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Transgender Woman Sues Over Ordeal In Male Prison

Mark Townsend, Guardian: One of Britain's most prominent transgender activists is embroiled in an extraordinary legal battle with the Ministry of Justice, in a landmark discrimination case. Tara Hudson, a trans woman, was sent to a male prison in 2015, prompting a national outcry with more than 150,000 people signing a petition calling for her to be moved to a women's jail. Hudson is suing the MoJ for damages, alleging that her status as a woman was ignored when she was imprisoned, that she suffered sexual assault during her incarceration and that she was placed in an atmosphere that was "intimidating, hostile, degrading, humiliating and offensive" Her lawyers are also seeking a declaration from the court that Hudson was discriminated against, potentially the first time the MoJ has been found guilty of mistreating a prisoner on the basis of gender reassignment. The case will be heard at the Mayor's and City of London court in April, but Hudson's lawyers have expressed outrage at the "transphobic and insulting" language used by the government in its response to the allegations.

In court papers seen by the Observer, the MoJ and government lawyers argue that they do not consider Hudson to be a woman despite the make-up artist reassigning her gender and living as a woman for her adult life. They state Hudson "is as a matter of biological fact a man" and add that the term "transwoman" has no legal significance. They say they have adopted female pronouns when referring to Hudson only "out of respect for her wishes". In response, Hudson's legal team accuse government lawyers of adopting "transphobic, unnecessarily abrasive, aggressive and insulting" language towards Hudson, who has breasts and has used hormones for years but does not have a gender recognition certificate.

Hudson spent six weeks in jail in 2015, after she admitted head-butting a barman. She spent seven days in HMP Bristol before being moved to a women's facility, Eastwood Park, after a storm of national protest. Speaking from Belgium, where she lives with her boyfriend, Hudson said: "I was horrified when I read the defence from the MoJ. It states that I'm a male, which is a complete insult, humiliating and wrong because I've been living as a female all my adult life. I'm not a drag act. When I was put in jail I'd been the subject of transphobia and it feels like I'm the subject of transphobia again from the MoJ, which is horrible because it's my government."

Her lawyer, Jane Ryan of Bhatt Murphy, says the government is denying her gender identity and that its argument runs counter to the ministry's published policies on trans prisoners and the 2016 women and equalities committee transgender inquiry, the first ever parliamentary report on such issues. Her case was also instrumental in prompting a national review to examine the treatment of trans prisoners. It concluded it may be appropriate for some trans prisoners to be placed in a prison of their acquired gender, even if they do not have a gender recognition certificate. "According to the review, the MoJ is committed to promoting transgender equality. Yet its decision to defend these proceedings, and the manner in which it is conducting its defence, directly undermines that commitment, compounding the discrimination suffered by my client," said Ryan. Last year Theresa May announced she would reform the gender recognition act, allowing people to self-identify and removing the need for medical diagnosis of gender dysphoria before someone can officially change gender.

Government lawyers insist that Hudson is legally a man and that placing her in a male prison did not signify "scant regard for her wellbeing", deny breaching her human rights and state that all efforts were made to prevent her suffering any abuse or assault from other inmates. Hudson's allegations include a description of her arrival at HMP Bristol in October 2015, where she says she was met "by a cacophony of noise and verbal abuse" with prisoners shouting: "What is it? Kill it." During a body search, it is alleged that a male officer "gasped and mumbled 'fucking hell'". Hudson also alleges that an inmate groped her breasts and genitals, leaving her "threatened, distressed and humiliated". Other claims involve Hudson being held in a segregation unit and not initially being offered a transfer to a woman's prison, again contradicted by the government who claim "she preferred not to be transferred to a female prison". Hudson is calling for an apology. "They should accept they mistreated me and move forward rather than aggressively fight me. It's shameful when really they should be trying to make sure a trans person is not mistreated."

Falling Forensic Science Standards 'Making Miscarriages of Justice Inevitable'

Hannah Devlin and Vikram Dodd, Guardian: In her annual report, Gillian Tully highlighted her growing concerns about the failure of some forensic firms used by the police to meet basic quality standards. It means innocent people could be wrongly convicted and offenders escaping justice. The routine outsourcing of criminal forensic work to unaccredited laboratories worries Tully, with some not subject to independent oversight. She told the Guardian that without urgent action there would inevitably be miscarriages of justice, including in cases involving murder, rape and child abuse. "If you're not finding indecent images of children on someone's phone when you should be, that's a miscarriage of justice as much as if someone was wrongly convicted of a crime," Tully said.

The government abolished the Forensic Science Service in 2012, which was the primary provider to the police and courts, resulting in forensic work being transferred to in-house police laboratories and private providers. Conservative ministers wanted to create a market in which independent companies competed for business. But most forces appear to be behind schedule in bringing their own laboratories into line with official standards, the regulator's latest report shows. Just a few met the October deadline to gain formal accreditation to carry out digital forensic science work. Police are also outsourcing large volumes of digital forensic science casework – the analysis of phones, computers and CCTV – to low-cost private forensic labs without any accreditation or oversight, the report said, describing this as "unacceptable".

"Quality standards are not a nice-to-have extra that, if we have any money left, we'll do some quality," said Tully. "Doing something that you can't necessarily stand behind in court is just inappropriate at every level." The regulator said she would be examining whether failures to follow correct procedures in digital forensic science could have played a role in a number of high-profile rape cases that collapsed before going to trial. "I have formally requested more information on those recent cases," she said. She added that formal complaints had been made about the quality of digital forensic science work by some private providers, which she was also investigating.

Tully urged the government to give her office statutory powers so that she could ban substandard providers, adding that some police forces did not appear to be committed to complying with official guidelines. "One or two police forces are dragging their heels and certainly not moving on at the rate I would expect," she said. "I would question whether they are completely committed to gaining the necessary standards." Tully added: "The more pressure you put on people, the less time they have to spend on their actual work, the more you raise the risk of errors." In her report Tully said: "Without statutory backing for my role, a number of small and micro-businesses have chosen, for financial

reasons, not to move towards gaining accreditation and those that have met the quality standards have not yet been fully rewarded through the contracting process.

