The concept of the Commission as an independent and non-protagonist body, offering 'sanctuary' to the frustrated and concerned individual, suggests that there is no satisfactory alternative already in existence. Certainly the police, as an institution, cannot fulfil the role envisaged for the Commission. The police cannot be seen as a neutral authority.

Payton, the Wandsworth Town Clerk, should have had a powerful department to turn to, when confronted with the dilemma which arose a few days after he took up his appointment. The background can only be guessed at, but it must surely have been disturbing to a new appointee, in a strange environment.

An approach to the Commissioner would have protected Payton from becoming "the villain of the piece" in the eyes of his local authority.

Instead, he had no option but to call in the police. The police commenced a lengthy investigation. Whatever the result of that investigation, it was clear that there was a Poulson link in Wandsworth, at a time when the whole of the central authority machinery, according to Salmon, had prepared a "dossier" of "detailed and disturbing information" concerning the same Poulson.

As the "dossier" was suppressed, one can only assume that any recommendations made by the Investigating officer at Wandsworth, Detective Superintendent Mees, on the question of the link between myself, Poulson and Sporle would have been buried with it.

It might have been advantageous, too, to Superintendent Mees if there had been a procedure, independent of the existing prosecuting machinery, which would have enabled him to go on the record. I suggest that if he had felt the need to take advantage of such a procedure, Mees would have been required, through his superior, to notify the Commission of Police of his intention. This right of access to the Ombudsman could not be denied. As the Commissioner of Police is responsible to the Home Secretary, who is head of the Metropolitan Police and Scotland Yard, an immediate and effective brake would have been applied to any attempt to promote cover up, simply by the operation of this procedure.

Given the existence of the Commission, Marron, the Solicitor, would have had a satisfactory alternative to taking the 'defence' to the police. In any similar situation in which a Solicitor might find himself, it is suggested that it would be necessary for him to secure the permission of his client, before consulting with the Commissioner.

The Commissioner could, if it was felt that the Solicitor's doubts were well founded, recommend his withdrawal from the case.

If such a course of action had been available to Marron, my interests would have been infinitely better served than they were as a result of Marron's approach to the police.

There is no record as to whether the police officer who received the information from Marron gave expression to any concern he may have felt, in the knowledge that the Solicitor's client was being betrayed. Would not the existence of the Commissioner have offered him an outlet for recording such concern.

Surely it should be impossible for a solicitor to take aspects of the defence to the police?

The Bradford Councillor, Newby, who had gone on trial in 1976, immediately after the furore created by Lord Salmon's decisions to give expression to his disquiet in the press, may well have felt the need for such aid as the proposed Commission might offer.

Newby must have felt very pessimistic about his chances of facing an unbiased jury, especially since Salmon had already given his authority to the assertion that, "The councillors would then be expected, without declaring their interests, to use their influence on Mr. Poulson's behalf." I suggest that, in the unfortunate circumstances which prevailed, the defendent ought to have been able to argue for a postponement or even dismissal of the charges.

In fact, given a procedure and a structure such as I recommended, the entire course of the Poulson Affair would have been altered at an early stage, and Newby, in 1976, would not have been subjected to the need to stand his trial in such a charged atmosphere.

There would be a democratic right for anyone, in any organisation of public responsibility, to register evidence that truth is being suppressed against the public interest. The individual could turn, with confidence, to the new department and legitimately give voice to doubts, fears, and suspicions. Documents could be revealed, if good cause could be shown that the interest of the public, or justice, was being frustrated.

The Commission would legitimise the 'leak.' In the Poulson Affair, if there had been a full leak at the 'Dossier' Stage, all the subsequent argument about the need for a Tribunal of Inquiry would never have arisen. The bankruptcy proceeding would have assumed a proper perspective, rather than the sensation it became.

The central power, built around the Home Office, and emanating from it, could not have created what appeared, and still appears to many people, to have been a conspiracy to mislead.

