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Sex Workers Struggle to Survive Covid-19 Pandemic

Criminalization Makes a Bad Situation Worse: Covid-19 presents a new problem for sex workers. In-person sex work is intimate by its very nature, and workers are at heightened risk of contracting the virus if they keep working. But without work, as strip clubs close and clients dwindle, sex workers struggle to survive. In many countries in Europe, sex work is criminalized directly or indirectly through legal systems such as the "Scandinavian model," which makes buying sex illegal. Sex workers, who are forced to work in the informal economy, find themselves excluded from emergency assistance available to other workers.

A new report by the International Committee on the Rights of Sex Workers in Europe (ICRSWE) notes that sex workers in the continent live in the "economic margins" and often have less savings and government support to fall back on. They are also rarely benefitting from pandemic response and recovery plans." Sex workers are often from groups that are already marginalized economically and socially, such as undocumented migrants, people of color, and lesbian, gay, bisexual, and transgender (LGBT) people, some of whom have been pushed out of their families due to homophobia. Sex work may, for them, be one option among bad ones. The ICRSWE report also predicts that hard economic times may mean more people will turn to sex work.

The report asks European governments to issue urgent moratoriums on raids, arrests, and prosecutions for sex work, provide financial support to sex workers, and ensure sex worker-led organizations are included in distribution of emergency assistance. In the longer term, as the ICRSWE argues, governments should carry out meaningful consultations with sex workers to establish a framework that "respects their human rights and improves their safety and working conditions." States that criminalize sex work should work towards decriminalization. Human Rights Watch has documented the harmful impact of laws criminalizing sex work in countries including South Africa, Tanzania, and the United States. We call for decriminalization of sex work everywhere because, as this new report says, decriminalization helps protect sex workers from violence and is an important step towards ending harmful stigmatization.

'Lady in the Lake' Murder: Gordon Park's Conviction Upheld

Three senior judges have rejected a posthumous appeal against the conviction of Gordon Park, the so-called "Lady in the Lake" killer. The body of his wife Carol was found in Coniston Water in the Lake District in 1997, 21 years after she disappeared. Park was convicted in 2005 and killed himself in prison five years later. The case, brought by his son, Jeremy Park, was dismissed by the Court of Appeal, which said there was "no reason to doubt the safety of the conviction".

The appeal was referred to the court by the Criminal Cases Review Commission (CCRC) and argued the Crown Prosecution Service did not disclose evidence in the trial which would have undermined the credibility of a prison inmate, who claimed Park had confessed to his wife's murder. It also cast doubt on the prosecution's claim Park's ice axe might have been the murder weapon, citing two dental experts who agreed it could not have caused injuries to his wife's teeth.

However, the court said the evidence in the case was "very strong". Mr Justice Sweeney, who delivered the ruling, said: "We have no doubt as to the safety of the conviction." It's a tough task to overturn a conviction, especially when an appeal has already failed, as it did in this case in 2008. That appeal focused on new DNA evidence, which the court dismissed before the hearing and said did not "even arguably" support the case that the conviction was unsafe. This most recent appeal relied new expert evidence and the prosecution's failure to disclose certain material. The three judges weighed it up carefully but Mr Justice Sweeney's meticulous 81-page ruling is crystal clear that it didn't come close to denting the "very strong" circumstantial evidence against Park.

It will surely prove to be the final word on the murder of the Lady in the Lake. Mrs Park was 30 when she vanished from Leece, near Barrow-in-Furness, in July 1976. Her husband did not report her disappearance for six weeks, claiming she had gone to live with another man. The mother of three's remains were found by amateur divers in 1997, wrapped in bags and tied with rope. Park was charged with her murder, but the case was dropped in 1998.

However, following fresh evidence he was found guilty at Manchester Crown Court in 2005, and sentenced to life with a minimum term of 15 years. Park, who always maintained his innocence, hanged himself in his cell on his 66th birthday in January 2010. CCRC lawyers told a hearing in November 2019 that prosecution lawyers had failed to share evidence with the defence at Park's trial, casting doubt on the safety of his conviction.

However, the Court of Appeal dismissed the case, citing the length of time it took Park to report his wife missing, his failure to contact friends or family about her, and that he made no attempt to check the joint bank account or put a stop on it. He had also failed to make the usual child care arrangements at the beginning of term when his wife, a teacher, would have gone back to work. There was also evidence that Park, the owner of a sailing dinghy, had skills in all the sailing knots used to tie the body, and knowledge of the area of the lake where the body was dumped.

No One Can Be Committed To Prison Without Being Named Publicly

Malvika Jaganmohan, Tranparency Project: I wrote a piece for the blog back in March 2020 about the case of Z (A Child: committal proceeding) [2020] EWFC B5 (24 January 2020). It concerned a private children law matter where the father had tampered with a drug testing report – which would have shown that he had tested positive for cocaine use – using Adobe Acrobat Pro. He was sentenced to 12 months' imprisonment, suspended for two years, because of his actions. Contact between him and the child, 'Z', regressed back to supported contact. My post queried why the father had been anonymised; while it is usual for children proceedings to be heard in private and for judgments to be anonymised, this is not usual for committal proceedings. The post concluded: "Arguably the guidance does not permit the anonymisation of the father in the published judgment at all."

So, it's not surprising that since that that piece was written, a new version of the published online ruling has been made available naming the father: Daniel Wallace. Media Lawyer reports that former Liberal Democrat MP, John Hemming – a long-standing campaigner for transparency in the family courts – wrote to the president of the Family Division outlining his concerns about Mr Wallace's name being redacted. A spokesperson for the Judicial Office has now said that the judgment redacted Mr Wallace's name in error. Mr Hemming also raised concerns about another judgment handed down by HHJ Gillian Matthews QC (though I've been unable to track down this judgment) where a man was slapped with a 9-month jail term for removing the children from their mother's care. Again, it seems the man was not named in the published judgment.

Mr Hemming said "It's now nearly seven years since the first practice direction in 2013. There was a second practice direction in 2015. Yet still the message isn't getting through. People are still being given jail terms in secret by family court judges." (NB: unfortunately,

I've been unable to find a publicly available source for the comments above other than the subscription-only Media Lawyer service) Mr Hemming is referring to then Lord Chief Justice, Lord Thomas' practice direction in 2015 on 'Committal for Contempt of Court – Open Court'. That practice direction was flagged up back in my piece in March.