"Those not moving towards compliance should be in no doubt that their services will gradually receive fewer commissions and their practitioners will face more challenges in court." There is a criminal investigation into claims that data at the Randox laboratory in Manchester may have been manipulated, causing the biggest recall of samples in British criminal justice history. The National Police Chiefs' Council lead for forensic science, Chief Constable Debbie Simpson, said: "Chief constables are being forced to make difficult decisions about how they utilise their limited resources, but we remain completely committed to meeting the requirements of accreditation and further improving confidence in the criminal justice system." A Home Office spokesperson said: "It is for chief constables and police and crime commissioners to decide how best to deploy resources to effectively manage crime and local priorities, including forensic services. However, we are clear that cost savings must not come at the expense of a reduction in quality standards. "We are committed to putting the Forensic Science Regulator on a statutory footing with robust enforcement powers at the earliest opportunity. We are clear that organisations providing forensic services to the criminal justice system need to abide by the regulator's code of practice."

MoJ: Review of Law, Policy and Procedure Relating to Parole Decisions

This review will consider the case for changes in law, policy and procedure in relation to Parole Board decision-making. It will include an examination of the transparency of the process and reasons for parole decisions, and how victims are appropriately engaged in that process. It will take account of the interests of justice, public confidence in the system and the impact on victims. The review will draw on the views and experience of victims, practitioners and international best practice.

The Review Will Focus on the Following Areas: 1. The law, policy, guidance and practice relating to challenges to Parole Board decision-making, specifically whether there should be a mechanism to allow parole decisions to be reconsidered. 2. The transparency of Parole Board decision making, including: • whether the outcomes of Parole Board decisions should be published or otherwise disclosed; • whether the reasons for those decisions should be published, and if so to what extent; and • whether there are any other changes that should be made in order to contribute to greater transparency.

3. Victim Involvement in Parole Board Hearings: • to review the relevant entitlements outlined in the Victims' Code to determine whether improvements should be made to how victims are currently involved in and contribute to Parole Board hearings; • what improvements should be made to how their involvement is facilitated.

4. Arrangements for Communicating With Victims: • to review whether the current entitlements for victims who qualify under the Domestic Violence, Crime and Victims Act 2004 for the Victim Contact Scheme are adequate, including in relation to Victim Personal Statements and licence conditions; • to review whether improvements can be made to the way that the scheme operates in practice, in particular the process by which victims are notified of their entitlements and of decisions; whilst respecting the victim's preference for how they are contacted; • to consider the question of ongoing contact with victims who are eligible for the Victim Contact Scheme but have previously opted out; and • whether there need to be new entitlements or procedures for victims not covered by the statutory scheme.

It's Time We Saw Economic Sanctions For What They Really Are – War Crimes

Patrick Cockburn, Independent: The record of economic sanctions in forcing political change is dismal, but as a way of reducing a country to poverty and misery it is difficult to beat. UN sanctions were imposed against Iraq from 1990 until 2003. Supposedly, it was directed against Saddam Hussein and his regime, though it did nothing to dislodge or weaken them: on the contrary, the Baathist political elite took advantage of the scarcity of various items to enrich themselves by becoming the sole suppliers. Saddam's odious elder son Uday made vast profits by controlling the import of cigarettes into Iraq. The bureaucrats in charge of UN sanctions in Iraq always pretended that they prevented Saddam rebuilding his military strength. This was always a hypocritical lie: the Iraqi army did not fight for him in 1991 at the beginning of sanctions any more than it did when they ended. It was absurd to imagine that dictators like Kim Jong-un or Saddam Hussein would be influenced by the sufferings of their people. Saddam Hussein and his senior lieutenants were rightly executed for their crimes, but the foreign politicians and officials who were responsible for the sanctions regime that killed so many deserved to stand beside them in the dock. It is time that the imposition of economic sanctions should be seen as a war crime, since it involves the collective punishment of millions of innocent civilians who die, sicken or are reduced to living off scraps from the garbage dumps.

There is nothing very new in this. Economic sanctions are like a medieval siege but with a modern PR apparatus attached to justify what is being done. A difference is that such sieges used to be directed at starving out a single town or city while now they are aimed at squeezing whole countries into submission. An attraction for politicians is that sanctions can be sold to the public, though of course not to people at the receiving end, as more humane than military action. There is usually a pretence that foodstuffs and medical equipment are being allowed through freely and no mention is made of the financial and other regulatory obstacles making it impossible to deliver them. An example of this is the draconian sanctions imposed on Syria by the US and EU which were meant to target President Bashar al-Assad and help remove him from power. They have wholly failed to do this, but a UN internal report leaked in 2016 shows all too convincingly the effect of the embargo in stopping the delivery of aid by international aid agencies. They cannot import the aid despite waivers because banks and commercial companies dare not risk being penalised for having anything to do with Syria. The report quotes a European doctor working in Syria as saying that "the indirect effect of sanctions … makes the import of the medical instruments and other medical supplies immensely difficult, near impossible." People should be just as outraged by the impact of this sort of thing as they are by the destruction of hospitals by bombing and artillery fire. But the picture of X-ray or kidney dialysis machines lacking essential spare parts is never going to compete for impact with film of dead and wounded on the front line. And those who die because medical equipment has been disabled by sanctions are likely to do so undramatically and out of sight.

Embargoes are dull and war is exciting. A few failed rocket strikes against Riyadh by the Houthi forces in Yemen was heavily publicised, though no Saudis were killed. Compare this to the scant coverage of the Saudi embargo on Houthi-held Yemen which has helped cause the largest man-made famine in recent history. In addition, there are over one million cholera cases suspected and 2,000 Yemenis have died from the illness according to the World Health Organisation. PR gambits justifying sanctions are often the same regardless of circumstances. One is to claim that the economic damage caused prevents those who are targeted spending money on guns and terror. President Trump denounces the nuclear deal with Iran on the

grounds that it frees up money to finance Iranian foreign ventures, though the cost of these is small and, in Iraq, Iranian activities probably make a profit.

Sanctions are just as much a collective punishment as area bombing in East Aleppo, Raqqa and Mosul. They may even kill more people than the bombs and shells because they go on for years and their effect is cumulative. The death of so many North Korean fishermen in their unseaworthy wooden craft is one side effect of sanctions but not atypical of their toxic impact. As usual, they are hitting the wrong target and they are not succeeding against Kim Jong-un any more than they did against Saddam Hussein.

