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MOJUK: Newsletter 'Inside Out' No 827 (30/12/2020) - Cost £1

John Bowden Prisons and Probation Ombudsman Has No Teeth

John Bowden. Former Prisoner: The recent admission by Sue McAllister, the Prisons and Probation Ombudsman, that her organisation had "no teeth" and that the prison authorities were free to ignore her recommendations and operate with absolutely no accountability exposes the true nature and reality of a prison system that in its treatment of prisoners is answerable to no one. Despite increasing deaths in prison custody (282 in the last 12 months), McAllister says that her far-reaching recommendations in this regard are routinely ignored and the growing volume of prisoners' complaints regarding prison officer behaviour is also disregarded by those administering the prison system.

What this reveals is an apparatus of prison repression answerable to no one but those administering that repression and an institutional reality wherein prisoners are at the complete mercy of those enforcing their captivity. The truth is that what determines and influences the treatment of prisoners is not irrelevant state created bodies like the Prisons and Probation Ombudsman or the Chief Inspector of Prisons, but the actual relationship of power between prisoners and prison guards within jails themselves. This indeed became evident during the sixties, seventies and eighties, especially in maximum-security long-term jails, when prisoners self-organised and collectively empowered themselves through protests, strikes and demonstrations, and significantly changed the balance of power within those jails and achieved a fundamental and progressive improvement in regimes. The support of outside groups like the Preservation of the Rights of Prisoners (PROP) and Radical Alternative to Prisons (RAP) provided a more comprehensive prison abolitionist context to the struggle of prisoners and political consciousness to their solidarity.

What became very evident during this time was that the real dynamic of progressive and radical change in prisons existed in the struggle and solidarity of prisoners themselves and through that struggle a fundamental shift in the balance and relationship of power between prisoners and those enforcing their imprisonment, the guards. Unfortunately, the generational and cultural change in the prison population, a reflection of the more sweeping social and political change in society generally with the defeat of the organised working class, has virtually eradicated any semblance of prisoner solidarity and concentrated institutional power back in the hands of those with the keys. Nevertheless, it is a reality that remains susceptible to progressive change, and the emergence of movements like Black Lives Matter and prison abolitionist groups like the Prisoner Support Network will hopefully re-create a genesis of progressive struggle on both sides of the prison wall.

Justice for Farieissia Martin Murder Conviction Overturned

Kyran Kanda, Justice Gap: Appeal judges yesterday (Thursday 16th December 2020), quashed the murder conviction of a woman who killed her abusive former partner. In 2015, Fariessia Martin was sentenced to 13 years imprisonment after stabbing to death her ex-partner and the father of her children, Kyle Farrell, using a kitchen knife. During Martin's original trial it emerged that she was a victim of domestic abuse, suffering sexual, psychological and physical abuse at the hands of Farrell.

Martin's lawyer, Clare Wade QC, presented new evidence to the Court of Appeal, which was not available at the original trial, that Martin was suffering from PTSD at the time of the murder. As such, Martin argued the partial defences of diminished responsibility and loss of self-control. Lady Justice Carr quashed Martin's conviction and ordered a re-trial. This means Martin's case will be heard again at trial by a new jury who will consider the new evidence. The Court's full judgment is currently subject to a restriction order.

Martin, who is now 27, has been unable to see her two young children owing to Covid-19 restrictions placed on all prisoners and has been forced to isolate in her cell for 23.5 hours a day. Martin's solicitor, Harriet Wistrich, said: 'We are delighted that [Ms Martin's] conviction has been quashed and look forward to putting all the new evidence in support of her defence before a new court.'

Daniel Hegarty: Soldier B Loses Legal Challenge Against Murder Charge

BBC News: A former soldier has lost a legal challenge against being prosecuted for the murder of a teenage boy in Londonderry 48 years ago. The ex-serviceman claimed the decision to charge him over the killing of Daniel Hegarty put him at heightened risk of sudden death due to ill health. But his challenge was rejected by Court of Appeal judges on Thursday. Lord Justice Treacy said to accept it could give potential immunity for any suspect with a medical complaint. "If correct, a serial killer or rapist could not lawfully be prosecuted if the medical evidence established that a decision to prosecute would expose him to that risk," he said. Fifteen-year-old Daniel was shot twice in the head during an Army operation in Creggan in July 1972. In April 2019, the Public Prosecution Service (PPS) announced that the military veteran, referred to as Soldier B, was to be charged with his murder. He is further accused of intentionally wounding Daniel's cousin Christopher Hegarty, then aged 17, in the same incident.

The shootings happened during Operation Motorman, when British troops were deployed in Derry at the height of the Troubles to clear so-called no-go areas. In 2011, an inquest jury unanimously found Daniel posed no risk and had been shot without warning. A decision was taken not to prosecute Soldier B in 2016. But, in May 2018, the High Court quashed that determination following legal action by the Hegarty family. The director of public prosecutions for Northern Ireland, Stephen Herron, then carried out a review of the case before announcing charges would be brought. Lawyers representing the former soldier sought a judicial review of those decisions, claiming they violated Article 2 of the European Convention on Human Rights. Reporting restrictions imposed earlier in the case were lifted to enable publication of full details of the challenge.

It was claimed that prosecutors failed to take Soldier B's health into account. However, Lord Justice Treacy, sitting with Mr Justice O'Hara and Sir John Gillen, found that the director had carefully considered his condition. Medical reports indicated the consequences of the decision to prosecute Soldier B would be more frequent chest pain and an "unquantifiable" increased risk of sudden death. A doctor noted that no-one could predict when the deterioration in heart failure may occur, the court heard. Describing the challenge as "bold", Lord Justice Treacy said, if successful, prosecutors could be inundated with medical reports from suspects trying to persuade them that they should not face trial. Proceedings might also be hit by delays, endangering confidence in the criminal justice system, he said. "If the argument of the applicant were accepted it would confer de facto immunity on any suspect with a medical condition capable of similarly increasing risk, consequential upon higher levels of stress resulting from a decision to prosecute. "Furthermore, if the applicant's contention was right, the increase in the risk of death arising from the prosecution could as a matter of principle be deployed more than once." Dismissing the challenge, the judge concluded: "The system of safeguards and protections is sufficient to satisfy the obligations of the state under Article 2."

