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

MOJUK: Newsletter 'Inside Out' No 677 (01/03/2018) - Cost £1

IOPC Fall at the First Hurdle: Misconduct Probe Against West Mids Police Dropped

[An Independent Office for Police Conduct (IOPC) spokesperson said: "Our investigation found cases to answer against a number of officers in relation to their use of force against Mr Lorenzo and against other officers for the way witness statements were prepared. However while the cases were being prepared, a number of significant legal issues were identified, including matters relating to the passage of time, that would have in all likelihood led to the proceedings being halted. For that reason we agreed with the force that the misconduct hearings should not go ahead. Some officers will be dealt with under formal performance procedures in connection with the electronic cutting and pasting of witness statements – once a widespread practice within the force that has now been addressed through new guidance and training."]

A musician racially abused and assaulted by police has said he wants a public apology after being told a hearing into officers' conduct will not go ahead. Don Lorenzo a former roadie for The Clash who was awarded £17,000 in damages after being racially abused and attacked six times, by a group of West Midlands police officers says he is still waiting for an apology – seven years after the attack. Don, now 65, said he could still remember officers' "viciousness" during his arrest in Birmingham in 2007. Events started when officers were called to Mr Lorenzo's Edgbaston flat after his daughter alleged he had assaulted her. She later withdrew the claims. He said he was pushed down five flights of stairs by officers, and then taken to Bournville Lane police station where he was held in a cell for 23 hours and where he was racially abused. He also said officers colluded in their witness statements. An investigation by West Midlands Police's professional standards department found officers had no case to answer, but Mr Lorenzo took civil action and was awarded damages. West Midlands Police then took its appeal to the Royal Courts of Justice, but judges found in Mr Lorenzo's favour.

The police watchdog, then called the IPCC, ordered police to carry out investigations into eight of its officers as well as a member of police staff. November 2007: Police arrest Mr Lorenzo at his Edgbaston flat over an assault allegation, later withdrawn. Mr Lorenzo is charged and found guilty of assaulting an officer in custody - his conviction is later quashed on appeal 2008: An investigation by West Midlands Police's professional standards department finds its officers have no case to answer. October 2011: After proving his innocence, Mr Lorenzo pursues legal action and a jury at Birmingham County Court finds he was assaulted and racially abused by officers. December 2012: West Midlands Police fails in its appeal against the judgement at the Royal Courts of Justice in London. June 2013: The IPCC decides to investigate Mr Lorenzo's treatment in 2007 and the 2008 internal investigation. The investigation takes three years. October 2016: IPCC decides eight police officers and one member of police staff will face misconduct proceedings. November 2017: IOPC agrees with West Midlands Police proceedings should not go ahead. In a statement West Midlands Police said: "A number of significant legal issues were identified, including matters relating to the passage of time, which would have in all likelihood led to proceedings being halted. For that reason it was agreed, in conjunction with the independent investigators, that misconduct hearings could not go ahead."

British Justice is in Flames. The MoJ's Fiddling is Criminal

No one who knows anything about the justice system doubts it is in crisis, that the crisis is unprecedented, that it is rendering the system unable to perform its most basic functions. And that the victims of this are poor people. It is no longer reliably convicting only the guilty. The disclosure problems in serious sex cases have almost certainly resulted in innocent people being convicted. The system for releasing prisoners on parole is letting out those who are unsafe (John Worboys) and keeping inside those who are safe (see the relentlessly unfair incarceration under the IPP (indeterminate sentences for public protection) system. The prisons are as dangerous as they have ever been in modern times to prison officers and prisoners alike. The probation service has ceased to function in the face of a misconceived privatisation.

Legal aid has been so restricted as a result of the terrible reforms contained in Laspo – the Legal Aid and Sentencing and Punishment of Offenders Act 2011 – that the government has maintained massively flawed decision-making systems for welfare, homelessness, and immigration decisions, safe in the knowledge that most of those who are the victims of wrong rulings have no effective means of redress. The civil non-family courts are only open to rich people (there is in effect no legal aid for civil claims now); and the family courts are filled with local authorities seeking to remove children from their parents, and disputes between couples in the middle of the pain – to them and their children – of partnership breakdown, and unable to obtain legal help to resolve these disputes.

The cause of this crisis is pretty clear – the justice system has endured austerity cuts from 2011 onwards more punishing than any other domestic delivery department. And the cuts are continuing pretty well unabated for the next two years. There will, by 2020, have been a 40% reduction in real terms of public expenditure by the Ministry of Justice – £10bn down to £6bn, with £600m still to go. And all this on the basis that the system expects the same standards as before – the same level of justice, the same numbers of people in jail or more, and the same non-custodial alternatives. The government has offered no leadership on how this is to be achieved.

The consequences of the crisis are profound. As Lord Judge, the former lord chief justice said, juries will increasingly not convict in serious cases. The public will have no confidence in the ability of the justice system to distinguish between the guilty and the innocent, and between the dangerous and the safe. The government will not be held to the law. Rights given to individuals by parliament are worthless to all save rich people who rarely need them to avoid injustice. Employers, the state, debtors – they can increasingly break the law unchallenged.

Nothing meaningful is going on within government to address this. There are internal Ministry of Justice (MoJ) reviews of Laspo, and the working of the Parole Board; and an internal Crown Prosecution Service review of whether the disclosure in all recent sex cases was adequate: but absolutely nothing to address the evident collapse of almost all parts of the system, and the underlying reasons.

There is the much vaunted £1bn capital fund to transform justice by improving buildings and technology. The example the MoJ points to as the exemplar outcome of this fund is a new online court to deal with civil claims under £25k. If this example shows the MoJ's priorities, it is clear it has no comprehension of the scale of the current collapse. Fiddling while Rome burns.

Some extra money was obtained, after much effort, from the Treasury to employ more prison officers to make up for a portion of those lost in the austerity cuts. This was well over a year ago, yet the prison service cannot fill all the places they have the money for. The retention rate for prison officers is plummeting both among long-service officers, and new ones who frequently leave quickly when they see the horror the job has become. Leadership, extra resources and reform to ensure that the justice system is never again allowed to fall below minimum standards

are the solution. The new lord chancellor is not to blame for the crisis. David Gauke has to acknowledge the existence of it, rather than suggest the system is functioning properly with a few wrinkles. He will find support across all parties and in all walks of life for doing so.

