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UK Ban on Prisoners Voting in Elections – Clear Breach of Article 3 of Protocol No. 1

ECtHR 30/06/2016 handed down its' judgment Case Of Millbank And Others V. The United Kingdom 1. The case originated in applications against the United Kingdom lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") on the various dates indicated in the appended table.2. The applications were communicated to the United Kingdom Government ("the Government").

6. The applicants complained about their ineligibility to vote in elections. They relied on Article 3 of Protocol No. 1, which reads as follows: "The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature."

7. The Court refers to the principles established in its case-law regarding ineligibility to vote in elections (see, for instance, Hirst v. the United Kingdom (no. 2) [GC], no. 74025/01, ECHR 2005-IX; Greens and M.T. v. the United Kingdom, nos. 60041/08 and 60054/08, ECHR 2010 (extracts); McLean and Cole v. the United Kingdom (dec.), nos. 12626/13 and 2522/12, 11 June 2013; and Firth and Others v. the United Kingdom, nos. 47784/09, 47806/09, 47812/09, 47818/09, 47829/09, 49001/09, 49007/09, 49018/09, 49033/09 and 49036/09, 12 August 2014).

8. In the leading cases of Hirst v. the United Kingdom (no. 2) and Greens and M.T. v. the United Kingdom, both cited above, the Court already found a violation in respect of issues similar to those in the present case.

9. Having examined all the material submitted to it, the Court has not found any fact or argument capable of persuading it to reach a different conclusion on the admissibility and merits of these complaints. Having regard to its case-law on the subject, the Court considers that in the instant case the statutory ban on prisoners voting in elections is, by reason of its blanket character, incompatible with Article 3 of Protocol No. 1.

10. Complaints are therefore admissible & disclose a breach of Article 3 of Protocol No. 1.

11. Article 41 of the Convention provides: "If the Court finds that there has been a violation of the Convention or the Protocols thereto, and if the internal law of the High Contracting Party concerned allows only partial reparation to be made, the Court shall, if necessary, afford just satisfaction to the injured party."

12. Regard being had to the documents in its possession and to its case-law (see, in particular, Firth and Others v. the United Kingdom, cited above, §§ 19-22), the Court concludes that the finding of a violation constitutes sufficient just satisfaction for any non-pecuniary damage sustained by the applicants.

For These Reasons, The Court, Unanimously,

1. Decides to join the applications; 2. Declares the applications admissible;

3. Holds that these applications disclose a breach of Article 3 of Protocol No. 1 concerning the ineligibility to vote in elections;

4. Holds that the finding of a violation constitutes in itself sufficient just satisfaction for any non-pecuniary damage sustained by the applicants.

Done in English, and notified in writing on 30 June 2016, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Lack of Care For Victims Of Miscarriages of Justice is a National Scandal

Mark Newby, Justice Gap: A recent symposium organised by the human rights group JUSTICE considered the plight of the wrongfully convicted and the disgraceful way that the state is treating people who are, after all, victims of state error. The issue is not simply about compensation. The lives of those who have wrongly served long prison sentences are invariably blighted by serious mental health problems; their families and loved ones have moved on or passed away; and they will often be unemployable. They will have to fend for themselves, poorly supported by a benefits system ill equipped to deal with their problems. They will live out what remains of their damaged lives in a world that has changed beyond recognition from the one they were removed from. They may never have had an email address or a mobile phone.

There will be no support from the state. The court does run a miscarriage of justice support unit from the courts – it is part of Citizens Advice with limited capacity to help and draws upon volunteer groups such as MOJO to support them through the dark days ahead. There is no support or counselling services available to these people. It is nothing short of a public scandal.Compare how these vulnerable and damaged people are treated to the lot of a convicted offender released from custody: they have a dedicated probation officer, access to housing, a range of counselling and other services including mental health support.

The case of Victor Nealon remains a shocking illustration of what has gone wrong with our system. Readers may well recall how Victor was wrongfully convicted of attempted rape in 1997 before being released in December 2013. Victor didn't appear at the Court of Appeal but via video link from HMP Wakefield. After the hearing, he was left to clear his cell and was driven to and dumped at Leeds Railway Station. He was given a £46, to train ticket to Shrewsbury where he was supposed to meet a friend. His friend had gone to meet him at the Royal Courts of Justice. No one told him about the video link. Victor had no family to go to, no home, no job and zero support. As luck would have it, a journalist arranged a bed for the night in a B&B (in return for an interview). He spent the days and weeks that followed living off the goodwill of others, including sleeping at a local MP's office. His story is not unique.

Victor is challenging the Ministry of Justice's refusal to pay him compensation and it is a test case which will be heard by the Supreme Court. 'The question of having a compensation scheme means it's there to pay out,' Victor told the Justice Gap last week. 'We now have a situation where the state can imprison someone for decades in some cases and then to deny any form of redress is to my way of thinking bizarre.' "It is my view that the court is protecting the lower court's finding and by way of implication the secretary of state for justice,' he says.

Victor quotes Martin Luther King: 'Human progress is neither automatic nor inevitable… . Every step toward the goal of justice requires sacrifice, suffering, and struggle; the tireless exertions and passionate concern of dedicated individuals.' Victor continues: 'I know that when the secretary of state for justice requires me to prove innocence beyond reasonable doubt it is nothing more than political expediency. He should heed the observation of Martin Luther King because he cannot prove beyond reasonable doubt that he has justice in mind as opposed to creating more victim.' Victor Nealon is seeking redress for what has happened to him. Imagine if he was the innocent victim of a serious road accident or assault, no-one would question compensation to provide the support and care that he needed. Why is this any different? At the time Victor originally applied for compensation, the Coalition government was pushing through an amendment to the Anti-Social and Behaviour Bill to introduce a new section to the 1988 Criminal Justice Act which provided the scheme for compensation.

Before the implementation of the 2014 Act last year, there was no statutory definition for a 'miscarriage of justice'; however the courts had been applying an increasingly narrow test based upon the ability of an applicant to prove their innocence. This background to this is the ruling of the Supreme Court in R (Adams) v Secretary of State for Justice in 2011 where it was held that a miscarriage should be limited to those cases where a new or newly discovered fact 'so undermines the evidence against the defendant that no conviction could possibly be based upon it'. The law post Adams had cleared matters up and ensured people who simply had their convictions quashed 'on a technicality' could never be compensated. It provided however for both those who could prove innocence and those who could never prove innocence but the facts strongly suggested that they were innocent. This was for the obvious reason that it is almost impossible to prove a negative and, in any event, the Court of Appeal never declares an appellant innocent – the test is simply whether the conviction is safe or not. The Government didn't like this and suggested the law was confused (it was not) and introduced the new test: namely, that a person must now show 'beyond a reasonable doubt that as a result of the newly discovered fact they did not commit the offence'. The MoJ refused Victor's claim: whilst they accepted that the evidence suggested someone else may have been responsible for the offence, he had not proved beyond reasonable doubt that he did not commit the offence. Their approach was effectively to go beyond the criminal standard of proof and to seek scientific proof. As has been reported elsewhere on the Justice Gap, Victor's case was joined to that of Sam Hallam.

We challenged the MoJ by judicial review and also argued that the 2014 law breached the presumption of innocence under the European Convention on Human Rights, article 6(2). This is the argument we hope that the Supreme Court will determine once and for all. There was previous authority from the European Court in the case of Allen v United Kingdom [2013] 36 BHRC 1 which considered Adams and concluded that Article 6 (2) did apply to the test in Section 133 of the CJA 1988. The MoJ threw everything at the challenge.

Back to the law: The requirement to have a scheme for compensation derives from the UK's international obligations under International Covenant on Civil and Political Rights 1966, article 14 (6), ratified by the government in 1976. This states that: 'When a person has by a final decision been convicted of a criminal offence and when subsequently his conviction has been reversed or he has been pardoned on the ground that a new or newly discovered fact shows conclusively that there has been a miscarriage of justice, the person who has suffered punishment as a result of such conviction shall be compensated according to law, unless it is proved that the non-disclosure of the known fact in time is wholly or partly attributed to him.'

The Grand Chamber in Strasbourg appeared to reach a contrary view in the case of Allen, although due to the wording of the test at that time it declined to make any award of compensation to Ms Allen. This presented the Court of Appeal with a conflict between an interpretation that section 133 does not offend Article 6(2) and the decision in Allen which suggests that it could and arguably would in its current formulation. The court now concludes that following Adams, article 6(2) does not apply to section 133 and that Adams does remain binding authority regardless of Allen. However, contrary to the government's arguments, whilst the Court of Appeal considered the decision in Adams was binding authority it concluded that the decision in Allen was a very clear statement by the Grand Chamber that article 6 (2) did apply.

As the Court observed it was a carefully considered decision which was intended to be authoritative. As a result, the Government's attempts to discount the decision in Allen based on some idea of a lack of clear and constant line of authority were dismissed by the Court of Appeal. Lord Dyson, whilst indicating a preference for the majority view in Adams, makes clear that it is

not for the domestic court to decline to follow the majority view in Allen. As a result, the only argument for the court to then address was whether section 133 as now amended was incompatible with Article 6(2) which clearly applies. The Court concluded that, if the language of the decision-maker is such as to call into question the innocence of the claimant, then this will infringe article 6(2). Lord Dyson notes: 'I accept that, if section 133 required the secretary of state to voice doubts or suspicion on the innocence of the applicant, then it would be regarded as incompatible with article 6(2) according to the Strasbourg jurisprudence.' With respect to his Lordship, this is exactly what the situation is. For example, in the case of Victor Nealon, the secretary of state is stuck with accepting the consequences of the DNA pointing to someone else being responsible for the offence and – to seek to avoid this conclusion – he is left to argue that does not amount to 100% scientific proof. He is casting doubt on the applicant's innocence. Further the court suggests that the new section does not require the applicant to prove his innocence generally. Again with respect to the Court of Appeal and the Divisional Court, this is nonsense.

