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

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The Forgotten Victims

Euan Mcilvride: A recurring theme in recent articles here has been the emphasis on victim support apparent in current government policy in Scotland. There is, of course, nothing wrong with the active and meaningful support of victims of crime. It is the mark of a compassionate society, a society that takes responsibility when lives are blighted by the malice, or by the failure, of others. What is harder to understand, or to admire, is the calculated exclusion from such support of one, single, class of victim. In our aftercare and reintegration work this organisation receives, and is grateful for, financial support from the Scottish Government. We rely on that support to enable us to do the work that we do. At the same time, however, we are limited in what we can do by the funding we receive. More limited, certainly, than those other third sector organisations who support other, more visible, classes of victim. Significant sums are allocated, expressly, for victim support and are distributed among those organisations. Their service-users are, by their access to this funding, recognised as victims. We are excluded from this funding. By extension, our clients are denied this recognition.

This isn't just about money. Consultation by government on proposed changes to the law is extended to "stakeholders" who include, invariably, victim support organisations. Again, there's nothing wrong with that. But victims of miscarriage of justice are excluded from this process too. And therein lies the reality. Miscarriage of justice victims don't have a stake in the criminal justice process. The explanation we've been offered – because we asked – is that our class of victim aren't victims of crime, and that their participation in the development of the law would be "inappropriate". This is, frankly, puzzling. Were I to be convicted of someone else's crime I would surely be a victim of that crime. Were I to be convicted on a false allegation of a crime that never took place, I would surely be the victim of a different crime. And whatever the circumstances, were I to be wrongly convicted of any crime I would surely be a victim of the failure of the state's criminal justice system. In all these cases, I would surely have a stake in the improvement of that system.

Back to money. The victims of criminals have access to compensation through the Criminal Injuries Compensation Authority. There is no need for anyone to have been convicted, and the claim is assessed on the balance of probabilities, ie whether it is more likely to be legitimate than not. Fair enough. Contrast this, however, with a claim for compensation for a miscarriage of justice, under the current statutory arrangements. Anyone who has already been exonerated by the Appeal Court – which must, by definition, have been satisfied that they have been the victim of miscarriage of justice – must then satisfy the government that their conviction was quashed because fresh evidence proves, beyond reasonable doubt, that they have been the victim of a miscarriage of justice. This is remarkably restrictive, and the standard of proof is significantly higher than that required of the CICA claimant. Apparently, the court's decision isn't good enough – and the arbiter of reasonable doubt is, incidentally, the government. The situation is marginally worse in England, where an already exonerated claimant must prove his innocence, again beyond reasonable doubt. Sam Hallam and Victor Nealon could tell you about that. And so could Barry George.

Here in Scotland, our own Jimmy Boyle's compensation claim was refused by a government which effectively altered his verdict to suit that decision. Acquitted at re-trial, they declared that, because his verdict had been "not proven", he hadn't really been exonerated. A legal nonsense to mask a moral outrage. The numbers speak for themselves. The Appeal Court in Scotland recognised 110 miscarriages of justice, in solemn appeals alone, in the five years to 2017. The total number of exonerees compensated by the Scottish Government in the seventeen years from 2000 to 2017 was 18.

At MOJO we welcome the support, both moral and financial, offered to victims of crime. We applaud the excellent work done in the third sector in its delivery. We believe, however, that the shameful denial of recognition to the victims of miscarriage of justice – which serves only to heap injustice on injustice – disfigures the exercise and strips it of its moral authority. If we are to support victims, as we certainly should, then we must include in that process all victims, regardless of the hand at which they suffer. Even, and perhaps particularly, where that is the hand of the state.

UK Prison Officers Punching Compliant Inmates,

Jamie Grierson, Guardian: Prison officers are allegedly punching compliant inmates who they suspect might misbehave in the future in a practice known as "preventive strikes", a European human rights watchdog has said in a damning report on the state of jails in England. A delegation from the European Committee for the Prevention of Torture (CPT), part of the human rights organisation the Council of Europe, inspected three local male prisons – Liverpool, Wormwood Scrubs in west London and Doncaster – in May last year. In its report, the committee highlights a "new and deeply concerning" finding of unjustified violence by staff on prisoners – particularly in Liverpool and Wormwood Scrubs – in the form of preventive strikes, described as "preventively punching compliant prisoners whom staff perceived might, at some point in the future, become a threat". The committee has called on UK authorities to ban the "reprehensible practice" immediately and undertake an investigation into all allegations of ill-treatment. More broadly, the committee said that despite some progress since its last inspection in 2016, the prison system in England was in "deep crisis", finding the jails visited to be "violent, unsafe and overcrowded", echoing the repeated findings of the chief inspector of prisons in England and Wales, Peter Clarke. The Ministry of Justice said it was lawful for staff to use reasonable force to defend themselves against imminent threats to their personal safety but any inappropriate use of force would be subject to disciplinary proceedings and potentially criminal investigation.

The delegation said use-of-force paperwork at Liverpool prison produced by prison staff could be inaccurate and misleading, and identified multiple cases, in which there could have been instances of unprovoked attacks by prison staff on inmates being qualified as "preventive / protective strikes". These included cases in which prisoners had apparently sustained injuries after direct contact with prison officers and had made complaints about ill-treatment, the report said. The committee interviewed the use-of-force coordinator at Liverpool prison who confirmed that, in his view, it was legitimate for staff to use "preventive" strikes against a compliant prisoner if, based on previous knowledge of the inmate, they anticipated that he might pose a threat. At Liverpool prison, the committee noted a case in which a prison officer was contesting his sacking for launching an unprovoked attack on a prisoner on the grounds that his actions constituted a legitimate "preventive strike". emerged that staff at Liverpool prison were following official 2015 guidance on "pre-emptive strikes" that states: "There is no rule in law to say that a person must wait to be attacked before they can defend themselves."

However, further inquiries established the guidance was ultimately derived from Crown

Prosecution Service general guidance, which leans upon a case decided in 1909. The report said: “In the view of the CPT, the guidance currently provided to prison officers is inadequate and leaves the impression that an entirely subjective apprehension might provide a justification for making an otherwise entirely unprovoked attack on a prisoner. “The CPT notes that the 2015 guidance is due to expire in early November 2019 and recommends that it be replaced with new guidance that makes clear to prison officers that engaging in so-called ‘preventive strikes’ on prisoners is unlawful and that any officer who is found to have engaged in this practice will be subject to appropriate disciplinary and/or criminal sanctions.”