Met Officer Faces No Charges Over Death of Rashan Charles

Patrick Greenfield, Guardian: A police officer will not face charges over the death of Rashan Charles, a young black man who died after a police pursuit in London, the Crown Prosecution Service has announced. A common assault charge had been considered against the Metropolitan police officer in connection with the 20-year-old's death on 22 July 2017 after he was apprehended by police in Dalston, east London. Despite two postmortems and a series of toxicology tests, the exact cause of Charles's death remains unknown, with a coroner's inquest not scheduled until 4 June this year due to a continuing investigation into the officer by the Independent Police Complaints Commission (IPCC).

A CPS spokeswoman said on Sunday 21/01/2018: "Following the death of Rashan Charles in July 2017, the Independent Office for Police Conduct referred a file of evidence in relation to one Metropolitan police officer for a possible charge of common assault. The CPS has considered the matter and decided the evidential test for a prosecution for common assault is not met. We will therefore not be taking any further action regarding this offence."

A preliminary IPCC investigation last year found that after Charles had been detained attempts were made to remove an object from his mouth or throat. It was later revealed that a package extracted from his body contained a mixture of caffeine and paracetamol. The officer who apprehended Charles is under investigation by the IPCC for gross misconduct for the restraint and his handling of the subsequent medical emergency, which could result in dismissal from the Met. The police complaints body is expected to provide an update on its investigation this week. The Met said it would not comment on the CPS decision. Charles's death sparked violent street protests in east London, with threats made against police and demonstrators throwing fireworks and bottles at riot officers. At a pre-inquest review in November, all officers involved in the death were granted anonymity, despite the coroner, Mary Hassell, rejecting claims there was a "direct threat to officers' lives".

Law Society Urges End to Enforced Medical Treatment of Vulnerable People

Owen Bowcott, Guardian: Vulnerable people sectioned under the Mental Health Act are being subjected to medical treatment without consent and are not protected by effective legal safeguards, the Law Society has warned. In evidence to an independent review published on Monday 22/01/2018, the organisation, which represents solicitors in England and Wales, says initial powers to hold patients for up to six months may breach their human rights. Separate provisions under the 1983 act that permit doctors to enforce treatment without consent in the first three months of a patient's detention should be abolished, the Law Society argues.

The submission is in response to a review launched by Theresa May in a recent party conference speech. The Law Society's vice-president, Christina Blacklaws said: "As the law stands today, someone detained under the Mental Health Act – or 'sectioned' – may be treated without their consent for the first three months of their detention without any safeguards. This must stop. "The act gives the state the power to detain patients for protracted periods of time – but after the initial decision, the first opportunity a patient has to revisit this is after six months. We think they should be able to challenge their detention much earlier – six months is far too long and may compound the distress of people who are already suffering. Children may not be able to challenge their detention or treatment at all. The Law Society is calling for specific safeguards for children receiving in-patient psychiatric care."

The Law Society wants an end to regulations that do not require patient consent for the first three months of detention. It suggests that treatment should be authorised by a "second-opinion appointed doctor". Use of community treatment orders, under which patients are being paid cash to take their medication in the community, may be "a crude mechanism for the chronic bed management issues in hospitals", the Law Society says. It also demands an end to mixed-sex psychiatric wards since the "frequent disturbed/disinhibited behaviour of some patients hinders the recovery of others, making them vulnerable and infringing personal dignity". Blacklaws aded: "Attitudes and approaches to mental health have moved on since the act was written, and the legislation should reflect that. Every person who suffers from mental health issues should be treated in the least restrictive way possible, and should only be detained against their will if their health, safety or public protection depends on this last resort."

Families of 3 Scottish Soldiers Murdered During Troubles Take Campaign to Parliament

Will Bordell, 'The Justice Gap': The Scottish parliament will consider the campaign for 'truth and justice' on behalf of the families of soldiers murdered during the Troubles. Conservative MSP Maurice Corry has tabled a motion seeking a debate focusing on the cases of Dougald McCaughey, John McCaig and Joseph McCaig, who were killed by the IRA in March 1971. Their murderers have never been brought to justice. On the night they died, having been befriended in a bar, the three young men were persuaded to share a lift to a party. Later, they were shot in the head at a roadside not far from Belfast. Three children out playing found their bodies the following day. Their injuries were so grave that the men, aged between 17 and 23, were returned home in closed caskets. The coroner told the inquest jury at the time: 'You may think that this was not only murder but one of the vilest crimes ever heard in living memory.'

The parliamentary motion follows a crowdfunding campaign in 2017 that raised almost £13,000 from 465 individual donors. The money was to be spent in finding out what information the police currently have and beginning an application for legal aid funding. 'The military didn't fail them,' said Kris McGurk, the campaign's director, last February. 'The government failed them.' Calling for a debate in Parliament and welcoming support from the Conservatives, the Three Scottish Soldiers Campaign for Justice now hopes that the case will receive cross-party backing. 'The Scottish government should be supporting the Scottish victims that the Troubles in Northern Ireland created,' said Kris McGurk, the campaign's director. 'I believe Scottish victims are mostly overlooked, the McCaig and McCaughey families have endured one of the worst atrocities the United Kingdom has ever seen at home and to date have had little support. The campaign is calling all MSPs to support the motion raised by Maurice Corry.'

Part of the campaign's purpose is to redress what it sees as an imbalance between the retrospective pursuit of UK soldiers for actions in Northern Ireland and the impunity enjoyed by former IRA members. Only one attempt to extradite the three soldiers' killers has been made, which the

Irish government rejected on the basis that the murders were 'political, not criminal'. This week's motion also attempts to encourage disclosure from both the police and government. It urges the release of suspects' names as well as 'all of the other relevant information' to families like the McCaigs and McCaugheys. Maurice Corry, the Conservative MSP who brought the issue forward in Parliament, commented: 'In some cases, families have been waiting for decades to find out the truth about what happened and that's not right. Now is the time to come together and do what they can to recognise the pain and suffering of the families and help bring them closure which is why I have brought my motion forward and will seek a debate in the Scottish Parliament to help highlight the issue.'