It will be seen that by the Spring of 1970 – almost two years before the Poulson bankruptcy petition was filed – the Commissioner might have had on his desk submissions from four perturbed 'tiny people', Barry Payton and Detective Superintendent Mees at the Wandsworth end, and John Marron, the solicitor and his police contact, [illegible]

It is likely that the Commissioner would also have known the contents of the "dossier", which was being shuttled between one locked filing cabinet and another, and which was kept from exposure, [illegible]

The availability of the Commissioner's office, and its guarantee of confidentiality and security to these few 'tiny people' would have had the effect of altering the entire course of the Poulson Affair.

Prosecution of Poulson and his associates, tiny and not-so-tiny would have been set in train much earlier. The exposures would have been more complete. The question raised by Norman Shrapnel, at the end of the seventies, as to why the Poulson empire had been allowed to flourish for so long, would never have arisen, and therefore would not, even now, remain suspended uneasily, still waiting for a satisfactory answer.

The Poulson bankruptcy hearing would have been allowed to pursue its purpose uninterrupted, and would have served, as is intended, the interests of the creditors.

The stop-start progress of the Affair would have been short circuited.

It is possible, [illegible] that the Government, released from the pressures imposed by each new wave of sensation and revelation, would have set in motion the machinery capable of bringing the Affair to a satisfactory conclusion.

The lessons of Poulson might have been learned, and the future interests of all 'tiny people', both at the production and the consumption end of the public service might have been better served.

Tomkinson and Gallard in their book suggest that the only measure which would have brought out the full extent of Poulson's influence would have had to incorporate " the ability to protect the identity of witnesses."

The proposed Commission would offer just this protection, and would, further, protect witnesses from intimidation and sanction.

Given the approach by the 'tiny people' to the Commission as early as 1970, the consequent inquiry would surely have asked some of the questions which had been ignored by the Salmon Commission and the Parliamentary Select Committee on the Conduct of Members.

Who were the people who had made the decisions not to proceed on the "dossier"?

Who were the people who decided to prosecute [redacted] on a charge which ignored the Poulson link in Wandsworth?

The Poulson link had been clearly established through Marron's action, and the "dossier", by the Spring of 1970.

If the House of Commons could censure Maudling for his failure to disclose the nature of his association with the Poulson empire in 1972, how would they have reacted if they had known the full facts in 1970, when he became Home Secretary, and was in a position to make a decisive intervention on the question of the "dossier", to the detriment of the pursuit of justice?

There is no evidence at our disposal to show that Maudling took any such action.

But, surely, the possibility, and its consequences, should have been a matter of the most serious concern to the Parliamentary Select Committee inquiry?

The machinery proposed, resting on the critical power of the Attorney General vis a vis the Executive, and on the independence of his Select Committee, without outside interests to protect, would remove the danger which must be present when a member or members of the Executive can direct the spotlight of inquiry, investigation and even prosecution in matters in which their own interests might be involved.

The conflict between my indictment in relation to the Peterlee Development Corporation, and the sworn statements of witnesses, provides a further example of the need for some such body as the proposed Commission, dedicated to offer protection to 'tiny people' in their confrontation with the processes of the law.

The statements of witnesses made it abundantly clear that Poulson had not been a benificiary of the Corporation during the my period of office. Such commissions, as had been awarded to his practice had been assigned either before I had taken up the appointment as Chairman of the Corporation, or after I had resigned.

The statements were in open contradiction to the terms of the indictment.

But I was sentenced on the indictment.

I pleaded guilty to the charge, for reasons I have given earlier in this book.

What redress is there if the terms of the indictment are a weighting factor in the sentence of an individual, who may have been correctly convicted, but wrongly sentenced because of the influence of the indictment

If the witnesses' statements are to carry any weight at all, in the Defence charge, then the terms of the indictment must be seen as false evidence.

