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MOJUK: Newsletter 'Inside Out' No 782 (26/02/2020) - Cost £1

Article 6 Breaches no Magic Bullet for Convictions on Appeal

Rebecca Hill, Barrister, Regina v Abdurahman: The Court of Appeal considered the safety of the conviction of Abdurahman who had assisted one of the 21/7 London bombers after the event. It reaffirmed that its purpose is to objectively appraise the safety of a conviction looking to all the circumstances, notwithstanding in this case a finding by the Grand Chamber of the European Court of Human Rights (ECtHR) that Mr Abdurahman's rights under Article 6 of the European Convention on Human Rights (ECHR) (right to a fair trial) had been breached.The court held that despite his initial interview having been conducted without many of the protections afforded by the Police and Criminal Evidence Act 1984 (PACE 1984) (including the omission of a caution and absence of legal representation) Mr Abdurahman's conviction was safe.

What are the practical implications of this case? The decision in Abdurahman does not change the law, but rather reinforces and extends an existing position. It has long been the case that breaches of PACE 1984 will not necessarily result in exclusion of improperly obtained evidence but this decision makes clear that, even where those breaches are so grave as to offend the ECHR, art 6, the focus must remain on their impact. The Court of Appeal need not be bound by a decision of the ECtHR but may undertake its own analysis with particular focus on context. Regard should be had to the reasons for the breaches and whether they result in irretrievable prejudice in the context of the case as a whole. If they do not, the evidence which results from them need not be excluded, nor need 'fruit from the poisoned tree'. Thus, whilst it is easy for both defendants and practitioners to be exercised by police malpractice or misconduct, a cautious approach must be adopted as to the effect this will ultimately have on a case.

What was the background? Mr Abdurahman's conviction arose from the assistance he afforded to one of the 21/7 London bombers by providing him with accommodation and practical support after the failed attack. Mr Abdurahman was identified as a possible witness on 25th July and, following a period of surveillance, was taken to a police station and interviewed (as a witness). During the course of preliminary questioning, he gave an account incriminating himself (the first statement) however police chose not to treat him as a suspect and thus he continued to be questioned without either legal advice or a caution. At his trial, following argument to exclude pursuant PACE 1984, ss 76 and 78, the judge permitted this first statement and evidence secured consequent upon it to be adduced before the jury. Mr Abdurahman was convicted of assisting an offender contrary to section 4(1) of the Criminal Law Act 1967 and failing to give information about acts of terrorism contrary to section 38B(2) of the Terrorism Act 2000. He received a ten-year sentence which was reduced to eight on appeal. This appeal against conviction followed a majority decision of the Grand Chamber of the ECtHR that Mr Abdurahman's had been 'irretrievably prejudiced', and his right to a fair trial pursuant to ECHR, art 6 breached, by the police decision not to caution him and to restrict his access to legal advice. Consequently, the Criminal Cases Review Commission (CCRC) referred the case on the basis there was a 'real possibility' that the first statement would now be regarded by the Court of Appeal as inadmissible.

What did the court decide? The court affirmed that its primary function, determined by section 2(1) of the Criminal Appeal Act 1968 as amended, remains simply to determine whether a conviction is 'unsafe'. The mere fact of an ECHR, art 6 breach does not necessarily mean that an individual has been wrongly convicted. In the instant case, the court concluded (contrary to the Grand Chamber's finding) that there had been compelling reasons for restricting Mr Abdurahman's access to legal advice when first questioned as he was providing information of critical importance to police priorities at the time. Even if there had not been, however, there was no irretrievable prejudice to him. Mr Abdurahman gave his first statement voluntarily and did not seek to retract or amend it materially once he had been provided with legal representation. The fact that some of the evidence in the case was the 'fruit' of that first statement did not make it inadmissible. PACE 1984, ss 76 and 78 afforded a procedural safeguard to the fairness of proceedings. Furthermore, leaving aside the first statement, there was sufficient additional evidence going to Mr Abdurahman's guilt that the case against him was 'overwhelming'.

Irish Legal Heritage: The Execution of Dorcas Kelly

Róise Connolly, Irish Legal News: On Wednesday 7 January 1761, Dorcas Kelly (also known as Darkey Kelly) was executed near St Stephens Green in Dublin. Darkey was a sex worker and "brothel keeper" who had been found guilty of the murder of a shoemaker called John Dowling the previous year, and her sentence was "to be burned" at the stake. It is reported that she was partially hanged before she was burned "almost alive". It was later reported that "five bodies of murdered gentlemen were found" in the vaults of Darkey's brothel. After Darkey's death, women who worked for Darkey brought her body to Copper Alley to be waked. The Chief Magistrate ordered the arrest of the women, 13 of whom were charged with riotous behaviour. Fleming writes that at the trial, "King George III's Royal Proclamation For the Encouragement of Piety and Virtue, and for the Preventing and Punishing of Vice, Profaneness and Immorality" was read to the jury "to encourage them to fulfil their duty". In the aftermath, "notices in the newspapers announced a concerted effort to prosecute prostitutes" in Dublin.

Russian Police Convicted of Busting Own Drug Den

News from Elsewhere:A court in the Russian city of Kostroma has convicted two policemen for busting a drug den they created themselves to chalk up a crime-fighting success, it's reported. Investigators say Yury Titov, head of a police station, and senior detective Ivan Mantrov convinced three residents to manufacture and consume the drug desomorphine in a flat, according to local news website Kostroma Today. Better known in Russia by its street name crocodile, desomorphine is a synthetic drug similar to opium that was originally developed to treat severe pain. It is widely abused in Russia, and is often called the "flesh-eating drug" because of the frequent damage to addicts' bodies caused by impurities. The two policemen talked their victims - known drug users already under investigation in another case - into setting up the drug den by promising to help them win bail. The officers even supplied the necessary ingredients, which they are thought to have sourced in the police's evidence stores. Titov and Mantrov then arrested the drug users involved and closed the den. They even launched a case against one of their "suspects", which has since been closed. Kostroma police's internal affairs unit got wind of the scheme - thought to be aimed at improving the two officers' clearance rate - and handed the evidence to the Investigations Committee, Russia's equivalent of the FBI. The two officers were charged with exceeding their lawful authority and encouraging drug use. But it turns out they won't have to go to jail. In Tuesday's court judgment, they only got suspended sentences - six years for Titov and three-and-a-half years for Mantrov. It is thought to be a frequent practice among Russian narcotics police to plant drugs on unsus-

pecting citizens in order to meet tough performance targets. In one recent high-profile case, Russian investigative journalist Ivan Golunov was arrested in Moscow last summer when police claimed to have found drugs on him. Golunov, who was researching a local corruption story at the time, was later freed and the case dropped after a public outcry and allegations that the substances were planted. In January, five policemen were charged with falsifying evidence in the case.

