

THIS ISSUE

Fred Pearce adds his voice to those arguing we have entered the Anthropocene

Helen Gavaghan visits Alderely Park to see a microcosm of the transitions Big Pharma is undergoing

Scientifically literate humanities

A publication for scientists and politicians internationally

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We aim to enable, provoke, inform and engage our readers.

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Back page advert for *Science, People & Politics* ISSN 1751-598X by Helen Gavaghan.

Editorial: Anthropocene v. anthropocene Geophysical reality or social construct?

A social construct is as reified as the impact gravity has on the human body if someone jumps from an aircraft at 35,000 feet. That is, the question in the headline does not deny that changes today in Earth systems result from human activity. Rather it sets up the debating point which has preoccupied scientists since 2000 when Paul Crutzen and Eugene Stoermer first coined the phrase to describe and explore humanity's impact on Earth.

It is an imperfect analogy, but when Gulf War Syndrome was debated in the early 1990s the *initial* determination of the US National Institutes of Health that there was no such medical Syndrome was not denial of the impact their many exposures to drugs and environment had had on the body of soldiers. The issue was that in at least three contexts the medics could not afford a mischaracterisation. There was, for example, the risk model underpinning payment for medical treatment; the need for a cogent framework within which to develop scientific-research hypotheses; and - not least - the need for a proper context for patient-centred clinical decision making.

Health care free at the point of delivery, whether paid for by the State or private insurance, needs definitions unfettered by emotion or poverty. Otherwise it is the body of medical knowledge, and thus all human beings, who pay the price.

It was not so much cause and aetiology which mattered—though, of course, they did -, but prognosis and outcomes of treatment options. The medics had the skill to treat the presenting symptoms and conditions. But what was crucial for them was to know the nature of atypical symptoms, and at which stage of the patient's physiology and developmental biology to intervene.

Actuaries and insurers needed a proper characterisation, because that would enable them to recalculate risk models, important for national financial planning, irrespective of whether those numbers underpin private or public health-care models.

Geologists now have a similarly important problem. Is there a distinct geological Epoch, independent of whether caused by the Earth-system changes we live with today? What will geologists teach their students 10,000 years from now?

Helen Gavaghan

Geologists plan international research to settle the question of anthropocene v. Anthropocene.

By Helen Gavaghan, Mytholmroyd, UK.

Geologists are to take to the field internationally to finally determine the proposed nature and time of the boundary between the Holocene, our current geological Epoch, and the as yet informally named 'Anthropocene' — a time when human action dominates the geological stratigraphy. That such a new Epoch and boundary exist seems almost certain to be accepted, according to Jan Zalasiewicz, chair of the Anthropocene Working Group (AWG), the first of the official bodies which must accept the scientific case of a formal Anthropocene.

Evidence to date comes from meta analyses, says Zalasiewicz. Field-work will not simply be an exercise in confirming a pre-existing conclusion, he told me this week.

An optimistic view is that needed research can be completed in three years. Zalasiewicz is not so sure. If the scientific community is to accept a transition from Holocene to Anthropocene as a formal stratigraphic reality the AWG and its parent bodies, up to the International Union of Geological Sciences, must be convinced. Thus is international science undertaken, and new norms, correlates and baselines established for global scientific endeavour, irrespective of national sentiments.

The first substantive step toward formalising the existence of an Anthropocene was taken this August when the AWG presented the findings of their work since 2009 to the International Geological Congress in Cape Town. The group's majority opinion was that the Anthropocene concept is geologically real, and of sufficient scale to be included in the International Chronostratigraphic Chart. Should the scientific case for the majority opinion be accepted the Holocene would be terminated, and Earth and its inhabitants will be living in the Anthropocene Epoch, but still within the Quaternary Period and Cenozoic Era.

By majority vote the AWG concluded the correct geological time unit

to describe what Earth is becoming is an Epoch, and not a higher rank such as Period/Era, nor lower rank like Age/Stage, which would have made the Anthropocene a subdivision of the Holocene.

Now geologists in co-operation with other scientific fields need to find the physical markers which most precisely typify the transition. Candidates include artificial radionuclides and patterns of nitrogen or carbon isotopes. Fieldwork's aim is to identify a specific location — if one exists to be identified - where the marker eventually selected unarguably represents a global phenomena defining transition to the new Epoch.

German Cabinet endorses Climate Action Plan 2050

Research and development to reduce greenhouse gases from industrial processes together with an expansion of German forests are among measures in "Climate Action Plan 2050" adopted this month by the German Cabinet. The aim is extensive carbon neutrality by 2050.

See: Climate Action Plan 2050, accessed 24th November, 2016.
http://unfccc.int/files/focus/long-term_strategies/application/pdf/161114_climate_action_plan_2050_en_bf.pdf

Acknowledging that Germany's *per capita* greenhouse gas emissions are higher than the EU average, the plan says Germany will advocate strengthening the European Emissions Trading Scheme (ETS). ETS sets caps on greenhouse gas emissions from installations covered by the scheme, and allows emission allowances to be traded. The cap is gradually reduced.

Emission reduction targets by 2030 for the Energy sector, agriculture, industry, buildings and transport are also laid out, and the government is establishing a Commission for growth, structural change and regional development. Structural change is what enables carbon neutrality. The plan identifies more than 90 regulatory and technological ideas to meet its objectives.

Germany has also renewed its intent, first stated in 1990, to reduce by 2050 its greenhouse gas emissions by 80-95% compared to 1990. **HG**