Unless the witnesses' statements are to be discounted completely the indictment must be seen as a shocking case of 'verballing.' The victims of the verballing, in this case, would appear to have included the Judge, , the defence, and the press reporting as they did the Judge's final speech, based on the 'false evidence' of the indictment.

It could justifiably be argued that I had accepted the terms of the indictment by pleading guilty, and it is impossible to take issue with that contention. Nevertheless the defence should not, in those particular circumstances, have accepted the patent falseness of the indictment.

Who were the people who had, knowingly, included false statements in the indictment?

These false statements were repeated by the Judge, and were written into the evidence presented by the media to the nation. This evidence has become part of the currency which has been used ever since, whenever the Poulson Affair has attracted the attention of the commentators.

The Standards of Conduct so genuinely sought after, by most of the writers, themselves concerned with maintaining high standards, are thus inadvertently perverted. Those organisations which are sincere defenders of civil liberty, understandably failed to recognise sophisticated verballing and made no protest.

I pleaded guilty. I was not without ability, was confident and well used to the exercise of authority. Although, on my own admission I was under heavy physical and mental stress, I was better equipped, to defend my interests than, say, a coloured youth arrested on 'sus', or a habitual petty criminal dragged before the courts for the n'th time, and yet I was beaten into submission and pleaded guilty to the [illegible] charge'.

The public figure or 'celebrity' who is the subject of criminal charges has this additional problem to contend with, and becomes the subject of relentless pursuit by the Press, which must add, measurably, to the stresses.

Over the years the Press has often had to withstand charges of 'intrusion into private grief.' At times, the stresses imposed by all the agencies of investigation, including the Press, can have disastrous consequences. Sir Eric Miller of the Peachey Property Corporation committed suicide in 1977, at a time when he was the subject of sensationally publicised Department of Trade and Fraud Squad investigations in connection with the activities of his companies. Immediately after his death, there were accusations from close friends that he had been the victim of a witch hunt, and had been hounded to death.

Yet, in the context of the Poulson Affair, the Press had played an important part.

Can harrassment of individual defendents or suspects be justified, as part of the price to be paid for the greater good likely to result from rigorous Press investigation?

There can be no absolute answer. But the role of the Press, as Inquisitor, will continue to need monitoring in all countries concerned to protect the rights of the individual.

The Special Commission could have a vital part to play.

Whatever may be the source or cause of the stress, and the Press can only be involved in a small minority of cases, if many people will find themselves pleading guilty to charges about which there is at least 'reasonable doubt.'

I contend, citing my Peterlee case history as one example only, that anyone who is confronted by the frightening and intimidating experience of arrest and questioning by the police, followed by appearances before the courts, must have access to an independent and sympathetic source of legal/moral advice. The experience, even in its mildest form, is capable of inducing panic, especially in those of the 'tiny people' who may be inarticulate or underconfident. As a basic civil right, even the toughest, most hardened offender ought to have access to this advice before trial, after trial and even in prison.

The Peterlee case history suggests that even though I had pleaded guilty I should on the prison wing after sentence, have rights of access to the case documents and the facilities to examine them, where there were reasonable grounds for supposing that the sentence had been unjustifiably severe. The defendant or prisoner should be assisted in his efforts to seek redress in circumstances where an injustice is suspected. I did not appeal against my sentence because I was convinced that an appeal, in the mood of that time, would have increased my sentence.

As an essential part of my proposed reforms, it is suggested that the prison and Borstal systems should come under the umbrella of the Special Commission's interest.

This need will be particularly pressing in the climate likely to prevail through the eighties and beyond, with the present high levels of long-term unemployment almost certain to increase, and the link clearly established between unemployment and crime, especially among the young.

In conditions of greater inequality, in which the life chances of the unskilled and the ill educated are likely to be further depressed, society is producing younger and younger "criminals." They must be given a voice when they become society's victims, through access to an institution in which they can have some trust, in the face of their alienation from the police and the legal establishment. They do not trust THEM.

