There have been over 3,000 deaths in state custody since 1969. There has not been a single successful homicide prosecution, despite evidence of unreasonable force and several unlawful killing inquest verdicts. Join United Families and Friends Campaign (UFFC) on Saturday 25 October 2014 for their annual rally, protest march and petition submission to 10 Downing Street. Assemble for the rally at 12:00 Noon in Trafalgar Square. Please wear black. London Campaign Against Police & State Violence will be there with banners.

UFFC is a national coalition of families and friends of those that have died in the custody of police and prison officers as well as those who are killed in immigration detention and secure psychiatric hospitals in the UK. Includes the families of Roger Sylvester, Leon Patterson, Rocky Bennett, Alton Manning, Christopher Alder, Brian Douglas, Joy Gardner, Ricky Bishop, Sarah Campbell, Mark Nunes, Paul Coker, Paul Jemmott, Harry Stanley, Glenn Howard, Mikey Powell, Jason McPherson, Lloyd Butler, Azelle Rodney, Sean Rigg, Habib Ullah, Olaseni Lewis, David Emmanuel (aka Smiley Culture), Kingsley Burrell, Demetre Fraser, Mark Duggan and Anthony Grainger to name but a few.

The UFFC annual precession is supported by: Migrant Media, Newham Monitoring Project, London Campaign Against Police and State Violence, 4WardEver UK, BirminghamStrong Justice 4 All, Tottenham Rights, Joint Enterprise Not Guilty by Association (JENGbA), INQUEST, The Monitoring Group, Pan African Society Community Forum, Defend the Right to Protest, RMT, Unite, UCU, MOJUK. "We look forward to seeing you – No Justice No Peace"

New Law To Tackle Revenge Porn

The distribution of a private sexual image of someone without their consent and with the intention of causing them distress – will be made a specific offence in the Criminal Justice and Courts Bill, which is currently going through Parliament. The change will cover the sharing of images both online and offline. It will mean that images posted to social networking sites such as Facebook and Twitter will be caught by the offence, as well as those that are shared via text message. Images shared via email, on a website or the distribution of physical copies will also be caught. Those convicted will face a maximum sentence of 2 years in prison. The offence will cover photographs or films which show people engaged in sexual activity or depicted in a sexual way or with their genitals exposed, where what is shown would not usually be seen in public. Victims and others will be able to report offences to the police to investigate. Officers will work with the Crown Prosecution Service to take forward cases for prosecution. Images posted to social networking sites such as Facebook and Twitter will be caught by the offenceThe change will cover the sharing of images both online and offline.

Hostages: 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, Glen Cameron,Warren Slaney, Melvyn 'Adie' McLellan, Lyndon Coles, Robert Bradley, John Twomey, Thomas G. Bourke, David E. Ferguson, Lee Mockble, George Romero Coleman, Neil Hurley, Jaslyn Ricardo Smith, James Dowsett, Kevan Thakrar, Miran Thakrar, Jordan Towers, Patrick Docherty, Brendan Dixon, Paul Bush, Frank Wilkinson, Alex Black, Nicholas Rose, Kevin Nunn, Peter Carine, Paul Higginson, Thomas Petch, John Allen, Jeremy Bamber, Kevin Lane, Michael Brown, Robert Knapp, William Kenealy, Glyn Razzell, Willie Gage, Kate Keaveney, Michael Stone, Michael Attwooll, John Roden, Nick Tucker, Karl Watson, Terry Allen, Richard Southern, Jamil Chowdhary, Jake Mawhinney, Peter Hannigan, Ihsan Ulhaque, Richard Roy Allan, Carl Kenute Gowe, Eddie Hampton, Tony Hyland, Ray Gilbert, Ishtiaq Ahmed.

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

MOJUK: Newsletter 'Inside Out' No 499 (16/10/2014)

Innocent Grandmother Walks Free After 17 Years in Prison *ABC News, 10/10/14*

A woman who spent 17 years in prison for the death of a homeless man hugged her grandchild for the first time and did a dance of happiness on after she was judged innocent of murder and freed. "I always knew that one day God would bring the truth to the light," Susan Marie Mellen, 59, told reporters after she was released from a Torrance courthouse, Friday 10th October

About eight hours earlier, a Los Angeles County judge overturned her conviction, saying that her attorney failed to properly represent her and that a woman who claimed she heard Mellen confess was a "habitual liar. I believe she is innocent," Superior Court Judge Mark Arnold said. "For that reason I believe in this case the justice system failed." The courtroom burst into applause after his ruling. Based solely on witness testimony, Mellen was convicted of orchestrating the beating death of Richard Daly at a Lawndale home where Mellen and others lived. The mother of three was sentenced to life in prison without possibility of parole.

She was embraced by her three grown children after her release. Mellen shrieked and clapped her hands as she kissed and hugged her 19-month-old grandson, Aiden. "First time I held him," she told reporters. "I'm a free woman now. Let me do the running man," she said, and did a few jogging dance steps before the microphones. She joked and beamed but also described her imprisonment as "cruel punishment." "I would cry every night" in prison, Mellen said, but never lost faith and even wrote "freedom" on the bottom of her tennis shoes "because I knew I was going to walk free one day."

Mellen's case was investigated by Deirdre O'Connor, head of a project known as Innocence Matters that seeks to free people who are wrongly convicted. The witness who claimed she heard Mellen confess was June Patti, who had a long history of giving false tips to law enforcement, according to documents in the case. She died in 2006. Three gang members subsequently were linked to the crime, and one was convicted of the killing. Another took a polygraph test and said he was present at Daly's killing, and Mellen was not there. In a habeas corpus petition, O'Connor said the police detective who arrested Mellen was also responsible for a case in 1994 that resulted in the convictions of two men ultimately exonerated by innocence projects.

Mellen said she held no ill will against those who put her behind bars. "No, no, I always forgave my enemies," she said. "Even your haters, you have to forgive them and sometimes you have to thank them because they bring you closer to God." Mellen said she planned to go to dinner with her family and wanted to eat an avocado, steak, or maybe something she had never had. She also hoped to have a McDonald's Happy Meal with her youngest daughter. "Me and her were at McDonald's when I got arrested and we didn't have a happy meal that day," she said. "... It's a happy ending right now...We're going to have a new beginning."