If the newly-discovered fact tends to suggest innocence, the Secretary of State has to then grapple with its significance to the conviction as a whole – yet again it seems the court has failed to address this issue head on. It is a matter of common sense therefore that no assessment of innocence can ever take place in the vacuum of the newly-discovered fact. The Secretary of State is using the new section to refuse all claims for compensation apart from the most wholly exceptional application and that was never the stated intention of Parliament. The approach of our judiciary to this issue demonstrates how unchanged their thinking is to the issue of miscarriages in general. The court demonstrates this by relying on the words of Sir Thomas Bingham MR in R v Secretary of State for the Home Department expr Bateman [1994] 7 Admin LR 175:

'He is entitled to be treated, for all purposes, as if he had never been convicted. Nor do I wish to suggest Mr. Bateman is not the victim of what the man in the street would regard as a miscarriage of justice. He has been imprisoned for three and a half years when he should not have been convicted or imprisoned at all… . But that is not, in my judgment, the question. The question is whether the miscarriage of justice from which Mr. Bateman has suffered is one that has the characteristics which the Act lays down as a pre-condition of the statutory right to demand compensation.' Anyone reading the judgment cannot help but reflect that the court has become totally out of touch from the real plight of the wrongfully convicted.

Next steps: The Supreme Court will need to consider the cases of Victor Nealon and Sam Hallam. The court has shown its willingness to challenge plainly wrong actions by the Government (such as the legal aid residence test or the law of joint enterprise law) and this could be a defining moment. Do we really want to compound the injustice that men such as Victor Nealon and Sam Hallam have already had to endure by offering no support on their release? We can provide fair compensation without opening the floodgates to unworthy claims.

There are also proceedings against the Chief Constable of West Mercia Police in relation to the original investigation on the basis of misfeasance in public office, malicious prosecution and false imprisonment; plus a claim against the original solicitors who, we argue, could have proved Victor's innocence had they conducted his defence adequately at the material time. Then there are the serial failings of our miscarriage of justice watchdog, the Criminal Cases Review Commission. Perhaps the most scandalous aspect is the willingness of each one of these organisations to blame each other. Why should Victor Nealon have to pursue these individual actions with the all the stress and anxiety such proceedings bring?

It is a reflection of the sort of justice system that we have. We put up barriers in the way of anyone who might be wrongfully convicted. We deny them access to evidence, the original trial exhibits, we destroy the court transcripts and use every opportunity to deny shut down the prospect of an appeal. It took 23 painful years for the Hillsborough families to achieve some measure of truth and justice, for the most part the victims of miscarriages of justice have to fight each battle alone. Politicians of all colors talk sympathetically about introducing a victims' law, so what about showing some compassion to the victims of wrongful convictions? We should be ashamed of the present regime.

Ched Evans Signs For Chesterfield as he Awaits Retrial Over Rape Charges

Samuel Stevens: Independent: Ched Evans has secured a return to football with Chesterfield after having his conviction for rape quashed in April. The 27-year-old was convicted of raping a 19-year-old woman in 2011 and was jailed in 2012 but is set to face a retrial in October after pleading not guilty in May. Evans' last appearances as a professional footballer came in April 2012 when he scored for Sheffield United in a 3-1 victory against Leyton Orient. League One club Chesterfield, who describe themselves as "delighted" to have signed the striker, are prepared to offer him a one-year deal with the option for a second season. The former Wales international striker served half of a five-year sentence before his release in September 2014 and came close to joining Oldham Athletic that winter. Following an appeal to the Court of Appeal for review by the Criminal Cases Review Commission, it was decided that Evans would have his verdict overturned but he nonetheless faces a retrial.

Speaking to Chesterfield's official website, he said: "I am very excited and privileged to be resuming my career at Chesterfield and I hope to make a valuable contribution both on and off the pitch for the football club, the fans and the community." Evans has always maintained his innocence and has continued to train in the hope of securing another contract with a professional football club. Chesterfield chairman Dave Allen added: "We are delighted to have secured the services of an outstanding footballer, who is now keen to get back to work and score goals. "Danny Wilson knows Ched very well, having previously managed him at Sheffield United. Chris Morgan, our first team coach, also speaks highly of him from their time together at Bramall Lane. "Chesterfield Football Club have given a great deal of thought to this signing and following the court's decision, we are in no doubt that Ched Evans should be welcomed back into his profession as a professional footballer."

North London Gang Jailed Over Failed Prison Break

Guardian: A gang who launched a failed bid to free a criminal from a prison van, during which one of their members was killed, have been given sentences of between five and seven years for their part in the raid. The attempt to break Izzet Eren, who was being held on firearms offences, out of a prison van as he was being moved from Wormwood Scrubs prison to Wood Green crown court on 11 December 2015 was thwarted in part because police had bugged the gang's car. Armed police swooped on the gang, who had armed themselves with a replica Uzi gun, as their vehicles neared the north London court. Jermaine Baker, 28, of Tottenham, was shot dead by a police officer during the operation.

Judge Christopher Kinch QC, sitting at Woolwich crown court, south-east London, told the gang who sat quietly in the dock that an attempted breakout from custody was an attack on the criminal justice system, which was also likely to threaten the general public and put security staff at risk. The gang includes Eren Hasyer, 25, of Enfield, who was found guilty of conspiring in the escape plot

but cleared of possession of an imitation firearm with criminal intent. He is to be sentenced on Thursday. The judge sentenced Eren, 33, who is currently serving 14 years for the firearms offences, to a total of seven-and-a-half years for the escape attempt. This includes five and a half years for conspiracy to escape and two years for conspiracy to carry imitation firearms with criminal intent. This sentence is to be served consecutively to the current 14-year jail sentence that was imposed in December. Eren knew that he would face a long prison sentence when he appeared in court in December for firearms offences and tried to avoid it by masterminding the escape plan. He had been caught in October with another man – Erwin Amoah-Gyamfi – carrying a loaded pistol and a Skorpion submachine gun in north London as they drove on a stolen motorbike to allegedly carry out a shooting. The judge told Eren that he was "the motive behind the whole sequence of events", that he had "orchestrated" the escape plan and that he was "plainly a man of considerable influence", control and loyalty from the other gang members.

Prosecutor Jonathan Polnay told the court that Eren had previously been sentenced to eight years in prison in July 2011 for conspiracy to supply drugs. A condition of his sentence was that he was deported. Polnay said: "He should not have been in the UK at all." In an effort to avoid a lengthy jail sentence Eren had masterminded the escape plot from his cell. His cousin Ozcan Eren, 32, of Wood Green, had denied the same charges relating to the escape plot but changed his plea part way through the trial. Driver Nathan Mason, 31, plus Gokay Sogucakli, 19, who are all from Tottenham, pleaded guilty to the same offences. In sentencing the judge described the gang's offences as "very serious and create fear in the surrounding community as well as interfering with the prison system and the sentencing of the courts". Ozcan Eren was described by the judge as a "trusted and intimate lieutenant" of Eren's, whose key role was to act as a look-out and check the possible routes the prison van might take. He was sentenced to a total of eight years, including five and a half years for the conspiracy to escape and two and a half years for the weapons offence.

The sentence is consecutive. Eren texted instructions to the gang using a mobile phone from inside the van, telling them the registration number and the cell he was in. Ozcan Eren acted as the linkman, passing on details of the texts to the rest of the gang. Mason, 31, was sentenced to six years and two months in prison. This included 50 months for the escape conspiracy charge and 24 months for the weapons offence, which are to be served consecutively. The judge said there was "no doubt" that Sogucakli, the youngest member of the gang, had "wholeheartedly" involved himself in the conspiracy. Sogucakli, who was sitting behind Baker when he was shot, was sentenced to a total of five and a half years in a young offenders institution. His consecutive sentence includes four years for escape conspiracy and 18 months for the weapons offence.

Teenager Becomes First Child in UK To Be Fitted With Court-Ordered GPS Tracker

Elsa Vulliamy, Independent: A 15-year-old boy has been ordered to wear a GPS tracking device that will allow police to track where he is at all times following a string of criminal offences. The boy, who cannot be named for legal reasons, will be the first young offender in the country to be monitored in this way. Offenders who are put under house arrest or parole are generally issued tracking bracelets that use radio signals to communicate with a unit in a fixed location, usually inside the offender's home. If the person wearing the tracker does not come back in time for curfew, or is not in their home when they are supposed to be, a signal will fail to send to the unit, and police will be notified. The GPS tracking device, however, is connected to a mobile unit, and it allows police to know the whereabouts of the person wearing the device at any given time using technology similar to that in fitness bracelets. They have previously only been used with adults. The 15-year-old was report-

edly issued a Youth Order, and worked with the Youth Offending Services following a string of offences in Oxford and Didcot including robbery and burglary, according to reports in the Oxford Mail. Despite receiving the order, the young man continued to offend, committing a further string of crimes including threatening a teenage girl in the street with a mock firearm. Due to the risk of reoffending, the court ordered that the young man will wear the GPS tag for six months. This will allow police to monitor his whereabouts, and they should be able to tell whether he was involved in any future incidents that are reported. Police say that devices like these are not just meant for punishment, but are intended to keep individuals out of prison. PC Mike Ellis told the Oxford Mail: “The youth offending services do all they can to stop a defendant from going into custody, which means they use a lot of time and resources to make sure they are doing what they are supposed to be doing.”