He needs to craft a plan that he can demonstrate has widespread support, not just from the lawyers but from those who depend on the justice system. He won't get all that the system needs, but he won't get anything unless he develops a series of solutions. He needs to work with a much wider group than just his department, and would find so much support if he embarked urgently on that process. Other government departments are actively campaigning for more resources for developed solutions. The MoJ's failure to do so suggests either it does not understand the extent of the crisis, or is too defensive of its past errors to convey accurately within government the damage being done.

The three priority areas for extra spending and reform are prison and probation, legal aid and the Crown Prosecution Service (the ministerial responsibility of the attorney-general). That extra expenditure is inevitable. The sooner it is acknowledged the less will be required. As the Thatcher government discovered, the failure to do anything about appalling prison conditions until the 1990 Strangeways prison riots cost a lot more than if it had addressed the problem earlier.

But the solution is not just cash. It is also reform to provide long-term confidence that the system, which has so much less political support than health or education, should never be allowed to slip below minimum standards again. The Bach report, published last autumn, made the well-received recommendation that there should be an independent body within government to set minimum standards for justice. That would provide a strategic overview of expenditure, and protect those who need legal help with a degree of security that comes from there being insulation against legal expenditure always being the first to be cut in a crisis.

A collapsing legal system damages not just those who suffer immediate injustice. It leaves us all vulnerable to the consequences of living in a society, where the law is unreliable and only enforceable by the rich. *Charles Falconer is a former lord chancellor and justice secretary*

Robinson (Appellant) v Chief Constable of West Yorkshire Police

The Supreme Court has made significant inroads into the principle that the police cannot be sued in negligence save in exceptional circumstances as a result of alleged failures in their core operational duties. Now, where a third party such as a pedestrian is injured as a result of a negligent arrest on the street by a police officer, the police are liable in negligence where that injury was a reasonably foreseeable consequence of the police's actionsIn July 2008, the Appellant, then aged 76, was knocked over on a street in the centre of Huddersfield by a group of men. Two of the men were police officers (DS Willan and PC Dhurmea) and the third was a suspected drug dealer (Williams) whom they were attempting to arrest. As the officers struggled with Williams, he backed into the Appellant, who was standing close by. She fell over, and the three men fell on top of her, causing her to be injured. The officers had foreseen that Williams would attempt to escape. They had not noticed that the Appellant was in the immediate vicinity.

The principal question to be decided in this appeal was whether the officers owed a duty of care to the Appellant and whether, if they did, they were in breach of that duty. The judge held that the officers had been negligent, but that the police were immune from claims against them in negligence. The Court of Appeal found that most claims against the police when engaged in their core functions will fail the third stage of the "Caparo test" i.e. that it will not be fair, just and reasonable to impose a duty of care. The Court also found that Williams had caused

the harm to the Appellant and the case therefore concerned an omission by the police, rather than a positive act. Finally, the Court considered that even if the officers had owed the Appellant a duty of care, they had not acted in breach of it.

The issues to be resolved in the Supreme Court were (1) does the existence of a duty of care always depend on an application of the "Caparo test" (2) is there a general rule that the police are not under any duty of care when discharging their core functions, and is there any distinction between acts and omissions (3) was this a positive act or an omissions case (4) did the police owe a duty of care to the Appellant (5) if so, was the Court of Appeal correct to overturn the judge's finding that the officers failed in that duty and (6) if there was a breach of a duty of care, were the Appellant's injuries caused by it?

The Appeal is allowed. Lord Reed gives the lead judgment with which Lady Hale and Lord Hodge agree. Lord Mance and Lord Hughes also allow the appeal but reach the conclusion that a duty of care existed by different reasoning.

Reasons for the Judgment: The proposition that there is a Caparo test which applies to all claims in the modern law of negligence, and that in consequence the court will only impose a duty of care where it considers it fair, just and reasonable to do so on the particular facts, is mistaken [21-24]. It is normally only in novel cases, where established principles do not provide an answer, that the courts need to exercise judgment that involves consideration of what is "fair, just and reasonable" [27]. This case concerned an application of established principles of the law of negligence and so the existence of a duty of care did not depend on the application of a Caparo test [30].

Like other public authorities, in accordance with the general law of tort, the police are subject to liability for causing personal injury [45-48]. On the other hand, as held by the Supreme Court in Michael v Chief Constable of South Wales Police (Refuge and others intervening) [2015] UKSC 2, the general duty of the police to enforce the criminal law does not carry with it a private law duty towards individual members of the public. The common law does not normally impose liability for omissions, or, more particularly, for a failure to prevent harm caused by the conduct of third parties [50].

The case of Hill v Chief Constable of West Yorkshire [1989] AC 53 is not authority for the proposition that the police enjoy a general immunity from suit in respect of anything done by them in the course of investigating or preventing crime. The effect of Hill is that the police do not owe a duty of care, in the absence of special circumstances, to protect the public from harm through the performance of their function of investigating crime [54-55]. The authorities relied on by the respondent [56-66] are not inconsistent with the police being generally under a duty of care to avoid causing personal injury where such a duty would arise according to ordinary principles of the law of negligence [67-68]. Applying these principles, the police may be under a duty of care to protect an individual from danger of injury which they have themselves created [70].

The present case concerned a positive act, not an omission. The reasonably foreseeable risk of injury to the Appellant when the arrest was attempted was enough to impose a duty of care on the officers [74]. The judge was entitled to find negligence where Willan accepted that he was aware of the risk that Williams would attempt to escape and of the risk to members of the public in that event, that he would not have attempted the arrest at a time when he was aware that someone was in harm's way, and that he had failed to notice the Appellant [75-78]. The Appellant's injuries were caused by the officers' breach of their duty of care; she was injured as a result of being exposed to the danger from which they had a duty of care to protect her [79-80].

Both Lord Mance and Lord Hughes agreed with the majority that the present case concerned a positive act, not an omission, and that the finding of the trial judge on negligence should be

restored [82; 122-124]. However, Lord Mance found it unrealistic to suggest that, when recognising and developing an established category of liability, the courts are not influenced by policy considerations [84]. It was not possible to state absolutely that policy considerations may not shape police liability where the conduct of the police may be analysed as positive, rather than simply as involving some form of omission [85-94]. However, he concluded that we should now recognise the direct physical interface between the police and the public, in the course of an arrest placing an innocent passer-by at risk, as falling within a now established area of general police liability for positive negligent conduct which foreseeably and directly inflicts physical injury [97].

