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 821 (18/11/2020) - Cost £1

Police Spying Inquiry to Examine Targeting of UK Black Justice Groups

Rob Evans, Vikram Dodd, Paul Lewis, Guardian: A public inquiry into undercover policing is poised to reveal details of how police repeatedly spied on black justice groups, including several run by grieving families whose relatives were killed by police or died in custody. The judge-led inquiry was launched six years ago by the home secretary at the time, Theresa May, after the Guardian revealed police covertly monitored the campaign for justice over the racist murder of Stephen Lawrence. The inquiry is due to scrutinise how the police spied on at least 17 other, mainly black, grieving families between 1970 and 2005. Many are high–profile cases that have been the source of tension between the Metropolitan police and minority communities for many years.

Among those spied on were the campaigns for justice over the death of Jean Charles de Menezes, the Brazilian electrician shot repeatedly in the head in 2005 by police after being mistaken for a suicide bomber, and Cherry Groce, whose shooting by police two decades earlier, in 1985, sparked the Brixton riots. The latest disclosures will come after months of allegations about policing and race in modern-day Britain following the mass Black Lives Matter protests during which more than 250,000 people took to the streets. The BLM protests and allegations of continuing police racism have led police chiefs to pledge a new race action plan, with polls showing widespread mistrust of policing within Britain's black communities. The inquiry, which is due to start hearing evidence, will scrutinise the deployment of nearly 140 undercover officers who spied on more than 1,000 political groups across more than four decades. It will examine how police spies deceived women into long-term relationships and stole the identities of dead children in order to monitor and in some cases disrupt political campaigns, mostly on the left. The sheer number of operations monitoring black justice campaigns, and the fact they were run for decades, could prove damaging to the Met at a febrile moment for the force.

Insp Andrew George, the president of the National Black Police Association, said the revelations expected at the inquiry would strain already difficult police and community relations. "It is going to have an impact on community confidence at a time when tensions are already heightened," he said.. "Those campaigns [spied upon] were involved in civil rights movements, not criminal activity, so there was not a justification. The hurt of the past has to be acknowledged before it can be moved on from, before you can build trust and confidence. Trust and confidence is already low. It has been at crisis point this year."

At least three undercover officers were tasked with monitoring people campaigning for justice for Lawrence, who was stabbed to death by racists in 1993. Police also monitored Duwayne Brooks, who was with Lawrence on the night of the murder. Six years later, a public inquiry into the bungled investigation into Lawrence's murder famously concluded the Met was "institutionally racist". The undercover officers, as well as their commanding officers, are due to give evidence at the inquiry, which is being led by the retired judge Sir John Mitting. The inquiry will also examine surveillance of those calling for justice for Joy Gardner, who died in 1993 after being bound and gagged by deportation officers, Ricky Reel, who died in 1997 after a clash with racists, and Michael Menson, who was burned to death in 1997 by a racist attacker who almost escaped justice because police said Menson had doused himself in petrol.

The whistleblower Peter Francis, an undercover officer who spied on anti-racist groups, has previously said his "lowest point" morally was attending a candlelit vigil outside Kennington police station in south London for the Brian Douglas justice campaign in 1995. Douglas, a boxing promoter, died after being struck on the head by a police baton. Francis also indicated police monitored the justice campaigns of Shiji Lapite, a Nigerian asylum seeker who was asphyxiated after being put in a neck-hold in the back of a police van, and Ibrahima Sey from Ghana, who stopped breathing after being held face down for 15 minutes in a police station while handcuffed. Undercover operations are understood to have targeted campaigners protesting over the death of Blair Peach, an anti-fascist activist who was killed by police in 1979. Another early target of the Special Demonstration Squad (SDS), the secret unit created to plant undercover police spies deep undercover on political groups, was the movement against the apartheid regime in South Africa.

One of the first witnesses to take the stand will be an undercover officer codenamed HN345, who monitored anti-apartheid activists while using the alias Peter Fredericks in the early 1970s. "Fredericks" also spied on the black power movement. His real identity is being withheld from the public after Mitting controversially approved a large number of applications from undercover officers who wanted their anonymity preserved. This has led to complaints from activists who say they will be unable to properly challenge the officers' evidence. "The lack of progress of this inquiry to date doesn't give me confidence in its approach or its outcome. Far too little has happened in the six and half years since it was announced," said Neville Lawrence, the father of Stephen Lawrence. "I want a fully transparent inquiry which establishes what happened, why the Metropolitan police thought it appropriate to send undercover police to spy on me and my family following Stephen's death, at a time when we were grieving and campaigning to make the police take Stephen's murder seriously. I want to know what part institutional racism played in that decision. "And I want the Metropolitan police to learn lessons from what they did, so it doesn't happen to more families in the future."

More than 200 witnesses, ranging from the undercover officers, their superiors, Whitehall officials and politicians, are due to give evidence to the inquiry, which is due to run until at least 2023. It will also hear evidence from those who were spied on, and explore the extent to which the Security Service, MI5, helped run the undercover operations. Police chiefs are declining to say whether they are continuing to target political activists using the same undercover techniques. In a statement the National Police Chiefs Council said it was assisting the inquiry, adding: "it would be inappropriate to comment further".

Government Undercover Operatives to be Allowed to Commit Criminal Offences

Jacob Bindman, Garden Court Chambers: The Government recently submitted the Covert Human Intelligence Sources (Criminal Conduct) Bill to Parliament. This Bill seeks to put the ability of undercover operatives to commit criminal offences in the course of their deployment on a statutory footing. It will be achieved by amending the Regulation of Investigatory Powers Act 2000 (RIPA) to allow a diverse range of state agencies to authorise their Covert Human Intelligence Source (CHIS) to commit criminal offences where necessary for protecting national security, preventing or detecting crime or disorder, or protecting the economic wellbeing of the UK. This will have the effect of making such activity "lawful for all purposes", which, without providing so explicitly, effectively means full civil and criminal immunity for those who act within the terms of the authorisation.

