention. "When people are detained behind closed doors the risk of ill-treatment is, unfortunately, always present and, as highlighted in recent inspection and monitoring reports from members of the NPM, they often experience very poor conditions in detention. To prevent ill-treatment and make sure detainees are safe and well-cared for it is vital we have a clear picture of the numbers and needs of people who are held in the different settings across the UK."

Overall, Mr Wadham said: "The figures on the large numbers of people who are detained across the UK underline the scale of the task for members of the NPM in checking how people are being treated. Through regular, independent monitoring of places of detention – conducted through thousands of visits every year by the 21 independent bodies that make up the NPM – our members play a key role in preventing ill-treatment of people in detention. It is essential that, in the next year, the NPM and our members are given the necessary tools and resources to perform this vital work effectively."

Transgender Woman In Male Prison 'Nightmare' On Hunger Strike

Mark Townsend, Guardian: A transgender woman has gone on hunger strike inside an all-male prison and says she is prepared to die over the government's refusal to accept her chosen gender. Marie Dean, 50, is being held at HMP Preston, Lancashire, where she is protesting over what she claims is a "nightmare" refusal of the Ministry of Justice to recognise she is a woman. In a letter, dated 17 January and sent from inside the jail to friends, Dean describes feeling dehumanised and, making reference to Bobby Sands, the IRA hunger striker who died in the Maze prison in 1981, said she would rather die than be denied her chosen gender. This follows the suicides of at least three trans women in all-male prisons during the past year.

Dean's letter states: "I decided yesterday that I don't want to be alive any more. I stopped eating and drinking and should die in about three, maybe four weeks. I think three [trans] girls have killed themselves now, but I think they did it too quickly. I remember Bobby Sands years ago, not eating and drinking until he died. His belief drove him to succeed." Dean has been diagnosed with gender dysphoria and serving an indeterminate sentence for public protection (IPP) after being convicted of more than 30 offences including repeated burglary and voyeurism. Her crimes included breaking into several homes and filming herself wearing underwear belonging to teenage girls. The judge at her trial said she engaged in "behaviour that anyone is bound to find chilling".

Dean also claims prison officials "refused to give hair straighteners, epilator or any make-up". Her letter surfaces after details emerged last month of how a group of four trans women prisoners at all-male HMP Doncaster agreed a suicide pact because of their alleged treatment inside. An inquest heard how one, Jenny Swift, was found hanged in her cell days after pulling out of the pact, while another told the coroner's court that trans prisoners were "bullied by

staff" at the prison, but "no-one was listening". Friends and family have not heard from Dean since receiving the letter and are increasingly worried for her welfare.

A statement from friends, demanding that the MoJ respect the rights of trans people to prevent further tragedy, read: "We specifically request that Marie Dean has her identity as a woman immediately returned to her and that it is respected by all staff, to be given back her clothes and her makeup to allow her to maintain her dignity and for her to be moved into the female estate as quickly as possible. Leaving her in the male estate will subject her to yet more abuse, distress and transphobic behaviour. "The truth is it appears that the Ministry of Justice are unwilling to give up judging for themselves what gender a person is regardless as to how long the person has lived in their chosen gender. In Marie Dean's case, her harrowing ordeal has been both long and traumatising, she has now given up and wants to die and it's not surprising." Last year the MoJ introduced guidelines for the treatment of trans prisoners, stating that individual dignity should be respected and all cases should be reviewed within three days of arrival in custody to determine where they would be best placed and that, unless a particular concession is a demonstrable risk to safety, it should be permitted.

Women: 'The Law Isn't Working and Change Isn't Happening Fast Enough'

Eleanor Sheerin, The Justice Gap: The UK's legal system was currently failing its women, according to the findings of a report by the Fawcett Society on sex discrimination law. The report features the conclusions drawn by the group's Sex Discrimination Law Review Panel made up of a team of legal experts and chaired by Dame Laura Cox, DBE, a retired High Court judge. It was set up to review the UK's sex discrimination laws in response to 'Brexit', and the subsequent concerns of the possible impact on fundamental rights in the UK. It also considered the effectiveness of current laws and which areas were in urgent need of reform.

