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Kevin Artt Maze Prison Escapee Has Convictions Quashed

A man who escaped and fled to the US after being jailed for an IRA murder is to have his convictions quashed, the Court of Appeal has ruled. Judges held that some notes from police interviews where Kevin Artt confessed to killing Maze Prison deputy governor Albert Miles were re-written. Mr Miles was shot in front of his wife at their north Belfast home in 1978. Lord Justice Stephens said the statements were the "only evidence against" Mr Artt. "It follows that we consider that the fresh evidence might have led to a different result in the case, and we cannot regard the convictions as safe," he added.

Mr Artt, 61, was convicted of the murder in 1983 and sentenced to life imprisonment after his case formed part of Northern Ireland's first-ever "supergrass" trial. Later that year, he joined 37 other inmates involved in a mass IRA escape from the Maze - the biggest jailbreak in UK history. He fled to America, settling in California and establishing himself as a successful car salesman. In 1992 he was arrested on a passport violation, leading to the British authorities seeking his extradition. But following a protracted process, the US courts ruled against sending him back.

Two years ago, Mr Artt, who has remained on the US west coast ever since, resurrected an appeal he had lodged before the prison breakout. Alleged irregularities in an admission to the murder he made during police interviews in 1981 were central to the bid to clear his name. Those confessions were obtained following lengthy interrogation sessions involving a combination of ill-treatment, coercion, threats, and misleading promises, it was claimed. RUC officers were said to have confronted him with a co-accused and threatened he would "rot in jail", serving 30 years behind bars if he did not confess. Alternatively, Mr Artt's legal team contended, police pledged to speak up for him and help secure a shorter sentence if he showed "true remorse". Crucially, forensic tests were carried out on the original handwritten interview notes containing his admissions. Experts concluded that some of the police notes were not contemporaneous.

'Sense of unease'. The prosecution agreed that the trial judge may have doubted RUC evidence about what occurred during the interviews, if the forensic material had been available to him. On that basis, Lord Justice Stephens pointed out that any reduction in the reliability of the police officers might have led to Mr Artt being seen as more truthful. Quashing the convictions, he said: "In the absence of satisfactory explanations for the rewriting of interview notes, we have a significant sense of unease as to whether the judge's conclusion would have been the same if the issue had been explored before him, and therefore as to whether he would have admitted the statements in evidence." Following the verdict, his lawyer said Mr Artt had always maintained his innocence.

Fearghal Shiels, of Madden & Finucane Solicitors, said: "The statement which he signed implicating himself in the murder was the only evidence against him at trial. "That statement was wholly unreliable, and was the product of erroneous information fed to him by police officers throughout seven days of sustained interrogation in 1978 and 17 further interviews over five days in 1981." Mr Shiels added: "Scientific techniques which were not available at the time of his trial have shown that the interview notes which police witnesses told the trial judge were written contemporaneously in fact were not. "This is the latest in a number of appeals in this jurisdiction which highlight a depressing enthusiasm on the part of RUC officers to lie on oath to a court to secure a conviction of an innocent man at any cost."

Mohammed Zahir Khan Wins First Round In Challenge To Terrorism Law

Owen Bowcott, Guardian: A prisoner convicted of stirring up religious hatred has won the first round in his legal challenge to emergency legislation preventing early automatic release of terrorism offenders. Lawyers for Mohammed Zahir Khan, who is serving four-and-a-half years, are arguing that the Terrorist Offenders (Restriction of Early Release) Act, which only became law in February, discriminates against Muslims. In a high court hearing conducted over remote video links, Hugh Southey QC, representing Khan, said terrorist prisoners are being treated differently from other inmates and that the regulations breached his human rights.

The new rules, which require those convicted of terror offences to spend two-thirds of their term in jail before being considered for release, are directed against those holding "particular Islamic beliefs" and have a "disproportionate impact" on Muslims, the court was told. Under the previous regime, Khan would have been eligible for automatic release in February 2020. He is now due to be considered for release in November 2020.

On Tuesday 5th May 2020, Mr Justice Garnham ruled that Khan had an "arguable case" and that his claim should now be fully analysed at a trial. The challenge, he said, raised a matter of "some considerable" importance and public interest. "It needs to be dealt with quickly," he added. Khan, who is in his early 40s and originally from Birmingham, had been running a shop in Sunderland when he was arrested. He was sentenced at Newcastle crown court in May 2018 after being convicted of encouraging terrorism and stirring up religious hatred. He admitted encouraging acts of terror and inciting religious hatred via social media.

The terrorist offenders (restriction of early release) bill was introduced into parliament the day after a recently freed terror offender, Sudesh Amman, launched a knife attack in Streatham, south London. Just over three weeks later the bill became law. It was the second attack in the space of three months involving a recently released terrorist, following Usman Khan's killing of two people near London Bridge.

Hugh Southey QC, who led Khan's legal team, said the legislation amended an early release regime and extended the "requisite custodial period". It meant those convicted of terror offences could only be released on licence after a parole board had considered their case. Southey said the regulations were "unlawfully discriminatory" and breached rights enshrined in the European convention on human rights – the right to liberty and the right not to be held guilty of an offence which did not constitute an offence when it was committed. "According to the law in force at the time of sentence, he should be entitled to automatic early release at [the] halfway stage of his sentence," Southey said.

But Sir James Eadie QC, representing the justice secretary, Robert Buckland, said the challenge should be dismissed. The legislation was not discriminatory, he added. The new provisions applied equally to all terrorist offenders, regardless of "race, religion or otherwise". In a written submission to the court, Eadie argued: "The 2020 act pursues the legitimate aim of protecting the public from dangerous offenders, by ensuring that they are kept in custody for a longer proportion of the penalty part of their sentence. "Where a prisoner is considered by the Parole Board to continue to pose a risk to the public, they will not be released but instead will continue to be detained for the whole of the penalty part of their sentence, as originally imposed by the sentencing court." Sir James said parliament was entitled to conclude that terrorist offenders were "to be distinguished on the basis of immediate and significant risk materialising" and the "difficulties in identifying and managing this risk". A full trial of the issues is expected in the coming months.