Across the prisons, the committee found that prisoner-on-prisoner violence, prisoner-on-staff assaults and staff-on-prisoner violence had reached “record highs” and found that none of the establishments could be considered safe. The report raised concerns over “alarmingly high levels” of drug use in the prisons, as well as high numbers of prisoners suffering from mental health disorders. A Ministry of Justice spokesman said: “This government has made its commitment to safe, secure and decent prisons very clear. “That’s why we are creating 10,000 new places and investing in new security measures to tackle the drugs and contraband that undermine safety. “Our hard-working staff receive world-class training and are held to high professional standards of behaviour, including the need to justify any use of physical force.”

Peru Prison Riot Over Coronavirus Fears Leaves Nine Dead

Nine prisoners have been killed during a prison riot in Peru over demands for better living conditions after several inmates died from the coronavirus. The inmates were shot during a clash with authorities at the Miguel Castro Castro prison in Lima on Monday, the Associated Press reported. An investigation has been launched into who fired the deadly shots. Protesting inmates managed to ”climb to the roofs with the aim of preventing access by (security forces) by throwing stones and other blunt objects at them,” the National Penitentiary Institute (INPE) said in a statement. They attempted to escape but were not successful, the INPE added. Around 200 security officials managed to get the riot under control later in the day. Pictures showed hundreds of inmates gathering around the bodies of two of the dead in a common space of the prison late on Monday afternoon. Another showed a large sign made from black cloth with white letters reading: “We want Covid-19 tests, we have the right to life.” The prisoners, who rioted over demands for better sanitary measures and medical care amid the coronavirus crisis, also called for pardons. At least 13 prisoners have died and more than 600 have been infected by Covid-19 in Peru. Over 100 prison workers have also fallen ill. Last week, the Latin American country approved a decree allowing its president, Martin Vizcarra, to grant humanitarian pardons to prisoners to prevent the spread of coronavirus in the country’s jails, which are at more than double capacity.

Convicted Terrorists Less Likely To Reoffend Than Other Criminals

Jason Burke, Guardian: Convicted terrorists are extremely unlikely to reoffend compared with other prisoners, research by academics and security services in Europe has found. The research shows that less than 5% of convicted terrorists commit a second terrorist offence after leaving prison. In England and Wales, around 45% of all prisoners will reoffend within a year of release. The research was conducted in Belgium, which has faced Islamist terrorism since the early 1990s and became one of the centres of the Islamic State campaign in Europe in 2015 and 2016. The forthcoming release of thousands of extremists imprisoned for terrorist offences has worried security services in the UK and elsewhere The new research, to be published in the CTC Sentinel, the publication of the Combating Terrorism Center at West Point, the US military academy, suggests such cases are rare. Less than 3% of the 557 individuals in Belgium included in the study were convicted a second time of a terrorist offence, and less than 5% returned to extremist activities after being released from prison.

Two recent evaluations from the Belgian counter-terrorism services support the new findings. They concluded that 84% of the male returnees from Syria and 95% of women returnees had distanced themselves from extremism. “These evaluations, together with the literature on terrorist recidivism, tend to suggest that most terrorist convicts simply do not seek to return to their ‘old habits,’ contrary to the dominant perception,” said Thomas Renard, a senior research fellow at the Egmont Institute and the author of the new research. The two intelligence service evaluations did, however, find that a minority of released offenders remain “of high concern”, suggesting that “a small number of die-hards will remain active across successive waves of jihadi militancy, and remain a key concern for police and intelligence services”.

There are more than 4,000 inmates in western Europe who are either returning foreign fighters, convicted terrorists, radicalised inmates or “vulnerable to radicalisation”. There are about 1,700 in France, of whom 90% will be released within five years, and 700 in the UK. The new research is supported by other academic studies that consistently indicate a very low rate of terrorist recidivism, compared with the average rates of criminal recidivism, which are generally between 40% and 60% worldwide In the UK, an independent review of Islamist extremism in prisons concluded in 2016 that radicalisation in prison was a growing problem that was poorly handled.

Global Prison Population Passes 11 Million As Covid-19 Spreads

Billie Tomlinson, Justice Gap: As coronavirus sweeps through jails it has been estimated that there are now more than 11 million people imprisoned across the world – the highest number ever – and some 102 countries report prison occupancy levels of over 110 per cent. According to the Global Prison Trends report (by Penal Reform International and the Thailand Institute of Justice) millions of prisoners are now vulnerable to Covid-19.

The virus is now known to be in more than half of prisons in England and Wales. According to the Prison Reform Trust, as of Tuesday, there were 294 confirmed coronavirus cases amongst prisoners in England and Wales, and 231 confirmed cases amongst prison staff. UK ministers announced earlier this month that selected low-risk inmates within two months of their release date would be temporarily released on licence in order to relieve pressure on the prison system.

But on Friday last week, two leading prison reform groups in the UK sent a formal letter to the justice secretary, Robert Buckland, informing him of their application for judicial review in relation to his response. The groups claim the rate of temporary releases has been far too slow to make any substantial difference. The study argues that an increase in prison populations is being driven by a preference for more costly prison sentences over non-custodial alternatives. Globally, the majority of people are in prison for non-violent offences: only 7 per cent for homicide and 20 per cent for drug related offences of which 83 per cent are for possession for personal use.

With the global prison population currently standing at over 11 million people with at least an extra 3 million people held in pre-trial detention, prisons in over 124 countries now exceed their maximum occupancy rate leading to violence, low rehabilitation opportunities and a lack of healthcare. The magnitude of these issues is highlighted by the efforts to prevent and contain outbreaks of Covid-19 by attempting to reduce prison populations. Many people in

prison have underlying health conditions and social distancing is impossible.