Criminal Justice In Need Of Radical Reform

Professor Ross Deuchar looks at some of the key problems with Scotland's criminal justice system. I recently interviewed a young prison inmate named Paul, who had been sentenced for serious assault. Paul had been brought up in a socially deprived neighbourhood just outside Glasgow, and had suffered abuse, neglect and household dysfunction during his childhood. From the age of 12, he had experienced mental health issues – but had never had these addressed. As he neared his release date, I feared his unresolved issues might inevitably lead him to reoffend. In the MacKay-Hannah conference in Edinburgh 23/01/2018 (Criminal Justice In Scotland: Effectively Tackling Offending And Reoffending) I argued that our justice system is good on rhetoric, but still flawed in practice. In its Justice In Scotland: Vision And Priorities document, the Scottish government places a focus on prevention, early intervention and on the need for fair, effective and person-centred services, including access to health services. All of this was missing from Paul's experiences.

All the evidence suggests that premature contact with the criminal justice system can have criminogenic effects on young people, and that prison is the least effective method of reducing reoffending. The plans to extend the presumption against short sentences to 12 months is a welcome one, but we need a more radical change in the way funding is allocated in the justice system and how the judiciary operates. We need to routinely address the root causes of offending behaviour, to ensure guys like Paul avoid recidivism. Our courts are still largely characterised by adversarial approaches, and it would be useful to consider how we might further integrate treatment services with criminal justice processing in the future. Research has illustrated that the mental health courts operating in the United States (of which there are approximately 350) have had a significant impact on reducing recidivism.

Rather than applying punishment, judges, attorneys, case workers and mental health services collaborate to create treatment and supervision plans. The non-adversarial court interactions encourage greater offender compliance and help to support them in addressing the underlying issues that stimulate their offending. In Scotland, we need to see less of our budget spent on policing and custody and more on supporting the further introduction of problem-solving courts that address the psychological issues that often underpin offending. I also believe our prison system needs to evolve, with more of an emphasis on moving inmates on more quickly. It is estimated up to 80 per cent of Scottish inmates suffer from mental health issues. We can look towards Scandinavian countries for inspiration, where it has been found that not treating prisoners like prisoners leads to reduced levels of psychiatric problems and (in turn) reduced levels of reoffending.

In Denmark, there are eight open prisons with more than1,100 places (four times the number of open places available in Castle Huntly). Recent reports suggest there were only 24 reports of self-harm among Danish inmates last year, compared to more than 400 in Scotland. Putting people

with mental illness in traditional closed prisons not only victimises the most vulnerable, but also inhibits rehabilitation and increases the risk of recidivism. The associations between poor mental health, incarceration and reoffending are clear, and the focus on a preventative approach within Scotland's justice strategy is welcome. But we need a shift in spending and thinking that really allows us to make this happen. As I learned from Paul, we still place too much emphasis on incapacitating the most-disadvantaged, rather than supporting them to change.

New Approach To Dealing With Disclosure In Legacy Cases

The Court of Appeal on Monday 22nd January 2018, proposed a new approach to dealing with the issue of disclosure of documents in a case seeking documents connected to the Ballast Report. The Court suggested this proportionate approach may be suitable for legacy cases with a view to ensuring that the issue of disclosure can be dealt with expeditiously and fairly.

Background: In January 2007 the Police Ombudsman for Northern Ireland ("PONI") published the Ballast Report which was the result of an investigation into the police handling and management of identified informants in the early 1990s onwards. The Report concluded that RUC/PSNI Special Branch officers colluded with terrorists by facilitating the situation in which informants were able to continue to engage in paramilitary activity, some of them holding senior positions in the UVF, despite the availability of extensive information as to the alleged involvement in crime. The report stated that rather than investigate their crimes, police officers in effect protected them. One of the informants, "Informant 1", is referred to in the report as pointing a gun at John Flynn ("the respondent") on 12 March 1992 and trying to shoot him. The weapon failed to discharge. Informant 1 then made a physical attack on the respondent who managed to fight him off. On 6 May 1997, an improvised explosive device was placed underneath the respondent's car by Informant 1 or persons acting on his behalf. The device did not detonate.

On 3 March 2008, the respondent issued civil proceedings against the Chief Constable of the PSNI ("the applicant") and his servants and agents arising out of these incidents. The statement of claim and defence were not served until 10 February 2012 which is the date on which the pleadings are deemed to be closed. Order 24, Rule 2(1) of the Rules of the Court of Judicature ("RCJ") requires each party to make and serve on the other party a list of the documents relating to matter in question in the action within 14 days. The applicant did not comply with that Order and on 21 June 2013 the Master made an Order that the applicant's defence should be struck out unless a list of documents was served within 21 days. Further extensions to this period of time were made by agreement between the parties in order to await the outcome of investigations by PONI regarding potential charges against PSNI officers.

In or around October 2014, PONI indicated that it was not going to pursue criminal proceedings against the relevant PSNI officers and on 17 November 2014 the applicant served an amended defence in which it admitted that Informant 1 was acting as a covert human intelligence source at all material times, that he had assaulted the respondent and placed an explosive device under his car, and that the police officers under his direction were guilty of misfeasance in public office. This meant that liability was no longer an issue in the action. The applicant submitted that he had complied with the obligation under Order 24 but the Master rejected this and made an Order that the applicant should make discovery of 94 categories of documents as sought by the respondent. A summons was issued on 21 August 2015 and heard by Mr Justice Colton. He was satisfied that notwithstanding the admissions that had been made by the applicant, there remained a number of significant matters in issue between the parties including whether Informant 1 was acting as a servant or agent of the appli-

cant and what was the extent of the misfeasance in public office committed by the police officers. The judge was satisfied that at some stage there had been documents within the applicant's possession which were material to the outstanding issues in the case. Affidavits lodged on behalf of the applicant indicated that extensive work would be required in order to complete discovery and then each document would have to undergo a detailed assessment to identify material requiring consideration for Public Interest Immunity (PII"). It was estimated that this process could take around two years. Mr Justice Colton, on the question of proportionality, concluded on 16 June 2016 that the Order for discovery should issue in respect of 13 categories of documents and not the 94 categories ordered by the Master. Mr Justice Colton's decision was upheld by the Court of Appeal on 24 February 2017.