Article 2 Duties to Investigate Government's Response to the Coroana Pandemic

Paul Bowen QC, UK Human Rights Blog: As we watch the Covid-19 pandemic unfold our attention is naturally on the steps that HM Government ('HMG') is taking to mitigate the immediate crisis. The time is approaching, however, when it will be necessary to evaluate HMG's preparation for, and response to, the pandemic. Calls are being made by the TUC and doctors' groups for a public inquiry into one aspect of its response, namely failures to procure adequate personal protective equipment ('PPE') for NHS staff, at least 100 of whom are believed to have died having contracted the virus while treating patients. HMG is accused of failing to respond to a national exercise in 2016 testing the UK's resilience to a similar flu pandemic which highlighted an increased need for ventilators. Other criticisms go further. This blog argues that the state owes a duty under Article 2 of the European Convention on Human Rights to investigate some deaths caused by Covid-19. This duty will require not only inquests into individual deaths but also a public inquiry under the Inquiries Act 2005 to address those systemic issues not suitable for determination by an inquest. The post builds on and responds to posts by Conall Mallory, James Rowbottom and Elizabeth Stubbins Banes. It also foreshadows the need for reform in this area.

When an Article 2 Investigative Duty Arises. An investigative duty arises when the state may be in breach of one its substantive duties under Article 2, whether its negative duty not to take life or one of its positive duties to protect life. These positive duties are four-fold: first, a primary duty to put in place a legislative and administrative framework designed to provide effective protection for the right to life (a 'law-making duty'); second, to have systems in place to safeguard against certain risks to life in settings where they are likely to eventuate (a 'systems duty'); third, a duty to provide information to individuals who are or may be at risk to their life (an 'information duty'); and, fourth, a duty to take operational measures to safeguard a specific individual or individuals against risks to their life which are 'real and immediate' and of which the authorities are, or ought to be, aware (an 'operational duty', first recognised by the European Court of Human Rights ('ECtHR') in Osman v United Kingdom, para 115). Positive duties of the fourth kind have been found to require a state to take steps to protect individuals from, among others, the criminal acts of third parties; environmental pollution; acts of self-harm; and the consequences of naturally occurring disease. A potential breach of one of these duties may not only trigger a duty to investigate but will also found a cause of action which, if established, will require a remedy under the Human Rights Act 1998 ('HRA').

These positive duties are far-reaching, although the courts have imposed restrictions on their application. First, an operational duty may only be owed to those who are particularly vulnerable or for whom the state has assumed responsibility, such as healthcare duties to prisoners and other detainees: Rabone v Pennine Care NHS Trust, (SC) [22-23]. Second, the ECtHR has excluded, apparently on policy grounds, any operational duty arising in two particular contexts: the training and deployment of volunteer servicemen and the provision of healthcare in ordinary healthcare settings. As to the first, although states owe a law-making duty and a systems duty to servicemen, no operational duty is owed to protect against risks to life which a soldier must expect as an incident of his ordinary military duties: Stoyanovi v Bulgaria, [59-61], Rabone, [24]; Smith v MOD (No 2), (SC) [72]. To similar effect, the ECtHR has excluded operational obligations arising in the context of the provision of healthcare, at least in ordinary settings, so that a death caused by 'mere' negligence will not constitute a breach of Article 2 (Powell v UK). A third limitation is the high threshold to establish a breach, namely that

the state has struck a disproportionate balance between the individual's rights and the wider interests of the community. In assessing whether there has been an unlawful breach the courts will accord the state a wide margin of appreciation (Smith v MOD (No 2), [61, 76]), although it is not necessary to show that the state has 'wilfully disregarded' its duties or acted with 'gross negligence' (Osman, [116]).

Whether an Article 2 Investigative Duty Arises In The Context of the Covid-19 pandemic. Notwithstanding these limitations, each of the four positive Article 2 duties are engaged in the context of the current crisis. HMG is under a law-making duty to all citizens to adopt an appropriate regulatory and administrative response to the pandemic. Decisions about, for example, whether, how and when to introduce lockdown and social distancing measures will engage this first duty. HMG and the NHS owe a systems duty which may require the procurement, in advance, of adequate medical supplies (such as ventilators) and PPE for NHS and other care staff. HMG will also be under a duty to inform the public, and particular categories of the public, of risks to life of which it is aware so that individuals may take steps to avoid or mitigate those risks. HMG, the NHS and other public bodies may also owe an operational duty to protect certain categories of employee and patient at risk of death from Covid-19, but this is likely to be limited to those for whom the state has assumed particular responsibility such as NHS employees, prison staff, prisoners and other detainees.

A failure to procure or provide adequate PPE could breach both the systems and the operational duty, in addition to being a breach of the statutory health and safety duties owed by all employers. In Brincat v Malta, for example, the Maltese authorities' failure to provide adequate protection to shipworkers exposed to asbestos, including adequate protective equipment (face masks), breached each of the states' law-making duty, its duty to inform and its operational duty under Article 2. Conall Mallory in his blog points to Smith v MOD (No 2) in which the Supreme Court found that a failure to procure adequate protective equipment for soldiers on active duty, though capable of breaching the positive duty under Article 2, did not do so in relation to training and procurement that was 'closely linked to the exercise of political judgment and issues of policy' (per Lord Hope at [76]). He suggests that the same approach would exclude the application of Article 2 to procurement decisions relating to PPE for NHS staff. I would be cautious in reading across from the decision in Smith to the present context.

The ECtHR has limited the positive Article 2 duties owed to servicemen who have voluntarily assumed risks to life. It has not done so in relation to doctors and nurses employed by the NHS who cannot be said to have voluntarily assumed the risk of infection by Covid-19 due to inadequate PPE. I would therefore not exclude the application of the Article 2 duty even in relation to decisions about procurement that are 'closely linked to the exercise of political judgment and issues of policy'. Although a wide margin of appreciation would be adopted in assessing compliance, these are matters that properly fall within the courts' purview.

Threshold for triggering the Investigative Duty. In summary, HMG and other public bodies may owe a range of Article 2 positive duties. I do not suggest that there has, necessarily, been a breach of any of these duties. The purpose of the investigative duty is to establish whether those positive duties have been met. All that is required to trigger the investigative duty is an 'arguable' breach of one of the positive duties, i.e. one that is more than 'fanciful,' (R (Palmer) v. HM Coroner for the County of Worcestershire, (HC) [60]). That is a low threshold.