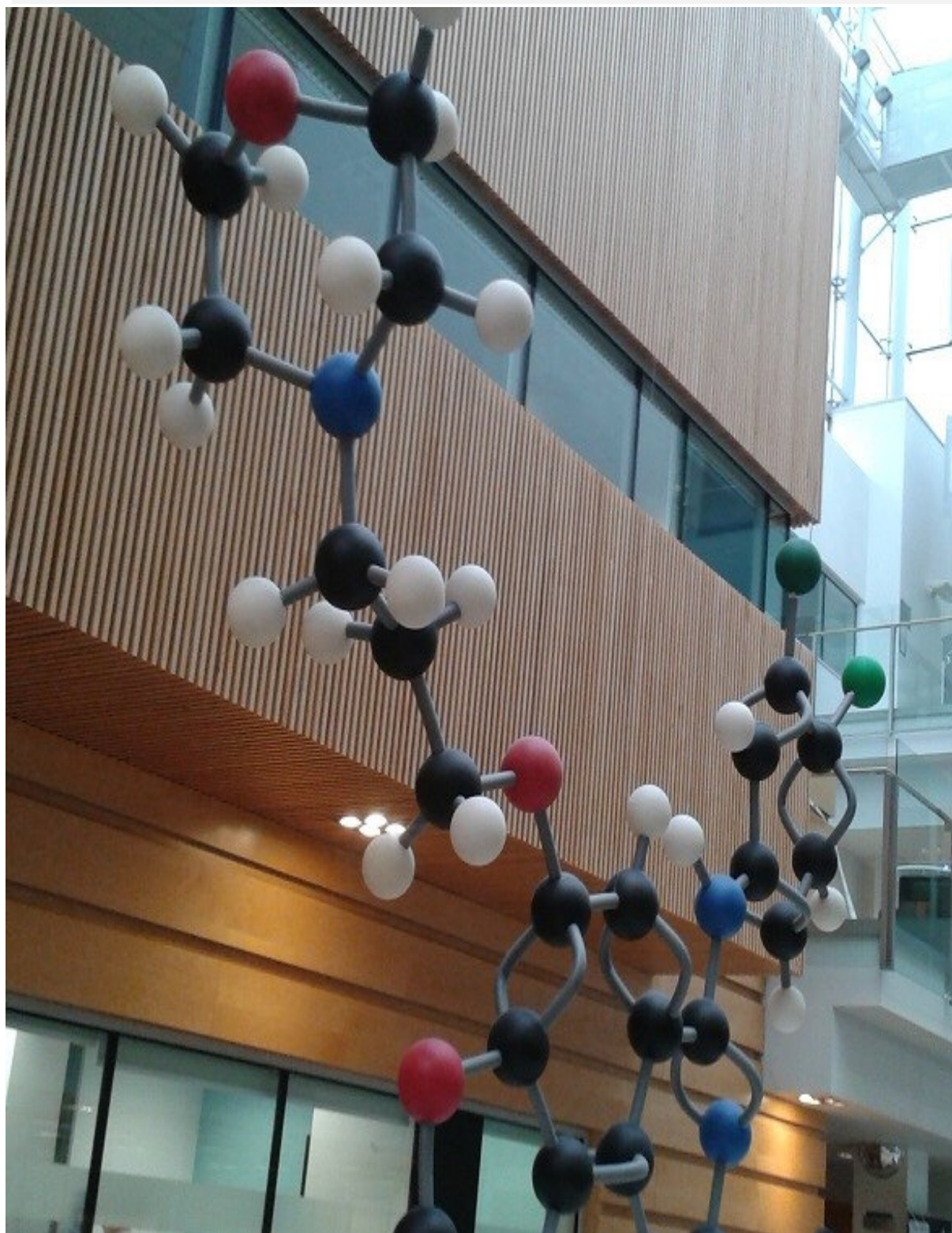


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BIG PHARMA'S GLOBAL LEGACY

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Helen Gavaghan reports from Alderley Science Park South of Manchester in the UK as it seeks entry into one of the smartest, toughest entrepreneurial leagues in today's world.

We had agreed through press officers and public relations I would interview the director of scientific services and, at the end of the day, Chris Doherty, managing director of Alderley Park. For three years Alderley has been emerging from the shadow of Astra Zeneca, the pharmaceutical giant which until 2014 occupied the location with its global R&D and some corporate functions.

Between these interviews the plan was I take a tour and talk with companies and organisations, from BioHub members to the Medicines Discovery Catapult (a UK government initiative), on the site. BioHub seeks to become a go-to location for early stage and start-up biotech, biomedical science or biologically-based businesses in the UK, and to attract overseas tenants. The latter wants UK leadership on both national and international stages.

In the event I toured Alderley, but met neither director scheduled. Possibly the scientific director was a provisional arrangement, and I have no reservations about the professionalism and insight of the alternate interviewee. By contrast being stood up by the MD and failure of a proposed telephone exchange instead is professionally concerning. For two reasons: first an MD has authority and knowledge to correct innocently acquired misunderstandings about their patch. Secondly because 7,000 on-site jobs are at stake. 3,500 already in place, the rest due to come into existence soon. The depth, breadth and sophistication of political effort needed to pull that result from the fire when Astra Zeneca decided to shift its R&D to Cambridge must have been huge.

From the molten core of multi-billion dollar behemoth, with its international fiduciary responsibilities (think pension companies, hedge funds and asset managers), in a global industrial sector fracturing and re-making itself, amid a science undergoing a Kuhnian revolution in physiological understanding, Alderley Park is emerging.

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The first I learned the MD and I would not meet was when I presented myself at 8.30 am at the main reception desk labelled, elegantly, Astra Zeneca. The giant is now a tenant – no longer owner - of some 40 per cent of the site, with corporate and significant *in vivo* research facilities still present. I gave my name. They had no record I was visiting.

Luckily one of the three flaks who ended up being involved in my visit overheard my name, presented himself, and helpfully explained my day had changed. Instead of the director of scientific services my first interviewee would be Stuart Bowden. Bowden is a 20-year veteran of Alderley Park, former employee of Zeneca, then Astra Zeneca and now Alderley Park via, I think, the Manchester Science Partnership. His expertise is health and safety.

We settled with bottled water and coffee and admired duly Astra Zeneca's patent wall of fame. I pulled out my brochures and aerial publicity shots collected in July at the trade show attached to Euro Science Open Forum (ESOF 16).

It was then Bowden and I learned we had a different understanding of the language and descriptions in some of Alderley's publicity material. I asked to see Blocks A, B, C, and D, which had all caught my attention because of their capabilities. Each is described with square footage, physical location and scientific facilities beneath a photo of the campus and mere it hugs: for all the world a mini Zurich.

So I could not understand why, if it was fine to take a tour, I could not see these blocks, seemingly the *raison d'être* of Alderley Park. When Bowden appeared I had thought things were looking up. Now I was less sure. Not certain what the discrete receptionists of Astra Zeneca made of all this. They may have been far enough away not to hear what we were saying. At some stage my overnight luggage and coat disappeared to some place known to them.

In the meantime I focussed on the Blocks I was hoping to visit. Let us consider Block A (non-human pathology) located, says its blurb, in Central Mereside, offering 68,000 square feet of "specialised state of the art" path lab space. Block C (chemistry and bioscience laboratory facilities), says the same document, is 58,000 square feet

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located in West Mereside. That Block's profile says it is open-plan lab space designed to support state-of-the-art genomic analysis and biochemical platforms simultaneously. I guess that limits how far one must carry the samples. Further, says the marketing, 7 modular cell culture suites in Block C can support up to 34 cell-culture users simultaneously.

Having also read the advertorial in a May, 2016 issue of the international science journal, *Nature*, I had thought this visit would help me join the dots among all this public outreach and the physicality of the Science Park and BioHub.

There followed a few minutes of crossed wires. It emerged I could not see these Blocks because they do not exist as discrete physical entities. Rather they meet the needs of classes of scientific endeavour, where those classes of need are only vaguely hinted at. The actual facilities are dispersed through the complex, and scheduled to become available in a phased manner. I clarified this point with both Bowden and public relations. In the case of non-human pathology, and the publicity material does not specify *non*-human (though that is what it is), I was told that offering does not yet exist, but it is hoped it will soon.

Equipment supporting the chemistry and bioscience needs called "Block C" includes 115 fume cupboards and a 700MHz nuclear magnetic resonance (NMR) machine. I saw the NMR, and Bowden told me of a 500MHz machine elsewhere on site. It's a technique which was critical to my degree, and which the University of Leeds ensured its graduates had a solid theoretical as well as practical understanding of.

Two other Blocks are in the site's promotional material. B can undertake drug metabolism and pharmacokinetic (DMPK) studies. 43 fume cupboards are associated with those.

Frustratingly, because the director of scientific services had cancelled, this information is almost meaningless to the audience of *Science, People & Politics*, namely scientists and politicians internationally. I had no opportunity to clarify what made the 43 fume cupboards relevant in one circumstance, 115 significant in another, and 77 important to a third. I say 77 fume cupboards because that is how many fume cupboards "Block D" (chemistry and bioscience) has.

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The equipment cited as relevant to block D also includes two mass spectrometry suites and 4 class II mammalian cell culture suites. MRI, PET, CT and SPECT are currently at dispersed locations at Alderley.