On 8 March 2017 the discovery application was relisted before Mr Justice Stephens. Affidavit evidence was presented which stated that the applicant would have to start from scratch as there was no list of documents that had been made available by PSNI to PONI. A later affidavit referred to folders "recently" located which contained a number of receipts relating to documents provided to PONI. The judge said it was clear that there was no need to start from scratch as considerable work had already been undertaken to compile material for the Ballast Report. Mr Justice Stephens acknowledged that the discovery process was resource intensive but that years had passed without compliance and there was no clear, acceptable plan for future compliance. He indicated that he would have refused the applicant's application had it not been for the respondent's agreement to an extension until noon on 1 October 2017. His ruling was the subject of this application for leave to appeal.

Application for Leave to Appeal: Counsel for the applicant took issue with Mr Justice Stephens' conclusion that there had been no attempt to comply with the Orders made by the Master but accepted that there had been delay. He claimed the applicant had expeditiously complied with Order 24 once it became clear that there was unlikely to be any prosecution of police officers. Counsel for the applicant was also critical of the trial judge's comments on the delay in identifying and recovering the potentially relevant material from the PONI and contended that there had been no failure to comply with the Order of Mr Justice Colton but rather that the applicant had pursued "entirely legitimate appeals".

The Court of Appeal said that leave to appeal should only be granted in a case where the applicant demonstrates an arguable case with a reasonable prospect of success that the trial judge had gone plainly wrong. The issue for the Court was whether it was permissible for the trial judge to reach the conclusion that there had been no attempt to comply with the Orders made by the Master. In order to succeed in that submission the applicant had to identify a mistake in the judge's evaluation of the evidence that was sufficiently material to undermine the conclusion: "We entirely accept that the learned trial judge was entitled to make his trenchant criticisms of the failure by the applicant to gather in the relevant documentation which had largely been in the possession of PONI. The availability of the documentation had been noted by Colton J in 2016 and the Court of Appeal in February 2017. It was not until April or May 2017 that the applicant had sought and recovered the documentation."

The Court of Appeal, however, did not accept that there was no evidence of any attempt by the applicant to comply with orders of the Master over many years. The Lord Chief Justice said it was clear that the consideration by PONI to the prosecution of police officers explained why the documents were retained by PONI and not returned to PSNI. The litigation was rejuvenated in late 2014 when the decision was made not to prosecute and that decision prompted the applicant to lodge an amended defence and a list of documents on the basis that liability was no longer an issue. In his judgment, Stephens J had noted that the respondent at that stage should have pursued an application for specific discovery under Order 24 Rule 7 but despite that the Master made an Order in March 2015 requiring disclosure of 94 categories of documents: "The point is that it was the Master who extended time in respect of the Unless Order obtained in June 2013 until the end of 2014. One can well understand the basis for such extensions since consideration of prosecution was still active during that period and disclosure of the documents at that stage may have given rise to difficulties in pursuing that prosecution. The Order made by the Master in March 2015 was appealed and thereafter fell into abeyance as a result of the fresh application made under Order 24 Rule 7 for specific documents. In our view this cannot be characterised as non-compliance with the Orders of the Master over many years and the judge was wrong to so conclude. We accordingly grant leave to appeal. Since this matter was material to the exercise of his discretionary judgment we must address the application for an extension of time for compliance with the Order afresh."

Discovery Principles" The Report by Lord Justice Gillen on Civil and Family Justice (published in September 2017) ("the Gillen Report") notes that Order 24 of the RCJ makes provision for automatic disclosure by list after proceedings are closed and for discovery of particular documents. The test for disclosure is set out in the Peruvian Guano case and requires that if it is a document which may fairly lead to a train of enquiry which may have the consequences of either enabling a party to advance his own case or to damage that of his adversary it must be disclosed. The Lord Chief Justice noted, however, that concerns have been raised about the volume of materials generated as a result of this test in both larger clinical negligence and commercial type actions: "The no stone unturned approach often resulted in an expensive and largely wasteful exercise. The Gillen Report at paragraph 10.13 suggested that greater regard might be had to issues of proportionality for individual cases rather than the current same-size-fits-all approach. The Gillen Report (paragraph 10.38) recommended an approach based on the principles of standard disclosure and reasonable search that apply in England and Wales with the safeguard of an application for specific discovery on Peruvian Guano lines, if appropriate. Standard disclosure requires a party to disclose only the documents on which he relies and those which adversely affect his own case, adversely affect another party's case or supports another party's case."

The Lord Chief Justice referred to Order 1 Rule 1A of the RCJ which contains an overriding objective to enable the court to deal with cases justly and requires the court to give effect to this when exercising any power given to it by the rules or interpreting any rule. The Gillen Report, however, recognised that in some cases ever increasing searches for any document that might be relevant to the issues can place an inordinate and disproportionate burden in terms of time and cost. The Lord Chief Justice proposed that a new approach in any case where the existing approach to discovery or disclosure may give rise to onerous obligations or would prevent a case being dealt with expeditiously and fairly may be that the court should intervene with a view to finding a proportionate response, saving expense and ensuring that the parties are on an equal footing: "The nature of that intervention will respond to the particular circumstances of the case and may require some greater case management but the court should be careful to ensure that any increase in case management is appropriate. Not every legacy case will require detailed case management but cases such as this which involve applications for disclosure of material quantities of sensitive information are likely to require a tailored approach."

The Court said the approach to redaction presently employed by PSNI "appears extremely wasteful and inevitably will add considerable time to the disclosure process". It said there is no indication within the process that there is any examination of the unredacted documents before the redaction process commences to establish which documents actually need to be disclosed and what

means could be adopted in order to ensure that all relevant information is disclosed to the respondent without having to undergo a lengthy redaction process "We consider that it is essential that the material gathered in by the PSNI as potentially relevant … should be provided initially in unredacted form to the lawyers representing the Chief Constable so that an informed independent approach can be taken to the documents that actually need to be disclosed. Initially disclosure should be on the basis of standard disclosure as discussed above. That will not, of course, obviate the need for appropriate redaction of the identified documents. Such redaction will also need to be assessed for its proportionality. There are likely to be considerable opportunities to avoid laborious and time-consuming redaction by providing a gist of the relevant information or alternatively making formal admissions in relation to the effective content of the documents. Since the documents are in the custody, power or possession of the applicant the onus to ensure a proportionate approach to disclosure rests primarily with those representing the Chief Constable."