Discharging the Investigative Duty (1): the minimum requirements. The investigative duty required by Article 2 may vary according to the circumstances but must be 'effective', which

is 'not an obligation of result, but of means' (Ramsahai v Netherlands[GC], para 324). It must, first, be capable of meeting the purposes of the Article 2 investigation: to ensure that the full facts are brought to light; to establish whether there has been a breach of the state's positive duties; to identify those responsible; to enable lessons to be learned to prevent similar deaths in future; to alleviate public concern; and to provide the bereaved with an opportunity to understand how their relative has died and to have the satisfaction, at least, of knowing that lessons learned will make such deaths less likely in future: Öneryildiz v Turkey [GC], [94]; Amin, (HL) [31]. Second, it must meet certain minimum procedural requirements: the investigation must be commenced by the state, gather relevant evidence, be conducted by an independent body or individual with exemplary diligence and promptness, a sufficient element of public scrutiny and with effective involvement of a next-of-kin, which requires that families should be represented (and have public funding) at an Article 2 inquiry.

Discharging the Investigative Duty (2): the inquest. Where the Article 2 investigative obligation arises it is ordinarily discharged in England and Wales by the Coroner's inquest under the Coroners and Justice Act 2009. Not every Covid-19 related death will require an inquest, however. Covid-19 has been listed as a notifiable death under the Health Protection (Notification) Regulations 2010 which means it is notifiable to Public Health England as a 'notifiable disease'. Ordinarily, a death caused by a 'notifiable disease' would require an inquest, because by s 7(2)(c) of the 2009 Act such a death must be heard by a Coroner with a jury. However, s 30 of the Coronavirus Act 2020 has abrogated the requirement for a jury for deaths caused by Covid-19. The question arises, first, whether an inquest is required at all where death is caused by Covid-19 infection. The Chief Coroner has produced Guidance to Coroners in relation the Coronavirus Act in which he states (emphasis added):

It is worth restating here that although COVID-19 is a notifiable disease under the Health Protection (Notification) Regulations 2010 that does not mean a report of death to a coroner is required by virtue of its notifiable status (the notification is to Public Health England), and there will often be no reason for deaths caused by this disease to be referred to a coroner.

While the italicised passage is doubtless correct, so far as it goes, it is important to recognise that many Covid-19 related deaths will require an inquest. By s 1 and 6 of the 2009 Act a Coroner must conduct an inquest where they have reason to suspect that (among others) the deceased died an unnatural death or while in state detention. Any Covid-19 related death in prison or other form of state detention will require an inquest. Any other Covid-19 related death will require an inquest if it is an 'unnatural death', that is a 'wholly unexpected death, albeit from natural causes' which 'results from some culpable human failure': R (Touche) v Inner London North Coroner. This test would be satisfied in circumstances where there is an arguable Article 2 breach. Indeed, such an inquest would need to be wider in scope than an orthodox inquest, which is limited to answering the questions in s 5(1) of the 2009 Act of 'who the deceased was' and 'how, when and where [he or she] came by his or her death.' In an Article 2 inquest the Coroner must also determine the wider question of 'in what circumstances the deceased came by his or her death' (s 5(2)): Middleton (HL). Legal aid (by way of exceptional case funding) should also be available for the family for such an inquest.

Also important is the Coroner's power at the conclusion of an inquest to issue a Prevention of Future Death ('PFD') report under paragraph 7(1) of Schedule 5 of the 2009 Act to any person that may have power to take action to address an identified risk of similar future deaths. The addressee of a PFD is required to respond in writing. The PFD is 'an important means by which the state discharges its investigative obligations under Article 2': R (Lewis) v Mid and North Shropshire Coroner(CA), [39].

Discharging the Investigative Duty (3): Public inquiry. An inquest will not necessarily be sufficient to discharge the state's Article 2 investigative obligation in relation to its Covid-19 response, however. First, those Article 2 issues involving high level policy considerations such as the procurement of suitable protective equipment are not suitable for determination by an inquest. As Lord Phillips observed in R (Smith) v MOD (No 1), [81], 'An inquest can properly conclude that a soldier died because a flak jacket was pierced by a sniper's bullet. It does not seem to me, however, that it would be a satisfactory tribunal for investigating whether more effective flak jackets could and should have been supplied by the Ministry of Defence.' Second, an inquest can only examine single deaths or multiple fatalities arising from a single incident; it is unsuitable for determining systemic issues involving a large number of separate deaths with common features. Third, an inquest cannot determine Article 2 issues involving serious illness or injury but which do not cause death, of which there will be many more in the present context: JL v Justice Secretary (HL). A public inquiry will therefore be necessary under the Inquiries Act 2005. A failure by HMG to commission such an inquiry will itself be susceptible to judicial review (as in e.g. R (Litvinenko) v Secretary of State for the Home Department).

Post-Script. The Covid-19 crisis presents an excellent example of the limitations of the current system for the investigation of multiple deaths involving potential systemic failures. Inquests may not be suitable for determining some of the systemic issues; on the other hand, public inquiries can be costly and immensely time-consuming and do not enjoy some of the benefits of the inquest process, such as the use of juries. The scope for reform of the system to allow the streamlining of the various investigative strands – inquest, criminal investigation, public inquiry, civil proceedings – is currently under consideration by a JUSTICE Working Party, 'When things go wrong', chaired by Sir Robert Owen and of which the author is a member, which is due to report later this year. Paul Bowen QC Brick Court Chambers

Dying Surrounded by Family 'A Fundamental Right' Says UK Judge

Owen Bowcott, Guardian: Court of protection ruling may have immediate effect for relatives deterred from comforting terminally ill. Being allowed to die surrounded by your nearest relatives is a fundamental part "of any right to private or family life", a senior judge has ruled. Delivered in the middle of the coronavirus crisis, the court of protection ruling could have an immediate effect at a time when families have been deterred from saying goodbye to people dying in care homes and hospitals due to fears over spreading the infection. In her judgment, in a case involving a terminally ill woman who has since died, Mrs Justice Lieven said: "The ability to die with one's family and loved ones seems to me to be one of the most fundamental parts of any right to private or family life … It would seem to me self-evident that such a decision by the state that prevents someone with a terminal disease from living with their family, must require a particularly high degree of justification." The case was brought earlier this year by the daughter of the elderly woman, who had been living in a care home for almost 10 years. The woman was diagnosed with advanced terminal ovarian cancer and admitted to hospital in January. She later returned to her care home.

