

Roundup of News and Events both past and future

Law School

Message from Professor Michael Stockdale—Director of CECJS

In the context of the recent worldwide Pandemic it has been quite a while since our last newsletter was circulated. During that time Northumbria Law School has encountered and overcome a variety of operational challenges in moving between face to face, blended and on-line learning. Similarly, Northumbria Centre for Evidence and Criminal Justice Studies (NCECJS) has faced and overcome challenges such as a move from face to face to online events, online conference attendance and delivery of funded research projects in the absence of international travel.

There have been a variety of positive developments both for the Centre and the wider Law School during this period, such as the appointment of a number of excellent new members of staff. This newsletter introduces several of these new staff to you and also gives a flavour of some of our activities. It is particularly good to see activities encompassing the overlap between criminal law and family law/policing/science. It is also important to note the close relationship between NCECJS and our university's Centre for Crime and Policing, the activities of which are referenced in this newsletter.

An important strength of NCECJS has long been the involvement of our wide range of external members. I am pleased to say that we have recently acquired a number of new external members and our website, which is in the course of being updated, will soon reflect this.

I wish you all best wishes for Christmas and the New Year and hope that you and your families all keep safe.

Kayleigh Richardson, Ana Speed and Callum Thomson have been working on Covid related research. We gathered data 3 weeks into the initial lockdown on the impact that the Covid-19 restrictions were having on the ability of victims of gender-based violence to access justice.

This research has now been published in the Journal of Criminal Law: <https://journals.sagepub.com/doi/full/10.1177/0022018320948280>

We presented this research to the Local Family Justice Board in July and I will also be presenting the research at the Centre for Crime and Policing Conference next week: 'Policing, Vulnerability and Victimisation'.

We are following up on this research with an in depth analysis of the remote family courts (which have been introduced as a result of Covid 19), with a particular focus on the North East region. In addition, we had a piece published in the Northern Echo last week, explaining how victims of domestic abuse can seek protection and support during this second lockdown.



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Professor Tim Wilson, Associate Professor Adam Jackson

PDTOR (Police Detectives on the TOR-network:

A Study on Tensions Between Privacy and Crime-Fighting)

CECJS Members researching police investigations on the Tor protocol (a major element of Dark Web architecture) recently contributed to a special issue of the Journal of Criminal Law entitled 'Cyber Policing: New Wine in Old Bottles'. The articles – all of which can be accessed free via the links provided here - began as papers presented during a multidisciplinary seminar held at the University in October last year. This was attended by PDTOR colleagues from the Netherlands Open University, NHL University of Applied Sciences, the Netherlands Police Academy, the Amsterdam University of Applied Sciences, the Norwegian Police University College and Stockholm University.

The editorial (<https://doi.org/10.1177/0022018320952555>) by Professor Chrisje Brants, Dr Derek Johnson and, the UK PI for this project, Professor Tim J Wilson explains that the articles are concerned with how policing skills and a criminal justice ethos forged in the physical world are adapted in response to technologically driven criminological changes, not necessarily confined to the Dark Web, and the impact of institutional and legal cultures on the adaptation process.



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In the first article of the special issue (<https://doi.org/10.1177/0022018320952557>) Gemma Davies shines a light on policing practice on the Dark Web, including covert surveillance, the use of hacking tools and a police practice elsewhere that she terms 'jurisdiction forum shopping'. Derek Johnson, two project research assistants, Erin Faulkner and Georgia Meredith, and Tim J Wilson (<https://doi.org/10.1177/0022018320952559>) present a comprehensive methodology developed during the initial stages of the project for engaging in discussion with criminal justice professionals about the significant of organisational structure, culture and ethics within the process of functional adaptation to cybercrime. The Centre's Deputy Director and Deputy Head of the Law School, Adam Jackson, joins Chrisje Brants and Tim J Wilson in a comparative study of the Netherlands and this jurisdiction (<https://doi.org/10.1177/0022018320952561>)

that suggests the more centralised organisational structure and traditional culture of Dutch policing may make it easier for police officers to obtain nationally and consistently observed guidance on ethical and legal questions. Tim J Wilson (<https://doi.org/10.1177/0022018320952560>) takes the institutional and ethical focus of the special issue into the domain of politics and economics by considering whether the policing of child abuse on the web is overdependent on a public-private partnership between government, the technology industry and industry-funded (wholly or partly) NGOs.

The authors received financial support for the research, authorship, and publication of their articles from NordForsk, the Economic and Social Sciences Research Council (ESRC) and the Netherlands Organisation for Scientific Research (NWO) as funding for Police Detectives on the TOR-network: A Study on Tensions Between Privacy and Crime-Fighting (project no. 80512).