The practice direction reiterates that: "Open justice is a fundamental principle." Committal proceedings are to be listed and heard in public. If the court decides to derogate from that general rule and hold the hearing in private, it should notify the national media who will then have the opportunity to make submissions at the outset of the committal hearing about the proposed derogation. If the court decides to exercise its discretion to derogate from the general rule and to hold a hearing in private, it must sit in public first and give a reasoned public judgment setting out why it is doing so. That doesn't seem to have been done in this case so we still have no real understanding of why the matter was heard in private.

The guidance states unequivocally that in all cases, irrespective of whether the court conducted the hearing in public or in private, and the court finds that a person has committed a contempt of court, the court shall sit in public at the conclusion of the hearing and state: (i) the name of the person; (ii) in general terms, the nature of the contempt of court in respect of which the committal order is being made; and (iii) the punishment. The court is to provide (i) and (ii) to the national media and to the Judicial Office for publication on their website.

The practice guidance is clear that there are no exceptions to these requirements: "There are never any circumstances in which any one may be committed to custody or made subject to a suspended committal order without these matters being stated by the court sitting in public. So, a gentle reminder to judges: casual treatment of the existing guidance around open justice is likely to be spotted and called out.

'To Ask Defendants Choose Trial By Judge is Not Unreasonable'

Nicholas Reed Langen, Justice Gap: Of our three branches of government, two have adopted reasonably well to the social-distancing working life now requires, with parliament's move into the land of video-conferencing impressively smooth, and the inadequacies of the government more down to the players than to the stage. The third branch, our judicial system, however, has struggled.

Even before coronavirus hit, the justice system was already under significant strain, with the courts having become the government's whipping boy under austerity. The slightest cut to the NHS would have been met with public outcry, but the then-government knew that the butchery of the courts would not merit even a flicker of the nation's collective eye, and so hacked away with vigour. Consequently, we had a backlogged civil and criminal court case list, an undermanned judicial bench, and an estate that was literally crumbling around lawyers' ears, as we were thrown into the brave new world of a socially-distanced justice system.

Admirably, despite this handicap, some semblance of normality has been maintained, particularly in the civil division. For some time, court bundles have been digitised (while, doubtless, still subscribing to Sir Stephen Sedley's Laws of Documents), and hearing-by-zoom, while obviously subpar, is possible when every participant is sympathetic to their co-participants' shared plight. Indeed, some benefits will accrue, such as, for barristers, the end of travails across the width and breadth of the country for a ten minute case management hearing. Ears will have become closed to the cries of resistance from luddites.

It is in the criminal courts where the real brunt of the protective measures are being felt. The logistics of organising witnesses and the disclosing of evidence alone must seem insuper-

able, setting aside the less obvious consequences, like the benefits of a quiet conference between counsel and their defendant client on how they want to proceed. That physical proximity, so integral to trust and understanding, cannot be comparably manifested in a virtual world, our pixelated selves poor cousins of the real thing.

The most vexing issue, however, is what to do with juries. For the moment, jury trials have been suspended, and it seems obvious that they cannot become virtual. Even when the participants are all au fait with the legal system, difficulties abound. To introduce twelve novices into the equation and to expect them to sit, undisturbed, for hours at a time at home, and then to deliberate effectively at the end of it all, is clearly nonsense, as those American states attempting it are sure to discover.

Simultaneously, it is obvious that jury trials cannot be conducted as normal. Even when this near-absolute lockdown ends, social-distancing will have to be maintained for months. Keeping twelve people closely confined, possibly for weeks, and releasing them each day into the community can only end in disaster. For some, the solution to this is to conduct judge-only trials. Geoffrey Robertson, the eminent human rights QC, has proposed this, arguing that they have done the same in Australia for some time, allowing the accused to choose trial by judge

Those resisting argue that this is an abridgement of one of our most fundamental rights – the right to trial by a jury of our peers dating back to a time when the accused could still elect trial by combat as a means of proving their innocence. This is true, but the mere fact of a lengthy existence does not, in and of itself, justify a system that could result in the deaths of hundreds or thousands of these selfsame peers. Considering the historical context however, is relevant, as many have done in noting that we have did not even suspend jury trials during WWII, and only suspended them in the 1980s as the Troubles prevented a free and fair jury being assembled.

Of the two, it is the latter analogy which is the more fitting to our current predicament. While we did not suspend jury trials during WWII, the threat to the nation was none the greater or lesser because of the continuance of jury trials. The risk of harm instead came from outside our borders. In contrast, jury trials were suspended during the Troubles because the risk of harm came from being on the jury itself, either as a result of threats being made against jurors, or due to the risk of perverse verdicts, the pull of community ties being too strong at a time of perceived occupation. Thus, Diplock trials were the only way of ensuring justice was both done, and seen to be done. In our current circumstances, the threat is once more coming from the simple fact of being on a jury.

Nor should we eulogise juries as some form of model of judgement. Mark Twain called them 'the most ingenious and infallible agency for defeating justice that wisdom could contrive', while studies have repeatedly shown that juries are susceptible to prejudice, at risk of disobeying instructions to not research the case, and do not understand all the directions they are given by the judge- and by extension, the arguments put forward by counsel. Nor do our European cousins use juries as frequently, and in that vein, the right to a fair trial in the ECHR does not specify any right to trial by jury. Such arguments may be insufficient to justify permanently replacing juries with judges, but are enough to show that in suspending some jury trials, we are not suspending a faultless or universal system.

If the government were to maintain jury trials, steps would have to be taken to ensure their safety and fairness. Already, it is being considered as to whether alternative, more spacious facilities could be found, while the Lord Chief Justice, Lord Burnett has proposed moving towards smaller juries, as was last done during WWII. Sequestering juries could be another, albeit more expensive route, provided jurors are tested before being empanelled. All of these steps will, nonetheless, be unable to remove a pervasive sense of unease amongst jurors

and court staff. Such unease may not affect a juror's judgment, but it is difficult to know. If there is a single juror with reasonable doubt, will they stick to their guns, forcing the jury to return to deliberate, or will they just give in to the will of the majority?

