

**WORDS ARE LIFE
PRESENTS**

**David
Holding's
Non-
Fiction
Taster**

**PANDEMIC
TRUE CRIME
LOCAL HISTORY
KILLER DOCTORS
BEGINNER'S GUIDES
LITERARY OBSCENITY TRIALS
AND LOADS MORE**

**A Taster Book of
the Non-Fiction
Works of David
Holding**

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The background of the cover is a landscape photograph. The top portion is a dark, cloudy sky. Below it, a green and brown heath landscape is visible. A stream flows through the center, leading to a small pond. The overall scene is somewhat desaturated and has a historical feel.

Murder in the Heather

**The
Winter Hill
Murder
of 1838**

by David Holding

Murder in the Heather

Book 1. Published 2019

Find out more and get the book

Winter Hill and nearby Rivington Moor are familiar landmarks to the inhabitants of the neighbouring townships of Horwich and Bolton, lying in the valley below. They present a challenge to the adventurous hiker who, after a struggle to the summit of Winter Hill some 1,475 feet above sea level, will have his or her efforts amply rewarded by the view it affords on a clear day. To the north-east can be seen the slopes of Pendle Hill and further still, the outline of the Yorkshire Dales.

The most direct route covering the area of our case is from Bolton along the B6226 Chorley Old Road, which was formerly the old Turnpike Road from Bolton to Chorley. Just before the road drops down towards Horwich, there is on the left-hand side the 'Jolly Crofters' Inn, and almost directly opposite is Georges Lane. This lane runs along the moor's edge towards Rivington Pike passing several stone quarries. The main working quarry today is at Montcliffe, which was a small hamlet with a colliery and miners' cottages. Bearing right past Montcliffe Quarry, there is a modern road constructed for access to the TV station and radio masts on Winter Hill. This road follows the original pack route over the summit of Winter Hill towards the village of Belmont, and then on to Blackburn.

In the early nineteenth century, there were several dwellings situated along the route over Winter Hill such as 'Five Houses', a group of terraced cottages, the Winter Hill Brick and Tile Works, and several small working coal pits, all owned by William Garbutt who resided at Five Houses. When excavations were being undertaken for the present

television mast in 1959, old coal workings were discovered at a depth of some 50 feet. These were part of the Wildersmoor Colliery which was worked from the early nineteenth century until its eventual closure in 1961. At a distance of some 700 yards past the television mast, there is the site known locally as 'Scotsman's Stump', where a simple memorial was erected to mark the spot where the victim of our case was discovered in 1838. It bears the following inscription:

“In memory of George Henderson, native of Annan, Dumfrieshire, who was brutally murdered on Rivington Moor at noonday 9th November 1838, in the 20th year of his age”.

The Pendle Witch Trials of 1612

by David Holding



The Pendle Witch Trials of 1612

Book 2. Published 2019

Find out more and get the book

Publications on the subject of witchcraft in general and the Lancashire witches in particular, continue to be a source of great interest to both young and old alike - whether as general readers or historical researchers. The impetus responsible for generating this interest came in 1848 with the publication of *The Lancashire Witches* by William Harrison Ainsworth. This book remained a major work in its field until 1951 when the equally popular novel *Mist over Pendle* by Robert Neill first appeared. Since this time, numerous publications have appeared covering the various aspects of Lancashire witchcraft. It is of particular significance that practically all these works make reference, either directly or indirectly, to what has been justly described as the 'definitive' work on the subject, namely the *Discovery of Witches* by Thomas Potts. To give the book its precise title, *The Wonderfull Discoverie of Witches in the Countie of Lancaster*, which was first published in book form in 1613. Thomas Potts was Clerk to the Judges of Assize at Lancaster in 1612, and his book is a verbatim compilation of the detailed transcripts of the Trials at Lancaster in that year. As a result of the amicable collaboration of the President of the Chetham Society, James Crossley, and William Harrison Ainsworth, a copy of Pott's original book was produced in 1845 as volume six of the Society's transactions for that year.

Since 1845, no serious attempt has been made to reproduce Pott's account of the Trial in a format which will be both

informative, accurate and appeal to both the general reader and local historian who may not have access to the original text. This present work is an attempt to preserve the original intention of the author in providing an accurate account of the proceedings at Lancaster in 1612, as recorded by Potts, arranged so as to carefully reflect the order of events; the preliminary examinations before the local Justice of the Peace, the taking of witness statements and gathering of evidence, culminating in the Trials at Lancaster Assize Court. Having been presented with the available evidence, it is hoped that readers will be better enabled to draw their own conclusions regarding the case for the prosecution.

As a small tribute and acknowledgement to this monumental work achieved by Thomas Potts, and to the fruitful Crossley/Ainsworth partnership, I conclude this introduction with an extract from the Introduction to the 1845 publication: “ Master Potts is a faithful and accurate chronicler and we owe his memory somewhat, for furnishing us with so elaborate a report of what took place at this time, and giving details of the various examinations of the witnesses, which contains much which throws light on the manners and language of the time, and nearly all that is necessary to enable us to form a judgement of the Trial”.

Bleak Christmas



**The Pretoria Pit
Disaster of 1910
by David Holding**

Bleak Christmas: The Pretoria Pit Disaster of 1910

Book 3. Published 2019

Find out more and get the book

The 'Pretoria' Colliery was so named because of the Hulton family's connections with South Africa, and it was situated on the Hulton Park Estate which lies on the borders of Atherton and Westhoughton. It constituted one of the four separate collieries making up the Hulton Colliery group and was known locally as the No 3 and No 4 Bank Pits. The shafts were sunk between 1900 and 1901, these being 18 feet in diameter and 75 yards apart. The resources of the mine were opened out between 1903 and 1934. No 3 shaft was the Upcast and No 4 the Downcast, both being sunk to the Arley Mine or seam at a depth of 434 yards from the surface. From these two shafts, five coal seams were worked:

Trencherbone – 146 yards from the surface.

