

Criminal Law News

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Contents -

ISSUE 49 NOVEMBER 2012

- Shrien Dewani's extradition pgs 2-8**
- Chairman of Home Affairs Select Committee pg 10**
- Unscrupulous 'loan-shark' companies pg 10**
- Brain science and the law pgs 11-12**
- Police evidence contamination pg 12**
- On-line gambling in the UK pgs 12-14**
- Control of public order incidents outside public houses and night clubs pgs 14-18**
- Women police: survival pgs 18-20**

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Shrien Dewani's extradition is being watched with interest since the UK Home Secretary stopped another Briton's extradition

Sally Ramage

Wife murdered whilst on honeymoon in Cape Town

Earlier this year, a judge had ruled in a London court that that British Shrien Dewani was too ill to attend his extradition hearing. The South African government have requested Mr Dewani's extradition because the Cape Town Police think that that he might be involved in the murder of his new wife during their honeymoon in Cape Town in November 2010. Cape Town was a good choice for a honeymoon. The Cape Town region enjoys a Mediterranean climate, extensive coastline, rugged mountain ranges, coastal plains, inland valleys and semi-desert fringes. The city's suburbs, the Gugulethu township on the outskirts of Cape Town, was the place where the taxi was hijacked and where Mrs Dewani was murdered in the taxi they hired to take them to dinner away from the hotel, lie on a large plain called the *Cape Flats*, which area extends over 30 miles to the east and joins the peninsula to the mainland. The Cape Flats is situated on what is known as a rising marine plain, consisting mostly of sandy geology.

Husband's suffers severe post-traumatic stress disorder

Mr Dewani is a wealthy 31 year-old British businessman who, since his wife's murder in 2010, has been a patient in a mental health hospital in Bristol, suffering from severe post-traumatic stress disorder and severe clinical depression. At the extradition hearing, the judge heard evidence from Mr Dewani's barrister, Clare Montgomery QC, who told the court that her client's mental health was 'extremely frail' and that it was inhuman to keep him in the courtroom. The judge agreed that Dewani's mental health was 'fragile' but, orbiter, commented that it was with hesitation that he excused Mr Dewani from court proceedings. We must remind ourselves that there is the presumption of Shrien Dewani's innocence¹ enshrined in Article 6 (2) of the European Convention on Human Rights 1948. Added to this protection, Dewani is at present unfit to plead.

Dangerous gangs in South Africa's prisons

At the court hearing was an expert witness from South Africa who denied that South African prisons hold many dangerous gangs, as put to him by barrister, Ms Montgomery.² Yet, it is widely known that such gangs do exist and that they are savage and dangerous. There was a Reuters report in 2011 in which South African prison officials admitted that South African prison gangs are using HIV infection as punishment, ordering gang members carrying the HIV virus to rape disobedient gang members.³ The matter is so very serious that the South African government requested a commission report on the matter in February 2011; six months after the prison gangs' practice came to light. The director of South Africa's Judicial Inspectorate of Prisons, Mr Gideon Morris, gave evidence to the government commission. He said that the rapes of prisoners were committed by one HIV carrying prisoner or sometimes by several prisoners. At Dewani's London extradition hearing, the expert witness called to give evidence was Judge Deon van Zyl, South Africa's inspecting judge of prisons, was repeatedly asked about gangs in prisons in South Africa by Mr Dewani's legal team. He

¹ The importance of the presumption of innocence (as contained in section 11(d) of the Canadian Charter of Rights

and Freedoms) was explained by the Supreme Court of Canada in *R v Whyte* [1988] 2 SCR 3, 18.

² It is noted that Cape Town's *Robben Island*, a former penitentiary island 10-kilometres from the city, was the prison where many famous political prisoners were held for dozens of years.

³ See Editor, 'South Africa prison gangs use rape by HIV infected men as punishment', *Reuters*, 22 Feb 2011.

vehemently denied this, despite the fact that in 2011, prison gangs and their offences gave rise to the *Jali Commission*, an inquiry board set up in 2010 to look into allegations of corruption and mismanagement in South Africa's prison network. To boot, the expert witness sent from South Africa, on behalf of the Cape Town Police, was Judge van Zyl who denied that gangs in South African prisons were in control.

Alleged torture by South African police

In view of the fact that one defendant in the prosecution for the murder of Mrs Dewani told the court that he was tortured by police, it would be reasonable to fear that Shrien Dewani would be too, and so should not be extradited to South Africa. This decision is despite the European Court of Human Rights decision in *Ahmad and others v United Kingdom*⁴, which held that there would be *no* violation of article 3 of the European Convention on Human Rights as a result of the conditions of detention at a certain prison.

South Africa's Criminal Justice System: time limitation applies

South Africa's 1996 Constitution, sections 165-180 deal with Courts and Administration of Justice.⁵ Section 179, subsection 6 states that:

'The National Director of Public Prosecutions (a) must determine, with the concurrence of the Cabinet member responsible for the administration of justice, and after consulting the Directors of Public Prosecutions, prosecution policy, which must be observed in the prosecution process; (b) must issue policy directives which must be observed in the prosecution process; (c) may intervene in the prosecution process when policy directives are not complied with; and (d) may review a decision to prosecute or not to prosecute, after consulting the relevant Director of Public Prosecutions and after taking representation within a period specified by the National Director of Public Prosecutions, from the following: (i) The accused person; (ii) the complainant; (iii) any other person or party whom the National Director considers to be relevant.'

From this subsection, it appears that there exists a limitation period after which the Director of Public Prosecutions cannot be called on to intervene.

Mental illness obvious

Mr Dewani was not of ill health, as was very obvious, even to the layperson that saw photographs of Dewani's demeanour whilst on honeymoon with his beautiful wife in wedding photographs that portray a very handsome couple, lovingly in embrace at such a joyous time for the couple and their families. Those photographs are in stark contrast to Mr Dewani's demeanour since his wife's murder; he is physically changed and obviously distressed and in a depressed state of mind, as the British newspapers display on their front pages. Defence barrister Claire Montgomery, QC, is ably representing Mr Dewani. This case raises huge concerns about media prejudice and 'trial by media' which will affect Mr Dewani's 'right to a fair trial'⁶ in any jurisdiction of the world, even though he has not been changed with an offence in any country. Mr Dewani has an unblemished history and no criminal record. In 2012, two years after his wife was murdered in South Africa, Shrien Dewani still has a medical assessment that clearly shows him to be a suicide risk⁷ and was sectioned under the Mental Health Act to be treated until May 2013 in a psychiatric hospital for his mental illnesses.

⁴ (App. Nos. 24027/07, 11949/08, 36742/08, 66911/09 and 67354/09) [2012] All ER (D) 148 (Apr).