We require judges to make decisions of great significance every day. Our judges have responsibility for the functioning of the constitution, the protection of our rights and the deciding of our contractual disputes. Within the criminal arena, relatively few cases even make it to jury trial, with the overwhelming majority heard before magistrates. Even those few that proceed to the Crown Court are settled in the majority of cases, and even then, many of those decisions are later appealed before a panel of appellate judges.

No one is suggesting that we are at risk of ending jury trials permanently, as Lord Hodgkinson has argued. The notion of jury trial is too embedded in our national DNA for its suspension to become permanent – its inclusion in Magna Carta, if nothing else, means people are too proud and too aware of it for it to be cavalierly discarded when this government d turns its attention back to judicial reform. For the moment, we are all adapting and making sacrifices, some greater than others. To ask that some defendants choose trial by judge, given the circumstances, is not an unreasonable request.

Court Allows Appeal in Article 2 ECHR Investigation Case

Sean Dalton, Sheila Lewis and Thomas Curran died as a result of an explosion in a flat at Kildrum Gardens, Londonderry on 31 August 1988. The flat belonged to a person referred to in the proceedings as "Person A". The three deceased went to the flat as they had not seen Person A for a period and were concerned about his welfare. Mr Dalton entered the flat via the kitchen window setting off an explosive device that had been planted in it. Mrs Lewis, who was on the walkway outside the flat, died at the scene. Mr Curran who was seriously injured died in March 1989. The IRA issued a statement admitting to having planted the bomb. Their purpose had been to lure members of the security forces to the flat. The IRA claimed the bomb was planted on 26 August 1988. The police investigation did not result in anyone being charged or convicted of any offence connected to the murders. An inquest into the deaths of Mr Dalton and Mrs Lewis was held on 7 December 1989. Person A gave evidence by means of a statement. He recounted how on 25 August 1988 masked men claiming to be from the IRA appeared and took him and his friend "Person B" to another location. He said they were held before being released on to a public road on 31 August 1998. At this point he said he contacted the police.

In September 2005 a son of Mr Dalton ("the complainant") made a Statement of Complaint to the Police Ombudsman's ("PO") Office relating to the way in which the police had behaved in the events leading to his father's death. He referred to various incidents preceding the death including: • An incident on 25 August 1988 which followed a rocket and shooting attack at Rosemount police barracks. He claimed a man was seen running from a car that had been used in the attack shouting that there was a bomb in it. The complainant said he phoned the police but got no response. A trail of blood from the car, which was later burnt out, ran towards Person A's flat and a rocket launcher was recovered from the car; • Robbers leaving a hot food shop on 27 August 1988 dropped a card which had Person A's details on it. The police were given this card when they arrived and were alleged to have said "we can hit this boy now, he'll be fresh from the robbery". The complainant noted, however, that the police did not attend Person A's flat; • On 30 August 1998 a friend of Person A's was abducted by the IRA. There was a phone call to say he was being held in Kildrum Gardens but the complainant stated that the police did not attend Person A's flat;

• The complainant alleged that security force patrols in the area of Kildrum Gardens were scaled down leading to the family of the deceased forming the view that they were aware of the bomb in the flat but had decided not to do anything about it to protect an informer.

The complainant alleged that the police failed in their duties to properly investigate the deaths of his father and Mrs Lewis; knowingly allowed a bomb to remain in a location close to where the pubic had access in order to protect an informant; failed to advise the local community or its leaders of possible terrorist activities in the area; and failed to uphold his father's right to life. The PO published his report on 10 July 2013. He thought it was likely that Kildrum Gardens was placed "out of bounds" as a result of consideration of police intelligence in the late afternoon of 26 August 1988 but rejected the suggestion that the police were trying to protect an informer as the person who was alleged to have been the informer had not featured in the investigation until long afterwards and had never been arrested. The PO referred to intelligence which stated that the police were warned after the attack on Rosemount Police Station on 25 August 1988 not to take follow up action and that on the following day intelligence was received indicating that the car used in the attack was abandoned "convenient to" a house in which a booby trap bomb was planted.

The PO concluded: • There was sufficient intelligence available to the police to identify the location of the bomb and that steps could and should have been taken to locate the threat and warn the local community. He said this failure resulted in the police "not fulfilling their duty to protect the public"; • The police failed in their duty by knowingly allowing an explosive device to remain in a location close to where the public had access; • The police failed in their responsibilities to uphold Mr Dalton's right to life and in their duty to properly investigate the deaths of Mr Dalton and Mrs Lewis. The PO was critical of the way in which the original police investigation had been conducted. He also referred to investigative shortfalls relating to the "substantial number of retired police officers" who declined to assist the investigation and the loss of significant documentation concerning the management of the police investigation.

Mr Dalton's family wrote to the Attorney General ("AGNI") requesting him to exercise his discretion pursuant to section 14 of the Coroners Act (Northern Ireland) 1959 to have a fresh inquest into the killing in order to take into account the material which had been uncovered in the PO's report and which had not been available at the time of the original inquest. A principal concern was the possibility that the police did know or should have known of the existence of the bomb and did not take any or adequate steps to minimise the threat to the lives and safety of the residents in the area. It was claimed that the Article 2 obligations were reactivated. The AGNI replied on 26 May 2015 to say there had been no evidence in the PO's report which could go to the identification and/or punishment of those responsible for the bomb so as to make the holding of a further inquest advisable. He commented that Article 2 did not require proceedings to be held for the purposes of establishing historical truth.

Should the court order the AGNI to exercise his discretion to require the holding of a fresh inquest? In view of its conclusion that the Article 2 obligations had not been met, the Court said it must consider whether it should order the AGNI to exercise his discretion to provide a fresh inquest. Section 14 of the Coroners (Northern Ireland) Act 1959 ("the 1959 Act") provides that the AGNI may direct any coroner to conduct an inquest into a death where he has reason to believe that a deceased person has died in circumstances which in his opinion make the holding of an inquest advisable. This provision makes the matter one involving the personal judgment and assessment of the AGNI. The AGNI, as a public authority for the purposes of the HRA, is obliged to act in conformity with the requirements of Article 2 where they are engaged, as they

are in this case, albeit in the context of a revival of the procedural obligation after a period of relative inactivity. Ordinarily, the Court would expect the AGNI to broach this question on the basis that if an Article 2 compliant inquiry into a death had not yet been provided then steps should be taken to rectify the position. It noted, however, that this is not to say that necessarily and in every case the court will impose on the AGNI an obligation of the nature sought in this case by the grant of an order of mandamus directing him to provide a fresh inquest as it would be a mistake for the Court to see the matter as being so black and white as to fetter the discretion of the AGNI.