The findings span across issues such as sexual harassment in the workplace, violence against women and girls and misogyny as a hate crime. It was revealed in the report that half of all women have experienced sexual harassment at work, and almost two thirds of women of all ages (64%) have experienced unwanted sexual harassment in public places. In sexual offence cases, the requirement to give prior notice when a victim's sexual history is to be relied on in court is often bypassed, meaning that the victims are often blindsided in the courtroom when it is raised. Despite legal aid being somewhat restored in cases of domestic violence, major barriers still persist for those who are in the 'legal aid gap' deemed financially ineligible for legal aid but still unable to pay for legal fees, especially with the number of non-profit legal advice centres reducing dramatically. The lack of accountability for these crimes committed against women, as well as the procedural flaws that prevent women from coming forward and accessing justice, are why the chief executive of the Fawcett Society, Sam Smethers, began the report with the damning: 'The law isn't working and change isn't happening fast enough.'

In order to bring about this change, the report calls for a number of specific changes to the legal system. These include strengthening the laws on sexual harassment at work to protect women from harassment by third parties, making 'up-skirting' an offence, making misogyny a hate crime, making any breach of a domestic abuse order a criminal offence and extending protection from pregnancy discrimination to 6 months after maternity leave ends. It also calls for more third-party evidence to be used for domestic violence cases, including evidence collected at the scene and from body-worn cameras, and for the law governing the use of a victim's previous sexual history in court to be reviewed – and at the very least, for victims to

have the right to legal representation if such an application is made. The report also suggests that the Scottish Legal Aid's Board in setting up Civil Legal Assistance Offices could provide a potential model in England and Wales, in order to increase the provision of free legal advice for those who need it. Sam Smethers also commented, 'What we see is a deeply misogynistic culture where harassment and abuse are endemic and normalised coupled with a legal system that lets women down because in many cases it doesn't provide access to justice.' 'The evidence we received, of increasing levels of violence, abuse and harassment against women, was deeply disturbing,' added Dame Laura Cox. 'A lack of access to justice for such women has wide-ranging implications not only for the women themselves, but also for society as a whole and for public confidence in our justice system.'

A Desire For Vengeance is Human but Checks the Pursuit of Proper Justice

Kenan Malik, Guardain: Two court cases last week, on either side of the Atlantic, helped illuminate the tensions in our thinking about justice. The first was the harrowing trial of Larry Nassar, the American doctor who, over decades, had abused dozens of gymnasts, mainly young girls, in his care. In the final week, 156 women gave personal statements, testimonies that were both distressing and inspiring. In her summing-up, Judge Rosemarie Aquilina observed that "our constitution does not allow for cruel and unusual punishment". If it did, she would have allowed "many people to do to him what he did to others". She then sentenced Nassar to up to 175 years in prison.

The second trial was that of Darren Osborne, accused of mowing down Muslim worshippers in Finsbury Park, north London, in a van last year. One man was killed, many others seriously injured. Osborne, who denies charges of murder and attempted murder, allegedly tried to flee the scene, but was set upon by the crowd. Mohammed Mahmoud, an imam, intervened. "I shouted, 'No one touch him,'" he told the jury at Woolwich crown court. Osborne "should answer for his crime in a court such as this and not in a court in the street".

Where Aquilina would have imposed an "eye for an eye" punishment, if she could have, Mahmoud insisted that such retribution had no place in justice. There is no direct comparison between the two cases. They pose different moral questions and create different emotions. Had Aquilina been in Finsbury Park that night, she would probably have protected Osborne too. Nevertheless, expressed in Aquilina's words and in Mahmoud's actions are two very different conceptions of the relationship between justice and vengeance. For one, justice requires a measure of vengeance; for the other, the two are incompatible.

More than two millennia ago, the Greek playwright Aeschylus explored these very tensions in his magnificent Oresteia trilogy. Written in the fifth century BC, it remains one of the most profound studies of the meaning of justice. Aeschylus's Oresteia begins where Homer's Iliad ends. The Iliad tells the story of the Trojan War, in which Greek warriors, led by Agamemnon, avenge the kidnapping of Helen by the Trojan prince Paris. In Oresteia, the war is over and the warriors are returning home. In the opening play of the trilogy, Agamemnon's wife, Clytemnestra, brutally murders her husband on his homecoming. It is an act of furious revenge for his having sacrificed their daughter, Iphigenia, 10 years previously on the eve of the war to placate the gods.

In The Choephori, the second of the plays, Orestes, son of Agamemnon and Clytemnestra, is faced with a terrible dilemma: murder his mother or leave his father unavenged. He kills Clytemnestra. In the final play, The Eumenides, Orestes is pursued by the Furies, deities whose role is to exact vengeance for sins such as the shedding of kindred blood. He finds refuge in Athens where, in the Acropolis, the goddess Athena convenes a jury to try

Orestes. The jury is split. Athena casts her vote in favour of acquittal. The Oresteia is an immensely complex work in which Agamemnon, Clytemnestra and Orestes are all faced with impossible choices and make tragic decisions. The human condition, for Aeschylus, is tragic. But humans are able to live with the tragedy of their condition by civilising themselves. And part of the process of civilisation is the recognition of the distinction between vengeance and justice, between the primeval needs of the Furies and the hope planted by Athena.