⁵ See website <http://www.info.gov.za/documents/constitution/1996/index.htm>.

⁶ Right to a fair trial is a right by Article 6 of the European Convention on Human Rights 1948.

⁷ Editor, 'Shrien Dewani still a suicide risk, court told', *Guardian*, 31 July 2012.

Extradition request for Dewani supported by media whilst McKinnon extradition ferociously fought for 10 years

What is clear is the marked contrast between the media's treatment of Dewani compared to ferociousness with which the media 'lobbied' for government protection against extradition for extraditee Gary McKinnon; yet McKinnon had 'hacked' the US homeland security's computer system and had wreaked havoc by deleting many security and intelligence files at an expense of millions of dollars to the American government, whilst Dewani has been charged with no offence.

South African police evidence is questionable as regards the post mortem, coroner's report, witnesses' statements; lack of a gun, etc, which, in comparison, it is a fact that McKinnon did hack; did admit to these crimes with his solicitor present; and did systematically do so over 13 months, at a cost of millions of dollars to the United States Homeland Security. The US application for McKinnon's extradition was based on the *fact* that he was wanted in the US, and was *charged* for his cyber-attacks on the United States, such cyber-attacks akin to terrorist attacks.⁸

On the other hand, the media went out of their way to find and publish statements by persons who did not speak under the 1984 Police and Criminal Evidence Act (PACE); and were not warned as regards perjury, should what they allegedly told newspapers be repeated under oath in a court of law. Publication of all the stories featuring Shrien Dewani may very well have contributed to a large proportion of the damage done to the businesses that Shrien Dewani was a director of. Those publications have certainly damaged his professional reputation and even if he were to recover from his illnesses and the matter of his wife's murder laid to rest, if he were proved to be innocent, his career have been completely ruined by salacious newspaper sexual allegations.⁹

Parliamentary Committee heard McKinnon's mother on the matter of extradition

It was with amazement that observers watched the Parliamentary Select Committee invite McKinnon's mother to give evidence to the committee- an event at which McKinnon's mother spoke, using detailed legal phrases as if she were a lawyer, or briefed by a lawyer. It was an affront to law abiding citizens to see the government call the mother of someone who has committed very serious cyber-attacks on another country's security system (over a period of many months) to give evidence concerning his extradition. What McKinnon did amounts to a terrorist attack on the United States government, compared to certain others who were hurriedly given over to the US government for setting up a website to write about things that were deemed to be encouraging of terrorism, for example.¹⁰ The United Kingdom's Criminal Justice System allowed the extradition of a man who set up a website which the US government deemed to possible incite terrorism. Yet a similar website was set up on British servers, in Britain, by a British man who, having filled his web pages with vile and nasty racist and fascist statements. After complaints were made, Michael Coleman was charged with intentional harassment, alarm or distress as per the Public Order Act 1986, section 4A, convicted and given the punishment of an eight-month suspended prison sentence. See also the case of *Director of Public Prosecutions v McFarlane*¹¹

Gary McKinnon's very favourable treatment at the UK taxpayers' expense

⁸ Gary McKinnon hacked into 97 United States military and NASA computers over a period of thirteen months from a computer based in London, UK.

⁹ This brings to mind the media's handling of missing Madeline McCann whose parents were awarded substantial, life-changing damages for press publications and the continued career of her father as a doctor, unimpeded by the matter.

¹⁰ The US had sound grounds for its extradition request for Gary McKinnon and the District Court of New Jersey had issued an arrest for Gary McKinnon since 31 October 2013 and on 4 November 2003, A US federal grand jury in Virginia indicted McKinnon on seven counts of computer-related crimes in 14 American states. In March 2005, Bow Street Magistrates Court in London, acting on the US extradition request, issued a warrant for McKinnon's arrest.

¹¹ [2002] EWHC 485 (Admin).

Why Gary McKinnon was given bail in the first place beggars belief. He has been free to do as he pleases for ten years since he committed those most serious terrorist cyber-attacks on the United States. He was employed in the computing sector. He is not a teenage schoolboy who committed one grave prank. Rather, he carried out a meticulous and consistent attack on the United States security systems, using sophisticated methods. Fourteen states charged him with crimes.¹² He therefore is a criminal because he admitted his crimes to the US prosecutors in 2003. He showed intention and deception when he committed those crimes over and over again. He committed serious criminal cyber-attacks on the top nation of the world by using someone else's computer and not his own computer.

McKinnon's cyber-attacks on the United States Homeland Security

The Home Secretary Theresa May could have taken a more honest stance and published to the whole world the real reason why she blocked McKinnon's extradition, this reason being that she favoured choosing *the nationality principle* over criminal justice, blatantly disregarding the Supreme Court of the United Kingdom, which veritable court dismissed McKinnon's appeal in 2008.¹³ Gary McKinnon admitted to the United States prosecutors in 2003, with his lawyers present, that he had hacked into 97 United States military and NASA computers¹⁴ over a 13-month period between February 2001 and March 2002.¹⁵

Criminal profilers have studied hackers and largely conclude that a hacker is often white; a male; young – 14 to middle 20s; intelligent; an avid computer enthusiast; introverted; insecure; and usually from a middle to upper- middle income family.¹⁶ Most high – technology criminals use a variation of hacker tools, generally classified as Trojan horses; trapdoors; using salami techniques; logic bombs; and computer viruses. There have been many other cyber-attacks since 2002, but the Homeland Security admitted that Gary McKinnon's attacks were the worst they had ever suffered.¹⁷ Such cyber-attackers are still active. Recently, a United Nations technology agency has issued an alert for countries to be on the lookout for a cyber-espionage malware known as Flame, which had seriously attacked computer systems in the Middle East. The United Nations' International Telecommunication Union therefore issued this warning for nations to be on guard for the newly identified Flame malware.

Spurious grounds for UK government block in McKinnon extradition

The spurious reason given by Theresa May for refusing to allow Gary McKinnon to be extradited to the United States is that he might commit suicide if his extradition were allowed. The world is aware that the US is not a 'tin-pot' republic and that their medical proficiencies are often superior to ours. Yet the Home Secretary, the Right Honourable Mrs Theresa May, blocked McKinnon's extradition in October 2012 and she told MPs that there was a risk that McKinnon could kill himself if he were sent to face trial in America. It would be fair to say that most of the people extradited to the US would wish

¹² (Levy, 1984).

¹³ *McKinnon v United States* [2008] UKHL 59.

¹⁴ Government agencies, large organisations and small businesses have all been hit by malware, distributed-denial-of-service attacks and network intrusions.

¹⁵ The nationality principle is discussed in this paper: Paul Arnell, (2001) 'The case for nationality based jurisdiction', 50 *International and Comparative Law Quarterly*, 955.