Plodder – 274 yards from the surface.

Yard – 306 yards from the surface.

Three Quarters – 361 yards from the surface.

Arley – 434 yards from the surface.

The general dip of the seams was to the south at an average

incline of 1:5.5. The Plodder, Three-Quarters and Yards seams were all worked from one level, the Yard in No 3 shaft. Some mining in the colliery was up to 2 miles from the shaft bottom, with the workings extending 1,100 yards from No 3 shaft bottom. The Yard level had five main workings; the North Plodder due west, the Three-Quarters to the west, the Top Yard (Upbrow) to the west, the Bottom Yard (Downbrow) to the east, and the South Plodder also to the east. The most extensive divisions in the mine were the North Plodder and the Downbrow Districts at 1,920 yards and 1,750 yards from the No 3 shaft.

All the coal in the main workings was worked by the 'Longwall' method. Approximately 2,400 tons of coal was raised per day with a work force of some 2,000.

On the surface, the colliery consisted of engine house, boiler house and workshops, all constructed of brick. There were six shunting locomotives with eight tracks of rail and a mile of sidings. All maintenance was carried out on site in three blacksmith's forges. Transport of the raised coal was in wagons having access to the Wigan, Leigh and Bolton Railway through Chequerbent. Each of the shafts had a 25 hp Winding engine driven by steam, which also powered two Parson's Turbines generating 2,500 hp as 3-Phase current at 2,500 volts. The current down the shafts was stepped down to 440 volts alternating for machinery, and 110 volts for lighting. Underground haulage was by means of an endless-rope system driven by electric motors, and no ponies were employed in the colliery.

The colliery was a 'single-shift' pit, as regards coal getting and winding. The coal getting shift descended at 6.45 am and was wound up at 2.45 pm. Repairs and mechanical coal-cutting operated from 10.30 pm until 6.30 am. For ventilation in the mine, there were placed four electrically

driven fans of the 'Sirocco' type, one placed in each mine. Also situated on the surface by No 3 shaft, was a large 8ft 2inch 'Sirocco' double-inlet fan, used at weekends when the underground fans were stopped and maintenance work was carried out.

The total underground workforce at Pretoria was 889, with surface workers such as clerks, maintenance fitters and mechanics, and women working in the screens. The management consisted of one General Manager who was also manager of both the Hulton group of mines, and of each individual pit. Each pit had one Under-Manager and Deputies or Firemen. There was one underground office serving both No 3 and 4 pits, and one Fireman to each district i.e. seven per shift. Prior to the disaster, Pretoria was considered to be one of the most modern and safest collieries in the area. The safety lamp in use up to 1910, was the German Wolf Safety Lamp, invented in 1883, which was highly sensitive to gas, and burnt naphtha.

The Hulton Colliery group comprised four separate collieries with seven coal-drawing shafts. At the Pretoria Pit, the Plodder, Three-Quarters and Yards seams were all worked from one level (the Yard) in No 3 shaft. It was in this level that the explosion occurred.

The Yard Level had five main workings as indicated in Plan No 1; the North Plodder, Three-Quarters, Top Yard (Upbrow), Bottom Yard (Downbrow) and the South Plodder. These five workings were divided into districts; the North Plodder, No 1 Face and No 2 Face, the Three-Quarters, Top Yard, South Plodder and the Bottom Yard, East Jig District and Downbrow.



The Dark Figure

**Crime in
Victorian
Bolton**

by David Holding

The Dark Figure: Crime in Victorian Bolton

Book 4. Published 2019

Find out more and get the book

Studies focussing on crime in Britain during the nineteenth century have tended to concentrate on the country at large with a particular emphasis on the London area. There are obvious advantages in taking this approach; for one thing, it allows researchers to draw upon a wide range of printed and manuscript material. The temptation to concentrate on London is also strong as its problems were given extensive coverage before Select Committees, Royal Commissions and with parliamentary debates, as well as being covered by newspapers, journals and literature of the period.

Historians' neglect of crime in relatively small towns in favour of the large cities has tended to oversimplify the perceptions of crime in Britain during the nineteenth century. Yet for most historians, individual cities and towns constitute the most attractive scale of analysis for understanding crime and criminality. There are many compelling reasons for following this route, both in terms of the concerns and methodologies of social history and the realities of Victorian society. The town constitutes a convenient point of analysis for marshalling and manipulating the data available in police and court records which have done much to deepen and inform our understanding of crime in nineteenth century Britain.

In one sense it is fitting that one rapidly developing industrial town in Lancashire should be taken as the focus for analysing the nature and extent of criminal activity

during the nineteenth century. This study of Bolton covers the period from 1850 to 1880. It adopts a pragmatic approach to crime by focusing primarily on street offences, property crime, violence against the person, vagrancy, vice and drink-related offences, including breaches of the peace.

Excluded from the equation are political crimes and offences arising from industrial disputes leading to civil disorder. These bear little relationship to everyday crime and have been highlighted in other substantial works.

This study is a traditional historical one based on documentary survey and analysis of court and police records, to assess changes over time and to relate such changes to their economic, social and political contexts. The primary quantitative source used in the study was the Bolton Borough Police Chief Constables' Annual Reports to the Watch Committee covering the period from 1850 to 1880. Qualitative sources include government papers, official reports and town records, together with the selective use of local newspaper reports.

The study is organised in the following way. The first chapter focuses upon the formation of the Bolton Borough Police Force, its administration and effectiveness as a peace-keeping body. Chapter two examines those institutions providing outlets for criminal activity in Victorian Bolton. Chapter three focuses on the methodological and substantive issues relating to crime in Bolton - the 'statistical' overview. The use of statistical data for historical research is now a common practice. It is advantageous because many of the processes and methods have been tested in previous works and are well-documented. However, the methodological techniques employed in this analysis of crime data are innovative in that they have not previously been applied to a study of

crime in Bolton. Chapter four considers the various forms of sentencing, and the use and value of punishments, and questions their ultimate effectiveness.