EDM 147: Conduct of Judge Robin Tolson QC

That this House welcomes the overturning by the High Court of Justice Tolson's ruling in the Central Family Court that a sexual assault did not constitute rape because the woman had taken no physical step to encourage the man to desist; notes with concern the High Court's findings that Justice Tolson failed to apply the definitions of domestic abuse and coercive and controlling behaviour, dismissed or ignored reports from the police, failed to allow the Appellant to make her full submission and repeatedly interrupted her; further notes with concern the High Court's findings on Justice Tolson's judgment that the real risk of the appearance of a partisan approach in that judge's conduct was self-evident and that the fact that the judge preferred the Respondent's case was patent throughout his judgment; highlights the High Court's further findings that Justice Tolson's reasons for dismissing the evidence of the Appellant were wrong, specifically, that he made a finding regarding the Appellant's psychological state of mind without any forensic expert evidence; further highlights that the High Court found that Justice Tolson's approach towards the issue of consent was manifestly at odds with current jurisprudence, concomitant sexual behaviour, and what is currently acceptable socio-sexual conduct; notes with concern that Justice Tolson continues to preside over cases involving domestic abuse and rape in the Family Courts; and calls on the Government to take steps with the Judicial College to ensure that training is made mandatory for family court and criminal court judges on the legally correct and appropriate approach to take when hearing domestic abuse and sexual assault allegations.

Bloody Sunday: Court Rejects MoD's Appeal Against Compensation

A Ministry of Defence (MoD) appeal against a decision to award the family of a man killed on Bloody Sunday an extra payment of £15,000 has been dismissed by the Court of Appeal. Senior judges rejected claims that Bernard McGuigan's relatives were not entitled to the aggravated damages for injury to his feelings. The MoD argued against the payment because he died instantly. Mr McGuigan was shot as he went to the aid of another man.

Thirteen people were killed and 15 wounded when members of the Army's Parachute Regiment opened fire on civil rights demonstrators in Derry on Sunday 30 January 1972. Judges backed a finding that Mr McGuigan, a father-of-six, would have experienced fear and dread when members of the Parachute Regiment opened fire. Lord Justice McCloskey said: "All of this conduct... was capable of generating in every person of normal mental fortitude in the area a reasonable apprehension of being shot or wounded." Court proceedings have centred on the level of damages in each case, with more than £3m in total paid out to date.

Mr McGuigan, known as Barney, was a painter and decorator. He was shot at the Rossville Flats area as he went to the aid of 31-year-old Patrick Doherty, who was also shot dead on the day. The 41-year-old had been waving a handkerchief or towel when he was hit by a bullet to the head, killing him instantly. A claim by his estate was settled for £258,000. A High

Court judge then awarded a further £15,000 in aggravated damages. He found that the soldier's actions would have "filled the deceased with fear and dread, coupled with a strong sense of indignation and hurt at being the innocent victim of a blatant, unprovoked and unjust attack by members of the Army." The MoD went to the Court of Appeal to challenge the additional award, claiming it was wrong in law because Mr McGuigan's death was instantaneous. But counsel for his family insisted the payout was justified by the terror he experienced during the shootings. Ruling on the appeal, Lord Justice McCloskey described the MoD's case as unsustainable and affirmed the £15,000 compensation for aggravated damages. He also made an award of costs of the hearing against the MoD.

The 'Crisis' of Legal Advice in Immigration Detention

Rudy Schulkind, Bail for Immigration Detainees: New research published Friday 7th February 2020, based on the testimony of 90 individuals held in detention centres in the UK gives rise to serious concerns about the quality of legal advice available. The results lay bare the sorry state of legal advice in immigration detention. The stakes could not be higher – without access to quality immigration legal advice people are at the mercy of the Home Office and face long-term detention and removal from the UK. For many of our clients this means permanent separation from family in the UK, or being taken to a country that they have not seen in many years and may fear returning to.

The survey, collected Bail for Immigration Detainees, is the only data collected on the availability of legal advice and representation in immigration detention. Some 59% of people currently have an immigration solicitor, 68% of whom are represented on a legal aid basis. These figures are lower than those prior to the 2013 legal aid cuts, which removed non-asylum immigration work from the scope of legal aid. Interviewees were particularly critical of the legal advice surgeries in detention centres. Changes to the contractual arrangements governing the provision of legal advice in immigration detention brought about in September 2018 drastically increased the number of firms delivering advice surgeries (from a total of nine firms to 77) and this has caused a significant reduction in quality. Of 53 people who gave a description of their surgery appointment with the duty solicitor in detention, 24 explicitly described the advice as bad, or not useful, or stated that no advice was given. There were only eight people who described the advice they received in a positive way.

Legal advice surgery appointments are meant to last half an hour. That is already a very small amount of time in which to read through somebody's papers, assess the merits of their case, decide whether to take them on as a client or give advice, and ensure that the detainee has understood what they have been told. However we found that of 34 people who told us how long their surgery appointment lasted, 13 said this was less than 5 minutes; and 74% said that the appointment was 20 minutes or less. One interviewee told us that the appointment lasted two or three minutes, and the solicitor explained they could not help with the case nor apply for bail app. In 11 cases the solicitor asked for money to take on the case. Often these were vast sums of money. One interviewee told us that the solicitor informed him that he has a strong case but would not do it for free and charged £3000. He was paid and did not do anything for the case.