'Self-Harming Rise' Among Prisoners on Indefinite Sentences BBC News

The rate of self-harm by inmates serving indefinite prison sentences in England and Wales has risen by almost 50% in four years, figures suggest. Last year, there were more than 2,500 acts of self-harm by prisoners serving imprisonment for public protection, or IPP, sentences, at a higher rate than among those serving fixed sentences. The Prison Reform Trust said it showed IPP prisoners were in "despair". The Ministry of Justice said it was urgently looking at IPP offenders. IPP sentences were scrapped in 2012, but thousands of inmates are still waiting to be released. According to new Ministry of Justice statistics, which were compiled by the Prison Reform Trust, there were 2,537 incidents of self-harm among the population of 4,100 IPP prisoners last year. The figures suggest rates of self-harm among IPP prisoners have gone up significantly every year for the last four years. They showed there were 550 incidents of self-harm per 1,000 IPP prisoners last year. That compares with 324 incidents per 1,000 prisoners on determinate sentences and 200 per 1,000 prisoners serving life sentences. Of those still serving IPPs, 3,300 have served more than the minimum sentence they were given, while 400 have served at least five times the minimum sentence they received.

Danny Weatherson was 19 years old when he was given a 13-month IPP for robbery. More than nine years later, he is still in prison. In February, a parole board said his re-offending risk had reduced sufficiently to be moved to an open prison. But he cut his own throat last month and the move has been postponed. He is currently recovering in the prison's hospital wing. His solicitor, Shirley Noble, says self-harming has become his way of coping with not having a release date. But she is worried it could also hurt his chances of ever being let out. Such behaviour could be considered risky by the parole board, and she says he is now trapped in a vicious circle. Describing the situation as "extremely urgent", she fears another act of self-harm could be fatal.

Ex-IPP prisoner Shaun Lloyd said the disproportionately high self-harm rate for IPP inmates was hardly surprising, since they lost hope because they "have no finish line to work for". In order to be released, IPP prisoners must prove to a parole board that they are not a danger to the public. However, Mr Lloyd said offender managers, who are responsible for assessing a prisoner's risk of re-offending, are over-stretched and might only spend a few minutes at a time with a prisoner. Clearly nobody can know you after seeing you twice and for just 10 minutes," he said. He said under-resourcing was one reason why he had spent more than nine years in prison for street robbery, for which he had been given a minimum sentence of two-and-a-half years.

The Prison Reform Trust says delays in the parole board system and limited resources are causing many prisoners to be held long after they have served the minimum sentence they were given. Incoming director, Peter Dawson, said the figures showed "the growing toll of despair" IPP sentences were having on prisoners and their families. "Urgent action is

needed. The government should convert these discredited sentences into an equivalent determinate sentence, with a clear release date, and provide full support to people returning to their communities," he said. "Only then will the damaging legacy of this unjust sentence finally be confined to the history books." The Ministry of Justice said it recognised there were problems in the system, adding that Justice Secretary Michael Gove had asked the Parole Board to urgently look at how IPP offenders were handled. Mr Gove said in a recent speech to prison governors that there were "a significant number of IPP prisoners who are still in jail after having served their full tariff who need to be given hope that they can contribute positively to society in the future".

Supreme Court Refers Question on Suicide Risk to European Court Of Justice

The Supreme Court has given judgment in MP (Sri Lanka) v SSHD, a case concerning the status to be given to a person who cannot be removed from the UK because of a risk of suicide arising from torture. The Supreme Court has referred the matter to the Court of Justice of the European Union for a ruling on whether Mr MP, a Sri Lankan Tamil who was severely tortured in 2002 and consequently suffers from serious mental health difficulties, is entitled to humanitarian protection under the EU Qualification Directive. Mr MP has already established that he is entitled to stay in the UK because of Article 3 of the European Convention on Human Rights because of the risk of suicide if he were sent to Sri Lanka.

Home Office Ordered to Pay Damages in Privacy Claim *Tamsin Allen, Bindmans*

The Home Office has been ordered to pay a total of £39,500 to 6 asylum seekers whose confidential information was accidentally published on a Home Office website and then republished on an American document sharing site. The Home Office will also be responsible for paying the legal costs, and face the prospect of other claims as almost 1,600 people's details were also published in the same document. Although information was taken off the Home Office website after 2 weeks, the Claimants explained how shocked and upset they had been, and evidence was given to the Court that at least one foreign Government may have accessed the information and detained some of the Claimants' family members abroad as a result. Their solicitor, Tamsin Allen of Bindmans LLP said: "The Home Office has admitted that the blunder was a misuse of the Claimants' private information and a breach of the Data Protection Act. Despite this, the Home Secretary had argued that this was not a case where damages should be paid. It is well recognised that a person fleeing persecution has the right to make an application for asylum in confidence without the risk of their persecutors being alerted. These vulnerable claimants were very distressed upset and scared on learning about the publication and are all pleased to have had their serious distress recognised by the Court in an award of damages."

Tory Grandees Fight Eddie Gilfoyle ‘Cover Up’

The home secretary is being urged by former Conservative ministers to end what they say is a cover-up by police over the convicted murderer Eddie Gilfoyle. Lord Hunt of Wirral and Sir Peter Bottomley urged Theresa May to intervene after an investigation by The Times revealed records describing how senior officers hushed up police blunders at his wife’s death scene. As Gilfoyle’s former constituency MP, Lord Hunt has always believed in his innocence. The one-time minister in Margaret Thatcher’s cabinet now believes this is the worst miscarriage of justice for decades. He said: “This is becoming a long-running saga of cover-up after cover-up. The home secretary should lift the lid on what has been a catalogue of errors resulting in

the most unjust conviction of anybody in my 40 years in parliament."

Merseyside police held an immediate review into its own errors at the death scene but withheld the findings from the defence at trial. When the Police Complaints Authority was sent to Merseyside to look into failings in the murder investigation, the force tried to hide the existence of the critical report and suppressed notes of interviews with officers who found the body, The Times disclosed this month. Mistakes included cutting down Mrs Gilfoyle's body before CID arrived, failing to take photographs and omitting to seal off the scene. A policeman put the rope into his pocket and it was later incinerated. The defence only recently discovered that a main cause of the errors was a police policy in the Wirral division to put the local coroner's officer in charge of suspicious death scenes. Lord Hunt, a solicitor, said that policy "looks not only to be contrary to best practice but also unconstitutional". The Times has for eight years been uncovering undisclosed evidence about Gilfoyle's case. Mrs Gilfoyle's diary, which showed that she had previously attempted suicide, was kept from the defence for 20 years. Merseyside police said it had supplied the Criminal Cases Review Commission, which examines suspected miscarriages of justice, with all its documents about the murder inquiry, adding that "it would not be appropriate to comment further at this stage".

New Practical Guide on Access to Justice in European Law

The European Union Agency for Fundamental Rights (FRA) and the ECtHR launched a practical handbook on European law relating to access to justice. "Access to justice is not just a right in itself. It is also a key enabler for making other fundamental rights a reality," says FRA Director Michael O'Flaherty. "This practical guide provides legal practitioners with a key legal resource to help them actively support all those who face barriers in fully and effectively enjoying access to justice. This handbook summarises key access to justice principles, drawing on a wide body of European law and jurisprudence," says President of the ECtHR Guido Raimondi. "Providing easy-to-use information on the main standards in Europe will greatly assist legal practitioners ensure everyone seeking justice has proper support, a fair trial and access to effective remedies." The Handbook on European law relating to access to justice is a comprehensive guide to European law in this area. It seeks to raise awareness and improve knowledge of relevant standards set by the EU and the Council of Europe, particularly through the case law of the Court of Justice of the EU and the ECtHR. This handbook is designed to assist judges, prosecutors and legal practitioners involved in litigation in EU and Council of Europe Member States with legal issues relating to access to justice. NGOs and other bodies that assist individuals in accessing justice will also find it useful. The publication focuses principally on civil and criminal law. It covers such issues as a fair and public hearing before an independent and impartial tribunal; legal aid; the right to be advised, defended and represented; the right to an effective remedy; length of proceedings; and other limitations on access to justice. It also examines access to justice in selected areas: victims of crime; people with disabilities; prisoners and pre-trial detainees; environmental law; and e-justice. The handbook is available in English and French. Other language versions will follow.