Lord Hughes referred to vital policy considerations which impose limits on the duty of care which the police owe to individuals. Such considerations are the ultimate reason why there is no duty of care imposed on police officers engaged in the investigation and prevention of crime towards victims, suspects or witnesses. The greater public good requires the absence of any duty of care [103-120]. In response to these points, Lord Reed emphasised that discussion of policy considerations is not a routine aspect of deciding cases in the law of negligence, and is unnecessary when existing principles provide a clear basis for the decision, as in the present appeal [69].

Lauri Love Wins Extradition Appeal

Charlotte Hughes, 'The Justice Gap': Lauri Love has won his High Court appeal against his extradition to the US. Love was arrested in the UK in 2013 and accused by the US of stealing 'massive amounts' of confidential data from government agencies and departments including the US Army and the Missile Defense Agency in 2012 and 2013. Lawyers for the 33-year-old, who lives in Suffolk, argued that UK law prevented his extradition, on the basis that his alleged crimes were committed while he was in the UK, and that sending him into the American justice system would put him at an elevated risk of suicide because of his diagnosed Asperger's syndrome. In their full judgment, the Lord Chief Justice, Lord Burnett of Maldon, and Mr Justice Duncan Ouseley, held both of the grounds of appeal were successful. District Judge Nina Tempia's 2016 order granting extradition was overturned on the grounds that she had not considered whether anti-suicide measures would, in themselves, have a 'seriously adverse effect on his very vulnerable and unstable mental and physical wellbeing'.

His supporters had warned the court if he was extradited there was a 'high risk' he would kill himself. They feared he would be held in solitary confinement and face a jail sentence of up to 99 years in the US. The court heard evidence from psychiatrists who work in the US prison system and questioned the adequacy of safeguarding procedures in US prisons. The High Court ruled that Love's appeal against extradition would be 'oppressive', on the basis that his Asperger's syndrome, combined with his other health difficulties, would leave him either suicidal or medically unfit to enter a plea in American court proceedings. They said: 'We accept that the evidence shows that the fact of extradition would bring on severe depression, and that Mr Love would probably be determined to commit suicide, here or in America.' Lord Burnett of Maldon was highly critical of the conditions Love would have endured in US jails, warning of the risk of suicide. The judge said Love, who also has depression, 'did not seek impunity for the acts alleged against him, but contended that he should be tried and, if convicted, sentenced in the United Kingdom'. They urged the CPS to work with US authorities because of 'the gravity of the allegations in this case, and the harm done to the victims'. They added that 'if proven, these are serious offences indeed".

The decision to block extradition was met with cheers in the packed London courtroom. His

father Alexander Love said: 'This is a victory for justice. What makes Great Britain great is that we live in a place with wisdom and compassion.' Emerging from the front of the court afterwards, Love said: 'This is not just for myself. I hope this sets a precedent for the future for anyone in the same position that they will be tried here.' At a press conference later, he added: 'I am greatly relieved that I'm no longer facing the prospect of being locked up in a country I have never visited. This legal struggle has defined my life for the past four years. I'm not looking forward to be being prosecuted but I think there's a better chance that it will be done justly and fairly in the UK.' A spokesman for Mr Love's solicitors, Kaim Todner, said: 'It has also been recognised that mental health provisions in US prisons are not adequate to satisfy us that Lauri would not have come to serious harm if he were extradited.' Emma Norton, head of legal casework for campaign group Liberty (one of the groups making representations), said she was 'delighted' the court had 'recognised Lauri's vulnerability, close family connections to the UK and the potentially catastrophic consequences of extraditing him'. The US authorities now have 14 days to lodge a request for an appeal hearing at the UK Supreme Court. A CPS spokesperson said: 'We have received the High Court's judgment on Lauri Love which we will now consider before making any further decisions.'

A Brick Wall of Silence at Undercover Policing Inquiry

Connor Woodman, Centre for Crime: On Monday 5 February, 2018, the Undercover Policing Inquiry held another hearing in the Royal Courts of Justice. The hearing dealt with seven more requests from former undercover police officers who wish to have their real and cover names concealed from the public. Although the Inquiry was due to be nearly completed by now, substantive evidence hearing are not likely to even begin before 2019. Extraordinarily, although the Inquiry has a budget in the millions, a 33-person team, and 25 legal representatives working on behalf of the various 'core participants', the amount of useful information to have emanated from its operations is thus far dwarfed by the tiny Undercover Research Group operating, in its own words, on a 'shoe-string budget'.

Why the delay? Neil Woods, a former undercover police officer who spent years infiltrating drug gangs (operations not covered in the current Inquiry), argues that 'the Met are dragging their feet over this tactically'. Indeed, the police force has routinely failed to promptly submit applications for anonymity orders, argued that the scope of the Inquiry should be restricted, and even applied to have large-parts of the Inquiry held in secret. As one spying victim put it to us last year, 'non-cooperation by the police is the biggest problem.' Other clues as to why the Inquiry is taking so long can be found buried within the statements the Inquiry has released on its website. The November 2017 update noted that over one million documents have been received from the Met so far – a promising sign. But a footnote stated: Not all of the documents provided are relevant. For example, on one drive […] nearly 120,000 documents were provided of which over 90,000 comprise non-user generated files such as executable and help files for standard applications, printer drivers and manuals and other similar "documents" which are very unlikely to advance the Inquiry's investigation. The Inquiry team has to trawl through these pointless documents to ensure nothing crucial slips through. The Met's tactics may well be to drown the Inquiry team in mostly-useless documents in the hope that important fragments will escape their notice. And, in the finest traditions of the British state, we already know of credible allegations that documents have been illegally shredded by the force in an attempt to escape public scrutiny and accountability. Secrecy, violence and the far-right The frustration of the spying victims is growing. As was outlined in our report last year, many 'core participants' are losing faith in the whole Inquiry. As one put it, 'We are nowhere near a disclosure, we are nowhere near a public [evidence] hearing.'