The court of protection deals with cases where individuals are not able to represent their own interests. After the daughter applied to the court for her mother to be allowed to move in with her, the local authority argued that no immediate order should be made for leaving the home, and asked for further assessments. But the judge ruled that the woman, who cannot be identified, should be able to "spend her last days with her family". In her decision, Lieven said she had started with the "basic proposition that most people would strongly wish to die with 3

It was not clear if any of the other residents at the home had Covid-19, and it was not said whether the woman had the virus, but this was a possibility, the judge said, "given some accounts of her current symptoms". That was important, the judge added, because the judgment was "solely" about what was in the woman's best interests "in circumstances where she had terminal cancer and her family wanted her to die at home with them". In a postscript to the judgment, Lieven said that the woman died two days after she moved to live with her family. "I do not know what she died of and whether she had, indeed, contracted Covid-19," she said. In a statement after the judgment was published, the woman's daughter said: "Although I am very distressed at the loss of my mother, it gives me some comfort to know that she could see the family at the end of her life. She was surrounded by our love when she died. I should not have had to fight so hard for this basic human right."

Video Hearings "More Likely to Lead to Convictions"

Nick Hilborne, Legal Futures: Video hearings in certain criminal cases are more likely to lead to defendants receiving a prison sentence, a major study has found. It also highlighted the difficulties defence advocates have in building trust with clients and doing their job effectively from a remote location. There were positives too: video hearings were "generally shorter", the "general demeanour" of defendants was not affected and video links worked successfully at the first attempt in almost 90% of cases.

The pre-lockdown research by Surrey University is particularly timely with the Covid-19 pandemic likely to accelerate the use of remote hearings across the justice system. Commissioned by the Sussex police and crime commissioner Katy Bourne, it was based on 631 observations of first appearance remand hearings and 46 interviews with professionals and former defendants. The research's focus was on the effectiveness of a booking tool which has been developed under the Video Enabled Justice programme funded by the Home Office.

The tool is a web-based software program that books appointments for first appearance remand hearings in situations where defendants were arrested, denied bail, and had their court hearing conducted via secure video link whilst remaining in police custody. Following its implementation into courtrooms, the booking tool was used to establish the video links between the remote locations and police custody.

Five police force areas have been using video technology, with over 8,000 video remand hearings taking place in Kent, Suffolk and Norfolk since June 2018, and Sussex and Surrey coming on stream last month. Sussex police have also installed 'safe consultation video booths', which defendants can use for the video hearings and also remote consultations with their lawyers. The report found the booking tool had "relatively modest, positive effects" on the listing process. The absence of the defendant from the courtroom contributed to a "perception that control of the listing process had shifted away from legal advisers/the judiciary", but video hearings were "generally shorter" than those carried out face-to-face.

Some form of punishment was handed out in 41% of hearings; 48% of video hearings led to a custodial sentence (before the listing tool was introduced, 46% afterwards), compared to 20% of those in the primary comparator group of defendants who had been arrested, denied police bail and transported from police custody to court. By contrast, fines, community orders and other costs orders were more frequently recorded in non-video hearings.

Defendants in video court were less likely to have legal representation than those in non-video hearings. The booking tool flags a case as ready to proceed regardless of representation. Where lawyers were involved, video hearings caused them difficulties; their attempts to speak with

clients during hearings decreased, the research found. It said: "Video court made it more challenging for defence advocates and other court professionals to assess defendant demeanour and also more difficult for defence advocates to build rapport with their clients.

"The loss of courtroom formalities (eg, standing to address the court) could exacerbate the sense of distancing experienced. These issues were reported by both courtroom professionals and former defendants." Video court also reduced opportunities for "informal conversations" between lawyers and could make communication feel "disjointed".

The research continued: "Communication was more challenging when defence advocates appeared from remote locations, although such appearances already occur in just under one-third of all video court hearings. "Studies of video-conferencing applications in business settings indicate that communicative competence using these systems grows with experience." There was also a concern that appearing over the video link could make defence advocates less effective, particularly in relation to bail applications. "Difficulties with communication limited the ability of advocates appearing from remote locations to discuss the details of cases with those in the courtroom as part of pre-hearing conversations."

There were a number of complaints that video hearings were "impersonal", with two former defendants making references to the "caging of animals", and one saying "they treat you a bit more like a human being" in court, where they could see their family in the public gallery. Video links to court were successfully established at the first attempt in 88% of hearings. The report found that communication was "more challenging" when defence advocates appeared from remote locations.

The research said: "Although participants saw limited direct benefits for their roles, most recognised the broader role that video technology could play in the criminal justice system, particularly with respect to the giving of evidence over video link during trials. "Reservations about the increased use of video centred around the importance of having a properly resourced system." Professor Nigel Fielding, lead author of the report, said: "Our report provides valuable insights on video-enabled justice for the court service and court users just as the Covid-19 pandemic seems poised to lead to a dramatic rise in the use of technology and other innovations to ensure the effective continued administration of justice." He said courts would now be using existing audio-visual equipment on a 'whatever is to hand' basis, with many courts having "relatively basic" equipment and "very few courts being equipped with booking software".

Application for Reduction in Tariff Succeeds - 14 Years Reduced to 12 Years 10 Months

1. On the 6th June 2012, at the Central Criminal Court, the Applicant was ordered to be detained during Her Majesty's Pleasure for the murder of Yemurai Kanyangarara on the 1st July 2011. The minimum term was set at 14 years, less 335 days spent on remand. He now applies for a reduction in his tariff pursuant to the decision of the House of Lords in R (Smith) v Secretary of State for the Home Department [2005] UKHL 51.

2. There are three possible grounds on which a tariff may be reduced: 1. The prisoner has made exceptional progress during his sentence, resulting in a significant alteration in his maturity and attitude since the commission of the offence; 2. There is a risk to the prisoner's continued development that cannot be significantly mitigated or reduced in the custodial environment; 3. There is a new matter which calls into question the basis of the original decision to set the tariff at a particular level.