As Mellen's family waited outside the courthouse before her release, her son, who has little memory of his mother because he was so young when she was imprisoned, opened his shirt to show reporters a broken heart he had tattooed on his chest to honor her. Donald Besch, 25 and in the Navy, said he was hoping to have some time with his mother before he is deployed overseas in a few days. Daughter Jessica Besch, 27, said "We were raised by our grandmother and other relatives while our mother was in prison.

Getting Rid of Nick Hardwick - Just Shooting The Messenger *Eric Allison, Guardian*

What has Nick Hardwick done to potentially be denied a second term? Simply told the truth about the crisis in prisons. The prison system is in meltdown and Hardwick tells it as it is. There has been a series of damning inspection reports on prisons and young offender institutions since Nick Hardwick was appointed in 2010.

Recently I had a conversation with a man I admire greatly, the former chief inspector of prisons, Lord David Ramsbotham. The phone call was depressing. We both agreed that the prison system is in a worse state now than at any time we have known it. And that is saying something, given he was the author of many scathing inspection reports and once described conditions at Holloway jail as "unspeakable". I have direct experience of poor jail conditions, having served a lengthy sentence in the 1960s, when many prisons were run by thugs in uniform and a bread and water diet was on the punishment menu. I had called Ramsbotham to discuss whether the Ministry of Justice (MoJ) would decide not to give the current chief inspector, Nick Hardwick, a second term when his present five-year contract runs out next June.

A reliable source had told me Chris Grayling, the justice minister, wanted rid of Hardwick following a series of damning inspection reports on prisons and young offender institutions (YOIs), since he was appointed in 2010. Whereas predecessors had often been critical, unusually, every recent inspection by Hardwick was damning. My source indicated Hardwick wanted to serve a second term, as did his predecessor, Anne Owers. But a spokesperson for the MoJ says that Hardwick's tenure expires next June and that "it is simply policy to readvertise the role at the end of the five-year appointment": no decision has been made. But they did not readvertise Owers' second contract. So I trust my source more than I do the MoJ, and my belief is that Grayling wants Hardwick out.

This is not the first time chief inspectors have fallen foul of ministers. The same fate befell Ramsbotham, who held the role from 1995-2001. In his case, the axe was wielded by Jack Straw, who had always spoken up for prison reform, until he became home secretary after the 1997 election. Rambotham's term was for five years, extendable, by mutual agreement, to up to eight years. But, in the event, Straw telephoned the chief inspector in 2000 and told him an announcement would be made in parliament that day that Ramsbotham was retiring and his post advertised. Not a word about "mutual agreement".

So the question is whether Grayling is following Straw's suit and shooting the messenger. What could have Hardwick done to deserve dismissal? He has told the truth. Ramsbotham describes him as a "fearless reporter of the facts". The prison system is in meltdown and Hardwick tells it as it is. That does not sit comfortably with this government which would have us believe the criminal justice system is doing just fine, thank you. Our jails are bursting at the seams. Violence, self-harm and suicide rates are soaring and rehabilitation has not just taken a back seat, it is out of the vehicle. Many prisoners are spending the working day in their cells. Staff and managers are demoralised. Commenting on the crisis, Hardwick said in August that self-inflicted prison deaths were "not acceptable in a civilised country," and warned if UK ministers wanted the population in British jails to rise, concrete "resources to deal with that rise" must be employed.

The Prison Governors Association has declared it "impossible for some jails to run a safe decent regime". The chaos in the system is not entirely of Grayling's making; cuts imposed by the Treasury have led to a 30% reduction in prison staff. The result: an increase in violence, self-harm and suicide. You cannot operate a safe jail on a shoestring. But Grayling refuses to see the situation as it is, insisting there is no crisis. "We've got challenges from an increased popu-

subject to different standards depending on the offence under consideration, the latter could undermine the Good Friday Agreement. JUSTICE highlighted these problems before the last election. In light of the proximity to the independence referendum, it appears constitutionally blinkered to fail to grapple with the geographical extent of the proposals.

Greater focus on EU rights under a British Bill? Whole papers will have been written on the implications of these proposals for our relationship with not just the Council of Europe, but the EU. However, if these changes are implemented, people with a complaint in EU law may find greater protection in our domestic courts relying not on the somewhat more limited protection of the would-be Bill of Rights but on the application of the 1972 European Communities Act and the direct effect of the EU Charter.

Beyond Europe: Many of the substantive changes proposed will directly engage the wider international obligations of the United Kingdom. For example, lowering the threshold for deportation fails to consider that the relevant ECHR obligations in mirror those in the UN Convention against Torture and in the International Covenant on Civil and Political Rights. Yet, nothing in the proposals address the constitutional significance of acting inconsistently with these binding treaties voluntarily entered in good faith.

The majority partner in the coalition Government is sending a global message that national parliaments – and by extension, the popular majority – should have the first and last say on human rights standards. If this selective approach to international human rights standards works for us, it also works for Moscow, Tehran and Beijing. Our Government might seek to carve out special exceptions for criminals, alleged terrorists or violators of planning legislation; another might direct their courts to refuse protection to dissidents or journalists. It is difficult to see how the UK might credibly object. That is not only damaging to the reputation of the UK, but to the viability of international human rights law. The small handful of cases which the UK Government has found politically, if not legally, difficult cannot be used to justify sweeping constitutional change. There will always be hard cases. Any human rights instrument which didn't create tension for Government wouldn't be doing its job. The European Court of Human Rights is accused of "mission creep"; using the doctrine of the "living instrument" to expand the reach of the Convention. This criticism would see the Convention frozen for all time in 1950, neglecting to protect the rights of disabled and homosexual people, continuing to sanction laws on legitimacy and refusing to consider the issues raised by the DNA database. As common lawyers, we should shy away from encouraging such a formalistic, literal approach to the law.

Conclusion: Between this eight page outline and a major constitutional shift lies the ballot and the dispatch box. Several members of the cabinet lost their jobs in order that these proposals could make it to print, including the Attorney General and a former Lord Chancellor. If these proposals were ever to be placed before Parliament, they'd face a rough ride in both Houses, with no guaranteed welcome even from the "blue" benches. This new packaging may be politically attractive to some, but constitutional changes should be carefully considered not actively mis-sold. That the Prime Minister failed to publish these proposals for consideration by the membership during the party conference says much about the party leadership's commitment to consult on the substance of these measures. The plans appear legally and politically unworkable. If they were to be implemented, the offer on the table seems a rough deal. Not bringing rights close to home, but closer to Government. Not bringing rights home, but bringing rights to heel. *We must all be concerned citizens Angela Patrick, October 2014*

Annual March Against Deaths In Custody Saturday 25 October

ensuring that domestic courts decisions are limited to "declarations of incompatibility" (Section 4, HRA). Incompatible legislation remains in force – with continuing effects on the lives of the individuals affected by it – until Parliament chooses to act. While the HRA provides a parliamentary procedure – the remedial order – to allow Parliament to consider a fast-track response to Strasbourg decisions (Section 10, HRA), there is nothing in the Act that requires any judgment to be formally considered.