On Monday, virtually all information concering two undercover officers – known only as HN23 and

HN40 – was concealed. The reasons for the concealment were themselves concealed, beyond the vague statement that any disclosure could put the officers' physical and mental safety at risk. As the lawyer for the spied upon stated in response (p.37), It strikes us as extraordinary that we cannot even be told, for example, was this officer engaged in a deployment in relation to left wing groups or right wing groups. How on earth can the disclosure of that fact alone put that officer at risk? Sir John Mitting, the Inquiry chair, refused to answer, stating (p.36) in no uncertain terms that the lawyers were 'going to meet a brick wall of silence,' and that there is 'a flat refusal to say anything about the deployment in open [hearings]'. At this point, several spying victims vacated their seats in desperation. 'What's the point of even being here?' one cried out as he left.

So who are HN23 and HN40? One would assume they are officers who infiltrated far-right groups, but for all we know, they could be vital deployments pertaining to the infiltration of Stephen Lawrence's family or trade unions. As the lawyer for the spied upon noted at the beginning of the hearing, another officer, HN58, had a management role in the SDS during the spying operations against the Lawrence family – but this was concealed until recently. Even if HN23 and HN40 are officers who infiltrated fascist groups (which may pose a slightly higher risk of violence to exposed officers than other groups), the public still has an interest in knowing the details of the deployments. After all, there is a murky history of police collaboration with far-right groups in this country and elsewhere. Peter Francis, the former British undercover police officer turned whistle-blower, suggested at the hearing that officers in the Special Demonstration Squad were authorised to engage in violence whilst embedded in rightist groups. As his lawyer put it (p.45), Violence was permitted by Special Demonstration Squad managers to be used by Special Demonstration Squad officers […] in order to maintain cover. At the moment, it appears these questions will only be explored in closed hearings, sessions at which only the judge, Mitting, and the police lawyers are allowed to attend.

Legal rationality and the power of the judge: As these hearings rumble on, those resisting political spying have tried to fracture the court's staid legal rationality through confrontational interventions in the proceedings. On Monday, Peter Francis made an impromptu interruption, undermining the endless arguments from the Metropolitan Police that former undercover officers are at risk of physical or emotional abuse if their names are revealed in public. Reminding everyone that these officers are trained in 'spinning a very believable yarn', he argued that Mitting himself is being played by the police. Francis then made the strongest point of the hearing, pointing out (p.47-8) that Neil Woods, the former undercover drug buster who now criticises the 'War on Drugs', had personally 'led to more imprisonment than the entire Special Demonstration Squad from 1968 to 2008'. Woods walks around in public, in his real name, despite having put dozens of people behind bars for an aggregate total of around 1,000 years – and Woods has never suffered any physical attack from vengeful victims. Thus, the claim that former police officers who infiltrated political groups will be at risk of harm – when none of those who have been revealed so far have suffered attack – seems dubious at best.

This outburst of common sense seemed to ruffle Mitting, who shut down Peter Francis' next attempted intervention by sternly declaring that 'these proceedings have to be conducted by advocates and by those core participants such as Ms Steel, who are representing themselves in their own right'. He attempted to re-impose his authority and the authority of legal rationality, the same rationality which is causing the spying victims so much anguish and frustration. Indeed, the reliance of the Undercover Policing Inquiry on the figure of the judge – without the respected panel of advisors that accompanied the MacPherson Inquiry or the Hillsborough Independent Panel – means that Mitting's every move and statement is being carefully scrutinised by onlookers. His suggestion (p.78), for instance, that former undercover officers with longstanding post-deployment marriages were less

likely to have slept with activists whilst undercover, was met with laughter and derision from the public gallery, forcing him to admit (p.119) that he may be 'naïve and a little old-fashioned'. One wonders whether his membership of the establishment, men-only Garrick Club has anything to do with his ignorance on this matter. In sum, Monday did little to re-inspire confidence in an open, transparent and prompt Inquiry. The proceedings were primarily filled with attempts by Peter Francis' and the victims' lawyers to argue against Mitting's inclination to conceal the names of former undercover police officers – often without being told the basis of Mitting's preliminary decisions, and without being given any information about the officers concerned. The army of police lawyers remained largely silent, perhaps confident of their chance to sway the judge in closed hearings.

'A Terrible Ordeal Because Of Police'—Last Rotherham 12 Defendants Speak Out

"I never thought this day would arrive." Those are the words of Haseeb Alam, one of the last two defendants in the Rotherham 12 case. Haseeb and Mahroof Sultan walked free last week after an ordeal lasting well over two years. Charges of violent disorder were thrown out after the prosecution offered no evidence at Sheffield Crown Court. Haseeb told Socialist Worker, "I was only 18 when I was charged. It's been hanging over me for about two and a half years. Now I just feel relieved it's all over." Twelve Asian men were arrested in early morning raids five weeks after a magnificent 400-strong anti-fascist protest in Rotherham, South Yorkshire, in September 2015. They were charged with violent disorder. The Unite Against Fascism (UAF) demonstration opposed a march by the Nazi group Britain First. It came two weeks after 81 year old Mushin Ahmed was killed in the town in a racist murder. And it was the 14th Nazi demonstration in as many months. Haseeb and Mahroof initially pleaded guilty. But they were allowed to change to not guilty pleas after a unanimous acquittal of ten of the Rotherham 12 by a jury in November 2016. The case against the two was thrown out after the court heard that Chief Inspector Richard Butterworth was unfit to give evidence. "It's been a terrible ordeal," Mahroof said. "It's been two to three years, a long, long journey and a lot of pressure. And it was all because of the police."

Butterworth was in command of policing on the day of the UAF demonstration and a key witness in the first trial. Defence lawyers heavily criticised him for police failings. In the original trial prosecutors acknowledged that Nazi groups were intent on causing division, fear, intimidation and terror through perpetual acts of violence and murder.Four fascists were later jailed for violent disorder. The court heard how police did nothing to stop a group of drunken fascists from attacking Asian men outside a pub on the day of the protest. The William Fry public house was known to be a haunt of racists and Nazis and a police witness had earlier seen the Nazis gather there.