My dilemma had become does Alderley Park have 235 fume cupboards, or do different Blocks have access to fume cupboards which can be measured in "fume cupboard" hours? Is design and location of equipment driven by IP protection needs or the nature of the legacy space.

I had thought the relevance of the equipment to a specific scientific task would be explored during my tour, perhaps linked to a company on the Alderley Campus. I do not mean I wanted commercially sensitive information, but to know general things such as, for example, the corrosiveness, reactivity etc of chemicals which could be handled. I have in my time gloved up and donned safety spectacles for work in more than one fume cupboard. Sometimes with nasty chemicals.

Establishing and disentangling our crossed wires about Blocks A, B, C and D took a little time. At last the tour began. Perhaps now my fume cupboard preoccupations would be resolved. We dived into the basement and what seemed to be wide service corridors. Metal gurneys of various kinds were ranged at the side. Clearly the builders were in. Bowden hurried forward, pursued by me. Me pursued by two flaks. We dodged puddles of water, and Bowden said something about supposing there was a leak.

As we walked I asked about managing cross contamination, and Bowden said the lab space is at a lower pressure than connecting corridors. The site has facilities operating up to biocontainment level 2. We climbed stairs, passed labs in process of being outfitted, looked into empty labs offering access to time-share scientific equipment costing hundreds of thousands of pounds, and which a small start-up could not afford for itself. We passed cold rooms (-20° and -4°) and went into what will be the new *in vivo* facility for Alderley Park. The experimental animals which will occupy the lab will be rats and mice.

BioHub – the incubator for start-ups - slices through the centre of the extensive real estate – which in total is one million square feet of office

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and lab and communal spaces within 400-acres. The business model is that BioHub start ups migrate out to become mainstream S.M.Es (small and medium sized enterprises) in the Science Park.

I asked about current and planned cyber and IT security. Bowden's answer was unclear, but he was probably the wrong person to ask. As things stand now, with Astra Zeneca corporate and *in vivo* facilities on site, I am assuming security at all levels is tight. Anything other would be corporate negligence of breathtaking proportions, and Astra Zeneca's numbers, science and corporate reception desk at Alderley Park give no indication of the them being other than ruthless, competent capitalists.

As a physical entity Alderley Park is a compact assemblage of scientific real estate in a pretty setting. OK, I admit it, my language is influenced by having downloaded from Companies House the latest consolidated accounts of the site's ultimate major corporate parent, Bruntwood Ltd.

To my eye, untutored in this field, the corporate structure looks complicated. Additionally I do not have the accounting competence to say how deeply rooted is the attractiveness of its consolidated solvency.

Companies House received the most recent consolidated accounts for Bruntwood Ltd. on 1st February, 2016, made up to 30th September 2015. Given its history, the demands of company law and HMRC, Bruntwood must currently be at a critical stage of preparing to report its next consolidated annual accounts.

SO MUCH FOR THE SUPERSTRUCTURE

From Bowden my handlers delivered me through locked doors to the Medicines' Discovery Catapult, a UK government initiative. Not, however, before Bowden and I stopped to admire the giant molecular model of an Astra Zeneca drug outside the coffee shop. I took its picture, intrigued by the business-like nature of the two sentinel chlorines reaching upward. Ready for anything, if you ask me. Not sure where my handlers were at this stage.

My next two interviewees were the chairman and chief executive officer

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of the Medicines Discovery Catapult, and my day surprisingly reverted to its initial unpromising start. These are the level of people I have interviewed with courtesy and success in many different countries for leading US, UK, French and international outlets for decades. Five of us crowded into a tiny room (remember the two flaks) were joined by another public relations professional.

The CEO had been in place only three days. Matters became slightly tense. The strategy I asked about in general terms, and with innocent enthusiasm, turned out to be a specific document under wraps and awaiting decisions from Innovate UK. I found I had careened without warning, and with no way to know of the hazard, into a no-go area. I wondered why on earth these people were wasting my time and there's and had agreed to let me interview them. This was *not* a meeting I had specifically requested. It had been presented to me as something interesting to see and talk about at Alderley Park. Wrong footed and indignant I was not quick enough to write down the trade names of the list of compounds the CEO rattled off. Nor have I any idea why he was reciting them.

With relief I let my handlers shepherd me to my next meetings. These were with one of the BioHub tenants, and with the people in charge of relating to the customers of Alderley Park.

I am not certain that in isolation it would help the readers of *Science, People & Politics* to know details of either exchanges, and it might show undue favouritism. Suffice to say I would gladly have spent half a day with the entrepreneur, a former Astra Zeneca employee who, after asking me about my background, explained in simple language how and why his company was developing its product for market.

As a regular attendee of University of Bradford's business networking I thought how clear what he was saying was. No seminar needed to reach for meaning. His words demonstrated what might be an important selling point for Alderley, namely its mentoring through various communication fora. The Park also works with architectural principles and internal design to create spaces for different sorts of business interactions. There are, for example, clusters and locations for communal solitude.

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As the day unfolded I concluded respect for the pharmaceutical giant among its former employees, many of whom are still at Alderley Park in different capacities, some in new small businesses and working with aspects of intellectual property from Astra Zeneca, is real in many ways both spoken and unspoken.

Yet to succeed Alderley Park, as it is now, will have to let go of its emergence from Astra Zeneca. I would have loved to grill someone about how one transfers IT and communications security and the infrastructure of a global multi-billion dollar corporation to the needs of small contract research organisations, biotech start-ups, biologics etc... Wisely, perhaps, Alderley did not field such an expert.

What I do know from professional journalistic experience is exactly how tough and honourably competitive, and staffed with serious smarts, is Alderley Park's global competition in the Science Park and Bio Incubator stakes. There is no room in that world for deference to Big Pharma, nor national narratives in which British (substitute country of choice) is best. Underestimate the competition in this field and Alderley Park will be annihilated. The campus – other than having proper respect for its patent hall of fame – needs to cut links to Astra Zeneca. Good luck!

UN General Assembly sets 2018 deadline for planners fighting antimicrobial resistance (AMR)

“No major new class of antibiotics has been discovered since 1987 and too few antibacterial agents are in development to meet the challenge of multidrug resistance.”

WHO (2015) Global Action Plan¹, p4.

At a high-level UN meeting on 21st September² this year the UN General Assembly took up the challenge of fighting antimicrobial resistance (AMR). The World Health Organisation (WHO), Food and Agriculture Organisation (FAO) and World Organisation for Animal Health (OIE) were set the task of co-ordinating plans and actions. They must report back to the UNGA in September 2018, and involve development banks such the World Bank.

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This is the fourth time the UNGA has given a high political profile to health issues. HIV, Ebola and noncommunicable diseases are the others. In September countries pledged to work within the 2015 WHO Global Action Plan to defeat AMR². Already the UK and US have responded. Britain, for example, opened its centre to combat anti-microbial resistance in May this year. It is based at Alderley Park.

WHO's strategy is:

- (1) improve awareness and understanding of antimicrobial resistance;
- (2) strengthen knowledge through surveillance and research;
- (3) reduce the incidence of infection;
- (4) optimize the use of antimicrobial agents; and
- (5) ensure sustainable investment in countering AMR. 4

**Global Action Plan on Antimicrobial Resistance.
ISBN 978 92 4 150976 3 Page 1**

Resistance to antibiotics develops when bacteria grow in the presence of antibiotics, making the antibiotic ineffective. There is more danger when poor quality antibiotics are bought over the internet, and taken at the wrong dosage and/or over the wrong period of time. Laws need enacting and enforcing to prevent such activities, says the WHO. On 21st September world leaders pledge to do precisely that.