In the United States, which has the highest absolute number of people in prison – 2.1. million – a study by the American Civil Liberties Union (ACLU) also released on Wednesday, predicts that unless urgent action is taken to reduce prison populations in the US, as many as 99,000 more people could die as a result. In combination with chronic overcrowding, Global Prison Trends charts a global trend of underfunding with expenditures in prisons averaging less than 0.3 per cent of gross domestic product. Typically, where funding has increased, it has been spent on expanding prison estates in order to house more prisoners. As a result, the report suggests that prison health is deprioritised. The mortality rate for people in prison is as much as 50 times higher than for people outside. The most common causes of death are suicide and violent clashes, but other reasons include ill-treatment, infectious diseases and ill-health. Combined with overcrowding, prisons can be incubators for infectious diseases to spread more rapidly and people in prison are deeply aware of this vulnerability. Prison riots, from Colombia to Italy, have proven a visceral illustration of prisoners' very real fears about Covid-19.

A key message of the report seems to be the spotlight effect the coronavirus pandemic is having on the magnitude of the global prison crisis; a crisis that the report makes clear has been there for a long time. The Executive Director of Penal Reform International, Florian Irminger, said, 'policies favouring detention over non-custodial measures have left people in prison and the staff who work with them acutely vulnerable to Covid-19. Their rights are at risk. Today's disaster cannot be overestimated but the reality is that this crisis has been long in the making, fuelled by the overcrowding and underfunding of prisons globally'.

Many governments have looked to reducing prison populations through measures such as early release programmes. The report suggests that such measures should be part of a longer-term strategy to address overcrowding in places of detention. The report's Special Focus on alternatives to detention discusses a range of measures in operation globally, such as suspended sentences, electronic monitoring, restitution to a victim, rehabilitation programmes and community service orders. Whilst the report looks to alternatives as a solution to the prison crisis, it cautions against the mass supervision and 'net widening' of criminal justice that has accompanied some of these alternative measures in certain countries.

At the report's online launch, Dr Kittipong Kittayarak, the Executive Director of the Thailand Institute of Justice, voiced his hope that the report might contribute to a conversation on how penal systems might look after Covid-19; that some light has been shed on a crisis that was already present, providing us with the chance to look at crime prevention and the criminal justice system differently in the future.

Petition For Mercy on Behalf of Autistic Man Sentenced to Life For Joint Enterprise Murder

Lawyers representing a young autistic man sentenced to life for murder under joint enterprise have called on the Lord Chancellor to recommend the Queen exercise the royal prerogative of mercy. Alex Henry, whose case has featured on the Justice Gap, was sentenced to a minimum of 19 years for being involved in a 47 second affray. He was diagnosed after being sentenced by Britain's leading expert on autism Professor Simon Baron Cohen who appeared in Henry's appeal as an expert witness.

On August 6th, 2013, Alex Henry had been shopping with friends. Two of the friends were on their way home when confronted by the brothers Bourhane and Taqui Khezihi, and two of their friends. On Henry's account, he saw a friend in trouble. As he approached, he claimed

to have picked up a dropped mobile, thrown it at one of the attackers and attempted to punch another. That, he claimed, was the extent of his involvement. The facts are disputed. Bourhane claimed Henry had 'a shiny object' in his hand and another told the police it was a knife but he was not confident at trial. One of Henry's group, Cameron Ferguson, joined in the fray. He had a knife hidden in a bag and stabbed Taqui and Bourhane. Taqui's injury proved fatal. Alex Henry claimed that it was only hours later when they regrouped in a park that they realised that Ferguson had 'poked' the brothers.

Alex Henry together with his friend, Janhelle Grant-Murray, were found guilty at the Old Bailey for the murder of Taqui Khezihi and wounding his brother Bourhane. Midway through a six-week trial, Ferguson changed his plea to guilty admitting to the stabbing. Alex Henry is currently serving a sentence of life imprisonment with a non-parole period of 19 years. A petition for mercy has been sent to the Lord Chancellor this week arguing that Alex has been the subject of 'a catalogue of events that have led to serious injustice'. According to his legal team, a conditional exercise of the royal prerogative would swap a lesser sentence with the original and would 'not expunge his conviction' but allow Her Majesty 'to correct significant injustice'.

The royal prerogative is power reserved to the Queen under which she can grant pardons. It is rarely exercised and the last high profile example was in 2013 on behalf of Alan Turing, the scientist known for helping crack the Enigma code during the second world war and pioneering the modern computer, who was convicted in 1952 for gross indecency with another man. It was used successfully in Australia on behalf of Zak Grieve, an Aboriginal man serving life in prison for a murder he was found not to have physically committed. The man was represented by Felicity Gerry QC of Carmelite Chambers who has drafted Henry's petition.

Supreme Court Rule on Deportation of Seriousy Ill

Matt Evans, Justice Gap: The Supreme Court has handed down judgment today in AM (Zimbabwe) v Secretary of State for the Home Department, which gives authoritative guidance on how Paposhvili v Belgium (Application no. 41738/10), decided last year by the Grand Chamber of the European Court of Human Rights (ECtHR), should be applied by English courts. The issue in AM (Zimbabwe) concerned what the applicable test is for when removal of seriously ill people to their country of origin would raise an issue under article 3 (prohibition on inhuman or degrading treatment) of the European Convention on Human Rights (ECHR).

The appellant is a national of Zimbabwe and has HIV. He argued that if deported to Zimbabwe, he would be unable to access the medication which, here in the UK, prevents his relapse into full-blown AIDS. The Court of Appeal had decided that removal would only violate article 3 if intense suffering or death would be imminent in the receiving state as a result of the non-availability of treatment which would have been available in the UK (para 38). In allowing the appeal today, the UKSC has, in following Paposhvili v Belgium, and departing from N v SSHD (a House of Lords decision from 15 years ago), accepted that the scope of article 3 medical cases is now extended.

The AIRE Centre intervened in AM (Zimbabwe) before the UKSC, arguing the Grand Chamber in Paposhvili, when looking at article 3 medical cases, was addressing exposure "to a serious, rapid and irreversible decline in his or her state of health resulting in intense suffering or to a significant reduction in life expectancy. The Court of Appeal had misinterpreted those words so as to refer to a serious, rapid and irreversible decline in his/her state of health resulting in intense suffering or in a significant reduction in life expectancy. The UKSC, accepted the validity of these criticisms, and said the result was that a significant reduction in life expectancy had become

translated as the imminence of death. This was, for them, 'too much of a leap' (para 30).