This study addresses four key questions; in what way was crime a reflection of the social and economic life of Bolton during the period? What sort of institutions or habits acted as stimulants to crime in its various forms? What patterns or trends emerge from the statistical data and how reliable are they? How did the police, the courts and reformatory bodies react to the flood of crime, and how effective were they? A definition of crime which satisfies every generalisation is probably impossible. The simplest definition describes crime as behaviour which violates the criminal law. There are, however, problems with this definition.

Some public order legislation gives citizens and law officers, particularly police officers, discretionary powers which can be used if considered necessary. Among the most obvious examples are threatening, abusive or insulting words or behaviour with intent to provoke a breach of the peace and, of course, resisting or obstructing a constable in the execution of their duty. This kind of discretionary power increased with the growth of the new police during the nineteenth century.

Most people would differentiate between these offences and what they consider to be 'real' crime such as murder, rape and theft with violence. Nevertheless, the definition of crime as behaviour violating the criminal law has the advantage for the historian of relating behaviour to laws in force at a particular time; thus 'criminal' behaviour is tied very firmly to its historical context. It is this definition which informs this study.

Intra-communal disorders consisting largely of drunken brawls, quarrels between neighbours and domestic disputes were a regular feature of most working-class districts of towns throughout the nineteenth century. This type of violence was not of particular interest to the police or magistrates unless it spilled over into the public domain. There is no doubt that attempts by provincial police forces after 1856 to monitor working-class districts more closely, made those living on the periphery of crime particularly vulnerable to police surveillance.

Bolton, as with other Lancashire towns in the nineteenth century, experienced the social problems and contrasts of wealth and poverty, prosperity and depression. The late 1830s and 1840s were the years of the most acute anxiety, which fed on economic depression as well as the radical and industrial agitation culminating in 1842. During the period covered by the study, it was the small opportunist crime which was statistically the most common in Bolton. The more 'public' offences of prostitution, drunkenness, breaches of the peace and vagrancy all featured prominently in local crime statistics.

The statistical patterns of crime appear to follow concerns about social order, though the coincidence between the troughs of the business cycle and the peak of crime would suggest that there were some links between economic necessity and petty theft. The debate on the standard of living of the early nineteenth century working-class is a historical controversy that has continued without abatement. However, whether or not the overall standard of living declined or improved, there is little question that there were periods of severe hardship and distress for large numbers of Bolton's working class. Crime was just one manifestation of this distress.

Those particular districts of Bolton with high concentrations of working-class residents were expected to be the hot-beds of crime and disorder. The anti-social behaviour of some working-class people as reflected in the 'imperfect' crime statistics, merely reinforced preconceived notions regarding the working-class and crime. It will be argued that crime in Bolton cannot be satisfactorily addressed if isolated from the wider societal developments taking place in the town throughout the nineteenth century.

The Last Temptation



The Trial of Doctor
**Harold
Shipman**
by David Holding

The Last Temptation: The Trial of Dr Harold Shipman

Book 5. Published 2019

Find out more and get the book

This book, the first of a trilogy, takes the reader into the essentially private world of medical doctors, each coming from a different background but all with one common thread running through their respective lives. They were all living and working in England as general medical practitioners, and they all stood trial for murder.

Though there were similarities, the motives in each case were different, encompassing ultimate power over life and death, greed and revenge. Each played a prominent role in the lives of these doctors' respective lives.

The three cases have received widespread public attention and have been the subject of numerous publications and much media attention. However, this work and its companions, are unique in that they approach the subject of 'murder' in an entirely innovative way.

Each work begins by outlining the background of the respective defendant before progressing to the criminal investigation and arrest, finally culminating in the trial itself. Each work concludes with an overview of the case to stimulate discussion.

By adopting this approach, the author's intention is to

totally involve the reader in each case from the outset, rather than allow them to remain merely passive observers. As each story unfolds, the reader is presented with all the relevant information relating to each case. When the trial itself is reached, all the evidence is made available to the reader as it would be in an actual criminal trial. The books conclude with a brief overview of each case to invite the reader to consider their own verdict based on all the evidence they have before them. The overall aim of these three works is to invite the reader to exercise their own judgement in a practical yet enjoyable way, and to consider and better understand the complexities inherent in criminal investigations and trials. It is also hoped that these works will provide an insight into the often misunderstood and largely unseen workings of the Criminal Justice System as administered in Britain.

This first work is concerned with the case of Dr Harold Shipman, one of the most prolific serial killers in British legal history, and it seeks to answer the most important question of all: why a well-respected, popular family GP, and prominent member of his local community, was at the same time killing over 215 of his trusting and mainly elderly patients in what have been described as ‘near perfect crimes’.

His early life and medical career are examined to identify a possible ‘trigger’ which might possibly explain his obsession with killing: an obsession which culminated with his eventual arrest and trial. It also considers the numerous failings of those systems which were designed to safeguard patients, yet which failed them so miserably.

I also cover the findings of the definitive Shipman Inquiry, which was divided into two distinct parts.

The first part examines the individual deaths of Shipman’s

patients, whilst the second part examines the systems in place that failed to identify his crimes.

The Inquiry Team also carried out a separate investigation into all the deaths certified by Shipman during his time as a junior doctor at Pontefract General Infirmary, West Yorkshire. The Inquiry published a total of six reports.

The first concluded that Shipman killed at least 215 patients.

The second report found that his final three victims could have been saved if the first police investigation had been carried out more efficiently.

The third report found that by issuing death certificates stating 'natural causes' Shipman was able to evade investigations into deaths by the Coroner.

The fourth report called for more stringent controls on the use and issuing of 'controlled' drugs.