It is proposed that the Special Commission should have a formal and clearly defined link to all who are on remand or serving sentences in the prisons and Borstals. There would be the right of access to convicted persons on prison wings, without let or hindrance. The Commissioner could claim access to case documents in all instances where there was suspicion that the defendent might have been the subject of "any unreasonable, unjust or oppressive action." The Commission would have the power to 'put the record straight,' and to correct false statements, even when made in the courts, by Judges, Counsel or others.

The Commission's regional staff would have a special responsibility to examine closely the circumstances behind Guilty Pleas, whenever the symptoms of press or publuc disquiet were displayed.

Although given no special remit, the Commission could also assume the right to investigate issues of Complaint against the authorities. Such issues as the Liddle Towers case, or the Blair Peach case, could come under scrutiny, even if no approach had been made to the Commission.

Prisoners, given the right of referral, need not be compelled to co operate with the Commission's inquiries. On the other hand, the intervention of the Commission could not be obstructed by any refusal of access to information on the part of the police, the prosecutors, the prison or parole authorities.

The obscene but real possibility remains that a totally innocent person can serve a term of imprisonment as a result of a wrongful conviction. In 1976, Patrick Meehan was granted the Queen's Pardon, after serving seven years of a life sentence imposed following conviction on a murder charge.

In 1979, three men were pardoned and released from prison, having been wrongfully convicted on a charge of murder. They, too, had served several years in prison. There have been other cases.

In order that the incidence of the supreme injustice of wrongful conviction should be minimised, we consider that the Special Commissioner should not only have the right of access to the prisons, but should be positively charged with the duty of examining in detail a proportion of all cases where conviction has resulted in a sentence of imprisonment.

The cases to be examined by the Commissioner would be chosen by random selection, and the proportion to be scrutinised would vary depending on the length of sentence. It might be decided, for example, to examine 20% of all cases where sentences of five years imprisonment or more have been imposed, 10% of cases which had attracted prison sentences of between three and five years and five per cent of those carrying sentences of between one year and three years. There could be random checks on cases where the sentence had been less than one year's imprisonment.

This would require the Commissioner, in the selected cases, to be given access to the case documents, the prison records and the prisoners in question. It is not suggested that individual prisoners should have any automatic right of access to the Commission, but it is our belief that the prisoner should be given access to his Member of Parliament, as of right, certainly in matters which might be of concern to the Special Commissioner.

Any new evidence, or new interpretation of the evidence, and any new mitigating factors discovered in the process, would be placed before the Sentencing Board, where appropriate. The Commission's findings and observations would be categorised as essential information, required to be taken into consideration by the parole board. If the board chose to ignore the information, and their explanations were unsatisfactory to the Commissioner, the matter could then be brought to the attention of the Select Committee and the Attorney General, for the referral to the Home Secretary

On wider issues of public concern such as the Hull prison riots, or the allegations made against prison officers at Winson Green Prison, in 1975, and 1981 on and the issue of the death of Barry Prosser, these would automatically be referred to the Commissioner, who would advise the Home Office on the nature of the inquiries to be conducted.

In any case where injustice is established, such as that indicated by the solicitor Marron's action, in taking defence information to police, without reference to his client, while the Commission would have provided Marron with an outlet for the expression of his concern, it would also have provided me with help if I had chosen to seek redress, having discovered the truth on my release from prison.

In the context of the Peterlee indictment, and of the Poulson Affair in general, it is noteworthy that the Royal Institute of British Architects recently agreed, by a large majority, that their members should be permitted to become members of company boards. This will make the declaration of interest both possible and practical, in such situations.

Poulson, the architect, inhibited by the rules governing members of his profession at the time, had been trying to increase his involvement, and to sell the package of services offered by his companies, making his pitch at the 'sharp end', at the point where commissions and contracts were discussed and decided.

Strangely, and inconsistently, this very freedom had been allowed, for years, to the giant building corporations. The could advertise quite freely and, within universally accepted trade practice, could offer a package which included the services of architects and other internally employed members of professional bodies, who, if they had been in Private Practice, would have been debarred from advertising or touting for business.