The UKSC made clear the burden remains on the applicant in article 3 medical cases to demonstrate "substantial" grounds for believing that it is a "very exceptional" case because of a "real" risk of subjection to "inhuman" treatment. However, if the applicant manages to produce prima facie evidence to meet this standard, the burden shifts, and it is then for the returning state (in this case the UK) to then challenge or counter it. The court said that the sort of things decision makers (including Tribunals deciding these cases on appeal) must consider, include the accessibility of treatment in the receiving state, the cost of such treatment, and the existence of a family network of support in the receiving state. It would also need to consider any assurances from the receiving state about the availability of treatment.

For various reasons, including what had and had not been argued in the lower courts at the time, the UKSC did not feel able to address whether on the court's wider interpretation of the Grand Chamber's decision in Paposhvili, this case crossed the requisite threshold for article 3 ECHR. Instead, the appellant's proposed claim under article 3 will now be remitted back to the Upper Tribunal to consider the decision afresh, in light of the substantive and procedural requirements of Paposhvili.

It remains to be seen what the Grand Chamber did mean by its reference to a "significant" reduction in life expectancy. However, strikingly, Lord Wilson indicates that a 24 year old having his/her life expectancy reduced to 2 years on deportation could well have a good article 3 ECHR claim (para 31).

The ability of a State to deport a foreign citizen who, while lawfully resident, has committed a string of serious crimes is, as the UKSC recognised, one of the most controversial questions which the law of human rights can generate. This question will be considered again by the ECtHR, as in January 2020, the Grand Chamber accepted a referral to it in the Savran case (where a Turkish national argues that his mental health condition makes his expulsion from Denmark unlawful). The UK has applied for leave to intervene in that case.

The UK government will no doubt try to narrow the impact of Paposhvili/AM (Zimbabwe) in any future cases before the ECtHR. However, for the moment, the UKSC has set down a marker as to what Paposhvili requires of both applicants and decision makers. The Grand Chamber will also no doubt carefully consider todays judgment when they eventually come to decide Savran.

Explained: The Infection That's Silently Killing Coronavirus Patients

Richard Levitan, New York Times: I have been practicing emergency medicine for 30 years. In 1994 I invented an imaging system for teaching intubation, the procedure of inserting breathing tubes. This led me to perform research into this procedure, and subsequently teach airway procedure courses to physicians worldwide for the last two decades. So at the end of March, as a crush of Covid-19 patients began overwhelming hospitals in New York City, I volunteered to spend 10 days at Bellevue, helping at the hospital where I trained. Over those days, I realized that we are not detecting the deadly pneumonia the virus causes early enough and that we could be doing more to keep patients off ventilators — and alive. On the long drive to New York from my home in New Hampshire, I called my friend Nick Caputo, an emergency physician in the Bronx, who was already in the thick of it. I wanted to know what I was facing, how to stay safe and about his insights into airway management with this disease. "Rich," he said, "it's like nothing I've ever seen before."

He was right. Pneumonia caused by the coronavirus has had a stunning impact on the city's hospital system. Normally an E.R. has a mix of patients with conditions ranging from the serious, such as heart attacks, strokes and traumatic injuries, to the nonlife-threatening, such as minor lacerations, intoxication, orthopedic injuries and migraine headaches. During my recent time at Bellevue, though, almost all the E.R. patients had Covid pneumonia. Within the first hour of my first shift I inserted breathing tubes into two patients. Even patients without respiratory complaints had Covid pneumonia. The patient stabbed in the shoulder, whom we X-rayed because we worried he had a collapsed lung, actually had Covid pneumonia. In patients on whom we did CT scans because they were injured in falls, we coincidentally found Covid pneumonia. Elderly patients who had passed out for unknown reasons and a number of diabetic patients were found to have it.

And here is what really surprised us: These patients did not report any sensation of breathing problems, even though their chest X-rays showed diffuse pneumonia and their oxygen was below normal. How could this be? We are just beginning to recognize that Covid pneumonia initially causes a form of oxygen deprivation we call "silent hypoxia" — "silent" because of its insidious, hard-to-detect nature. Pneumonia is an infection of the lungs in which the air sacs fill with fluid or pus. Normally, patients develop chest discomfort, pain with breathing and other breathing problems. But when Covid pneumonia first strikes, patients don't feel short of breath, even as their oxygen levels fall. And by the time they do, they have alarmingly low oxygen levels and moderate-to-severe pneumonia (as seen on chest X-rays). Normal oxygen saturation for most persons at sea level is 94 percent to 100 percent; Covid pneumonia patients I saw had oxygen saturations as low as 50 percent.

To my amazement, most patients I saw said they had been sick for a week or so with fever, cough, upset stomach and fatigue, but they only became short of breath the day they came to the hospital. Their pneumonia had clearly been going on for days, but by the time they felt they had to go to the hospital, they were often already in critical condition. In emergency departments we insert breathing tubes in critically ill patients for a variety of reasons. In my 30 years of practice, however, most patients requiring emergency intubation are in shock, have altered mental status or are grunting to breathe. Patients requiring intubation because of acute hypoxia are often unconscious or using every muscle they can to take a breath. They are in extreme duress. Covid pneumonia cases are very different. A vast majority of Covid pneumonia patients I met had remarkably low oxygen saturations at triage — seemingly incompatible with life — but they were using their cellphones as we put them on monitors. Although breathing fast, they had relatively minimal apparent distress, despite dangerously low oxygen levels and terrible pneumonia on chest X-rays.

We are only just beginning to understand why this is so. The coronavirus attacks lung cells that make surfactant. This substance helps the air sacs in the lungs stay open between breaths and is critical to normal lung function. As the inflammation from Covid pneumonia starts, it causes the air sacs to collapse, and oxygen levels fall. Yet the lungs initially remain "compliant," not yet stiff or heavy with fluid. This means patients can still expel carbon dioxide — and without a buildup of carbon dioxide, patients do not feel short of breath. Patients compensate for the low oxygen in their blood by breathing faster and deeper — and this happens without their realizing it. This silent hypoxia, and the patient's physiological response to it, causes even more inflammation and more air sacs to collapse, and the pneumonia worsens until oxygen levels plummet. In effect, patients are injuring their own lungs by breathing harder and harder. Twenty percent of Covid pneumonia patients then go on to a second and deadlier phase of lung injury. Fluid builds up and the lungs become stiff, carbon dioxide rises, and patients develop acute respiratory failure.