This package of measures seems destined to deter individuals from pursuing a remedy at all. Domestic courts' ability to provide a remedy will be constrained. Leapfrogging the domestic courts to secure a decision at Strasbourg could lead to an interminable negotiation on whether the judgment should be considered 'advisory' or binding. On both counts, making it more difficult for people in the UK to hold Government and public agencies to account. Article 46 of the ECHR places a binding international law obligation on the UK to implement the adverse judgments of the European Court of Human Rights. However – as the prisoners' votes saga illustrates – this process can involve a significant degree of political discretion on the part of national parliaments in respect of how and when they respond. By declaring that all – or at least some – judgments will be considered non-binding, these proposals create an inevitable clash with the requirements of Article 46. These measures seem designed to provoke a crisis for relatively little return.

The Nuclear Option? A Conservative Government would negotiate with the Council of Europe to secure recognition that this "new approach is a legitimate way of applying the Convention". If an agreement is not reached, it will withdraw from the ECHR. This has unavoidable echoes of the commitment on the EU. The terms of this new "approach" make accommodation infeasible. The option to carve out exceptions to the rights protected and to "pick and mix" the judgments we accept would undermine the Convention system entirely. The proposals cite the example of the German management of constitutional conflict within the Convention system as a comparator. The comparison is not a helpful one. The German constitution has grown up alongside the ECHR and there is no evidence that it has ever taken steps to expressly disavow its obligations to meet the standards by which all Council of Europe members are bound. In the last Parliament, the then Secretary of State for Justice told Parliament: "The standard of protection given to individuals by the German Basic Law is greater, and less flexible than that given by the ECHR. As such, decisions made by the German Court are therefore rarely overturned by the European Court of Human Rights because they do not fall below the minimum floor of rights which the ECHR seeks to establish".

By design or naiveté, withdrawal seems the end goal of these proposals. The Council of Europe will not accept the clear circumvention of Article 46. Withdrawal from the ECHR – and the Council of Europe – would put the UK in the company of Belarus. The only known example of a modern democracy publicly downgrading their commitment to international human rights standards is Venuzuela, which took similar steps to avoid the scrutiny of the Inter-American Court of Human Rights. The question is whether a future Conservative Government would see the UK painted as the Venuzuela of Europe?

The Bigger Picture The proposals give cursory consideration to the relationship between the HRA and the ECHR, wider domestic constitutional law, EU law and the wider international obligations of the United Kingdom: How British is the Bill? In short, we just don't know. The proposals explain that the goal is to negotiate a settlement which respects existing arrangements for devolution. Aileen McHarg, in this blog, has already dissected the difficulties that the proposals pose for our devolution settlement. Does the Conservative Party envisage a Bill which only relates to reserved matters or do they plan to unpick the devolution arrangements in Scotland, Wales and Northern Ireland? While the first option could lead to police officers

lation that was not expected in the last 12 months," he said in August. "We are meeting those challenges, we are recruiting more staff – but I'm absolutely clear there is not a crisis in our prisons."

But Grayling is the man who wants to draw up a UK bill of rights to replace rulings from the European court of human rights. I would not trust him to compile my weekly grocery list. In my view, he is the worst politician ever to oversee the penal system, and that is some going when you measure him against predecessors such as Jack Straw, Michael Howard and Ann Widdecombe. It should be him receiving marching orders, not the diligent and truthful public servant he may replace.

Former RUC Officers Accused Of Perverting Course of Justice *BBC News, 10/10/14*

Two former RUC detectives are to stand trial accused of perverting the course of justice in an investigation into the killing of a soldier in Londonderry. John McGahan, 71, and Philip Noel Thomson, 64, denied the charges. The charges relate to statements taken during an investigation into the murder of Lt Steven Kirby, of the Royal Welsh Fusiliers, in February 1979.

Four teenagers were charged with the murder. They became known as the 'Derry Four' after they skipped bail. Gerry McGowan, Michael Toner, Stephen Crumlish and Gerard Kelly went to the Republic of Ireland. The four men have always protested their innocence and almost 20 years later, all charges against them were dropped. Their treatment by the Royal Ulster Constabulary (RUC) was investigated by the Police Ombudsman and in 2012 the matter was referred to the Public Prosecution Service (PPS). The retired detectives, whose addresses were given as PSNI headquarters, Knock Road, Belfast, were released on continuing bail. The judge said their trial was expected to start later this year and could last up to three weeks.

Court of Appeal Quashes Convictions But Judges Will Not Reveal Reasons

A married couple's convictions for offences linked to the killing of a police informer are to be quashed, but the Court of Appeal will not say why. James Martin and Veronica Ryan, both from west Belfast, had previously been convicted of the false imprisonment of Special Branch agent Joe Fenton. Mr Fenton was shot dead after being lured to a house in February 1989.

The judges said they would not reveal the reasons why a confidential dossier rendered the guilty verdicts unsafe. Amid speculation that the dossier contains material on intelligence agents, their lawyers said the couple had a "right to know" why they had been cleared on appeal. The couple are now set to go to the Supreme Court to challenge the decision to keep parts of the Appeal Court ruling secret.

Miscarriages of justice: Following the couple's conviction for false imprisonment, Mr Martin, who was also found guilty of making property available for terrorism, was later sentenced to four years imprisonment. His wife, formerly known as Veronica Martin, was jailed for six months. Their case was referred back to the Court of Appeal by the Criminal Cases Review Commission, which examines potential miscarriages of justice. It was given access to sensitive material that had not been made available to prosecutors involved in their case, or the trial judge.

In 2012, it emerged that Director of Public Prosecutions Barra McGrory believed the guilty verdicts should be quashed. But the secretary of state issued a Public Interest Immunity certificate, protecting the confidential dossier. Delivering the Court of Appeal verdict on Friday, Lord Justice Girvan confirmed that the convictions must be quashed.