New Guidelines on Disclosure and Criminal Procedure Investigations

Failure to disclose material promptly has led to the collapse of a number of trials and has impacted on the public's confidence in the administration of the criminal justice system. The disclosure of unused material in criminal cases remains a crucial part of ensuring a fair trial takes place and is essential in avoiding miscarriages of justice. It is a priority for this Government to continue to encourage improvements in the disclosure process and to achieve permanent change. It is essential that we ensure there are fair trials for all and that we increase confidence in the criminal justice system.

Proposed Changes: In November 2018, the Government published a Review of the Efficiency and Effectiveness of Disclosure in the Criminal Justice System(opens in a new tab), which made a set of recommendations to improve disclosure performance and to address the key challenges of modern disclosure practice. The Review recommended that the Attorney General's Guidelines on Disclosure required an update in order to truly reflect the challenges of today's disclosure regime.

The Guidelines provide a set of high-level principles on the disclosure of unused material in criminal cases, aimed at assisting investigators, prosecutors and defence practitioners in England and Wales apply the disclosure regime contained in the CPIA Code of Practice. The changes seek to provide a better representation of the challenges the modern-day investigator, prosecutor and defence practitioner faces. The updated Guidelines address the need for culture change, earlier performance of disclosure obligations, the use of technology and balancing the right to privacy with the right to a fair trial.

This is an opportunity to take a crucial step in the disclosure process, both to deal with issues that have been a long-standing concern and to provide practitioners with the tools they need to handle their disclosure obligations effectively. Following the successful Parliamentary passage of the Statutory Instrument in relation to the Code of Practice, I can now confirm that both the Guidelines and the Code will be effective from 31st December 2020. The Lord Chancellor and I thank all of those who have engaged with us during the process and we are grateful for the role that they have played in recognising the complex challenges that affect the proper performance of the duty of disclosure." Government Statement, 17th December 2020. These Guidlines will be legally effective from 31st December 2020. Download the full Guidence: https://is.gd/0RAJWM

Press Coverage of Domestic Violence 'Seriously Inadequate', Warns Press Watchdog

Noah Robinson, Justice Gap: Reporting of cases of fatal domestic abuse was 'seriously inadequate' and often sought to justify the actions of perpetrators, according to the media reform group Hacked Off. A new report calls for the press standards code to be bolstered through the introduction of an enforceable clause to improve the quality of coverage. In 2018, the anti-domestic violence campaigners Level Up highlighted misreporting and drafted guidelines to 'support journalists' to cover fatal domestic abuse cases. Despite the Independent Press Standards Organisation (IPSO) agreeing to publish the guidelines, Hacked Off pointed out that they had not been enshrined in the Editor's Code of Practice and claimed the press watchdog 'consistently' failed to uphold 'the standards it claims to enforce'. The new code clause is backed by White Ribbon, Refuge, Centre for Women's Justice, and WISH.

Recent figures for domestic abuse reveal a 7% increase in domestic abuse-related offences, compared to the same period (March to June) in 2019. With rising media coverage on domestic abuse, the report illustrates how existing reporting 'guidelines have been

ignored'. For example, the report describes how domestic abuse was 'justified' in several stories about the alleged murder of an elderly woman in April due to the 'stress of lockdown'. Hacked Off highlighted the Mail Online's story about 'retired painter and decorator, 71, struggling with lockdown stabbed wife to death then killed himself in latest coronavirus killings'.

The report describeed how this headline took 'accountability away from the perpetrator' and gave 'little indication of the reality of these events'. Level Up Campaign Director, Janely Starling warned how research shows that 'reports of domestic homicides that reinforce a narrative of romantic "love" can lead to lighter sentencing in court'. Anthea Sully, chief executive of White Ribbon, said that 'press reporting that promotes myths around fatal domestic abuse demeans victims and… puts people in danger'. Refuge warned that unethical reporting can lead society to 'dismiss warning signs'.

What's Really Behind Boris Johnson's Review of the Human Rights Act

Nicholas Reed Langen, Justice Gap: Human rights are ultimately about what governments cannot do to their citizens. This is why every government, regardless of its political stripe, nearly always eventually ends up stymied by them during its term in office. Provided rights are properly protected by the courts, they serve to erect an impassable barrier before the government, forcing it to either plot another, likely more arduous, route to its goal, or to abandon the goal entirely. Given this, any review of human rights legislation should be focused on how effectively the legislation is protecting individuals' rights. Is it properly constraining executive overreach, or is it a paper tiger, promising much but delivering little?

Curiously, this does not appear to be the focus of the government's Independent Review of the Human Rights Act, launched this week by Robert Buckland, the Lord Chancellor. Instead, Number 10 seems more concerned with evaluating the 'relationship between the UK's domestic courts and the European Court of Human Rights', as well as resolving the question of 'whether domestic courts are being unduly drawn into areas of policy', and, presumably, therefore trespassing upon the rightful territory of the executive and Parliament.

For anyone who has paid the barest of attention to the behaviour of Johnson's government, such a focus can come as little surprise. This is a government that views human rights as a mere inconvenience, and the lawyers and judges who uphold them as enemies to be bludgeoned aside. Since the Conservatives won the general election in 2019, they have sought to strip Shamima Begum of her citizenship (foisting her on Bangladesh instead), have tried to prevent asylum seekers from claiming refuge in the UK, and have initiated a review into the courts and judicial review, hoping, if not expecting, recommendations on how the power of the courts can be curbed.

What links such attacks is that they focus on the 'other', making it seem as though the judiciary are invested in upholding the rights of immigrants, criminals and other perceived undesirables, rather than the rights of 'real' Britons. The rhetoric of ministers like Priti Patel, the Home Secretary, and Robert Buckland, the Lord Chancellor, consistently decries 'activist' and 'lefty' lawyers, framing the issue as though they are illegitimately interfering in government policy, gumming up the works through clever legal tricks, rather than upholding rights granted, and legislation enacted, by Parliament.