The Court said there will be a need for the AGNI to give further consideration the case in the light of this judgment and that he should have the opportunity to consider the available options. It noted, however, that the availability of witnesses and the state of the documentation will have an impact and "with the best will in the world, the ability now to conduct a meaningful inquiry may have been lost": "If the unmet obligations of Article 2 can be met the court would expect this to be the course which should be taken, but equally, if they can't be met, this may indicate a need to acknowledge this and to bring the process to an end."

The Court noted, however, that a coroner, if appointed to hear a fresh inquest, now possesses power (section 17A of the 1959 Act) to require the attendance of witnesses and to procure the production of documents. These powers were not available to the PO. The Court also commented that there are other ways of satisfying the requirements of Article 2 in a case of this kind where it is a paramilitary organisation which planted the bomb which killed the deceased. It said the applicant and the deceased's family have already issued civil proceedings, which are now well advanced, is a potential vehicle which could be deployed, if not to satisfy Article 2, to assist in the process of satisfying it and should not be dismissed out of hand: "The court should not be interpreted as saying that in this case the AGNI should not order a fresh inquest or should regard civil proceedings as the means of taking the matter forward. All the court is saying that the matter is not so open and shut in favour of the remedy which the applicant seeks as to cause the court to resort to an order of mandamus."

Conclusion: The Court concluded that the trial judge erred in this case, in particular, by viewing the width of the Brecknell judgment too narrowly. In its opinion, the AGNI also committed the same error. As a consequence the issue of compliance of past investigations with the requirements of Article 2 was not satisfactory addressed. The key finding of the Court was that to date the Article 2 investigative obligation which was revived has not been satisfied. Again, this was not the view of the trial judge or the AGNI. In these circumstances, the court will allow the appeal. The Court said it would make a declaration but the terms of this may need to be discussed with the parties. It declined to order mandamus against the AGNI.

Lessons From The Birmingham Pub Bombing Inquest

The inquest into the deaths of 21 innocent civilians in the Birmingham Pub Bombings 1974 has now concluded. The inquest was heard before a jury and lasted six weeks. Over 28,000 pieces of evidence were disclosed. Witnesses included civilians, police officers, emergency response crew and former members of the IRA. The jury returned a verdict of unlawful killing by murder. The unlawful killing verdict had been put to the jury on the basis that if murder alone had been put to the jury and not been found to have satisfied the evidential threshold then the verdict of manslaughter could have been returned by the jury which would have justified the position of the IRA that this had been an accident and the position of the West Midland Police (WMP) that they could not have been expected to plan for an accident. The jury were unable to find any fault with the WMP given the

evidence available to them. The scope of the inquest excluded the issue of perpetrators. The scope of the inquest excluded the issue of agents and informers. Are there any lessons to be learnt from this inquest? I ask that question as this was the last opportunity for the families of the victims to be able to effectively participate in an independent investigation into the deaths of their loved ones. I also ask this question with an eye to the forthcoming resumption of the Guildford Pub bombing 1974 inquest and in the light of the on-going conflict related legacy inquests in Northern Ireland including the Ballymurphy Massacre 1971 and the Kingsmill Massacre 1975.

First, it should be remembered that the pub bombings in Guildford and then in Birmingham were excluded from the Good Friday Agreement 1998 and are out-with any of the arrangements for dealing with the toxic legacy of the conflict in Northern Ireland. These include the stalled implementation of the proposed arrangements under the Stormont House Agreement (SHA) 2014 including establishing an Historical Investigations Unit (HIU). Legislation which has been drafted under the terms of the SHA 2014 cannot be brought forth because of the continued political impasse at Stormont.

Second, this inquest (in fact 21 individual inquests) only came about because of the self-starting motivation of the families. Until 2012 there had been no investigation into the pub bombings save in terms of the failure of the WMP regarding the prosecution and conviction of the Birmingham Six. The families had to campaign for an independent investigation into the death of their loved ones.

Third, the WMP originally opposed the resumption of the original inquest which has been suspended given the conviction of the Birmingham Six. The decision to resume the original inquest was made by the senior coroner for Birmingham who decided she was functus (no longer in office) in relation to this matter. This was an important intervention by an independent law officer and followed sustained legal argument by the families, the WMP and the Police Federation.

Fourth, the decision to resume led to disclosure by the WMP. Disclosure was on-going until the last week of the inquest over approximately three years. The initial disclosure made by the WMP informed the initial decision of the Senior Coroner on both the scope of the inquest and human rights compliance in terms of the investigation. The former Chief Coroner was appointed Coroner to the Birmingham Inquest (1974).

Fifth, the substantive inquest was delayed because the families challenged the ruling of the Coroner on scope – specifically his decision to rule out of scope the perpetrator issue. This led to the judgment of the Court of Appeal in Coroner for the Birmingham Inquests (1974) v Hambleton and Others [2018] EWCA Civ. 2081 which reversed the judgment of a Divisional Court and restored the ruling of the Coroner. In the absence of public funding by way of legal aid, the families were unable to apply to the Supreme Court to challenge the judgment of the Court of Appeal. In part, they were refused legal aid because the Legal Aid Agency (LAA) noted that they had previously successfully used the Crowd Justice online funding platform to raise money to bring the judicial review. The reasoning of the LAA suggests that it made both an assessment on the merits of the judicial application and considered that an applicant for legal aid who has raised money by way of public subscription should be excluded from public funding. The Hambleton judgment has narrowed the jurisdiction of inquests in respect of complex multi-death inquests. In essence the arguments advanced by the parties balanced commonlaw tenets against European Human Rights Convention jurisprudence in this area. The law in this area remains unsettled.