For people held in prisons under immigration powers at the end of their sentence, the situation is even bleaker. 53 interviewees in the survey said that they had come to the removal centre from prison. Of those, only 8 people had received advice on their immigration case from an immigration solicitor – just 15%. When asked if they had received legal advice on their

immigration case whilst in prison, 11 out of 53 people said yes. (Of the 11 people, one said the advice came from a criminal solicitor, one said it was from an immigration officer, and one said it was from a prison officer.) Only eight people said that the advice came from an immigration solicitor. This raises a serious concern that many people are facing deportation from the UK without being able to access the legal advice that would be necessary to appeal against that decision. The crisis of legal advice in immigration detention cannot continue. The Home Office is widely recognised as having internalised a culture of disbelief and become a law unto itself. In this context, the need for quality legal advice is vital. There is an urgent need for the reinstatement of legal aid for all immigration cases and an end to the inhumane system of immigration detention.

Woolwich IRA Pub Bombing: No Inquests 'Mean Deaths Brushed Over'

Tanya Gupta, BBC News: The deaths of two men in a London pub bombing in 1974 have been "brushed over" and forgotten, an ex-soldier who survived the explosion has said. Alan Horsley, 20, and Richard Dunne, 42, died and 35 were injured after the IRA blew up the King's Arms, Woolwich. Inquests into bomb deaths in Birmingham and Guildford have resumed but the Woolwich inquest remains unfinished. Fred Westmoreland said: "Those who died deserve serious attention be given to what happened to them." Two of the wrongly-jailed Guildford Four were falsely accused of murdering Mr Horsley and Mr Dunne after the attack. The BBC has learned their convictions brought the inquest to an end.

Mr Westmoreland, who is now a councillor in Wiltshire, remembers Mr Horsley as being "like a brother". Then 26, he was playing darts with Mr Horsley and another man in the King's Arms on 7 November 1974 when the bomb came through a window. "There was a tinkling noise. I looked up and saw a hole in the window. I saw this smoking thing on the floor," he said. "I had to go past it. It was the only way out. I had my hands on the door and then I was on my knees and still holding the door, but the door was on top of me. "The lights were all out. What happened behind me, I had no idea." Mr Westmoreland, who lost part of his leg in the bombing and his hearing in one ear, remembers how Mr Horsley made the pub his local. "We all envied his looks," he said. "He was quite stylish and for some reason he seemed to enjoy playing darts and chatting to people as well as going out with girls. He was sort of shy and not pushy. He was just a nice lad, the sort of person you would be happy to have as your younger brother. He used to get teased mercilessly but he just laughed. He had a nice life, a good life in front of him."

The explosion in Woolwich was one of a series of pub bombings in England carried out by the IRA. It happened a month after five people died in Guildford and two weeks before bombs at two pubs in Birmingham killed 21 people. The inquest processes have resumed into the deaths in Birmingham and Guildford but Mr Westmoreland said he had mixed feelings over whether the same should happen in London. He said: "To me it's done, but I believe those who died deserve that serious attention be given to what happened to them although it's 50 years ago. I'm a soldier. I took on a job which I knew had risk. Richard Dunne was a soldier and part of the risk. Alan Horsley was a different story, as those who died in Birmingham were a different story." And he added: "I believe someone would want to acknowledge Mr Horsley's death. It was all brushed over and very quickly everyone forgot about him." But Mr Westmoreland, who had served in Belfast before he moved to London, said an inquest would not bring Mr Horsley back and the most it could do was conclude he was killed by the IRA's Balcombe Street gang, who admitted responsibility - or to try to "pin blame on police and the security services". Greenwich councillor

Nigel Fletcher, who in the past campaigned for a memorial to the two men killed, said any future proceedings should be guided by the families of those who died and any survivors, adding: "Some may feel they don't want to reopen it but some may feel it's necessary to give important closure." Christopher Stanley, from KRW Law, which has represented families in all the proceedings, said there had been no independent investigation into the Woolwich pub bombing. In Northern Ireland, fresh inquests have been directed into a number of conflict-related multi-death incidents including the murders at Kingsmills in 1976 and the Ballymurphy Massacre in 1971. Woolwich, Guildford and Birmingham must be viewed as conflict-related and therefore investigated to the same standards as apply now in Northern Ireland."

After the BBC asked to see the inquest papers at London Inner South Coroner's Court, the coroner's office confirmed an inquest was not undertaken. On 24 October 1975, the coroner was notified by the Old Bailey that Paddy Armstrong and Paul Hill had been convicted and sentenced and in light of this, the inquest was not resumed. Mr Hill and Mr Armstrong were cleared in 1989 after serving 15 years in jail. The wrongful convictions over the Guildford and Woolwich pub bombings - which became known as one of Britain's biggest miscarriages of justice - were later examined in a controversial five-year inquiry by Sir John May, whose papers are now held by the Home Office. Mr Horsley and Mr Dunne have been included on a memorial on brass plaques in St George's Chapel, Woolwich, and they are also commemorated in a book of remembrance in Woolwich Town Hall. Plans were approved to demolish and redevelop the pub in Frances Street but work has not yet begun.

Failures at HMP Coldingley Contributed to Suicide of David Dunnings on IPP sentence

Tom Stoate, Garden Court Chambers:The inquest into the death of David Dunnings, 35, has concluded with the jury finding he died from suicide whilst at HMP Coldingley on 8 July 2017. He was serving an Indeterminate Sentence for Public Protection (IPP) and was significantly over tariff when he was moved to HMP Coldingley in September 2016.

The jury identified numerous serious failures which contributed to his death, including: There was a complete failure to follow process and to communicate within the prison, and, more importantly, to Mr Dunnings himself; The ACCT system, designed to safeguard prisoners, was not sufficiently informed or quality checked and was lacking in consistency of delivery and auditable actions; A multidisciplinary approach was not possible due to the inadequate mental health care provisions resulting in a serious failure in the ACCT process; The risk posed to Mr Dunnings of being on the segregation wing was underestimated, given that he was an IPP prisoner over tariff; a fact that was inadequately acknowledged; and There was a serious failure in communication between multiple agencies working in siloed and multiple systems and policies within HMP Coldingley.

David's family described him as loving, caring man with a huge heart. He had a history of self-harm which manifested during times of emotional distress and anxiety, and a diagnosis of personality disorder. The inquest heard that on 14 June 2017, David was moved to HMP Coldingley's segregation unit following his alleged involvement in barricading a cell – a charge which was later quashed. That evening David self-harmed and was placed on suicide and self-harm monitoring procedures, known as Assessment, Care in Custody and Teamwork (ACCT). David then spent a further three and a half weeks in segregation (where prisoners are allowed around half an hour out of their cell per day) – despite the fact that prison rules state segregation should only be used in exceptional circumstances when a prisoner is sub-

ject to ACCT procedures. Evidence was heard at the inquest that David was told the prison were considering recategorising him from a Category C to a Category B prisoner, which would have been a significant setback in David's IPP sentence, and should have been recognised as a well-known stressor and trigger for suicide. During his time in segregation, David repeatedly expressed suicidal ideation, and by late June he was telling prison and healthcare staff that he was thinking of hanging himself, and that he would kill himself after he had said goodbye to his family after their next visit as his sentence had 'done him in'.