Background to the Bill: There is of course nothing new about the use of CHIS by law enforcement agencies, which has been regulated by s.29 of RIPA since its enactment. It is also a

matter of record that the Security Services have long used covert agents as part of their domestic operations, which has often involved those agents engaging in criminal activity. The use of agents and informants in proscribed terrorist organisations such as the IRA and Loyalist groups during the Troubles are an obvious example. Simply by being members of such groups those agents were committing an offence, but history shows that involvement often went well beyond simple membership - see for example the tragic case of Pat Finucane the solicitor murdered in front of his children by loyalist paramilitaries with the collusion of the Security Services. There are also numerous examples where the use of such operatives and their participation in crime have been essential to disrupt potentially deadly plots or violent criminal activity.

For some time, those acting for the foreign branch of our Intelligence Service (MI6) have been permitted by statute to commit criminal offences in the course of their operations on foreign soil (s.7 Intelligence Services Act 1994). The CHIS Bill, however, is the first time that legislation has been drafted to allow offences to be committed in the UK. Perhaps more importantly, the Bill allows for authorisation of such activity, not just for those working for MI5 seeking to disrupt terrorist activity but, as alluded to earlier, for a very wide array of state agencies engaged in law enforcement activity. The National Crime Agency (NCA) and the Serious Fraud Office may seem like the more obvious users of such techniques, but the Home Office, Department of Health and Social Care and Food Standards Agency may not. Yet all these agencies and more will now have explicit authority to allow their CHIS to commit criminal offences "In the course of, or otherwise in connection with, the conduct of a covert human intelligence source" (s.8(a) CHIS Bill).

A number of pertinent questions are raised by this new legislation, but first, the motivation for its introduction needs to be touched upon. The principal reason that the Government seeks to enact this legislation is a ground-breaking case before the Investigatory Powers Tribunal (IPT) last year. In Privacy International & Ors v Foreign & Commonwealth Office [2019] UKIPTrib IPT_17_186_CH the claimants (a group of NGOs) challenged the lawfulness of a policy ('The Third Direction') written by the Prime Minister that permitted MI5 to authorise criminal activity on the part of its covert agents. The existence of that policy had only come to light in separate litigation regarding the bulk collection of personal data. As the name suggests it was the third version of such a policy, having been renewed by Prime Ministers including David Cameron and Theresa May.

It was agreed by all parties to the litigation that RIPA did not cover such activity, therefore the legal basis for it had to be found somewhere else. Ultimately, the IPT held by a majority of 3-2 that the Security Service Act 1989, which placed MI5 on a statutory footing, gave an implied power to authorise its agents to engage in criminal activity in order to carry out its statutory functions, which range from protecting national security to safeguarding the economic well-being of the country as well as supporting law enforcement agencies in the prevention and detection of serious crime. The core of this reasoning was essentially that s.1 (1) of the 1989 Act says there shall "continue" to be a Security Service. Therefore, in view of the fact it was well known by Parliament that the Security Service ran covert agents amongst terrorist groups, it must be taken to have intended that such activity be allowed to continue. Further, on the basis of the public law principle that provides public authorities with implied powers necessary for them to carry out their primary statutory functions, there must be a power to authorise agents to engage in criminal activity in the way they had been.

The reasoning of the majority raises a number of issues that are beyond the scope of this piece. However, as is plain from the fact it was decided on a 3-2 majority, it is not a certainty that it will survive an appeal. The judgment also touched upon the fact that there have been calls over the years for such controversial activity to be explicitly governed by statute, not least so that those undertaking it can know where they stand. So, it emerges that the idea behind the Bill is a sensible one, but the breadth of its application and the inbuilt safeguards should be properly scrutinised.

Safeguards and Human Rights: Legal commentators in the Twittersphere and elsewhere have rightly pointed out that in going beyond the traditional agencies that investigate the most serious criminal activity such as the Security Service, NCA and some sections of the police force, the Bill is assuming the same level of institutional capability and safeguards for a much wider set of actors. Agencies with years of experience of running undercover agents are by no means immune to making errors, but those whose primary functions are entirely different are likely to have far less experience and robust procedures to handle such activity.

The Bill does not define or limit what types of criminal offences might be authorised by the relevant agency. This means that in theory, for example, violent or sexual crimes may be subject to authorisation. The Home Office explanatory briefing note that accompanies the Bill states that this is not a problem. First, it is said it would be dangerous to specify prohibited crimes as it might encourage those being infiltrated to force a suspected agent to commit one of them in order to expose him or her and; secondly, that any agency authorising criminal activity remains bound by s.6 of the Human Rights Act (HRA) and so cannot act in a way that is incompatible with the rights contained within it.

There are inherent difficulties with such arguments. In Canada, for example, the list of crimes that a CHIS cannot be authorised to commit is set out in statute and includes murder, torture and sexual offences. Presumably criminals in Canada are as likely to employ the same methods the Home office fears, yet the legislature there felt it necessary to be clear about what can and cannot be done in the pursuit of evidence gathering or crime prevention. Further, the implication is that no agent could infringe one of the unqualified rights protected under the HRA, such as the right to life or the right to freedom from torture, inhuman or degrading treatment. On that basis homicide or violence against the person would be prohibited. If that is so then why not say so explicitly? Surely if the criminals in question are savvy enough to read the legislation as the Home Office suggests then they will be astute enough to recognise the limitations this Bill apparently places on the activity of a CHIS. In any event, as former DPP, Ken McDonald pointed out in the Times (5th October 2020) - it is not as if criminal gangs were not already aware that undercover agents won't kill to order. Setting it out in statute would provide clear limits to this extraordinary power.

The Home Secretary's assertion that the Human Rights Act will be a sufficient safeguard raises further problems. First, by not defining which crimes may not be authorised each agency is left with a series of potentially very difficult judgments to be made. Surely the rule of law at least demands that decisions to authorise serious criminal activity not be left solely to police officers (or other officials), even if they have attained a particular rank, and certainly not in the huge range of agencies covered by this bill.