In Aquilina's words, we hear an echo of the Furies. In Mahmoud's actions, we see the spirit of Athena. One need feel no tinge of sympathy for Nassar, or be blind to the torment of his victims, to worry that Aquilina crossed a line. The desire for retribution is natural. Were I a father to one of the abused girls, I may well have wanted vengeance, but a judge cannot be swayed by the same emotions. Vengeance as an ethical principle emerges from primitive attempts to impose order in a world in which it is constantly breaking down and can be maintained only through fear and retribution, a world such as that of Homer's Iliad. As society becomes more civilised, so it sublimates vengeance to justice. That is the moral core of The Oresteia. Mohammed Mahmoud's actions are important because they gave form to that distinction. Equally, Judge Rosemarie Aquilina's words are troubling, not because we don't have sympathy for Nassar's victims, but because, in eroding the line between vengeance and justice, they also erode part of what it is to be civilised.

Terror Laws 'Don't Always Provide the Right Answer', Watchdog Says

Law Gazette: Some terrorist crimes are best described by common law offences rather than by bespoke legislation, barrister Max Hill QC has said in his first annual report as the independent reviewer of terrorism legislation. However, Hill, head of Red Lion Chambers in London, declined to make 'firm recommendations' on what rarely-used terror laws should be scrapped. In his 124-page report, published 29/01/2018, Hillsaid a review of the charging decisions and prosecutions throughout 2016 shows that, in the most serious cases, terrorism legislation 'does not always provide the right answer'.

Examples of terrorism legislation 'of great utility' include section 5 of the Terrorism Act 2006 (preparation for terrorism) and section 12 of the Terrorism Act 2000 (inviting support for a proscribed organisation). However, Hill suggested careful consideration should be given to whether offences such as section 56 of the Terrorism Act 2000 (directing terrorist organisations) and sections 6 to 8 of the Terrorism Act 2006 (training for terrorism) are needed. Hill said: 'This is not to appear weak in responding to terrorism. Far from it, As a former prosecutor, I know from many years' experience which of the existing offences best encapsulate the criminal activity which comes before our courts, and I know which of those offences have expanded since enactment, encompassing a greater practical range of activity than perhaps parliament envisaged in 2000 or 2006.'

Hill said his predecessor, barrister David Anderson QC, of London's Brick Court Chambers, rightly indicated that the reason for and extent to which bespoke terrorism legislation is needed should be questioned. 'I intend to continue that sensible theme, choosing the appropriate time to question whether the legislation we do have can be re-shaped for an ever-changing modern world,' he said. On sentencing, Hill said modern terrorism may require higher maximum discretionary sentences, 'but it does not in my view require the imposition of mandatory minimum sentences, which would stifle rather than promote the discretion which should be left to our judges'.

The Sentencing Council is due to publish new guidelines on terrorism offences this year.

Rose Heilbron and the Cameo Cinema Murders

Natalie Smith, 'The Justice Gap': Rose Heilbron was one of the first female QCs. She was an extraordinary lawyer and her first murder case as leading Counsel, Rex v George Kelly was extraordinary too. As women lawyers prepare to celebrate the 100 years anniversary of being able to practice law, the case of George Kelly is to be remembered for many reasons and never were the lessons to be learnt in this case more important than they are now. In January 1950 Rose Heilbron became the first female barrister to appear as leading counsel in a murder trial. The stakes and pressure upon her couldn't have been higher. Her client, George Kelly, would hang if convicted. The trial took place in Liverpool's St George's Hall, a grand venue in the heart of the city where Heilbron had grown up and built her practice in the law. The previous year she had been one of two women awarded the status of King's Counsel (the equivalent of QC today) having only been practicing as a barrister for 10 years. She was 35 years old, a mother to a one year old baby girl and an exceptional lawyer. The eyes of the world were upon her.