On the afternoon of 7 July 2017, David was erroneously told by a prison custodial manager that he had been recategorised. The coroner noted that this decision had been "lingering" for weeks, in spite of a recommendation by the prison psychiatrist, Dr Darren Bull, that David be informed as soon as possible so that he could properly prepare himself. Despite this, David's level of observation under ACCT processes on 7 July was not increased. At around 1.05am on 8 July 2017, a prison officer found David in his cell, suspended from a ligature. Despite attempts at resuscitation and the attendance of paramedics, David's death was confirmed at 2.12am. Giving evidence to the inquest, then Deputy Governor of HMP Coldingley, Niall Bryant, accepted that there were "indefensible failures" in the way in which David's recategorisation had been handled. No review board was convened, there was no input from David himself or any probation officer, and he was not provided with any formal paperwork or told he could appeal.

The Prison and Probation Ombudsman (PPO) investigation found that "Mr Dunnings was not sufficiently protected by the ACCT procedures which became formulaic and not focused on his risk". The PPO also found that there were also failures in the procedures and safeguards designed to provide additional protection for prisoners in the segregation unit. In relation to David's IPP sentence, the PPO found: "It is clear that his indeterminate sentence and the uncertainty about how long he might have to remain in prison were significant sources of anxiety to him and it is hard not to conclude that they played a key role in his decision to kill himself". The clinical reviewer who examined David's death, Dr Andrew Foulkes, was critical of various aspects of the mental health care he received at HMP Coldingley, provided by Central and North West London NHS Foundation Trust (CNWL). In particular, Dr Foulkes found that there was "no evidence that a structured assessment of [Mr Dunnings'] suicide risk had taken place" during his time on segregation and when he was supposed to have been monitored, although this was denied by CNWL at the inquest. HMP Coldingley accepted the findings of the PPO report in full and staff told the coroner that there have been wide-ranging changes to the systems in place to consider and communicate with prisoners about recategorisation. Prisoners subject to ACCT monitoring at Coldingley are no longer placed in the segregation unit. More mental health staff are now in place, and a funding bid has been made for mental health cover in the prison at weekends – although this has not yet been secured.

Pauline Whitfield, David's mother-in-law, said: "David was trying to focus on the future and was rebuilding his family relationships. We were shocked to hear how badly he was let down in prison. The IPP sentence David was subject to was unfair and unjust, and made him vulnerable – which should have been properly recognised. The way in which David was wrongly told he had been recategorised should never have happened, and the mental health care was woefully inadequate at the time David was in Coldingley. We heard a lot about how the systems have changed since David died and we can only hope that is really the case, so that other families don't have to go through what we have suffered".

Shelley Peynado-Clarke of Tuckers Solicitors, who represents David's family said: "As

an IPP prisoner well over tariff, and as someone who should have been recognised as being at high risk of suicide, it is shocking that David was deprived of the proper safeguards which should have been aimed at reducing his risk. Prison staff were unaware of the proper procedures for ensuring that the stress and uncertainty of David's sentence were mitigated, which had tragic consequences in this case."

Remy Mohamed, caseworker at INQUEST said: "Prisons, by their very nature, are dehumanising places which create and intensify vulnerability. This is further heightened for the 2,223 people who remain on indeterminate sentences, not knowing when they will be released. David's death follows a number of deaths in prison which have been linked to the detrimental harms of IPP sentences. The deterioration in David's mental health was clear, which makes the basic failings identified at the inquest all the more unfathomable."

Impact of Releasing Suspects 'Under Investigation'

Beheshteh Engineer Barister Drystone Chambers: Decisions about bail impact the physical and mental well-being of both complainants and defendants. It is imperative that the right decision about bail is made at the start of an investigation. We have recently seen an explosion in the use of RUI; this article addresses both the problems around RUI as well as potential solutions to it.

Release Under Investigation: Following changes to bail found in the Policing and Crime Act 2017, police can either release a suspect 'under investigation' or release them on bail. Being released on bail usually requires a suspect to comply with various conditions such as residence, non-contact with complainants or co-suspects, and regular reporting at a police station.

Releasing a suspect under precharge bail requires bail to be considered both 'necessary and proportionate' and can only last initially for 28 days. The 28-day limit results in immediate problems for police; even with an extension being granted, this is often not enough time for an investigation to reach completion. In contrast, releasing a suspect under investigation means releasing them with no conditions. It also means that there is no bail date for the Police to work towards, nor do they have to provide a reason to extend bail.

With the Police and the Crown Prosecution Service (CPS) being under-resourced and required to do more than ever before, it is unsurprising that in the six months after the law came into force, HM Inspectorate of Constabulary (HMICFRS) found that the use of police bail plummeted by 65% - and by 75% in domestic abuse cases. It is now thought that around 75-80% of suspects are RUI'd, with statistics (as well as anecdotal evidence) showing that that cases are now taking much longer to be concluded without charge or to be brought in front of a Magistrates' Court.

The LCCSA conducted a survey in June 2019 to ascertain the practical impact of RUI thus far: of 109 defence practitioners who responded, 6,519 cases had been RUI'd in the previous three months. Of more than half the solicitors who responded, their clients had been waiting between 18 months to two years while under investigation. Examples were also given of suspects being RUI'd for serious sexual and violent offences as well as a suspect being RUI'd for multiple lesser offences while also being charged with more serious ones.

The problems with RUI - Impact on defendants: The reality of RUI is that suspects are in a state of limbo for months, with no controls on their behaviour, no information as to the status of their case and no certainty as to when the case may be resolved. This is unfair and is anathema to swift justice. Being released under investigation impacts on a suspect's mental health, family life, education, employment status, sometimes their immigration status, and often, it impacts their personal relationships. Solicitors frequently complain that trying to get infor-

mation about an RUI case is akin to hitting a wall of silence, with suspects sometimes not even being told when the matter has ended with no further action to be taken (NFA).