Threat of economic loss could be what ensures nations keep their promise. At a UK conference earlier this month former Goldman Sachs chief economist and Conservative Party government minister, Lord Jim O'Niell³, said the cost of not fighting the growing human and animal resistance to antibiotics, anti-parasitics, anti-virals and anti-fungals would cost the UK dear. He argues quantifying the losses should attract attention from global finance ministers who plan funding. **HG**

SEE

1. WHO Global Action Plan on AMR (2015)

http://www.wpro.who.int/entity/drug_resistance/resources/global_action_plan_eng.pdf **Accessed 24th November, 2016.**

2. United Nations High Level Meeting on ant-microbial resistance. 21st September, 2016.

<http://www.who.int/antimicrobial-resistance/events/UNGA-meeting-amr-sept2016/en/> **Accessed 24th November, 2016.**

3. Lord O'Niell was speaking at the fourth BioInfect conference, held in the Alderley Park Conference Centre on 3rd November 2016.



Picture credit: Stratigraphy in The Grand Canyon, USA, 1992.
From Helen Gavaghan's personal collection.

Fred Pearce argues we live in an anthropocene where people dominate geophysical reality and can shape a human future.

WHAT'S IN A NAME?

WELCOME TO THE ANTHROPOCENE. Take a good look around. A single species is in charge, altering the planet's features almost at will. What more natural than to name this new epoch after that top-of-the-range primate -- ourselves? Dutch Nobel prize winning atmospheric scientist, Paul Crutzen, coined the phrase in 2000 to describe the last two centuries of our planet's evolution.

At a conference someone said something to Crutzen about the Holocene, a period since the end of the last age where climate had significant implications for the development of civilisation. He told me later, "I suddenly thought that this was wrong. The world has changed too much. So I said, 'No, we are in the anthropocene'. I just made up the word on the spur of the moment. Everyone was shocked, but it seems to have stuck."

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The changes we have caused are, he believes, profound enough to justify the designation of this new age, the age of humans. Those changes include: mass extinctions; widespread ecosystem destruction; the introduction of invasive species that are creating novel new ecosystems; ocean acidification, which is changing the chemical makeup of the seas, and will trigger future biological change; the damming of most of the world's rivers; the re-engineering of the nitrogen and other fundamental planetary cycle; damaging the ozone layer; and filling the atmosphere with heat-trapping gases, such as carbon dioxide, that are warming the planet, and could prevent the emergence of the next glaciation.

Crutzen's notion may become official. The International Commission on Stratigraphy, the body in charge of these things, could soon receive a proposal to recommend for geological endorsement that we have left the Holocene and entered the Anthropocene.

Precisely when the anthropocene began is a moot point. Crutzen's original proposal was that the trigger came about 200 years ago, when coal-burning steam engines launched the industrial age. By unleashing the power of fossil fuels we transformed our capacity to sustain human life, beginning the surge in human numbers from around one billion to the present seven billion. And we began the remorseless rise in carbon emissions in the atmosphere.

When do people think the anthropocene began?

There are competing suggestions. One idea is to pinpoint the start to the dawn of agriculture, when our imprint on the landscape began to grow beyond that of the hunter and gatherer. Erle Ellis, a geographer at the University of Maryland, has argued that from tropical forests to the tundra we have, ever since, been transforming landscapes on a global scale: wetting and drying them, foresting and deforesting them, planting and burning, grazing and ploughing, hunting megafauna to extinction, and transporting species around the world. There were only a few tens of millions of us back then, but because we only had primitive technologies we used and abused a huge amount of land.

While there is an argument for such an early start to the anthropocene, we already have a term for that time: the Holocene.

Feature: anthropocene.

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Cases can be made for choosing other moments. My own pick would be the discovery of the Haber-Bosch process a century ago. By fixing nitrogen from the atmosphere, and allowing us to turn that nitrogen into chemical fertilizer, the discovery transformed at a stroke the ability of the world's soils to feed a growing population. There are estimates asserting half the 7 billion-plus people now living on the planet simply would not be here without that piece of chemical wizardry.

Others have proposed 16th July, 1945, at Alamogordo in the desert of New Mexico as when an Anthropocene began. That is when the first atomic bomb was exploded. For the next 40 years atomic and hydrogen bomb tests took place on an average of once every ten days, and caused fallout that has left a stratigraphic fingerprint on the planet in the form of released isotopes.

SOCIAL INFLUENCE

In fact I think the real case for choosing this date is different. It is not so much stratigraphic as social. Those first atomic bomb tests were the moment when we humans first understood our Faustian pact with technology. When nuclear scientists -- and then the rest of us -- first realised that we had the power to destroy our world. It was when we understood that that destruction would be irrevocable. As Bertrand Russell said of the atomic scientists: "The harm they have done cannot be undone."

Ultimately the idea of the anthropocene is a very human construct. It is about our perception of our place on this planet.

The anthropocene requires us to change how we think about everything. We no longer have the luxury of setting nature apart as something different. Traditional ideas about nature conservation, especially about preserving the pristine, make less sense. Nothing is pristine, everything is altered, if not directly by our hand then, certainly by the forces of anthropogenic climate change. As Peter Kareiva, till recently the chief scientist at The Nature Conservancy, the US's richest conservation group, put it: "Conservation's continuing focus upon preserving islands of [old] ecosystems in the age of the anthropocene is both anachronistic and counterproductive."

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Nature has, of course, always been in a state of flux. The idea of ecosystems as static and perfected is one of the more simple-minded and unscientific ideas in mainstream environmentalism. Today alien invasive species strut the planet. They have either been taken directly by us to their new habitats, or have colonised of their own accord to fill ecological and climatic niches created by our planetary manipulations and globalised life style. As a result most ecosystems today are “novel ecosystems”; mash-ups of natural and human-made worlds. They are none the worse for that. Many novel ecosystems are more biodiverse than what they replaced. This is the new ecology of the anthropocene.

For some, this vision of the anthropocene as a place where our hand is in everything is the ultimate disaster movie. Something from which we should retreat by recreating the past. The rewilding movement often embraces this idea of “going back”. A fanciful notion. We should give nature space to return where we can, and accept it will never return to the way it was: not in the anthropocene.

That is not grounds for despair. There is a “good anthropocene” to be had. One in which our stewardship of the Earth is benign. James Lovelock in his early work on Gaia wrote about how humanity could be Gaia’s conscience. Perhaps that is our destiny. We need to start asking what it means to manage the planet, and who should be in charge. The task is not just technocratic, it is highly political.

Some scientists analysing our role in shaping the future of the planet would also like to be overlords in its future management. Christophe Bonneuil and Jean-Baptiste Fressoz in their book, *The Shock of the Anthropocene*, fear technocrats yearns for “a monopoly position in defining what is happening to us and in prescribing what needs to be done.”

An extreme version of this concern sees in the declaration of the anthropocene almost as a conspiracy for global domination, and describes Lovelock, for instance, as a child of the “scientific-military-industrial complex of the cold war”. That is foolish. We cannot void being in the anthropocene. The question is whether we are destined to be ruled by a “geocracy”. We should beware the politics of the anthropocene. Safe passage in the age of humans should be an inclusive activity rather than one confined to experts.