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Northumbria University were successful in obtaining funding from the NIHR for an important study that looks to improve health related quality of life in children of parents with a serious mental illness. Prof Holt collaborated with colleagues from the University of Manchester and the University of York. The study is reported in the *Journal of Health Technology Assessment*.

Abel, K. M., Bee, P., Gega, L., Gellatly, J., Kolade, A., Hunter, D., Callender, C., Carter, L-A., Meacock, R., Bower, P., Stanley, N., Calam, R., Wolpert, M., Stewart, P., Emsley, R., Holt, K., Linklater, H., Douglas, S., Stokes-Crossley, B. & Green, J. A. (2020) A Community-Based Intervention to Improve Health-Related Quality of Life in Children of Parents with Serious Mental Illness: *Journal of Health Technology Assessment*.

Covid-19 has introduced unprecedented change to the lives of individuals. Prof Holt and Prof Kelly have outlined how regulations introduced during a global pandemic, without the usual parliamentary scrutiny, have left our most vulnerable children unprotected. Holt, K and Kelly, N. (2020) The Adoption and Children (Coronavirus) (Amendment) Regulations 2020: Regulations introduced during a global pandemic that will have implications for the most vulnerable children. *Journal of Family Law*.

Following on from this published paper Holt, Kelly and Dr Sharon Vincent are currently working with Local Authorities in the North East examining the trajectory of referrals into children's social care pre and post Covid. This is an important piece of research that will examine the impact of new remote ways of working and outcomes for children.

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The Use of the Polygraph in the Penal system in England and Wales

Research conducted by Kyri Kotsoglou and Marion Oswald into the increasing deployment of the polygraph within the criminal justice system in England and Wales has been accepted for publication in the *Journal of Criminal Law* (https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3686069) and has informed two pieces of written evidence to the House of Commons Public Bill Committee on the Counter-Terrorism and Sentencing Bill 2019-21 (<https://services.parliament.uk/Bills/2019-21/counterterrorismandsentencing/committees/houseofcommonspublicbillcommitteeonthecounterterrorismandsentencingbill201921.html>).

The research informed an article in the Wired by Amit Katwala which explored the often opaque and inconsistent attitudes to the use of the polygraph across UK policing: <https://www.wired.co.uk/article/uk-police-polygraph-lie-detector-terrorism>

Kyri and Marion will be speaking about their research at Northumbria University's online Policing and Technology conference on 8 December 2020 (free but registration is required): <https://www.northumbria.ac.uk/business-services/engage-with-us/centre-for-crime-and-policing/events>

DATE FOR YOUR DIARY

The Centre for Evidence & Criminal Justice Studies will be running an online workshop to explore different attitudes to the polygraph on 17 March 2021.

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New programmes at Northumbria Law School

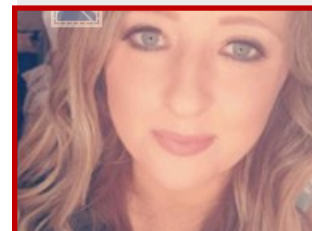
Police Constable Degree Apprenticeship

by Dr Amanda Clough

PCDA - Currently has 4 intakes a year with 70-80 students and likely to increase.

My Police Constable and the Law module enables the students to go out on deployment. The students have a combination of theory and practical sessions, and utilise the skills house to put theory into practice.

At the moment we are kept on our toes continuously updating the lesson on their powers under COVID legislation!



Mooting Success—*update from Daley Birkett our Director of Mooting*

I am delighted to inform you that two Northumbria Law School student mooters, Victoria Ball and Alexander-James Calder, reached the quarter-final of the 16th K.K. Luthra Memorial Moot Court Competition in Delhi, India. They therefore placed in the top eight of more than 60 participating teams.

The competition, hosted by the Campus Law Centre at the University of Delhi, was focused on a moot problem concerning allegations of IP theft in a fictional country with largely similar laws to those of modern India.



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Further Mooting Success—*update from Daley Birkett our Director of Mooting*

Two Northumbria Law School students, Eve Story and Shannon Richardson, reached the quarter-final round of the 21st D. M. Harish Memorial Moot Court Competition in Mumbai, India. To be specific, they placed fifth out of the 20 teams that qualified for the oral phase of the competition, only narrowly missing out on a place in the semi-final round. Competitors included teams from leading law schools across the world, including the National University of Singapore, Howard University, and the Sri Lanka Law College.

The competition, hosted by the Government Law College, was based on a moot problem involving questions of corruption, international labour law, economic sanctions, and patents for pharmaceutical products, all arising out of a dispute following the award of the fictional "International Championship Cup" football tournament. As a public international lawyer, I think the students did an excellent job dealing with such a breadth of challenging legal issues.