RUI was meant to stop people being on bail for extended periods of time. While this has been achieved, the impact of waiting with no answer is now worse as suspects are left with no end in sight. Crucially, there is no limit on how long a suspect can be RUI'd for. Delays to charging particularly affect young adults; being RUI'd for a significant period of time can mean that a young person turns 18 while waiting to be charged. While 18 'is not a cliff edge' for sentencing purposes [R v Clarke,Andrews and Thompson [2018] EWCA Crim 185] the reality is that the Courts have been sometimes slow at applying this maxim. It is notable that delays in the criminal justice system as a whole are now being used in submissions for mitigation at sentence.

Concerns About Public Protection. RUI has also had the effect of removing all protection for the public. Complainants groups, such as the Centre for Women's Justice, have publicly raised this issue. There have been cases where a suspect was RUI'd and then went on to attack their accuser. Having stringent bail conditions does not prevent someone from committing a crime if they are intent on doing so, but in many cases bail conditions have a protective effect. Without such conditions, this potential protection is lost.

The National Police Chiefs' Council issued fresh guidance for how police should use RUI. Such guidance includes using pre-charge bail where a suspect may commit further offences or interfere with witnesses, that complainants and witnesses should be warned if a suspect is to be RUI'd, and that there should be regular reviews of a case. These are sensible proposals, but we do not know if they are being applied in practice. If they are not being universally applied, it results in a postcode lottery approach to justice.

There is also a concern that the Police and the CPS no longer have the same sense of urgency in progressing cases, because there is no bail timetable to adhere to. The strain of limited resources has led some to suspect that the Police and the CPS are focusing only on the most serious cases. If this is correct, it is (at the very least) to the detriment of those complainants in less serious cases and it produces a two-tier justice system.

Impact of delay on how a case progresses through the courts: Another practical impact of RUI is found in the Magistrates' Courts where many (but not all) serious matters now begin by way of postal requisition. Magistrates have commented that charges as serious as a domestic ABH or the supply of Class A drugs have begun their court journey in the post - thus belying the seriousness of the issue. A suspect in a case begun by postal requisition will often be given unconditional bail at a first appearance - a troubling notion in a DV case, for example. Furthermore, suspects charged with s.18 GBH and serious sexual offences, amongst others, are being RUI'd when there is more than enough material (and thus good reason), to apply the pre-charge test for bail.

Delays in getting the matter charged, as well as further time spent waiting between first appearance and trial, mean that it can be quite a while before a case is concluded. Further adjournments, the result of other factors that affect criminal cases, simply prolong the time period. Such delays can become a driving factor for complainants and witnesses to give up their participation in the process. Additionally, the more time passes, the harder it is for all parties to recall the events of the incident in sufficient detail, making the giving of evidence a much more difficult process than it already is.

Proposed Review And Potential Solutions: RUI has arguably acted as a pressure release for the overburdened Police and CPS. With investigations and charging decisions taking longer to complete, RUI solves some of the problems of the past while presenting us with new ones. In November 2019 the Home Secretary announced that there would be a review of

pre-charge bail. Such a review is welcome. However, the language used to announce the review is troubling; it promises to "put the needs of victims first" and help the police deal with cases swiftly. First, you can't put victims first, you can only put complainants first - a small but essential point. Second, complainants requiring protection should not result in us returning to the past bail regime, where the suspect bore the brunt entirely. Third, the best way to help the Police 'deal with cases swiftly' is to give them the resources to do their jobs; something that, despite government promises, still appears to be lacking.

What are the solutions to the problems presented by an increase in suspects being RUI'd? The Law Society published a report in September 2019 with the following four recommendations: ensure RUI is being used appropriately, put strict time limits for RUI, find a more appropriate way to contact a suspect to keep them informed of the progress of an investigation, and to produce a central register for those who are RUI'd.

What might such a wishlist of changes look like? In the case of time limits, pre-charge bail could be extended to 56 days in the first instance, with an extension to three months requiring senior police approval. Separately, there could be a legal requirement for the Police to write to a suspect to inform them of the status of their investigation / inform them if the matter has been NFA'd, at the end of the relevant time period. The added administrative burden placed on the Police would arguably be commensurate with the impact that RUI places upon a suspect. Finally, for DV cases, there could be a presumption in favour of pre-charge bail where serious violence has been alleged. While these are only suggestions, small changes to the legislation could help 'focus the mind' of those making decisions at the start of an investigation.

Conclusion: The problems with RUI have been highlighted in the national press - ignoring the issue is no longer feasible. While the government has publicly acknowledged the issue and have announced further funding for the Police and the CPS, it remains unclear to what degree such a review or further funding will have on the use of RUI by the Police. Perhaps the solution is to implement small, practical focused changes to the legislation, in order to limit the negative impact of releasing a suspect under investigation.

Solicitor's "Manifest Incompetence" in Employing Banned Barrister

Nick Hilborne, Lega Futures: A solicitor who employed a banned barrister as a consultant without checking his identity or his record with the Bar Standards Board (BSB) has been fined £20,000. The Solicitors Disciplinary Tribunal (SDT) said the fact "very basic checks were not undertaken" by Zeeshan Saqib Mian was "not calculated" but "could not be described as accidental"; it "displayed manifest incompetence". The tribunal heard that the banned barrister, referred as to as SAH, was disbarred in 2011 following a fraud conviction. At some point in early 2014, Mr Mian, practising at Denning Solicitors in East London, agreed that SAH could "work as a consultant for the firm". Mr Mian admitted that he did not obtain identification documents from SAH or check with the BSB to ensure that he was authorised. The solicitor instructed SAH to represent a debt recovery client at the High Court in March 2014. SAH appeared again at the High Court in June that year on behalf of other clients and obtained an injunction, though Mr Mian said the application was made "without his knowledge, authority or consent".