Secondly, we only need to look at recent history to see the abuse to which this kind of power is open. The discovery of the 'Special Demonstration Squad' ('SDS') and its team of undercover officers placed in climate and anti-capitalist activist groups was a shocking revelation into the misuse of State power to monitor those who dare to advocate for a different approach to running our society. But of course, it went beyond mere monitoring or evidence gathering. Identities of dead children were stolen, and female activists tricked into relationships and even having children with officers who, all the while, were living double lives. Years later, after

being uncovered by journalists and some of those affected, and the public scandal that followed, some of the victims have received pay outs and the Metropolitan Police has accepted some degree of wrongdoing. However, lives remain shattered and the Inquiry set up to get to the bottom of the activity (the Undercover Policing Inquiry) is mired in delays and extreme restrictions on public disclosure. An attempt by one of those affected to pursue a claim in the IPT moved at a glacial pace and remains subject to the extraordinary rules of secrecy that the Tribunal is required by statute to adhere to. Despite the proposed safeguards in the CHIS Bill this, it should also be remembered, remains the only Tribunal in which any claim that a CHIS has breached a complainant's human rights can be brought.

Threshold and Oversight: The Bill allows the authorisation of criminal conduct for three reasons including, where "necessary to prevent crime or disorder". Such a low threshold for authorisation will sound all too familiar to those individuals who suffered at the hands of the SDS. Entirely peaceful activist groups often temporarily create what might be termed as 'disorder', but does that justify commission of crimes by state agents as they seek to prevent it? The Bill requires the criminal activity authorised "must be proportionate to the aim to be achieved", but that proportionality will be determined solely by the authorising officer and their supervisor. Clearly, those operating the SDS thought it a proportionate response. It is hoped the position would be different today but ensuring that depends on robust oversight.

In that regard, the explanatory note trumpets the role of the Investigatory Powers Commissioner (IPC) under s.229 of RIPA in overseeing the grants of this type of authorisation. This is to be welcomed but the IPC's role extends to having to keep the use of the powers "under review (by way of audit, inspection or investigation)" and in certain circumstances to inform a relevant person if a serious error is uncovered and a public interest test met. Effectively this means that random requests to view a particular agency's past or present authorisations for criminal activity can be made and an audit carried out. It does not, however, require mandatory referral or for the IPC to pronounce on the legality of such authorisations. Most fundamentally, it does not require any prior judicial authorisation for the use of the powers in the CHIS bill in any circumstances (in contrast to obtaining a warrant to intercept phone calls or search a property).

Where the deployment of a CHIS results in a criminal prosecution there may be a greater prospect of being able to challenge the lawfulness of an authorisation to commit criminal conduct, provided that full disclosure is made to the CPS and defence. In R v Barkshire [2011] EWCA Crim 1185 a group of protestors had their convictions for occupying a power station quashed after it emerged that an undercover officer had played an instrumental role (beyond the scope of his authorisation) in the operation and had even given evidence at trial without the defence ever being informed of his existence. But discovering such incidents of wrongdoing after the event, sometimes many years after, is unacceptable. Particularly when attempts to gain a public understanding of the extent of any such failings are inevitably met with resistance and secrecy as the experience of the UCPI suggests.

Conclusion: There is ultimately no substitute for oversight that is at least capable of ensuring that unlawful decisions are identified before they cause harm. Nor is there any better means of maintaining public trust and confidence in a system then allowing a robust and open challenge by those wrongly affected by such activity in court. This attempt to legislate for criminal activity carried out by those acting for the state appears to provide neither. None of that is to say these are not important powers for those genuinely trying to prevent serious crime and threats to the nation. Clearly the utility of informants and undercover operatives cannot be underestimated, but this Bill does not suggest that historical failures of law enforcement agencies to police themselves have been taken into consideration.

Jeremy Bamber - Shafted Again - Remains a Cat A Prisoner

This is a renewed application by Jeremy Bamber, the Claimant, for permission to seek judicial review of a decision dated 18 March 2020 by the Director of the Long-Term and High Security Estate (the Director) on behalf of the Secretary of State for Justice, the Defendant, refusing to downgrade the Claimant from Category A and refusing to direct that an oral hearing take place on the categorisation question. His Honour Judge Saffman sitting as a judge of the High Court refused permission on the papers on 6 August 2020. I held a remote oral hearing on 12 October 2020. The Claimant was represented by Mr Stanbury and the Defendant by Mr Tankel. I am grateful to both of them for their oral and written submissions. At the conclusion of the hearing I reserved my decision and said I would put my reasons in writing. This I now do.

Discussion: For the substance of the reasons given by His Honour Judge Saffman and for the following reasons I have concluded that permission must be refused on the basis that neither of the grounds of challenge advanced on behalf of the Claimant is arguable.

In relation to Ground 1, I agree that the Director was wrong to say that Dr Beckley had concluded that an assessment of risk was 'impossible'. She did not say that, and her report cannot reasonably be read to have reached that conclusion. She expressed her conclusion that such an assessment was possible, and she made one. Whether or not this was just lazy language on the Director's part, it was an error. I am not entirely sure the point was conceded by the Secretary of State in the way expressed by the judge, but whether or not that is correct, what the decision said was wrong.

Equally, however, when the Director's decision is read as a whole it is plain that he had the right question in mind and that the reasons he gave for refusing to recategorize the Claimant were ones which were reasonably open to him on the evidence.It is obvious that the Director had well mind the key question, per [4.2] of PSI 08/2013, namely, whether there was convincing evidence of a reduction in risk. I agree with the Secretary of State's submission that notwithstanding the misstatement I have referred to, the Director correctly understood Dr Beckley's report and the representations that had been made on the Claimant's behalf, including that he did not exhibit the usual range of risk factors known to be associated with violence. The substance of that report was that a conclusion about the Claimant's risk could be drawn solely from evidence of his regime compliance, lack of current violent ideation, and the specific nature of his index offence, and the other matters she mentioned, and that, based on those factors, the inference could be drawn that the Claimant's risk had reduced sufficiently. I consider that the decision letter makes clear that the Director understood this. He expressly noted that, based on these factors, Dr Beckley had felt able to recommend that the Claimant should be recategorized. However, he also recognised that there remained a gap in the evidence base, for example, that it was not possible to assess the Claimant's offence-related insight and progress.