¹⁶ Kovachich, G. L and Boni, W.C. (2000) *High- technology crime investigators' handbook: working in the global information environment*, MA: Butterworth Heinmann, pgs 61-62. There are three basic types of hackers (Levy 1984; Kovachich, 1994): the curious, the meddlers (juvenile delinquents) and the criminal.

¹⁷ This surge in politically motivated attacks occurred until 2011 when a number of groups, including the hacker group named *Anonymous*, then renamed *LulzSec*. Such cyber-attacks are being used as a vehicle for protesters.

to kill themselves, knowing that they would face inhuman conditions at Guantanamo prison, for example. But that did not stop their extraditions from the United Kingdom.¹⁸

Theresa May's real reason for extradition block: the nationality principle

The real reason why Gary McKinnon is being protected is *not* an intention to commit suicide if he were sent to the United States. This reason smacks of a threat to the United Kingdom government by Gary McKinnon. Such an obviously spurious reason is transparent as it is widely known that the United States is no 'tin-pot' uncivilised country. The United States consists of a federal constitutional republic of fifty states and a federal district. The US is situated mostly in central North America. The United States government has ample access to prison doctors and well-trained prison guards. The US has facilities provided to prohibit attempted suicide.

It is a fact, rather, that were Gary McKinnon to be imprisoned in the United Kingdom, and this threat of suicide if imprisoned is more likely to be fulfilled in this country where inmates' suicide rate at present is high.¹⁹ This is very worrying.²⁰

Theresa May's interception in this extradition case was reported to cause the US assistant Attorney General in charge of criminal cases, to state that officials are 'very disappointed' with the decision not to extradite Gary McKinnon.²¹ Theresa May's decision to block McKinnon extradition on 16 October 2012 was an astonishing decision in view of the fact that the House of Lords had dismissed his appeal in 2008²² and that the Labour Home Secretary in 2009, the Right Honourable Alan Johnson had made a House of Commons statement on McKinnon's extradition on 1 December 2009, not to intervene to stop Gary McKinnon's extradition to the United States.²³ Theresa May's decision to block McKinnon extradition on 16 October 2012 was an astonishing decision in view of the fact that the House of Lords had dismissed his appeal in 2008²⁴ and that the Labour Home Secretary in 2009, the Right Honourable Alan Johnson had made a House of Commons statement on McKinnon's extradition on 1 December 2009, not to intervene to stop Gary McKinnon's extradition to the United States.²⁵ Prior to this date, Theresa May, on 2 June 2010, tabled an Early Day Motion on the extradition of Gary McKinnon, who, in 2003, was offered a plea bargain by the United States prosecutors, as they similarly offered to Viktor Bout in 2010 who was extradited to the US for dealing in

¹⁸ Hannah Furness, 'Gary McKinnon: US officials "very disappointed" over decision to block', Telegraph, 24 October 2012. See <http://www.telegraph.co.uk/news/uknews/law-and-order/9629768/Gary-McKinnon-US-official-very-disappointed-over-decision-to-block.html>, accessed on 25 October 2012.

¹⁹ Ryan, M. (2003) *Penal policy and political culture: Four essays on policy and process*, London: Waterside Press.

²⁰ Jewkes, Y. (2007) *Handbook on prisons*, Cornwall: Willan Publishing.

²¹ It is true, however, that the UK does have jurisdiction over this crime because McKinnon's computer and the relevant computer servers, from which he committed the US cyber-attacks, are to be found in the United Kingdom, and together with his British nationality, this can provide grounds for refusing extradition.

²² Ibid 3.

²³ Hansard, 1 December 2009, Column 975. Alan Johnson said: '*Gary McKinnon is accused of serious criminal offences. He is alleged to have repeatedly hacked into US Government computer networks over a period of 13 months, including 97 US military computers from which he deleted vital operating systems and then copied encrypted information on to his own computer, shutting down the entire US army's military district of Washington's computer network for 24 hours. During interviews under caution, Mr. McKinnon admitted to much of the conduct he is accused of...*'

²⁴ Ibid 3.

²⁵ Hansard, 1 December 2009, Column 975. Alan Johnson said: '*Gary McKinnon is accused of serious criminal offences. He is alleged to have repeatedly hacked into US Government computer networks over a period of 13 months, including 97 US military computers from which he deleted vital operating systems and then copied encrypted information on to his own computer, shutting down the entire US army's military district of Washington's computer network for 24 hours. During interviews under caution, Mr. McKinnon admitted to much of the conduct he is accused of...*'

arms. The US assistant Attorney General also accused the UK of double standards in this serious case of breaches of US national security.

Dewani must request, through legal team, that his right to silence be upheld

The privilege against self-incrimination, or the right to silence, can be traced to the 12th century and became more developed since that time. The Latin term '*nemo tenetur prodere seipsum*' still applies. It was applied in Europe before the age of Codification of law. It was applied in English ecclesiastical courts in those days. It served as a guarantee that men and women would not be required to become the source of their own public prosecution and it was also a check on over-zealous officials.

Dewani must never be extradited to South Africa

There is no doubt that Shrien Dewani will not get a fair trial in South Africa, if he were to be prosecuted, even if he were fit to travel to South Africa. Since both English and South African newspapers have reported that one defendant in the case of Anni Dewani's murder, has claimed that he was tortured by police and forced to sign papers, it is imperative that Dewani must not be extradited to South Africa. Dewani must not be extradited to South Africa, a dangerous country with savage murders of the highest murder rate compared to most countries. If indeed the Cape Town police are fair and not dishonest, they would not object to their police interview of Shrien Dewani conducted by video-link, with Dewani's barrister by his side to advise and so that the English legal system could bear witness to same and protect him from tricks and other shenanigans.

South Africa: second most murderous region in the world

Intentional homicide²⁶ rate in South Africa as studied by UNDOC as per the Geneva Declaration on Armed Violence and Development, estimated that there were approximately 468,000 intentional homicides in 2010. The UNDOC statistics for 2011 show how seriously dangerous South Africa is: the intentional homicide rate there is 30.5 per 100,000 persons whilst in Western Europe, including the United Kingdom; the intentional homicide rate is just 1.0 per 100,000 persons. The Table below illustrates intentional homicide rate per country for the year 2011,²⁷ and it is evident that South Africa is the second most murderous region in the world.

UNODC murder rates 2011			
Subregion	Rate	Count	Region
Southern Africa	30.5	17,484	Africa
Caribbean	16.9	7,001	Americas
Central America	41.0	19,293	Americas
Northern America	10.2	39,315	Americas
South America	20.0	79,039	Americas
Eastern	1.3	19,82	Asia

²⁶ Intentional homicide is defined as the 'unlawful death purposefully inflicted on a person by another person'. (UNDOC)

²⁷ See website <http://www.unodc.org/>.