The disbarred barrister later said he had "run into difficulties at court" and asked Mr Mian to confirm he was a consultant at the firm. The solicitor provided him with an email confirming that SAH was the firm's "in-house counsel/senior consultant". Mr Mian admitted "manifest incompetence" in causing or allowing SAH to exercise a right of audience before the court

when he was not entitled to. The SDT heard the solicitor worked at Denning Solicitors between January 2008 and May 2016, shortly before it was closed by the Solicitors Regulation Authority (SRA) for unrelated reasons. Mr Mian, who qualified as a solicitor in 2007, was called to the Bar in November 2016. He agreed to the facts behind a further allegation made by the SRA about his time at Denning, relating to the use of client account as a banking facility, but denied misconduct. The SDT heard that Mr Mian acted for Client E, which according to its brochure was a property company that was raising £50m from investors to develop and upgrade "prime Central London locations". Denning entered into a retainer with Client E in October 2014, but it ended in March 2015 without the firm carrying out any legal work in relation to the individual investor contracts.

However, the law firm received over £145,500 into its client bank account from individual investors. Over £100,000 of this was transferred to Client E, less the fees charged by the law firm for each transaction. The SDT found that there was no "meaningful link" between work carried out for Client E, such as compliance checks and wider legal work, and the payments received by the firm from individual investors. "The actions involved in providing a banking facility involved a breach of trust to the extent that this helped create an environment which conferred trust and an aura of security on the payments that individual investors were making." The tribunal described the arrangements as "highly ill-advised" and said Mr Mian had given a "woeful lack of prominence to considerations of appropriate financial stewardship".

He was found to have breached principle 6 (acting in a way that maintains public trust) and the accounts rules by allowing the firm's bank account to be used as a banking facility. However, the SDT accepted that Mr Mian had taken advice from the SRA's professional ethics helpline before entering the retainer and he was not found to have acted with a lack of integrity. In mitigation, the solicitor argued that he was the victim of a "compelling deception" in employing the barrister SAH and "anyone could have been duped in the way he was". He was ordered to pay a fine of £20,000, and £25,000 costs. Conditions were imposed on Mr Mian for two years preventing him from working as a sole practitioner, being a law firm owner or being a COLP or COFA. He was also banned from holding client money or being a signatory on any client account.

Permission Given to Challenge Retention of Prostitution Convictions

Centre For Women's Justice: Three women who survived sexual exploitation have won the right to bring a challenge to the ongoing storage of their criminal records on the Police National Computer. In 2018 the women were successful in challenging the government's Disclosure and Barring Scheme in relation to the requirement to disclose their history of convictions for street prostitution. They will now challenge the retention of those records.

The Court of Appeal, which last month confirmed that the so-called multiple conviction rule was unlawful as it applied to the three women bringing the claim, today handed down a judgment in which Lord Justice Bean stated, "it is clearly arguable that the policy of retaining data concerning convictions under SOA 1959 s 1 until the offender's 100th birthday interferes with the Appellants' rights under Article 8 ECHR to an extent which is not justified as being necessary and proportionate." As a consequence the case was remitted to the divisional court for a fresh judicial review hearing with the police to be added as a Defendant.

The three women who brought the case were all pimped into prostitution as teenagers in the 1980s, as a consequence they were frequently arrested on the street for soliciting and loitering contrary to s1 of Street Offences Act 1959 and have multiple convictions for this offence. They all exited from prostitution many years ago but their lives have been blighted by the requirement

to disclose these convictions when applying to work or volunteer for a range of jobs and activities. As Fiona Broadfoot, one of the three women bringing the case said, "Why should we continue to be punished by being made to explain criminal convictions which are actually a record of our abuse and humiliation? It's important that we have won the right to have our records filtered by the police in any further DBS application, but why should the records remain on the police computer?" QSA, one of the other claimants who was in children's homes in Leeds when her pimp waited outside to collect her and put her on the street said, "I want to fight on till this whole history is erased from the national database, 100 years should be no years"

Harriet Wistrich, solicitor for the Claimants and Director of the Centre for Women's Justice said, "The requirement to disclose and store data recording what is essentially a record of sexual exploitation is shameful punishment by the state of women who suffered appalling abuse. We hope the precedent established will help the many hundreds of other women similarly affected. The women bringing this claim will now seek to get their records removed so that they and others can live free from stigma and humiliation"

(1) Qsa (2) Fiona Broadfoot (3) Arb- and -(1) SSHD(2) Secretary Of State For Justice

1. Each of the three Claimants was convicted in the 1980s or 1990s of multiple offences of loitering or soliciting in a street or public place for the purpose of prostitution, contrary to section 1 of the Street Offences Act 1959 ("SOA 1959 s 1"). Those convictions, notwithstanding the passage of time, remain on their records. They contend on this appeal from the Divisional Court (Holroyde LJ and Nicola Davies J: [2018] EWHC 407 (Admin)) that the criminalisation of their actions and the recording and retention of information concerning their convictions all contravene their rights under the ECHR.

2. Each Claimant succeeded in removing herself from prostitution many years ago. The 50 soliciting offences of which the first claimant has been convicted were committed over a period of eight years, the last conviction being in 1998. In the second claimant's case, the 49 soliciting offences of which she has been convicted were committed over a period of three years, the last conviction being in 1988. In the third claimant's case, the 9 soliciting offences of which she has been convicted were committed over a period of four years, the last conviction being in 1992. In relation to each of them, the penalties imposed for the soliciting offences were almost always fines, with conditional discharges being ordered on a few occasions.

3. Although the offences were committed long ago, and the penalties imposed were comparatively minor, the convictions for soliciting offences have continuing consequences for each of the claimants. They are not statutorily barred from working with children or vulnerable adults, but the effect of the relevant statutory provisions is that, throughout their lives prior to this litigation, they had to disclose their convictions if they applied for certain types of employment, and were required to obtain a certificate verifying any such disclosure.

4. The principal issue before the Divisional Court was the Claimants' challenge to what was described as the multiple convictions rule, namely the requirement of a series of statutory provisions that when applying for certain jobs anyone with more than one spent conviction has to disclose them. The Claimants succeeded in the Divisional Court on that issue. The Secretaries of State obtained permission to appeal from that decision but their prospective appeal was undermined by the judgment of the Supreme Court handed down on 30 January 2019 in the cases of R (P) v Secretary of State for Justice and another, reported at [2019] 2 WLR 509, holding that the multiple convictions rule was not a proportionate way of meeting its objective of disclosing to potential employers criminal records indicating a propensity to re-offend. The Defendants' appeal in the present case was accordingly withdrawn and dismissed by consent.