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At the least we need to ask who are the winners and losers in strategies developed to fix key problems for the anthropocene. Take climate change. Some scientists believe we should commandeer forests from their traditional owners in the name of protecting them as “carbon sinks” to soak up industrial emissions. That makes technocratic logic, but it would be an unjust imposition on forest people who are among the least responsible for climate change. There will be many more such dilemmas; each as much political as it is ecological.

This is not to say we should get depressed about the anthropocene. The human epoch should be a challenge - a political as well as an ecological challenge - rather than a calamity. We can as Elena Bennett of McGill University in Canada argued in a recent paper in *Frontiers in Ecology and the Environment* have a “good anthropocene”. The main holdup, she suggests, is the continuing outdated vision of environmentalism as being about the conservation of a disappearing past, rather than a means for embracing the planet-managing imperatives of an anthropogenic future.

“The dominance of dystopian visions of irreversible environmental degradation and societal collapse”, Bennett writes, are frustrating progress towards sowing the seeds of this future that range from agroecology to green urban living.

<http://onlinelibrary.wiley.com/doi/10.1002/fee.1309/abstract>

Accessed 20th November, 2016.

Box: Eco pragmatism and eco modernism

<http://www.ecomodernism.org/manifesto-english/>

Accessed 23rd November, 2016.

Taking up the challenge of a new human future some environmentalists are gathering under the banner of ecomodernism. A manifesto developed by US activists Ted Nordhaus and Michael Shellenberger at their think tank the Breakthrough Institute in California.

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They write:

"... we affirm one long-standing environmental ideal, that humanity must shrink its impacts on the environment to make more room for nature, while we reject another, that human societies must harmonize with nature to avoid economic and ecological collapse. "

The manifesto says our salvation in the anthropocene lies in nuclear power rather than landscapes covered in wind farms; in intensive agriculture rather than organic farming; and urban living rather than rural idyll. It requires wearing polyester rather than cotton, eating farmed fish rather than trawling the oceans, and living at high densities so nature can prosper beyond the city limits. By doing so we can occupy less space and give much of it back to what one guru of ecomodernism, Jesse Ausubel of Rockefeller University in New York, calls the "great restoration" of nature.

Dystopian environmentalists ask how many people the planet can sustain. Their unwritten answer is that we are already beyond the planet's "carrying capacity". But ecomodernists argue the planet has no fixed carrying capacity, because technology is not fixed. Neolithic toolmaking and the first farmers both transformed how many humans the planet could support. So while the industrial revolution pushed our relationship with natural resources off balance, the way to restore that balance is by embracing technology not rejecting it.

The building blocks of this future are not rocket science. In much of the rich world we have already reached "peak stuff". That is, each individual requires less land, less nitrogen fertiliser and less water to grow their food than did their parents. We consume less metal and other materials, while recycling more. Even our carbon emissions are falling as energy efficiency improves and low-carbon energy sources are adopted. "The total human impact on the environment... can peak and decline this century", the ecomodernist manifesto argues.

Some say that even if each individual can reduce his or her planetary footprint we are still doomed by rising human numbers. Yet even here there is hope. The population bomb is being defused. Women today are having half as many children as their grandmothers did. The global

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average fertility rate is now below 2.5 children per woman, compared to five half a century ago. The world has passed the point of “peak child.” There are fewer children on the planet today than ten years ago. As fertility rates continue to fall to below replacement levels, it is likely that peak population is only a few decades away.

The population boom, it now seems, was a temporary phenomenon. It arose because for the first time in the history of our species most kids got to grow up. Thanks to medical science. We no longer needed five or six kids to ensure the next generation. But by the time we’d figured it out, the world’s population had quadrupled. Now we are adjusting.

I believe this is a big tipping point for humanity. The moment we can contemplate a future in the anthropocene with, if not total confidence, then at least without a sense of doom. If our numbers can be re-stabilised within a few decades, and if our individual ecological impact can continue to be brought down by improved technology, then we have a fighting chance of creating a good anthropocene.

Bring it on. **FP**

FURTHER READING

Professor Jan Zalasiewicz from the University of Leicester in the UK, who is chair of the Anthropocene Working Group of the International Union on Geological sciences, has provided the magazine’s editor with the following list for further reading.

Jan Zalasiewicz *et al* (2008): Are we Now in the Anthropocene. *GSA Today*. February, 2008.

Jan Zalasiewicz, Mark Williams, Will Steffen and Paul Crutzen (2010): [The New World of the Anthropocene](#). *Environ. Sci. Technol.* 2010, **44**, 2228–2231

Colin N. Waters *et al* (2015): Can nuclear weapons fallout mark the beginning of the Anthropocene Epoch? *Bulletin of the Atomic Scientists* 2015, Vol. **71**(3) 46–57

Will Steffen *et al* (2016): Stratigraphic and Earth System approaches to defining the Anthropocene. AGU Publications. Published online 12 August, 2016.

**HOUSE
ADVERT
FOR
*SCIENCE,
PEOPLE
&
POLITICS*
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Column Donkey Riding: When journalists are silent

During the past 18 months of reporting from Bradford Law Courts I have had to write to trial judges to clarify whether there might be Court Orders I don't know about, but may know about, and which a judge has made at some stage over and above the Statutory provisions governing a journalist's work. Below is an example of one such note I asked the clerk to pass to the judge. It is obvious from the words I am a journalist, editor and publisher, not a lawyer.

"Your honour,

I am the editor and publisher of *Science, People & Politics*, a quarterly humanity's title. Some of what we publish has appeared previously online as contemporaneous news report. Have any orders by judges in Bradford or elsewhere, of which I may know, been issued to your knowledge, which would prohibit publication in line with lawful contemporaneous news reporting under the spirit of all likely lawfully applicable Statutes prior to the jury returning its verdict in [insert case as appropriate]."

This letter has elicited responses ranging from, "not that we know of," to a Court Order prohibiting publication prior to a further Court Order reversing the first Court Order, with the additional paragraph that one may not say such an Order exists in the context of a particular trial.

I have seen other such orders in the press room at Bradford, Crown Court relating to trials I was not personally following in detail. I imagine they are handed down daily in Crown Courts around England every day the Courts are sitting.

Since judges manage trials, I imagine their intent with these orders is to ensure fair trial, and to drive home the message one is innocent until proven guilty. A difficulty is that such orders can make proper coverage of a trial expensive, and separate important issues from the time when they happen. I have to assume the judge has taken that into account prior to issuing such an order. **Helen Gavaghan**

Dates on the following reports are those of contemporaneously reported news. They are in this quarterly because importance to scientists and politicians internationally.

The first four reports in this quarter's section of from British Courts cover the same important trial which took place at Bradford, Crown Court over summer 2016. The technical findings from Sony and Nintendo presented to the Court demonstrate the importance of tight, well characterised, international supply chain. And it is worth recalling legitimate antennas are well characterised to prevent problems such as interference with electrical supply and communication. I had intended to remove names, but have concluded there is a public interest in keeping them. I have made small changes, not impacting the meaning, for lay out reasons, and I have corrected one contradiction in report three, which I drew attention to contemporaneously.

The nature of an IP address

Report 1 of 4 of the same trial.

By Helen Gavaghan at Bradford, Crown Court.

