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Civil liberties protest- a step too far?

Sally Ramage

Having read the hysterical and highly provocative article on the 13th January 2010 by Matthew West, "Banning Islam4UK is the wrong move", it is time to address the issue of English civil liberties law.

Matthew West enjoys freedom of speech (see his article at http://uk.news.yahoo.com/blog/talking_politics/article/88502/) but such freedom must be used with great care. He stated:

'Protestors prosecuted for their slogans, a minority group banned and a trial without jury: whatever happened to British justice? I will honestly remember it as the day Britain really did go to the dogs. It marked the day when we all lost a little more freedom. Not only has a minor political/religious group - which would have probably disappeared into obscurity had the media let it - been banned by the government but we also had the start of the first trial without a jury in 350 years...If Islam4UK can be banned, why not the English Defence League? The English Defence League has organised demonstrations outside mosques and in towns with large immigrant communities in deliberately provocative displays of racial and religious hatred. Why not ban an organisation whose that' sole purpose is to intimidate whole sections of a local community? ...Protestors have the right to call soldiers murderers, rapists and baby killers if they want to...How even more ludicrous that we also saw the start yesterday of the first juryless trial in 350 years? In addition, the pretext? It would cost too much money to try to protect the jury from the accused who might try to influence jury members presumably through either bribes or menaces. ...'

Extradition update

Anand Doobay (Partner) and Johanna Walsh (Associate)

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The Policing and Crime Act 2009

Part 6 of the Policing and Crime Act 2009 ('the Act') came into force on 25 January 2010 and will amend the Extradition Act 2003 ('EA').

Of particular note, is the introduction of sections 153A to D to Part 3 of the EA. These set out a framework for the Secretary of State to provide undertakings to a requested country as to the treatment of a person whose return to the UK is being sought and their eventual return to the requested state. The Home Secretary may even undertake that the person will be detained in custody pending the conclusion of the UK proceedings. Unlike sections 143 and 144 EA, which are to be repealed, these provisions encompass both category 1 and 2 territories and do not just apply to EU Member States...

Perpetuities and Accumulations Act 2009- a critical analysis

Sally Ramage

The Perpetuities and Accumulations Act gained Royal Assent on 12 November 2009 and will come into force on such day as the Lord Chancellor appoints by order. It was drafted following a recommendation from the Law Commission of England and Wales since 1998 (Report No. 251, titled '*The Rules Against Perpetuities and Excessive Accumulations*', published on 11th February 1998) which recommended the modernisation of two exceptional technical legal rules affecting trusts and property ownership in England and Wales. The Law Commission had published a consultation in 1993 identifying potential defects in the law and had suggested four options in relation to the rule against perpetuities,

these being, *'no change in the law; abolishing the rule against perpetuities; replacing the rule against perpetuities with a new rule; or reforming the rule against perpetuities'*. The 2009 Act amends the law relating to the avoidance of future interests on grounds of remoteness and the law relating to accumulations of income. It makes for a simplification and modernisation of the law ...

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