

Science, People & Politics

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NEWS

13th August A public-private international contract signed today plans to link Brazil and Portugal by underwater optical fibre by 2020. The European Commission is one investor in the project. See: <https://ec.europa.eu/digital-single-market/en/news/bella-new-digital-data-highway-between-europe-and-latin-america>

In **July** the Council of Europe and UN strengthened their mechanisms of opposition to torture.

Also in **July** the International Society for Biological and Environmental Repositories (ISBER) released its annual report. Highlights includes new relationships with: The Entomological Connections Network; The Biobanking and Biomolecular Resources Research Infrastructure - European Research Infrastructure Consortium (BBMRI-ERIC); The Biobank Branch, China Medicinal Biotech Association; The China National Gene Bank; The Japanese Council for Industrial use of Biological and Environmental Repositories; The National BioService of Russia; and the Boston based group "Public Responsibility in Medicine and Research". See: https://cdn.ymaws.com/www.isber.org/resource/resmgr/isber_2018/isber2018-annualreport_updat.pdf

On 5 June extended range weather forecasting received a boost with implementation by the European Centre for Medium-Range Weather Forecasts [ECMWF] of its Integrated Forecasting System. The key to success is improving the modelling of the interactions among ocean, sea-ice, and the atmosphere. See: <https://www.ecmwf.int/en/about/media-centre/news/2018/ifs-upgrade-improves-extended-range-weather-forecasts>

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This is a small issue because I spent much of the summer honing and developing my instincts about and understanding of reporting criminal law as a journalist. My intent is to combine that developing skill with four decades of international science journalism. I hope what I report prompts scientists and politicians internationally to think of ways to remove the scourge of crime from the lives of people, including the criminals. **HG (Ed)**

Issue 3 July – Sept. 2018.

FROM BRITISH AND INTERNATIONAL COURTS

Sentences passed for ammunition and firearms charges

His Honour Judge Durham Hall QC today sentenced Mr X (45) and Mr X (35) to 15 years each for possessing ammunition without a firearm certificate, for possessing a firearm in prohibited circumstances, and for possessing a firearm with intent to cause fear of violence. The sentences for possession of the ammunition and of the firearm were concurrent and for five years each. The sentences for possessing a firearm with intent to cause fear of violence were 10 years for each man, and consecutive to the five-year sentences.

The jury reached their unanimous guilty verdicts yesterday on charges mentioning firearms and one of damage [see http://www.gavaghancommunications.com/cr_43.html]. However on charge one for possession of ammunition (9mm) the charge the jury gave a verdict about was possession of a firearm, not of ammunition. His Honour and Counsel were present. Proceedings are taped. Immediately the Court rose *Science, People & Politics* raised this matter with the Crown Prosecution Service for North East, where the indictment arose. Press do not always have an accurate and final version of the indictment before the Court. CPS North East said they would raise the issue with the Reviewing Lawyer.

The matter was raised again by *Science, People & Politics* this morning pre sentencing and the question raised whether the concern should be presented to the judge pre sentencing with: CPS North East, West Yorkshire Police Communications Manager, the General Secretary of the writer's trade union and the writer's Member of Parliament.

Present in Court when the charges were read to the jury for their verdict yesterday were junior counsel as well as Mr Tahir Khan QC (For Mr X [45]) and solicitors. As of yesterday, according to police, the Gun had not been recovered.

Miss Abigail Langford, junior prosecutor, represented the prosecution today, and she spoke of Charge One as being possession of ammunition. Miss Langford was present in Court yesterday when that charge was not put before the jury for their verdict. *Science, People & Politics* has heard similar errors quickly corrected in the past by judge or Counsel. His Honour Judge Durham Hall QC also spoke in his sentencing remarks of Charge one on the indictment being possession of ammunition, not as the charge to which the jury responded yesterday in his Court with a guilty verdict.

Science, People & Politics sought before posting this news report to reach Mr Peter Moulson QC leading Counsel for Mr X (35), but was able only to reach someone who said he was Mr Moulson's clerk, and that there was no point speaking to him.

During the trial a judge-directed not guilty verdict was reached on one set of charges. His honour further reached an important ruling on a matter which led Mr X (45) to withdraw from the trial after a discourteous outburst by Mr X (45) against the integrity of the Court. In Mr X's (45) absence the past events ruled admissible by His Honour were placed before the jury. By choosing to be absent Mr X (45) could not be cross-examined such that he could present to the jury his current position. Both Mr X (45) and Mr X (35) maintained their not guilty plea throughout the trial.