Police Officers Served With Gross Misconduct Notices Following Death of Karl Brunner

Source: Bedfordshire on Sunday: Three Bedfordshire police constables have been served with gross misconduct notices and are under criminal investigation in relation to the circumstances surrounding the death of a Bedford man. Karl Brunner died in Midland Road, Bedford on May 11 after witnesses saw him being held to the ground by officers. A video of the incident surfaced online on the day of his death. IPCC Commissioner Mary Cunneen said: "Following careful consideration of the evidence we have gathered so far, we have now launched a criminal investigation into the

circumstances surrounding Mr Brunner's death. The launch of a criminal investigation does not mean that charges will necessarily follow. I would urge people not to speculate about the circumstances of Mr Brunner's death and await the outcome of our investigation. As this is now a criminal investigation, the IPCC is limited in the amount of information which can be released into the public domain. We continue to keep Mr Brunner's family updated with our progress and our thoughts remain with all of those affected by his death." Police and Crime Comissioner Kathryn Holloway has urged that people do not rush to judgement as the investigation continues and said: "It would be grossly unfair to impute any wrongdoing to the officers involved through rumour and speculation and we will be failing absolutely everyone involved if there is a rush to judgement."

Jury Returns Critical Narrative Conclusion Death Of 18-Year-Old Henry Hicks

The Jury in the inquest into the death of Henry Hicks has today returned a critical narrative conclusion. They found that the police were in pursuit of Henry when he died and that Henry's attempt to avoid the police contributed to his death. The four officers who pursued Henry all stated in their evidence that they did not consider they were in a police pursuit and had therefore not sought authority to pursue. Three of the officers provided statements that differed materially from their initial accounts given at the scene.

The Jury concluded that: • Henry David Hicks died as a result of a road traffic collision on Friday 19 December 201 • Immediately prior to the collision, Henry was aware that plain clothes police officers were in unmarked vehicles driving at a distance behind him and that they were wanting him to stop. • This was a police pursuit as defined by the Metropolitan Police Service SOP. • Factors contributing to the road traffic collision were as follows: - Attempting to avoid the police - Swerving - Riding a powerful 300cc moped - A road hump - The presence of a taxi - 2 out of 3 lights not working on a vehicle

On the evening of 19 December 2014, 18 year old Henry Hicks was riding his scooter in Islington, near his home in North London, when police officers in two unmarked cars followed him for a short distance, then signalled for him to stop and thereafter pursued him with flashing lights and sirens. At one point both police cars attained speeds in excess of 50mph in a 20mph area. About a minute later Henry came off his moped as he lost control and veered into the path of an oncoming vehicle. Henry suffered fatal head injuries. He was given first aid at the scene but was pronounced death at St Mary's Hospital later that evening. The IPCC have completed an investigation into the incident, finding four officers have a case to answer for gross misconduct. The family will now consider their next legal steps.

Henry Hicks' family said: "We welcome the conclusion and thank the Coroner and jury for their careful consideration of the evidence. Henry died in the course of a police pursuit by unmarked police cars, while he was riding his moped near our home in Islington. Henry was 18 when he died and as the police themselves said in the course of this inquest, he was a nice boy, polite, well brought up and from a good family. We are completely heart broken and miss him every day. We will always miss him and today confirms what we always believed had happened on that night. We would like to thank our legal team, Nick Rhodes QC, Alex dos Santos and Dean Dunham from Debello Law and Shona Crallan from INQUEST. We have been incredibly touched since Henry died by the Community's reaction and the number of people including strangers who have come up to us to tell us how special Henry was to them and how he had affected their lives."

Deborah Coles, INQUEST, said: "This inquest jury have unanimously rejected the police version of events. Over a year after his death, it has taken an inquest to expose the truth

about how an 18 year old came to die as a result of a dangerous police pursuit."

Walking the Fine Line Between Robust Reporting and Contempt

Simon McKay, Justice Gap: In light of the tragic events weekending 21/06/2016, it may be worth pausing to reflect on the balance that needs to be struck between responsible reporting and its impact on the integrity of future legal proceedings. The need to do so does not begin with the bringing of a criminal charge but on the arrest of a suspect: Contempt of Court Act 1981, Schedule 1. A finding of contempt is the consequence of improper reporting but its implications reverberate long after any fine imposed on a publisher has been paid off. It is a fundamental tenet of United Kingdom law that a person accused of an offence is entitled to a fair trial. This is echoed in Article 6 of the European Convention on Human Rights but there is no material difference in the principles that will be applied even if the United Kingdom was not a signatory to the Convention.

In some circumstances, the suspect seems, on the basis of information released into the public domain, guilty. In these cases, it is arguable that even greater caution to apply the principles of a fair trial is necessary. Consider the arrests of Colin Stagg and Christopher Jeffries as compelling examples. In Stagg, not only was he publically portrayed as the killer of Rachel Nickell before trial but for many years afterwards, the veil of suspicion hung over him – held steadily in place by some quarters of the press. In 1994, after two years of being held in custody, Mr Justice Ognall, following an abuse of process argument focusing, not on the adverse publicity, but the catastrophic operation to entrap him involving police, prosecutors and self-styled "Jigsaw Man" psychologist Paul Brittan acquitted Stagg and stayed the proceedings. Robert Napper was later convicted of Ms Nickell's murder. Christopher Jeffries was similarly demonized after the killing of his tenant Joanna Yeates in 2010. In fact, Vincent Tabak, Joanna's neighbour was her murderer. ITV later broadcast a drama called "The lost honour of Christopher Jeffries"; it may as easily have been called his public lynching.

English law has had to engage in considerable hand wringing on hearing defence applications to stay proceedings as a result of unfair publicity. There is a tightrope for judges to walk – balancing the need for those suspected of crimes to answer them – against affording those accused the very minimum safeguards that due process demands. In R v Taylor and Taylor in 1993, the Court of Appeal had to consider whether to order a re-trial of two women accused of the murder of the wife of one of their lovers. There was no question that they had a case to answer but the treatment of the case during the first trial by the media was described as "unremitting, extensive, sensational, inaccurate and misleading". But, held the court, the press was no more entitled to assume guilt than a police officer was entitled to convince himself that a defendant was guilty and suppress evidence which he feared might lead to the defendant's acquittal (material non-disclosure had resulted in the original convictions being quashed). Michael Stone (convicted of the murder of Lin and Megan Russell in 1996) was also successful in securing a fresh trial as a result of press impropriety.

Recent cases have been less favourable to defendants. In R v Dunlop (the first case brought following the amendment to the double jeopardy rule) the Court of Appeal in 2006 rejected an argument that adverse publicity would make a fair retrial impossible. Last year, Abdulla Ali, lost his case before the European Court of Human Rights alleging a violation of Article 6 on the grounds of prejudicial reporting of his trial (the so called "Liquid Bomb Plot"), the Strasbourg court holding that, "it was rare that pre-trial publicity would make it impossible to have a fair trial at some future date, it generally being sufficient to have an appropriate lapse of time between the prejudicial comments in the media and the subsequent criminal proceedings, together with suitable directions to the jury". The low risk of de-railing a trial through unconstrained reporting of rumour, speculation or even evidence yet to be given ought not to lead to a media free-for-all. Risk is a fluid concept – today's case may not see a return to the halcyon days of the application of rigid principle – but tomorrow's might. In the last month the Supreme Court in, PJS v News Group Newspapers, cited Lord Mansfield R v Wilkes in 1768, "that the law must be applied even if the heavens fell". Where adverse publicity results in a prosecution being stayed, it will not be open to the press, as it was in PJS, to call the law an ass. This label will be the sole preserve of those journalists reporting the case with reckless disregard for fair trial principles.

In an open society, comments by the press are inevitable in cases concerning public interest. Lord Atkin, one of our most liberal jurists, wrote that, "Justice is not a cloistered virtue: she must be allowed to suffer the scrutiny and respectful, even though outspoken, comments of ordinary men". Liberty of the press is a fundamental element of any free society but, to adopt the words of one European Court of Human Rights judgment, "a virulent press campaign can adversely affect the fairness of a trial by influencing public opinion and, consequently, jurors called upon to decide the guilt of an accused". The role of the courts is not to fetter what Lord Atkin called the right to "criticize temperately and fairly any episode in the administration of justice" but to prevent reporting that creates a real risk of prejudice such that a fair trial cannot take place.

Arsenic and Old Lags

Scottish Legal News: A federal US judge has ordered Texas prison officers to provide safe drinking water to prisoners after they complained about the arsenic content of well water at Wallace Park Unit. District Judge Keith Ellison said the low security facility which only holds elderly and sick inmates should replace its water supply within 15 days. But a spokesman for the Texas Department of Criminal Justice said they plan to appeal the ruling. Prison officials have known for ten years that the prison water's arsenic content registers between two and four-and-a-half times the amount permitted by the Environmental Protection Agency. However, they say the levels aren't lethal or likely to cause harm. A prison engineer said they would rather continue with plans to install a new filtration system within a year or so.

New Figures Reveal Theresa May Has Deprived 33 Individuals of British Citizenship

Victoria Parsons, Bureau of Investigative Journalism: In 2015 Home Secretary Theresa May deprived five people of their British citizenship on terror related grounds, according to new figures obtained by the Bureau of Investigative Journalism. In total May has stripped 33 individuals of British nationality on these grounds since becoming Home Secretary in 2010. All of the individuals were dual nationals. May can strip a person of citizenship without prior approval from a judge or parliament, and the individual's only recourse is to quickly launch a long and costly appeal in the Special Immigration Appeals Commission, a specialist court in London which deals with evidence deemed so sensitive to national security that it is heard in secret. The Bureau has been tracking the Government's use of citizenship stripping for more than three years, and these new figures come following a 16-month freedom of information battle with the Home Office.