Secret documentation: The real issue between the parties, he said, was whether it was in the interests of fairness and justice to provide a fully reasoned judgment on what material was withheld, by whom, and why. Having studied the secret documentation, Lord Justice Girvan

held that divulging the information would undermine the effect of the Public Interest Immunity certificate. He said: "If, as in this case, it is clear that there has been a serious irregularity in the trial process rendering the trial unfair and the resultant conviction is unsafe, the public interest is secured by this court setting aside the conviction and making clear the ground for setting it aside is because of that irregularity. The public interest would be undermined, not advanced, by the disclosure of material covered by the PII certificate which the court has found to be properly issued. The right to a fair trial has been secured in these circumstances."

'Intelligence issues' - The couple's solicitor confirmed that they now plan to challenge the non-disclosure in the Supreme Court. Kevin Winters of KRW Law said: "Although welcome the court's decision to quash the convictions, an acquitted person has the right to know exactly why they have been acquitted. "Our concern is that there were serious intelligence issues at play, but that should not trump my clients' right to know the reasons. They have instructed me to make an application to appeal to the Supreme Court." BBC News, 10/10/14

Institutional Indifference – in Life and Death *Harmit Athwal, Institute of Race Relations*

The treatment of a homeless French man who died in immigration detention makes grim reading and shows up a callous system. On 26 September, nearly two years after the inquest, the Prisons and Probation Ombudsman (PPO) published a fatal incident report into the death on 6 December 2011 of an unnamed 40-year-old French man in immigration custody in a west London hospital. He had been held at Harmondsworth Immigration Removal Centre (IRC).

The man died after coughing up massive amounts of blood – as the result of a tuberculosis (TB) infection. The report contains few details about him, except that he was homeless and known to a charity caseworker for 'sitting in the same spot in Marble Arch in spite of inclement weather. He wore the same clothes for six months.'

He came to the attention of the UKBA on 22 July 2011 and was issued with a 'Minded to Remove' (MTR) letter and warned that he was liable for removal because, even though an EU citizen, he was not in employment or education. He was told to report for an interview at Charing Cross police station but failed to turn up. He was arrested in the early hours of 11 November during a joint operation at Hyde Park by the Met police homeless unit and the UKBA, and taken to Harmondsworth. There he was found to be covered in lice and was observed coughing. He was held in an isolation room at Harmondsworth and his return to France was arranged. But on 16 November, he was taken to hospital (in handcuffs attached to a guard by a six–foot chain) and diagnosed with TB. On 22 November, a health care manager at Harmondsworth emailed the immigration team about his illness asking them to consider release. There is no recorded response. During the thirteen days in hospital when he was 'very weak and on a drip' he was 'escorted' the whole time by two GEO Group Inc detention custody officers (DCOs) – and whenever he left the room he was shackled by the chain to a guard. Then on 28 November he was discharged back to Harmondsworth, though hospitalised again four days later. Ultimately, following a request from hospital medical staff, his handcuffs were removed and the two DCOs were posted at the door to his hospital room, where prolonged coughing caused him to bleed heavily, resulting in his death.

The UKBA appeared only interested in the man's fitness to fly and removal, and apart from the solitary manager in the healthcare unit at Harmondsworth who did not consider him fit to be detained, ultimately no one cared. A clinical review of the care he received at Harmondsworth was commissioned by the PPO, who, though he did not think the death could have been pre-

circumstances they may have a claim – to go to Strasbourg for a remedy. Removing the remedy at home will not change the scope of the Convention.

Any of these substantive changes could mean that a person could have a perfectly valid right under the Convention but no enforceable right in domestic law. Applicants to the European Court must exhaust all effective domestic remedies before taking the road to Strasbourg (Article 34). If a remedy is clearly excluded in domestic law, it cannot be considered effective. An unintended consequence of these changes might be that more frequently individuals could leap-frog the domestic courts entirely. Ironically, the impact of these limitations could be to limit the engagement of domestic courts in the development of Convention law in precisely those cases which its critics find politically difficult.

Who decides? "The UK Courts, not Strasbourg, will have the final say in interpreting Convention Rights" - There is nothing in the HRA that binds the UK Courts to apply Strasbourg jurisprudence. Section 2 of the Act requires judges to "take into account" case-law from Europe, nothing more. While individual judges have historically interpreted this obligation restrictively, this interpretation is outdated and domestic judges are increasingly confident in their ability to depart from decisions from Strasbourg. The proposals would repeal this obligation. It is unclear whether judges will retain full discretion to consider Strasbourg jurisprudence or other comparative material should they choose, or whether a new restriction will be imposed. Domestic courts' duty to interpret the law compatibly with Convention rights (section 3 HRA) would be removed. This suggests that the primary power of domestic courts under a new Bill would be declaratory. An increased number of declarations of incompatibility would place greater responsibility on Parliament to respond (Parliament, thus far has never failed to respond to a declaration made under the HRA). However, if a declaration is the only remedy available, there is clear case-law to suggest that a domestic claim needn't be pursued before a claim at Strasbourg (Burden v UK). An individual applicant might see little benefit in the expense of pursuing a domestic declaration which will have no immediate impact on their circumstances.

Is it all about the judges? Some of the most important features of the HRA have nothing to do with judges, whether domestic or international. Its responsibilities are tripartite, with clear roles for Government, Parliament and the judiciary. Section 6 of the Act places an important duty on all public authorities to respect our rights in discharging their functions. This replicates constitutional limitations on public power the world over. No equivalent is addressed in these proposals. Section 19 of the HRA requires Ministers to certify that legislation presented to Parliament is Convention compatible. This section provides the foundation for enhanced legislative scrutiny performed by the Parliamentary Joint Committee on Human Rights. While the proposals explain "Parliament will consider the Convention rights set out in the law in all the legislation it passes"; no Ministerial duty is considered.

The proposals will revise the Ministerial code to "remove any ambiguity" about the duty of Ministers to act in accordance with the will of Parliament. The current Ministerial code makes clear that Ministers are intended to discharge their duties in a manner consistent with the international obligations of the United Kingdom. This proposal appears to give lie to the true intention of the proposals. Not to enhance the role of Parliament, but to ease the limits on executive action. Promise to "End the ability of the European Court of Human Rights to force the UK to change the law." They elaborate: "Every judgement that UK law is incompatible with the Convention will be treated as advisory and we will introduce a new Parliamentary procedure to formally consider the judgement. It will only be binding in UK law if Parliament agrees that it should be enacted as such."