During the trial Ms Michelle Colborne QC and, during sentencing, His Honour Judge Durham Hall QC, spoke of the part Mr X's (45) paranoia had played in what the judge called Mr X's (45) unscrupulous behaviour.

His honour praised police in the case, which His Honour wanted to be brought to the attention of the Chief Constable of Northumbria Police and the Police and Crime Commissioner. **HG 11/7/2018, Crown Court, Bradford.**

Two Guilty: one Not Guilty of firearms charges. Gun not recovered.

Prosecutor Ms Michelle Colborne QC told the Court that the paranoia of XX (45) from Newcastle was behind the firearms and firearms-related charges of which a jury at Crown Court in Bradford today unanimously found Mr X (45) and Mr X (35) from Sheffield guilty of committing. Their co-defendant, Mr X (28), also from Sheffield, was found Not Guilty. Mr X (28) was discharged by the judge. The trial judge was His Honour Judge Durham-Hall QC, the recorder of Bradford. Sentencing is tomorrow. The gun from which the charges arise had not been found as of 10 July, 2018, according to a police officer outside Court today. **HG 10/07/2018, Crown Court at Bradford.**

Both news reports above relate to the same Court proceedings.

PUBLISHED 31 December, 2018 (delayed because of business and publishing related matters).

FROM BRITISH AND INTERNATIONAL COURTS

Heavy sentence for asylum seeker from Iran found guilty of explosives and harassment offences.

Mr X (now 34), a resident of Halifax in the UK, was today (12/6/18) found guilty of and given a 20-year extended sentence for having explosive substances with intent to endanger life or property. Concurrently, said Judge David Hatton QC, Mr X must serve 12 months for having an offensive weapon, namely a police baton; 6 months for having a bladed weapon in a public place; and three years for each of three stalking charges, involving fear of serious alarm or distress. His honour was working with new terrorism sentencing guidelines, drawing on guidance for when ideology does not play a significant part. Mr X is an asylum seeker from Iran. He came to the UK in 2009, said the judge to the jury. Working from the dock, Mr X defended himself. Though he denied having had the police baton in his car (a public place) he told the judge other items listed and read out in Court had been in his house. His collection of knives, cross bows, machete and air pistols/rifle were not held illegally. Items capable of making explosives of various kinds, and listed on the indictment, include: sulphur, potassium nitrate, potassium chloride, iron oxide, baking powder, acetone, drain cleaner (which was mainly sulphuric acid), nitric acid (69 percent), aluminium powder, magnesium powder, sodium hypochlorite, glycerine, caustic soda, sulphuric acid and ball bearings.

Mrs Alison Mansfield, a Fellow of the Royal Society of Chemistry and an expert in the chemistry of explosives, told the Court the items she tested could have made: 2.7 kilograms of gunpowder and 0.6 litres of nitro-glycerine. Mrs Mansfield said to the jury that in her calculations she used commercial figures and those from the literature. Additional items related to chemistry in practise were reported in evidence to the Court as having been seized by police. Though Mr X did not give evidence on oath, and so did not have his evidence tested in cross examination, he made reference more than once to having been tortured, seemingly in connection with a book he said he had written.

In his evidence Detective Constable Jon Garrod, from the Homicide and Major Crimes Unit of West Yorkshire Police, was asked by the prosecution about Mr X and the Iranian Special Forces. DC Garrod told the jury that that was something Mr X said about himself. In interviews read to the Court the police asked Mr X if he was trained in using knives, and he said "no". In other evidence to the Court it was stated Mr X had a list of the UK's internationally assigned frequencies, a frequency jammer, and literature downloaded from the internet which falls foul of terrorism legislation.

During the trial Mr X told the jury that he speaks five languages. When asked by the judge if he understood that he had a choice of giving evidence from the witness box in his own defence, and being cross examined by the prosecution, or making a closing speech as his own advocate on the basis of evidence before the Court Mr X said he did understand his choice. His speech to the jury was not interrupted by the judge. Earlier during the trial Mr X had told the former police officers he was today found guilty of having stalked and harassed that he had not intended them harm. From the dock Mr X asked a number of questions of witnesses, and those questions were not always immediately clear as to meaning. In police interviews played to the Court Mr X spoke of a sense he was being watched, and when asked by police if he had ever spoken with a doctor about some of the things which he had told them he said "no". Asked in interview by the police if in his mind he had imagined hurting people Mr X said, "no".