3. So far as exceptional progress is concerned, the "Criteria for Reduction of Tariff in respect of HMP Detainees", produced by the National Offender Management Service on behalf of the Secretary of State, state that it may be indicative of exceptional progress if a prisoner demon-

strates: 1. "An exemplary work and disciplinary record in prison; 2. Genuine remorse and accepted an appropriate level of responsibility for the part played in the offence; 3. The ability to build and maintain successful relationships with fellow prisoners and prison staff; 4. Successful engagement in work (including offending behaviour/offence-related courses)."

4. The document says that, ideally, there should be evidence of these factors being sustained over a lengthy period and in more than one prison, and that it is not to be assumed that the presence of one or all of these factors will be conclusive of exceptional progress having been made in any individual case. Whether the necessary progress has been made will be a matter to be determined taking into account the specific factors in each case. In addition, "To reach the threshold of exceptional progress there would also need to be some extra element to show that the detainee had assumed responsibility and shown himself to be trustworthy when given such responsibility. Such characteristics may well be demonstrated by the detainee having done good works for the benefit of others." Examples given are acting as a Listener, helping disabled people, raising money for charity and helping to deter young people from crime. Ideally, it is said, there would need to be evidence of sustained involvement in more than one prison over a lengthy period.

5. The Applicant was 15 years old at the time of the offence. His victim was 16 years old. The Applicant inflicted a single stab wound to Yemurai's neck which severed an artery whilst he was standing in the street in the late afternoon. Co-accused Isaac Walters was convicted of Yemurai's manslaughter. The judge said he was satisfied that the Applicant and Walters had both been carrying knives on the bus journey they took to the scene of the crime. He said that the motive may have been because of rivalry between schools or revenge for an attack that the Applicant had suffered some days earlier. However, there was no suggestion that Yemurai had been involved in either the rivalry or the earlier attack. The judge had a family impact statement from Yemurai's mother for whom his death was a tragedy. It will of course continue to be a tragedy for his family.

6. The Applicant had pleaded guilty to manslaughter on the first day of his trial. The jury rejected his explanation that he had not intended to kill Yemurai or cause him really serious harm. The judge sentenced him on the basis of an intention to cause really serious harm. He said that he took into account the contents of a pre-sentence report which included reference to the Applicant's remorse at what he had done and to his intention to use his time in custody constructively. Walters was sentenced to 8 and a half years' detention.

7. The pre-sentence report was dated 31st May 2012. It explained that the Applicant had previously committed offences including robbery and assaulting a police officer. Whilst on remand at Cookham Wood YOI, he had had a total of 24 adjudications. He had been excluded from attending education at Cookham Wood because of his behaviour towards teaching staff.

8. Between 2011 and 2015, he was the subject of over 70 adjudications for conduct including assault, fighting, disobeying orders and being in possession of unauthorised property.

9. After this unpromising start, the Applicant has subsequently applied himself more diligently to available opportunities. In 2015, he had obtained a Level 1 certificate in IT User Skills. He completed a course called "Resolve", a cognitive behavioural intervention that aims to reduce the risk of violence. He attended all 22 group sessions. He appeared to have developed insight into his behaviour and risk factors. He successfully completed 3 days training in leadership. He had received credits towards a qualification in mentoring. In 2015 and 2017 he had received credits towards a qualification in Business and Enterprise. In 2016, he successfully completed 3 days Conflict Practitioner Training. He had attended a "Facing up to conflict" distance learning course in 2017. He completed a PIPE programme – a Psychologically

Informed Planned Environment course. Offenders commit to a minimum of 6 months during which they reside on the PIPE wing. It offers prisoners who have successfully completed offending behaviour programmes an opportunity to consolidate the skills they have acquired. A PIPE progress report dated 16th March 2017 says that the Applicant has made substantial progress. In 2018 he had received credits towards a qualification in Graphic Design. He had completed the Shannon Trust Reading Plan Mentor Training. He had received an appreciation certificate from the Shannon Trust in December 2018 for making an outstanding contribution to the Shannon Trust Reading Plan. He had attended "Restore", a course in victim awareness and restorative justice. In 2019 he had received further credits towards the same programme. He had received a certificate of achievement from the Open University in recognition of outstanding support given to others who were completing distance learning courses.

10. There are a number of references from staff at Highpoint Prison. In a letter dated 18th January 2018, the head of Reducing Reoffending at Highpoint says this: "I can very safely say that watching this young man develop to the person he is today has been one of the most rewarding experiences of my 30 year prison service career…I am honestly of the opinion that when Osman arrived at Highpoint, he was still a young boy. All we have done at Highpoint is to give him opportunities and support and he has grown into a young man before our eyes."

11. Officer Bridgewater says [in an undated letter] that he has been the Applicant's personal officer for over a year since he has been in Unit 7 at Highpoint Prison. [He arrived there in November 2017.] The Applicant is polite and friendly, very dedicated to his work as an orderly, completing his work to the highest standards. He has recently been approved to study business with the Open University. He spoke about his life and progress in prison to a group of visitors from BT Open Reach. He presents as remorseful and repentant for the events that led him to prison.

12. Officer Jackson has been the Applicant's keyworker for nearly a year. He describes him [in an undated latter] as mature, sensible, polite and remorseful about his past. He works as an orderly which is a trusted and respected position. He takes pride in helping other prisoners. He has come a long way since he began in custody and has matured considerably.

13. Barbara Adshead from the Education Department at Highpoint explains [in an undated letter] that in 2018, the Applicant completed an access course which will be the foundation for a business degree with the Open University. She says that he always takes his studies very seriously and describes him as a mature, hard-working individual who is keen to progress.

14. Keiran Manners is a community practitioner who has worked with the Equality Department at Highpoint since 2010. He has worked with the Applicant since early 2018 and says that he has been one of Highpoint's most outstanding prisoner equality champions in that period. The Equality Department has been working with the Applicant to develop a Young Person Orderly position to support younger prisoners. The Applicant had put himself forward for this new role. [He has since taken it up.]