The fifth report on the regulation and monitoring of GPs, criticised the General Medical Council (GMC) and recommended an overhaul of the GMC's constitution to ensure it would become more focused on protecting patients rather than doctors.

The sixth and final report, published in 2005, concluded that Shipman had killed in the region of 250 patients.

The Last Temptation concludes with an assessment of those psychological traits which may provide a final clue to that elusive question, Why?

Volume 2 in our Doctors of Death Trilogy

The Trial of Dr



John Bodkin Adams

by David Holding

The Trial of Dr John Bodkin Adams

Book 6. Published 2020

Find out more and get the book

This book being the second of a trilogy, takes the reader into the private world of medical doctors and their practices. Each book has centred upon one individual doctor who was a general medical practitioner living and working in England during the period from the mid-1920s to 1999. Whilst each of these practitioners came from different backgrounds, there is one common thread running through their respective lives. They were all charged and stood trial for murder, yet their motives appear to have been different.

Motives ranged from the exercising of the ultimate power over life and death, the obsession with wealth, privilege and social acceptance, and finally revenge and jealousy.

Each case received widespread public attention at the time, and all have been the subjects of numerous books, articles and media attention. This book, together with its two companions, is innovative in that it approaches the subject of ‘murder’ in an entirely novel way.

Each work commences by describing the early background of the subject and their career development. I also look into the personal characteristics that may help to provide an insight into the possible motives for their later activities. The work then progresses to the criminal investigation and

subsequent arrest, culminating in the trial. Each work concludes with a general overview of the case to draw together all the essential strands of the case. By adopting this approach, the author's intention has been to involve the reader in each case from the outset, rather than simply allow them to remain 'passive' observers to the events. As each case unfolds, the reader is taken on a chronological journey and presented with the relevant information relating to the case. When the trial itself is reached, all the evidence, both for the prosecution and defence is available for the reader to consider – as would be the case in the actual trial. To conclude, the reader is invited to consider their own verdict based on all the evidence available. In this way, the reader is able to exercise their own judgement in a practical, yet enjoyable, way. In so doing, it is hoped that these works will provide the reader with an insight into the often complex processes involved in criminal investigation and trials, and the workings of our Criminal Justice System.

This second book of the trilogy centres on the trial of Dr John Bodkin Adams. Of Irish ancestry, this GP was based in Eastbourne, Sussex from the early 1920s. He was tried on one count of the murder of one of his elderly patients, Mrs Edith Alice Morrell, though the police claimed that Adams had also murdered a number of other elderly patients. They suggested that his 'modus operandi' was to administer the drugs, heroin and morphine, with the intention of making his patients addicts and therefore dependent upon him.

He was then in a position to induce them to leave him legacies in cash and kind in their wills. This having been achieved, his final action was to give them large doses of opiate drugs which caused their deaths. It was later suggested by the trial judge, Devlin J. that the police

became fixated on the idea that Adams had murdered many elderly patients for legacies, so much so that they regarded the evidence of these legacies as legitimate grounds for their suspicions. The police investigated the wills of 132 of Adams' former patients between 1946 and 1956, in which he had personally benefited from a legacy. A list of around twelve names was prepared and this was submitted to the Director of Public Prosecutions. Judge Devlin considered that Mrs Morrell's case, which was the one eventually chosen by the Attorney-General for prosecution, looked the strongest of the twelve submitted, although others involved in the investigation disagreed.

As outlined in the Attorney General's opening address to the jury, it was the case that Adams either administered or instructed others to administer drugs that killed Mrs Morrell with the 'intention' of killing her. Such drugs were unnecessary as she was not suffering pain because she had remained in a semi-comatose condition for some time prior to her death. The prosecution suggested as motive that Adams had decided it was time for Mrs Morrell to die because he feared that she may alter her will to his disadvantage. In strict law, the prosecution did not need to show a motive but, if no motive was provided, then the prosecution needed to prove the offence by determining precisely how the killing was carried out.

Throughout the trial, the prosecution maintained Adams' motive was essentially a mercenary one. However, the prosecution did not consider a possible alternative – that Adams intended 'euthanasia' – which could be implied from the comment he made on his arrest: 'I was easing the passing'.

The prosecution initially argued that the large quantities of morphia and heroin prescribed by Adams in the months

leading up to Mrs Morrell's death, had all been injected into her. This amount, they insisted, was sufficient to kill her, and they also insisted that it could *only* have been intended to kill her.

Accordingly, Adams was accused of murdering Mrs Morrell by one of two methods, singularly or in combination. The first alleged method was as a result of the accumulation of the amounts of opiates given in the ten months before her death. The second was the result of two large injections of an 'unknown' but prescribed lethal substance prepared by Adams and injected into Mrs Morrell shortly before her death.

However, on the second day of Adams' trial, the defence produced nurses' note-books, which clearly showed that much smaller quantities of drugs had been given to Mrs Morrell than those the prosecution had estimated, based on Adams' prescriptions. More significantly, these note-books also recorded that the two injections made the night before Mrs Morrell's death, were recorded as being of Paraldehyde, which was a very safe soporific.

In response to the defence's production of the nurses' note-books, one of the prosecution's expert medical witnesses changed his testimony from that he had given at Adams' pre-trial Committal Hearing. Dr Douthwaite had previously introduced a new theory on how he believed Mrs Morrell had been killed. This was not accepted by the prosecution's own second medical witness, nor indeed by the defence's medical expert witness. The prosecution's only reaction was to argue (unsuccessfully), that the nurses' note-books were incomplete.

However, this assertion led Judge Devlin to comment that by this point in the trial, a conviction seemed unlikely because the medical evidence was inconclusive.

In his summing-up, the Judge stated that a doctor 'had no special defence but he is entitled to do all that is proper and necessary to relieve pain even if the measures he takes may incidentally shorten life'.

This established the legal principle of 'Double Effect'.