Through this, the public's hostility towards human rights, the Human Rights Act, and ultimately, the European Convention on Human Rights (ECHR) grows. Much like the undermining of the European Union that led to the referendum result in 2016, the attacks on the ECHR degrade and delegitimise it, making Britons feel as though it protects the interests of everyone but them, and so weakening their attachment to the rights that it protects. Unlike most other member states to the ECHR, the UK population tends to view the rights enshrined within it as 'European' rather

than national, with this remoteness meaning that there is little attachment to the rights. Almost inevitably, this means that if, or when, the government seeks to repeal the Human Rights Act, even if it remains a signatory to the ECHR, it will be celebrated as another part of our liberation from Europe, rather than mourned as another nail in the coffin of Britain's liberal democracy.

Ironically, much as the UK had particularly favourable membership terms in the EU, the government does reasonably well under the UK's human rights legislation. Unlike other European states, such as Germany, where the courts can strike down legislation that is incompatible with human rights, the Blair government's desire to preserve parliamentary sovereignty meant that the UK courts were given no such power. Instead, the HRA provides for two remedies. The first, section 3, obliges the courts to interpret legislation in line with human rights 'so far as it is possible to do so'. The second, section 4, allows the courts to grant a 'declaration of incompatibility', notifying the government that the legislation fails to uphold rights.

For the most part, the courts have sought to use s.3 as a remedy, not unreasonably concluding that the wording of the legislation gives them significant scope to interpret legislation, even if stopping short of allowing them to rewrite it. This enables them to defend rights while still ensuring the legislation's broader purpose is fulfilled, and even if Parliament may disagree with how the courts have interpreted the statute in question. For instance, in 2004, the House of Lords found that legislation intended to protect bereaved spouses could be extended to those in same-sex partnerships- a significant, albeit necessary, expansion of the text's meaning. But this power is not an unchecked one. While governments and MPs may bemoan the courts' willingness to involve themselves, ostensibly, in policy, the government retains the power to correct the courts' interpretation, if it considers it to be wrong. All that would be necessary would be for the legislation in question to be amended, asserting more clearly the outcome desired by Parliament. Yet the government has never chosen to grasp this nettle, preferring to accept the interpretations of the courts and fulminate from the sidelines rather than assert its legislative supremacy.

The case has been similar for s.4, which imposes few real consequences on the government should it refuse to abide by a declaration of incompatibility. Instead, it is mere convention – something that this government has had little trouble disregarding – which obliges the executive to take steps to remedy the violation, something which, until recently, it has always done. Prisoner voting was the first time the government failed to meaningfully engage with a s.4 declaration, with both the ECtHR and the UK's domestic courts finding the absolute ban on prisoner voting violated the ECHR. Yet while David Cameron, then prime minister, said the thought of prisoners voting made him 'physically sick', meagre steps were eventually taken to remedy the violation, with the Council of Europe, the body ultimately responsible for enforcing the decisions of the ECtHR, proclaiming itself satisfied with the UK's response.

More recently, however, the government has begun to sail closer to the wind, refusing to hold an inquiry into the death of Pat Finucane, the Northern Irish lawyer, despite the Supreme Court finding last year that the inquiry held by Cameron's government failed to meet human rights' standard. While no formal declaration under s.4 was made by the Supreme Court, Lord Kerr made it clear in his judgment that the Court expected the government to take steps to remedy the failure to properly investigate the state's role in Finucane's murder.

By refusing to hold an inquiry, Johnson's government shows that they are well aware that ultimately, the courts cannot force it to take action, and this sets an alarming precedent. Once the government sees that it can disregard judgments of the Supreme Court with little consequence, the force of the Court's judgments, particularly where they are out of step with public opinion,

diminishes. Should the Supreme Court, for instance, rule that Shamima Begum be returned to the UK, or that the government cannot strip her of her citizenship, will Johnson decide that more can be gained politically by refusing to abide by the decision than by respecting it?

It is in this context that the review of the Human Rights Act should be seen. Some solace can be drawn from the fact that much of the panel appears to be independent-minded, with Sir Peter Gross, a former lord justice of the Court of Appeal, unlikely to want to sully his reputation by giving the government the cover it needs to eviscerate rights. However, there are also figures, like Sir Stephen Laws, who are more sceptical of the judicial role, and the panel should be wary of their trying to push an agenda that suits the government's desires. But there is no genuine motivation from the government to determine whether rights are being adequately upheld, just a cynical attempt to give themselves cover for any reforms of the HRA that they may propose. Much like the Independent Review into Administrative Law, the ultimate aim of the Review is the expansion of unaccountable state power.

Lawyers for Belturbet Bombing Victims Call for UK Government Transparency

Irish Legal News: KRW Law argue that there was collusion between the UK State and loyalist paramilitaries in the planning and operation of the detonation of the bomb which killed the 15-year-old Geraldine O'Reilly and 16-year-oldPaddy Stanley on the 28th December 1972, and that there were serious investigative failings by the authorities in the decades following the bombing. Families of two victims of the Belturbet bombing have called for transparency from the UK government in the wake of a new documentary about the 1972 atrocity. The families of victim Geraldine and Paddy took part in an RTÉ documentary about the bombing which was broadcast south of the border on Monday 14th December 2020.

Liam Diver of KRW said: "It is unacceptable for families of the victims to be told they have to wait until 2057 before release of documents and information which would help provide closure to them. This unjustified denial of access to justice creates the context for families to resort to litigation. It is equally appalling to learn that the UK Secretary of State Brandon Lewis could dismiss such legal actions as 'vexatious'. The families of Geraldine O'Reilly and Paddy Stanley, like so many others, will continue to use whatever legal or other remedies are available to them to fight for answers. It is equally regrettable that the state has tried to sidestep its legal and moral obligation to provide answers by asserting that cases involving State-loyalist collusion in the Republic of Ireland should be issued in Dublin and not in Belfast."

Families of the victims and survivors of the 1974 Dublin and Monaghan bombings are in the middle of an ongoing High Court battle challenging the UK government's argument that Belfast is not the correct jurisdiction to take these cases. Mr Diver said: "Absolutely nothing has been done by gardaí in the last four decades to help these families get the necessary closure they need. Effectively all such families have been badly let down by both the British and Irish authorities. Just how badly they have been let down will be exposed in the course of all pending High Court litigation."