Commercial pressures and the Poulson 'package deal' approach through his companies have helped to re-write the rules, and a Peterlee type incident need never again arise.

If it is accepted that the proposed Commission might have been of service to some of the troubled and concerned 'tiny people', drawn into the fringes of the Poulson Affair without a clear understanding of the implications of the parts they were playing - people such as Payton, Mees, Marron, Vinton and the "dossier" 'mole' - it might also have provided a service for a pillar of the Establishment, also troubled and concerned.

The scope of the proposed institution could have offered a lifeline to Lord Salmon, too.

The thought of Cordle and others who had been mentioned in the Poulson investigations escaping, could not be reconciled with recommended Standards of Conduct for those in public life, in the post-Salmon world, especially by Salmon and those journalists in the know.

Even though the authorities knew what Lord Salmon knew, and knew what access he had had to the limited amount of documentation which had been available to the Commission, the pressure was still on to 'close the file.'

It is possible to imagine the good Lord Salmon lying awake in the dark watches of the night, wrestling with the problem, and thinking something like, "If I can't go to the Press, where can I go?"

He would have been able to take advantage of the Commission's guarantee of confidentiality and independence, in his urgent need to give expression to his deeply felt concern. Despite his position of power and influence in the Establishment, in the absence of any recognised procedure, he found himself unable to act on information which, apparently, had made his hair stand on end, except through the device of talking to the newspapers.

Within the framework of the proposed reforms, Lord Salmon would have been able to avail of the service provided by the Commissioner's department, and would have been able to avoid one of the least savoury aspects of the Poulson Affair.

The availability of the Commission as a sounding board for Salmon's troubled conscience, would have offered a nearer approach to justice for Newby, the Bradford councillor, who was the last of the Poulson 'tiny people' in the dock.

There were no loud protests on his behalf; just the near certainty of a prejudiced trial.

There may be few who believe that real significant action automatically follows the report of a Royal Commission. On the other hand a Commission can, by getting the right people together, collect evidence and examine in considerable depth all aspects of complex subjects; interview knowledgeable and committed people, and, in the end perform a service simply by reporting its findings.

So anyone who is deeply concerned to find out the truth and to seek remedies may well conclude that such a procedure must discover the truth, the whole truth and nothing but the truth. In one respect the Royal Commission on Standards of Conduct in Public Life did succeed. It helped to allay public anxiety aroused by the Poulson Affair, at least through another period of public unease created, not so much by Poulson and his associates who by this time, were ~~ll 'inside'~~ but by a repeated failure on the part of Ministers to act decisively ~~to lay the ghosts to~~ ~~Mitchell and Crowther, who had been steering the Poulson affair consistently~~ ~~from one harbour to the next, in their efforts to keep it off the~~ ~~rocks.~~

The Royal Commission, hedged around by limitations, did succeed in recommending some significant changes. To that extent its positive contribution should be recognised, but its short comings were considerable.

That two senior Ministers, each the deputy leader of his party and therefore a heartbeat away from 10, Downing Street, ~~[illegible]~~ had been touched by the brush of the Poulson Affair, was surely relevant to any examination of Standards of Conduct in Public Life. Yet from the outset, the Royal Commission was precluded from probing within the Parliamentary machine and to ask,

Did Maudling know about the dossier?

If not — why not?

If so—why did he continue as Home Secretary?

These, and many other disturbing questions remain unanswered.

Why did nobody ask?

Everybody appeared to know the questions, but nobody seemed to be able to ~~[illegible]~~ compel the authority to act on the evidence.

If the bankruptcy hearings, the trials, the concerted efforts of the investigative journalists, the Redcliffe-Maud Committee, the Salmon Commission, the Parliamentary Select Committee had failed to establish the whole truth, the forces opposing exposition must have been considerable.