15. In a Sentence Planning and Review report dated 8th February 2019, it is said that the Applicant's custodial behaviour has totally transformed and he is now an engaging and reflective individual who interacts well with staff at all levels and with his peers. He is said to be embracing every chance he is offered at Highpoint so as to ensure he is the best person he can be. Attention is drawn to all the voluntary work he has undertaken. He has trained and worked as a restorative mediator and has been working alongside Governors to develop and implement a project to deal with conflict amongst prisoners.

16. Coral Woodard is the Curriculum Manager at Highpoint. She had first met the Applicant in 2012 when he was on remand. The Applicant was transferred to Highpoint in May 2017.

In a letter dated 11th February 2019, she says that not only has he made significant academic progress, but he now demonstrates "a high degree of maturity and exemplary conduct". She attended a speech that he gave to visitors in which he spoke about his life. She says that between 2012 and 2019 he has shown continued personal and academic progress in excess of the majority of learners she has worked with.

17. In a Tariff Assessment Report dated 28th March 2019, the Applicant's external Probation Officer says that there has been a significant positive change in the Applicant's maturity, attitude, motivation and personal insight, together with genuine remorse for his offence. It is said that he has made exceptional progress whilst in custody. The feedback from courses he has attended has been very positive in nature.

18. In a Tariff Assessment Report, dated 23rd April 2019, it is said that the Applicant has demonstrated significant change in maturity and outlook since his offence in 2011. He first achieved enhanced status in 2015. He has received a range of positive comments and 2 internal Amends Awards for his work in prison. He has been employed as an orderly since March 2018 which is a trusted position. Since November 2017, he has been a resident on Unit 7 at Highpoint where the emphasis is on rehabilitation and self-management. There are lower levels of staff supervision and support. He has settled and progressed there. Since 2015, his behaviour has improved considerably. He has been proactive in seeking opportunities to develop educationally. He has complied fully with his sentence plan to address his offending behaviour and risk levels. He has undertaken victim awareness work. His expressions of regret and remorse appear genuine. Since April 2019 he has been in a new position of orderly for young people. He makes full use of his time and is keen to assist other prisoners. He is a trained mediator in conflict resolution and uses his skills to diffuse potential issues between prisoners. He is a volunteer for the Shannon Trust and supports other prisoners who are learning to read and write. The author of the report thinks that he has demonstrated exceptional progress whilst in custody.

19. An OASys assessment is dated 23rd April 2019. Although his history had been problematic, it is said that there has been a huge improvement in his behaviour and motivation. His behaviour has improved to the extent where he regularly receives positive reports. One entry records that he alerted staff when a member of the teaching staff fainted.

20. Officer Leaman says in a letter dated 24th April 2019 that, "During the past 2 years I have seen Osman develop and grow into a mature individual. He is an advocate for the rehabilitative culture and has been a huge influence among the community. Osman has a keen interest in helping others and has been a mentor for others using his own past experiences to help them. The one thing that stands out for me is the remorse Osman displays through his everyday life. He continues to work hard in order to create a more positive future for himself and others. He is well respected by his peers and staff alike."

21. In a letter dated 10th May 2019, the Residential Governor at Highpoint says that it is clear that the Applicant has made excellent progress and has contributed in a significant way to the Decency agenda at the prison. He has worked closely with Equalities and has contributed to help young prisoners settle in. The Governor has been extremely impressed with the Applicant's work and speaks highly of his attitude and work ethic.

22. In a letter dated 23rd May 2019, the Governing Governor says that it has been a real pleasure to see the Applicant grow into the young man he is today. He is liked and well known across the prison as a man who has taken the opportunities given to him and used the experience to better himself. The Applicant's development has been seen as a real success,

and his desire to serve his sentence in a different way has enabled them to work with other people who want to adopt the same philosophy.

23. Another letter dated 24th May 2019 acknowledges the effort that the Applicant has put in to Highpoint's mediation scheme. He has been involved in many cases, most of which have resulted in a peaceful resolution.

24. Markus Luther is a boxing coach at a gym in Tooting Bec. The Applicant has provided him with written statements and photocopied diary entries which Mr Luther has been able to deploy in the contacts that he has with young people. In an undated letter, Mr Markus says that he has found the material useful and is grateful for the assistance which the Applicant has given.

25. Applicant raised £240 as part of a marathon charity run and £1250 for a hospice charity.

26. In a statement of his own dated 17th September 2019, the Applicant explains that he has worked as a Gardens Orderly, Employability Orderly and an Amends Orderly. As Employability Orderly, he was the liaison between staff and prisoners and outside employers. He engaged with employers and spoke about why they should give prisoners a chance. He is now the Young Persons Orderly. He is the first person to undertake that role. He sees each new young prisoner after they have arrived and speaks to them about the progress he has made in custody. He is a buddy mentor for a prisoner who has struggled. He has also trained as a Listener for Samaritans, qualifying in July 2019. He has just finished his first year of a Business Management degree with the Open University. He concludes by saying that he cannot erase the mistakes that he has made but that he can change the person who he is.

27. In a subsequent statement (undated but received in March 2020 by solicitors), the Applicant records that he gained four more internal Amends Awards in October and November 2019 for extra responsibilities he had taken on and further contributions he had made. He is waiting to start a youth work training programme.

28. Solicitors acting for the Applicant have obtained a psychological assessment from Dr Caroline Friendship, dated 17th September 2019. She saw the Applicant twice in June 2019. From the material she has reviewed and from her interviews with him, she concludes that the Applicant has made exceptional and unforeseen progress and that there is evidence of a significant alteration in his maturity and outlook since the commission of the offence. In her opinion, if the Applicant did not receive a reduction in his tariff, his progress and motivation might stagnate.

29. The Applicant's solicitors have made representations on his behalf. They have obtained some new material, much of which I have referred to, and they have highlighted elements in previously obtained documentation. I have taken account of all the points they make.

30.In the light of all the information put before me, it does seem to me that the Applicant can properly be said to have made exceptional progress which has resulted in a significant change to his attitudes and maturity since the offence was committed. I do not think that without a reduction his progress and motivation might stagnate. In my judgment, the changes that have taken place are genuine and well-embedded and not dependent upon any reduction I may make. However, he does meet the criteria for exceptional progress. Above all, he is an example to others and he influences the behaviour of others to the good. Accordingly, I reduce his tariff period by 14 months, ie to 12 years and 10 months, less 335 days spent on remand.