Paragraph [4.2] of PSI 08/2013 refers to the need for 'convincing' evidence. Whether the evidence presented on behalf of the Claimant was sufficiently convincing to justify a downgrade was one for the Director's judgment. Overall, the Director's conclusion that there was insufficiently convincing evidence as to the reduction in risk was one which was reasonably open to him on the evidence before him. Dr Beckley reached a conclusion in the Claimant's favour, but her view was nuanced and qualified, as she frankly admitted at [27.1] (set out above) ('… It is difficult to develop a comprehensive formulation of the risk …'). On this basis, whilst there was evidence in the Claimant's favour, the Director was entitled to conclude that it was not sufficiently convincing to meet the test in [4.2].

Even if the Director had not made the misstatement about 'impossibility', I have no doubt that his conclusion would have remained the same and he would have declined to re-categorise the Claimant, on the basis that despite Dr Beckley's opinion, the necessary cogency

of evidence was not present. Hence, permission on this ground must be refused under s 31(3D) of the Senior Courts Act 1981 in any event. In relation to Ground 2, and whether there should have been an oral hearing, despite the Claimant's submissions, I remain unpersuaded it is arguable that this case is one of those rare ones in which an oral hearing was required.

In Hassett, supra, Sales LJ said that (emphasis added): "51(i) The CART/Director are officials of the Secretary of State carrying out management functions in relation to prisons, whose main task is the administrative one of ensuring that prisons operate effectively as places of detention for the purposes of punishment and protection of the public. In addition to bringing to bear their operational expertise in running the security categorisation system, they will have other management functions which mean that in striking a fair balance between the public interest and the individual interests of prisoners, it is reasonable to limit to some degree how elaborate the procedures need to be as a matter of fairness for their decision-making. Moreover, in relation to their decision-making, which is part of an overall system operated by the Secretary of State and is not separate from that system, it is appropriate to take account of the extent to which a prisoner has had a fair opportunity to put his case at other stages of the information-gathering processes within the system as a whole. So, for example, in the present cases it is a relevant factor that both Mr Hassett and Mr Price have had extensive discussions with and opportunities to impress a range of officials of the Secretary of State, including significant contact with prison psychology service teams. The decision-making by the CART/Director is the internal management end-point of an elaborate internal process of gathering information about and interviewing a prisoner...60 ... The courts should be careful not to impose unduly stringent standards liable to judicialise what remains in essence a prison management function. That would lead to inappropriate diversion of excessive resources to the categorisation review function, away from other management functions. 69 ... Even in a case where there is a significant difference of view between experts, it will often be unnecessary for the CART/Director to hold a hearing to allow them ventilate their views orally. This might be so because, for example, there may be no real prospect that this would resolve the issue between them with sufficient certainty to affect the answer to be given by the CART/Director to the relevant question, and fairness does not require that the CART/Director should hold an oral hearing on the basis of a speculative possibility that that might happen ..."

I am entirely satisfied (per the italicised words above) that the Claimant had a fair opportunity to present his case on why he ought to be re-categorised even without an oral hearing. I set out some of the factual background earlier. From May 2019 onwards, when Dr Beckley completed her report, the Claimant through his solicitors made several sets of representations to the Director on the question of his categorisation. In July 2019 the Director concluded there was insufficient evidence of risk reduction. That conclusion was challenged by the Claimant's solicitors, and the Director agreed to take a fresh decision. That demonstrates both the effectiveness of the Claimant's engagement in the decision-making process, and the extent to which he was able to influence it even in the absence of an oral hearing.

As explained in [10-11] of the Claimant's Statement of Facts and Grounds, the reason the Director agreed to re-take the decision was because his first decision had relied upon outdated reports. Thus, as part of the re-taking of the decision, in late 2019 the prison psychology service and a probation officer carried out new assessments of the Claimant. In December 2019 the Claimant's solicitors made representations in response to these assessments. In January 2020 the LAP made its recommendation, which prompted further representations from the

Claimant's solicitors in February 2020. They took issue with the LAP recommendation and set out five reasons why an oral hearing was said to be necessary. The Director then made his decision on 19 February 2020. Against this background, I find that the Claimant had a full and fair opportunity to present his case, and that an oral hearing would have added nothing. I agree with the Secretary of State's submission that, essentially, the question was: what inference about the level of risk could properly be drawn from the largely undisputed facts ? I do not consider that an oral hearing would have meaningfully aided the inference-drawing process. In other words, it would have provided no greater degree of certainty about the correct inference on risk than was possible from an analysis of the written evidence alone. The fact that the experts disagreed about what inference should be drawn about risk did not of itself justify an oral hearing, as the extract from Hassett, supra, makes clear. I also agree, for the reasons already given, that this was not a situation of impasse. For these reasons, and those given by the judge, I refuse permission to seek judicial review.

'Little Faith' in Spy Cops Inquiry Getting to Truth

Zaki Sarraf, Justice Gap: The public inquiry into undercover policing Inquiry has began five years after the then Home Secretary Theresa May announced the inquiry. It will examine the contribution that undercover policing has made to tackling crime, how it is supervised, regulated and the effect on individuals involved. The inquiry will also examine whether individuals may have been wrongly convicted in cases involving so called spy cops. Bindmans Solicitors are acting for a number of the core participants. 'Our clients have waited more than five years for this Inquiry to commence,' the firm said. 'During this time the Inquiry has granted anonymity to most of the undercover police officers being called to give evidence, in some cases to their cover names as well as their real names.'

'Those of us who have been following the Undercover Policing Inquiry go into the start of proceedings today with very little faith in the process,' commented core participant Tom Fowler. 'The huge concessions to police anonymity that that has been partly responsible for the delays that have taken five years for the Inquiry to get started gave made sure of that. We will however be watching proceedings closely in the hope that some droplets of truth will sneak out. Myself and others will be providing live updates over the duration of the hearings, using the #spycops hashtag on Twitter.' Theresa May's announcement of the judge-led inquiry in 2015 was in response to Mark Ellison QC's review which sought to answer whether there was evidence of corruption in the Metropolitan Police during the investigation of the murder of Stephen Lawrence; whether the Met had evidence of corruption it did not disclose to the Macpherson Inquiry into the murder; and whether there was inappropriate undercover activity directed at the grieving Lawrence family.