'Out of Step': Trump Rush to Carry Out Executions Sharply at Odds With US Trends

Joanna Walters, Guardian: Donald Trump is not only provoking fury among opponents in his race to complete a spate of federal executions in his last weeks in office. He is also rushing in the opposite direction from states across the US, which are increasingly rejecting the death penalty – as is the American public. While a majority of US states maintain the death penalty, and a majority of the public still supports it, the numbers of prisoners being killed and the amount of public support for exe-

cutions continues to shrink, while the numbers of states giving up the penalty is increasing, fast. Ngozi Ndulue, senior director of research and special projects at the Death Penalty Information Center (DPIC), in Washington, DC, described the Trump administration's hasty series of executions since the summer "a spree" that is "breathtaking". "The federal government has shown itself to be out of step with the states and out of step with history," she told the Guardian.

More Americans now oppose the death penalty than at any point in more than half a century, according to a Gallup survey published last month. A majority of Americans still favor executions for criminals convicted of murder, but the share, 55%, is at its lowest point since 1972, when 50% said they supported the practice. But the president and his attorney general, Bill Barr, revived federal executions last summer, after they had basically been on hold for 17 years, and are now rushing prisoners to the execution chamber. "We have to bring back the death penalty. They have to pay the ultimate price. They can't do this. They can't do this to our country," Donald Trump has said.

Five executions were scheduled between last Thursday and Trump leaving the White House on 20 January, making a total of 13 federal executions since July and cementing Trump's legacy as the most prolific execution president in over 130 years. On Friday, the Trump administration put to death the second man in two days. "I think the way to stop the death penalty is to repeal the death penalty," Barr said. "But if you ask juries to impose and juries impose it, then it should be carried out." In the past 10 years, 10 states have either abolished the death penalty or declared a moratorium on executions. "The death penalty cannot be, and never has been, administered equitably in the state of Colorado," Governor Jared Polis said after outlawing capital punishment in the state in March.

Colorado's move followed similar action in New Hampshire in 2019, Washington state in 2018 and, also since 2010, Delaware, Maryland, Connecticut and Illinois, while governors in California, Pennsylvania and Oregon declared a moratorium on executions, in a rush of action that means a total of 22 states and the District of Columbia now eschew the death penalty. Next year, the Virginia legislature will consider legislation to repeal it there.

It that passes, it would mark a dramatic transformation for Virginia, which would advance from what the Washington Post called the state's "dubious honor of being the first and most lethal executioner in the nation". It recorded an official execution by gunshot for treason in the Jamestown Colony in 1608 and since then has officially put to death more of its citizens than states such as Texas, Oklahoma and Florida that have been much more prolific executioners in the modern era.

Meanwhile, states that have the death penalty are using it less. Texas, which has been the overwhelming modern powerhouse of US executions, put to death three prisoners this year. At its peak the state executed 40 people in 2000. In its 2019 annual report the DPIC said 22 prisoners were killed by just seven states that year – a dramatic decline from the peak of 98 executions in 1999 and the lowest number since 20 were put to death three years before. She pointed out that there were three federal executions between 1988 and 2019, a period covering both Republican and Democratic administrations. "There is no precedent in the 20th or the 21st centuries" for either the volume of federal executions this year or the persistence in a transition period from one president to another, Ndulue said. And of the 25 states that maintain capital punishment, Ndulue said that "less than 2% of jurisdictions are responsible for more than half of the death sentences and executions" in the modern era. About a dozen states that issue the death penalty haven't executed anyone in at least a decade.

There are many factors encouraging states to leave capital punishment to the past. States that have abolished the death penalty in the 21st century have not seen a corresponding rise in murders. And over the length of a case, capital punishment is more expensive, in dollars, than life imprisonment. The federal death penalty has also long been used disproportionately against people of color. Murders where the victim was white are vastly more likely to involve execution, according to the DPIC. "The way that the death penalty is allocated in the US is inextricable from our legacy of racial injustice," Ndulue said. And the risks of putting the innocent to death are acute.

The DPIC cites exonerations that have happened to people even after decades on death row. In recent years, botched lethal injections in several places and fierce rows about the ethics of supplying the chemicals used in the cocktails for such executions, and shortages of the chemicals, have helped to erode public support. Finally, the spate of federal executions in 2020, which brings gatherings of officials, families, lawyers and media, has already increased the spread of coronavirus. And four of the five people on the execution list in December and January are Black Americans in a year of national protest over systemic racism. Ndulue called it an "execution at all costs" strategy by Trump that she found, in a word, "astounding".

Edinburgh Man Has 'Mouth Punch' Culpable Homicide Appeal Upheld

Scottish Lgal News: The High Court of Justiciary has allowed an appeal by an Edinburgh man against his conviction for culpable homicide after he argued that the trial judge had misdirected the jury in relation to the definition of the offence. David Ditchburn was convicted of four charges in May 2019, including an offence of culpable homicide. Both the trial judge and the Crown conceded that the directions complained of were misdirections in law. The details of the relevant charge were that in August 2018 the appellant assaulted the victim, John Ashwood, at a flat on Brunswick Road, Edinburgh, and struck him on the head to his severe injury. He did this while on bail, having been granted bail in July 2018. At the trial, evidence was given by a third man who had been in the flat that the appellant and the deceased had been involved in an argument, and that the appellant had punched the deceased on the side of his head. After the attack, the deceased slumped off his seat and fell to the floor with blood coming from his mouth. An ambulance was called for shortly after.

The appellant, who described his conduct as "a wee slap" rather than a punch, accepted that he caused the injury to the deceased's mouth but stated he was acting in defence of his friend and did not intend to cause any serious injury. The jury heard medical evidence to the effect that the complications of blunt force mouth injury were just one element in a multi-factorial death. In her directions to the jury, the trial judge gave the standard directions on culpable homicide from the jury manual as well as directions on the requirements to establish assault and the issue of self-defence. She also said that the jury would need to be satisfied that the appellant's act must have been "intentional or reckless and grossly careless". It was submitted for the appellant that there had been no reference to recklessness or gross carelessness during the trial, and that the topic had only been introduced in the judge's charge. In the whole context of the case, the jury could only convict on the basis of an assault causing death, something which would necessarily involve deliberate conduct on the part of the appellant. This misdirection was material and productive of a miscarriage of justice. The Crown accepted that the reference to recklessness was inappropriate, but the issue for the jury was clearly one of deliberate accident and this was reflected in the indictment. In the whole circumstances of the case, there was therefore no miscarriage of justice.