Most of the individuals the Bureau has identified were deprived of citizenship while abroad. This effectively excludes them from the country – in fact, May often signs an exclusion order at the same time as the deprivation order – so forcing them to appeal against May's decision from countries like Sudan and Pakistan, from where communication with their lawyers can be difficult. All 33 individuals were deprived of their citizenship because it was 'conducive to the public good' to do so. This usually means the person is suspected of terror related activi-

ty, but can also include people suspected of espionage and war crimes. May can also strip someone of their British citizenship if they obtained it by way of fraud or lying – since 2010, 37 individuals have been deprived on these grounds. In total, 70 people have been stripped of their British citizenship under May, all of them dual nationals. However, since 2014 and the new Immigration Act, there is now a third way in which May can strip someone of citizenship – foreign born Britons, who hold only British nationality, can now be stripped of their citizenship if they gained it by naturalisation and May is satisfied they have behaved in a way that is "seriously prejudicial to the vital interests of the United Kingdom". In this scenario, the individual can be left stateless if the Home Secretary "reasonably believes" they could become a national of another country. According to David Anderson QC, the UK's independent reviewer of terror legislation, this new citizenship stripping power was not used once between July 2014 and July 2015.

Battle to Stop Jack Straw Facing Libya Rendition Charges *Jamie Doward, Guardian*

The government has spent at least £600,000 of taxpayers' money trying to prevent a civil case being brought against it by a husband and wife who allege that British intelligence was complicit in their detention, rendition and torture. Figures released under the Freedom of Information Act reveal the extraordinary lengths to which the government is going to prevent the civil case against it, former home secretary Jack Straw, and former MI6 spy chief Sir Mark Allen coming to court. The case is being brought on behalf of Abdel Hakim Belhaj, an opponent of Colonel Muammar Gaddafi, and his wife, Fatima Boudchar, who were seized in Malaysia and rendered via Bangkok to Libya in 2004 in an operation conducted jointly by MI6, the CIA and Libyan intelligence. Boudchar says she was chained to a wall for five days and subsequently taped to a stretcher for a 17-hour flight, which left her in agony. She was held in a Libyan prison until just before the delivery of her son, who was born weighing just four pounds. On arrival in Libya, Belhaj was imprisoned for six years, during which time he says he was regularly subjected to torture.

Their claims are similar to those made by another opponent of Gaddafi, Sami al-Saadi, who alleges that he, his wife Karima and their four children, aged 12, 11, nine and six, were detained in Hong Kong before being rendered to Libya with the full knowledge and help of MI6. Saadi's eldest daughter, Khadija, has described hearing her mother "saying that we were being taken back to Libya to be executed by Colonel Gaddafi", and says she "fainted, because I was sure we were going to be killed". Saadi, like Belhaj, was held for six years and also alleges that he was tortured. The Saadi family received a £2m settlement two years ago. However, Belhaj and Boudchar have pursued a civil court action as they seek an apology. Supporters say the case represents one of the few remaining opportunities they have of exposing the role played by the UK government in rendition

The UK's role in the two rendition operations was revealed in 2011, when faxes from MI6 to Gaddafi's spy chief, Moussa Koussa, were found following the fall of the regime. The faxes revealed Allen, MI6's former head of counter-terrorism, discussing the role of UK intelligence in securing the arrival of what he termed the "air cargo". The Metropolitan police carried out a criminal investigation into the two renditions but the Crown Prosecution Service ruled earlier this month that there was "insufficient evidence" to bring charges.

However, information released under FOI shows that by 10 September last year the government had spent £355,000 on internal legal advice and £259,000 on external advice as it sought to have the case dropped. Of this, £27,000 was spent on advice relating to Straw and £110,000 on advice relating to Allen. The FOI data reveals that the government has been paying as much as £250 an hour to

two senior barristers involved in defending the action. A number of junior barristers have also been charging between £45 and £120 an hour. Given that the figures are 10 months old, there is speculation that the total cost of fighting the case – before it even comes near a court – could be well in excess of £10m. "The government has wasted over half a million pounds in taxpayers' money arguing that torture cases shouldn't get their day in court, simply to spare the blushes of MI6 and the CIA," said Cori Crider, a lawyer for the victims at international human rights organisation Reprieve. "Meanwhile my clients, Abdel Hakim and Fatima, are prepared to settle for just £3 – one pound per defendant – and an apology." The government argues that the case should not be heard on the grounds that it would involve ruling on the activity of a foreign government.

The Supreme Court is currently considering this. The issue of rendition will be thrown into sharp relief on Wednesday when it is the subject of a parliamentary debate. "The government must use this week's debate on renditions as a chance to finally come clean over Britain's involvement in rendition and torture, and apologise to the victims of this shameful practice," Crider said. "Saying sorry to the women and children that were kidnapped and abused by British intelligence is not only the right thing to do – it will allow our country to finally move on from this dark chapter in the 'war on terror'."

Happy Ending' For Lacklustre Lawyer *Scottish Legal News*

A lawyer who quit the profession because he was 'average' and saw 'no potential for very large potential gain' has hit the jackpot by setting up a business producing masturbation devices for the burgeoning self-abuse market. Thirty-five year old Brian Sloan, turned his back on the law when he "realised that lawyers rent their brains out by the hour, not unlike prostitutes renting out their bodies by the hour. He added: "Even worse, I knew I would be only an average or at best slightly above average lawyer, competing against people who could much more efficiently work through legal problems." Mr Sloan decided to design his own sex toys and his company now has an £8 million turnover. Among his inventions is 'Autoblow 2' an "oral sex-simulating robot" for which he attracted crowd funding. It has become his company's bestseller with 90,000 devices sold online. His other inventions are 'Slaphappy', a flat bendable vibrator and an item called '3Fap' which modesty prevents us from describing. Mr Sloan manufactures his products in China and markets them worldwide online. His mother has overcome her embarrassment at her son's activities (he once organised a 'scrotal beauty contest') and he now claims that she is supportive of his business. The American entrepreneur is now writing a book. He told news.com.au: "Personally though I'm writing a guide on how others can be successful with an online business. I'd like to share my experiences with people and hopefully positively influence other people who are thinking about a life of entrepreneurship. "My work may well be perverted or obscene, that's the fun part. I've always had a strange sense of humour."

O'Neill and Lauchlan v UK - Violation of Article 6 § 1 (Length of Proceedings)

The applicants, Charles Bernard O'Neill and William Hugh Lauchlan, are British nationals who were born in 1962 and 1976 respectively and are currently detained in HMP Glenochil and HMP Edinburgh respectively (both in Scotland, the UK). The case concerns their complaint about the excessive length of criminal proceedings brought against them.

In August 1998 the applicants were convicted of various sexual offences and sentenced to periods of imprisonment of eight and six years respectively. In September 1998, while serving their sentence, both applicants were detained by the police and interrogated in relation

to the disappearance and suspected murder of a woman, A.M., with whom they had shared an apartment. Neither was charged or arrested following the interviews due to insufficient evidence.

In April 2005, charges were brought against them for the murder of A.M. and for concealing and disposing of her body. However, the prosecuting authorities decided not to prosecute due to concerns over insufficiency of evidence and, in the following three years, conducted periodic reviews of that decision. New evidence then came to light which led the Crown Prosecution Service to conclude that there had been a change in the prospects of securing both applicants' conviction and the applicants were thus indicted in September 2008. Between their indictment and trial, lasting 20 months, the applicants lodged a number of motions and appeals, arguing in particular that they could not receive a fair trial owing to the significant delay which had occurred in their case, all without success.

The applicants' murder trial, which took place between May and June 2010 with the Crown leading evidence from over 50 witnesses, ended in their conviction for murder and attempting to pervert the court of justice. Between June 2010 and June 2014 the applicants lodged appeals against their conviction and sentence as well as ancillary appeals, including a complaint under Article 6 (right to fair trial within a reasonable time) of the European Convention on Human Rights about undue delay in the proceedings. The applicants' appeals against conviction and sentence were finally dismissed in March 2014 (Mr O'Neill) and June 2014 (Mr Lauchlan). Relying on Article 6 § 1 (right to a fair trial within a reasonable time), the applicants contend that the overall length of the criminal proceedings against them was excessive.

Violation of Article 6 § 1 (length of proceedings) - by reason of the overall duration of the relevant criminal proceedings. Just satisfaction: The Court held that the finding of a violation constituted adequate just satisfaction in respect in any possible non-pecuniary prejudice sustained by the applicants. It further awarded EUR 4,500 to Mr O'Neill for costs and expenses

America's Deadliest Prosecutors: Five Lawyers, 440 Death Sentences

US News, Guardian: Harvard report highlights the lion-sized role in modern death penalty of just four men and a woman, and how capital punishment is a 'personality-driven system': One had a poster from the movie Tombstone on his office wall with "Justice is coming" emblazoned on it; another used a miniature model of an electric chair as a paperweight; a third, dubbed the "Queen of death", said she was "passionate" about judicially killing people and described the emotion of watching an execution as a "non-event". What they all had in common was a vast appetite for putting men and women to death. What additionally made them special was that they all had the power to turn such unusual tastes into sentences. As head prosecutors in their counties, just five individuals have been responsible for putting no fewer than 440 prisoners onto death row. If you compare that number to the 2,943 who are currently awaiting execution in the US, it is equivalent to one out of every seven. Or express the figure another way: of the 8,038 death sentences handed down since the death penalty was restarted in the modern era 40 years ago this week, some one in 20 of them have been the responsibility of those five district attorneys alone. The five are profiled in a new report from Harvard Law School's Fair Punishment Project. Titled America's Top Five Deadliest Prosecutors, the report highlights the lion-sized role in the modern death penalty of just four men and one woman. They are: Joe Freeman Britt of Robeson County, North Carolina; Donnie Myers of Lexington, South Carolina; Bob Macy of Oklahoma County; Lynne Abraham of Philadelphia County; and Johnny Holmes of Harris County, Texas.