The Ellison review found undercover officers being deployed to influence and smear the Lawrence family campaign whilst the Macpherson inquiry was ongoing. Specific allegations by police officers of corruption against other officers were ignored by their superiors and not brought to the attention of Macpherson; key evidence was shredded by the Police; and undercover officers failed to correct evidence given in court which they knew was wrong. In March 2014, Theresa May May described its findings 'profoundly shocking' and 'of grave concern'. The Lawrence case is one example of undercover policing and there are over 230 core participants in the UCPI including individuals that have been duped into relationships with undercover officers, families of victims of murders, politicians, trade unionists and more – a full list of the core participants can be found here. Sixty-nine officers' names have been published from the Special Demonstration Squad to enable members of the public to determine whether they were affected by undercover policing and come forward with evidence.

What Should Reparations For Slavery Look Like?

Nadine Batchelor-Hunt, Each Other: In the UK, West Indian sugar plantations brought billions of pounds in today's money to the British economy. It helped build the British Empire's wealth, strength, and might – using Black people as tools, and draining the Caribbean of its natural resources. And that economic strength is indivisible and intrinsic to the superior socio-economic position of Britain in the world today – making it one of the wealthiest countries in the world. This is something that is a direct consequence of the profits from slavery and colonialism; one that must be acknowledged with steps to address it.

The debate around reparations for colonialism and slavery has often been an explosive one. It is often dismissed as far removed from reality, relating to events in the distant past. But the legacy and consequences of colonialism are material, living, and breathing – which makes debates around colonial restitution as relevant now as they have ever been. Never was this clearer than when David Cameron, the former British Prime Minister, paid a visit to Jamaica in 2015. He had arrived to provide funding for a prison, which sparked outrage among Jamaicans. Portia Simpson Miller, the then prime minister, said that Jamaica wanted reparations for slavery – not prisons. The British government refused, but it did nothing to diffuse this sentiment in the Caribbean. Indeed, just last month Barbados announced its decision to remove the Queen as their Head of State, one of the most stark reminders in West Indian countries of British colonisation.

These discussions should not be limited to governments. Indeed, it's been refreshing to see companies, like pub giant Greene King, openly admit their prosperity has stemmed from colonialism and slavery. The company's announcement that it will invest in minority ethnic communities in the UK, and diversify its staff, appears to shows a desire to interrogate and acknowledge a past that has been swept under the rug for too long. Academic institutions have also taken steps to address the issue of decolonisation, reparations, and restitution. Glasgow University last year announced plans to pay £20 million in reparations after investigating their connections to the slave trade. And Jesus College, Cambridge, my alma mater, has also announced its intention to launch a slavery inquiry into the history of the college to explore where its wealth came from. This is also being accompanied by the repatriation of looted cultural objects from the Kingdom of Benin at the end of the 19th century.

Some critics have tried to delegitimise calls for reparations by taking the argument to absurd extremes: "where do you stop if you give reparations? Do we ask Italy for reparations over Roman colonisation?" These arguments are merely intended to derail important conversations about reparations, and glaze over the real and material consequences of Western colonialism. Take Haiti, for example. Haiti won its independence after its enslaved population mounted a revolution against their French colonisers at the start of the 19th century – but at a high price. Barely two decades later, facing political and economic isolation, the country reluctantly agreed to pay France $21 billion in today's money to guarantee it immunity from military invasion. Haiti was the first slave colony to become a free nation in 1803 – but was lumbered with paying reparations to France until 1947. The socio-economic turmoil that Haiti continues to find itself in today is directly related to the reparations that were extorted out of it for having the audacity to be free. And, France continues to refuse to pay reparations for the money it demanded from the nation. So, if we acknowledge that the consequences of slavery and colonialism are very much living, and that there is a serious argument for restitution – how do we go about it? Thousands of people have signed a petition asking Parliament to consider making cash payments to people descended from slaves, and for former slave nations.

I, however, think the approach needs to be more nuanced. A single cash payment to Black people whose futures and marginalisation were shaped by the enslavement and exploitation of their ancestors will not resolve the structural issues of socio-economic disenfranchisement among these communities. Addressing the current state of affairs – one in which three quarters of Black people in Britain feel their human rights are less protected than their white counterparts – will require a more sustainable and structural approach. In this vein, investment in Black communities – such as scholarships, apprenticeships, and education – should be considered. When it comes to former slave colonies like Jamaica, reparations should take the form of closer trading relationships, partnerships, and collaborations on an international scale. Instead of a British Prime Minister, who is a descendant of a slave owning family himself, arriving to Jamaica to build a prison, they should arrive to Jamaica to encourage close social, political, and economic ties. Indeed, with Brexit on the horizon, the time has never been better to forge relationships with former colonies. The legacy of colonialism is still very much with us. The UK must take the issue of reparations seriously because, especially in the post-Brexit world as Britain looks to repair relationships with the Commonwealth, this issue is not going away.

Reparations and Human Rights

Reparation is broadly defined as the act of "making amends" or offering compensation for an abuse or injury. In the 1900s, reparations were often a punitive measure imposed upon countries that surrendered in conflict, such as Germany following World War I. The concept has evolved to include compensation for victims of severe human rights violations by the party, or parties, responsible. In 2005, the United Nations general assembly adopted a resolution enshrining victims' right to receive reparations and states duty to prove them. Throughout history, reparations for various human rights abuses have ranged from the offering of apologies to financial settlements. Experts believe roughly 13 million people were captured in Africa and sold as slaves by professional traders between the 15th and 19th centuries. Calls for reparations for the slave trade in the UK date back at least as far at 1993, with the establishment of the African Reparations Movement. It was founded by Bernie Grant, one of Britain's first Black MPs, who tabled a motion in the House of Commons which said: "That this House […] notes the historical precedents in reparations such as the case of German repayment for restitution to the Jews for the enormous tragedy of the Holocaust; calls upon the international community to recognise that the unprecedented moral debt owed to African people has yet to be paid, and urges all those countries who were enriched by enslavement and colonisation to review the case for reparations to be paid to Africa and to Africans in the Diaspora; acknowledges the continuing painful economic and personal consequences of the exploitation of Africa and Africans in the Diaspora and the racism it has generated".