The Lord Chief Justice said that the identification of a proportionate approach in each of these cases will be fact sensitive. Any judge dealing with such a case will have to make appropriate discretionary judgements as to the extent of search, the degree of appropriate redaction and the opportunity for dealing with issues by way of gisting or formal admissions. Any appellate court should be very slow to interfere with such discretionary fact specific decisions. The Lord Chief Justice said that, although the principal object of this approach is to ensure that there is a proportionate approach which ensures the cases are dealt with expeditiously and fairly, it is also intended to significantly reduce any requirement to use the closed material procedure provisions in the Justice and Security Act 2013 as they are likely to add considerably to delay and, in cases such as this where considerable time has already elapsed, such a course should be avoided if at all possible: "There is a pressing obligation on the parties in this and similar litigation to work co-operatively with a view to progressing the litigation expeditiously. Where difficulties arise the parties should be alert to the possibility of mediation as a means of resolution. It should be made clear, however, that the purpose of this approach is to bring this and other cases to trial expeditiously and any failure to co-operate in that exercise is likely to lead to adverse consequences for the party concerned."

Conclusion: The Court of Appeal considered that the approach outlined in this judgment represents a plan for the future which is required in this litigation. It accepted that the applicant has been at fault in failing to comply with Orders in 2012/13 and in failing to recover the relevant files shortly after being encouraged to do so by Colton J in January 2016 and agreed that the affidavit evidence lodged by the applicant about the availability of records identifying the documentation sent to the Ombudsman was "contradictory and unsatisfactory": "Despite these failures we consider that a fair trial of the issues in this case is still possible if the parties positively and willingly embrace the approach that we have outlined above. We consider, therefore: • that the documents relevant to the issues and facts identified by Colton J should be provided forthwith in unredacted form to the lawyers representing the applicant; • that those documents should be considered by the legal representatives in order to determine the most effective way in which to make disclosure; • that the parties should meet within 4 weeks of the delivery of this judgment to prepare a timeframe for the completion of the disclosure process; and • that this case should be listed before the Queen's Bench Judge 5 weeks from today in order to determine whether any further extension of time for compliance should be given."

In order to facilitate the matters set out above the Court of Appeal extended time for compliance by five weeks from today adding that whether any further time should be allowed will depend upon the applicant demonstrating its commitment to facilitate an expeditious and fair trial. The Court considered its suggested approach seems appropriate for other similar cases and appropriate steps should now also be taken in such cases.

Man Sues Victims' Charity Over Failure to Inform Him of Remedy

Scottish Legal News: A man, known as 'Victim D', who suffered abuse at the hands of his mother as a child is suing a victims' charity over missed compensation, The Herald reports. Victim D's mother was jailed for five years in 2011 for subjecting her son to abuse in the 1970s and 1980s. But Victim D is now suing Victim Support Scotland (VSS) , the charity that helped him obtain £17,500 in compensation from the Criminal Injuries Compensation Authority (CICA), for failing to tell him he could also claim for loss of earnings. Victim D realised he had missed the opportunity to claim for loss of earnings after one his brothers, who was also abused by their mother, was awarded a significantly higher amount, in recognition of his loss of earnings. As a result, Victim D, lodged a claim in negligence for £100,000 against VSS. In a written judgment earlier this month, Sheriff Braid at Edinburgh Sheriff Court said: "I therefore find that in the exercise of their general duty of skill and care, the defender had specific duties to tell the pursuer that he may be entitled to a sum for loss of earnings; to assess whether he was eligible to claim a sum for past or future loss of earnings, by exploring the issue of wage loss further with him; and to explore with him whether in June 2013 he should apply to CICA for a review of the award. To that extent, I have found the pursuer's averments of duty to be proved." Victim D said: "Victim Support Scotland has a good reputation for helping victims but it really let me down with something I thought it was capable of doing. I also found it shocking to hear the charity argue it had no duty of care to victims when it took on their CICA cases. I applaud the charity for what it gets right for the thousands of people it helps every year, but it doesn't change the fact its mistake with my case has prevented me from being able to secure the entitled means to get my life back on track."

A spokesman from Digby Brown, Victim D's lawyers, added: "Victim Support Scotland is a support group that offers lots of services for lots of people. However we believed if it accepted instructions to represent the client then it did owe him a duty of care to get it right." Kate Wallace, chief executive of Victim Support Scotland, said: "As the court process is ongoing it would be inappropriate to comment further at this stage. "As a national charity our remit is to provide emotional and practical support to people who have been affected by crime across Scotland. We have been doing this successfully for the last 30 years and it is our priority to provide the highest possible quality of service."

Wrongful Allegations of Sexual Abuse Are Not Extremely Rare by FACT

Those who have suffered a wrongful allegation of child sexual abuse will know how hurtful it is to hear the often repeated statement, 'false allegations are extremely rare'. This seems to be the automatic response whenever a false allegation of sexual assault is uncovered. The intention no doubt is to reassure genuine victims that their complaint will be taken seriously and they won't be automatically assumed to be lying. Insult was added to injury this week. The Telegraph reported that Alison Saunders speaking on the BBC Today programme said that she did not believe there was anyone in prison who has been wrongly convicted because of failure to disclose evidence. Again, according to the Telegraph, with regard to the appropriate degree of investigation of sexual assault she said 'if people have known each other for a day, you might look at the texts between each other on that day or perhaps a day after but you wouldn't and couldn't without a huge amount of resources, completely download a phone and trawl throughout it all".

Let's deal with these assertions one at a time. Firstly, the statement that false allegations are extremely rare is questionable at the very least. In the last month there have been four cases where information fatally undermining the case for the prosecution was only made

available at the last minute and they appeared to have been wrongfully accused. These are four people's lives that have been severely damaged by the publicity and fallout that inevitably result from being charged with sexual assault or rape. Now it has been revealed by the CPS that during 2017, in addition to these cases there were another 13 prosecutions for rape that were abandoned shortly before going to trial.