Just how extraordinary this elite club of lawyers is can be seen in the biography of Bob Macy. Until his death in 2011, he was known as Cowboy Bob because of his traditional frontier dress sense: he always wore cowboy boots, a large cowboy hat, a black string tie, a black suit and a white shirt. Over the course of 21 years as the top prosecutor in Oklahoma County, Macy put 54 people on death row. That gave him the distinction of sending more people to their potential deaths than any other district attorney in the nation. And many did actually go to their deaths. According to records compiled by the Fair Punishment Project, 30 of those prisoners were executed. That might have presented an ethical burden to some, but not to Macy. As he sat beneath his Tombstone poster, he ruminated on the "patriotic duty" of prosecutors to aggressively pursue death sentences. He was proud of having sent a 16-year-old, Sean Sellers, to the death chamber before the US supreme court banned the execution of juveniles in 2005. The problem is that Macy's sense of legal propriety was not as honed as his sense of patriotic duty. The Harvard report notes that about a third of the 54 capital sentences he secured were later challenged and misconduct uncovered; three death-row prisoners were exonerated.

A similarly disturbing pattern of misconduct and error is recorded by the other deadliest prosecutors. Britt, who died in April, obtained 38 death sentences in the course of his 14-year career. He once said that "within the breast of each of us burns a flame that constantly whispers in our ear 'preserve life at any cost'. It is the prosecutor's job to extinguish that flame." Which is all very well, were it not for the fact that in more than a third of his cases ending in death sentences he was later found to have committed misconduct. Two of his death row inmates were exonerated: Leon Brown and Henry McCollum, two intellectually disabled brothers who were 15 and 19 respectively when they were set up for murder.

Myers is the only one of the five who is still in office, with plans to retire at the end of the year. The lawyer, the one with the electric chair paperweight on his desk, did not respond to the Guardian's questions about his inclusion in the top five club of deadliest prosecutors. He achieved 39 death sentences in the course of his 38 years in practice but labored under a 46% rate of misconduct that was later discovered. Six of his death sentences were overturned due to problems in the way he had secured a capital sentence – often involving discriminatory exclusions of jurors based on race. The report notes that Myers once rolled a baby's crib draped in black cloth in front of a capital jury and, crying profusely, told them that a failure to return a death sentence would be like declaring "open season on babies in Lexington County". In another death penalty case, he referred to the black defendant as "King Kong", a "monster", "caveman" and "beast of burden".

The grossly disproportionate impact of these district attorneys in just five of America's 3,100 counties gives the lie to the US supreme court opinion, issued on 2 July 1976 in Gregg v Georgia, that reopened the death penalty in America. That ruling said that capital punishment could be practiced in such a way that it was neither arbitrary nor capricious. But the past 40 years have shown it to be highly arbitrary. In a spirited dissent issued last year, Justice Stephen Breyer argued that it was time for the supreme court to consider whether the ultimate punishment should be ruled unconstitutional and banned outright.

Breyer found that "40 years of experience make it increasingly clear that the death penalty is imposed arbitrarily, without the reasonable consistency legally necessary to reconcile its use with the constitution's commands". One of the examples he gave of inconsistency was that not only do some states allow the death penalty while others do not, but also "within a death penalty state, the imposition of the death penalty heavily depends on the county in which a defendant is tried". The remaining two of the five most deadly prosecutors did not

personally secure all their own death sentences but did preside over teams of lawyers who put astonishing numbers of people onto death row. Lynne Abraham, known as the "Queen of death", saw 108 capital sentences returned during her time as chief prosecutor in Philadelphia County. Asked whether she had ever doubted the outcome of a capital case, she said categorically that she never had. Yet two of her cases ended in exonerations.

Johnny Holmes was the top prosecutor in Harris County, Texas, which covers Houston. During his 21 years in charge until his retirement in 2000, 201 people were sent to death row. As the Harvard team points out, as soon as Holmes retired, the number of death sentences secured in Harris County plummeted from an average of 12 a year during his heyday to just one a year now. That suggests that capital punishment in America is what the authors call a "personality-driven system". They point out that despite the gradual decline of new death sentences across the country, the syndrome of overzealous prosecutors remains a problem today. The enduring distortion of the numbers, they say, is evidence that the application of the death penalty has always been less about the crime and the criminal, "and more a function of the personality and predilections of local prosecutors entrusted with the power to seek the ultimate punishment".

Flo Krause: Legal Aid Cuts Have Forced Me Out of my Career at the Bar

Eric Allison, Guardian: A barrister whose work for prisoners is legendary, spells out why she believes justice should be accessible for all, not just the wealthy. During her years at the bar, Flo Krause acquired a reputation for plain speaking and she remained true to form in the valedictory note she posted on her website when she hung up her wig in April. "I am sick of the legal aid cuts, the lack of access to justice, the systemic delays for my clients, the deprivations of liberty that have become routine where nobody is outraged anymore. I am sick of the paternalistic and moralistic lifer system, the begging for release, the cruel and inhuman treatment of indeterminate sentence prisoners, the middle-class judging of people who end up in the system and the endless punishment of traumatised people. I am going to peddle my wares elsewhere." When that was posted, Krause, 55, was widely regarded as one of the leading practitioners of prison law. She has represented prisoners at some 5,000 Parole Board hearings and acted for them at around 1,000 applications seeking judicial review proceedings in her career as a barrister, making her something of a legend in penal circles.

She has acted for high profile prisoners, such as train robber Ronnie Biggs and serial killer Dennis Nilson., The former, to seek compassionate relief when he was very ill and for Nilson, the right to have the manuscript of his autobiography in his possession. "I did not shy away from any case that made a legitimate point and gave voice to someone who would otherside have beeen voiceless. I didn't take on any undeserving cases, only unpopular cases," she says. Krause has scored notable victories at the highest level; in 2011, she persuaded the grand chamber of the European court of human rights to overturn the UK's blanket ban on prisoners voting (even though successive governments have failed to act on the ruling). And, in 2009, the same panel ruled that, in some cases, the wives of prisoners had the right to conceive a child by artificial insemination using their partner's sperm. In 2013, in the appeal court, she successfully argued that a severely disabled prisoner, Daniel Roque Hall,who suffered from a degenerative disease, should be released from prison because he could not receive adequate treatment.

We meet at her home, a converted milking barn, high on a hill overlooking Hebden Bridge, west Yorkshire, which Krause shares with her wife, who she has been with for 11 years ("I have been out since I was very young," she says), two dogs and three sheep. Though born and brought up in Paris, Krause's marked northern accent bears no trace of her French mother tongue. The only child of a single mother, she never knew her father. Her mother, now deceased, was a director of photography, the first woman in France, she says, to hold such a post. A communist, she took the seven-year-old Flo to the protests that swept Paris in 1968. Krause qualified as a solicitor in England in 1994. Out of the blue, she says, she was asked to represent a prisoner at a parole hearing. The man was a convicted murderer and rapist and she quailed at the thought of meeting him, thinking, "What if he comes for me?"

Her fears were groundless, the client was polite, grateful and felt terrible about what he had done. She won his freedom and, "all of a sudden, I became an expert in prison law," she recalls. She enjoyed meeting prisoners. "It was a different world. I have always wanted clients who had been dealt a bad hand in life to be heard, to be their voice, and so many prisoners fitted that criterion. There was also an aspect of 'there but for the grace…' When you delve into it, so many awful things have come about due to an accident of birth." Krause says that although she enjoyed her work as a solicitor, the amount of paperwork required to practise increased and she wanted to conduct judicial reviews, so she studied to become a barrister.

Of the thousands of cases she has taken on, Krause says that in all but a handful she has been paid by legal aid. She is not interested in rich clients, who she says can look after themselves. "Given my political views, I couldn't do anything other than legal aid work. I believe strongly that the law should protect the most vulnerable and without legal aid this is impossible." So what led to the message on her website? Krause says she is exhausted. The strain of driving some 30,000 miles a year, visiting prisoners in practically every jail in England has taken its toll. And fighting a losing battle against what she calls a cruel and unjust system has left scars. She talks in particular of indeterminate sentence prisoners, held years over their tariff. "Can you imagine what it's like to have no release date? You cannot plan, cannot dream. Then, if and when you get a parole hearing date, you find you have no lawyer. It is brutal and disgusting."

Their plight was highlighted last week by the Prison Reform Trust which reported that the rate of self-harm among these prisoners had risen almost 50% in four years and showed they were in "despair". Although the sentence was abolished in 2012, there are more than 4,000 prisoners with no release date. Krause says that at one time legal aid was well paid and enabled lawyers to earn a decent living. She says that some cuts would have been acceptable.