5. That left the Claimants' application for permission to appeal against their other grounds for seeking judicial review which had been rejected by the Divisional Court. Only two remain in issue now. These are:- a) that the criminalising of conduct falling within the scope of SOA 1959 s 1 violates Article 8 read with Article 14 of the ECHR because it is gender discriminatory; b) the recording and/or retention of data concerning convictions under SOA 159 s 1 violates Article 4 and/or Article 8 and/or Article 14 read with Article 8 of the ECHR and is accordingly unlawful.

6. Permission to appeal on these two issues was refused by the Divisional Court but granted in this court by Rafferty and King LJJ following an oral hearing on 11 June 2019.

56. (Conclusion) I consider that it is clearly arguable that the policy of retaining data concerning convictions under SOA 1959 s 1 until the offender's 100th birthday interferes with the Claimants' rights under Article 8 ECHR to an extent which is not justified as being necessary and proportionate. Ms Gallafent's threshold argument that on this issue the claim has been brought against the wrong Defendants may have technical merit; but in my view it would be quite unsatisfactory to treat this as a knock-out point, especially since it does not appear to have been formed any significant part of the argument before the Divisional Court, nor to have been advanced before Rafferty and King LJJ as a reason why permission to appeal on this ground should be refused. The retention issue under Article 8 is an important one which should be argued out on its merits at first instance with the police being represented and having the opportunity to put in evidence, if necessary, to justify the policy.

57. I would therefore allow the Claimants' appeal against the decision of the Divisional Court refusing permission to proceed with a judicial review of the retention policy on Article 8 grounds. I would instead grant permission to proceed and remit that part of the case for rehearing by a fresh Divisional Court. Any application for leave to add one or more new defendants and for any further directions should be made to the Judge in charge of the Administrative Court within 28 days of this judgment being handed down.

Terrorism and the (Mis)Rule of Law

It can be said that 'De Jure' Jesus Christ was a terrorist. It can, and was said that George Washington was a terrorist. There was even a "Wanted" poster made for him. Oliver Cromwell, well that might be a more complex issue but nevertheless, when Charles II came back on the English Throne poor Cromwell was exhumed, and his body parts publicly exposed in the four most distant regions of the Kingdom and pronounced a terrorist.

Over the past hundred years plus the definition of a terrorist or even terrorism has been harder to define. It used to that anyone who challenged the lawful authority by acts of violence was defined as a terrorist. The old adage of a person striking terror in people's hearts was fallacious:- the terror was to a government who did not want to surrender power.

Nelson Mandela succeeded, but it cost him 26 years of very strict and cruel reclusion. In fairness to the South African Government, he was asked if he renounced violence as a means to political ambition and he refused. He was never asked again. It took the passage of time to turn a convicted terrorist to a President and was re-branded a "freedom fighter." Fidel Castro and Che Guevera the same.

It may surprise all to know that there is no consensus on how terrorism should be defined. Unde Italian Law it is covered by the Codice Penale (Penal Codes) Art 270, and the punishment for whomsoever promotes, constitutes, organizes or finances terrorism is sentenced to a term of between 7 to 15 years. Subversive activity attracts between 5 to 10 years.

In the United Kingdom of Great Britain and N.Ireland, there is a statutory definition of

terrorism, and that is found in the Terrorism Act 2000 Section One which states: Terrorism means the use or threat of action where: (a) it involves serious violence against a person, involves serious damage to property, endangers a person's life (other than that of the person committing the action), creates a serious risk to the health and safety of the public, or a section of the public, or is designed seriously to interfere with or seriously to disrupt an electronic system; (b) it is designed to influence the Government, or an international government organization, or to intimidate the public or a section of the public, (c) is made for the purpose of advancing a political, religious, racial, or ideological cause.

The definition provided by Section One is extremely broad and bespoke in a manner designed to capture the diverse range of activities associated with terrorism. It also provides a detailed description of what acts are involved in terrorism, what the acts are designed to do, and the actual purpose. It does not, however, help anyone to comprehend what terrorism actually is. Examining Section One (c) briefly: Politics Religion Race Ideology. Any activity covering those can easily be caught under Section One(c) and subject to prosecution. Immediately post Second World War the Republic of Italy quickly adopted the concept of placing its population in fear that the Italian Constitution prohibited the Italian Fascist Party from ever being reformed and went further to prohibit its symbol. The Italian Leaders post-war would probably quiver now with the thought that the best selling calendar in Italy each year is not the Pirelli Calander but one with photos of Benito Mussolini.

What the legislators and the Government and also people have failed to comprehend is that terrorism is actually a straight forward crime and One that has serious consequences. So does murder, rape, arson, etc. President Bush, post the 9/11 demolitions of the World Trade Tower/Twin Towers, declared "War on Terror." It was an incredibly smart political move designed solely to enhance the Office of the President of the United States of America.

Would it not have been better to declare war on: * want * lack of employment * loan sharks * poor health service * poverty * drugs * HIV/Aids. That would have been a better fight and a cause that no one would place any objections or obstacles. But no, President Bush sought a "War on Terror" without even knowing or providing a definition of "Terror" leaving those arrested and detained without trial at serious risk.

But then who gave a flying Ferrari? Calling for a war on the intangible and undefined allowed President Bush to create his own rules on detention/trial without paying any attention to the rights of the individual. Did anyone care? Did anyone care whether accused were subjected to torture and remember in the 16th Century although torture was outlawed in the United Kingdom it was permitted - for the purpose of extracting information:- Guy Fawkes was one who was subjected to torture on the orders of the King.

Terrorism and the advent of terrorist violence, carried out by those willing to die in the cause of killing others, does indeed test society and the rule and Mis-Rule of law to the utmost. There is a strong temptation for the Government to "overlook" the settled legal procedures and go straight to summary justice. There is a temptation to pass legislation that ls retrospective and knowingly unlawful. There is e temptation to pass legislation that violates the rights of the individual and all in the1 name of "fighting terrorism" without even being able to define such.

The Council of Europe in 2002 (Fight Against Terrorism, adopted by the Committee of Ministers, 11 July 2002 at the 804 Meeting of Ministers Deputies, p.5) stated: "The temptation for governments and parliaments in countries suffering from terrorist action is to fight fire with fire, setting aside the legal safeguards that exist in a democratic state. But let us be clear

about this: while the State has the right to employ to the full its arsenal of legal weapons to repress and prevent terrorist activities, it may not use indiscriminate measures which would only undermine the fundamental values they seek to protect. For a State to react in such a way would be to fall · into the trap set by·terrorism for democracy and the rule. of law."