A colleague from another group that supports the falsely accused has kept a record and there were over 240 wrongful allegations of child abuse and sexual assault in 2017 alone. The list of false allegations in 2017 is available here It makes sad reading. Included in it are the 13 who were wrongly accused of downloading child pornography because of "typographical errors" in connecting IP addresses (used to trace a computer downloading such material) with the right person. 120 known to the same organisation could not be named in this document because of their desire to remain anonymous. These recorded cases may be the tip of the iceberg. Not everyone who is arrested is charged. We will never know how many of these people are actually innocent, but it is our experience that some of them are.

Sir Henriques addressed the issue of false allegations in his report on Operation Midland. In section 1:37 he quotes Dame Elish's review in which she sought to analyse the 'false reporting of sexual violence'. She looked at 299 cases and identified 36 (12%) as false using a broad definition and 9 cases (3%) using a narrow definition. As Sir Henriques remarked, it doesn't matter which definition of a false allegation is used, 'from the perspective of an innocent suspect, the definition is irrelevant'. Dame Elish also consulted focus groups of 'first response officers' and found they believed there was a high level of false allegations. Later in the same report, section 1:41 describes how Operation Fairbank 'the SIO observed that the vast majority of 400 complaints were without merit.

Even if wrongful allegations were extremely rare, which they are not, then that would not mean they could be ignored. If a doctor did not treat you for an extremely rare disease, you would feel justifiably upset. The suffering of the wrongfully accused can be as severe and long lasting as a serious illness. Read the The Oxford University study ‘The Impact of Being Wrongly Accused of Abuse in Occupations of Trust: Victim’s Voices’ if you are in doubt.

Alison Saunders' assertion that nobody is in prison because of failure to disclose evidence is unbelievably optimistic. This belief rests on the assumption that human error is impossible and miscarriages of justice never occur. The fact that human error exists explains the need for the Criminal Cases Review Commission and the Court of Appeal. Moreover it has been the experience of FACT members that it can be extremely difficult to obtain disclosure of evidence that could help their defence.

Finally Alison Saunders believes that the police don't need to thoroughly search phone records and social media as part of an investigation into sexual assault. Mr Makele, whose was nearly sent to prison because there was vital evidence on his phone that hadn't been examined, would disagree. So would Liam Allen and Isaac Itiary, who were also saved by last minute disclosure of phone evidence.

Wrongful allegations do exist and are not 'extremely rare'. The public should be told 'if you make a complaint we will treat it very seriously and investigate it thoroughly without fear or favour' to use the words of Sir Henriques and the instruction to the police to 'believe the victim's account' should cease. All of this is in Sir Henriques report to the Metropolitan Police made over a year ago, and it is time it was implemented in full. Until then, nobody can rest assured that they won't be wrongly convicted for sexual assault.

Peterborough Women’s Prison - Deteriorating Safety/Concerns Over Force and Strip-Searching

Peterborough jail for women was found to be “not sufficiently” safe for prisoners, the first time in a number of years that a women’s jail was assessed at this level, according to HM Inspectorate of Prisons (HMIP). Safety had been ‘reasonably good’ at the previous inspection, in 2014, but in 2017 inspectors found this key aspect of prisoners’ lives had deteriorated. While violence was relatively low, women felt intimidated by verbal bullying and antisocial behaviour. The use of force by staff was “very high” and, as in 2014, inspectors were concerned by the over-use of strip-searching. 21 recommendations from the last inspection had not been achieved and 10 only partly achieved. Peter Clarke, HM Chief Inspector of Prisons, said: “We had concerns that instability on the male side was affecting the prison’s ability to focus sufficiently on the relatively more settled female prison.” Peterborough held 360 women from the age of 18 but, as a resettlement prison, had a high “churn” and a complex population. Most women only stayed for a few weeks and, on arrival, 65% of women said they felt depressed and over a quarter said they felt suicidal. Two-thirds had mental health problems. Mr Clarke said that 60% of women had felt unsafe at some time since arriving and 28% felt unsafe at the time of the inspection. The proportion of women who said they have been victimised by prisoners or staff was higher than in 2014 or at similar prisons. Verbal bullying and antisocial behaviour were the main reasons for these perceptions. Use of force was far too high “at more than double what we usually see in women’s prisons; we saw examples where not every opportunity to de-escalate the situation had been used.” The use of strip-searching was also too high, Mr Clarke said, “which was particularly disappointing given the heavy investment in training staff about how past trauma can be reignited in the prison setting.”

The report noted: “Most security arrangements were proportionate but, as at our last inspection, the over-use of strip-searching remained a significant concern. Although the local searching policy stated that searches were intelligence-led, in practice a strip-search could be authorised by any senior officer. There was no central record of strip-searching carried out across the prison to enable managers to satisfy themselves of its proportionality. “Staff and prisoners had a good general awareness of the trauma associated with abuse, rape, domestic violence and human trafficking. Over 250 staff had completed Becoming Trauma Informed training, and some prisoners had also participated. There had also been training on human trafficking.” However, the “focus was almost exclusively on the physical environment rather than on processes, such as strip-searching or relationships…and we felt there were opportunities to improve the impact of this work.” Levels of self-harm were high in the prison but a small number of women accounted for a significant proportion of these incidents. Though they had some reservations, including the use of paper “strip-clothing” in some cases, inspectors found the care for women who self-harmed, and those with complex needs, was good. There were weaknesses in some aspects of health care for women. However, the environment of the jail was generally excellent and staff-prisoner relationships were good overall, though many staff were relatively new and inexperienced. Resettlement work for women to be released remained “very strong”.

Overall, Mr Clarke said: “This is a more mixed report than when we last inspected this prison. We were particularly concerned about safety, and this is the first women’s prison in several years to have been assessed as ‘not sufficiently good’ in this area. The prison remained basically respectful, but serious deficits in health care meant that the assessment in this area was not as positive as at our previous visit. On the other hand, outcomes in purposeful activity had improved and resettlement remained very strong. The leadership team at Peterborough were motivated to provide good outcomes for the women, but told us they were distracted by some significant challenges in the male prison. A renewed focus on the female prison is now needed to ensure the concerns we have raised at this inspection are addressed.” Inspectors made 40 recommendations.