When he came to the sentencing his honour said, "Your intention I have not the slightest doubt was a device to use against police, a district judge of this Court, solicitors and a social worker. You went to considerable lengths to find out about people, visited the street in which one of those you researched lived. You've displayed signs of being paranoid and deluded. You are a dangerous individual in the meaning of the Criminal Justice Act of 2003. There is a risk to the public in general, but in particular to those openly researched by you. The danger is likely to persist for considerable time into the future such that an extended sentence is called for on Count One." His honour continued, "You will serve at least two thirds of 15 years in custody. There will then be referral to the parole board, and you will be released if the Parole Board says it is safe. When you are released, *no later* than in 15 years, you will be on license for a further five years."

His honour thanked Detective Constable Jon Garrod and six other police officers plus Mrs Alison Mansfield, the expert chemist in explosives who testified at the trial. A number of police officers, said Judge Hatton, had worked so intensively that it had impacted their health.

This item should have been moved to issue 2 of 2018. Item from Crown Court in Bradford.

FROM BRITISH AND INTERNATIONAL COURTS

Exceptional circumstances in disguised weapon case

Mr X (22) from Bradford today avoided a minimum statutory five-year custodial sentence for possession of a disguised weapon, namely a stun gun which looked like a torch. The trial and sentencing judge were Judge David Hatton QC, and he ordered destruction of the weapon. Judge Hatton further handed down a suspended sentence to Mr X, with a curfew and community-work tariff.

In reaching his decision his honour considered tests proposed by the Appeal Court.

"What sort of weapon was it? Here it was not lethal," said the judge.

Then the judge asked and answered, "What uses were made of the weapon? Here there is no evidence any use was made." "What was the intent of possession? That is unclear, but I'm unable to find," said his honour to Mr X, "that you had intent to use the weapon." "What is the defendant's record? You have no criminal record of any kind," said Judge Hatton. "I accept your evidence that you did not know it (the disguised stun gun) was illegal to possess, and did not buy it, and it was given you by a colleague."

During the sentencing hearing the Court heard that Mr X had a first class honours degree in Spanish and Italian, and had hoped one day to work for the United Nations. His honour was convinced exceptional circumstances applied to both the offence and the offender. Judge Hatton made this view clear at the start of his sentencing remarks. The judge said he had observed the defendant's remorse. **Helen Gavaghan**. Crown Court, Bradford, 17/08/2018.

Editor's comment: When reporting a trial I find it very hard to view the defendant as guilty until the evidence mounts, and the jury which has seen all of the trial reach their verdict. In some cases innocence and betrayal of their trust are what lead to a guilty conviction. If that is the case for Mr X above I wish him well, but he will need to work hard to convince the UN he has lost any naïve streak he may have had. Terrorism feeds on innocence.

Living the Dream Author, Richard Brown, sentenced for leading role in class A Drug Conspiracy.

"You know the misery for those on Class A drugs," said His Honour Judge Colin Burn to Richard Brown, before sentencing Mr Brown to 10 years and three months for Mr Brown's part in a conspiracy to supply cocaine. Mr Brown was one of five co-conspirators being sentenced today at Bradford Crown Court. Significant amounts of cocaine, some identified forensically as from the same batch, though found at different locations, were involved in the conspiracy, said the judge. Not all co-conspirators played as large a part as one another.

During the sentencing hearing Mark Foley, the solicitor advocate representing Mr Brown, told the Court that since release from prison in 2007 his client had tried to make a new life for himself, but had been dogged by visits from former associates in the drug world, who even turned up at the home of Mr Brown's relatives in Jamaica.

Then, said Mr Foley, these people from Mr Foley's past started demanding repayment for drugs lost in 2001. Those drugs were worth £8000.00 at the time, but Mr Brown was told the value had appreciated to £60,000.00. "He soon realised," Mr Foley told the Court, "that they wanted his services." By taking out a loan for a car Mr Brown had managed to pay off £5,000.00 of the debt. The drugs related to Mr Brown's case today were of high purity. Police also seized cutting agents. Mr Foley told the court his client felt remorse and regret for having regressed.

The other conspirators received the following sentences:

John Lowcock (44), who had no relevant previous convictions, was sentenced to 9 years and two months.

Sherman Mallinson to 13 years;

Matthew Billing to 7 years; and

Melisa Callear to three years.

His Honour told the defendants and their Counsel he would make sure the prison authorities knew of the relevant time [for time on remand - clarification added 08-09-2018] to be deducted from the custodial element of the sentences he had handed down. Counsel and his honour discussed a recent Appeal Court ruling on this matter. Ms Callear's counsel said his client had pleaded guilty to the charges she faced because she had closed her eyes to what was happening.

West Yorkshire Police in Bradford Crown Court told me after the case they did not know the answers to the questions I asked them. **Helen Gavaghan**. Published *circa* 19.30 07.09.2018.