Defence lawyers said police had led demonstrators "into an ambush" by forcing them to walk past it. Three members of the fascist group Yorkshire's Finest were spotted outside the pub at least an hour and a half before the attack. Defence barrister Michael Mansfield QC mocked Butterworth for claiming he did not know that the Fry pub was a gathering for racists and fascists. Butterworth, he said, was like Manuel from TV's Fawlty Towers whose catchphrase was, "I know nothing." Mansfield described Rotherham as a place where the "air was filled with fear". The town was "besieged and plagued" by "toxic" fascist groups. Racists cynically used a child sexual exploitation scandal in the town to try and whip up hatred. Mushin Ahmed had been called a "groomer" as he was stamped and kicked to death as he walked to his mosque. Rotherham UAF organised protests against Nazi groups on more than 20 occasions in less than three years. UAF and trade unionists adopted the slogan, "Justice for the victims – don't let the racists divide us." Rotherham 12 campaigners ask why the defendants were arrested, never mind charged and dragged through the courts. The campaign has called for an independent inquiry into policing.

The Challenge of Expert Evidence

Avoid the pitfalls of probabilistic reasoning and examine expert evidence with more confidence: Colin McCaul QC introduces new guidance from the Inns of Court College of Advocacy and the Royal Statistical Society 'No practising lawyer should underestimate the difficulty involved in preparing and mounting an effective challenge to a well-prepared expert's evidence by cross-examination, even when assisted by his or her client's own expert. With the power which an expert has to influence the decision of a fact-finding tribunal, whether judge or jury, goes responsibility. As some controversial cases have shown, the abuse by an expert of the power which he or she is given can cause serious harm and injustice.' Lord Hodge, Justice of The Supreme Court, October 2017: Such have been the advances in advocacy training that most advocates nowadays will do a decent job of examining a witness of fact either in chief or by way of cross-examination. A thorough knowledge of the facts of the case, combined with careful preparation, will give the advocate the confidence and ability to bring out truth and to expose untruths.

When it comes to expert evidence, the landscape changes. Not only does the subject matter comprise material that often constitutes difficult ground for the advocate, but the experts' opinions are themselves underpinned by what often appears to be impenetrable material. Many such experts have considerable presence and speak with great authority. A combination of all these factors provides the potential for the perfect storm whereby flawed opinion evidence is delivered to the court, it is not tested in a way that would unearth those flaws and a judgment is given based on that flawed evidence.

Expert Guidance: The Inns of Court College of Advocacy (ICCA) has drawn upon the expertise of seasoned, senior practitioners to create generic guidance for the assistance of all advocates involved in the preparation, admission and examination of expert evidence in any court or tribunal. This advice is compiled in the paper: Guidance on the preparation admission and examination of expert evidence. It has been distilled from principles and practices which are now well established across all areas of legal practice – civil, family, and criminal law, and covers all types of tribunal. The guidance reminds advocates that, in addition to the relevant rules of court by which experts are bound, their expert might also be constrained by professional rules of practice or case-specific literature relevant to their own discipline. It is the responsibility of advocates to satisfy themselves that their expert is up-to-date and fully conversant with current regulations, research and good practice. Beware the expert who has retired from active practice. To identify the central issues in dispute and expose the strengths and weaknesses of an opposing expert, early consultation with one's own expert must be well-prepared and organised. The guidance contains much advice on this topic. Advocates must ensure that: they are aware of the case law which defines the circumstances in which privilege attaches to an expert's advice, absent or prior to a hearing in court; at every step, they have fully understood every part of the evidence; experts do not stray outside the discipline in which they practise; they know the source of any facts on which they rely and the extent to which (if at all) the expert participated in the obtaining of the facts or material in question; where there is a range of opinion on any matter, the expert summarises it and explains why he or she has reached his or her own conclusion; experts have considered all material facts, including those which might detract from their opinions; and they are satisfied that technical language used by the expert will be adequately explained and interpreted for the benefit of the court.

The importance of fully understanding every part of the evidence cannot be overstated. Without such an understanding, the advocate does not have the confidence or armoury with which to

confront an expert witness. Add to this the fact that it is (rightly) drummed into the advocate from an early stage that no question should be asked to which he or she does not know the answer and the outcome is that identified by the Law Commission in its publication: Expert Evidence in Criminal Proceedings in England and Wales (Law Com No. 325, 2011) at para 1.21: 'cross-examining advocates tend not to probe, test or challenge the underlying basis of an expert's opinion evidence but instead adopt the simpler approach of trying to undermine the expert's credibility. Of course, an advocate may cross-examine as to credit in this way for sound tactical reasons; but it may be that advocates do not feel confident or equipped to challenge the material underpinning expert opinion evidence.' Needless to say, a conference with one's own expert is the time to explore in depth not only the base material but also the material underpinning the evidence of that expert and of the other side's expert. 'Why are you right and why are they wrong?'

Statistics and Probability for Advocates: In some areas of expert evidence, it becomes significantly harder for the advocate to fully understand the material underpinning the expert opinion. There is no better example than in the case of statistics. Few advocates have studied mathematics to a level that equips them with sufficient knowledge to readily understand statistics. The situation is made worse by the fact that, more often than not, an expert in a case has no background in statistics either. For example, a medical expert may cite statistical evidence gleaned from literature but have no concept of the reliability or true interpretation of that evidence. In those circumstances, the assistance that the advocate would normally wish to receive from his or her expert in understanding the material underpinning that expert's or the opposing expert's opinion is lacking.

It would be convenient to dismiss statistical evidence as affecting only a minority of cases mainly in the criminal field. If that were ever true, it is no longer so. Statistical evidence and probabilistic reasoning form part of expert witnesses' testimony in an increasingly wide range of litigation spanning criminal, civil and family cases as well as more specialist areas such as tax appeals, sports law, and discrimination claims. In recognition of this state of affairs, the ICCA and the Royal Statistical Society (RSS) have jointly published a booklet containing guidance to help advocates better understand the use of statistical evidence when presented in court. The guide is entitled: Statistics and probability for advocates: Understanding the use of statistical evidence in courts and tribunals. It provides a walk-through of the main concepts within the subject that advocates need to grasp.