The Poulson Affair is a splendid example of a scandal which was shown to have involved figures at various levels of authority in the bureaucracy, and to have included some in high executive office.

There must in such situations, be a powerful inclination to engineer cover-up. This is likely to be the response in any bureaucratic organisation.

The power of the Executive has grown apace since the seventies.

There has never been more ground for genuine concern about the rights of 'tiny people' relative to the increasing power of the State.

Modern technology, employed by the executives of legitimised authority, can set the individual at even greater disadvantage than was the case a decade ago.

Telephone tapping, bugging devices, data banks, can all be employed, in certain circumstances, about which we know too little, to turn the spotlight on 'tiny people.'

Authority can now hold dossiers on everyone. Detailed, and perhaps disturbing information, true, relevant information inaccurate information, false information, outdated information, can be filed.

I suggest this bespeaks the need for greater vigilance the need, in particular, for more effective access for the 'tiny people.' Britain, unlike many other countries, allows it citizens, and their elected representatives few such rights of access.

This argues the need, I suggest, for a powerful Ombudsman who would act to minimise abuse of the power of the machine.

The Special Commission would be available to anyone concerned about investigation of matters of public concern, matters affecting public authorities, nationalised industries, local government, or central Government, where the coincidence of interest between State and prosecution can, at times, be detected.

The Commission would also be able to discover, on behalf of the people, why the machine had not functioned nearly so energetically in the Shell/B.P. Affair, and the other 'Affairs' of the seventies, as it had in the Poulson Affair.

A close association between the Commission and the investigative press, as suggested, would be of benefit to both institutions, and to the public at large.

Now, the only recourse open to the concerned insider, who finds that a certain course of action ought to be taken, and is not being taken, is to leak information to the Press.

It is manifestly right that a free Press should protect its sources of information, and it is certainly right, in present circumstances, that the frustrated 'insider', compelled to play a part in the cover up, and compromise his own standards, should have an outlet to the investigative journalist.

The glaring limitation, however, is that the exposure is confined to what the central source wants to leak, or to what the dissident within the central source is able to leak. All else remains suppressed.

So, investigative journalism itself assumes a frustrating role, rarely fully effective. While pursuing the main and worthwhile objective of investigating public wrongs and wrong public decisions, the exposure most often comes in inaccurate and incomplete form, and can, of itself cause harm.

The Commission, with a co-operative attitude to the investigative function of the Press, could do much to improve the accuracy and the penetration of its 'burrowing in the deep, dark galleries.'

Perhaps the Commission's greatest single contribution would be to help correct the perceived inadequacies in the ability of the legal system to protect the tiniest of the 'tiny people' against the increasing power of the State.

Traditional respect for the rule of law stands in danger of serious erosion. The consequences of such erosion can only be viewed with alarm in conditions ripening for social unrest.

The Observer, in a leading article dated December 5th 1976, was already pointing to the cracks appearing behind the wallpaper

'Britain's legal system, admirable in its high intent to provide justice to the few to whom it is accessible, has failed to adapt itself to the growing needs of all citizens in a modern industrialised democracy. It has also failed to shield the ordinary citizen against the tentacles of the State. It is becoming increasingly remote and irrelevant, to the point where legalised order is discredited. And disdain for the law can only lead to a breakdown of order.'

The leader writer joined the eminence of Lord Devlin in pointing to 'the obsolescence of the administration of justice.'

Lord Devlin's observations on the shortcomings he perceived were summarised, with the advice that 'it is time the rest of us sat up and took notice' -

"He (Lord Devlin) pointed to three major defects in the present legal system : the availability of legal services depends upon wealth rather than need, mitigated only marginally by legal aid, which rightly has a low priority among the social services : justice is defined by an adversary system which is costly and primarily protects only the better off : and the focus of the system on protecting property tends to obliterate the social responsibility of lawyers."

The judiciary rightly exercises itself to preserve its independence of the executive and the legislature, within the fundamental constitutional concept of the Separation of Powers. But the danger of erosion of its essential independence is no greater, surely, that the danger of becoming divorced from the problems of an increasingly complex modern society.