Sixth, the families were only granted legal aid for the inquest from November 2018 despite the support of the Coroner. Because the families had instructed solicitors from Northern Ireland (in the absence of finding a solicitor in England) the legal aid regulations required amendment and the firm had to obtain LEXCEL 'kite-mark' accreditation in order to apply for an individualcasecontract

(ICC). All work conducted by the lawyers for the families firm from 2014 to 2018 was therefore undertaken pro bono. The families had sought a block grant Hillsborough Disaster Fund model of fiscal support direct from the Home Office. This was refused on the basis that the much derided LASPO 2012 legislation would be sufficient in terms of providing funding for legal representation. The Home Office will not repeat the Hillsborough Disaster Fund model again.

The Ministry of Justice, in its review of legal aid funding for inquests has recently rejected demands for automatic legal aid for families in complex multi-death inquests in which the state is a party – despite spending over £4 million a year on the provision of legal representation at inquests where the prison service is a party. Further, the WMP, in line with all forces, was provided with legal representation throughout the duration of the inquest, through council tax. The government argues that legal representation for families at inquests is not necessary as an inquest is inquisitorial and not adversarial. There are at least two problems with this position. First, it begs the question why state agencies inevitably have legal representation at inquests. Second, human rights compliant inquests (engaging an enhanced investigatory standard) demand the effective participation of the family of the victim, which is secured through independent legal representation. The Birmingham Inquest (1974) clearly demonstrated the inequality of arms and the lack of parity in this core part of the legal process.

Seventh, inequality was further demonstrated in the process of disclosure in this inquest. Beyond the disclosure made by the WMP, disclosure was also requested from the Home Office, the Ministry of Defence and the Foreign Office, amongst other agencies including the Police Service of Northern Ireland (PSNI). An affidavit from a civil servant within the Government Legal Department gave an assurance on behalf of those departments that no material relating to the pub bombings was held. The Coroner accepted this assurance, and this impacted on his rulings on scope. The Coroner further undertook an exercise in disclosure which sifted what he considered relevant to the scope of this inquest and either did not disclose apparently irrelevant material or to disclose material in a redacted form. There was no explanation as to the mechanisms employed by the government departments in undertaking their searches or the search methods of the Coroner. The lawyers for the families pressed the Coroner on disclosure. They requested all material relating to policies, practices, procedures, guidelines, training manuals and schedules, orders that had been generated by any government agency in response to the terrorism campaign of the IRA at this time.

Prior to the explosions in Birmingham there had been 50 incidents involving bombs and incendiary devices in the city, including a previous attack on the Rotunda Building, which was the site of the Mulberry Bush pub, one of the two pubs bombed on 21 November 1974. There was nothing to be disclosed as to any planning to prevent or respond to this terrorist threat.

The lawyers for the families – working with their clients – assessed and analysed over 28,000 pages of disclosure which included detailed forensic and technical reports from experts. This informed the examination of witness strategy which in turn lead to the formulation of questions for the jury. In the absence of 'live' evidence (for example from senior police officers) or evidence going to the issue of response and prevention procedures, the WMP could not be found at fault in terms of either acts or omissions on the evidence presented to the jury. This came as a blow to the families as they had always believed, following the miscarriage of justice, that WMP had been woefully ill-prepared to respond to a terrorist bomb threat and had too easily apprehended the Birmingham Six and violently coerced them.

Following the release of the Birmingham Six (and the Guildford Four) efforts appeared

to be concentrated on ensuring the police misconduct on this scale could not occur again. No effort appeared to be expended in investigating those responsible for the respective public bombings. Chris Mullin, the investigative journalist whose work contributed to the release of the Birmingham Six, identified the actual perpetrators but this did not lead to a new police investigation save by way of 'force on force' reviews.

Finally, despite having ruled out of scope the issue of perpetrators (framed as Who bombed Birmingham? Who authorised the bombing? Who made the bombs? Who carried the bombs and Who planted the bombs?), and despite rumour and suspicion intensifying on the names during the course of the proceedings (including a credible ITV documentary by respected journalist John Ware; and an admission of collective responsibility from a former IRA member to the BBC), it seemed that names would be not named. Chris Mullin was pressed to reveal the names he had been given but stood fast to the principles of journalism (much to the anger of the families).

However, Witness O (by a video-link), a former IRA member, named the four people he was told either directly or indirectly responsible for the Birmingham bombings. As noted above two are still alive. The other two names were already in the public domain but are now dead.

One purpose of an inquest is to allay rumour and suspicion and to restore confidence in the Rule of Law. The two are linked the exposure of one restoring the status of the other. Ruling perpetrators out of scope meant the issue could not be put to the jury and jarred with similar issues in the Northern Ireland Legacy inquests where individual perpetrators have been named. The 'revelations' of Witness O, which took the form of an IRA authorised admission (despite the IRA no longer being in existence), were akin to a moment in a Truth and Reconciliation Commission (TRC) rather than an inquest. This was a moment of importance for the families who had now secured the names of those apparently responsible for the murder of their loved ones to be on the public record for the first time.

The Hambleton judgment was clear that an inquest is not an alternative to a criminal justice investigation (by way of the police inquiry or a prosecution decision) (although this remains disputed). Therefore, the responsibility to investigate the evidence from Witness O and Chris Mullin, returns to the WMP, the police force in which the families have no faith and until last year had maintained there was no active investigation into the bombings. Now, the WMP having been effectively 'cleared' of culpability by either act or omission, on the basis of the evidence presented to a jury at an inquest, must investigate or, following the precedent in Northern Ireland, invite another force to do so andit or another force must engage with the families.

There is one aspect of the tragic scenario which has not delivered to the families what they sought. There is no TRC proposal for addressing the out-workings of the conflict in Northern Ireland. In any event, as noted above, any statutory proposal to investigate conflict-related deaths (which would have to be human rights compliant – and that is not guaranteed under the present draft statutory proposals), would not include the Guildford and Birmingham pub bombings. The coronial process has only delivered partial results to the families and has been tested because of issue of funding and disclosure.

Would the pub bombing deaths have been better approached by way of a statutory inquiry under section 1 of the Inquires Act 2005? This would have meant the provision funding for legal representation of core participants by way of a chair, consultation on terms of reference and the conduct of proceedings, the ability to make recommendations, and even though not able to allocate civil or criminal liability (as with an inquest) it would 'not to be inhibited in the discharge of its functions by any likelihood of liability being inferred from facts that it deter-

mines or recommendations that it makes' (section 2 Inquiries Act 2005).