HMP Liverpool – An Abject Failure by Leaders to Provide a Safe and Decent Jail

Prison leaders, from local to national, presided over an "abject failure" to provide a safe, decent and purposeful regime at HMP Liverpool, according to Peter Clarke, HMCP.In a report outlining jail conditions that experienced inspectors regarded as the worst they could remember, Mr Clarke said it was "hard to understand how the leadership of the prison could have allowed the situation to deteriorate to this extent." Inspectors found squalid living conditions, with dirt, litter, rats and cockroaches, and an environment in which drugs were easily available and violence had increased. While much of what we found was clearly the responsibility of local prison managers, there had been a broader organisational failure. We saw clear evidence that local prison managers had sought help from regional and national management to improve conditions they knew to be unacceptable long before our arrival, but the resulting support was inadequate and had made little impact on outcomes for prisoners." It was last inspected in May 2015. Since then, the prison had deteriorated in terms of respect and purposeful activity and these elements were poor, the lowest possible assessment, in 2017. Safety and resettlement work, the two other key inspection tests, were judged as 'not sufficiently good.' However, Mr Clarke said, the bare statistics "do not adequately describe the abject failure of HMP Liverpool to offer a safe, decent and purposeful environment." He identified key issues: - 52 recommendations from the last inspection had not been achieved and 14 only partly achieved. - Violence of all kinds had increased. Over a third of prisoners felt unsafe at the time of the inspection, and 71% felt unsafe at some time. - Nearly two-thirds of prisoners said it was easy or very easy to obtain drugs. Drones carrying drugs and other illicit items were a substantial problem. Staff had recovered 32 drones in the six months before the inspection, more than one a week. - Half of the prisoners were locked in their cells during the working day. - There were also significant failings in the leadership and management of activities and in health care. - There was a backlog of some 2,000 maintenance tasks and it was clear that facilities management at the prison was in a parlous state. - Inspectors made 72 recommendations

Mr Clarke added: "The inspection team was highly experienced and could not recall having seen worse living conditions than those at HMP Liverpool. "Many cells were not fit to be used and should have been decommissioned. Some had emergency call bells that were not working but were nevertheless still occupied, presenting an obvious danger to prisoners. There were hundreds of unrepaired broken windows, with jagged glass left in the frames. Many lavatories were filthy, blocked or leaking. There were infestations of cockroaches in some areas, broken furniture, graffiti, damp and dirt. I saw piles of rubbish that had clearly been there for a long time, and in which inspectors reported seeing rats on a regular basis. I was told by a senior member of staff that it had not been cleared by prisoners employed as cleaning orderlies because it presented a health and safety risk. It was so bad that external contractors were to be brought in to deal with it. In other words, this part of the jail had become so dirty, infested and hazardous to health that it could not be cleaned."

Mr Clarke was particularly troubled by the case of one vulnerable man with complex mental health needs being held in a cell that had no furniture other than a bed. "The windows of both the cell and the toilet recess were broken, the light fitting in his toilet was broken with wires exposed, the lavatory was filthy and appeared to be blocked, his sink was leaking and the cell was dark and damp. Extraordinarily, this man had apparently been held in this condition for some weeks...It should not have needed my personal intervention for this man to be moved from such appalling conditions." Inspectors could see "no credible plan" to address these basic problems. Mr Clarke said: "Although there are several change projects underway at the prison, none of these will address the basic failings that were so painfully obvious at HMP Liverpool. I was particularly concerned that there did not appear to be effective leadership or sufficiently rigorous external oversight to drive the prison forward in a meaningful way. This report makes it crystal clear that leaders at all levels, both within the prison and beyond, had presided over the failure to address the concerns raised at the last inspection."

70% Increase in Prosecutions Dropped Because of Disclosure Failures in Two Years

Calum McCrae, 'The Justice Gap': The number of prosecutions in England and Wales that collapsed because of a failure by police or prosecutors to disclose evidence increased by 70% in the last two years, according to figures obtained by BBC News under the Freedom of Information Act. It was revealed that last year 916 people had charges dropped over a failure to disclose evidence – that number was up from 537 in 2014-15. The Director of Public Prosecutions recently told BBC Radio 4's Today Programme that she did not believe there were innocent people in prison following failures in disclosure. Alison Saunders' comments come after a string of rape cases collapsed after the police and prosecution failed to disclose vital digital evidence. Saunders admitted failures. 'There's a complete systemic issue because it's about everybody doing their job, everybody looking,' she said. However, she refused to accept that there may be innocent people wrongly convicted following disclosure failures. 'The problem we have found recently is around the ever increasing use of social media and the digital material we obtain,' Saunders explained. She added that the defence team of Makele should have informed the police of the existence of photos on his phone.

Harriet Johnson, Makele's barrister refuted this claim: 'To try to put the burden on the defendant to prove he is innocent fundamentally undermines the presumption of innocence that has been a core principle of British justice for centuries.' She accepted that the defence team had a responsibility to challenge the courts if they feel crucial evidence has not been disclosed, but argued that CPS is too slow to respond. The former vice chair of the Criminal Law Solicitors Association, Robin Murray, explained that in a survey conducted last year 99% of the Association's lawyers said they had experienced disclosure failures. Anna Soubry, the Conservative MP for Broxtowe, tweeted that she was 'appalled at the ill-informed comments of #DPP Alison Saunders. There [have] been longstanding problems [with] disclosure'. She added that she felt the current DPP was part of the problem. Alison Saunders suggested that the police were not under an obligation to pursue every aspect of the individual case, so long as the police investigated 'reasonable lines of enquiry'. The former head of the judiciary, Lord Judge, expressed his concern for the recent string of collapsed rape cases. He told the Times that the recent examples in cases involving alleged sexual crime were 'alarming, both for all the individuals concerned and for public confidence in the administration of criminal justice generally'. 'It is at least possible that from time to time juries, alarmed as everyone else by these cases, may wonder, even in an apparently strong case, whether they have been provided with all the admissible evidence. These events may reduce the prospects of conviction even when the allegation is genuine'. 537 people had charges dropped in 2014-15, before increasing to 732 the following year and 916 last year. During the same time the number of completed prosecutions fell by almost 150,000 cases – from more than 736,000 in 2013-14 to just over 588,000 in 2016-17.

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.