The law, and its administration, must always serve the interests of society, existing to protect the rights of that society, and the rights of individuals within it.

These principles must govern those in the profession who advise the elected policy makers. They must apply to those who prosecute on behalf of the Crown, and those concerned with the administration of justice in the courts.

Those who administer justice and practice the law have little direct knowledge and no subjective understanding of those problems in society which breed the great majority of offenders.
Most leading lawyers can have no means of understanding the products of a slum environment, any more that they can appreciate the consequences of sending a convicted criminal down to a 'threed up' cell. The whole of their training has been devoted to the study of a past which, in social terms, is quickly disappearing, and of a legal system based on money, land and privelege.

Norman Shrapnel's analysis of the seventies includes an illustration of the disadvantage to 'tiny people' inherent in this fact

'One discovery of the decade was that judges were human, and that was a dangerous word.

The Law itself was no longer regarded with the awe that had surrounded it in the past, and its practioners — even those who sat godlike on the benches — were seen as being subject to the same weaknesses, vanities and prejidices as the rest of us.

It could hardly have come as much of a shock to discover that our judges tended to derive from a somewhat restricted sector of society and be on the conservative side in their sympathies. It was just that in the past it would not have been considered the done thing, or particularly necessary, to call attention to these rather obvious matters.'

All citizens are equal before the law!!

It is becoming increasingly difficult to suspend disbelief in this splendid proposition.

Does anyone believe that an unemployed youth, unable to read or write, is in an equal position before the law with another citizen who enjoys the benefits of money, education, class advantage, privilege?

Can such a DISADVANTAGED individual compete, in the adversary system, against any powerful institution?

The disadvantage is, in Lord Devlin's opinion, 'mitigated only marginally by legal aid.'

It is argued that the Special Commission could operate to mitigate the disadvantage to 'tiny people' somewhat further.

It is stressed that while the Commission must be clearly independent, it must be seen not to be interfering in the judicial processes, but rather in the processes that lead up to consideration for prosecution by the Director of Public Prosecutions.

The Commission and the Select Committee in Parliament would work in harmony with the existing Law Officers of the Crown.

The Royal Commission on Criminal Procedure has commissioned research studies on police interrogation, and confessions obtained as a result of such interrogation. This is yet another area of the 'due process' where it might be felt that the 'tiny' could stand in need of a modicum of mitigation of disadvantage.

[illegible] work has been carried out by Barry Irving, a psychologist with the Tavistock Institute of Human Relations, who discussed his findings with the Sunday Times in August 1980, in a feature entitled, "THE INTERROGATORS: How a Policeman could make even YOU confess."

"Irving concludes, as a result of his unique first hand experience, that the British police are so skilled in interrogation that a 'normal' questioning session can put a suspect under such psychological and social pressure that few could withstand it. Some of those who confess will be guilty; others will be innocent. The problem, Irving says, is that there is no way of telling, merely from the interrogation and confession, which is which."

How many convictions are obtained in the courts on the basis of such confessions?

How many innocent 'tiny people' are in prison?

Occasionally, as in the case of the murder of Maxwell Confait, the transvestite male prostitute, public indignation is fired by the injustice resulting from confessions obtained under pressure.

Then all goes quiet again.

It is almost impossible for us to conceive of the possibility of someone in our own immediate circle being subjected to 'such psychological and social pressure' as to make him confess and plead guilty to a charge of which he was later found to be entirely innocent.

But, it happens.

Too often for comfort. It happened to me.

And the most tragic aspect of is, surely, that in many instances the wrong is never righted. The sentence is served. The stigma of guilt, and of a prison record, attaches to the victim for all time.

The Special Commission, as proposed, or any modification of it, which might emerge as a result of comprehensive discussion and debate, should be so designed and structured as to offer an extra layer of protection to 'tiny people.'