By the time patients have noticeable trouble breathing and present to the hospital with dangerously low oxygen levels, many will ultimately require a ventilator. Silent hypoxia progressing rapidly to respiratory failure explains cases of Covid-19 patients dying suddenly after not feeling short of breath. (It appears that most Covid-19 patients experience relatively mild symptoms and get over the illness in a week or two without treatment.) A major reason this pandemic is

straining our health system is the alarming severity of lung injury patients have when they arrive in emergency rooms. Covid-19 overwhelmingly kills through the lungs. And because so many patients are not going to the hospital until their pneumonia is already well advanced, many wind up on ventilators, causing shortages of the machines. And once on ventilators, many die. Avoiding the use of a ventilator is a huge win for both patient and the health care system. The resources needed for patients on ventilators are staggering. Vented patients require multiple sedatives so that they don't buck the vent or accidentally remove their breathing tubes; they need intravenous and arterial lines, IV medicines and IV pumps. In addition to a tube in the trachea, they have tubes in their stomach and bladder. Teams of people are required to move each patient, turning them on their stomach and then their back, twice a day to improve lung function.

There is a way we could identify more patients who have Covid pneumonia sooner and treat them more effectively — and it would not require waiting for a coronavirus test at a hospital or doctor's office. It requires detecting silent hypoxia early through a common medical device that can be purchased without a prescription at most pharmacies: a pulse oximeter. Pulse oximetry is no more complicated than using a thermometer. These small devices turn on with one button and are placed on a fingertip. In a few seconds, two numbers are displayed: oxygen saturation and pulse rate. Pulse oximeters are extremely reliable in detecting oxygenation problems and elevated heart rates. Pulse oximeters helped save the lives of two emergency physicians I know, alerting them early on to the need for treatment. When they noticed their oxygen levels declining, both went to the hospital and recovered (though one waited longer and required more treatment). Detection of hypoxia, early treatment and close monitoring apparently also worked for Boris Johnson, the British prime minister. Widespread pulse oximetry screening for Covid pneumonia — whether people check themselves on home devices or go to clinics or doctors' offices — could provide an early warning system for the kinds of breathing problems associated with Covid pneumonia.

People using the devices at home would want to consult with their doctors to reduce the number of people who come to the E.R. unnecessarily because they misinterpret their device. There also may be some patients who have unrecognized chronic lung problems and have borderline or slightly low oxygen saturations unrelated to Covid-19. All patients who have tested positive for the coronavirus should have pulse oximetry monitoring for two weeks, the period during which Covid pneumonia typically develops. All persons with cough, fatigue and fevers should also have pulse oximeter monitoring even if they have not had virus testing, or even if their swab test was negative, because those tests are only about 70 percent accurate. A vast majority of Americans who have been exposed to the virus don't know it.

Victory in the Supreme Court for Palestine Solidarity Campaign

Palestine Solidarity Campaign (PSC) brought a claim for judicial review alleging that two passages in the guidance issued in 2016 by the Secretary of State pursuant to that regulation were unlawful. The first passage states that "the Government has made clear that using pension policies to pursue boycotts, divestment and sanctions against foreign nations and UK defence industries are inappropriate, other than where formal legal sanctions, embargoes and restrictions have been put in place by the Government". The second passage states that authorities "[s]hould not pursue policies that are contrary to UK foreign policy or UK defence policy". In the High Court the claim was upheld, and the two passages ruled unlawful, on the basis that the issue of them by the Secretary of State exceeded his powers. The Court of Appeal upheld the Secretary of State's appeal. PSC

appeaed to the Supreme Court. The decision handed down today Wednesday 29th April. By a majority, the Supreme Court allowed the appeal and restored the High Court's order.

Reasons for the Judgment: Lord Wilson states that, to determine whether the issue of the guidance under challenge was lawful, the court must analyse the scope of the power conferred by Parliament on the Secretary of State. Pursuant to the decision of the House of Lords in Padfield v Minister of Agriculture, Fisheries and Food [1968] AC 997 ("Padfield"), it must do so by construing the words by which the power was conferred on him in their context. From the words in their context Parliament's purpose in conferring the power can be identified, and the purpose can be used to shed light on the power's scope [1, 20-22].

Lord Wilson observes that Schedule 3 to the 2013 Act identifies the matters which, in particular, Parliament had in mind when conferring the power, one of which was "the administration and management of the scheme" [23]. The 2016 Regulations, which can be used to interpret the Act, require the investment strategy to include the authority's "policy" on "how" non-financial considerations are taken into account (reg. 7) [24]. The guidance adopts two uncontroversial tests for the taking into account of such considerations: does the proposed step involve significant risk of financial detriment to the scheme and is there good reason to think that members would support taking it? These three legal instruments use words (including "administration", "management", "how" considerations are taken into account, and "strategy") which, considered in their context, all point in the same direction: that the Act's policy is to identify procedures, and the strategy, which administrators should adopt in the discharge of their functions [25-26]. But in the passages under challenge, "the Secretary of State has insinuated into the guidance something entirely different: … an attempt to enforce the government's foreign and defence policies" by providing that, even when the two tests above have been met, an administrator is prohibited from taking an investment decision if it runs counter to such policies [27].

Lord Wilson suggests that the Secretary of State "was probably emboldened … to exceed his powers" by the misconception that the scheme administrators were part of the machinery of the state and discharge conventional local government functions. This fails to recognise that they have duties which, at a practical level, are similar to those of trustees, and they consider themselves quasi-trustees who should act in their members' best interests. The Secretary of State's claim that contributions to the scheme are ultimately funded by the taxpayer is equally misleading: for the fund represents the contributing employees' money, not public money [28-30]. In any event, the Secretary of State's inclusion of the two passages in the guidance exceeded his powers. Power to direct how administrators should approach the making of investment decisions by reference to non-financial considerations does not include power to direct what investments they should not make [31].

Lord Carnwath notes that, while the scope of the guidance is unclear, it appears to have been intended to preclude authorities who are making investment decisions both from engaging in political campaigns and from taking into account considerations in policy areas reserved for the UK government [36-40]. But the 2013 Act and the 2016 Regulations required any guidance to respect the primary responsibility of the authorities as quasi-trustees of the fund [41-42]. The Secretary of State was not entitled, therefore, to make authorities give effect to his own policies in preference to those which they themselves thought it right to adopt in fulfilment of their fiduciary duties [43-44].