Further, it would not have been constrained by juridical tensions on the coronial jurisprudence. It is extremely unlikely that there will be a further independent investigation into the Birmingham pub bombings. A police investigation needs to take place to follow through on the evidential leads exposed through the coronial process. There is less likelihood of a civil action against the WMP given the verdict of the jury. Sadly, for the families, questions remain unanswered. A lesson for lawyers undertaking this work is one of the management of client expectations, particularly when faced with the implacable force of the state in a time of austerity and in a time of secrecy.

Imposition of Notification Requirements on Sexual Offenders Compatible With Article 8

Section 97(1) of the Sexual Offences Act 2003 provides for the police to apply for a notification order in respect of an individual who has committed a prescribed type of sexual offence in another jurisdiction. Section 97(5) requires that a Magistrates' Court "must" grant a notification order if certain basic conditions are met. The effect of the imposition of the notification order is that the relevant individual is subject to both notification requirements and multi-agency public protection arrangements. In other words, he is entered on the sex offenders register. It is well accepted that this gives rise to an intrusion into private and family life.

Mr Halabi was convicted of a sexual offence in France in 1998. In 2018, when the Metropolitan Police learned of this, they applied to the Westminster Magistrates' Court for a notification order. Mr Halabi sought to argue before the magistrates' court that the imposition of the order would be disproportionate to his rights under Article 8 ECHR due to reasons including the passage of time and because he posed no risk of re-offending. The Court held that it was obliged to impose the order. On appeal, the Southwark Crown Court reached the same view.

Mr Halabi then sought judicial review of the decision of the Crown Court. He argued that the imposition of a notification order was incompatible with his rights under Article 8 ECHR, and that if s.97(5) could not be construed so as to permit a Magistrates' Court to decline to grant an order, it should be declared to be incompatible with Article 8 ECHR. The Secretary of State for the Home Department was granted permission to intervene in the case since Mr Halabi was seeking a declaration of incompatibility.

The Divisional Court dismissed the claim. Upon close analysis of the relevant jurisprudence, the Court concluded that Article 8 ECHR permitted the automatic imposition of notification requirements. The United Kingdom was entitled to take a precautionary approach pursuant to which, where a serious sexual offence had been committed, an individual assessment of the risk of re-offending was not necessary in order to justify the imposition of a notification order. Part of the reason for imposing a notification order was to enable the appropriate monitoring and assessment of ongoing risk.

Defining the Prerogative: The Story of the Case of Proclamations

I am going to talk about some of the great politico-legal battles in the 17th Century which established the conceptual framework for what we call the Rule of Law. English constitutional history is no longer taught in our schools or as part of training for the Bar and so you may be unfamiliar with these three stories, all of which played a vital part in the development of our law and legal system. The first was a ruling in 1610 which is fundamental to our democracy and was recently referred to repeatedly by the Divisional Court and the Supreme Court in their judgments in the cases brought by Mrs Gina Miller. It is known as "the Case of Proclamations". The second is the bitter row between the Lord Chancellor and the Lord Chief Justice in 1616 which resulted in the sacking of the Chief Justice and gave rise to James

I's Star Chamber Decree. That established the primacy of Equity over the common law and is still on the statute book in the form of section 49 of the Senior Courts Act 1981: "wherever there is any conflict or variance between the rules of Equity and the rules of the Common Law with regard to the same matter, the rules of Equity shall prevail". The third is the story of Charles I's forced loan, the Five Knights case and the Petition of Right 1628.

Let us go back to the beginning: So a free man is not to be convicted etc save in accordance with the law of the land, the "lex terrae". But that begs the question how is the lex terrae to be made and by whom. Is the law to be made by the Judges as exponents of the common law, or by the King by virtue of his royal prerogative or by the Church as the guardian of souls and morality or by the Parliament expressing the will of the people? Once made, how can it be changed, suspended or repealed and by whom? Shortly before Magna Carta de Glanville wrote: "it is the law that whatever pleases the Prince has force of law" and, as we shall see, that seems to have remained the view of the Stuart monarchs 400 years later. Such a view is also not unknown in modern times: as Richard Nixon said to David Frost: "If the President does it, it is not illegal". We now talk of the separation of powers, but that is a relatively modern concept and where the boundaries between the functions of the Executive, Parliament and the Judiciary lie is still debateable and the subject of political controversy and judicial decision.

Let us remind ourselves of the two cases brought by the redoubtable Mrs Gina Miller which generated 190 pages of scrupulous legal reasoning by both the Divisional Court and the Supreme Court. In both cases the Government invoked the Royal prerogative: in Miller 1 the right of the Executive to make and unmake treaties without Parliamentary sanction and in Miller 2 the right to prorogue Parliament and the question arose whether and, if so, on what basis, the exercise of the prerogative could be controlled by the courts. In Miller 1 the issue was whether the Executive (i.e. the Government) could give notice to leave the European Union without the sanction of Parliament. Two principles of constitutional law were in apparent conflict and the question was which one trumped the other: Lord Hughes expressed this very concisely in his dissenting judgment: Rule 1: The Executive (Government) cannot change law made by Act of Parliament, nor the common law; Rule 2: The making and unmaking of treaties is a matter of foreign relations within the competence of the Government.

The Divisional Court held that Rule 1 prevailed because the giving of the Article 50 Notice would affect and bring down with it a plethora of rights and obligations which had become part of British law. The Supreme Court agreed but there were three powerful dissenting judgments from Lords Reed, Carnwath and Hughes, who felt that the rights introduced into British law pursuant to the European Communities Act 1972 were conditional on the UK remaining a member of the EU and were not intended to survive the termination of that condition or the repeal of the Act. The original authority for proposition (1) was said to be a case in 1610 in the reign of James I known as the Case of Proclamations.