31. It should be clearly understood that this reduction does not mean that he will be released after the expiry of the reduced period. He will not be released unless and until the Parole Board concludes that it is safe to do so. However, the Parole Board will be able to make that assessment earlier than was previously the case.

Courts Should Consider Coronavirus Emergency When Sentencing, Rules CoA

Samuel March, UK Human Rights Blog: On 30 April 2019, giving the lead judgment in the Court of Appeal, the Lord Chief Justice considered that the impact of a custodial sentence is likely to be heavier during the coronavirus pandemic than it would otherwise be, and that this was a factor that judges and magistrates can and should keep in mind when sentencing. The offender in this case had entered a guilty plea to four counts of sexual activity with a child, contrary to s.9(1) of the Sexual Offences Act 2003 (counts 1 to 4 below), and to one count of Causing or inciting a child to engage in sexual activity, contrary to s.10(1) (count 5 below). At the relevant times the victim was fifteen and the offender was 47. The offender met the victim through playing darts together, but their friendship turned sexual when he: kissed the victim four of five times at social club; kissed and touched her breast at a second meeting; kissed her and placed her hand on his penis, over his clothing on a third meeting; as above on a fourth meeting; and incited her to take engage in penetrative sexual activity, which did not take place.

On 24 February 2020, in the Crown Court at Bristol, he was sentenced to a suspended sentence order of 12 months' imprisonment, suspended for 24 months as well as a tagged curfew requirement between 9pm and 6pm, a rehabilitation order of 30 days, a sexual harm prevention order for seven years and a restraining order preventing him from contacting the victim or her family for five years. He was also required to pay £7,500 in compensation and £1,200 in costs. The Solicitor General considered the sentence to be unduly lenient and appealed, under s.36 of the Criminal Justice Act 1988, for leave to refer it to the Court of Appeal. On appeal, the Court applied the sentencing guidelines, taking into consideration usual factors such as the offender's guilty plea, his previous good character, his disabilities, naivety and immaturity. The Lord Chief Justice concluded that the starting point in this case should have been in the region of 30 months' imprisonment, discounted to 2 years on account of the offender's guilty plea. The sentence was therefore unduly lenient in terms of length.

However the most interesting issue in this case was whether the sentence would remain a suspended sentence. The court had regard to the usual guideline on the imposition of community and custodial sentences, and again took into account usual factors. It weighed the risk that he posed to the public against his strong mitigation, his prospects of rehabilitation, his compliance with the requirements and his commitment to addressing his offending behaviour. What made this case stand out was the passage where the Lord Chief Justice turned his mind to the present crisis. At [41] he said: "We would mention one other factor of relevance. We are hearing this Reference at the end of April 2020, when the nation remains in lock-down as a result of the Covid-19 emergency. The impact of that emergency on prisons is well-known. […] The current conditions in prisons represent a factor which can properly be taken into account in deciding whether to suspend a sentence. In accordance with established principles, any court will take into account the likely impact of a custodial sentence upon an offender and, where appropriate, upon others as well. Judges and magistrates can, therefore, and in our judgment should, keep in mind that the impact of a custodial sentence is likely to be heavier during the current emergency than it would otherwise be".

Also at [41], examples of the increased impact of a custodial sentence during the crisis were given, in particular the fact that, "Those in custody are, for example, confined to their cells for much longer periods than would otherwise be the case – currently, 23 hours a day. They are unable to receive visits. Both they and their families are likely to be anxious about the risk of the transmission of Covid-19". In light of this, the court allowed the Solicitor General's application only to the extent that it substituted for the custodial term of 12 months, a custodial term of 24 months. The sentence, however, remained suspended and all other orders were unaffected.

The impact of the COVID-19 virus on the UK's prison population has been widely reported in recent weeks. Last month, The Howard League for Penal Reform and the Prison Reform Trust released Public Health England documents which warned that the worst case scenario for the prison system could see 3,500 deaths from the virus. Some insight into the situation inside the UK's prisons is found in the personal account given by an anonymised inmate to the New Statesman on 2 May 2020. He explains how communal showers, laundry procedures, the need for exercise, and healthcare facilities limit the true meaning of social distancing. Also on 2 May 2020, writing for The Lancet World Report, Talha Burki reported that prisons internationally are "in no way equipped" to deal with COVID-19. At the time that report went to press, COVID-19 had already been detected in the majority of UK prisons and at least 15 prisoners and four members of staff have died after being infected. Burki further reported that UK prisons are running at 107% capacity. Whilst the government has pledged to release 4,000 prisoners to alleviate the risk of COVID-19 transmission, the Prison Governors Association reportedly estimates that 15,000 inmates (almost a fifth of the prison population) would have to be let out if prisoners were to not share cells. Considering the crowded, unsanitary conditions faced by many prisoners, the Court of Appeal's decision is likely to be welcome news to those seeking to keep prison populations down and slow the spread of the virus amongst prison staff and inmates.

Justice Systems Must Help Children Overcome Fear and Trauma, Not Make Them Worse

Council of Europe: Every year, thousands of children across Council of Europe member states are involved in judicial proceedings. Whether a victim of crime or in conflict with the law, they are often vulnerable and in need of protection: in other words, they need justice systems to be "child-friendly". Promoting child-friendly restorative justice and exchanging best practices in this area has been one of the priorities of the Georgian Presidency of the Council of Europe.

On Tuesday 12th May 2020, the Council of Europe published a set of statements and resources on restorative justice and participation of children in judicial proceedings that were meant to be presented at a high-level conference in Strasbourg cancelled due to the COVID 19 health crisis in Europe. The crisis and particularly the introduction of broad confinement measures in an effort to save lives were mentioned by Council of Europe Secretary General Marija Pejčinović Burić in her welcome message. "However, confinement can leave children locked in with their abusers, with little opportunity to raise the alarm", she warned. "These children must have a place to go with access to professionals who can help them to piece their lives back together". The difficulties in accessing justice is not something new, Secretary General Burić underlined. "Victims may experience fear, shame and feel that they are among the least likely groups to be heard or have their views taken into account during judicial processes," she stated. "Our justice systems must help them to overcome the trauma, not compound it."