Last year 2019 saw Northumbria Law School SLO achieve two awards Winner of the Green Gown Award

And Highly Commended for the International Green Gown Award



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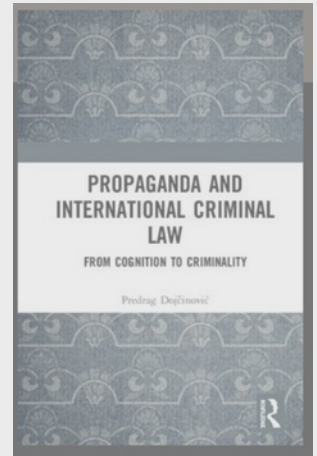
An International conference took place 10th–11th February 2020

Northumbria University and the Society of Legal Scholars have come together to examine the phenomenon of hate propaganda at international criminal tribunals.

The event, which took place on the 10th-11th February this year, saw many highly respected academics gathering to discuss the impact of propaganda in the legal sphere.

Among those delivering talks throughout the event were :
Judge Sir Howard Morrison from the International Criminal Court,
Professor Predrag Dojčinović from the University of Connecticut and
Dr Nicola Palmer from King's College London.

The topics of discussion were varied in scope, from 'The Nature, Manifestations and Effects of Hate and Fear Propaganda' to 'Hate Propaganda in the Era of Social Media'. In all eight panels were attended by participants from a wide range of fields and interest groups.



CENTRE FOR CRIME AND POLICING

The Centre provides world-leading research on crime and policing that will enhance understanding and practice in relation to some of the key global challenges of the 21st Century. These include transnational organised crime, the use (and abuse) of technology, social harm, forensics, law enforcement and criminal justice cooperation, and a host of related matters. This work is an important contribution to the development of evidence-based policy-making to inform the work of stakeholders globally, nationally, and regionally, including both domestic and international criminal justice systems, governments, third sector agencies, private companies and civil society organisations. Policing is understood in its broad sense to include this broad catalogue of organisations and agencies engaged in the regulation of contemporary societies. Crime is also conceived in broad terms to include a social harms as well as criminal offences.

Our work is characterised as:

Informing policy and practice. For example, through re-orienting police response to youth offenders, or shaping the policing of wildlife trafficking across the EU, or helping design offender support programmes delivered by police, probation and third sector groups.

Providing high quality, wide-ranging, cutting-edge science and applied research;

CENTRE FOR CRIME AND POLICING ACTIVITIES

Centre Activity

Alongside research the centre holds monthly online seminars that are open to the public. Upcoming seminars:

16th - December Policing Protected Wildlife Areas. *Dr. Francis Massé, Department of Geography and Environmental Sciences*

20th - January Don't Know What You've Got (Til it's Gone)': The Problems with Retaining Evidence. *Damian Allain* and Prof Carole McCartney.*

17th - February Hate Crimes. *Dr Jenny Paterson*

17th -March The future of chemical profiling: revolutionising forensic practice through next-gen approaches and machine learning. *Dr Matteo Gallidabino*

21st April - The delivery of justice for children: the right to a fair trial in the English youth justice system. *Dr Raymond Arthur*

9:00-9:30	Welcome and Introduction Professors Mike Rowe, Pam Davies and Gavin Oxburgh, Centre for Crime and Policing
9:35-10:15	Stay Home, Stay Safe, Save Lives? An Analysis Of The Impact Of COVID-19 On The Ability Of Victims Of Gender-based Violence To Access Justice Kayleigh Richardson, Northumbria Law School. Hearsay Evidence And Domestic Abuse Professor Tony Ward And Associate Professor Natalie Wortley, Northumbria Law School
10:15-10:30	Panel Discussion
10:30-10:45	Break
10:45-11:15	The Use Of Coercive Control By Perpetrators Of Domestic Or Intimate Partner Violence And Abuse When Engaging With Secondary Agents. Dr Danna-Mechelle Lewis, Vice-chancellor Senior Fellow, Centre For Crime And Policing
11:30-12:00	The Impact Of Stigma And Social Inequality Amongst People Who Use Drugs: A Public Health Approach To Vulnerability And Crime Prevention Dr Michelle Addison, Department Of Social Sciences
12:00-13:15	Lunch Break
13:15-13:45	Autism, Support And Help-Seeking: A Mental Health Perspective Dr Edmund Coleman-Fountain, Department Of Social Sciences
13:50-14:20	Ten Years To End Homelessness In Newcastle: Will COVID-19 Help? Dr Adele Irving, Senior Lecturer In Criminology, Department Of Social Sciences
14:20-14:35	Break
14:35-15:25	Safeguarding, Child / Adolescent To Parent Violence And Abuse, The Barriers To Raising Awareness And The Development Of A Comprehensive Response Jeannine Hughes, Senior Lecturer In Social Work, Health And Life Sciences Safeguarding Adolescents At Risk Of Exploitation: Reflections On Achievements And Challenges For Police And Children's Services Dr John Cavener, Senior Lecturer In Social Work, Health And Life Sciences
15:25-15:45	Panel Discussion
15:45-16:00	Closing Remarks And Close Professors Mike Rowe, Pam Davies and Gavin Oxburgh, Centre For Crime And Policing