UNODC murder rates 2011			
Subregion	Rate	Count	Region
Asia		8	
Western Asia	2.6	5,736	Asia
Eastern Europe	6.4	19,072	Europe
Northern Europe	1.5	1,432	Europe
Southern Europe	1.4	1,669	Europe
Western Europe	1.0	1,852	Europe

The United Kingdom citizens await the Conservative- coalition government to show their loyalty to another of their citizens, as the Home Secretary Theresa May showed for Gary McKinnon.

Evidence of murder

Although Shrien Dewani has not been charged, the South African police made unprecedented television appearances in which the words they used practically indicate that the police have already judged him to be guilty of murder, even before a trial. 'Shooting in the breeze' is a term that comes to mind.

Economic reasons for keenness to pin murder on husband

I will now illustrate that the reason why the South Africa's Cape Town police are keen to pin this murder committed by bandits on the husband of the deceased is to protect South Africa's economic interests in tourism and to mitigate the damage to the economy if the truth of the lawlessness in that country were focussed to the attention of readers, showing a one-sided picture of this tragedy which befell the families of Mrs Dewani and Mr Dewani.

Cultural differences of police in different countries

Just as Amanda Knox and her wealthy Italian boyfriend were wrongly convicted of the murder of Meredith Kercher in Italy due to Italian culture and in order to quickly close the case (to protect against economic damage sufferable if foreign students were to leave in haste) Mr Dewani will not have any prospect of a fair trial, notwithstanding that the British media have already tried him by interviewing sundry people for salacious reasons; to sell newspapers and television programmes and to whip public interest into a frenzy.

Conclusion

The English courts must refuse to extradite Shrien Dewani to South Africa.

Chairman of the Home Affairs Select Committee in tainted by recent newspaper article

Sally Ramage

As chairman of the home affairs select committee Keith Vaz is one of the most senior and high profile Labour backbenchers. The finances of Labour MP Keith Vaz were investigated in 2000 and 2001. The finances of a senior Labour MP were subject to a secret police investigation which uncovered hundreds of thousands of pounds in mystery bank accounts, it was reported today.

Keith Vaz, a minister in the Labour government, was stated as having almost £500,000 deposited in accounts between 1997 and 2001. A Scotland Yard probe found 'significant amounts of cash' which was said to have been of a 'suspicious nature', the Daily Telegraph reported. Mr Vaz denied any wrongdoing.

He chairs the powerful Home Affairs Select Committee which holds the police to account, and has seen him make headlines for inquiries in border controls, drug policy and G4S's failings in the run-up to the Olympics. But one Tory MP said he should stand down from the committee until the matter has been fully investigated by the parliamentary authorities. The revelations came as the Labour party conference continues in Manchester and Labour leader Ed Miliband praised Mr Vaz from the conference stage.

Allegedly, documents from the Metropolitan Police suggest, according to the news report, that in a single year £28,959 was deposited into a HSBC account held by Mr Vaz. A number of other bank accounts were also investigated. The paper said that detectives expressed their belief that 'the level of funds received... are of a suspicious nature', the newspaper said. However no further action appears to have been taken. Mr Vaz and his wife Maria Fernandes held seven bank accounts which were investigated by Scotland Yard. The newspaper made no suggestion that Ms Fernandes has done anything wrong.

Historically, in 2000 the parliamentary commissioner for standards launched an inquiry into Mr Vaz after allegations he received money from businessmen in his constituency. The following year he was investigated for allegedly helping the billionaire Indian Hinduja brothers to obtain British passports. Mr Vaz was cleared of receiving illicit funds but was forced to resign for obstructing the inquiry and failing to provide information relating to his finances. He was also suspended from parliament. But after the parliamentary inquiry a report on Mr Vaz was sent to the National Intelligence Criminal Service (NICS). The Daily Telegraph article stated alleged sight of a Scotland Yard document. MP Andrew Bridgen has allegedly told the newspaper that he would write to the parliamentary standards commissioner.

The Daily Telegraph stated:

'The police documents claim that before the 1997 election, £13,908 was paid into the HSBC accounts and £9,247 taken out. However, in 1997 the amount apparently rose to £136,566 paid in and £130,427 taken out; rising again in 1998 to £187,103 paid in, including nearly £29,000 in cash, and £191,999 taken out. The following year, £120,394 was deposited and £123,991 withdrawn. In 2000, when the first parliamentary investigation into Mr Vaz's conduct began, the deposits fell to £8,410.'

Mr Vaz replied to the newspaper article. He said:

'These matters relate to two parliamentary inquiries which began in 1999 and concluded in 2003. My finances were discussed by every newspaper in the country for a period of three years and were the subject of extensive examination. All ministers have to report all their financial interests to their permanent secretary, which I did. I had no discussions with the then cabinet secretary or the then prime minister about any of these issues. I know of no investigation.'

References

Matt Chorley, 'Secret police inquiry into top Labour MP Keith Vaz 'uncovered £500,000 in mystery payments'', *Mail*, 1 October 2012

Unscrupulous 'loan shark companies' target vulnerable adults

Sally Ramage

One of Britain's largest doorstep lenders gave thousands of pounds of loans to a schizophrenic woman despite knowing she had mental problems, it is claimed today. *Provident Financial* specialises in doorstep loans to people on low incomes who would otherwise find it difficult to access credit. Investigators went undercover at Provident Financial, which has 1.8million customers, and say they found cases of lending that appeared to breach industry guidelines. They interviewed the mother of the unnamed woman, who requires constant care but was allegedly given loans totalling several thousand pounds over a number of years. The programme also claims to show a Provident seller calling on another customer and accepting that she doesn't think the woman can look after herself.

Doorstep lending is usually offered to people on low incomes who would find it difficult to borrow money from other sources. People can borrow as little as £100 in cash over short periods, but are charged high interest rates. Agents issue the loans at customers' homes and then visit each week to collect the repayments.

Office of Fair Trading guidelines state: *'Borrowers, who may be particularly vulnerable by virtue of their indebtedness, poor credit history, or by reason of age or health, or disability, or for any other reason, should not be targeted or exploited.'*

Provident Financial, a FTSE 250 company, reported pre-tax profits of £72.9million in the first six months of this year, up 17 per cent from £62.3million in the same period in 2011.

The company said: 'Provident has strict policies to prevent loans being advanced to anyone it believes does not have the mental capacity to understand the terms of the loan.'

Brain science and the law

Sally Ramage

Treatment or punishment?