George Kelly was accused of a double murder. It was alleged he had shot dead the manager and assistant manager of the Cameo Cinema in Wavertree, Liverpool during the course of a robbery. His co-defendant, Charles Connelly, was allegedly his look-out and also faced trial for the murders that had taken place in March 1949, coincidentally the same month Rose took silk.The killing of two innocent men for no more than the evening's takings of £50, attracted enormous attention and the police were under intense public pressure to bring the murderers to justice. The previous year a criminal with a string of convictions called Donald Johnson had been charged with being an accessory after the murders. He faced trial after providing the police with a statement confirming he had disposed of the gun for the killer. He too was represented by Rose Heilbron but on the first day of his trial she argued that the alleged confession he made was inadmissible as it had been provided on the promise of being granted bail in another case. The judge agreed with Heilbron and Johnson was acquitted before his trial began.

Within two months George Kelly and Charles Connelly were implicated by two alleged accomplices who had been granted immunity from prosecution in return for their evidence. James Northam and Jacqueline Dickson claimed to have been present when George Kelly and Charles Connelly planned the robbery and later when George bragged about the murders. They came forward with their evidence five months after the killings. There was no forensic evidence to link George Kelly or Charles Connolly to the crimes nor any other witness but the prosecution proceeded on the evidence of the two accomplices. On this evidence alone any trial judge would be bound to warn the jury to treat their evidence with the greatest caution. It was a circumstantial case and both Kelly and Connolly had alibis for the night of the killings.

On the first day of trial Heilbron faced new evidence from the prosecution in the form of a witness statement from Robert Graham, a fellow inmate Kelly and Connolly at Walton Prison where they were being held on remand whilst awaiting trial. He claimed that both men had used him to pass messages to each other and in doing so had admitted their part in the killings. This evidence was a breakthrough for the police and the prosecution as it corroborated the evidence of Northam and Dickson. The trial lasted 13 days. It was at that point, the longest murder trial to have taken place in this country. The jury of ten men and two women retired to consider their verdict and after four hours returned asking the judge for more information. When they were provided with it the judge asked if it would help but the foreman said that he did not think they would agree, so the judge discharged the jury on the January 28, 1950. The trial was over but only for the shortest of time.

On the February 2, Heilbron was back in court ready to fight the retrial but this time George Kelly stood trial alone, his co-defendant's trial having been split from his for no good reason other than for the convenience of his barrister. Heilbron opposed the separation of the trials. The men had been jointly accused and her legal view was they should be jointly tried. The judge disagreed, Kelly's second trial for murder lasted six days and the jury took only one hour to reach a verdict. James Northam and Jacqueline Dickson gave evidence once again and so did Robert Graham. George Kelly too gave evidence as he had done in the first trial, denying any involvement and maintaining that he was in the Leigh Arms pub at the time of the murders and that Robert Graham was lying about any confession.

In summing up the evidence of Robert Graham the Judge said, the assistant manager of the cinema 'fell to his knees. Who knew that? Only one person. Had Graham imagined the evidence? If you have a reasonable doubt, you will find him [George Kelly] not guilty. If, upon the evidence you come to the conclusion that George Kelly is the man, who on that night shot the cinema manager Leonard Thomas and thus brought his life of 44 years to an end, you will find him guilty.' The jury duly convicted George Kelly. Heilbron was the first woman to lead in a murder case and in the end she lost, her client condemned to death by hanging.

Rose Heilbron didn't give up. Immediately she and her junior counsel began drafting grounds of appeal to quash the conviction and they along with George Kelly travelled to London by train in March 1950 to try and convince the Court of Appeal to quash the conviction. Heilbron argued that the judge had been wrong to allow such a short amount of time before starting a second trial, he was wrong to order separate trials and had made over 10 errors in summing up. Evidence also emerged that one juror had in fact been convicted of an offence for which he'd served time in prison which the defence suggested disqualified him as a juror. The Court of Appeal swiftly dismissed the arguments and George Kelly would hang for a murder he claimed he did not commit. In Hilary Heilbron's book about her mother's life she describes that following the failed appeal, George Kelly became understandably distressed during the train journey back to Liverpool and Heilbron was asked to speak to him in his compartment. It was the last time they ever saw each other and George's parting remark was, 'Don't you worry about me luv, you just look after yourself.' All attempts to obtain a reprieve failed and George Kelly hung at Walton prison on the March 28, 1950. His co-defendant Charles Connolly went to trial but was offered a deal to plead guilty to robbery and conspiracy to rob for his alleged role as lookout at the Cameo Cinema. If he accepted the deal he would avoid hanging and so he agreed and was sentenced to 10 years in prison.