A Ruling Delivered in Open Court Amounts to a Confiscation Order

This appeal against a confiscation order on the basis that it was a nullity as a result of the court's failure to reduce the judge's ruling to writing was dismissed. The Court of Appeal ruled that, as with other orders, the judge's solemn pronouncement in court was the order and a failure to draw up a formal written document within the prescribed two-year period from the date of sentence did not invalidate it. In any event, the judge had provided written reasons, findings and figures which satisfied the statutory requirements of the Proceeds of Crime Act 2002 (POCA 2002). The Court of Appeal ruled that in the absence of prejudice or unfairness resulting from an administrative or

procedural breach, it could not be argued that a failure to draw up the order rendered it invalid. The second ground of appeal (that the judge had wrongly concluded that there were hidden assets) was unarguable and leave to appeal was refused.

What are the practical implications of this case? This case confirms that confiscation orders are like any other order of the court—it is the judge's pronouncement in court which constitutes the order; the written order simply reflects that pronouncement. It is clear that the Court of Appeal is likely to revert back to that which was said in court if issue is taken with the contents of a written order. Equally, a written judgment may amount to a written confiscation order if it addresses the requirements of POCA 2002, s 6. It would be good practice to take a note of the order pronounced by the judge in open court and for the written order to be checked against what was said. Equally, practitioners may wish to consider inviting a judge who has provided a written ruling to summarise its contents in open court. Any written or pronounced ruling should include the findings of fact, the benefit amount, the available amount, the term of imprisonment in default and the time to pay. Any administrative failure to reduce the order made in court to writing would not then invalidate the order.

What was the background? The appellants pleaded guilty to offences relating to their having stolen, transferred and disposed of monies (in excess of £450,000) from the bank account of a well-known photographer. Each appellant was sentenced to a term of imprisonment and confiscation proceedings were commenced. A confiscation trial took place between 2 and 5 October 2018 and the judge provided a written ruling setting out his reasons, his findings in relation to the benefit amount and the available amount, the term of imprisonment for default and the time to pay. The ruling stated that the total available assets were £248,657 and that the appellants were jointly and severally liable to pay that amount. The learned judge embargoed the judgment, allowing counsel time to deal with corrections or errors, which were to be provided by 7 October 2018. No representations were sent but the final confiscation orders were not drawn up.

One appellant lodged an appeal against the confiscation order on 8 November 2018. By 28 February 2019, the Crown Court realised that it had not drawn up the confiscation orders and provided a note to the Court of Appeal and the appellant. On 18 March 2019, the appellant withdrew the appeal. The confiscation orders were then drawn up by the Crown Court on 30 August 2019. They incorrectly ordered the appellants to pay £124,328.50—that being half the sum specified in the judge's written ruling. The error was corrected on 3 September 2019. Both appellants later filed fresh applications for leave to appeal against the confiscation orders. On behalf of the appellants, it was submitted that: • the confiscation orders were made significantly after the two-year permitted period of postponement (POCA 2002, s 14), which expired on 19 January 2019 • there was no evidence that the case was listed on 30 August 2019 (when the orders were drawn up) • the orders were defective because they bore an incorrect case number What did the court decide?

There was nothing in POCA 2002 to suggest that a confiscation order not reduced to writing was a nullity. The order came into existence when uttered by the judge. Addressing the fact that the judge's ruling was not delivered orally but in writing, the court observed that, while section 174 of the Criminal Justice Act 2003 requires sentences to be pronounced in open court, any failure to do so amounted to 'a failure of good practice' (see R v Billington [2017] EWCA Crim 618) and did not render a sentence or order a nullity. The judge's written confiscation order complied with POCA 2002, s 6 insofar as it set out the relevant findings, decided the recoverable amount and that the judge was making a confiscation order.

It was clear to the court that there had been an administrative or procedural breach to the extent that the judge's order had not been reduced to a formal written order within the two-

year prescribed period. The appellants and their representatives were at all material times fully aware of the judge's ruling and confiscation order. Not every administrative or procedural breach renders every sentence or order a nullity—only if the breach would give rise to prejudice or unfairness, which the Court of Appeal did not find in this case. Because the judge's written ruling was delivered within the two-year time period, the order was made within that time. Finally, the court ruled that the defects in the written confiscation orders (which were later corrected) did not invalidate the order the judge had made.

INQUEST and Bereaved Families Respond to Prison and Probation Ombudsman Report

Failure to Act on Deaths: The Prisons and Probation Ombudsman on Wednesday 4 November 2020 released their annual report for the financial year 2019/2020. The report details the PPO's work investigating deaths and complaints, prior to the pandemic. Over the year 311 investigations into deaths were started, the fourth highest figure in the last ten years. Of those, 83 deaths were self-inflicted, 31 were other non-natural deaths, 176 were from 'natural causes' (though often relating to issues with healthcare), and there were still 19 deaths awaiting classification. The majority (93%) were deaths in prison. Six of the deaths in prison were women, while four were of young men under the age of 21. There was one investigation into a death of a person in immigration detention, 17 deaths of people in probation approved premises (five more than last year). Significantly, there were also three 'discretionary' investigations, two relating to court and one on a stillbirth in prison. The PPO also highlighted their first complaint about the use of PAVA incapacitant spray, which has recently been rolled out in all adult male closed prisons despite significant concern from the public and human rights bodies. The PPO's investigation found it had not been used in accordance with the requirements of the policy.

Over the year the PPO made 1,050 recommendations arising from deaths in custody. They shared continued frustration at the number of recommendations they have had to repeat from previous investigations. The majority of recommendations (312) related to healthcare provision, 161 were on emergency response, 90 on substance misuse, and 89 on suicide and self-harm prevention. The report noted that, "too many of our recommendations about improvements in primary and mental healthcare are repeated year after year." Their investigations found the healthcare provided in some cases was poor, did not meet the required standard, and was not equivalent to that in the community. They also found shortages of healthcare staff are endemic in some prisons. The PPO continued to see examples of poor healthcare for prisoners whose behaviour is challenging in some way, with some fatal cases showing behaviour which is perhaps caused by mental ill health can mean physical health problems are misinterpreted or overlooked. In many of the self-inflicted deaths they investigated, the PPO found that the prisoner's mental health issues were not adequately addressed or that they were too severe to be managed in prison.