Some neuroscience experts agree that society should favour treatment over punishment. According to a UK Cabinet Office study published in early November 2011, the primary motivation for participation in this summer's riots was not individual badness or disadvantages so much as the urge to join in. A government-funded study of the motivations of young people who took part in the English August rioting concluded that they were driven by a combination of excitement, opportunism and dissatisfaction with

the police. Nevertheless, the dilemma remains: The dilemma remains: how do the police protect the rights and safety of protesters but also deal with a disorderly minority without using excessive force, or inflaming the situation?

The research is based on interviews with 50 young people involved in the disorder, looked at potential triggers for participation. The report studied the motivations of young people in five riot-affected areas and two areas in which there was no disorder, seeking to establish the moral and practical decisions made by the young people involved. It said some young people saw the disorder as 'something to do'. The death of Mark Duggan, whose shooting by police initially prompted protests in Tottenham, London, on 6 August 2011. Researchers highlighted factors they considered were important in determining whether young people became involved in the disturbances. These ranged from the influence of parents and friends to the spread of information about the riots through the media, from television news to Twitter and BlackBerry. The study highlighted 'societal factors' including a lack of youth provision and 'poverty and materialism'.

Simple observation tells us that psychopaths, almost by definition, lack the capacity for empathy that is part of most people's personality. Yet we still tend to blame these individuals for their crimes. Research based on functional magnetic imaging (fMRI) scanning, suggests that the brains of psychopaths have different automatic responses. If the rest of us are shown the faces of frightened people, scans show a visible response in the amygdala, the part of the brain most involved in processing emotional reactions. When shown the same faces, the brains of psychopaths respond much less, if at all. An American neuroscientist interviewed for the programme estimates that a very high proportion of those incarcerated in US jails suffer from this neurological defect. Society may need to be protected from such people, but shouldn't our response to their predispositions be treatment not punishment? Brain science may make us understand a little more and condemn a little less, but its real value may be to help divert people from offending in the first place. Brain Culture opens in a school in the South of England where staff use the insights of neuroscience to help children who lack empathic reactions. Previously, these children would be repeatedly informed by well-meaning teachers that their behaviour had hurt someone. The problem here is that children with what neuroscientists call 'callous and unemotional' syndrome simply do not care. In fact the more they are told off, the angrier and more frustrated they become. Now, staff working with these pupils are applying the science and painstakingly teaching them responses that come naturally to other children.

Impact of neuroscience on criminal justice

Despite claims that brain imaging can help us tell the difference between real and imagined memories, we won't be seeing the fMRI scanner replacing the witness box any time soon. But step by step, discovery by discovery, new understanding of the brain and behaviour will challenge traditional ideas of culpability

Evidence contamination and mishandling in the U.S. causes chaos in Massachusetts Criminal Justice system

Sally Ramage

In September 2012, a Suffolk Superior Court judge put on hold a seven-year prison sentence for a Roxbury man, setting the stage for his release one month after he pleaded guilty to drug and gun charges, as fallout continues from the scandal over mishandling of evidence at a state drug lab.

The defendant in this case was David Huffman who had pleaded guilty in Suffolk Superior Court in August to trafficking in cocaine and heroin, unlawful possession of a

firearm, and other charges and was sentenced to seven to 10 years. He had a long criminal record.

However, Superior Court Judge Christine Roach, on the request of defence attorney Bernard Grossberg, stayed Huffman's sentence. The judge set bail at \$75,000, which was paid, means that the defendant will be released although he remains convicted of the drug and gun charges, which, after investigation, may have to be quashed since the former state chemist Annie Dookhan, had allegedly admitted to forging the blood sample results to make them positive, thus violating evidence handling protocols. Dookhan handled some 60,000 samples, in 34,000 criminal cases in eastern Massachusetts and some or all of that evidence will have to be disallowed resulting in release of many defendants after cases are subsequently quashed retrospectively. Many defendants had pleaded to charges in despair. One expects that the chemist will be charged and prosecuted.

References

John R. Ellement and Martin Finucane, 'Judge puts "drug and gun" prison sentence on hold in Suffolk case as drug lab fallout widens', *Boston Globe*, 24 September 2012.

Online gambling not illegal in the UK but there can be cross-border problems

Sally Ramage

Gambling in the United Kingdom

Apart from the necessary licences needed, online gambling in the United Kingdom is not a criminal offence unlike the position in federal United States. The federal EU does not at present have legislation in place for online gambling, which means that whilst one member state may regulate to allow online gambling, another member state might not and this could be deemed not to be a level playing field.

British companies made complaints to the Council of Greece

Three British companies challenged the Greek monopolist law against online gambling. Greece had refused to issue a licence to *Stanleybet*, a British company. In 2004, *Stanleybet* had applied to the Greek authorities for a licence to run, organise and operate games of chance. This application was unsuccessful. Then in 2006 the company *Sportingbet* made an application for a similar licence and was unsuccessful. In 2007, a third British betting company *William Hill*, also made an application for a licence and was unsuccessful.

Greek gambling legislation passed in July 2012

Since 2007, the Greek government took steps to introduce anti-gambling legislation and in July 2012, a law was passed, namely the 'Organismos Prognostikon Agonon Podosfairou AE' ('OPAP').

The company *Betfair* challenged Greece in September 2012

Betfair is an online betting exchange. *Betfair* asked the European Commission to review the matter of the prohibition of internet gambling in Greece. This legal action was brought by the company *Betfair*, challenging the Greek Cypriot legislature's unanimous move to prohibit betting exchanges and online casino games. *Betfair* filed the formal complaint with the Commission on 10 September 2012 in relation to the new Greek

gambling legislation, passed in July 2012.²⁸ Essentially, *Betfair* complained that the Greek ban on betting exchanges is a discriminatory and disproportionate breach of EU law by contravening provisions in the *2007 Treaty on the Functioning of the European Union* ('TFEU').²⁹

Greece defends its 2012 gambling legislation

The government said the law was necessary to prevent money laundering and match fixing. Instead of a flippant dismissal of this defence, one could analyse the way that a law is passed and whether there are exact meanings to each and every word in the legislation. Another, most important factor is to consider the culture behind the law, as opposed to mere money which anti-trust plaintiffs argue for and about.

Proportionality of the legislation, not the policy options

Only Greece's objectives for creating and passing this law were considered. *Because the plaintiffs in this case were all English persons (legally), the English case of Pepper v Hart*³⁰ 33 must be considered. The decision of this case meant that the executive must honour any legitimate expectations created, in view of the parliamentary discussions and debates prior to the passing of the law.