Heilbron went on to appear in more capital cases until the death penalty was finally abolished for the crime of murder. Of note, the Member of Parliament who introduced the private members bill in 1965 into the House of Commons which finally ended capital punishment for the crime of murder was Sidney Silverman, partner in the Liverpool Law Firm Livermore and Silverman, the firm that had instructed Rose to represent George Kelly. Rose Heilbron went on to become the first woman recorder, the first woman to sit as a judge at the Old Bailey and was finally appointed a High Court judge. She was an extraordinary lawyer and the world remained fascinated by her. Some 53 years after George Kelly's first appeal, his case appeared once again in the Criminal division of the Court of Appeal sitting in the Royal Courts of Justice in London where Heilbron ended her career.

It was the oldest case ever to be considered by the Court. After years of fighting, George Kelly's daughter and Charles Connelly's widow appealed the convictions. Heilbron had

been an excellent barrister but even she could not have truly understood what lengths a police officer had gone to secure a conviction. After years of persistence those who were sure of the defendants' innocence obtained the police file and found within it a statement taken from Robert Graham that was completely different to the one provided to the defence on the first day of the first trial in January 1950. In September 1949, two months before he gave his witness statement concerning George Kelly and Charles Connolly's confessions to him in prison, Robert Graham told police that Donald Johnson, another fellow inmate at Walton Prison, had confessed to killing the manager and assistant manager of the Cameo Cinema. This statement had been given to the Police Officer in charge of the investigation, Detective Chief Inspector Balmer. It was then stored away on the basis that Johnson had already been acquitted of his role in the murder. In November 1949 Graham gave a second statement to police (over the course of four meetings with DCI Balmer) and this time he claimed the same confession he heard from Donald Johnson was made by George Kelly and Charles Connolly.

In George Kelly's second trial, the judge highlighted the fact Graham knew that the assistant manager at the Cameo Cinema fell to his knees during his murder. He pointed out to the jury that only one man could have known that, namely the murderer and the fact Graham knew it too pointed to George Kelly being the killer. In September 1949 Graham claimed Donald Johnson had told him this same detail. At no point during the trials was this first statement of Robert Graham ever disclosed to the defence or even prosecution counsel. When DCI Balmer gave evidence at the first trial he said clearly that he'd first met Robert Graham in November 1949 which was not true. Graham stated at both of George Kelly's trials that the first time he'd met DCI Balmer was in November 1949 and deliberately concealed their meeting in September 1949. There was clear evidence of deliberate concealment of this first statement.

Following the conviction of George Kelly, Robert Graham was immediately released from prison as a reward from the authorities for his assistance. The deputy Director of Public Prosecution wrote to the Home Office and confirmed: "I am of the opinion that but for the evidence of Graham, Kelly would not have been convicted." The jury that convicted George Kelly of a murder he did not commit was never warned when considering Robert Graham's evidence that he may be seeking an advantage for himself by giving it. So powerful was the impact of the concealment of Graham's first statement, in 2003 the Crown Prosecution Service conceded that George Kelly's conviction was unsafe and that it should be overturned. However, the prosecution refused to concede that Charles Connelly's conviction for Robbery was unsafe as he'd entered the plea voluntarily. The Court of Appeal disagreed, recognising that he had been in the unenviable position of facing the death penalty if convicted of murder and the advice from his counsel to plead guilty would have been entirely different had the first statement of Graham been disclosed. They declared his conviction unsafe too. Charles Connolly had passed away by the time of the appeal but had maintained his innocence all of his life just as George Kelly had.The Cameo Cinema murders remained unsolved and the killer or killers of two innocent men were never caught and brought to justice. The Court of Appeal said in 2003: "There was in these cases a breakdown in the due administration of justice and a failure to ensure a fair trial, we consider that the consequence was a miscarriage of justice, which must be deeply regretted." George Kelly and Charles Connolly were innocent men.

Rose Heilbron died two years after the miscarriage of justice was declared by the court, by that point having retired and being cared for by her loving family. She was suffering from dementia towards the end of her life and so it is unlikely she ever got to know the truth of what happened.

Another great sadness in this case is that Home Office records showed the voting numbers from

the first trial Rose conducted for George Kelly at the start of 1950 were eleven to one to acquit him. Today that would have secured the acquittal on a majority decision but in 1950 a jury was obliged to reach a verdict upon which all of them were agreed. Rose had secured the minds of nearly all of the jury. She was an exceptional lawyer and but for the corruption deployed to secure a conviction she would have won. She had come so close despite everything.

When Rose Heilbron was born in 1914 women weren't allowed to be barristers, solicitors or judges. They didn't have the vote and couldn't be awarded degrees. She wasn't from a particularly privileged background and so her rise in the legal profession during the post war period was extraordinary. She was unique and she captured the world's attention quite rightly because she was brilliant. She challenged the world's view of what women were capable of. She inspired many women to enter professions that were once considered for men only. She helped change the legal profession whilst having nothing but a love and devotion to the law.