18th July, 2016

A jury at Bradford Crown Court this afternoon heard expert forensic computing evidence on the nature of Internet Protocol addresses. While not being relied on by the prosecution to prove their case, the evidence gave context to a variety of charges involving alleged money laundering, conspiracy to receive stolen goods, possessing criminal property and unauthorised use of a trademark. More than £300,000 in varying amounts is involved across the alleged offences before the Court.

The IP evidence, interestingly, was called with the Court's consent by one of the defense counsel before the prosecution had finished their case, and with intent to help all Counsel and the Court understand Internet Protocol addresses more fully.

Not all eight defendants, who at the time of the alleged offences worked and lived in and from Halifax in West Yorkshire, face the same charges.

All have entered not guilty pleas to the following counts.

Count one: Naveed Zaman (30) and Aamer Ali (32) conspiracy over three and a half years to receive stolen goods.

Count two: Naveed Zaman and Mark Turner (52) alleged money laundering between August 2011 and March 2012.

Count three: Naveed Zaman and Mohammed Farooq (63) alleged money laundering over the same period of time.

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Counts four and five: Naveed Zaman - possessing criminal property of £65,769 cash and £12,000 cash during the first three months of 2012.

Count six and count seven: respectively Naveed Zaman and Zaheer Iqbal Ahmed (26) and Naveed Zaman and Mohammed Wali Khan (33) for alleged money laundering from August 2011 to the end of 2012.

In Count eight Mohammed Zaheer (36) faces charges of alleged money laundering during 2014 and the beginning of 2015.

Separately, in Count nine, Naveed Zaman, Aamer Ali and Amir Amin (39) are charged with entering or becoming concerned in alleged money laundering arrangements, also during 2014 and early 2015. Aamer Ali is the only one of the eight men on trial to face charges of unauthorised use of a trademark.

The trial has entered its second week, and the prosecution today began reading to the jury police interviews with the defendants. Tomorrow the prosecution is expected to continue making its case with further presentation of police interviews, and evidence from eBay and PayPal experts. Counsels for the defence are scheduled to start presentation of their clients' cases from next week.

Matthew Donkin supported by James Gelsthorpe is presenting the Crown's case. Mr Donkin and Mr Gelsthorpe are from New Park Court Chambers. His Honour Judge Roger Thomas QC is the trial judge. **HG**

Later reports in this series of four relate to verdicts.

Multiple charges, multiple defendants

Report 2 of 4 about the same trial.

By Helen Gavaghan at Bradford, Crown Court,

16th August, 2016.

At 12.30 today a jury at Bradford Crown Court unanimously found Mohammed Wali Khan (33) and Zaheer Iqbal Ahmed (26) of Halifax, West Yorkshire not guilty of "entering into or becoming concerned in a money laundering arrangement". The judge said both men were discharged. Neither was accused or co-accused of crime other than money laundering contrary to section 328 (1) of the Proceeds of Crime Act 2002.

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These two verdicts - and others - mark the end of a complex case which opened on 11th July, 2016, and has run every possible Court sitting day but two since then.

Six other men, also from Halifax, UK, who stood trial at the same time for varied charges were found guilty. Three, namely Mohammed Farooq (63), Mohammed Zaheer (36) and Mark Turner (52), had altered their pleas on 27th July. They were re-arraigned on charges of money laundering contrary to section 328 (1) of the Proceeds of Crime Act 2002. Mr Farooq and Mr Turner were co-accused on these charges with Naveed Zaman (30). Mr Zaheer was the sole defendant on the money laundering charge he faced. At the judge's direction the jury returned unanimous guilty verdicts. Those who changed their plea mid trial had faced no charges other than money laundering.

Mr Farooq and Mr Zaheer had a Punjabi translator during the trial. When I asked Mr Farooq if he had understood some straightforward things I said to him in conversation he told me he had. Mr Farooq, Mr Zaheer and Mr Turner have bail, pending their sentencing hearing.

The remaining three defendants Naveed Zaman, Aamer Ali (32) and Amir Amin (39) were found guilty today. Mr Zaman and Mr Ali at 12.30 by unanimous verdicts. Mr Amin by a majority verdict of 10 to one at shortly after 2.15. Midway through the trial the judge had reluctantly dismissed one juror who was unwell.

Mr Zaman and Mr Ali were remanded immediately into custody; Mr Amin was given bail.

Mr Amin is found guilty of one charge of entering into or becoming involved in a money laundering arrangement. He faced no other charges. Mr Ali is found guilty as the sole defendant of two charges of trademark infringement, and guilty as co-accused with Mr Zaman of conspiracy to receive stolen goods.

Specifics of charges against Mr Ali are that he had in his possession goods (317) "purporting to be Nintendo DSI hand held video consoles" and 500 hand held video controllers purporting to be Sony Playstation

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Dual Shock hand held game controllers. The prosecution said the items were marked in a way which could make them seem to be carrying genuine Trademarks.

In total Mr Zaman is found guilty of eight charges. Two as the sole defendant accused of being in possession of criminal property; one with Mr Ali of conspiracy to receive stolen goods over a three and a half year period, and five charges as the co-accused with each of Mr Farooq, Mr Turner, Mr Ahmed (acquitted) and Mr Wali Khan (acquitted), and with Mr Amin and Mr Ali.

Mr Zaman chose not to give evidence in his own defence. His honour checked that Mr Zaman's counsel had fully covered this issue with his client. Prior to police interviews Mr Zaman had made a short statement, and then responded no comment.

Throughout the trial Mr Ali denied all knowledge of conspiracy, and of any crime. He denied any interaction with Mr Zaman in any way after October 2012, though they have known one another, says Mr Ali, since primary school. At times during cross examination Mr Ali's answers became argumentative, prompting the judge to urge him to listen to the questions, and not to argue. Mr Ali had given the name Mr Imran rather than his own during dealings with one Queensbury-based business (Queensbury is a town midway between Halifax and Bradford), but there was no suggestion by the prosecution that Mr Ali had used the name Mr Imran (a nickname, said Mr Ali) with intent to defraud that business, though it seems he did deceive them as to his true identity.

On the stand Mr Ali made no secret that he had previously been found guilty of charges related to dishonesty in business, which had resulted in a five year custodial sentence. He was released in October 2012 on licence, half way through the sentence, and told the jury during this trial he had learned his lesson, now has responsibilities, and could not have done certain things because he was at the time in prison. Mr Matthew Donkin of New Park Court Chambers, instructed by the Crown, argued that for a conspiracy to exist it did not matter at what time an individual entered the conspiracy, providing that the date of joining fell within a single overall period of alleged conspiracy.

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In denying money laundering Mr Amin blamed Mr Ali. He also admitted on the stand to lying to banks when opening accounts with them, lying to police and to an insurance company to get cheaper car insurance.

During the trial the Court heard evidence from EBay and PayPal about setting up accounts with them. At one stage, the PayPal witness, giving evidence by video link, said PayPal was not in a position to give evidence on behalf of EBay. The prosecution allegation was that hundreds of thousands of pounds passed through such accounts and linked bank accounts related to defendants accused of money laundering, and that it was unclear where much of the money withdrawn as cash had gone.

In relationship to the Trademark infringement charges faced by Mr Ali the senior in-house counsel for IP enforcement for Nintendo Europe, a qualified solicitor, and, separately, the IP enforcement manager for Sony Europe, both testified in Court to the counterfeit nature of goods shown to each of them by West Yorkshire police, and which are the goods for which Mr Ali was found guilty of trademark infringement.