Consider the following two sentences where 'match' refers to an agreement between a DNA profile obtained from a defendant and a DNA profile obtained from the evidence: a) 'The probability of a match if the semen came from another person is one in 40 million.' b) 'The probability that the semen came from another person is one in 40 million.' How many people, including barristers and judges, would view sentence B as being a consequence of sentence A? Yet the two sentences are describing very different scenarios. To infer that sentence B is a consequence of sentence A, and that it reflects the chances of a defendant being innocent, is hugely erroneous. "Few advocates have studied mathematics to a level that equips them with sufficient knowledge to readily understand statistics. The situation is made worse by the fact that, more often than not, an expert in a case has no background in statistics either" The guide explains how such an error ('the Prosecutor's Fallacy') can more easily be understood and thereby avoided. The guide also takes the reader through statistics and probability as they affect all areas of litigation. In doing so, it illustrates these topics with examples taken from miscarriages of justice in real life cases and/or from papers and textbooks on statistics. It looks at concepts such as: Coincidence and patterns: The chances of there being three air crashes in the space of eight days are around 1 in 1,000. But the probability of such a cluster of plane crashes within a ten-year period

is about 60% (David Spiegelhalter, Professor for the Public Understanding of Risk at the University of Cambridge). Independence: ie whether or not two events are independent of one another such that it is permissible to multiply the probability of each event to the other so as to arrive at the overall probability of the two outcomes occurring. (The well-known and tragic case of Sally Clark, charged with murdering two of her sons, where there was an incorrect presumption that each death was independent of the other.) Absolute and relative risk: There was a 70% increase in thyroid cancer amongst women after the Fukushima nuclear disaster in 2011. This sounds huge but the overall risk of such a cancer is about 0.77% – ie 77 out of 10,000 people. A 70% increase of that number would mean that an extra 52 people would be affected (Sarah Williams, 'Absolute versus relative risk – making sense of media stories', Cancer Research UK, 15 March 2013). Correlation and causation: There is a strikingly high correlation in the USA between per capita cheese consumption and death from becoming tangled in bed sheets but does this mean that one causes the other? (www.tylervigen.com)

It would be foolish to claim that the guide will arm its reader with an in-depth knowledge of what are, on any view, complex topics. It will, however, alert the advocate to pitfalls in relation to statistical (and epidemiological) evidence and, at the very least, to know when it would be appropriate to obtain the advice of a statistician. To encourage practitioners to start testing their understanding and putting the guidance into practice, the booklet also provides four case studies in different areas of law. These are designed to incite the reader to plan how to question an expert in a variety of different situations and to scrutinise the methods used in presenting different kinds of conclusions based or allegedly based on statistics. The guide also considers whether further activity may be required to improve the quality of scientific evidence to the degree identified as necessary by the Law Commission in its 2011 report. It signposts advanced thinking around current and controversial concepts (the likelihood ratio, Bayesian reasoning, the doubling of risk test and life expectancy estimates) for the purpose of warning advocates that this is a rapidly advancing subject whereby concepts currently accepted by the courts are likely to be challenged by statisticians.

The final chapter directs readers to discover more information on particular problems, and complements the reading lists included within each section of the guide. The resources offered reflect ICCA's and RSS' joint aim to encourage practitioners to develop their understanding of this complex but important topic and increase their confidence when they are conferring with experts, or challenging scientific evidence and expert opinion in court. As science progresses, the role of expert evidence in litigation will only augment. As such, there will be an even greater weight of responsibility on the advocate to ensure that such evidence is properly tested and that the prospect of miscarriages of justice is minimised.

Private Probation Companies Struggling With Poor Enforcement of Community Sentences

The enforcement by private probation companies of community-based court sentences has been assessed as poor in a report by HM Inspectorate of Probation. Inspectors found that staff in Community Rehabilitation Companies (CRCs) did not see offenders often enough while under supervision on two of the most commonly used non-custodial sentences – community orders and suspended sentence orders. This lack of meaningful engagement led to poor decisions in managing breaches of the orders. Though the proportion of community-sentences completed or ended early through good progress has been gradually rising, it was still the case that in 2016-17 a total of almost 30,000 court orders were terminated through failure to comply, further offences or other reasons.

Dame Glenys Stacey, HM Chief Inspector of Probation, has previously raised concerns about

remote and infrequent supervision of offenders by CRC staff, sometimes only by phone, which risks breaking the face-to-face relationships which are vital to successful probation work. In the new report -Enforcement and Recall - Dame Glenys said: "Once again, we found CRCs stretched beyond their capacity. "Good enforcement relies on good quality probation supervision. CRCs focused on contract compliance, but not seeing people often enough, or not engaging meaningfully with them, are inevitably behind the curve on enforcement, as staff may not know when enforcement is called for, or when purposeful work to re-engage the individual would be better for them and for society." Poor supervision, Dame Glenys added, "is more likely to lead to reoffending and, for some, another round of imprisonment." Inspectors also looked at cases where individuals were recalled to prison because of breaches of the conditions of their release into the community under license. It addressed concerns expressed by some commentators that offenders were recalled too readily, for minor breaches. The report showed that a substantial number of people were recalled – with this group accounting for 6,554 out of the prison population of 85,513 in England and Wales on 31 March last year.

However, Dame Glenys said she hoped the report would allay concerns about inappropriate recall. "There have been increases in recall numbers, most recently following the extension of supervision in the community to those sentenced to less than 12 months." The inspection found almost all recall decisions by the NPS, the National Probation Service responsible for higher risk offenders, and CRCs were good decisions. "Often, the level of disengagement or deterioration in the person's behaviour were such that they could not be safely managed in the community. Recall was appropriate, even when the individual had committed a relatively minor further offence." The reason for this in CRC cases, inspectors believe, was that recall procedures were generally clear and well understood, and people on licence, and subject to recall, were more likely to be supervised by higher-grade staff who are experienced at making the necessary judgements.

UK's Judges Get Scientific Guides

Dr Julie Maxton: From lab bench to judicial bench, the UK's science academy is collaborating with the judiciary to ensure that the best scientific guidance is available to the courts. In a unique collaboration with the judiciary and the Royal Society of Edinburgh, the Royal Society launched the first of a series of succinct, jargon-free and easy to understand scientific guides, or primers, for judges. As the UK's science academy we believe that the very best scientific advice should be available in all spheres of society, and that includes the courts. The primers are designed to assist the judiciary when handling scientific evidence in the courtroom, explaining how far the science goes at any given time and what the limitations of the science are. They have been written by leading scientists and working judges and peer reviewed by legal practitioners, all of whom have generously volunteered their time to the project. It was Lord Chief Justice Thomas who first envisaged their development, and they have been steered to publication by Lord Anthony Hughes from the Supreme Court. The first two primers cover DNA fingerprinting, widely used in court, and gait analysis, a relatively new form of evidence identifying people from the way they walk from CCTV. Future primers on statistics and the physics of vehicle collisions are planned. The project's steering committee identifies topics by speaking to practising judges. It is absolutely vital that this project is demand-led and addresses practical trial-related questions which are relevant and important to judges themselves.