Policing, Vulnerability and Victimisation

Centre for Crime and Policing Seminar
Series

Friday 27th November 9am – 4pm

via Microsoft Teams



Meet our new Staff who have recently joined us

PROFESSOR KIM HOLT – latest publications



- Holt, K. and Kelly, N. (2020) Children not trophies: findings from an ethnographic study of private family law proceedings in England. *Qualitative Social Work Journal*.
- Abel, K. M., Bee, P., Gega, L., Gellatly, J., Kolade, A., Hunter, D., Callender, C., Carter, L-A., Meacock, R., Bower, P., Stanley, N., Calam, R., Wolpert, M., Stewart, P., Emsley, R., Holt, K., Linklater, H., Douglas, S., Stokes-Crossley, B. & Green, J. A.(2020) A Community-Based Intervention to Improve Health-Related Quality of Life in Children of Parents with Serious Mental Illness: *Journal of Health Technology Assessment*.
- Holt, K and Kelly, N (2020) The Adoption and Children (Coronavirus) (Amendment) Regulations 2020: Regulations introduced during a global pandemic that will have implications for the most vulnerable children. *Journal of Family Law*.

DR KYRIAKOS KOTSOGLOU

Dr. Kyriakos N. Kotsoglou joined Northumbria University as a Senior Lecturer in Law in September 2019. Previously he held academic positions in Lausanne (2019), Liverpool Hope (2018-2019), Nottingham (2016, Visiting Fellow), and Freiburg/Germany (2011-2016). Kyri is a Criminal Evidence scholar with a special focus on expert evidence and (analytic) legal theory. He is regularly consulted on criminal evidence especially expert evidence (DNA-profiles and other forensic evidence) by practising lawyers. In the past he has acted as senior consultant on AI and algorithmic processes in law for multinational companies (PwC Germany) and law firms.

Kyri's scholarly work has been cited by the German Federal Court of Justice (BGH). The Greek Court of Appeal (Athens) has cited and quoted extensively his work on DNA-evidence in a high-profile case. His work has also prompted, twice, a direct reply. Kyri publishes widely in the areas of expert evidence and algorithmic decision-making processes. He has been interviewed by Tech magazines (Wired UK) and news channels on the admissibility of polygraphic evidence in England and Wales. Kyri is an external member of the Lausanne-based interdisciplinary group NORMDECS doing research on decision-structures and decision-making processes esp. in the field of expert witness testimony. He regularly offers training seminars on expert evidence for practising barristers and members of the judiciary.

Recent publications:

2021 Paul Roberts / K. N. Kotsoglou, Information Management, in: Ambos et al. (eds.), *Core Concepts in Criminal Law and Criminal Justice: Volume 2, Anglo-German Dialogues*, Cambridge: University Press (forthcoming)
2020 K.N. Kotsoglou, *Zombie Forensics: The Use of Polygraph and the Integrity of the Criminal Justice System*. In: *International Journal of Evidence & Proof*, in press
2020 K.N. Kotsoglou / Marion Oswald, „Not very English“. On the Use of polygraphs in England and Wales. In: *The Journal of Criminal Law*, in press
2020 K.N.Kotsoglou / A.Biedermann / J.Vuille, DNA und Beweiswürdigung. Der statistische Rubikon und die Dogmatik der Identitätsfeststellung.In:*Zeitschrift für die gesamte Strafrechtswissenschaft*, Vol. 14, in press
2020 K.N. Kotsoglou, Accepting/Rejecting Unchallenged Expert Evidence: The Decision-Making Prerogative: R v Charlene Sargeant [2019] EWCA Crim 1088, in: 84 *The Journal of Criminal Law*, pp. 86-89
2020 A. Biedermann /K.N. Kotsoglou, Digital Evidence Exceptionalism, in: 2 *Forensic Science International: Synergy*, pp. 262-274
2020 K.N. Kotsoglou / Marion Oswald, The Long Arm of the Algorithm? Automated Facial Recognition as Evidence and Trigger for Police Intervention, in: 2 *Forensic Science International: Synergy* 2020, pp. 86-89.