There is nothing in the HRA which requires the domestic courts or the UK Parliament to act on a decision of the European Court. The HRA expressly preserves parliamentary sovereignty by

be no "ECHR plus"). However, new qualifiers would limit the substance of Convention rights recognised in domestic law. In practice, this means rewriting – or undercutting – the Convention rights for domestic application: compiling an "ECHR minus" set of UK guarantees. The few examples given suggest that the rewrite could be extensive and could include changes to absolute inviolable rights protected by the ECHR and customary international law. For example:

Revising the "real risk" test used to determine whether someone is at risk of torture on deportation "in line with our commitment to prevent torture and in keeping with the approach taken by other developed nations": The UK argued this point before the European Court of Human Rights in Saadi, It is clear that there is no form of internationally acceptable test that will allow the lawful return of an individual to a real risk of torture. If there is evidence that an individual faces a real risk of torture on return, should the UK seriously be seeking shortcuts? "Some terms used in the Convention rights would benefit from a more precise definition, such as 'degrading treatment or punishment'." Again, the example given targets the prohibition on torture, inhuman and degrading treatment and punishment in Article 3 ECHR. The examples given again refer to deportation cases. Yet, what would the drafters' more precise definition include? Would, for example, leaving a disabled person in prison without care or support suitable to their needs be deemed acceptable? (See Price v UK) Only the "most serious cases": The proposals would impose a new "threshold" to prevent courts considering "trivial" cases.

ECHR and the HRA already recognise competing individual and community rights, recognising that proportionate limits to some rights are plainly justifiable to protect the public interest or the rights of others. The proposals are critical of this threshold and this provision is clearly designed to allow greater scope for authorities in the UK to act without consideration of individuals' rights. It is altogether unclear what this might mean in practice, but it implies that an individual might have a valid claim that their rights have been violated but have a remedy refused. This echoes the suggestion of an earlier conservative Private Members' Bill, which would have permitted violations of Convention rights which were deemed "reasonable" (see Clause 6). Reasonableness, seriousness and triviality are all highly subjective concepts new to these proposals. Who would you trust to assess whether a violation of your rights was trivial?

Whose rights? In line with international law, everyone within the jurisdiction of the UK benefits from the protection of the HRA. In very limited circumstances this includes some individuals within the responsibility of the UK but located overseas, including, in some circumstances, UK troops operating in theatre. The proposals explain "The Convention recognises that people have civic responsibilities, and allows some of its rights to be restricted to uphold the rights and interests of other people. Our new Bill will clarify these limitations on individual rights in certain circumstances." This would introduce further qualifiers designed to restrict the application of the new Bill to exclude certain categories of individuals or to offer lesser protection to some groups in some circumstances. Examples are given in the text and the accompanying Press Release: "the Bill will stop terrorists and other serious foreign criminals who pose a threat to our society from using human rights to prevent deportation" - "Ensure that those who pose a national security risk to this country or have entered it illegally cannot rely on questionable human rights claims" - "limit the ability of those who threaten British citizens or society to use human rights laws to protect their interests" This sliding scale of eligibility for rights protection erodes the nature of unalienable, universal human rights. As the Joint Committee on Human Rights explained in its 2007 report on a Bill of Rights for the UK (paras 264 – 267):

Human rights are rights which people enjoy by virtue of being human: they cannot be made contingent on the prior fulfilment of responsibilities. Expressly legislating to prevent the application of domestic law to troops operating in theatre would leave soldiers – in the limited

vented, was critical of the fact that a rough sleeper with a cough and body lice was not better observed for possible TB. The PPO had concerns over the use of restraint when the man was admitted to hospital for the second time and that attempts were not made to assess the risk he posed or consideration of infection to staff.

The report is critical of the UKBA and Harmondsworth staff (GEO Group Inc) for failing to find and inform the man's family – this was left to French judicial authorities, although the man had given Harmondsworth staff contact details for his parents in France, and they were also contained in his passport, which was in the possession of the UKBA. Neither organisation showed any support for the family or made any effort to return the body or tell the family about financial assistance for that.

Lessons learnt? Seven PPO recommendations end the report, with responses from the UKBA and the GEO Group Inc reassuring the concerned world that everything is in place to ensure that the same mistakes are not repeated. But, unfortunately, the lesson we get in such cases is that human life seems to have little value to the UKBA/Home Office/PPO or the private corporations running such places of misery. It took the UKBA five months to provide details of the man's immigration status to the PPO investigator. PPO letters asking detainees to come forward with information were delayed or not acted on, and a key witness was deported. Interviews by the PPO were not conducted till five months after the man's death. That such reports take so long to publish is also very worrying, particularly as the inquest was held in October 2012. The PPO has yet to issue its report into the death of Brian Dalrymple in July 2011, although his inquest concluded in June 2014. - Care, responsibility and accountability seem to go out of the window when it comes to those considered disposable in our society.

Sex Offenders: Prison v Treatment

In a recent case the Court of Appeal found fault with a sentence of 2 years imprisonment imposed on a man who had in his possession indecent images of children. The Court thought the appropriate starting point after trial to be in the order of 15-18 months, meaning in this case an actual sentence of 10 - 12 months, of which the offender would serve only half. So be it you might think. But the court went on to consider this: "We recognise that this case presented a difficult sentencing exercise because of the two potentially conflicting imperatives involved. On the one hand, the need to punish offenders who commit such offences; and, on the other, a need to deal with them in a way that is likely to reduce, rather than leave untreated, their need for the kind of imagery used in this case.

This appellant has never had the benefit of treatment. His earlier prison sentence for the same offences has left untreated his need for imagery of this kind. The sentencing guidelines state that where there is sufficient prospect of rehabilitation, a community order with a Sex Offender Treatment Programme requirement can be a proper alternative to a short or moderate custodial sentence. Notwithstanding the aggravating features in this case, given the appellant's guilty plea and the content of the reports to which we have referred, in our judgment this is a case where the public will be better protected by a course that might prevent further offending than by a short sentence that is unlikely to have that result.