Dame Sue Black, a world expert in forensic anthropology, and criminal trial judge, His Honour Mark Wall QC, led the primer on forensic gait analysis, which was first admitted as evidence in a UK court in a case of armed robbery in 2000. It goes on to discuss the disci-

pline's evidence base, describing this as 'sparse', and making clear it is largely translated from more developed fields, such as clinical gait analysis, which provides information to health professionals. It recommends, 'care is required in assuming that techniques developed in one field can be applied in another with quite different objectives'.

It also highlights that there is no evidence to support the assertion that the way people walk is unique, and explores the related issue of the variability shown in an individual's gait pattern when factors such as fatigue, walking surface, footwear, injury or intoxication are taken into account. Finally, particularly as the use of forensic gait analysis comes more to the public's attention, it concludes it is also possible that individuals may choose to walk differently to evade detection. The guide ends with a discussion of the different type of professionals that may present as gait analysts, and the diverse qualifications that they hold.

Professor Niamh Nic Daéid, a professor of forensic science at the University of Dundee and the Court of Appeal's Lady Justice Anne Rafferty, led the DNA-themed primer. Its editorial board also included the expertise of Sir Alec Jeffreys, the inventor of genetic fingerprinting who in 1984 discovered a method of showing the variation in the DNA of individuals, and Nobel Prize-winning scientist Sir Paul Nurse. The primer discusses the history of DNA profiling, the science of DNA analysis, factors to be considered in the evaluation of DNA evidence, including current limitations, and the future development of new DNA methods. Specific questions such as how DNA profiles are compared and interpreted are explored, with the authors discussing statistical approaches such as match probability and the likelihood ratio, and how they can very easily be misunderstood, known as the defence and prosecutor's fallacy

Hard copies of the primers have been distributed to courts in England and Wales, Scotland and Northern Ireland through the Judicial College, the Judicial Institute, and the Judicial Studies Board for Northern Ireland. The primers are also available to download from the Royal Society website. The primers project is just one part of the collaboration between the scientific and judicial communities. With the Judicial College, the Royal Society has also hosted a series of seminars for senior judges on scientific and new technology topics relevant to court proceedings. Topics have included memory in testimony, uncertainty and probability, mental capacity, pain, substance addiction, and AI and machine learning. Future seminars will consider human gene editing, robotics, and causation. Further primer topics may well come out of some of these seminars. Science and the law are of fundamental importance to society. As society changes and responds to fast-moving and far-reaching developments such as neuroscience and AI, both communities need to continue to work together to accommodate and understand the challenges of these new technologies.

More Inmates to be Released Early Under Home Curfew Rules

Jamie Grierson, Guardian: The government hopes to increase the number of inmates released early from jail under strict home curfew rules, it has emerged. The Ministry of Justice has issued revised guidance for its home detention curfew (HDC) scheme, which sees eligible prisoners released under strict monitoring conditions, including a tag and a requirement to be home between 7pm and 7am. No one serving a sentence of four years or more for any offence is eligible, nor are sex offenders. In a paper issued to prisons and probation providers last month, the prisons and probation service said: "The reason for the change is that the previous process had become overly bureaucratic and tended to frustrate the objectives of the scheme, meaning that only a minority of eligible offenders were being released on HDC." As many as 35,000 prisoners could be eligible for the scheme but in 2016 only 21% – or around 9,000 – were released.

The prison population stands at 84,255, according to figures released on Friday, and jails in England and Wales have space for 86,711 inmates. The HDC scheme was introduced in 1999 to provide a managed transition from prison to community for offenders serving short sentences, according to the paper, which was first seen by the Times.

The Ministry of Justice said it was not altering the rules for eligibility but was streamlining the process for assessing those eligible. A Ministry of Justice spokesman said: "We are not expanding the scheme to allow the release of any prisoner who was not already eligible and could be released on HDC. We are simplifying the HDC process, reducing the number of forms used in the assessment process and maintaining the strict eligibility and suitability tests. This will mean governors can make well-informed, more timely decisions and ensure robust risk management plans are in place for offenders released under the scheme."

Ombudsman: Teenager's Death in HMP Wandsworth 'Appalling'

Alan Travis, Guardian: The death of a distressed Lithuanian teenager in the segregation unit of Wandsworth prison after he was arrested has been condemned as "appalling and tragic" by the prisons and probation ombudsman. An investigation by the acting ombudsman has found that on the day of his death, Osvaldas Pagirys, 18, had rung a bell in his segregation cell but it took prison staff 37 minutes to respond – by which time he was found hanging unconscious. The investigation also found that Pagirys had been found with a noose around his neck on five previous occasions during the three months he had been in Wandsworth. A coroner recorded a verdict of accidental death on Tuesday following an inquest into the vulnerable teenager's death on 14 November 2016. After being arrested for stealing sweets he was held first in Pentonville and then moved to Wandsworth pending his extradition to Lithuania on a European arrest warrant.

Pagirys died six months after the then justice secretary, Michael Gove, had named Wandsworth, UK's largest prison, as a key "trailblazer" in his "reform prison" movement. In a statement after the inquest, Pagirys's family described the support he had received as "inadequate" and said they were "shocked" it took staff so long to respond to the cell bell. "We welcome the jury's findings that the prison staff did not carry out timely checks on Osvaldas, that there was a delay in responding to the emergency cell bell and that this did contribute to his death. Our hope is that Osvaldas's death has made the management at HMP Wandsworth and the Ministry of Justice pay close attention to the management of those at risk of self-harm and ensure that there is adequate supervision of staff." Elizabeth Moody, the acting prisons and probation ombudsman, who also carried out an inquiry into the death, said: "The circumstances of Mr Pagirys's death were appalling and tragic. He was a vulnerable, 18 year-old Lithuanian man who found it hard to cope with prison life and to communicate in English. Staff responded to his increasing levels of distress punitively and he was subject to an impoverished, basic regime during much of his time at Wandsworth."