The opinion of the court was delivered by Lord Malcolm. He began: "Causing death by reckless conduct, as opposed to an assault, is a separate crime, with a distinct mens rea. That crime was not charged. As noted above, the judge repeatedly linked the crime of assault with recklessness and gross carelessness." He continued: "Those directions could have caused the jury to convict even

though satisfied that the appellant did not assault the deceased; or that he acted in defence of the other man, but nonetheless behaved recklessly or with gross carelessness. The judge introduced and by repetition emphasised a new route to conviction which was outwith the terms of the libel, was not in issue at the trial, and was not mentioned during either the Crown or defence speeches to the jury."

For these reasons, the appeal was upheld, and a new sentence imposed limited to the appellant's remaining convictions on the other charges. A Crown motion seeking authority for a fresh prosecution in respect of the disputed charge was granted. In a postscript emphasising the importance of tailoring charges to the circumstances of the trial, Lord Malcolm noted: "The [jury] manual is no more than a first port of call providing a useful checklist of points for judges to bear in mind. In the present case the trial judge lifted the directions complained of more or less verbatim from the manual at chapter 43, where, in the then current version, the focus was upon distinguishing murder and culpable homicide." He concluded: "The crime of culpable homicide can occur in a wide variety of circumstances, including, as in this case, when a relatively minor assault contributes to a death. In Green and Other v HMA (2019) it was observed that, while the manual directions may be correct as a generality, they are not apt for a death brought about by an assault."

Urgent Notice Issued Over UK Youth Jail - Children Held In Solitary Confinement

Jamie Grierson . Guardian: Inspectors have taken emergency action over the "bleak regime" at a privately run prison for children, after calls to halt the detention of the young inmates in near solitary confinement were ignored. Three inspectorates have issued a rare "urgent notification" to the justice secretary, Robert Buckland, over the continued poor care and leadership at Rainsbrook secure training centre (STC) near Rugby, run by MTC. It is the first time the power has been used since July 2019, and the first time in relation to STCs, which hold 12- to 18-year-olds. The urgent notification requires Buckland to set out how he will address the concerns within 28 days.

During an October inspection, Ofsted, HM Inspectorate of Prisons (HMIP), and the Care Quality Commission (CQC) found that, owing to Covid-19 health guidelines, newly admitted children – some as young as 15 – were being locked in their bedrooms for 14 days, and allowed out for only 30 minutes a day. The inspectors said despite assurances that immediate action would be taken, a further monitoring visit in December found little progress had been made. Ministers said they have stopped sending children to Rainsbrook while urgent action was taken.

Amanda Spielman, Ofsted's chief inspector, said: "Rainsbrook was warned that its treatment of newly admitted children was unacceptable, yet these concerns have been ignored. Some of the most vulnerable children are being locked up for days on end, with little thought about their safety or wellbeing. Leaders and government must act now to address this." In a letter to Buckland, the inspectors said they uncovered a spartan regime where "children were given little encouragement to get up in the mornings or have any meaningful engagement with staff".

The findings included: Five recently admitted children independently told inspectors they had been locked into their bedrooms for substantial periods of time. One boy was placed on an "incorrect management plan" because of miscommunications about his medical vulnerabilities. Between 26 November and 10 December, this child spent only four hours out of his room in total. Although education work packs were issued to children confined to their rooms, record-keeping was poor and there was no evidence that children's education entitlement was being met.

Buckland was told in the urgent notification letter that the findings "provide little confidence in the centre's capacity to improve the care, wellbeing and safety of children". The justice

minister, Lucy Frazer, said: "These findings are incredibly concerning and disappointing, particularly as MTC gave repeated assurances that they would act on previous warnings. We have immediately stopped placing young people at Rainsbrook and have appointed additional, experienced management staff to oversee the swift and thorough improvements we are demanding." MTC said: "We recognise there is more work to do to improve the centre and we do accept more should have been done during this challenging period. We understand what changes we need to make to ensure this does not happen again."

Police Five Times More Likely to Use Force On Black People

Zaki Sarraf, Justice Gap: The police are five times more likely to use force on black people in England and Wales, according to the latest statistics from the Home Office. In the year ending 31 March 2020, the number of incidents rose by over 60,000 to 492,000 recorded incidents whereby a police officer used force. The statistics on the police's rate of force, when broken down by ethnicity is stark. The police are more than five times more likely to use force on individuals perceived as being from a black ethnic group compared to white and more than eight times more likely to use tasers on those identified as black. Tasers were used in 32,000 incidents, a 37% increase on last year—though they were not discharged in most cases, the police discharged tasers at least 3,248 times. Earlier this year the Independent Office for Police Conduct (IOPC) called for 'greater scrutiny' of the use of tasers after there were concerns on the 'disproportionate' use on Black people and those with mental health problems Sam Grant, the head of Policy and Campaigns at Liberty told the Guardian that the statistics were 'the latest evidence, as if it were needed, that emphasising aggressive and confrontational policing tactics will only worsen the racist over-policing of people of colour. It's clear that a new approach is needed to keep communities safe which doesn't rely on yet more coercive policing'. The official Home Office statistics can be found here.

Court Applications to Prevent Domestic Violence Up 26%

Monidipa Fouzder, Law Gazzette: The Law Society has renewed calls for non-means tested legal aid to be made available to domestic abuse victims after government statistics revealed a record number of family court applications. Statistics published by the Ministry of Justice 17th December 2020, show a steep increase in the number of domestic violence remedy order applications between July and September. Family courts can grant non-molestation and occupation orders to prevent domestic violence. Between July and September, 9,944 applications were made for a remedy order – up 26% on the same period last year and the highest quarterly number of applications since the statistical reports began. Non-molestation orders accounted for 82% of applications – a 27% rise on last year. Occupation orders have risen by 22%. The courts made 10,505 domestic violence orders between July and September, up 18% from last year.

The report says: 'The lockdown situation as a result of the covid-19 pandemic brought warnings about an increase in domestic violence, with victims having less opportunity to leave abusive partners. The recent increased trend supports this assertion. Longer term, police forces have been using a power to release alleged perpetrators without bail conditions, referred to as 'released under investigation', since 2017. This is a possible driving factor behind the rise in domestic violence remedy cases, as victims seek protective orders through the courts. The publicity regarding the Domestic Abuse Bill (draft published January 2019 and completed

in the Commons stages July 2020) may have also impacted levels.'