However, later, in the year 2003, the later English caselaw of *Wilson and others v Secretary of State for Trade and Industry*³¹ was a case in which the court was called on to evaluate the proportionality of the legislation, *not* the minister's exploration of the policy options. In his ruling, Lord Steyn stated:

'Insofar as the Explanatory Notes cast light on the objective setting or contextual scene of the statute, and the mischief at which it is aimed, such materials are therefore always admissible as aids to construction. They may be admitted for which logical value they have. Used for this purpose Explanatory Notes will sometimes be more informative and valuable than reports of the Law Commission or advisory committees, Government green or white papers, and the like. After all, the connection of Explanatory Notes with the shape of the proposed legislation is closer than pre-parliamentary aids which in principle are already treated as admissible...'

Statutes in common law jurisdictions

The UK is a common law jurisdiction and as in all common law jurisdictions, the judiciary may apply rules of statutory interpretation to legislation enacted by the legislature or to delegated legislation such as administrative agency regulations. The official report of the proceedings and debates of a legislature in the *Commonwealth of Nations* refers to the English legislature.³²

²⁸ The Greek law disallows online casino (including poker) and betting exchanges. It does however allow sports betting other than exchanges.

²⁹ The 2007 treaty was signed in Lisbon, Portugal, by the prime ministers and foreign ministers of the 27 EU Member States on 13 December 2007. The Lisbon Treaty amends the Treaty on European Union (TEU) and the Treaty establishing the European Community (TEC), which is renamed "Treaty on the Functioning of the European Union" (TFEU). See the Preamble.

³⁰ [1993] A.C. 593; [1992] 3 W.L.R. 1033; [1993] 1 All E.R. 42; [1992] S.T.C. 898; [1993] I.C.R. 291; [1993] I.R.L.R.33.

³¹ [2003] House of Lords.

³² The *Commonwealth of Nations* referred to as the Commonwealth was formerly known as the British Commonwealth, an intergovernmental organization of 54 independent member states. All members except Mozambique and Rwanda were part of the British Empire. The member states cooperate within a framework of common values and goals as per the *Singapore Declaration*. These include the promotion of democracy, human rights, good governance, the rule of law, a person's liberty, egalitarianism, free trade, multilateralism and world peace.

Control of public disorder outside pubs and clubs

Sally Ramage

Preventing incidents

Police can reduce the harm caused by specific crime and disorder problems by preventing and improving the overall response to incidents. Much is known about the risk factors for these assaults, and about effective responses to them. Less is known about which particular responses are most effective in addressing specific aspects of the problem. Many pub customers, especially men, report having been assaulted on some occasion. Many of the injuries treated at hospitals, especially facial injuries, are related to assaults in and around pubs. Most victims do not invite their assault. Most are smaller than their attackers are, are either alone or in a small group, and are drunk more often than their attackers are. Attackers target victims who appear more intoxicated than they do. The difficulty here is in monitoring the alcohol consumption in large public houses. The public houses can help to alleviate violence and drunken incidents, especially during the upcoming Christmas holiday periods by actively prohibiting under-age alcohol consumption as this will reduce intoxication levels of those vulnerable teenagers. One small way this can be done is to prohibit serving multiple alcoholic drinks to a single customer, although this will run counter to licensees' short-term profit motive. Customers may be encouraged to drink low-alcohol drinks and food services if well promoted will also reduce alcohol intoxication. Refusing service to intoxicated customers often makes them angry. Bartenders, who do not want this aggression directed at them, often continue to serve obviously intoxicated patrons.

Poor ventilation, high noise levels, and lack of seating make pubs and clubs uncomfortable. This discomfort increases the risks of aggression and violence. Crowding around the bar, in restrooms, on dance floors, around pool tables, and near phones creates the risk of accidental bumping and irritation, which can also start fights.

Many unreported pub assaults

Many assaults are not reported to the police by either pub staff or the victim. Pub owners have mixed incentives about reporting assaults to the police. On the one hand, they need police assistance to maintain orderly establishments, but on the other hand, they do not want official records to reflect negatively on their liquor licenses. Many fights and disputes that start inside a bar are forced outside by the staff so they do not appear to be connected with the pub or club. Victims often are intoxicated, are ashamed and see themselves as partly responsible, and so do not report assaults. So police records do not truly reflect the amount of violence in and around pubs and clubs. However, to underestimate the seriousness of the problem is to believe these assaults are just excessive exuberance by young men or "just desserts" for drunken troublemakers.

Assaults in and around pubs

Assault is only one of many alcohol- and pub-related problems the police address. Other problems that call for analysis and response include assaults around pubs motivated by racial, ethnic, sexual orientation, or other bias; binge drinking on college campuses; disorderly conduct of public inebriates who drink in pubs (e.g., panhandling, public urination, harassment, intimidation, and passing out in public places); drug dealing in pubs; drunken driving by customers leaving pubs; gambling in pubs; illegal discrimination against pub customers; prostitution in pubs; sexual assaults in and around pubs; and underage drinking in pubs.

Alcohol consumption: factor in violence in pubs

Drinking alcohol is the most obvious factor contributing to aggression and violence in pubs, but the relationship is not as simple as it might seem. Alcohol contributes to violence by limiting the drinker's perceived options during a conflict, increasing the drinker's willingness to take risks, and impairing the drinker's ability to talk his or her way out of trouble. Many of the alcohol problems police deal with can be attributed to ordinary drinkers, who go on binges, drink more than they usually do or drink on an empty stomach. In general, those who drink a lot are more aggressive and also are injured more seriously than those who drink moderately or not at all. Moderate drinkers are not at significantly higher risk of injury than non-drinkers.

Certain types of pubs and clubs have higher levels of reported violence. Neighbourhood pubs and social clubs have lower levels of reported violence, partly because customers know one another well, and partly because they usually resolve conflicts privately. Restaurants that serve alcohol also have less violence. Pubs that serve as pickup places, cater to prostitutes, traffic in drugs or stolen goods, feature aggressive entertainment, etc., are at higher risk for violence.

Research evidence

The evidence on the effect of pub concentration is mixed. Some pubs attract crime, while others are merely affected by crime in the surrounding area. Streets with pubs have higher levels of reported crime than streets with no pubs. High concentrations of pubs can increase pub-crawling. However, the mere fact that an area has a high concentration of pubs does not necessarily mean there will be higher levels of crime in the area. The more aggressively the security staff handle customers in clubs, the more aggressively customers respond. Many security employees and bouncers lack the skills to defuse violence. The presence of large, muscular men dressed in black encourages confrontations with some customers, while discouraging them with others. Bouncers' very presence may subconsciously signal to some customers that physical confrontation is an acceptable way to resolve disputes in that club or pub.

Profile of attackers and victims

The overwhelming majority of attackers and victims are young men (18 to 29 years old). Many young men gather and drink alcohol to establish machismo, bond with one another and compete for women's attention. Many incidents of aggression start when young men challenge one another. This is more likely to happen when they do not know each other. Overall, women's presence has a calming effect on men's behaviour in crowded bars.