In the circumstances, we adopt the proposal made in the pre-sentence report and urged upon us by Mr Kirk on the appellant's behalf. We quash the prison sentences which were imposed and substitute for them a community order for 36 months. We attach to that order a Sex Offender Treatment Programme requirement as directed by the responsible officer, and a supervision requirement of 36 months. We might have reflected the punitive element with an unpaid work requirement, but in circumstances where the appellant has already served the equivalent of a five month sentence, we stay our hand in that regard."

Manochehr Bahmanzadeh Against the United Kingdom

Mr Manochehr Bahmanzadeh, is an Iranian national, who was born in 1956 and lives in London. He is represented before the ECtHR by Ms J. Hickman of Hickman & Rose.

A. The facts of the case, as submitted by the applicant, may be summarised as follows.

1. The police investigation - The applicant held the lease of premises housing a nightclub called the Dance Academy and was co-manager of the club. In December 2005 he was made aware of police concerns about high levels of drug usage at the club. He met with the licensing officer in December 2005 and in January and February 2006 and offered assurances that he took the problem very seriously and would introduce a "zero tolerance" approach to drugs on the premises. In January 2006 an undercover police operation commenced into drug use at the Dance Academy. Over the course of the operation, twenty-four undercover police officers attended the club and a number of them purchased ecstasy there from several drug dealers. A police raid on the nightclub took place on 7 May 2006. Around 450 ecstasy pills were recovered. On 6 August 2006 the applicant and his co-manager were charged with permitting premises to be used for the supply of ecstasy between 1 December 2005 and 8 May 2006.

2. The first set of criminal proceedings (a) Proceedings before the Crown Court. The applicant's trial commenced at the Crown Court on 19 May 2008. The prosecution case was that the applicant had failed to take reasonable steps to address the drugs problem in the club. They relied on evidence covering the indictment period, namely: - the detail and nature of the contact with police concerning the drugs problem by way of meetings and letters; - the prevalence of drug dealing witnessed by members of staff and by the undercover officers, who successfully purchased drugs; - the volume of drugs found during the search in May 2006; - oral evidence from former members of staff that in the period following January 2006 the management could have done more to address the drugs problem to which they had been alerted in warning staff as to their responsibilities; - data recording the number of ambulances attending the premises; and - oral evidence to the effect that the management of the club had informed door staff that they should cut back on the number of searches. *The oral evidence from the undercover police officers was given anonymously and they were screened from the public, the defendants and defence counsel.*

The club's former head of security, G.G., who had worked at the club in 2004, gave evidence of the applicant's tolerance of drug dealing and his obstructive approach when he, G.G., had tried to eject and report on those caught dealing drugs at the club. He described a specific incident in which he had caught two men dealing drugs. He said he had searched the first man and found three tablets. He had been about to evict the first man from the club but was told by the co-manager to let the man stay. G.G. had handed the second man, who had had twenty ecstasy tablets in his possession, to the police. He claimed that he had subsequently been told off by the applicant, who had complained that his friends had had their night disrupted. G.G. also told the jury that he was a former Royal Marine.

G.G. was vigorously cross-examined by the applicant's trial counsel. It was put to him that he had been sacked by the applicant for stealing money and drugs from a drug dealer, rather than arresting him. G.G. denied this. It was further put to him that his dismissal had also been informed by the fact that he had been present at a drugs murder nearby some weeks before. G.G. replied that he had merely been a witness to the murder and was assisting police in that capacity.

The applicant gave evidence in his own defence. He said that he was strongly opposed to drug use and supply. He and his staff had sought to enforce a policy of zero tolerance in relation to drug supply. He had responded positively to police warnings from December 2005

Unannounced Inspection of HMP Altcourse - G4S Not Fit for Purpose Again

"HMP Altcourse is a local prison for adults and young adults in Liverpool run by G4S Custodial and Detention Services. After a succession of positive inspections this is a more mixed report. The prison's longstanding strengths of good relationships between staff and prisoners and high quality purposeful activity remain, but the prison is much less safe than at our last inspection. The urgent priority for Altcourse is to reduce the high levels of violence. The prison needs to ensure it does this without damaging its longstanding strengths of positive relationships between staff and prisoners and good purposeful activity, which are critical if prisoners are to leave Altcourse with decent opportunities in order to lead law-abiding lives in the community." Nick Hardwick

Inspectors were concerned to find that: - although prisoners said they felt safe and the prison seemed calm, levels of assaults against prisoners and staff, bullying incidents and fights were high and rising sharply; - gang issues and the availability of drugs, particularly new psychoactive substances such as Spice and Black Mamba, were a significant factor in much of the violence and had also been the cause of hospital admissions; - The prison's response to this was inadequate at both strategic and operational levels. The prison had been slow to react to the increasing levels of violence which, to some extent, had become normalised. - little had been done to address the disproportionate number of young adults involved in violent incidents; - lack of early action and an effective incentives and earned privileges scheme was likely to have been a contributory factor in the high use of formal discipline and force. We were not assured that the use of force was always proportionate and necessary. - there was little support for victims and a failure to take prompt, firm action against perpetrators; - there was high use of segregation in poor conditions and significant numbers of those in segregation were seeking sanctuary from violence elsewhere in the prison; - the prison was overcrowded and many cells designed for one or two held an additional prisoner; and - too little was done to tackle the significant need to address domestic violence offences. - Inspectors made 80 Recommendations - Inspection 9/20th June 2014 by HMCIP, published 15/10/14

Incoherent/Incomplete/Disrespectful: Conservative's Plans For Human Rights

"Where, after all, do universal human rights begin? In small places, close to home – so close and so small that they cannot be seen on any maps of the world. … Without concerned citizen action to uphold them close to home, we shall look in vain for progress in the larger world." Eleanor Roosevelt (1958).

Angela Patrick, Barrister Crown Office Row: For human rights to matter, they must be made real first, at home, in those small places that matter to us all. After almost four decades of debate, it was in this vein that the Westminster Parliament, with Conservative Party support, voted to "Bring Rights Home" in the Human Rights Act 1998 ("HRA"). As we wake this morning Friday 3rd October 2014 to the front pages of two national newspapers decrying human rights "madness" and welcoming freshly minted (but fairly familiar) Conservative Party policy plans to condemn the HRA to history, this is a good message to remember.