Solicitor Jenny Beck, co-founder of family practice Beck Fitzgerald, said the latest statistics reflect what lawyers are seeing at the coalface. 'There was a huge increase in domestic abuse under lockdown and a massive spike in the need for protection orders, but the statistics hide the more worrying reality that many more women and families needed protection orders without being able to access legal aid to get the protection they need,' she said. Law Society president David Greene said the steep rise in applications was 'deeply disturbing'. He added: 'The Covid-19 lockdown is without doubt a dangerous time for domestic abuse victims and now, more than ever, we must ensure they are able to access help and support. Making non-means tested legal aid available for domestic abuse cases would give victims the legal support and access to justice they so desperately need'.

Holding Back the Tide: The Courts and Climate Change

Nicholas Reed Langen, Justice Gap: Last week a London coroner's court made history, finding that air pollution was a direct cause in the death of a nine-year-old girl, Ella Adoo-Kissi-Debrah. Rather than treating it as an unfortunate addendum, as deaths brought about by pollution have previously been, it was listed as a factor in Ella's death as crucial as her acute respiratory failure and severe asthma. This decision emphasises how the climate change debate has moved on, with the harm done to us and the planet by toxic emissions now indisputable. The evidence points one way alone. But decisions like this, welcome though they are, are not enough- they must be a precursor to more dramatic action from governments and international bodies.

Ella grew up in Lewisham, a London suburb, with her family's house bordering on the South Circular Road, a major thoroughfare across south London. It was their proximity to this road that caused Ella's death in 2013, with the air pollution constantly exceeding legal limits between 2006 and 2010, exacerbating her asthma and forcing her to hospital almost 30 times in the three years before she died. No one, especially those living in advanced nations with stringent regulatory standards, should be forced to hospital because of the environment they live in, yet this is what Ella faced, and what others continue to face. Elsewhere in London, Oxford Street continues to surge past its annual nitrogen dioxide limits in the first few months of each year, and in France, the EU is taking France to court once more for the dismal state of Paris' air.

The decision of Philip Barlow, the presiding coroner at Southwark Coroner's Court, may be the first coronial decision in the world to link a death with air pollution, but it is consistent with global judicial trends. Judicial decisions increasingly reflect the scale of the climate emergency, holding governments to account on environmental harms. In the Urgenda case last year, the Dutch Supreme Court found that the Netherlands government has a legally enforceable obligation to reduce emissions, ordering it to cut carbon emissions by 25% by the end of 2020. Across the Atlantic, the Superior Court of Justice in Canada has allowed a case brought by youth activists challenging Ontario's climate targets to proceed; while the European Court of Human Rights (ECtHR) has fast-tracked a case brought by a group of young Portuguese, who argue that the developing climate emergency violates their right to life and fails to respect their private lives, breaching Articles 2 and 8 of the Convention respectively. As well as prioritising the case, the ECtHR took the rare step of asking to plaintiffs' to extend their submissions, and put forward argument on how their Article 3 rights, which prohibit torture and degrading treatment, are violated by the climate emergency as well.

Not all climate litigation is conducted on such a large scale, however, with courts considering the exigencies of the climate emergency locally too. For instance, last week, Australia's NSW

Environmental Court upheld the Independent Planning Commission's rejection of a coal-mining proposal from Kepco, the South Korean mining company, citing the environmental impact and the cost it would have on further generations. This is not the only recent setback for Kepco and other mining firms, with the High Court in Pretoria prohibiting the construction of the Thabametsi power station, setting aside the South African government's approval of the plant. In America, which has previously been a relative haven for fossil fuel-based companies, their Supreme Court is due to hear argument in the new year on whether corporations can be held to account in US state courts for their role in the climate emergency, with the Biden Administration likely to reverse the current position and argue for corporate liability. Small-scale judicial decisions like these are crucial for holding back the tide, with the independence of the judges allowing them to evaluate the short-term economic benefits of the proposals with a more critical eye, weighing up these benefits against the damage they may wreak in the future.

Beyond the use of current laws and rights protections, other legal campaigners are seeking to have ecocide recognised as an international crime, to exist on the same plane as genocide, war crimes and crimes against humanity. Seventy-five years after these international crimes were adopted at Nuremberg, Philippe Sands QC is co-chairing a panel assembled by the Stop Ecocide Foundation to draft a legal definition of ecocide. Jojo Mehta, the foundation's chair, has said that the project hopes to elevate ecocide from beyond the 'general concept…of mass damage and destruction of ecosystems (which) is reasonably well understood' into a definition that is 'clear and legally robust' and which can be used to prosecute individuals and nation states that continue to lay waste to the environment.

Being able to hold individuals, corporations, and governments criminally accountable for ecocide is a noble ambition, but when America and China, two of the most polluting countries in the world, do not acknowledge the authority of the ICC, it is an endeavour unlikely to bear fruit. And even if they did, it is doubtful that the threat of further judicial decisions, even those with criminal consequences, can drag the world back from the brink. Across the six inhabited continents, over 1,600 cases related to climate change have been filed, and yet the climate emergency still escalates.

As the UK Supreme Court decision on the third runway at Heathrow showed this week, most authority still ultimately lies with national governments. In Friends of the Earth, the Court found that despite the government signing the Paris Agreement, promising to keep the global temperature below 1.5 degrees of pre-industrial levels, this did not mean it had become a 'government policy' that the justices could require the then-Transport Secretary, to follow. Moreover, while the Supreme Court's decision would have stopped, for the moment, construction beginning on a project that may have worsened the climate emergency, not all judicial decisions on the climate have such obvious benefits. For instance, in the Dutch Urgenda case, if the Netherlands' government fails to meet the judicial target, there is little of consequence that can be done to mitigate this. It isn't like the prorogation decision, where the Supreme Court can order Parliament to return and life can continue as though the wrong never happened. The damage has already been done.