The pool table: possible source of anger and frustration

Competition at the pool table or other games can be a source of anger and frustration. Competitive drinking contests contribute to excessive drinking.

Entertained crowds

Entertained crowds are less hostile. Quality music is more important than the music's noise level. Unattractive, poorly maintained and dimly lit bars signal to patrons that the owners and managers have similarly low standards for behaviour, and that they will likely tolerate aggression and violence. If the bar staff tolerate profanity and other disorderly conduct, it suggests to customers that the staff will tolerate aggression and violence, as well. Bottles, glasses, pool cues, heavy ashtrays, and bar furniture can all be used as weapons. The more available and dangerous these things are, the more likely they will cause serious injury.

A police plan for the reduction of pub incidents: stage One- survey

A good police force would consider these factors in order to reduce plan how to reduce pub and club assaults.

1. Is the problem primarily one of a pub fight, public inebriates assaulting one another, strong-arm robberies, sexual assaults, bias-motivated assaults, or something else?
2. What precipitated the attacks (e.g., verbal exchanges/insults, threats, disagreements, long-standing disputes, or advances to girlfriends/boyfriends)?
3. How/why did the verbal aggression escalate into physical assaults?
4. Is there a widespread perception that certain pubs or entertainment districts are dangerous because of assaults?
5. What weapons, if any, were used in assaults?
6. Who is assaulted?
7. Do victims report the assaults to the police? (Surveys of customers and emergency hospital admissions may reveal unreported assaults.)
8. Are victims typically intoxicated?
9. Are victims alone or in groups?
10. Are victims members of any ethnic or other subculture?
11. Are many of the victims underage drinkers?
12. How serious are victims' injuries?
13. Do victims typically instigate assaults?
14. Are there chronic victims of assault?
15. Do victims typically know their assailants?
16. How old are offenders? Do they belong to any particular ethnic, occupational, recreational, or other group?
17. Are offenders alone or in groups?
18. Are there repeat offenders? Do they have prior criminal records for assault?
19. Are offenders typically known as troublemakers in bars?
20. Are offenders typically intoxicated? Do they get intoxicated in the same bar in or around which the assaults occur?
21. Are offenders themselves injured in the fights/assaults? How seriously?
22. Are offenders heavy drinkers? Do they have histories of alcohol-related problems?
23. In or around which bars are assaults concentrated?
24. Where, specifically, do assaults occur (e.g., inside/outside, toilets, alleys, streets, car parks, or around the pub)?
25. What is the nature of the surrounding neighbourhood (e.g., entertainment district or primarily residential/commercial/ industrial)?
26. Are the pubs on or near motorways and main roads?
27. Do the pubs themselves appear to generate the aggression and violence, or are they merely affected by other conditions in the surrounding neighbourhood?
28. When do assaults occur (e.g., closing time, happy hour, special events, or weekends)?
29. What public transportation is accessible after closing hours (e.g., buses, trains, or taxis)?
30. Is there a high concentration of pubs in areas with high reported assault levels?
31. What are the lighting conditions outside pubs? Do assaults outside pubs occur in dark areas or areas not easily seen by passers-by?
32. Are there objects outside pubs that can readily be used as weapons?
33. What is the primary theme of problem pubs?
34. Does the pub serve food, or is it available nearby?
35. Does the pub offer discounted drinks?
36. What entertainment, if any, does the pub offer? Does the entertainment contribute to aggression?
37. Does the pub employ bouncers? If so, are they aggressive?
38. What is the ratio of pub employees to customers? Is it sufficient to provide timely service and monitor customers' drinking?
39. Do pub employees call the police under appropriate circumstances?
40. Are employees encouraged to push altercations outside the pub?
41. Are employees trained to recognize signs of intoxication, to refuse service diplomatically, and to defuse aggression? Does management have written policies regarding these practices?
42. What conduct is prohibited in the pub? Do employees effectively enforce those prohibitions?

43. Is the pub décor attractive and interior lighting adequate?
44. Is the pub crowded when assaults occur?
45. Do competitive events (e.g., playing pool, darts, rolling dice) lead to assaults?
46. Does the pub discourage pub-crawling (e.g., restrict re-entry, or prohibit customers exiting with alcoholic drinks)?
47. Does the pub have items that customers can readily use as weapons?
48. Does the physical setting (e.g., sharp-edged bar tops or glass) create risks of serious injuries?
49. Do the police or liquor-license authority routinely inspect pubs for compliance with regulations?
50. Do they inspect for serving practices and occupancy limits, in addition to technical license requirements?
51. Do the police or regulators take enforcement actions?
52. Do pub owners believe laws will be enforced? Do they perceive enforcement success?

A survey can help to adjust police tactics and result in reduced number of assaults; reduced calls for police service for fights and assaults; reduced severity of injuries caused by assaults ;increased reporting of assaults to police; fewer repeat victims and repeat offenders; greater perception of safety among pub customers, neighbouring shops, and residents.; increased profitability of pubs with high assault rates. Such an analysis of a local problem should give local police a better understanding of the factors that are contributing to the problem. The following response strategies provide a foundation of ideas for addressing the particular problem. These strategies are drawn from a variety of research studies and police reports.

These strategies may apply to the particular problem in a community. It is critical that responses are tailored to local circumstances It is important to secure the cooperation and involvement of all pubs in the area to guard against merely moving the problem somewhere else, and against losing the support of owners who feel unfairly targeted. Bar owners should agree in writing to codes of good practice, and establish ways to enforce them. Rogue bar owners can easily undermine these agreements by refusing to follow the code of practice. This creates pressure on other operators to do likewise. You should apply basic preventive and enforcement measures to all pubs, while applying some special preventive and enforcement measures at high-risk pubs. It is critical that you acknowledge the legitimacy of pub owners' profit motive.

Risk assessment

Voluntary safety audits and risk assessments can be used to identify high-risk locations and conditions. Monitoring systems should use data to measure effectiveness. Voluntary agreements among pubs should be overseen and monitored by informal groups rather than government officials. Formally regulating and enforcing relevant liquor-licensing laws. Voluntary agreements should be reinforced by formal regulation. Fair and well-enforced liquor-license regulation, with license suspensions and revocations, is key to ensuring responsible policies and practices. More intensive police inspections of licensed pubs will also result in higher recorded crime rates, but this encourages pub owners to adhere to good management practices and to obey licensing laws

Techniques to defuse aggressive incidents

- 1.Remove the audience (get aggressors away from onlookers).
- 2.Employ calming strategies Verbal skills.
- 3.Allow the aggressor to talk and express anger.
- 4.Use role-appropriate language.
- 5.Avoid hostile or angry remarks.
- 6.Respond indirectly to hostile questions .
- 7.Express an understanding of the aggressor's mood.
- 8.Increase the distance between oneself and the aggressor.