This report follows shortly after HM Inspectorate of Prisons highlighted an inadequate response to PPO recommendations in 40% of prisons in its own annual report. It comes only days after the latest Safety in Custody statistics by the Ministry of Justice showed the number of deaths in the 12 months to September 2020 remains at historically high levels, with around five deaths in prison every week. INQUEST recently submitted evidence to a Ministry of Justice consultation on Strengthening the Independent Scrutiny Bodies through Legislation, supporting proposals to put the PPO on a statutory footing, a change which is long overdue. INQUEST also called for a framework which would place a duty on relevant ministers to respond to PPO recommendations.

Deborah Coles, Director of INQUEST, said: "The number of deaths in prison remain at historically high levels, with investigations finding many are preventable. The work of the PPO is essential, but their recommendations are ultimately only as good as their implementation. Today's report provides yet more evidence of the shameful lack of action and change. At a time when people in prison are living through extreme restrictions, in conditions that amount to solitary confinement, we are deeply frustrated to read yet another report shedding light on the failures of mental healthcare, even before these restrictions were introduced. To protect lives, we need to dramatically reduce the prison population and reallocate resources to health and welfare services. As the second wave of the pandemic begins to hit, effective action is urgently needed."

D*onna Mooney, sister of Tommy Nicol* said: "There are no words to fully explain the everlasting pain and damage that has been caused by my brother's preventable suicide. It became very evident from the thorough PPO report that he was pushed to the brink by a cruel prison system, compounded by an absence of support for his mental ill health. We felt that all of the PPO recommendations were accurate and we hoped that deaths would be prevented as a result. Sadly, this has not been the case. Very few of these recommendations have been implemented and people have continued to die in exactly the same sort of circumstances. Without an independent agency, ensuring these recommendations are implemented effectively, deaths will continue to happen and the devastation will continue to flood across families."

Dita Saliuka, sister of Liridon Saliuka said: "On the 2nd January 2020 I lost my dear brother while he was on remand at HMP Belmarsh. The devastation caused by his death has been immeasurable and I am left with endless questions as to how his death was able to happen in the care of the state. Exactly ten months after Liridon's passing I was forced to relive the pain after I found out another person had died at the same prison. No other family should have to go through this. Our fight for the truth goes on.

What's in a Legal System? Benjamin Bestgen Supplies the Principal Ingredients

Christopher Brown's suggestion that fantasy authors could do more to make law and legal systems an explicit focus point in their works. Leads to an interesting question: how to dream up a legal system from scratch? Whether you are trying to develop one for a fictional work or do it in real life for a new country or city, many core considerations mirror the material covered in the undergraduate jurisprudence tutorials I used to teach in law school.

What Does a Legal System Need? What is Law? At its most basic, it's a set of behavioural and organisational norms which governs various societal interactions. Law offers socially accepted, officially enforceable ways of doing things, such as engaging in commerce, marriage, war, immigration, employment, inheritance or dealing with property and ownership issues. Law is a tool for the state to promote, deter, enforce and structure: equality and anti-discrimination laws promote the fair treatment of people in society, taxes tacitly encourage or discourage people's spending decisions. Criminal law puts the coercive power of the state against its subjects. It can be a tool for justice, upholding peace and order but also an instrument of oppression, atrocity and unjustifiable discrimination. Law also provides its own framework for how it should be administered and what privileges, duties and restrictions are imposed on those making laws, dispensing justice and running institutions like public authorities, courts, guilds, clubs or corporations.

Status of Law: A society under "the rule of law" subjects everybody to it and law rules supreme. Other societies reject that approach and enact different laws for different classes of people or decree certain people or institutions as above or outside the law. This may be by virtue of social rank, wealth, religious creed, education, race or other distinctive factors. God-like entities might also not be subject to laws of mere mortals.

Morality in Law: Many laws have a moral component, indicating what is valued or abhorred in a society, reflecting social attitudes, preferences and prejudices. Legal positivists will try to keep questions of law and morality separate. Law is made by people for people: a racist law that calls for the enslavement of all members of a certain group could be valid law for a positivist, assuming the correct formal procedures for making the law were followed. The law must then be upheld, no matter an individual lawyer's personal moral objections. Natural law theories understand law as arising from value principles inherent in human nature, some of which are fundamentally moral. Law and morality cannot be divorced from each other. An "unjust law" violating fundamental moral principles is not valid law. A natural law approach could permit or even demand resisting it.

Religion and Law: Is the legal system secular or one with a theological underpinning (like Sharia Law or Catholic Canon Law, or the laws made by the God Emperor Leto II in the Dune universe?). A society may also have defined political philosophies as their value fundament for the legal system: think of Maoism in China or the fictional "Corpoism", a corporatist, fascist value system in Sinclair Lewis' novel It Can't Happen Here.

Power to Make Laws: The source of law could be a god, monarch, parliament or ruling council. The source must enjoy sufficient legitimacy that its laws will be obeyed. There can be multiple sources too, governing different topics, sections of society or regions. How do they work together? Do they conflict? Are there uncertainties and how are they dealt with?

Continuity: If the source of law dies or ceases to have power, how does succession work? In Brandon Sanderson's Stormlight Archive, the country of Azir uses a bureaucratic system of essay writing and exams to pick qualified candidates, one of whom will be elected ruler by a council of advisors. In contrast, Alethkar's rulers came into power through conquest and infighting between powerful warlords. As long as the ruling family managed to stay in power, the role of monarch was passed down family lines.

Law-enforcement: Laws are largely pointless if nobody can uphold and enforce them. Consider police, lawyers, juries, judges. What role could priests, mediators, citizen militia, travelling magistrates, tribal elders and the general public play? What powers do intelligence services, inquisitions, secret police forces have (if there are any)? How are law enforcement agents selected, trained, which duties and privileges do they have? How do courts and tribunals operate (if there are any)? What remedies and punishments are appropriate for deciding civil and criminal cases?

Questions of Risk and Perception of the legal System: How prone to corruption or abuse is the system? What checks and balances are in place to ensure law is applied as it should be? How is evidence gathered and dealt with? What is the purpose of a trial – is it to discover "the truth" of what really happened or only to make a decision based on what parties present? Is the legal system politically independent (separation of powers)? How are agents of the law paid (if at all) and socially regarded? What makes working in the legal realm attractive for people? In Joe Abercrombie's First Law, the banking house of Valint and Balk is a corrupt, corrosive force in the background of The Union, undermining its politics and fairness of laws. The Closed Council rules by expediency, not law and a new king of The Union is advised that the Closed Council's job is not to put the world's wrongs to right but to ensure that The Union benefits from them. Needless to say, trust in the fairness and proper functioning of the legal system is at a low point in the Union.