Instead, while these court decisions do push back against the relentless march of climate change, what we must truly hope they do is emphasise the reality of the threat to the public. Programmes like Planet Earth have done much to change public opinion, showing the devastation that climate change is wreaking on animal- and human-habitats, but the threat still seems remote. The idea that the Maldives or Bangladesh may be uninhabitable within decades remains a distant and improbable prospect. Court judgements, in contrast, are harder to ignore, making clear the reality of pollution and climate change. Across much of the world, the public still holds the judiciary in higher regard

than nearly any other branch of government, and there is a huge difference between David Attenborough showing upsetting clips of macaques losing their habitat, and a coroner saying that a girl has died because the UK government failed to regulate emissions. Many governments, including the UK, are adopting the right rhetoric over climate change, but rarely is this rhetoric matched by policy. Only popular pressure that can ultimately help policy catch up with the rhetoric, with the people needing to show politicians that environmentally sustainable policies are electorally viable. Judicial decisions play a crucial part in this, legitimising the urgency of the climate debate and moving the threat of climate change off our screens and onto our streets.

Tier 4 and the Criminal Courts: Business as Usual

Grace Cowell and Zehrah Hasan, Justice Gap: On Saturday afternoon 19th December 2020, without any forewarning, the Government placed London and parts of the East and South East into more stringent lockdown measures. Everybody in these Tier 4 regions must stay at home. Everybody except users of the criminal courts in England and Wales. Despite the sharp rise of COVID-19 cases in these areas, most courts are operating a 'business as usual' approach. Legal Sector Workers United stands in solidarity with those who are forced to attend unsafe courts during one of the most serious times in the pandemic and calls upon HM Courts and Tribunals Service (HMCTS) to re-assess the operation of courts in Tier 4 areas. In the nine months that have passed since the first national lockdown, HMCTS have introduced a range of measures to create COVID-secure courtrooms. However, LSWU members know that the majority of court buildings in Tier 4 areas are anything but. As workers in the Magistrates' and Crown Courts across the country, we have seen the lack of PPE provided to our clients in the cells, overcrowded public areas, and at-risk defendants and families left to wait for hours in these conditions.

We also know that the risks are very real. This is evident in the repeated outbreaks of COVID- 19 in court buildings. In the last two days, 17 people have tested positive for COVID-19 after an outbreak at the Oxford Combined Court Centre. Oxford is not in Tier 4. Courts are plainly not COVID-19 secure. Defendants, witnesses and legal sector workers are at heightened risk of contracting the virus both these unsafe court buildings and from travelling to them. Given the number of COVID-19 cases in Tier 4 regions, it cannot be justified to call people to court for non-urgent matters during this period.

Inevitably HMCTS's 'business as usual' approach disproportionately affects junior legal sector workers. Pupil barristers, for instance, cover a substantial number of hearings in busy Magistrates' Courts for little pay. But even if they have safety concerns, they may not feel able to turn work away given their precarious position in chambers. HMCTS's misguided approach also has a disproportionate effect on court users from Black, Brown and other Racialised Groups as well as those with underlying comorbidities. For people who we know are at a heightened risk of contracting the virus, or who face disparities in treatment and health outcomes, forced attendance could amount to significant or even fatal harm. The solution is simple – minimise the number of people in criminal courts at this time. 2020 has seen the roll out of virtual hearings via the Cloud Video Platform (CVP). There are many contexts where video hearings should be discouraged, such as where they impede access to a fair hearing. Nonetheless, this technology can greatly assist in non-complex and administrative criminal matters.

However, there is still no uniform approach to CVP hearings. On Monday 21 December, a pupil barrister from a Tier 4 area was sent on an 8.5 hour round trip to court in Wales for an administrative hearing. After her clerks requested that she attend court remotely, court staff informed them that they did not 'see a problem' and confirmed that in-person attendance was necessary. On the same day, another pupil barrister applied to have a trial adjourned due

to safety reasons in a Tier 4 area. After refusing the application, the court made all those involved in the trial wait for four hours and then adjourned the case due to lack of available court time. This is woefully inadequate, unnecessary and unsafe for all those involved. HMTCS should adopt a system-wide approach that anything non-urgent can be administratively adjourned until such time when it is safer to attend.

Indeed some cases, such as overnight custodies, will need to continue in Tier 4 areas and will often require defendants and workers to be physically present. But by prioritising only these matters, and improving COVID-compliant practices, HMTCS could significantly reduce the risks involved for us all. COVID-19 has presented a sinister opportunity for the further erosion of safe and healthy working practices within our criminal courts. It has laid bare the disregard for the safety of court users as well as existing inequalities, injustices and failings embedded into the entire criminal justice system. LSWU rejects this irresponsible 'business as usual' approach, rejects the suggestion that our criminal courts are now 'COVID-secure', and calls for HMCTS to reassess the operation of court buildings in Tier 4 areas.

Sex Work in a Pandemic: Criminalising Survival

Danielle Worden, Justice Gap: Austerity cuts, the introduction of the harsh Universal Credit scheme and the Hostile Environment has driven more people to sex work to meet their basic needs. Despite this, sex work remains a criminalised profession that is not recognised as legitimate work. The pandemic further exposes the injustice caused to sex workers by outdated laws and policies. Danielle Worden reports on the rise of survival sex Since 2010, the UK government has embarked on a severe programme of public spending cuts known as 'austerity'. Alongside this, it has set out to create a 'hostile environment' for migrants living, or hoping to live, in the UK. This environment has been intensified by a stricter approach to migration justified by Brexit. These policies have caused significant socioeconomic harm to minorities including migrants, women, LGBTQ+ people, people of colour and people with disabilities. To avoid destitution, there has been a surge of people turning to 'survival sex' – sex work to secure income or resources to meet basic survival needs – over the past ten years.

A profound example of how Government policies have driven more people to sex work is the Universal Credit scheme. Universal Credit, which was introduced in 2012, merges six separate benefits into one monthly payment. As of 2020, the basic rate of Universal Credit for under-25s is a mere £85.68 per week. It is beyond dispute that the scheme has intensified socioeconomic inequality: in July 2019 the House of Commons Work and Pensions Committee reported that Universal Credit was 'pushing some people not only into poverty, but into hunger and destitution'. The Universal Credit scheme is supported by the second harshest sanctions of any benefit scheme in the world: refusing a job offer can lead to payments being withheld for three months. Further hardship is created by the minimum five weeks waiting time for the first payment, with waiting times often being up to 12 weeks.