Lady Arden and Lord Sales consider that the purposes of the 2013 Act, which implemented the Hutton report, extend to reflecting the public interest and instituting good governance in the reformed public sector pension schemes [47, 69-80]. Guidance as to their manage-

ment could include establishing the role of the Secretary of State in relation to investment [49]. Following consultation, the guidance related only to decisions based on non-financial considerations which are taken to pursue boycotts and disinvestment campaigns against foreign nations [50-55, 82-5]. The Secretary of State had serious concerns that these might undermine foreign policy or trade and might lead to racist behaviour. These were matters for government [53-56]. The schemes were liable to be identified with the British state [58, 87-8]. The power to give guidance is not limited to procedural matters [62, 86, 89]. The leading authorities on the Padfield principle support the approach taken [63-68].

Steven Stokes v Parole Board

1. This is my judgement upon a renewed application by the claimant for permission to bring judicial review proceedings to challenge the decision made by the defendant set out in writing dated 16 September 2019 (the reconsideration decision) refusing his application for reconsideration of the recommendation by the defendant's panel (the panel) in a letter dated 24 July 2019 (the oral hearing decision) that he should remain confined to prison for the protection of the public but that he should be moved to open conditions.

2. Both the defendant and the interested party the Secretary of State for Justice indicated a wish fairly early on in the claim to remain neutral in respect of it. Permission to apply for judicial review was refused on 18 February 2020 upon consideration of the papers by His Honour Judge Lambert sitting as a judge of the High Court. The renewal hearing took place remotely at which Mr Brownhill appeared as counsel for the claimant and at which neither of the other parties appeared or were represented.

3.The point which Mr Brownhill submits is arguable is a short one, namely that the approach set out in the reconsideration decision was too narrow. Sir David CalvertSmith, whose decision it was, focused entirely on the rationality of the oral hearing decision and failed to consider the arguments made as to procedural fairness. Mr Brownhill seeks on behalf of the claimant an order quashing the reconsideration decision and for the defendant to decide the reconsideration application afresh.

4. By way of background, the claimant was sentenced in 1979 to life imprisonment for murder with a tariff of 15 years with a concurrent determinate sentence for robbery. The victim was a vulnerable lady of 66 years old who was set upon by the claimant, then 19, with three other youths when she was walking down the street. He was first released on licence in 2005 but was recalled 5 months later. He was released again in December 201 7, having spent two periods in open conditions, but recalled for a second time some 7 months later.

5. As an indeterminate sentenced prisoner, the claimant's re-release was considered by the panel, at an oral hearing on 20 June 2019 and on the papers on 24 July 2019. At the oral hearing the claimant was legally represented and gave evidence. The panel also heard evidence from two psychologists and the claimant's offender supervisor and offender manager. Each of those professionals recommended release on licence with a risk management plan.

6. The risk had been assessed as low in terms of general reoffending and violent reoffending but a high risk of serious harm to the public and known adults. There was some disagreement amongst the professionals as to the latter risk. One of the psychologists thought that there was a moderate risk of violence which would be likely to be against an adult female but was only partially imminent as the claimant was not then in a relationship, and referred to his behaviour on licence as indicative of sexual preoccupation. The other psychologist disagreed that there was such an indication and thought that this risk was minimal. The panel preferred the former view, on the basis that the claimant was seeking relationships and "going onto sex sites."

7. The latter was a reference to evidence of his previous behaviour on licence when he was approached on social media and encouraged to access sex sites. The offender manager's evidence was that the claimant did not seem to understand at first that it was not a real person making the approach but that after he was told of the situation he continued to access the sites. The claimant told the panel that he did not get on with technology and did not know what sex sites were on the internet to access.

8. The risk management plan put forward by the professionals, which the panel accepted was "robust" was set out in paragraph 7 of the oral hearing decision and included accommodation in a hostel well away from his previous hostel which was close to what the panel termed the claimant's "criminal associates." He would receive support from a group called STRIVE and be referred to support networks. He could attend AA meetings, but the panel did not agree that social drinking would not be a problem given that most of his controls were external. The panel accepted that he could a have a GPS tag but noted that he had struggled to charge it in the past. The offender supervisor considered that the risks could be managed in the community if the claimant were open and transparent. She referred to positive changes in the claimant's thinking and noted that there would be weekly reports from one of the psychologists and an occupational therapist.

9. At the end of paragraph 7, the panel said this: "Although the proposed risk management plan is very robust, the panel did not consider that it would be effective in managing your risks as it was similar to the previous risk management plan, with the exception of the addition of the input form STRIVE and the new location, and when being managed with that plan, you had been close to being recalled every other day."

10. The panel went on in paragraph 8 to conclude that it was simply "sheer luck" that the claimant had not been involved in a violent incident during his most recent release, and continued: "You showed that your risks in the community are still active and could be imminent in a specific context. You put yourself into highly risky situations. You continue to lack the internal controls that you would need to manage your risks and so are very dependent upon the external controls. If you ignore advice given and are not honest with those managing you, as was the case when you were on licence, that limits the effectiveness of the external controls. The panel came to the view that these concerns outweighed the recommendations of all witnesses that you could be released."

11. Shortly before that hearing, the Parole Board Rules 2019 came into force. Rule 28(1) provided a new mechanism by which a party may apply to the defendant for the case to be reconsidered on the grounds that the decision is (a) irrational, or (b) procedurally unfair.

12. On 14 August 2019, the claimant's then solicitors made an application for such reconsideration on his behalf setting out several grounds. Some of these went to the rationality of the decision but others went to procedural unfairness, and in particular the failure to accurately record evidence and the failure to give adequate reasons.

13. In the opening paragraph of the reconsideration decision, the application is referred to "on the basis that the [panel's] decision was irrational." The following paragraph refers to both limbs of rule 28(1) but there is no further express refence to procedural unfairness. That part of the reconsideration decision which is titled "The Relevant Law" only addresses the test for rationality. It refers to R (DSD and others) v Parole Board [2018] EWHC 694 (Admin) and CCSU v Minister for the Civil Service [1985] AC 374 but only to the extent that there was a challenge to the rationality of a decision. There was no reference to the third head of judicial review referred to in the latter case, namely procedural impropriety.