In her statement Thea Tsulukiani, Vice Prime Minister and Minister of Justice of Georgia presented the Georgian national experience with restorative justice for children in conflict with law since the launch of reforms several years ago. "Breaking away with the zero-tolerance in the juvenile justice system highlighting criminal sanctions and massive use of detention rather than non-custodial alternatives, prevalent in Georgia before 2012, was the single biggest challenge that we encountered." The Juvenile Justice Code adopted in 2015 introduced an entirely new philosophy for children in conflict with the law, where non-custodial measures were made a default and criminal sanction the exception, the Minister said. "We are making maximum use of diversion and mediation for children and young people under the Code whereby juveniles are dealt with without resorting to judi-

cial proceedings or trial with human rights and legal safeguards respected", she stated. "It is an encouragement offered to young people in conflict with the law to return to law-abiding life without punishment nor conviction, in exchange for voluntary participation in the programmes tailored to their needs, with the involvement of an independent and neutral person – a mediator," the Minister explained, stressing that as of 2019, only 9% of juveniles previously involved in diversion/mediation programs committed crime again.The creation of a Child Referral Mechanism and Referral Centre for juveniles in January 2020, and the introduction of "micro prisons" (family-type establishments), with the first two to be operational by the end of 2021, are examples of the holistic approach to child-friendly justice, Minister Tsulukiani said.

Korostelev v. Russia - Refusal to Let Prisoner Observe His Muslim Faith Violation of Article 9

The applicant, Anton Korostelev, is a Russian national who was born in 1987 and is detained in penal colony IK-18 in the settlement of Kharp (Yamalo-Nenetskiy Region, Russia). The case concerned his complaint about a violation of his religious rights after he had been reprimanded for praying during the prison's obligatory night-time sleeping period. Mr Korostelev was sentenced to life imprisonment in June 2009.

He is a practising Muslim and believes that it is his religious duty to perform acts of worship at least five times a day, including night-time. In July 2012 and May 2013, while being held in remand prison no. 1 in the town of Syktyvkar, Republic of Kami ("IZ-1"), prison guards observed him saying prayers in the early hours. They ordered him to return to his sleeping place, but he refused. The guards reported him to the prison governor for failing to observe the prison's daily schedule, which stated that a prisoner had to sleep at night between 10 p.m. and 6 a.m. After looking into the matter, including statements by the applicant, the governor in August 2012 and May 2013 formally reprimanded him for a breach of the Pre-trial Detention Act.

The applicant appealed to the Syktyvkar Town Court, which dismissed his appeal in November 2012. The court found that his conduct - absence from his sleeping place at the time set for uninterrupted night-time sleep - had violated the daily prison schedule and the legislative rules on prison discipline. The Supreme Court of the Republic of Kami dismissed an appeal by him in February 2013. The applicant also submitted that he had been reprimanded in IK-18 in March 2018 for an act of worship performed during the daytime. The applicant complained about the disciplinary proceedings under, in particular, Article 9 (freedom of thought, conscience, and religion). Violation of Article 9 Just satisfaction: EUR 2,600 (non-pecuniary damage) and EUR 2,000 (costs and expenses).

Sadiq Khan Warns of Coronavirus Crime Rise if Poverty Not Tackled

Vikram Dodd, Guardian: The poverty and hopelessness that fuel violence have worsened during the coronavirus lockdown and offending will increase unless the government finds more money to thwart a crime rise, Sadiq Khan has said. The mayor of London has demanded the prime minister spearhead efforts to stop a rise in offending that police around the country have raised fears about as relaxed lockdown restrictions allow more people back on to the streets. Khan said there was a "proven link" between rising poverty, increasing deprivation, increasing mental health problems and rises in serious violence. In a letter to Boris Johnson seen by the Guardian, he says deepening poverty caused by the economic damage from the virus may result in rises in crime: "We should be under no illusion that the underlying causes of violence have gone away," he wrote. "I am deeply concerned that many could be made far worse by the current crisis and its economic consequences, and that with our police service more stretched than ever, violence could resurface as soon as lockdown is eased."

Khan said young people had been hard hit, with their mental health suffering after they lost diversionary activities and the ability to see their friends and youth workers during the lockdown. "We know that the most vulnerable young people have struggled to access the same level or quality of interaction with education and youth services that they have previously relied on. I have also seen data which shows that these disproportionalities are even wider for the most deprived households," he added. "This is deeply concerning given the proven link between serious violence and deprivation, poor mental health and poverty."

Figures from the Metropolitan police, which covers London, show that since 12 March there have been huge falls in crime compared with the same time last year. Total offences in the biggest police force area in the UK are down 32%, burglary has fallen 38%, robbery is down by 48%, theft is 56% down and violence with injury has fallen by 25%. Khan said Johnson should invest more money in things for the young to do, especially if the lockdown was eased more as the long school summer holidays started. He wrote: "It is therefore essential that the government gives the strongest consideration to young people in its lockdown exit strategy. Otherwise, there is the serious risk of a return to previous levels of violence in London and in other major cities across the UK."

Government Not Doing Enough to Prevent Crimes Committed on Probation

The government and probation service are not doing enough to learn from mistakes that led to serious crimes being committed by offenders under supervision, including murder, rape and other violent offences, inspectors have said in a critical report. Her Majesty's Inspectorate of Probation (HMIP) said serious further offence reviews could help prevent further tragedies from happening in the future. An SFO review is triggered when an offender is charged with the most serious crimes, such as murder, manslaughter, rape, child sexual abuse, while being supervised in the community by the probation service. There have been a number of high-profile SFOs dealt with in the last year, including the case of serial rapist Joseph McCann and the London Bridge terrorist Usman Khan, who both committed serious further offences while under probation supervision. About 500 people are charged with SFOs each year. But inspectors found a fifth of SFO reviews failed to give a clear judgment as to whether all reasonable steps had been taken to manage the risk of serious harm. Justin Russell, the chief inspector of probation, said: "At a national level, more needs to be done to identify trends and themes to drive changes to probation policies and guidance. Until this work is done, the government and probation services are not doing enough to learn from past mistakes. Lessons must be learned to prevent more tragedies in the future."

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.