The proposals are incoherent in their consideration of domestic law, incomplete in their engagement with the devolved constitution and disrespectful to the UK's commitments in international law. They undermine the cause of bringing rights closer to home and seemingly have no care for progress of minimum standards in the wider world. The proposals would "Put the text of the original Human Rights Convention into primary legislation" but "clarify the Convention rights, to reflect a proper balance between rights and responsibilities"

The rights guaranteed by the European Convention on Human Rights ("ECHR") and the HRA provide a starting point. No new rights will be added (in the now familiar short hand, there will

British Transport Police began looking at behaviour detection as a crime prevention tactic after the London underground terror attacks - and with increasing examples of it being used successfully, a group of West Midlands Police officers were trained last year. Sergeant Ben Westwood from the West Midlands Safer Travel Partnership said: "Our officers have been using the technique for just over a year. We employ it primarily around transport hubs and as a result have made arrests for drugs and weapon possession, plus illegal immigration. It also helps us identify lower level offences like alcohol possession in exempt areas, but these are also important as it helps us tackle anti-social behaviour and makes people feel safer. Colleagues from other police forces joined us on the operation to see how we're using behaviour detection…they were impressed and I have no doubt it's a tactic that will become more commonplace across the UK." London's Metropolitan Police deploys a team of 'super recognisers' at certain events to identify known offenders whose faces have previously been circulated. *Ian Weinfass - Police Oracle*

HMYOI Cookham Wood Inspection - Some Significant Concerns

Unannounced Inspection by HMCIP June 2014: The transition to new accommodation and staff vacancies had been a challenge for Cookham Wood. Safety had deteriorated and progress had stalled in other areas, but a new governor and the new accommodation gave reasons for optimism. Cookham Wood holds sentenced and remanded boys aged 15 to 18. It has a wide catchment area across southern England. It was previously inspected in July 2013. This inspection in June 2014 is the latest in what are now annual visits to facilities which hold children, which are intrinsically high risk. The 2014 inspection found the preceding year had been a challenge, mainly because of the transition to new accommodation that has radically re-shaped and improved the facility. Combined with this, organisational restructuring has impacted all prisons and has led to staff shortages followed by significant challenges in the ability to recruit and replace staff. Both factors explain to an extent why there has been some deterioration in safety and stalled progress in other areas.

Inspectors were concerned to find that: - the number of recorded violent incidents was high and rising and some were serious with evidence of concerted attacks on individuals; - during a recent lockdown search, 30 weapons were discovered; - useful initiatives to challenge the perpetrators of violence as well as to support victims had lapsed; - use of force was similarly high and inspectors were not confident that all instances observed were justified; - de-escalation of incidents was evident but it was clear that the introduction of new techniques that, for example, replace the use of pain compliance on children were urgently needed; - child safeguarding had deteriorated and there were a number of instances where issues or complaints had not been followed up; - relationships between staff and young people were mixed; and - at the time of the inspection, a restricted regime was operating, largely as a consequence of staff shortages. - Inspectors made 102 recommendations

Nick Hardwick said: "We inspected Cookham Wood at a tough and challenging time. A new governor had recently been appointed and there had been significant loss of staff, not all of whom had been replaced. The move to new accommodation had been successful, but had clearly been a significant management distraction. Outcomes had suffered but the institution was sighted and there was evidence that issues were beginning to be gripped, so there remains every reason for optimism about the outlook at Cookham Wood. However, risks remain and the need to recruit suitable new staff is fundamental to the future success of the prison."

by replacing his CCTV system and changing his security company. It was impossible to keep drugs out of the club, but he had taken all reasonable steps to prevent the supply of drugs.

In his summing up to the jury, the trial judge reminded the jury that G.G. had worked at the Dance Academy in late 2004 for approximately six months and so was not there during the period covered by the indictment. He summarised G.G.'s evidence as follows: "[G.G.], who had been the head doorman before the period of the indictment in 2004, said this: 'There was never an enthusiasm to stop drugs going into the club.' On a Saturday night there would be on average about 800 people in the club of which ... he said 'about 50 per cent would be intoxicated on drugs'..."

On 2 July 2008 the applicant was convicted by a jury and on 21 July 2008 he was sentenced to nine years' imprisonment. In his sentencing remarks, the judge commented that there had been "large-scale, blatant supply of and use of ecstasy" in the club, of which the applicant had been well aware and to which, at the very least, he had turned a blind eye in order to maximise the profits and reputation of the club. He referred, inter alia, to the evidence of the undercover police officers, of G.G., of the club's head doorman in 2005, of other doormen at the club and of a customer.

Complaint to ECtHR: The applicant complains under Article 6 § 3 (d) that he was denied a fair trial because material which might have undermined the prosecution or assisted his defence, identified by the CCRC in its report, was not disclosed to him. He complains in particular that: (i) although the Court of Appeal considered the PII material on an ex parte basis, it had not been seen by the trial judge; and (ii) special counsel should have been appointed to represent his interests during the PII hearing.

Questions to the parties (UK Governmet/CCRC/Hickmans Solicitors: Factual information sought - 1. The Government are requested to provide copies of the following documents: (a) The CCRC report; (b) The open transcript of the judgment of the Court of Appeal in 2012 in respect of the ex parte PII application and/or any available summary of the decision and court orders; (c) Any judgments/summaries in respect of any PII applications or hearings which took place during the applicant's original trial and appeal proceedings in 2008. 2. The Government are requested to confirm which parts of Annex C and any other confidential information to which the CCRC referred were disclosed, and the dates of such disclosure. 3. The parties are requested to confirm the dates and details of all disclosure which took place following the publication of the CCRC report. 4. Has the applicant exhausted all effective domestic remedies, as required by Article 35 § 1 of the Convention? In particular: (a) did he advance before the Court of Appeal in 2012, at least in substance, the argument under Article 6 of the Convention which he now seeks to make; and (b) did Article 35 § 1 require him to seek certification of a question of law of general public importance? 5. Has there been a violation of Article 6 §§ 1 and 3 (d) of the Convention in the applicant's case?

Mark Duggan's Family Lose Attempt to Overturn Inquest Verdict

Duggan's relatives had brought a judicial review saying the coroner at the inquest had misdirected the jury, leading to a verdict they considered perverse. The jury in January found the killing was lawful despite also concluding Duggan was shot while unarmed. Duggan, 29, was shot twice by a Scotland Yard marksman in August 2011. His death in Tottenham, north London, prompted riots across England that were some of the worst in modern times. The verdict of lawful killing led to furious scenes with the jury having to rush out of court after fearing for their safety. On Tuesday 14/10/14, the high court rejected the Duggan family's argument that the coroner at the inquest, Keith Cutler, blundered in his summing up. For a case that generated such strong emotions and shook the country, the judgment focused on highly

technical legal points about the law on self-defence.