9. Avoid sustained eye contact with the aggressor.
 10. Move slowly and avoid sudden movements .
 11. Maintain calm, relaxed facial expressions.
 12. Control the vocal signals of anxiety and stress.
 13. Employ control strategies.
 14. Clearly establish the situation requirements.
 15. Depersonalize the encounter.
 16. Emphasize one's role requirements.
 17. Encourage the aggressor's decision-making .
 18. Offer the aggressor face-saving possibilities .
- In sum, United Kingdom police need to improve their responses to pub incidents, not by their own aggressive behaviour which simply ignites the problem on many occasions. Pub employees could do better at monitoring customers' drinking to prevent intoxication. Reducing customers' intoxication levels can be achieved if bar staff refuse to serve intoxicated customers, but this must be done in a very civil manner.

Women police today: survival

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The police force in the United Kingdom is very much a male dominated government agency and has been so for over a hundred years, although by the year 2008, transformational leadership was then identified as a vehicle to bring about long-term changes within the police organisation. It was found that women officers were skilled personnel and use transformational leadership styles; although at that time senior police women remained a minority.

In 2012, women police still remain a minority in senior positions. However there have been some improvements: Cressida Dick who is President of the British Association of Women in Policing ('BAWP') (and assistant commissioner of the Metropolitan Police); Chief Constable Judith Gillespie of the Police Service of Northern Ireland (with their former 'shoot to kill' policy); and Detective Chief Inspector Shabnam Chaudri of the Metropolitan Police (who, being the highest ranking female Muslim police officer in the UK has broken the glass ceilings of race, religious affiliation and gender all at once) and police officer Parwinder Dale who recently was voted to become the coordinator of the BAWP. Such improvements for women police will be hugely enhanced if the police adopt flexible working patterns as a uniform police throughout the UK. Some police authorities, such as the West Midlands police, have already adopted a flexible working policy, but it must be noted that flexible working policies have been implemented some forty years ago in UK banks and for many decades in Local government. In 2008, research revealed that complex gender constructions were at work within the police organisation which served to discriminate against, present barriers to, and resist women's progression through the police ranks but the fact that there are more senior women police officers today means that these women were able to break down some barriers and weaken gender-stereotypes and such organisational changes have long been suggested by academics (Bayley and Shearing, 1996; Chan, 1996; Wright, 2000; Loader, 2000; Bowling and Foster, 2002; and Reiner, 2000) who noted that such changes are vital if the police service is to survive in the globalised society with its cross-border issues.

The problem though is that these changes have been trundling along extremely slowly in the police service but luckily academics have been undertaking the study of gender and this in itself has been reshaping sociology (Maynard, 1990: 269). Such gender studies have put women in the frame by studying women and by revealing the problems encountered in studying men and masculinity, but these studies have made it possible to review occupation and social class, education, politics, and crime (Crompton and Mann,

1986; Deem, 1978; Stacey and Price, 1981 and Heidensohn, 1985). Focusing on women's experiences, and listening to their voices have revealed a catalogue of distress, distinctively gendered and mostly hidden from public gaze until more recently: domestic violence; sexual harassment; child sex abuse; rape; and inequality in sharing domestic burdens, restricting their freedom. Fear of crime is much stronger in women than in men and is in itself a control device in our society. Why have these inequalities persisted since 1829 in a civilized society? It has been known for decades now that rape is violence and also a means of social control, especially in patriarchal societies. More tellingly, studies of women in law enforcement do not include much of women's own accounts of their experiences. Rather, many include a large amount of information of male colleagues' perspectives of policewomen, embedding the genderised nature of social control.

History of women in policing

In 1829 the Metropolitan Police Bill was put to parliament and by September 1829 the first police recruits were walking their beats in London. However, let us not forget that it took eight previous aborted Bills before the Police Act gained Royal Assent in 1829. By 1830, there were 3300 policemen in London. Before women were introduced into Britain's police, numerous committees had considered the matter. A delegation of women's groups approached the Home Secretary in 1914, before the war began and there had been a conference. Women wanted the appointment of women police constables with powers equal to those of men constables in all country boroughs and in the Metropolitan boroughs of the county of London (Owings: 1925, 4-5). Many women wanted women police to be appointed in order to offer protection to women and girls. By 1914 Women Police Volunteers were being recruited by a refugee charity. The Women Police Volunteers all received some training and had the permission to patrol from the Commissioner of Police of the Metropolis (Locke: 1920, 7). In 1916, the Women Police Volunteers were contracted by the Ministry of Munitions. After the war, prostitution and protection again become serious issues and when a police strike occurred in 1918, Sir Nevil Macready, Commissioner of Police in London, set up a one-year pilot recruitment of women officers. These women police wore uniforms and had warrant cards but had no power of arrest and their work was specialised, focussing only on women and girls. After a Royal Commission in 1929, women finally entered British policing. During the 20th century, women were a tiny minority of police officers in Britain and they were confined to specialist roles. In fact a battle by women for women police in those early days, fortified by intensive lobbying and campaigning was a main reason for women in policing. Then when the Equal Pay Act and the Sex Discrimination Act came into force in 1975, there was a rapid merger and integration of the police because the police were not exempt from these statutes. The policewomen's departments had to be abolished but not many women police rose in rank. In 1990 the Metropolitan Police published a review which acknowledged that many discriminatory policies had persisted long after the integration of the 1970s.

The factors that keep women police down

Police research has revealed two issues that have a direct bearing on women's position in policing in Britain. The nature of policing and the notions of macho occupational culture of policing with its categories of prestige, power and status allocated to tough, manful acts of crime fighting and thief taking. Thus police research itself has neglected the effect of increased minority or female employment on the police subculture, viewing police departments as mainly white and male. Being a woman in such an insistent masculinist culture makes for even more problems.

Current factors that can work in favour of women police

BAWP's publication, *Grapevine*, Autumn 2012 Issue, revealed that '*women account for 28.3 percent of all new recruits to policing, according to the Police Service Strength Data to March 2012... The number of women at the rank of chief inspector and above was also up from 14.8 percent to 16.3 percent.*'

With the budgetary cuts and the country in recession and talk of professionalising the police force, women can softly come into their own by studying, since one can study at home, in bed, whilst doing household chores. In this way women police can develop practical policing strategy for the future. As was seen at the 2012 conference in Bournemouth in March, many are not in favour of the professionalising of the police. Police women must know pace by heart and this alone can demonstrate that they know their jobs, going by the book, treating the public, including offenders, well; doing things properly and working extremely hard.

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