In Miller 2 the issue was whether the advice of the Prime Minister to the Queen to prorogue Parliament for 5 weeks was lawful. It was argued on behalf of the Government that the Courts had no jurisdiction to decide this question – i.e. that it was not justiciable – because it was a purely political decision which lay within the purview of the Executive and not the Courts. The Divisional Court agreed with that argument and dismissed the claim. The Supreme Court unanimously reversed that decision. The Case of Proclamations was relied on again but this time as authority for the propositions that the Courts had exercised a supervisory jurisdiction over the decisions of the Executive "for centuries"; and that "In the Case of Proclamations

the court protected parliamentary sovereignty directly, by holding that prerogative powers could not be used to alter the law of the land". Interestingly, the next case cited by the Supreme Court for this proposition was in 1920.[1]

So what was the Case of Proclamations and what happened? Well it was not really a case, in the sense of a lis inter parties; there was no hearing in Court; there was no adversarial argument; the King appears to have paid little attention to it and the report of it was not published for another 47 years. And yet this is the historical origin for perhaps the most fundamental principles of our constitutional law, namely that Parliament is sovereign, that the Executive cannot alter the law without Parliamentary sanction and that the Judiciary is entitled to police that principle.

Before going further I must introduce the two main protagonists. My first is Edward Coke. He was born on 1st February 1552, the son of Sir Robert Coke, barrister and landowner. He went up to Trinity College Cambridge in 1567 (at the age of 13) but left without a degree. He joined the Inner Temple in 1572 and was called to the Bar in April 1578. He was an immediate success. He won his first case by showing that the argument for the other side was based on a mistranslation of the text of a Latin statute and he made his name by his famous victory in Shelley's case (1581). He then published a report of the case which included, according to the other side, "things which had never been said in court".

Indeed it was a criticism later made of Coke's Reports that they sometimes said things which Coke thought ought to have been decided, rather than what had been decided. It is also a fact that, curiously, Coke's Reports contain no account of any case he lost, although a number are reported by others. Coke was appointed Solicitor General in 1592 by Queen Elizabeth and Attorney General in 1594 and spent most of his time prosecuting recusant Catholics. He became Treasurer of the Inner Temple in 1596 and led for the prosecution of the Earl of Essex in 1601 and Sir Walter Raleigh in 1603.

On the succession of King James in 1603, he was knighted (along with about 800 others). He is said to have dreamed up a splendid scam: he advised all "men of estate" that it would be advisable for them to sue out a pardon from the new monarch and then charged them £5 a head for processing the document; he is said to have made £100,000 in this way but he was, in any event, by now enormously wealthy as a result of his hugely successful practice at the Bar. In 1606 he became Chief Justice of the Common Pleas and in 1613 Chief Justice of the King's Bench.

Now let me introduce the other main protagonist, Kings James himself. He was born in 1566 and so was 14 years younger than Coke. He was the son of Mary Queen of Scots and Henry Stuart, Lord Darnley, who had murdered Mary's secretary, David Riccio, in front of her eyes while she was pregnant and was in turn murdered by Mary's lover, the Earl of Bothwell. Mary was then forced to abdicate; James was crowned King of Scotland at the age of one and brought up in some isolation in Stirling Castle under a sadistic Puritan tutor called George Buchanan.

Notwithstanding this, James turned out rather well. First he was a considerable scholar and intellectual. He was probably the best educated and most intellectual person ever to have occupied the English throne. He was a true renaissance prince. The story is told of a visit by an English ambassador in 1574. His tutors invited him to select any chapter of the Bible upon which, reported the envoy, James: "Was able extempore to read a chapter of the Bible out of Latin into French and out of French into English so well that few men could have added anything to his translation." James was 8 years old.

In his teens, James became interested in poetry and gathered a number of poets at his Court. He wrote a work on it, "Rules to be observed and eschewed in Scottish poesie" (1584) and many poems of his own, including a number of sonnets and an epic on the Battle of

Lepanto. In the 1590s he also wrote two works of political philosophy, which are of direct relevance to my present theme, namely "the Trew Law of Free Monarchies" and the "Basilikon Doron". The latter was advice to his eldest son, Prince Henry, then aged 4, on how to be a king. The original circulation was restricted but when James became King of England he revised and republished it and it sold thousands of copies, becoming what one author has called "a renaissance best seller". The first part consists of high flown theories of kingship but the third contains lots of practical tips: in one he advises his son not to go to war unless he must, but, if he insists on leading his troops in battle, to choose a light suit of armour because that is much more convenient for the "away running".

James' philosophy of kingship can perhaps be summarised as follows: A king is given absolute power by God over his people and has to answer only to God; A king has a duty to reign justly and to protect his people like a father; A king will therefore respect the established law and custom, since this will make for stability and peace; Although the king will rule according to law and will obey the law himself, there are cases where he may interpret or mitigate the law, lest summum ius becomes summa injuria, where the law is "doubtsome or rigorous".

Those then were James' published views when he succeeded to the throne of England in 1603. The common lawyers and Coke were not of that view at all. They took the view that the common law, based as it was on statute, case law and custom and having settled regular procedures, was superior to the will of the King or the decree of his prerogative court, the Chancery. Moreover, law so conceived was independent of the Executive. The common law courts asserted this principle by issuing write of prohibition, certiorari and habeas corpus, which we know as the prerogative writs. These were employed to restrict the jurisdiction of other courts within what the common law Judges regarded as their proper limits.

So let us move on to 1610. Coke is Chief Justice of the Common Pleas and has already had several run-ins with the King over the scope of his powers and concerning the jurisdiction of the Court of Chancery. He recorded the following events as if in a diary. "Memorandum: that upon Thursday the twentieth of September in the eighth year of Kings James, I was sent for to attend the Lord Chancellor, Lord Treasurer, Lord Privy Seal and the Chancellor of the Duchy; there being present the Attorney, the Solicitor and the Recorder".

It appears from what he goes on say that 3 years earlier the King had made two proclamations, one prohibiting new building in and about London and the other prohibiting the making of starch from wheat. These proclamations were probably very sensible. London in those days was a rat infested, disease ridden, overcrowded fire-risk, and some degree of town planning was no doubt very sensible. Starch was apparently in great demand for starching collars and ruffs as worn by the gentry [SEE SLIDES] and a prohibition on making it from wheat was probably intended to keep the price of bread down. The House of Commons, however, had petitioned the King against these rulings, contending that they were "contrary to law and justice". Perhaps some commercial interests were at stake. The King had replied to Parliament that he would confer with his Privy Council and his Judges "and then do right to them".