The Duggan family's challenge was rejected by Lord Justice Leveson and two other high court justices including Sir Peter Thornton, the chief coroner. The family had argued that the coroner at the inquest had blundered when he explained to the jury the law on self defence before they retired to consider their verdicts. The jury concluded Duggan had tossed the gun away and was not holding a weapon when surrounded by police marksmen. They jury accepted the officer who opened fire, had a mistaken but honest belief that Duggan was holding a weapon, but concluded his account was wrong. Lawyers for the Duggan family argued during their challenge that the jury should have been told that if they were sure Duggan did not have a gun when he was shot, then they could not conclude his killing was lawful. They also said that marksman's mistaken belief Duggan had a gun, should have meant the jury were told not to conclude the killing was lawful unless they also concluded the mistake was reasonable.

During the hearing, Michael Mansfield QC for the Duggan family said: "How is it a man who is manifestly unarmed can be lawfully shot". Mansfield said the effect of the errors in the coroner's summing up meant too low a threshold was set for the jury to find the killing lawful. The jury had been allowed by the coroner to consider a verdict of unlawful killing, but found the shooting of Duggan to be lawful. His mother, Pamela Duggan, said she was "extremely disappointed" at the judgment . Her solicitor, Marcia Willis Stewart, said: "She remains deeply distressed about the death of her son and the circumstances in which it occurred and has instructed the legal team to lodge an appeal. To this end the application may be made before the court today." Carole Duggan, the aunt of the shot man, said: "Once again our family feel let down. We feel we're being held responsible for the uprising of 2011."

The high court concluded Tuesday's judgment by making it clear that its rejection of the Duggans' challenge over the inquest does not prohibit the family from suing the police: "In civil proceedings the burden of proof and the ingredients are different and may [we do not say must or will] provide a different answer to the very difficult questions posed by this case," the judgment said. An investigation into the shooting by the Independent Police Complaints Commission continues following new evidence that emerged at the inquest.

Police Killing of Pearse Jordan: Fresh Inquest to Take Place *BBC News, 14/10/14*

Three senior judges have cleared the way for a new inquest into the police shooting of an IRA man 22 years ago. Pearse Jordan was killed in disputed circumstances on the Falls Road in west Belfast in 1992. His death was one of several high-profile cases involving claims the security forces were involved in shoot-to-kill incidents. The Court of Appeal has now upheld a decision to quash the findings of an original inquest. The ruling was based on the non-disclosure to next-of-kin of reports into allegations of a shoot-to-kill policy. Further issues over whether the new inquest should sit with a jury are still to be determined.

In October 2012, a long-delayed inquest failed to reach agreement on key aspects. The jury was split on whether reasonable force was used in the circumstances, the state-of-belief on the part of the officer who fired the fatal shots, and whether any alternative course of action was open to him. The dead man's father, Hugh, then mounted a wide-ranging judicial review challenge to the outcome. In January, a High Court judge ruled that the inquest verdict should be quashed on a number of grounds. These included a failure to disclose the Stalker/Sampson reports into other so-called shoot-to-kill cases to the Jordan family and the decision to sit with a jury. Other grounds for quashing the decision included a refusal to discharge a juror who claimed the inquest was unfair and the limited form of verdict returned by the jury.

Amid fears of a potentially perverse verdict being reached in such a contentious inquest, the judge held that a new tribunal into Pearse Jordan's death should sit without a jury. The PSNI was also held responsible for a delay of up to 11 years in holding the original hearing. A £7,500 compensation award was subsequently made to the Jordan family.

A wide-ranging challenge to the ruling is under way at the Court of Appeal. But following initial submissions by counsel for the chief constable, the three-judge panel concluded that the decision to quash the first inquest's findings was justified. Lord Chief Justice Sir Declan Morgan agreed that the coroner had been wrong about the potential relevance of the Stalker/Sampson reports. Deciding that a Police Ombudsman report into the PSNI shooting of Neil McConville in 2003 could not be deployed at the inquest amounted to a further error, the court held.

Mr Jordan's solicitor claimed the Court of Appeal verdict will have wider implications. The solicitor said: "This is a tremendous vindication of the Jordan family in their challenge to the conduct of the inquest into Pearse's death. This ruling will also provide important guidance in relation to the deployment of similar fact evidence at inquests where members of the security forces have been involved in previous or subsequent lethal force incidents involving civilians." He added: "The Jordan family have waited for almost 22 years for a full and fearless inquiry into the circumstances of their son's death and they now look forward to participating in a new inquest at which all of the relevant evidence will be explored with the witnesses."

West Mids Police Deploy 'Behaviour Spotters' to Prevent Public Disorder

A team of plain clothes police officers has been developed by a force to spot people whose body language suggests they may be intent on causing disorder and therefore enable preventative policing? West Midlands Police are using tactics rooted in behavioural science to pick up changes in demeanour among members of the public which could indicate an intention to cause trouble. The almost 16-strong team were deployed at the recent Conservative Party Conference in Birmingham. Plain clothes officers patrolled the security cordon looking for anyone displaying certain behaviour indicators. The team has also been used at other major attractions such as a festive German market and, more routinely, by Safer Travel Partnership officers at busy public transport hubs.

West Midlands Police Chief Inspector Phil Boardman, said: "The officers assess changes in behaviour - including mannerisms and movement - amongst people when faced with a uniform police presence. They are trained to spot suspicious behaviour and reactions to seeing uniformed officers that could indicate a criminal motive - though for obvious reasons we won't say what the officers are specifically trained to detect. The technique gave ground commanders during the conference considerable flexibility in deployments, allowing the policing operation to stay one step ahead of any groups who may have been intent on disrupting the event." The team stopped 15 people near the conference centre who displayed behaviour sparking suspicion. No arrests were made but among those who were approached were members of far right groups.

Involuntary physical reactions - The force says the tactics follow those which originated in the United States around 10 years ago when scientists began looking at the "human capacity to detect dangerous people". It was based on the premise that anyone engaged in a serious deception and with much to lose by being discovered will suffer stress, fear or anxiety on encountering police or other enforcement agency - and that this will manifest itself through involuntary physical and physiological reactions.