14. At paragraph 11 of the reconsideration decision, this is said: "Misrepresentation of the alleged use of the "sex sites." The applicant's case was that he had been accessing a social networking

website and had been targeted by person who had tried to tempt him into using sites of concern."

15. Reference is then made to other grounds going to irrationality and then at paragraph 15 this is said: "Failure to explain why the panel rejected the recommendation of 5 professionals that the Applicant be released. There is nothing in this ground. The reasons are clearly set out at the conclusion of paragraph 7 and in paragraph 8."

16. The ultimate paragraph goes onto say that " .. .it is impossible to characterize the decision letter its reasoning and conclusions as 'irrational' within the definition set out above."

17. Mr Brownhill accepts that there was a reference to misrepresentation of evidence in paragraph 11 but submits that that was in the context of irrationality and in any event, there appears to be no conclusion on the issue. The notes of the oral hearing indicate that there was no evidence that the claimant had accessed such sites. In respect of paragraph 15, he submits that there is no proper explanation as to why the reasons were considered adequate, and just as there was an obligation on the panel to give sufficient reasons, so too was there such an obligation upon reconsideration.

18. He submits that incorrectly recording evidence can amount to procedural unfairness, and relied upon the decision of Sir John Thomas PQBD and Cranston J (as they then were) in R (on the application of McIntyre) v Parole Board for England and Wales [2014] A.C.D. 17. At paragraph 32 of the judgment it was stated: "Given the powers of the Parole Board in relation to the liberty of the subject, there are, as this case illustrates, other circumstances where fairness makes it necessary for the chair to re-examine the notes by way of record to ensure that they accurately reflect what was said."

19. He also relies upon the decision of Mr Steven Kovats QC sitting as a deputy judge of the High Court in R(P L) v Parole Board and Secretary of State for Justice [2019] EWHC 3306 (Admin), handed down after the reconsideration decision in this case, where a decision of the defendant not to release a prisoner serving an indeterminate sentence of imprisonment was quashed on grounds which included that the defendant failed to identify concerns about the claimant's behaviour and did not explain how its concerns were cemented.

20. I have come to the conclusion that these points are arguable, and permission should be granted. I will set out directions in the order.

Deaths in Prison Custody to March 2020 - Assaults and Self-harm to December 2019

Ministry of Justice: In the 12 months to March 2020, there were 286 deaths in prison custody, a decrease of 10% from 317 deaths the previous 12 months. Of these, 80 deaths were self-inflicted, an 8% decrease from the 87 self-inflicted deaths in the previous 12 months.

Self-harm incidents reached a record high of 63,328 incidents in the 12 months to December 2019, up 14% from the previous 12 months. In the most recent quarter there were 16,197 self-harm incidents, down 1% on the previous quarter. The number of individuals self-harming increased by 3% in the 12 months to December 2019, to 12,977, and the number of self-harm incidents per individual increased by 11% from 4.4 to 4.9.

There were 32,669 assault incidents in the 12 months to December 2019, down 4% from the 12 months to December 2018. In the most recent quarter, assaults decreased by 7% to 7,611 incidents. There were 9,995 assaults on staff in the 12 months to December 2019, a 2% decrease from the previous 12 months. In the latest quarter the number of assaults on staff decreased by 3% to 2,377 incidents. In the 12 months to December 2019, there were 3,813 serious assault incidents, a decrease of 3% from the previous 12 months. Serious prisoner-on-prisoner assaults decreased by 2% to 2,921 in the 12 months to December 2019. Similarly, serious assaults on staff decreased by 4% to 952.

France: Excessive Use of Force by Special Armed Police During Arrest of Suspect:

European Court of Human Rights held, unanimously, that there had been: a violation of Article 3 (prohibition of inhuman and degrading treatment) of the European Convention on Human Rights. The case concerned a complaint by the applicant that he was the victim of acts of violence during his arrest at his home by the GIPN, a special armed police unit, in the presence of his wife and daughter. The Court found in particular that the police operation at the applicant's home had not been planned or carried out in such a way that the means used were strictly necessary to fulfil its ultimate aim, the arrest of a suspect. The applicant had not been charged with resisting arrest and the actions of a number of police officers, wearing helmets and protected by shields, had been particularly violent. The Court found that the means used were thus not strictly necessary for the applicant's arrest and the physical force used against him had not been made necessary by his conduct.

Principal facts: The applicant, Joseph Castellani, is a French national who was born in 1956 and lives in Contes (France). In May 2002 a judicial investigation was opened against persons unknown for witness tampering and death threats following a complaint filed by a lawyer who had testified in a case concerning acts of violence against the police, in which three members of the E.H. family had been convicted. The main suspects in the investigation were members of the same E.H. family, who were the applicant's friends and neighbours. On 18 June 2002 the Nice police force requested and obtained the support of the GIPN (special armed intervention unit of the national police) to arrest members of the E.H. family. At the request of police chief R., the head of the GIPN unit agreed to intervene to arrest Mr Castellani, who was implicated in the same case. The circumstances of the police operation are disputed by the parties. On 13 November 2002 a discontinuance decision was given by the investigating judge, dropping the witness-tampering and death-threat charges which had prompted Mr Castellani's arrest. On 13 January 2009 the Criminal Court found Mr Castellani guilty of possessing a weapon without a permit and he was given a suspended sentence consisting of a fine. The court acquitted him on the charges of wilful assault against a person vested with public authority, accepting that he had acted in self-defence on the ground that he could legitimately have believed he was under attack in his home.

On 18 November 2002 Mr Castellani filed a criminal complaint, with an application to join the proceedings as a civil party, for failure to assist a person in danger, wilful violence and barbaric acts. A judicial investigation was opened on 7 December 2002. On 2 July 2004 the investigating judge decided to drop some of the charges, only maintaining the charge against certain police officers of failure to assist a person in danger, for which they were committed to stand trial before the Nice Criminal Court. Following an appeal by the applicant, the Court of Appeal annulled the partial discontinuance of the investigation and ordered that it be resumed on the basis of the original charges.