Pagirys was anxious about the prospect of being returned to Lithuania when all his family lived in Croydon, her investigation found. Moody said Wandsworth staff had not satisfactorily acknowledged his vulnerability or taken inadequate action to tackle his deteriorating mental health, and had failed to manage his suicide risk.. "It is emblematic of the poor care that Mr Pagirys received at Wandsworth that it took 37 minutes to respond to his cell bell prior to discovering him hanging in his cell," she said. The ombudsman inquiry report findings state: "The delay in responding to Mr Pagirys's cell bell on the day he was discovered hanging was unacceptable. Cell bells should be answered promptly, certainly within five minutes. Had staff responded to [his] cell bell within that timeframe his life might have been saved."

The teenager had been repeatedly assessed as not suffering from significant mental health problems after being interviewed without an interpreter, despite struggling with his English. On the one occasion when he was interviewed with a professional interpreter, a GP had concluded he did not need mental health treatment. He had been found with a noose around his neck on five previous occasions before his death, including on the day that he was declared fit for segregation. That decision was taken after what the ombudsman called “a woefully inadequate assessment” by a nurse, which failed to question the impact segregation would have on his mental health. The prison manager who authorised the decision told the fatal incident inquiry she didn’t know Pagirys had been seen in the unit with a noose around his neck. Pagirys was arrested on 8 August 2016 in London for shoplifting sweets and was found to be the subject of a European arrest warrant in Lithuania. Extradition proceedings started and he was refused bail and imprisoned first in Pentonville and then in Wandsworth, where he spent the last three months of his life.

HMP Lindholme –Still too Many Drugs and too Much Violence

HM Chief Inspector of Prisons has questioned whether HMP Lindholme in South Yorkshire is a suitable place to hold high numbers of prisoners with organised crime connections who are determined to “ply their trade” in jail. The prison has a lengthy perimeter and a severe and intractable drugs problem, with high levels of violence. 31 recommendations from the last inspection had not been achieved. Peter Clarke welcomed improvements in the safety of vulnerable prisoners and those who are ‘self-isolating’ because of the violence and intimidation. However, in a report on an announced inspection in October 2017, Mr Clarke said: “It is certainly not a reflection of any diminution in the amount of violence or the threat posed to the prison by illicit drugs, which remained severe. “More than two-thirds of prisoners still told us that it was easy or very easy to get hold of drugs, and a shockingly high 27% said they had developed a problem with drugs since being in the prison. Clearly, more must be done to keep drugs out of Lindholme. The lengthy perimeter of the prison is difficult to defend. When this is combined with the linkages of so many prisoners to organised crime and their obvious resourcefulness in getting large quantities of drugs into the jail, it means that further progress will be difficult to achieve.” The first major recommendation by the inspectorate is that Lindholme should develop a comprehensive and effective drug supply reduction strategy. However, Mr Clarke added: “There is a question to be asked as to whether Lindholme is actually a suitable establishment in which to hold its current population given the apparent intractability of the problem.” A fifth of around 1,000 adult male prisoners in Lindhome at the time of the inspection had organised crime connections.

Inspectors noted that HMP Lindholme, a category C prison on an old, 100-acre RAF base near Doncaster, had a “long-term and high-risk population.” Nearly all prisoners are serving sentences of more than four years, and around a quarter are serving more than 10 years. The previous inspection in March 2016 found that safety was significantly compromised by the ready availability of drugs and the consequent debt, bullying and violence. Safety and Lindholme’s work on prisoner resettlement were both assessed as poor, the lowest HMIP assessment. In 2017, both these assessments had been raised one level, to ‘not sufficiently good.’ Inspectors in 2017 found that health care provision at Lindholme was suffering from a chronic lack of GP availability, leading to lengthy delays in getting appointments, and concluded that these health care problems may have played a part in influencing the very large decline in the number of prisoners saying they were treated with respect by staff. Inspectors were surprised that 25% of prisoners were locked in cells during the day, given that Lindholme is classed as a working prison. Inspectors made 54 recommendations.

David O'loughlin Faces Retrial Following Successful Appeal Against Conviction

A Cork man found guilty of murdering a man he assaulted and put in the refuse chute of an apartment building is facing a retrial following a successful appeal. David O'Loughlin, 30, of Garden City Apartments, North Main Street, Cork, had pleaded not guilty to the murder of 59-year-old Liam Manley at his apartment complex in the city on 12 May 2013. Mr Manley was caught in the chute and died from a form of asphyxiation. A Central Criminal Court jury sitting in Cork unanimously found O'Loughlin guilty of murder and he was accordingly given the mandatory life sentence by Mr Justice Paul Carney on 31 March 2015. The Court of Appeal heard that after some considerable time deliberating, the foreman of the jury asked for permission to visit the chute before making a final decision. It is not common for a jury to visit a location but it is by no means unheard of. It was not known to have happened during jury deliberations before, which is what happened in this case.

Quashing the verdict two weeks ago, Mr Justice Alan Mahon said the decision to permit the jury's visit to the chute in the absence of an application from either the defence or the prosecution was technically unlawful and in conflict with section 22 of the Juries Act. While examining the scene, at least one juror conducted a form of experiment by throwing a stone down the chute, apparently done with the knowledge of the trial judge, but in the absence of either the prosecution or defence. Mr Justice Mahon said it was unclear what information the jury expected to learn from the experiment, but the throwing of the stone put the visit to the chute on an "entirely different level".

Counsel for O'Loughlin, Michael O'Higgins SC, said there was simply no way of knowing if one juror had a concern, which was not a real concern, or whether somebody was getting into the physics of it, which in effect introduced new evidence into the case. He said the reason and result of the experiment was unknown and unexplained. Mr Justice Mahon, who sat with Mr Justice George Birmingham and Mr Justice John Hedigan, said the jury ought to have been discharged in the particular circumstances in which these events occurred. Counsel for the Director of Public Prosecutions, Seán Gillane SC, told the Court of Appeal today that the matter could be remanded back to the Central Criminal Court for a retrial on consent. O'Loughin was remanded to appear before the Central Criminal Court at a later date.

Neil Hegarty Released Two Months After His Parole Revoked

The Derry republican Neil Hegarty, whose licence was revoked at Christmas for allegedly refusing to comply with tagging requirements, has been released from HMP Maghaberry. Mr Hegarty’s licence was revoked in December after he was accused of refusing to comply with tagging conditions. He had been serving a ten year sentence and had been released after five. He was returned to Maghaberry Prison 36 hours after his release when it was alleged he refused entry to G4S staff who wanted to fit him with a tag.

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.