Although an advance payment can be applied for, it is subtracted from subsequent payments that are already negligible: this makes it near-impossible for many people to meet their basic needs on Universal Credit. The link between Universal Credit and the surge in survival sex is also beyond dispute: the same Work and Pensions Committee report in October 2019 found that the introduction of the scheme has driven people to turn to sex work for the first time, or to return after previously exiting. Organisations such as the English Collective of Prostitutes (ECP) and Changing Lives have also played a key role in highlighting the responsibility of the UK government in driving people to survival sex by introducing Universal Credit, especially single mothers.

Another key driver of the surge in survival sex is the hostile environment. The ECP credits restrictions on the ability of migrants to work legally, to open bank accounts, to access benefits as forcing migrant women to turn to sex work for survival. Furthermore, despite the Government's claim to be a 'world-leader' in combatting trafficking, the ECP explain that the hostile environment increases vulnerability to trafficking by making it difficult to enter the UK without illegal assistance. This is particularly true for asylum seekers who, lacking recourse to public funds and the right to work, are forced to survive on £37.75 a week.

Except in Northern Ireland, it is legal to sell and purchase sex in the UK. However, several sex work-related activities are illegal: for example, it is illegal to sell sex or purchase sex in a public place. It is also illegal to assist in the management of a brothel, which can merely mean having a say in the services offered. As a brothel is simply a premise where two sex workers work, sex workers risk arrest for working together – despite that working alone dramatically increases the risk of violence from clients. Evidence also shows that sex workers are disproportionality targeted by police through measures aimed at criminalising anti-social behaviour, such as Criminal Behaviour Orders.

The dangers sex workers are exposed to due by this criminalisation are countless. Obtaining a criminal record for sex-related offences bars entry into other professions. On top of this, fines and incarceration risk exacerbating existing reasons for engaging in sex work, such as poverty. Criminalisation also perpetuates stigma around sex work that fuels the sex workers abuse by clients and employers, who know that sex workers are unlikely to contact the police. Sex work testimonies show that reports of abuse are met with disbelief, threats of arrest or deportation, and even violence from the police themselves. In addition to the harm the criminal law causes sex workers, sex workers are also not protected by employment law. This as they are not considered workers or employees, statuses which give entitlements like holiday pay and protections against exploitation such as unfair dismissal. Some sex workers prefer this, desiring the autonomy being self-employed offers. However, it means that sex workers who work under the control of another are not afforded workplace protections against exploitation.

Immigration law is also used as a weapon against sex workers. One of the greatest paradoxes of the law surrounding sex work is that sex work is legitimate work for immigration purposes. This means that migrant sex workers are considered as working illegally if they do not have the right to work. This places them at risk of being fined, deported and/or incarcerated: despite that it is the UK's Hostile Environment that forces many to depend on sex work in the first place. Dangerous clients and employers weaponise this vulnerability, threatening to report them to the authorities if they refuse exploitative demands. Reports also show that, since Brexit, migrant sex workers are disproportionality targeted by the police for arrest and deportation.

The pandemic means that sex workers face an impossible choice: attempt to survive on Universal Credit, or continue to work in an already dangerous profession, now made riskier by the threat of Covid-19. For many, this is a choice between destitution and homeless, or risking their own and their loved ones' health. The pandemic highlights the injustices faced by sex workers as a result of Government laws and policies. Criminalisation means that sex workers in this impossible position, many being single mothers, risk arrest for trying to support their families. Even though sex work is considered work for immigration purposes, sex workers are not entitled to sick pay or furlough. Registering as self-employed is difficult given the stigma, eviction, child custody. Pandemic has also led to a huge reduction in demand, meaning lower rates, riskier practices and more dangerous clients

Nordic model: Views on how to reform laws surrounding sex work are extremely polarised. Sex work abolitionists, such as Nordic Model Now!, demand the introduction of the 'sex-purchase ban' which criminalises the purchase of sex in attempt to eliminate the demand for paid sex. However, the effect of these bans on sex workers has been catastrophic. Reviews of the impact of the bans in France and Ireland, for example, found that they have increased the danger and stigma of sex work, whilst failing to reduce demand for paid sex. Instead, organisations such as the ECP and National Ugly Mugs call for the decriminalisation of all aspects of sex work and the extension of employment law protections to sex workers. However, Decrim Now emphasise that decriminalisation alone is not a 'magic bullet' without policy changes to address the reasons for why people depend on sex work, such as "affordable childcare, higher pay in women-dominated industries, flexible working, well-funding women's services, and an end to benefit cuts and sanctions."

The Westminster and Scottish Governments have both indicated appetite for law reform: however, there is a risk that this will lead to a sex-purchase ban rather than decriminalisation. In 2016, Westminster commissioned research into sex work that they claimed would inform 'future legislative and policy decisions', but the publication of the research in 2019 has been met by radio silence. The Scottish Government is currently running a consultation on whether to introduce a sex-purchase ban, despite recognising in it impact less demand during covid has had on sex workers. Sex workers are one of the most marginalised groups in the UK. Although platforming sex worker voices is essential to counteracting this, sex worker allies also have a crucial role to play. Sex worker organisations such as the ECP, National Ugly Mugs, and SWARM all depend on donations to support sex workers facing hardship. Non-financial support is also crucial: responding to the Scottish Government's consultation or lobbying local MPs to support sex work decriminalisation are simple actions anyone can take to challenge this injustice.

Urgent Notice Issued to Rainsbrook Secure Training Centre

Inspectors have taken emergency action over the "bleak regime" at a privately run prison for children, after calls to halt the detention of the young inmates in near solitary confinement were ignored. Three inspectorates have issued a rare "urgent notification" to the justice secretary, Robert Buckland, over the continued poor care and leadership at Rainsbrook secure training centre (STC) near Rugby, run by MTC. It is the first time the power has been used since July 2019, and the first time in relation to STCs, which hold 12- to 18-year-olds. The urgent notification requires Buckland to set out how he will address the concerns within 28 days. Ministers said they have stopped sending children to Rainsbrook while urgent action was taken. During an October inspection, Ofsted, HM Inspectorate of Prisons (HMIP), and the Care Quality Commission (CQC) found that, owing to Covid-19 health guidelines, newly admitted children – some as young as 15 – were being locked in their bedrooms for 14 days, and allowed out for only 30 minutes a day.

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.