A second partial discontinuance decision was given on 27 January 2006 dismissing the charges of wilful violence by persons vested with public authority. The applicant appealed. In a judgment of 15 June 2006 the Court of Appeal upheld the discontinuance on the charge of barbaric acts. In a judgment of 25 October 2007 it also upheld the discontinuance on the charge of wilful violence by persons vested with public authority.

On 26 June 2009 Mr Castellani sued the State to obtain compensation for the damage caused to him. In a judgment of 5 April 2011 the court took the view that by sending the GIPN to arrest the applicant the State had committed an act of serious negligence engaging its responsibility. The State was ordered to pay him 59,000 euros (EUR) by way of compensation and EUR 3,500 in costs. On 12 April 2012 the Aix-en-Provence Court of Appeal upheld the admissibility of Mr Castellani's action but quashed the remainder of the judgment and dismissed the applicant's claims. Mr Castellani was ordered to pay EUR 1,700 under Article 700 of the Code of Civil Procedure in addition to costs.

The Court of Cassation quashed the judgment and referred the case and the parties back to the Court of Appeal of Montpellier. By a judgment of 27 January 2015 that court found that it had not been proven that the GIPN's intervention had entailed negligence engaging the State's responsibility. It took the view that it could not be established that this intervention had been pointless or disproportionate in view not only of the acts committed by the applicant to defend himself, but also of his persistence in resisting arrest. However, the Court of Appeal found that the State had committed serious negligence on account of a failure to provide medical care to the applicant while in police custody. The State was ordered to pay EUR 5,000 by way of compensation for the lack of medical care and EUR 2,000 under Article 700 of the Code of Civil Procedure. On 10 February 2016 the Court of Cassation dismissed the applicant's appeal on points of law.

Decision of the Court Article 3. The Court noted at the outset that all the medical certificates in the file recorded that the applicant had suffered significant injuries. In addition to physical suffering, the applicant had had to endure mental suffering. Mr Castellani's arrest, very early in the morning at his home, after the gate and front door had been forced open by numerous hooded and armed officers in front of his girlfriend and daughter, had necessarily provoked strong feelings of fear and anxiety in him, with the potential for him to be humiliated and degraded in his own eyes and in the eyes of his family. As regards the planning of the operation, the Court took the view that, in principle, it was not its role to pass judgment on the choice of a particular unit for the arrest of an individual to be questioned in a criminal investigation. Nevertheless, it reiterated a previous finding that the intervention of special units, which were usually engaged in situations of extreme violence or particularly dangerous situations requiring prompt and firm reactions, could entail particular risks of abuse of authority and violation of human dignity. The intervention of such units therefore had to be surrounded by sufficient safeguards (compare Kucera v. Slovakia, no. 48666/99, § 122, 17 July 2007).

The purpose of the police intervention with the assistance of the GI PN had initially been to arrest the E.H. family. The commanding officer had asked the investigating judge for the GIPN's intervention, which had then been agreed by the Director of Public Security, in order to arrest, not the applicant, but only the members of that family who had already been convicted of violence and abduction of a police officer. It was only after some members of that family had been arrested that police chief R. had taken advantage of the opportunity afforded by the presence of the GIPN to request its assistance in the arrest of the applicant, who was suspected of being implicated in the same offences, but without informing the investigating judge or securing the agreement of the Director of Public Security. The Court therefore noted that the operation had not been accompanied by the existing internal safeguards normally surrounding the intervention of this type of special unit.

With regard to the applicant's character, the domestic courts had considered that the claim of the applicant's dangerousness, which had been used to justify the intervention of the GIPN, stemmed only from statements by the police officers who had requested the intervention and was not supported by any evidence. Furthermore, some domestic courts had themselves questioned the proportionality of the GIPN's intervention in the circumstances of the case. The Criminal Court held on 13 January 2009 that the intervention of a special unit such as the GIPN in a preliminary investigation into threats was unusual and that, following the applicant's disorderly arrest, he had never been placed under judicial investigation or even questioned by the investigating judge who had issued the letter of request prompting the police intervention. The Court also observed that the Court of Appeal had nevertheless taken the view that it was "possible that this choice was disproportionate to the risk presented by Mr Castellani".

Lastly, the file showed that no reference had been made to any prior enquiries to determine whether or not the applicant would be alone at the time of his arrest. The Court found that the possible presence of members of the suspect's family at the location of the arrest had to be taken into account in the planning and execution of this type of police operation. Such consideration was lacking in the present case and the police had not planned their operation at the applicant's family home accordingly. Having taken into account all the particular circumstances of the case, the Court concluded that the police operation at the applicant's home had not been planned or carried out in such a way as to ensure that the means employed were strictly necessary to achieve its ultimate aim, namely the arrest of a person suspected of having committed a criminal offence. With regard to the use of force by the police officers, it was not disputed, first, that the applicant's recorded injuries had been caused by the police officers who arrested him or, secondly, that Mr Castellani had hit one of them with an iron bar. However, the applicant and the Government had not related the same version of the events.

The Court noted that the Criminal Court had held, in a decision which had become final, that the applicant had legitimately believed that he had been attacked in his home and that he had acted in self-defence. Consequently, the Court could not accept the Government's submission that the applicant had knowingly assaulted the police officers, a version which derived only from the assertions of the police officers who had been involved in the arrest and against whom proceedings had subsequently been brought, without there being any other evidence in the file to support this claim.

The Court nevertheless observed, first, that the applicant had not been charged with resisting arrest and, secondly, that the actions of a number of police officers, who were wearing helmets and protected by shields, had been particularly violent. The Court thus found that the means used were thus not strictly necessary for the applicant's arrest and that the physical force used against him had not been made necessary by his conduct. There had therefore been a violation of Article 3 of the Convention.

HMYOI Werrington – Violence Still a Problem

HMYOI Werrington, a young offender institution (YOI) in Staffordshire, was found to be improving in many areas, with good care for the children detained, but high levels of violence remained a challenge. Werrington holds up to 118 children aged between 15 and 17. HM Inspectorate of Prisons visited in January 2020. Despite some progress, high levels of violence meant outcomes were still not sufficiently good for safety. The governor had led efforts to reduce the number of children who needed to be kept apart from each other and there was good support for children who would otherwise be self-isolating on normal location. “Better oversight of separation was leading to an improved regime for separated children. However, public protection measures were undermined by a lack of oversight of risk management and release preparations for children who posed high risk of serious harm.

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.