The Judge also gave direction to the jury, that they should not conclude that any more drugs were administered to Mrs Morrell other than those shown in the nurses' note-books.

The Judge concluded by indicating to the jury that the main argument for the defence was that the whole case against Dr Adams rested on mere suspicion, and that the case for the defence 'seems to me to be a manifestly strong one'. On these grounds, the jury returned a Not Guilty verdict after deliberating for just forty-six minutes.

After his acquittal on the charge of murder, Bodkin Adams resigned from the National Health Service and in July 1957, he pleaded guilty to fourteen of the sixteen other charges against him for forging prescriptions, making false statements on Cremation Forms and being responsible for other offences under the Dangerous Drugs Act.

He was convicted of these offences and was consequently struck off the Medical Register but was reinstated in 1961.

He spent much of the rest of his life in pursuing his favourite hobby of clay pigeon shooting, together with undertaking limited research and consultancy work. He also continued to receive legacies from his former patients.

After complications following the breaking of his leg in 1983, he was admitted to Eastbourne General Hospital where he died of heart failure on 4th July 1983. He was cremated and his ashes interred in the grave of his parents

back in Coleraine, Ireland.

John Bodkin Adams was undoubtedly an incompetent doctor with little understanding of the true nature of the drugs he supplied. However, he was not considered to have shown disregard for the accepted standards of medical practice of the time. In this respect, he was considered to be no better and no worse than his GP contemporaries.

He may well have been perceived as a greedy and acquisitive individual, but the 'evidence' supporting the numerous claims that he was a 'serial killer' really amounted to little more than unsubstantiated gossip and rumour.

Volume 3 in our Doctors of Death Trilogy

The Trial of Dr



Buck **Ruxton**

by David Holding

The Trial of Dr Buck Ruxton

Book 7. Published 2020

Find out more and get the book

This book is the final volume in a trilogy which takes the reader into the private world of medical doctors who were in practice in England during a period from the 1920s until the turn of the 21st century. Each of these practitioners came from different backgrounds, but the one common thread linking each of them was that they all stood trial for murder. Each of these cases received widespread coverage at the time, and all have been the subject of numerous books, articles and documentaries.

This book, together with its companion works, employs an innovative approach to the subject of murder. Each work commences with background information about the subject before examining the development of the case against each of them. The work then progresses to the criminal and medical investigations, culminating in the trial itself. Each work concludes with an overview of the case which draws together all the essential strands necessary to fully appraise the case. By adopting this particular approach, the author's intention has been to take the reader on a sequential journey through each aspect of the case. In so doing, the reader becomes fully immersed from the very outset rather than remaining a 'passive observer'. By the time the trial is reached, the reader is presented with all the evidence and background information to enable them to draw their own conclusions and reach their own verdict.

This final work centres on the trial of Dr Buck Ruxton, an Indian-born general practitioner, who stood trial in 1936 for the murder of his common-law wife and his housemaid. He was subsequently found guilty, convicted and executed.

This case differs from its companion works in two important respects. Firstly, unlike the cases of Harold Shipman and John Bodkin Adams, Ruxton's victims were not his patients but members of his own household. Secondly, this case is unique in that it was the first in which innovative forensic techniques were employed to provide conclusive evidence on which to bring a prosecution against Ruxton.

Buck Ruxton was born in Bombay, India, on 21st March 1899, into a Parsee family of Indian-French descent. His original name was Bukhtyar Rustomji Ratanji Hakim, which he later abbreviated to Buck Hakim. Ruxton was a highly intelligent youth who had received a good standard of education and even as a teenager, he had set his sights on a career in medicine. He entered the University of Bombay School of Medicine graduating as a medical doctor in 1923. Following his basic training, Ruxton served with the Indian Medical Service and was deployed in Iraq. In 1925, Ruxton entered into an 'arranged' marriage with a Parsee woman but the relationship was short-lived.

In 1926, Ruxton emigrated to Britain and settled in London under the assumed name of Buck Hakim. He completed further studies in medicine at London University College Hospital till 1927 when he re-located to Edinburgh, Scotland, to prepare for the examination for Fellowship of the Royal College of Surgeons of Edinburgh. He failed the entrance examination, but the General Medical Council allowed him to practice medicine in the UK on the basis of his qualifications gained in Bombay and London. It was at this time that Ruxton once again changed his name, this

time legally by deed poll to 'Buck Ruxton'. It was whilst he was studying in Edinburgh, that he formed a relationship with a 26-year-old woman by the name of Isabella Van Ess, who at the time was married to a Dutchman. However, that marriage did not last long as she soon obtained a divorce.

The relationship between Ruxton and Isabella flourished and in 1928 Ruxton returned to London with Isabella and was employed as a locum GP. The following year, Isabella had her first child, a daughter named Elizabeth. The couple did not marry but lived together as Dr and Mrs Ruxton. By 1930, the family relocated to the north of England, to Lancaster, the county town of Lancashire. It was here that Ruxton set up his general practice at 2 Dalton Square.

It does appear that Ruxton made positive efforts at assimilating into the community of Lancaster and created a reputation for being a diligent and caring GP who was well-respected among his predominantly working-class patients.

In 1931, the Ruxton family increased with the birth of a second daughter Diane, followed two years later in 1933 by a son William. It was at this time that the Ruxton family employed a live-in housemaid Mary Jane Rogerson, a 20-year-old woman.

However, in direct contrast to his professional and public persona, Buck Ruxton was an excitable, jealous and suspicious individual, prone to outbursts of rage and paranoia. It has even been suggested that Ruxton slept with a revolver under his pillow. The couple's life together was tempestuous, with Buck frequently abusing and assaulting Isabella.

On several occasions, intervention from the police was required to calm things down. Also, on several occasions, Isabella and the children left Lancaster to stay with her sisters in Edinburgh. However, these absences were short-

lived and ended with Ruxton pleading her to return to the family home.