As part of the trial process Nintendo's IP counsel agreed after giving evidence to examine in more detail samples from those seized by West Yorkshire Police from a location in Bradford, West Yorkshire. Mr Imran Shafi from Exchange Chambers, on behalf of Mr Ali, had queried if the goods could be reconditioned, and not counterfeit.

Later in the trial Mr James Gelsthorpe, also from New Park Court Chambers, and co-instructed with Mr Donkin by the Crown Prosecution Service, read out a subsequent report saying that one casing contained a non-matching printed circuit board, and antenna which shouldn't be there. There was one circuit board without genuine radio function and with incorrect wiring. The Nintendo report to the Court asserted unequivocally internal components were not authentic and were added outside of Nintendo's control.

Both the Nintendo and Sony witnesses were adamant the items they examined were counterfeit. In evidence on the stand Nintendo's in-house counsel spoke of charger and packaging as passing off, and said that the batteries were not part of the Nintendo supply chain.

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After the final verdict Mr Zarif Khan from Drystone Chambers in London, counsel for Naveed Zaman, made arguments in mitigation, telling the Court his client accepted the verdicts. Sentencing for all defendants will be later. His Honour Judge Roger Thomas QC, the trial judge, invited the jury to remain to hear Mr Khan speak on his client's behalf, but they chose to leave. His honour thanked them for their work over more than five weeks, and 15 hours of deliberation. **HG**

**MONEY LAUNDERING, RECEIPT OF STOLEN GOODS,
POSSESSION OF CRIMINAL PROPERTY,
TRADEMARK INFRINGEMENT**

Report 3 of 4 covering the same trial.

By Helen Gavaghan at Bradford, Crown Court.

19th August, 2016

His Honour Judge Roger Thomas QC today sentenced Mr Naveed Zaman (30) and Mr Amer Ali (32), both from Halifax in the UK, each to nine years in prison for the different charges of which a jury had found them guilty on Tuesday this week, and imposed a serious crime prevention order on each man for five years after release.

The Crown sought the serious crime prevention order, which is not meant to undermine rehabilitation, said prosecutor, Mr Matthew Donkin. It means that though each may be in business and have a limited number of mobile phones once they are released, they will for five years each in their business affairs have close supervision by an assigned police officer.

What tipped the sentence into a more serious category, said the judge, was the greater than £100,000.00 involved, that their enterprise was national, and the high degree of sophistication and organisation they brought to the task. In his honour's considered judgement neither man, friends since childhood, sentenced today played a lesser role in the conspiracy covering the criminality they were being sentenced for. Only Mr Ali had been charged and found guilty of trademark infringement, and only Mr Zaman

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had been charged and found guilty of possessing criminal property.

During the course of the trial the precise amount of criminal property Mr Zaman was charged with having had in his possession was modified slightly as evidence became clearer.

Both men had faced charges of money laundering, and were found guilty on Tuesday.

Following the sentencing his honour commended all counsel for the focused, professional work; he commended also detective constables Tony Chapman and A. Nuttall for their competence, as well as two traffic police officers, whose alertness in 2012 played a significant part in uncovering the criminality tested in the trial involving Mr Naveed Zaman and Mr Amer Ali, and which ended 16th August, 2016.

Sentencing when simple arithmetic is not the touchstone

Report 4 of 4 covering the same trial.

By Helen Gavaghan at Bradford, Crown Court.

9th September, 2016

Three prison sentences - two custodial, and one suspended - were handed down today by His Honour Judge Roger Thomas QC, the recorder of Bradford Crown Court, for the parts Amir Amin (39), Mark Turner (52) and Mohammed Zaheer (36 - suspended sentence) played in a large money laundering enterprise, part of which resulted in £144,350 leaving Mr Amin's account for Hong Kong. The three men are from Halifax in the UK.

His honour took as his starting point the guidelines for fraud, but then said that simple arithmetic, "--- is not in my judgement the way forward. I need to stand back from the guidelines, and look at the real criminality."

Judge Thomas sentenced Mr Amin to 2.5 years in prison, and Mr Turner to two. Both were taken immediately into custody, while Mr Zaheer left the dock to begin his suspended sentence. Mr Zaheer was

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warned by the judge that further offence of any kind from deceit, traffic or violence (not part of Mr Zaheer's history) during the period of suspension would result in Mr Zaheer being sent to prison. Mr Zaheer was also told to complete 240 hours of unpaid work. The sentences reflect that Judge Thomas had heard pleas in mitigation.

Today's events mark what is nearly the end of a complex case which began in early July, and saw two of eight co-defendants found not guilty. **HG**

Alcohol dependence destroys a career, leading to misjudgement and a victim's distress

By Helen Gavaghan at Bradford, Crown Court.

29th June, 2016

I have removed the name of the defendant in this report to comply with my understanding of the Rehabilitation of Offenders' Act 1974.

Mr [] (53), who this August would have been a police officer for 26 years, was today given a 30-month community order and 60-day rehabilitation order for two isolated incidents of sexual misconduct in 2015. Mr []'s conviction was on 9th June, 2016 (See http://www.gavaghancommunications.com/cr_18.html). For the past 12 years Mr [], a police officer with commendations, has worked surveillance for serious crime.

At the time of Mr []'s offences (in May 2015 and October 2015) he had become alcohol dependent.

One of the complainants provided an impact statement describing her distress, and the judge, his honour Judge Hatton QC, imposed an indefinite restraining order prohibiting contact with either of the women concerned. He further said that Mr [] would be on the "sex offenders" register for five years.

The judge said he had read reports prepared about Mr []. "It is perfectly clear to me that these two offences aside you have led a blameless

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life -- For reasons I need not detail -- serious accident -- sadly you turned to drink and became dependent -- I am satisfied that at the time of these offences you were in a dark and lonely place -- you misjudged the situation -- you have caused significant distress to (the complainant who supplied a victim impact statement)-- you have done a great deal to rehabilitate yourself -- you have been punished by loss of a career -- family devastated."

Having imposed the sentence, Judge Hatton said, "Speak to probation before you leave." **HG**

GUILTY

By Helen Gavaghan at Bradford, Crown Court.

28th June, 2016

Martin Vincent Cumiskey from Halifax in the UK was this afternoon found guilty of 20 charges comprising rape, attempted rape, indecent assault and indecency. He was sentenced by His Honour Judge Hatton QC to a total of 22 custodial years, plus one year on licence. After 11 years Mr Cumiskey will be eligible to apply for parole. Whenever he is released there will be an additional year on license. The maximum sentence he will serve, said the judge, is 22 years. It took the jury a little under two hours to reach their unanimous verdicts.

Mr Cumiskey, who prosecutor Mr Andrew Dallas told me is 53, has at all times since arrest pleaded not guilty to all charges.

The case opened on 20th June, 2016. Three adult women were the complainants. Each gave independent evidence in Court from behind screens. His honour explained the screens were not to be interpreted as a slur on the defendant, but were to make it easier for witnesses to give evidence.

Throughout the trial Mr Cumiskey had the assistance of an intermediary, a special measure taken following the recommendations made in a pre-trial report to the Court from a consultant psychologist.

Continued on page 33...

At various stages during the trial the judge and counsel mentioned on the record both brain injury or brain haemorrhage. The Court heard also that Mr Cumiskey, who had always liked a drink, became a heavy drinker at a time correlating with a personal tragedy.