The United Kingdom of Great Britain and N.Ireland subscribed to that declaration, and as founding members of the Council of Europe, it is expectant of them to adhere and comply. Any failure on the part of the founding, member of the Council of Europe. "The temptation for governments and parliaments in countries suffering from terrorist action is to fight fire with fire, setting aside the legal safeguards that exist in a democratic state. But let us be clear about this: while the State has the right to employ to the full its arsenal of legal weapons to repress and prevent terrorist activities, it may not use indiscriminate measures which would only undermine the fundamental values they seek to protect. For a State to react in such a way would be to fall into the trap set by·terrorism for democracy and the rule. of law." The United Kingdom of Great Britain and N.Ireland subscribed to that declaration, and as founding members of the Council of Europe, it is expectant of them to adhere and comply. Any failure on the part of the founding, member of the Council of Europe and/or any further dilution of the rights of an accused can per se itself be deemed an act of terrorism.

Sudesh Amman and other compatriots, including the tragic case at Fishmongers Hall, can never be labelled terrorists. How can those two criminals be placed in the same category as Nelson Mandela, George Washington, Oliver Cromwell, etc? Are the IRA terrorists? Is the UDF a terrorist organization? Is ETA a terrorist organisation? What about Islamic Jihad, Hamas, PLO? They all wish to change the political situation of their country or cause, and like the Red Brigades and Baader, Meinhoff financed their objectives by simple crime. Yet when they commit an armed robbery, it is not an armed robbery but an act of terrorism.

It has been so common this approach that the label has stuck, and that is not the rule of law. It does not matter why a person robs a bank but that the bank is robbed. Does a person who has no food escape prosecution if he/she steals? But a person who steals for financing a campaign or political aim always attracts the label of terrorist and receives an enhanced sentence violating the rule of law. The new legislation proposed by the Government is a reaction to an event and not a policy adequately thought out. While many who have been habituated and indoctrinated by the "war on terror" nonsense will jump with joy, those who regularly practise law in the criminal courts and jurists who abide by the rule of law will despair.

People sentenced, for 'terrorism' when there is no clear legal definition of terrorism: - not in my name please. Giovanni Di Stefano, A9460CW, HMP Highpoint, 11th February 2020

Psychoactive Drugs Linked to 95% of Jail's Ambulance Callouts

Jamie Grierson, Guardian: Paramedics were called 200 times in six months to a prison in West Yorkshire to deal with medical incidents linked to drugs like spice, an inspection has revealed. Of 211 ambulance callouts to HMP Wealstun in the six months prior to the October 2019 inspection, about 95% were related to psychoactive substances, Her Majesty's Inspectorate of Prisons (HMIP) found. Nearly 25% of inmates told inspectors they had developed a drug habit since entering the jail, which is a training and resettlement prison designed to prepare prisoners for life after their release. Wealstun prison was one of 10 on which the former prisons minister Rory Stewart staked his future before he was moved to another government department and later stood down as an MP.

The chief inspector of prisons, Peter Clarke, said the widespread availability of drugs at Wealstun – 69% of inmates said it was easy to obtain them – was undermining good work elsewhere in the prison. "The ready availability of illicit drugs undermined much of what the prison was trying to achieve," Clarke said. "Sixty-nine per cent of prisoners told us it was easy to obtain drugs, and nearly a quarter of all prisoners said they had acquired a drug habit since entering the jail – a remarkable figure given the short time that many prisoners stayed there." Wealstun, which holds 820 men, including many short-stay prisoners and a third under the age of 30, was part of the "10 Prisons Project" set up in August 2018 by Stewart, who is running for London mayor as an independent candidate. The prison was supplied with a body scanner and other technology to help keep drugs out but Clarke said the positive impact of technology and physical security improvements was being compromised by the lack of an effective drugs strategy. "Until such time as there is a comprehensive action plan in place, that not only requires an effective response to intelligence but is also proactive in seeking out incoming supply routes, the harms caused by the ready availability of drugs will not be reduced," Clarke said.

Levels of self-harm have increased six-fold since the last inspection, which Clarke said could be linked to the "excessive" amount of time prisoners spent locked in their cells. Clarke said relationships between staff and prisoners were good, healthcare was good, and living conditions had improved since the last inspection in 2015. He added: "I have little doubt that if the key areas of illicit drug supply and failure to assess risks were to be addressed, Wealstun could recover from the decline in grades since the last inspection, and indeed move on to better serve the needs of its prisoners." Phil Copple, the HM Prison and Probation Service (HMPPS) director general for prisons, said: "The governor and her team are working hard to address the issue of drugs at HMP Wealstun. The new X-ray scanner is bolstering security, and the prison is working closely with the police to catch those responsible. "Since piloting Pava [an incapacitant spray similar to pepper spray], we have improved procedures for its use and improved staff training both locally and as part of the national rollout. More staff have enabled a fuller regime, giving prisoners greater access to work and education programmes."

School Agrees £8.5k Settlement to Pupil Excluded Over Size of Afro Hair Do.

A case funded by the Equality and Human Rights Commission (EHRC) has seen a pupil win a settlement from a school which excluded her over the size of her hair. Ruby Williams attended the Urswick School, in Hackney, run by the London Diocesan Board for Schools. She has received an £8,500 settlement from it, although the board did not accept liability. The case concerned the size of Ms Williams' afro style hair, which the schools said was inconsistent with its uniform policy that hair must be of 'a reasonable size'. EHRC chief executive Rebecca Hilsenrath said: "Ruby's hair is an important part of who she is.

Serving Prisoners Supported by MOJUK: Walid Habib, Giovanni Di Stefano, 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, Warren Slaney, Melvyn 'Adie' McLellan, Lyndon Coles, Robert Bradley, 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, Robert Knapp, Thomas Petch, Vincent and Sean Bradish, John Allen, Jeremy Bamber, Kevin Lane, Michael Brown, Robert William Kenealy, Glyn Razzell, Willie Gage, Kate Keaveney, Michael Stone, Michael Attwooll, John Roden, Nick Tucker, Karl Watson, Terry Allen, Richard Southern, Peter Hannigan.