"The recent cuts, however, have ensured that young lawyers will never be able to build a legal aid practice." In the last three years, she says she has done huge amounts of pro bono work, because the money allocated for a case ran out early on, but the case continued. "My choices were either to drop the client mid-case, which I would never do, or continue to the end of the case for free. That happened in about a third of cases. A lot of cases were so badly paid that it wasn't unusual for me to end up with £150 to prepare a case, drive to the jail, see the client, do the hearing and drive home. And I was doing that three times a week. I simply could not carry on."

What will she miss? "The rapport with the clients, most definitely", she replies. As for her victories, she says the job was so pressurised, she could not enjoy the successes. "When John Hirst won on prisoner voting, it was something to celebrate, but I was already on the next case, and the next case was always the most important one." Likewise,Daniel Roque Hall. "He would have died in prison, but I had another job to go to, quickly. No time to celebrate." Krause says she won't miss the judges she came across, especially at high court level.

"The majority are so removed from reality, so steeped in preserving the status quo,

they cannot begin to see the point you are making to them," she says. Krause is deeply pessimistic about the future for those reliant on state-funded legal advice. "It is important for the law to be accessible to all. At the moment it is only accessible to the wealthy, who need it the least. If the law is there to right wrongs and highlight abuses of power, then it is those who are deprived of it who need it the most." She adds: "It seems there is nothing anyone can do and nothing anybody cares to do."

UN "Seriously Concerned" About TImpact of Austerity On Human Rights in the UK

UK Human Rights Blog: The UN Committee on Economic, Social and Cultural Rights (CESCR) has published a damning report on the UK's implementation of economic, social and cultural rights. The CESCR monitors the implementation of the International Covenant on Economic, Social and Cultural Rights (ICESCR), an international treaty to which the UK is a party. State parties are required to submit regular reports to the Committee outlining the legislative, judicial, policy and other measures they have taken to implement the rights set out in the treaty. The Committee may also take into account evidence from "Civil Society Organisations" (Amnesty International and Just Fair were among those who made submissions in respect of the UK). The Committee then addresses its concerns and recommendations to the State party in the form of "concluding observations". The Committee's last report on the UK was back in 2009, so this was its first opportunity to review the austerity measures put in place since 2010. It's fair to say that the UK did not come off well. With regard to austerity, the Committee was: "…seriously concerned about the disproportionate adverse impact that austerity measures, introduced since 2010, are having on the enjoyment of economic, social and cultural rights by disadvantaged and marginalized individuals and groups."

On social security, the report states: "The Committee is deeply concerned about the various changes in the entitlements to, and cuts in, social benefits, introduced by the Welfare Reform Act 2012 and the Welfare Reform and Work Act of 2016, such as the reduction of the household benefit cap, the removal of the spare-room subsidy (bedroom tax), the four year freeze on certain benefits and the reduction in child tax credits. The Committee is particularly concerned about the adverse impact of these changes and cuts on the enjoyment of the rights to social security and to an adequate standard of living by disadvantaged and marginalized individuals and groups, including women, children, persons with disabilities, low-income families and families with two or more children. The Committee also is concerned about the extent to which the State party has made use of sanctions in relation to social security benefits and the absence of due process and access to justice for those affected by the use of sanctions." And it will come as no great surprise to the legal profession that: "The Committee is concerned that the reforms to the legal aid system and the introduction of employment tribunal fees have restricted access to justice, in areas such as employment, housing, education and social welfare benefits."

Other concerns raised by the Committee include: • Unemployment, which, despite a rise in the employment rate, continues to disproportionately affect people with disabilities, young people and people belonging to ethnic, religious or other minorities. • The high incidence of part-time work, precarious self-employment, temporary employment and the use of zero hour contracts, particularly affecting women. • The "persistent discrimination" suffered by migrant workers. • The challenges faced by asylum seekers due to restrictions in accessing employment and the insufficient level of support provided through the daily allowance. • The national minimum wage, which the Committee was concerned "is not sufficient to ensure a decent standard of living in the State party, particularly in London, and does not apply for workers under the age of 25". • The

increased risk of poverty for people with disabilities, people belonging to ethnic, religious or other minorities, single-parent families and families with children. • The persistent critical situation in terms of availability, affordability and accessibility of adequate housing, in part as a result of cuts in state benefits. • The significant rise in homelessness, affecting mostly single persons, families with children, victims of domestic violence, persons with disabilities and asylum-seekers. • The increasing levels of food insecurity, malnutrition, including obesity, and the lack of adequate measures to reduce the reliance on food banks. • Discrimination in accessing health care services against refugees, asylum-seekers, refused asylum-seekers and Travellers. • Significant inequalities in educational attainment, especially for children belonging to ethnic, religious or other minorities and children from low-income families which has the effect of limiting social mobility. • Increasing university fees, which affect the equal access to higher education. • The criminalisation of termination of pregnancy in Northern Ireland, which disproportionately affects women from low-income families who cannot travel to other parts of the United Kingdom.

Sadly, it seems unlikely that very much will change as a result. The Government is not bound to implement the recommendations made by the Committee, which can do little more than remind state parties of their existing international obligations. The UK is not a party to the Optional Protocol to the ICESCR, which allows individuals to complain to the Committee that their rights have been violated. As far as legal action is concerned, economic, social and cultural rights are generally much harder for individuals to enforce than civil and political ones. Unlike the rights contained in the ECHR and (for now) at least some of those in the EU Charter of Fundamental Rights, the rights in the ICESCR are not enforceable in UK domestic courts. However, the report may at least provide further ammunition for those campaigning against austerity, or otherwise challenging the policies it criticises.

Demonstration Abolish the Close Supervision Centre (CSC) System

A secret world exists within the high security prison estate in England, known as the Close Supervision Centre (CSC) system. The dehumanisation of CSC prisoners begins at a very early stage, in the official justification for the creation of the CSC system, which focuses on the need to contain a new breed of unmanageable and unpredictable risks. It continues with the creation of classificatory categories of 'dangerousness' which objectify prisoners and make more of the category and less of the human in them, and it is reinforced by the tightly controlled and highly regulated routines.

In addition to isolation and extremely restricted movements, prisoners' in-cell belongings are carefully regulated and subjected to relentless scrutiny and inspection. Prisoners remain in CSC units for years, decades even, made frustrated, angry and bored by their experiences with few avenues to vent their anger and with almost no opportunities to advance through the system. All perceived acts of disobedience or non-compliance by CSC prisoners, even of the most petty kind, are responded to brutally by gangs of prison officers clad in full riot gear who show no mercy when demonstrating their authority and power, sanctioned by Prison Service management at the highest levels. Rather than controlling violence, as it officially aims to do, this hyper-controlled environment breeds it. Having now spent six years subject to the unofficial punishment of allocation to the CSC myself, it is clear that without real pressure to force the required change nothing but more negative and oppressive measures will be added.

Please lend your support for the abolition of the CSC system by attending the protest demonstration: 21 July between 12.30pm and 2.30pm outside the offices of the Prison Ombudsman and Independent Monitoring Board, Rose Court, 2 Southwark Bridge, London SE1 9HS.

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Scottish Ministers In Court Again 2nd Breach of Undertaking Not to Open Inmate's Mail

Scottish Legal News: The Scottish Government has been found in contempt of court again after prison officers breached, for a second time, an undertaking not to open an inmate's letters. A judge in the Court of Session described the second breach by the Scottish Prison Service (SPS) as an "affront to the authority of the court", but decided to defer any decision on whether to order the minister responsible to appear before the court for six months to allow the prison authorities to check the robustness of the measures now in place in relation to the opening of privileged mail. Lady Wise explained that the petition was the second by the prisoner Kenneth Smith seeking a finding that the respondents, the Scottish Ministers, were in contempt of court by breaching an undertaking they gave in judicial review proceedings which Mr Smith previously brought against them following the "repeated unauthorised opening" of his "privileged correspondence".

The court was told that prior to the undertaking being given in February 2013, on at least 14 occasions the prison authorities opened privileged mail addressed to the petitioner, who is serving a custodial sentence at Edinburgh prison, which they had no authority to open either in terms of their own guidance or as a matter of law. The undertaking stated that "the Scottish Ministers hereby undertake that prison officers in the Scottish Prison Service will refrain from opening or requiring the petitioner to open in their presence letters or packages addressed to the petitioner and bearing the stamps Return Address PO Box 66, Wilmslow, SK9 5AX", which is the address of the Information Commissioner's Office.

In February 2015 Lord Pentland disposed of the first petition and complaint by making a finding of contempt of court against the Scottish Ministers. However, little more than a month after that decision, two prison officers involved in separating the petitioner's mail into "privileged correspondence" and "general correspondence" failed to properly categorise an envelope bearing the stamp "PO Box 66, Wilmslow, SK9 5AX" and opened it in the presence of the petitioner. The respondents accepted that the envelope should not have been opened, that it constituted a breach of the undertaking, that there were reasonable steps that could have been taken to avoid the breach, and that a finding of contempt of court should accordingly be made.

But on the issues of mitigation and disposal the Lord Advocate, who appeared on behalf of the Scottish Ministers as a mark of the "gravity of the situation", explained that following Lord Pentland's finding the opinion was circulated to all prison governors and a review of procedures at HMP Edinburgh was carried out, with new guidance put in place. And after the second breach, the Lord Advocate said that the SPS acted "promptly and appropriately" by investigating the matter and apologising to the petitioner. The relevant guidance was revised and a staff briefing was also issued, while an ex gratia payment of £500 was offered to and accepted by the petitioner.