On Saturday the 14th September 1935, Isabella had arranged to meet her sisters in the seaside resort of Blackpool where they were on holiday, to view the annual illuminations. She drove the 25-mile journey from Lancaster in her husband's car, leaving Ruxton behind, and is believed to have left the resort on her return journey around 11:30 pm. She arrived back in Lancaster in the early hours of Sunday 15th September. It appears that Isabella's prolonged absence led Ruxton to have a jealous quarrel with her later in the day, and the quarrel escalated into violence.

On this occasion it also led to two killings. The housemaid Mary Rogerson is believed to have witnessed Ruxton's assault on his 'wife' and therefore she too had to be killed. It was later confirmed that both women had been strangled and stabbed before having their bodies dismembered. It was later established that Ruxton had placed the two bodies in the bathtub in order to cut them into manageable sections. He then wrapped them in newspapers, pillowcases and sheets.

He was observed loading several parcels into his car on the Sunday. On Tuesday 17th September Ruxton was returning from the Lake District and outside the town of Kendal, he knocked a cyclist off his bicycle at around 12:35 pm. The cyclist managed to get the car registration number and reported the incident to the local police. Kendal police then contacted their counterparts in the small village of Milnthorpe where Ruxton was stopped and questioned at around 1:00 am. He was ordered to produce his licence and insurance documents to his local police in Lancaster. When stopped, he had claimed to be returning from a business trip

to Carlisle. However, some believe that it may have been a trial run or in fact, that it was the day he actually disposed of the remains of the two bodies.

On the 29th September, a tourist visiting the Dumfriesshire town of Moffat was crossing a stone bridge on the Edinburgh-Carlisle road two miles north of Moffat, at a place known as Gardenholme Linn. When looking over the bridge below she saw what seemed to be a human arm protruding from a parcel lying on the bank of a stream which ran into the River Annan. She returned to her hotel and informed her brother of the discovery and he visited the site to confirm what his sister had found.

They reported the find to the police who instigated a search of the area and ravine below the bridge. This search revealed a total of 30 parcels containing various body parts.

Once recovered, these parts were examined by John Glaister, Professor of Forensic Medicine at Glasgow University, and James Couper Brash, Professor of Anatomy at Edinburgh University. They painstakingly re-assembled the bodies and confirmed that they were of two women.

A new technique of photographic superimposition was used to match two life photographs of Isabella Ruxton and Mary Rogerson with photographs of the two skulls found with the remains, and they both matched perfectly. They also used a relatively new forensic procedure known as 'entomology' (the study of maggots) to identify the age of maggots found on the body parts and thus to provide an approximate date of death.

Once the bodies had been identified as those of the two missing women from Lancaster, Ruxton was brought in for questioning by the Lancaster police. Armed with the positive results from the 'forensic' investigation, together

with their own intelligence gathered in Lancaster and Scotland, Ruxton was formally charged with the murders of Mary Jane Rogerson on the 13th of October, and on the 5th of November, with that of his common-law wife Isabella Ruxton, and he was remanded in custody on both counts.

A key piece of evidence against Ruxton was one of the newspapers used to wrap up some of the body parts. This was a special edition of The Sunday Graphic dated 15th September 1935 which was only sold in the Lancaster and Morecambe areas. A thorough search of Ruxton's house revealed vast amounts of blood in various parts, including the stairs, floor carpets and bathroom.

Ruxton's trial took place at Manchester Assizes Court on the 2nd March 1936 and lasted until the 13th March. The prosecuting counsel told the jury that "It is very probable that Mary Rogerson was a witness to the murder of Mrs Ruxton and that is why she met her death".

He informed the jury that the bloodstains found inside the house confirmed that both murders had occurred on the landing at the top of the stairs, outside Mary Rogerson's bedroom. Down the staircase, right into the bathroom, there were trails and enormous quantities of blood.

The prosecution further suggested that when Mary went to bed, a violent quarrel took place, resulting in Ruxton strangling his wife. It was said that Mary Rogerson caught him in the act.

Over 100 witnesses were called, together with over 200 evidence exhibits. Professor Glaister presented compelling evidence that the remains were those of Isabella Ruxton and Mary.

The only witness for the defence was Ruxton himself who

denied his guilt suggesting that it was purely circumstantial, and he further challenged the identification of the bodies. At the end of the trial, the jury took just over an hour to return a guilty verdict and he was sentenced to death. Ruxton appealed the sentence which was heard in London but dismissed on the 27th April 1936. Ruxton was confined to prison to await his execution which was carried out on Tuesday 12th May at Strangeways Prison, Manchester.

A few days following the execution, Ruxton's signed confession was published in The News of the World dated 14th October 1935. It stated: 'I killed Mrs Ruxton in a fit of temper because I thought she had been with a man. I was mad at the time. Mary Rogerson was present at the time. I had to kill her'.

The prosecution of Ruxton's murders proved to be one of the most publicised legal cases of the 1930s. It is primarily remembered for the innovative forensic techniques employed to identify the victims and link Ruxton's home to the murders. This case emphasised the crucial importance of teamwork, particularly in relation to the medical and forensic aspects of the case, together with close co-operation between the respective police forces involved in the investigation.

During the 20th century, there have been many serial crimes in which mutilation of the victims was a distinctive feature. However, the Ruxton case was unique in that it was distinguished from the other cases by the extent and character of the mutilation of the two victims involved. The removal of identifiable features led to a novel comparison of the skulls and photographic portraits of the victims which proved their identification beyond doubt.

Finally, and somewhat ironically, there is the important part

played by the errors and omissions of Ruxton in building up the case against himself. In this case, we see a classic example of the failure of the perpetrator of the crimes to realise the evidential importance of the identifiable articles left with the remains. The newspapers, the blouse, the child's rompers and cotton sheets in which the remains were wrapped, all helped to trace the remains back to the scene of the crime, to 2 Dalton Square, Lancaster, and to Ruxton.