Following the verdict his honour moved immediately to sentencing while the jury remained in the room. He was heard by all in the Court, including members of the public, in silence. "Only a significant and substantial sentence can be possible," he said.

The judge additionally issued restraining orders prohibiting contact by Mr Cumiskey with the three women complainants.

Because of disability the defendant remained seated during sentencing, though he tried to stand until told by the judge he need not. Five security staff were in the dock and Court. Afterwards the judge thanked the jury. Mr Cumiskey was taken immediately into custody. **HG**

Unexpected events led to directed not guilty verdicts

By Helen Gavaghan at Bradford, Crown Court.

21st, June, 2016.

"Things have happened when you were out of Court," said prosecutor, Stephen Littlewood, this afternoon to a jury in Bradford Crown Court, "of which you won't be aware. In the interests of justice we (The Crown) will offer no evidence on either count." The charges were of grievous bodily harm and assault causing harm, and the defendant was Mr []. Mr Green, for the defence, said, after the judge discharged the defendant and the Court rose, that Mr [] is over 18 and the case Keighley based. Mr Green would give no further precise identifying information about Mr [].

The trial judge was His Honour Judge Hunt. "In your absence," he said, "it was my task to investigate. The witness (that is a witness who had been on the stand prior to the jury leaving the room to allow discussion of legal matters) is not willing to co-operate in helping you.

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FROM BRITISH COURT

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Formal verdicts have to be returned." Those verdicts were judge-directed not guilty verdicts, which the jury duly returned.

The unco-operative witness is over 18. Nor would the prosecution give me the name of the complainant, who is also over 18, according to Mr Green.

Mr Stephen Littlewood is independent counsel instructed by the Crown Prosecution Service, and in response to my question he told me his chambers are KBW, based in Leeds. **HG**

SEXUAL MISCONDUCT AND DISTRESS

By Helen Gavaghan at Bradford, Crown Court.

9th June, 2016

By unanimous verdicts a jury earlier this afternoon found Mr [] guilty of two criminal counts involving sexual misconduct, and not guilty of a third. The case was heard at Bradford Crown Court.

Mr [] is a white, middle-aged man in a stressful and unusually isolating profession. That profession was not mentioned by defence, prosecution or judge during their summings up as having relevance to the offences.

Ms Chloe Fairley, for the defence, asked for a presentence report. That and a psychiatric report are to be ready for 29th June, when Mr [] must again appear in Court. Until then, said His Honour Judge Hatton, the trial judge, Mr [] may make no contact with the two women who made the complaints.

During the trial Mr [] denied touching one of the women in the manner the Crown defined as sexual assault. He further denied intent to cause alarm or distress to the second, though the Court heard evidence that distress and alarm was the result of Mr []'s deliberate and admitted action.

Mr David McGonigal of Broadway House Chambers presented the Crown's case. Defence Counsel, Ms Fairley, is with New Park Court Chambers.

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While summing up the judge clarified the nature of the charges and elements which must all be present and proven to reach a guilty verdict.

The jury retired yesterday afternoon, and resumed deliberations this morning, returning with their verdict at 2.20 pm.

The judge thanked the jury for their service. **HG**

RAPE: GUILTY VERDICT

By Helen Gavaghan at Bradford, Crown Court.

3rd June, 2016

This morning at Bradford Crown Court (UK) [Male] (29) of Bradford was found guilty of two counts of rape and one of attempted rape. The jury verdicts were unanimous. Mr [] was remanded in custody until 1st July 2016, and told he faces a substantial prison sentence. His Honour Judge Roger Thomas QC, the trial judge, who is also the resident judge of Bradford Law Courts, placed the defendant by order on the sex offenders' register.

When I spoke with Mr [] yesterday in the Court's public area and asked if I may ask his occupation, he said "no", and asked where what I write would be printed.

Mr [] had, by yesterday, already pleaded guilty to charges brought simultaneously of assaulting his victim and damaging her property. Those offences took place during the same overnight period as the rapes and attempted rape of which he was found guilty today.

In summing up the prosecution yesterday reminded the jury they had seen photographs of the damage caused by the assault on the complainant.

The Court heard that the victim tried to retract her initial allegation of rape a few days after her complaint, but had wanted the prosecution for assault of herself and damage to her property to go ahead.

Continued on page 36...

A summons had to be issued to enforce the victim's attendance at Court, but the prosecution made no application for her to be cross examined as a hostile witness.

Additionally the victim filed a complaint with the Independent Police Complaints' Commission (IPCC) alleging police co-ercion. That approach to the IPCC, and the complainant's attempts to retract allegations of rape were before the Court in the presence of the jury.

Mr David Bradshaw, of Zenith Chambers, on behalf of the Crown Prosecution Service told the jury, "The starting point of this case is what you saw on the DVD, and she told you what happened -- on that alone (you) can be sure it was rape..."

Counsel for the defence, Miss Sarah Barlow, from Exchange Chambers, argued that one can consent to something reluctantly, and the reluctance does not necessarily mean there was no consent. She closed her final speech to the jury saying, "The evidence is contradictory."

In his summing up, and in his discussion of points of law Judge Thomas explored such concepts as an innocent or a guilty lie, clarified in dispassionate detail what is meant by rape, and the nature of consent. He said, "No man today can demand he must have sexual satisfaction in his relationship." At another point the judge said, "I am the lawyer. Your side - what you are doing - you're doing the hard bit. Given the whole of the evidence, what do you make of it? What we want is your common sense approach."

The jury was out for half an hour on the 2nd June, resuming deliberations this morning. Their verdict was returned at 11.20am today.

Judge Thomas said of the policeman reported by the victim to the IPCC that the officer was, "... quite obviously diligent and caring. I don't believe for a moment he had a hand up her back." **HG**

For legal reasons the victim in may not be named by Gavaghan Communications or *Science, People & Politics* because no-one connected with publisher or magazine has sought the victim's consent to do so, nor plans to do so.

Common Law Conspiracy to defraud the Home Office

By Helen Gavaghan at Bradford, Crown Court

21st September, 2016: Three people today pleaded guilty at Bradford, Crown Court to Common Law conspiracy to defraud the Home Office. They now have bail, and were instructed via their advocates to speak to probation.

The plea came midway through the Crown Prosecution's opening statement, before any evidence was presented by prosecution or defence, and the trial judge instructed the jury to return guilty verdicts.

Speaking to the jury before the verdicts were returned the judge said, "The best evidence possible of guilt is an admission in the presence of the jury." Referring to the occasion as serious and technical the judge explained the defendants were in their charge, and asked the jury foreperson to respond to the clerk's questions.

The juror seated in the chair closest to the judge, stood, and assumed, as requested, the task of foreperson. Before returning the formal verdicts the foreperson asked if it was allowed to say something. With the judge's consent the foreperson said that in the circumstances the jury had not consulted one another. The judge then suggested the jury nod to the foreperson their verdicts, and all concurred to returning guilty

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We enable, provoke, inform and engage our readers.

Magazine policy

I remove names included lawfully in my contemporaneous news reports once they are transferred to the magazine *Science, People & Politics*. If I think, or am so advised, that there is a public interest to keeping the name in the original news report I keep the names in what I transfer. I select and publish Court reporting when I think there is a public interest in the issues they cover, and which has a theme common to being human, not as an exercise of putting the defendant, whether eventually convicted or not, in the "stocks". My intent is also to give readers a sense of the legal environment in which the magazine is published.

HG 17.11.2016

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