In 2019 lawyers will celebrate the 100 year anniversary of women being allowed to practice law in this country and Rose Heilbron will take her place amongst those women lawyers who lead the way. But George Kelly and Charles Connelly should be remembered too. Not just for the horrific miscarriage of justice they were the victims of but the need for vigilance.

The police and prosecuting authorities' failure to disclose crucial evidence is as relevant today as it was in 1950 as the Metropolitan Police are urgently reviewing disclosure in a number of serious sexual offences prosecutions follow notable failings by the police acknowledging and disclosing exculpatory evidence which meant cases should not have been prosecuted. The justice system must remain vigilant to the need for proper scrutiny on those investigating and prosecuting offences, the need for thorough and proper disclosure of anything that would undermine the prosecution case no matter how horrific the offence.

Prisoners: Segregation/Solitary Confinement: *Dr Phillip Lee: Under-Secretary of State MoJ*

Segregation is the removal from normal association under Prison Rules and in accordance with a process prescribed in policy. Her Majesty's Prison & Probation Service (HMPPS) does not hold prisoners in solitary confinement. Prisoners with a mental health condition may be segregated where this is assessed as being the most appropriate course of action. A prisoner whose mental health puts them at risk of self-harm may be segregated in exceptional circumstances only. Segregation policy sets out a range of safeguards to monitor and support the prisoner's well-being including daily visits by a member of healthcare, visits from a doctor at least every three days and from mental health in-reach teams as necessary. Additional monitoring of the prisoner is determined in accordance with an assessment of individual need and the need for continued segregation is reviewed at least every 14 days. Information about segregated prisoners is held locally and regional offices receive quarterly reports from their prisons that identify any segregated prisoners who may have been segregated contrary to Healthcare advice relating to the prisoners mental health and wellbeing; this will not necessarily include information about prisoners with a diagnosis of a mental health condition where no healthcare objection to segregation was raised.

Prisoners are segregated for the shortest time necessary to manage and address the reasons for their segregation and whilst segregated must have access to as normal a regime as possible. MoJ is aware of International evidence and learning about the potentially adverse effects on mental health that can result from solitary confinement. Whilst HMPPS does not hold prisoners in solitary confinement, this learning has been utilised in the development of safeguards in policy to protect the mental health and wellbeing of segregated prisoners. These safeguards

include; completion by a doctor or registered nurse of an initial segregation health screen within two hours of a prisoner being segregated, daily visits by a member of healthcare and doctor visits at least every three days. In addition, a prisoner's segregation must be reviewed at least every 14 days by a multi-disciplinary Segregation Review Board, chaired by an operational manager and with input from Healthcare, Psychology and mental health in-reach teams as necessary.

Birmingham Pub Bombing Suspects Can Be Named

A judge has overruled a coroner's decision to ban the naming of an IRA unit alleged to have been responsible for killing 21 people in the 1974 Birmingham pub bomb atrocities. Families of the victims murdered in the two explosions in the city centre said they hoped the judge's decision would bring closer the possibility that the suspects would be named at a future inquest. In July, the coroner, Sir Peter Thornton QC, ruled that the names of the alleged perpetrators would not be part of the framework of the new inquests. But at the high court on Friday 26th January 2018, Mrs Justice Sue Carr said: "We will quash the coroner's decision." Julie Hamilton, whose sister Maxine was killed in the bombing, said it was "surely logical and rational" that as a result of the judge's decision the IRA members involved could be named during the inquests. We are pleased about today's ruling as the coroner's original decision was simply irrational and devoid of logic. It brings the possibility to naming suspects closer now and we welcome that," she said. "All we want is the truth. How hard can that possibly be?"

What Is Justice? *UVF Terrorist Six Years For Five Murders & 200 Terrorist Offences

[Birmingham Four: Naweed Ali, Khobaib Hussain, Mohibur Rahman, Tahir Aziz, No Murders, Alleged Terrorist Offences – Sentenced to Life to Serve at Least 20 Years!!!!!]