Law Also Governs Social Hierarchies and Privileges: In Sanderson's Stormlight Archive, Lighteyes rank above Darkeyes in Alethkar, with different privileges arising from your eye-colour. Some societies accept slavery and have rules governing the status of slaves. In others, only women are permitted to read, write and become scholars but are excluded from warfare.

How Accessible Is Justice And For Whom? Is law mainly an instrument for the privileged few to cement their power over the lower classes or does it protect and enable the poor, the foreigners, the disabled and whatever other groups society has? For whom does law make life easier or harder and why? How is the legal system funded? Do lawyers work in private practice for hire (and profit) or is there another system imaginable, where people needing legal services do not have to worry if they can even afford them?

Hopefully the above shows that even at a quick glance, there are many things we should consider when trying to design a legal system. Going back to basic "101" type questions every so often is also important when we think about the system we actually live in – there is plenty of room for improvement and with some thought, we hopefully get things right a bit more often.

Benjamin Bestgen is a solicitor and notary public (qualified in Scotland). He also holds a Master of Arts degree in philosophy and tutored in practical philosophy and jurisprudence at the Goethe Universität Frankfurt am Main and the University of Edinburgh."Start here" . . . . .

Admission of Evidence Obtained Through Ill-Treatment Violation of Article 6

In Chamber judgment in the case of Ćwik v. Poland (application no. 31454/10) the European Court of Human Rights held, by five votes to two, that there had been: a violation of Article 6 § 1 (right to a fair trial) of the European Convention on Human Rights. The case concerned Mr Ćwik's complaint that proceedings against him for drug-trafficking had been unfair. He complained in particular that the courts had admitted in evidence statements by a third party which had been obtained through torture by members of a criminal gang.

The Court found in particular that the domestic courts dealing with the applicant's case had left no room for doubt that the statements at issue had been obtained as a result of ill-treatment prohibited by Article 3. The courts had, however, accepted the use in evidence of such statements to convict the applicant, in breach of the absolute prohibition of ill-treatment guaranteed by Article 3 of the Convention, and without taking into account the implications from the point of view of his right to a fair trial under Article 6 § 1 of the Convention.

The Court reiterated in particular its rule that admitting into evidence statements obtained as a result of torture or ill-treatment prohibited by Article 3 of the Convention rendered the proceedings as a whole unfair. This is the first case in which the Court has applied this rule in respect of evidence obtained as a result of ill-treatment inflicted by private individuals. All previous cases have concerned evidence obtained as a result of ill-treatment inflicted by public officials.

Racially Motivated Police Brutality of Two Roma Minors Violation of Article 3

The applicants, X and Y, are Macedonians/citizens of the Republic of North Macedonia, born in 1997 and 2001 respectively and living in Skopje. They state that they are ethnic Roma. The case concerned allegations of racially motivated police brutality in respect of the applicants, who were minors at the time, and the related investigation. On 19 May 2014, X and Y were allegedly intercepted by police officers after a woman had been assaulted and her bag stolen near a Roma neighbourhood in Skopje. X was taken to the police station, but was released the next day. He was subsequently admitted to hospital, where he was diagnosed with bruising to his head, neck and chest. Both X and Y alleged that they had been physically attacked by the police near the scene of the robbery, while X alleged that he was also ill-treated in custody.

An internal inquiry was carried out by the Ministry of the Interior into the applicants' complaint that they had been slapped, punched and kicked by police officers. Their complaint was dismissed in July 2014, the Ministry asserting that the police officers had not overstepped their authority. In September 2014 the applicants also filed a criminal complaint with the public prosecutor against the police officers concerning the incident. The applicants repeatedly requested that the higher public prosecutor review the work of the first-instance prosecutor, who then, in December 2017, examined Y and the accused police officers. The investigation is however currently ongoing. In December 2016 the applicants submitted two civil claims regarding ethnic discrimination against the Ministry and the first-instance public prosecutor's office. In November 2017 the court dismissed the claim against the public prosecutor's office, which decision was upheld on appeal in March 2018. There is no further information concerning the claim against the Ministry. In the meantime, the Ministry had lodged a criminal complaint against X on charges of robbery. Since X's whereabouts were unknown, the court suspended the proceedings in March 2016. In June 2017 the court of first instance ordered an educational measure on X. Relying in particular on Article 3 (prohibition of torture) of the Convention, the applicants alleged that the police had ill-treated them and that the State had failed to carry out an effective investigation into their allegations. Violation of Article 3 (investigation) Violation of Article 3 (ill-treatment). Just satisfaction: EUR 7,500 (non-pecuniary damage) to each applicant.

Domestic Abuse of Babies up by 20% During Covid Crisis - 8 Murdered

Sally Weale, Guardian: The number of babies in England that have suffered serious injury through abuse or neglect during the Covid pandemic is up by a fifth on the same period last year, and eight have died from their injuries, according to Ofsted. More than 300 "serious incident notifications" of injury and death involving children were reported by local authorities between April and October, of which almost 40% involved children under the age of one. According to Amanda Spielman, Ofsted's chief inspector, more than half of those babies – 64 in total – suffered non-accidental injuries. "And sadly, eight died as a result," she said. The figures confirm fears among those working in children's services about the impact of lockdown and the continuing Covid pandemic on vulnerable children, particularly babies, growing up in the most troubled families. In a speech to the National Children and Adults Services conference on Friday, Spielman will say violence towards babies is not new, with more than a quarter of incidents reported to the child safeguarding practice review panel last year arising out of non-accidental injuries. But she describes the additional strain on vulnerable families during lockdown as a "Covid pressure cooker" that has created additional risk for the youngest and most vulnerable children. "Tighter restrictions have brought increased tensions for many, especially in the most troubled families," Spielman will say. "We're all spending more time at home these days. For most children, that's a place of comfort at best, boredom at worst. But for some, sadly, it's a source of danger."

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.