Our Doctors of Death Trilogy in
one EXCELLENT Collection

Doctors in the Dock



The Trials Of Doctors
Harold Shipman
John Bodkin Adams
Buck Ruxton
by **David Holding**

**Doctors in the Dock:
The Trials of Doctors
Harold Shipman, John
Bodkin Adams and
Buck Ruxton**

Book 8. Published 2020

Find out more and get the book

This book combines the books in the trilogy of killer
doctors.

Forensic Science Basics



Every Contact
Leaves a Trace

by David Holding

Every Contact Leaves a Trace: Forensic Science Basics

Book 9. Published 2020

Find out more and get the book

The word ‘science’ derives from the Latin *scientia*, which is itself derived from the verb *sciri* meaning ‘to know’. So, science is about ‘knowledge’.

The word ‘forensic’ is also Latin in origin and derives from the word *forensis*, which means ‘in open court’. From ‘forensis’ comes the word ‘forum’ – a public square found in the centre of most Roman towns, where matters were argued and adjudicated.

The modern usage of the word ‘forensic’ refers to a ‘form of legal evidence’. However, a more useful working definition is that ‘forensic science’ is a science used to assist the legal process in the investigation of crime by providing evidence.

Forensic science has a tripartite structure consisting of ‘collection’ which refers to scientific investigation, ‘examination’ which is concerned with scientific analysis of evidence, and finally, ‘presentation’ which pertains to criminal trials. A forensic case will involve all aspects of each of the three structured elements, each being equally important. Each step in forensic science must be taken in an exact sequence to ensure that the investigation is in no doubt about what is being debated.

We can define the purpose of ‘forensic’ science as being to provide objective information on which reliable, evidence-based decisions can be made. Forensic science deals with ‘real or physical’ evidence. In other words, evidence based on the discovery and examination of ‘material’ sources.

This is in contrast with ‘testimonial’ or documentary evidence which are verbal or written accounts of a particular event. However, if we accept that ‘real’ evidence is more reliable than testimonial evidence, this does not necessarily imply that it is absolute or infallible.

Contrary to popular perception, science is a highly uncertain area of knowledge. It does not deal in certainties but ‘probabilities’. So, when interpreting a crime scene or evidence taken for analysis, the forensic scientist is not looking for what happened, but what ‘probably’ happened. Eventually, a report is produced that presents the results of the analysis in terms of ‘probability’ not certainty.

However, ‘real’ evidence is a valuable property in that it opens up a huge range of potential additional evidence that is mostly unseen or unrecognised by the layperson. In the words of Dr Paul Kirk (in 1974 while the head of the criminology faculty at the University of Berkeley in the United States): “Whatever the criminal leaves, even unconsciously, will serve as a silent witness against him”. In effect, Kirk was restating a concept which has become enshrined in traditional forensic investigation, namely the Locard Exchange Principle.

This principle is usually summarised as ‘every contact leaves a trace’. The concept proposed here is that contact between people and objects or other people will inevitably involve the transfer of such traces as hair, fibres and DNA. It is these traces which provide evidence to link an offender to a crime scene or victim. Forensic evidence begins at the

crime scene where there is the need to identify and recover the material objects that will form the basis of the 'real' evidence. Procedures at the crime scene are designed to control, preserve, record and recover evidence that will allow investigators to reconstruct the events that occurred at the scene.

Crime scenes in popular TV crime dramas are usually examined and quickly concluded by one of the principal characters in the drama with minimal assistance from others. Often termed as the 'CSI Effect', these programmes give the public a false impression of investigations. In reality, the crime scene examination at major crimes is essentially a 'team' effort, involving many people, each with their own specific role to play.

The usual personnel in attendance at a crime scene will include a Crime Scene Manager (CSM), who has overall responsibility for coordinating the examination of the scene, the Scenes of Crime Officer (SOCO) who will search the scene, and an Investigating Officer from the police.

Depending on the circumstances of the crime and the extent of the search for evidence, some crime scenes require the presence of more specialist investigators.

These can include a forensic pathologist whose role is to examine the body at the scene followed by a post-mortem examination.

A forensic anthropologist may be required to examine human skeletal remains, and an entomologist to interpret insect activity on the body and to estimate the time of death of the victim.

Any one of the many people involved in crime scene

investigation has a clear duty not only to record the obvious signs at the scene but also to examine and observe what the evidence reveals to them. It is also essential that they must be prepared and welcome the opportunity to combine their knowledge and expertise with the skills of other professionals, to adopt a holistic approach to every investigation.

If the crime scene is where the contribution of forensic science begins, then the starting point will be the initial reporting of an incident to the police. The crucial first step is an examination of the scene by the police officers who responded to the notification of an incident. It is they that have to evaluate the scene and determine whether or not a crime has in fact been committed. A decision also has to be made regarding what level of response is required. For serious crimes, this will inevitably involve informing senior detectives and scene investigators.

The following chapters in this work are organised into selected topics covering crime scene investigation, individual identification, time of death, causes of death and much more. Each of the chapters begins with an informative discussion of the various elements of specific investigative techniques involved in the analysis of evidence. Modern forensic laboratories use a vast range of scientific specialities to exonerate the innocent and help convict the guilty. It is these combined specialities which constitute 'forensic' science and which this work describes in detail.

A useful strategy for investigating crime and its implementation could involve finding factual answers to the following six pertinent questions:

What happened?
Who was involved?
Where did it happen?
When did it happen?
How did it happen?
Why did it happen?

The importance of these six questions to the investigation of crime is that reconstruction of a crime scene must not use them to find evidence that supports preconceived ideas. Instead, investigators must seek answers to each of these questions as the investigation progresses and only then evaluate them as a whole. Once done, it is likely that an explanation will emerge, and that this will form the strategy for further investigation. The reader will receive adequate evidence that will assist them in finding answers to these questions in a book that throws a fascinating light on forensic science and its vital role in the investigation of crime.