Dr Amanda Clough

- **My current teaching activities include criminal law and gender, sexuality in the law on the LL.B, and law and society on the Foundation degree.**
- **I am also module leader for the Police Constable Degree Apprenticeship**
- **my current research focuses on parricide.**



- Daley J. Birkett joined Northumbria Law School as a Vice-Chancellor's Senior Fellow in September 2019.
- Daley's research interests lie in the general area of public international law, with a particular focus on the law and practice of international(ised) criminal tribunals and the law regulating the use of force in relations between States (jus ad bellum). Daley has published his research in leading journals, including the Leiden Journal of International Law, the Journal of International Criminal Justice, and the Human Rights Law Review.
- Before entering academia, Daley worked as a Legal Consultant to the United Nations Assistance to the Khmer Rouge Trials, where he advised the International Judges of the Supreme Court Chamber of the Extraordinary Chambers of the Courts of Cambodia.



Marion is Vice-Chancellor's Senior Fellow in Law at the University of Northumbria. She researches the interaction between law and digital technology and has a particular interest in the use of information and innovative technology by criminal justice bodies and the wider public sector. Marion regularly writes, speaks and advises on the legal and ethical implications of new technologies.

Marion is a solicitor (non-practicing), with previous experience in legal management roles within private practice, international companies and UK central government including national security. She has worked extensively in the fields of data protection, freedom of information and information technology, having advised on a number of information technology implementations, data sharing projects and statutory reforms. Marion spent 10 years at the University of Winchester where she founded and led the research and knowledge exchange centre, the Centre for Information Rights.

Marion is PI and Director of the AHRC-funded 'Observatory for the Monitoring of Data-Driven Approaches to Covid-19'. She chairs the West Midlands Police & Crime Commissioner and West Midlands Police data ethics committee. She is an Associate Fellow of the Royal United Services Institute, an executive member of the British & Irish Law, Education & Technology Association, a member of the National Statistician's Data Ethics Advisory Committee, and a member of the Council of Europe Working Group of Experts on Artificial Intelligence and Criminal Law. She is a member of the Advisory Board to the Ada Lovelace Institute Ryder Review of the Governance of Biometric Technologies.

Marion is Managing Editor of the Journal of Law, Technology and Trust, sits on the Editorial Board of the Journal of Cross-Disciplinary Research in Computational Law, and has guest edited the European Journal of Law and Technology. She is a Fellow of the Higher Education Academy.



DR CERIAN GRIFFITHS

- Initially graduating in Government from the London School of Economics, Cerian was called to the Bar in 2007 and went on to work for a number of prosecution agencies including the Serious Fraud Agency, the Financial Services Authority, and the Office of Fair Trading. Cerian taught criminal law and legal methods, and lectured in evidence law at Birkbeck College, University of London before taking up a lecturing position in law at the University of Warsaw.
- Cerian was awarded her PhD in 2017, the title of which was 'Prosecuting Fraud in the Metropolis, 1760-1820'. This thesis was carried out at the University of Liverpool as part of the AHRC funded project, The Digital Panopticon: The Global Impact of London Punishments, 1780-1925.
- From 2017 to 2019, Cerian was a national expert (UK including Gibraltar) on a DG FISMA commissioned project examining national compliance with EU financial sector Directives (specifically, the 4th Anti-Money Laundering Directive)
- Cerian is currently writing her monograph, *Prosecuting London's Fraudsters 1760-1820: Swindlers, Tricksters and the Law*, (Bloomsbury Academic Press, 2022)



CENTRE FOR EVIDENCE & CRIMINAL JUSTICE STUDIES

The Centre encourages the exchange of ideas and facilitates collaboration regionally, nationally and internationally. NCECJS brings together Northumbria academics and postgraduate students from a range of disciplines with colleagues from other academic institutions, members of the judiciary, legal practitioners and other major stakeholders in the criminal justice system such as senior police officers and leading expert witnesses. Its reputation is based on an extensive range of academic publications as well as a major programme of externally funded research and significant public engagement activities.

CENTRE FOR
EVIDENCE &
CRIMINAL JUSTICE
STUDIES

Mission statement

To undertake research of value and interest to a wide range of academic and practitioner communities within the legal systems of the UK, and other EU and common law countries.



Law School

You can find Centre for Evidence and Criminal Justice Studies at: www.northumbria.ac.uk/ncecjs



You can follow us on: @evidencecentre
#CECJS

If you would like to become a member please
contact: gloria.ralph@northumbria.ac.uk