Coke, however, was not the least bit concerned with the merits of the Proclamations. He was only concerned about the constitutional principle. He asked for time to confer with his brother Judges. At first the Lord Chancellor would have none of that. He clearly expected Coke to say that making proclamations of this kind was well within the Royal prerogative. If there wasn't a ready precedent, said the Lord Chancellor, "he would advise the Judges to maintain the power and prerogative of the King and to leave it to the King to order on it, according to his wis-

dom, and for the good of his subjects, or otherwise the King would be no more than the Duke of Venice … and all concluded that it should be necessary at that time to confirm the King's prerogative with our opinions, although that there were not any former precedent or authority in law". Coke, however dug in his heels and said that his preliminary view was that the King could not change any part of the common law, nor create any offence by his proclamation which was not an offence before, without Parliament - but all he was asking for was time to confer with his brother Judges. It was then pointed out to him that he had himself passed sentence in the Star Chamber in certain cases for contravening these very proclamations. Coke, however, stood firm and the Privy Council appointed a panel of four justices, Coke as Chief Justice of the Common Pleas, the Chief Justice of the Kings Bench, the Chief Baron of the Exchequer and Baron Altham to consider the question.

The next half page of Coke's Report contains his research notes. He manages to find what he claims to be statutory authority that the King could not create an offence by his prohibition or proclamation but could make infringement of an existing law worse by warning his subjects "of the peril of it," thus wisely avoiding saying that the King's proclamation had no force at all. His Report then says nothing about the discussion with the other Judges but simply records their conclusion thus: "In the same term it was resolved by the two Chief Justices, Chief Baron and Baron Altham, upon conference between the Lords of the Privy Council and them, that the King by his proclamation cannot create any offence which was not an offence before, for then he may alter the law of the land by his proclamation in a high point. The law of England is divided into three parts, common law, statute law and custom; but the King's proclamation is none of them … and it was resolved that the King had no prerogative, but that which the law of the land allows him." The Report concludes rather grandly that "after this resolution, no proclamation imposing fines and imprisonment was afterwards made etc". This last claim is disputed by Professor Maitland, who says that the King happily went on making proclamations which were enforced by the Privy Council in the Court of Star Chamber.

So that two page diary entry is the somewhat flimsy foundation of the notion that the power of the Executive is circumscibed by both common law and statute and subject to control by judicial review. So controversial and politically dangerous was it at the time, that Sir Edward Coke did not dare to include his report of the Case of Proclamations in any of his reports (11 volumes) published in his lifetime. It was among the papers confiscated by the King's officers when Coke lay dying in 1633, which papers were returned to his eldest son by Parliament at the beginning of the Civil War.

The Case of Proclamations is in Volume 12 of Coke's Reports, which was published in 1657 by Sir Edward Bulstrode and which contains, among a rag-bag of cases that Coke had probably not thought worthy of report, a number of highly contentious decisions and incidents involving the Royal prerogative which it would not have been safe or politic to make public during the reigns of James I or Charles I. So these fundamental principles of British constitutional law derive from a diary entry, recording not a judgment but a legal opinion, which was nearly destroyed and which did not see the light of day until 47 years after the event which it described.

Detained in a Mental Health Institution Rather Than Prison Following Sentencing

The Mental Health Act 1983 (the 1983 Act) provides powers for the Court to divert peopleduring trial or at the point of sentencing away from the criminal justice system to hospital for assessment and/or treatment for their condition. Alternatively, if a convicted (or remanded) prisoner becomes unwell or experiences a relapse in an existing condition while in prison custody, the 1983 Act also provides for the Secretary of State for Justice to direct that the prisoner be transferred to a secure hospital for treatment. The 1983 Act stipulates the criteria which must be met before the Secretary of State may authorise detention in a secure hospital -namely that on the recommendation of two psychiatrists, the prisoner is suffering of a mental disorder of a nature or degree that warrants hospital detention. Any such transfer does not alter the sentence of the Court, including where the sentence is mandatory life imprisonment for murder.At the point a prisoner who has been transferred to hospital responds positively to treatment and no longer meets the criteria for detention under the 1983 Act, he will return to prison to serve the remainder of their custodial sentence. In the case of a prisoner serving a life sentence, he will be eligible for release only where he has completed the minimum term set by the Court. He will only then be released if an independent Parole Board has assessed that it is no longer necessary for the protection of the public for the offender to remain confined.Where prisoners are transferred to hospital for treatment under the 1983 Act, they are most likely to be subject to a restriction order. This means that certain decisions about the management of that patient, for instance decisions over leave and transfer, are subject to the consent of the Secretary of State. This function exists to ensure public protection is upheld.

Open Justice During Lockdown

Open justice. "The words express a principle at the heart of our system of justice and vital to the rule of law, open justice lets in the light and allows the public to scrutinise the workings of the law, for better or for worse," or as Toulson LJ put it "the open justice principle is not a mere procedural rule. It is a fundamental common law principle." The Coronavirus pandemic poses unprecedented challenges for courts in the UK and across the globe. Unfamiliar technology is being rolled out at speed, of necessity, to prevent justice systems grinding to a halt during lockdown. In many countries, journalists are no longer able to attend court hearings in person, or there are strict limits to the numbers of journalists and members of the public who can do so. Virtual attendance at hearings is working smoothly in some quarters, non-existent in others, and often somewhere in between, with reports of journalists being bumped off Skype connections and audio stopping part-way through a hearing. Access to core documents, such as Skeleton Arguments, may be problematic as journalists routinely obtain them when physically present at a hearing by asking counsel for a copy, and such informal approaches are much more difficult in the online environment. Doughty Street Chambers' media law team has a long and pproud history of acting in pioneering open justice cases at every level. We consider it imperative that the vital open justice principle does not get sidelined or undermined by the sudden changes to our justice system required given this public health emergency. As journalist Catherine Baksi has put it, "when the doors of the court are closed, open justice and scrutiny by the press become even Today we are launching a blog series focused on open justice during the lockdown. Over the coming weeks we will examine how the open justice principle is faring in courts across the UK, and our members with expertise in other jurisdictions will provide comparative analysis. We hope this blog series will provide a platform to highlight concerns and to share examples of best practice.more important."

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.