The son of a Ulster Volunteer Force (UVF) murder victim said he was "gutted" at the six and a half year jail term handed down to the organisation's former north Belfast commander. Gary Haggarty was sentenced to life, serving 35 years for five murders and almost 200 terrorist offences. That term was slashed to six-and-a-half years because he agreed to become an assisting offender, commonly referred to as a "supergrass" to help with the prosecutions of others. However, it's been reported he could be released in four to six weeks! Haggarty has served almost four years on remand. After his release from prison he will enter a witness protection scheme. Haggarty, 46, pleaded guilty to five murders as his part of a controversial state deal that offered a significantly-reduced prison term in return for giving evidence against other terrorist suspects. Judge Mr Justice Adrian Colton said Haggarty's was a case of "exceptional gravity". "He has been involved in a terrorist campaign over a 16-year period, that campaign has resulted in deaths for which he was directly responsible. "The organisation he supported and assisted has resulted in untold damage to individual lives and society as a whole." Such evidence provided a check against the belief that these people are "untouchable" and major criminals may otherwise escape justice, the judge said. Source: Belfast Telegraph,

Northern Ireland Judicial Communications Office: Mr Justice Colton, sitting today 29/01/2018, in Belfast Crown Court, fixed a minimum term of imprisonment of 35 years to be served by Gary Haggarty. He reduced this by 75% for the assistance given to the prosecuting authorities and then a further 25% for his plea of guilty. The resulting tariff is 6½ years' imprisonment before he can be considered for release by the Parole Commissioners. http://bit.ly/2rRtxDn

* Ulster Volunteer Force (UVF) were responsible for more than 500 deaths. The vast majority (more than two-thirds) of its victims were Irish Catholic civilians, who were often killed at

random. its deadliest attack in Northern Ireland was the 1971 McGurk's Bar bombing, which killed fifteen civilians. The group also carried out attacks in the Republic of Ireland from 1969 onward. The biggest of these was the 1974 Dublin and Monaghan bombings, which killed 34 civilians, making it the deadliest terrorist attack of the conflict. Since the ceasefire (so called 'Good Friday Agreement), the UVF has been involved in rioting, organised crime, vigilantism and feuds with other loyalist groups. Some members have also been found responsible for orchestrating a series of racist attacks.

Moj Face Another Challenge to 'Catastrophic' Legal Aid Cuts For Defence Firms

The Ministry of Justice (MoJ) faces yet another challenge to its ongoing restrictions on access to justice, after the Law Society last week issued proceedings in its judicial review of reductions to legal aid for criminal defence lawyers to read evidence served by the prosecution. Following a consultation on the proposals, the MoJ announced in October 2017 that it would reduce the cap on the number of pages of prosecution evidence (PPE) that criminal legal aid lawyers would automatically be paid to read from 10,000 to 6,000. From 1 December 2017 onwards, when the cut came into force, for time spent considering any evidence exceeding 6,000 pages, lawyers have to submit a claim for 'special preparation' in order to be paid for this work. Currently, only 20 per cent of such claims are successful. The government expects to save between £26m and £36m as a result – money which would otherwise have gone to fund defences for people accused of serious criminal offences and potentially facing lengthy prison sentences. Unsurprisingly, this has not been popular with criminal defence lawyers and access to justice campaigners – indeed, 97 per cent of respondents to the MoJ's consultation (including Young Legal Aid Lawyers, whose response is here) opposed this plan to further cut criminal legal aid. At the time of the consultation, a joint position statement by the Law Society, Legal Aid Practitioners Group, Criminal Law Solicitors Association and London Criminal Courts Solicitors Association said the 'proposals ultimately pose a threat to access to justice, a fundamental right at the heart of the justice system'. The groups argued that 'a line must be drawn as the profession cannot absorb any more cuts'.

This reduction in the PPE cap is simply the latest example of the 'death by a thousand cuts' austerity campaign against criminal legal aid, with each action of the government making the system progressively less sustainable and justice progressively more difficult to obtain. The timing of this cut has a particularly Kafkaesque quality, given the recent outcry concerning lack of disclosure of key material which undermines the prosecution case. This has led to renewed calls for protections to ensure evidence is disclosed in line with the provisions of the Criminal Procedure Rules: what use is disclosure of evidence if defence teams are not granted the funding required to consider these documents? It may well be the case that a 2,000 page expert analysis of a defendant's mobile phone does not contain the key evidence proving the defendant's innocence, but a defence team will not know this unless they consider the report – to refuse to pay them for this time simply makes it more difficult for defence lawyers to represent their clients thoroughly and further restricts access to justice.