The Lord Advocate acknowledged that a second breach so soon after Lord Pentland's decision was an "aggravating factor", but added that the further measures put in place appeared to have remedied the matter and argued that a second finding of contempt was such a grave matter that "no further penalty was necessary". However, senior counsel for the petitioner said the core issue was the "public perception" of the court's authority. While he acknowledged and accepted the steps taken by the respondents, this was a second breach of an undertaking to the court following "repeated breaches" of the petitioner's article 8 rights.

Counsel argued that any recipient of an undertaking to the court was entitled to a guarantee that it will be honoured or there could be "no confidence" in the court's authority. It was submitted that while the matter of penalty was of course for the court, something to reflect the gravity of the situation was required, and while a fine was not always appropriate for a public body, consideration should be given to the message that might be conveyed if the disposal was the same as that following the first breach. The judge described the second breach of an undertaking given to the court by a public authority such as the Scottish Ministers as an "extremely serious matter. It is a further affront to the authority of the court," she said, adding: "Both the party to whom an undertaking is given and the court which interpones authority to it are entitled to demand that it is fully complied with."

In a written opinion, Lady Wise said: "In the circumstances the acceptance by the respondents that this constituted a further contempt of court is the only responsible position that in my view they could have taken. The breach raises further questions about whether the respondents have really put sufficient measures in place, even now, to avoid any repetition of what has occurred. In deciding what penalty to impose I have considered the imposition of a fine but acknowledge that such a course would have little impact on a public authority and so I discount it as an appropriate disposal. I have considered whether to ordain the responsible minister to appear before me in relation to this second contempt of court. It seems to me that, while the submissions of the Lord Advocate who is a member of the Scottish Government have been of great assistance, it is the responsible minister who is ultimately accountable to the court for this second contempt and it may be appropriate for him to appear personally to answer for the further admitted breach.

Of course the respondents have put in place additional measures to try and ensure that no further breach occurs and to date those have been successful. I am conscious, however, of the very short period of time that elapsed between the finding of contempt of Court on 21 February 2015 and this admitted further contempt the following month. In the circumstances the court requires to be satisfied that there will be no repetition of a breach of this undertaking within a further short period of time from the finding that I intend to make today. First, I make a finding of contempt of court against the respondents. Secondly, I will defer consideration of what further order, if any, to make for a period of six months. The case will call in court by order at the end of that period when I will expect to be addressed on the continued success or otherwise of the measures now in place in relation to the opening of the petitioner's privileged correspondence, after which I will give further consideration to whether it is necessary or appropriate to ordain the responsible minister to appear before the court." The judge added that the decision would be issued as an opinion and published on the Scottish Courts and Tribunals Service website. A date for the proposed by order has been identified as 14 December 2016.

Sex Work Must be Decriminalised, Government Report Warns

Siobhan Fenton, Independent: The major new Westminster report has warned current legislation means sex workers are at risk of abuse and violence and called for urgent reform. It has found brothel-keeping laws, which require sex workers to work separately, should be adapted so that they can share premises in the interests of safety. It also found criminalising sex workers for 'soliciting' means having a criminal record proves a barrier to those wishing to leave the industry and enter mainstream work.

Currently it is not illegal to buy or sell sexual services, but many of the associated practices are criminal offences such as soliciting, kerb crawling or keeping a brothel. Labour MP and committee chairperson Keith Vaz said: "Treating soliciting as a criminal offence is having an adverse effect, and it is wrong that sex workers, who are predominantly women, should be penalised and stigmatised in this way. "The criminalisation of sex workers should therefore

end.“ He added: ”The committee will evaluate a number of the alternative models as this inquiry continues, including the sex-buyers law as operated in Sweden, the full decriminalised model used in Denmark, and the legalised model used in Germany and the Netherlands.“ A spokesperson for the English Collective of Prostitutes, which promotes sex workers’ rights, said the organisation welcomed the committee’s report but called for legislative reform to go further. They said: “We call on the Home Affairs Select Committee to go further and repeal all the laws that put sex workers in danger. We are drafting legislation to decriminalise prostitution in the UK which will be ready to present in the autumn. We ask to meet with committee members as soon as possible to discuss how this should be framed in line with their recommendations.”

In Northern Ireland, paying for sex became a criminal offence in June 2015 following legislation from the evangelical Christian Democratic Unionist Party known as Morrow’s Bill. The laws were criticised as activists claimed they would unfairly penalise women. When the first arrests were made in November 2015 under the new legislation, one man and three women were arrested. Last year, human rights group Amnesty International sparked controversy after its members voted to support decriminalisation, describing it as: “the best way to defend sex workers’ human rights and lessen the risk of abuse and violations they face.” Figures suggesting that around one in 10 (11%) British men aged 16 to 74 have paid for sex on at least one occasion and estimating that there are around 72,800

Report on an Unannounced Inspection of HMP Frankland

HMP Frankland staff provided a safe and decent environment for prisoners, with good opportunities for work, training and education, said Peter Clarke, Chief Inspector of Prisons. Today he published the report of an unannounced inspection of the high security prison near Durham. Frankland is the largest high security dispersal prison in England. Most prisoners are serving long or indeterminate sentences for very serious offences. Just over a quarter are classified as category A prisoners and around half the population are vulnerable prisoners, kept separate because of the nature of their offence or other vulnerability. At its last inspection in 2012, the prison had sustained good progress. This more recent inspection found that progress had been maintained.

Inspectors were concerned to find that: Recommendations from the last report: Prisoners should receive information about the establishment before their arrival unless specific, individual security concerns prevent this. Not achieved - Health care reception screening should take place in private. Not achieved (recommendation repeated). Action plans should be developed from investigations into serious self-harm incidents and learning from these should be monitored. Not achieved - Enhanced level prisoners should not be paid more than standard level prisoners for doing the same work. Not achieved. - The segregation unit should be refurbished to provide adequate facilities for its prisoners. Not achieved - The segregation regime for longer-stay prisoners should be improved and include daily activities. Not achieved. The reasons why some groups feel less safe should be explored, and action taken to address any relevant concerns. Partially achieved Prisoners’ success in improving their employability and interpersonal skills through learning and skills and work should be consistently recognised and recorded. Partially achieved. Joint work between GPs, the clinical substance misuse service and the psychosocial service should be developed to improve care planning and care coordination. Partially achieved. • the regime in the segregation unit was too restricted; • the diversion of prescribed medication remained a significant problem, despite generally good support for men with substance misuse issues; • further progress was needed in equality and diversity work; • there were excessive delays in transferring prisoners to secure mental health facilities; and • some offender supervisors no longer had the time to maintain regular contact with prisoners and there was a backlog of offender assessment reviews (OASys).* Inspectors made 31 recommendations.

Peter Clarke said: “The outcomes for prisoners at Frankland were reasonably good or better. Staff managed considerable ongoing risk every day, while maintaining a safe and respectful regime in which prisoners had good learning opportunities. The governor had established a business plan, ‘Moving forward with pride, principle and purpose’, which aimed to help staff understand the needs of the long-term population and develop a rehabilitative culture. The approach adopted was likely to help foster well-being and hopefulness, and to support prisoners’ levels of motivation throughout long sentences. These were essential for the population held and, therefore, from our point of view, very welcome initiatives.”

HMP Stafford – Considerable Progress!

HMP Stafford was a safe and stable prison which had made considerable progress after changing its role to a sex offender prison, said Peter Clarke, Chief Inspector of Prisons. More work needed to be done to address some prisoners’ offending behaviour, he added. As he published the report of an unannounced inspection of the training jail. HMP Stafford, one of the oldest prisons in the country, was built in 1794 and added to at various times. It was re-roled in 2014 to be a sex offender prison and currently holds around 750 prisoners. Despite the fact that it is not a resettlement prison, on average 20-25 prisoners are released directly into the community each month, which presents some particular challenges still to be met. There is now a much older population, which has produced challenges in health care and finding suitable work, training and education for older men. The transition to a sex offender prison has seemingly contributed to a calmer atmosphere. The change in role has been grasped by management as a challenge and opportunity. Inspectors were concerned to find that: • 24 recommendations from the last inspection had not been achieved and 12 only partly achieved. • health care for the ageing population needed to improve and there were too many cancelled external hospital appointments; • the management of work, training and education was weak, there was no clear learning and skills strategy and much of the work for prisoners was unchallenging; • a number of high-risk men were released directly from the prison with outstanding resettlement needs and the prison faced difficulties meeting these needs without a community rehabilitation company or other settlement support; and • there was no alternative provision for the two-thirds of prisoners who were ineligible for the sex offender treatment programme, not enough places for those who were eligible and a number of men were released without undertaking any offending behaviour work. • Inspectors made 48 recommendations

Peter Clarke said: “HMP Stafford is a prison that, under energetic leadership, has grasped the challenge presented by its change of role, and has made considerable progress. The current governor and team have a shared ambition to build a solid basis of safety, stability and respect within the prison and to use this as a foundation on which to make further progress. During the inspection I was able to detect a distinct sense of pride in the prison across all levels of staff and among some prisoners. There is still much work to be done, particularly in the areas of health care and resettlement, if the progress that has been made is to be consolidated and built upon.”

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.