Prior to the MoJ's U-turn on the proposed implementation of two-tier contacts for criminal legal aid, a February 2013 report by Otterburn Legal Consulting, commissioned by the Law Society and the MoJ, found that firms were achieving an average 5 per cent profit margin in crime work. Further, the report stated that 't[h]e finances of many crime firms are fragile. Most do not have significant cash reserves or high excess bank facilities'. This results in firms having only a minimal ability to absorb the implications of legal aid cuts and remain viable businesses. Should the challenge to the PPE cap reduction be unsuccessful, criminal defence firms will be in the unenviable position of having to decide between either not considering papers in excess of 6,000 pages and therefore being in breach of their duty to act in the best interests of their clients; or considering all papers and accepting the fact that, on average, they will only be paid for this in one out of every five cases. The profession is already struggling to survive: fixed fees mean that firms must take on higher quantities of cases than they used to. A larger caseload inevitably results in less time being spent on each matter and therefore risks key evidence being missed and miscarriages of justice occurring. The pre-action letter sent to the Ministry of Justice by Bindmans on behalf of the Law Society in December 2017 set out four grounds of challenge: (1) disproportionate interference with the constitutional right of access to justice; (2) the changes unlawfully frustrate or are inconsistent with the statutory purpose of the litigators graduated fee scheme for criminal legal aid; (3) there were insufficient inquiries and no sufficient regard made to age demographic issues; and (4) the decision is irrational and based on material errors of fact. The letter argues that the changes will be 'catastrophic for the legal aid crime firms it affects', and refers to the successful challenge by Unison to the employment tribunal fees introduced by the Coalition government. In that case, the Supreme Court held that impediments to the constitutional right of access to justice can 'constitute a serious hindrance even if they do not make access completely impossible', and any such hindrance or impediment by the executive 'requires clear authorisation by Parliament' (i.e. not just by a minister making secondary legislation).

In recent years, the government has been ruled to have acted unlawfully in imposing 'two tier' contracts for criminal legal aid, introducing a residence test for civil legal aid, restricting funding for victims of domestic violence and for applications for judicial review, limiting the exceptional case funding scheme, cutting legal aid for prison law and introducing fees for employment tribunal claims. The newly appointed Secretary of State for Justice, David Gauke, will have to hope that he fares better in the courts than his predecessors, particularly the hapless Chris Grayling. Meanwhile, criminal defence lawyers, the Law Society, Young Legal Aid Lawyers and other access to justice campaigners will be hoping that the judiciary continues to uphold the fundamental constitutional right of access to justice.

MoJ 'Renationalises' Prison Maintenance After Carillion Collapse

The Ministry of Justice has created a new facilities management company to take over prison services such as cleaning and building repair work that were previously handled by collapsed construction giant Carillion. Around 1,000 staff, including 100 contractors, who were previously employed by Carillion will move to the government-owned company, called Gov Facility Services Limited, with the same employment terms and conditions. Justice secretary David Gauke said: 'We have robust contingency plans and are taking appropriate action to ensure that the prison FM services continue to operate normally. I want to reassure staff that their jobs are secure and essential to making prisons safer and more decent.'

Hostages: Naweed Ali, Khobaib Hussain, Mohibur Rahman, Tahir Aziz, Roger Khan, Wang Yam, Andrew Malkinson, Michael Ross, Mark Alexander, Anis Sardar, Jamie Green, Dan Payne, Zoran Dresic, Scott Birtwistle, Jon Beere, Chedwyn Evans, Darren Waterhouse, David Norris, Brendan McConville, John Paul Wooton, John Keelan, Mohammed Niaz Khan, Abid Ashiq Hussain, Sharaz Yaqub, David Ferguson, Anthony Parsons, James Cullinene, Stephen Marsh, Graham Coutts, Royston Moore, Duane King, Leon Chapman, Tony Marshall, Anthony Jackson, David Kent, Norman Grant, Ricardo Morrison, Alex Silva,Terry Smith, Hyrone Hart, Glen Cameron,Warren Slaney, Melvyn 'Adie' McLellan, Lyndon Coles, Robert Bradley, John Twomey, Thomas G. Bourke, David E. Ferguson, Lee Mockble, George Coleman, Neil Hurley, Jaslyn Ricardo Smith, James Dowsett, Kevan & Miran Thakrar, Jordan Towers, Patrick Docherty, Brendan Dixon, Paul Bush, Alex Black, Nicholas Rose, Kevin Nunn, Peter Carine, Paul Higginson, Thomas Petch, Vincent and Sean Bradish, John Allen, Jeremy Bamber, Kevin Lane, Michael Brown, Robert Knapp, William Kenealy, Glyn Razzell, Willie Gage, Kate Keaveney, Michael Stone, Michael Attwooll, John Roden, Nick Tucker, Karl Watson, Terry Allen, Richard Southern, Jamil Chowdhary, Jake Mawhinney, Peter Hannigan.