A
Warning
from
History:

The Influenza
Pandemic
of 1918

by **David Holding**

A Warning from History: The Influenza Pandemic of 1918

Book 10. Published 2020

Find out more and get the book

The word Influenza is Italian and forms the origin of our English word influence as well as the English medical term, influenza.

In the Middle Ages, influenza was used in a medical context to describe how environmental conditions seemed to be associated with certain diseases, very similar to the Old English word contagion. For those Renaissance Italians who had no idea about malaria parasites or plague bacteria, the disease of malaria was under the 'influenza' of swamps and marshes. Similarly, the plague was thought to be under the 'influenza' of foul smells.

The first use of the word to describe the disease which we now recognise as 'flu' was in 1708 by Dr John Huger, and medical historians have traced several influenza outbreaks during the 18th and 19th centuries. This period was noted for serious epidemic diseases such as tuberculosis, typhoid, scarlet fever, diphtheria and cholera - they were regular and prominent features even in the wealthiest countries.

At this time, public awareness of influenza was relatively low despite it causing the death of Queen Victoria's grandson the Duke of Clarence in 1892. The fatalities from the pandemic of 1918-1919 were so numerous that actual numbers are difficult to ascertain, but are believed to have

been between 20 and 100 million worldwide. Even the most conservative of these estimates make the flu pandemic deadlier than the First World War itself.

This was in essence, a ‘flu’ pandemic, normally regarded as an epidemic which had spread worldwide by ignoring the usual seasonal winter episodes. It was given the name Spanish flu, but it certainly did not originate in that country. The most likely reason for the name was that Spain was a neutral country throughout the First World War, and as such, it had no media reporting restrictions in force.

In contrast, the policy of the combatant countries’ media was not to report the outbreak of the pandemic. This was because of the fear of damaging morale and affecting the war effort. As a consequence, the ‘real’ origins of the outbreak remain unknown, but there is no shortage of ‘speculations’.

The first ‘recorded’ reported fact about the 1918 pandemic was that cases began to appear at allied military bases in both America and France. This was as a result of massive troop movements which increased transmission of the flu virus. Inevitably, the disease spread into most of the major cities in both Europe and North America. Also, British troops returning to Britain at the close of the war in November 1918 brought the disease back into the UK.

In 1918, there was no known treatment for influenza and little firm evidence as to its cause.

Viruses had been identified in 1892, but at the outbreak in 1918, the medical profession sought causes elsewhere. It was suggested for example, that it was a bacteria with the name *haemophiles influenzae*. To complicate matters, antibiotics had not been discovered in 1918. The overall civil response was to focus on public health issues, such as

wearing face masks in public places.

The 1918 pandemic appeared in three waves, and it was not until 1920 before the outbreak finally subsided.

Normally, what happens after a pandemic is that the 'flu' strain responsible returns the following winter but as a milder form. It then maintains this routine for some time.

The 'pandemic' flu virus became what is generally regarded as seasonal flu. When some victims of the 1918 pandemic in Alaska were exhumed and the 'flu' virus retrieved by molecular methods and sequenced, it was found that they were of the same general variety or 'strain'. That variant is called type A Subtype H1N1. There is strong reason to believe that the H1N1 flu which circulates seasonally from 1920 onwards, is a variant of the 1918 pandemic. This phenomenon of 'seasonal influenza' continues today, although the strains of flu involved have changed significantly. The reasons for this global oscillation are unclear and are the subject of active ongoing research. It does appear that the 'flu' whether heading south or north depending on the time of year, always originates around Southern China and South East Asia.

1947 experienced a heavy seasonal flu outbreak which can be repeated spasmodically. The 1945 end of the Second World War led to the re-establishment of global transport and trading links – they had been disrupted at the outbreak of war in 1939. This allowed the influenza virus to spread more easily across the globe. However, there is a strong belief that the reason behind pandemic spread is within the virus itself.

One of the core concepts in the study of influenza is known as antigenic drift. Viruses like all infectious agents, find themselves under attack from the body's 'immune system'.

This means that antibodies are produced to combat the

virus.

For some viruses, particularly measles, this kind of immunity is life-long, so no one ever gets the measles twice. However, this is not the case with influenza, and the reason why people could potentially catch the ‘flu’ every year is that the virus evolves very quickly, where one rare variant will form the ancestor of the next year’s strain.

Of main concern is that the immunity acquired against the current year’s strain might be of no use. In those years when seasonal influenza was particularly virulent, such as in 1947 and more recently in 1999, the ‘antigenic drift’ is particularly strong. Understanding patterns of pandemic spread is important in planning preventative strategies and anticipating public health and medical provision.

The wealth of evidence supplied by mathematical modelling data, suggests that if a novel virus as pathogenic as that of 1918-1919 were to re-appear today, a substantive population of potential fatalities would be protected with aggressive public health and medical intervention. In an age of frequent air travel, it might be expected that ‘global’ spread will increase rapidly and be difficult to control. However, public health today is much more advanced with better preventative knowledge, good influenza surveillance, vaccines and both a national and international prevention infrastructure.

The challenge for us today is to learn as much about influenza viruses as possible. We are gaining ground, and there is good reason to believe that the next decades will yield significant advances in fundamental knowledge, prevention and control.

Now just a century since the event, the mysteries surrounding the 1918-1919 pandemic still remain

unexplained. However, we must continue to examine and investigate this event allowing it to stand as a stark reminder of the importance to humankind of continuing the ongoing fight against infectious diseases.

This work is a contribution to the ongoing research, debate and knowledge of a vital area of public concern. The areas covered in this work include the historical background to influenza pandemics, and a description of the influenza virus itself and its origins.

The main subject of the work, the pandemic of 1918-1919, is discussed in substantial detail. To gauge the pandemic's social impact, the reader is introduced to the perceptions of people living in England and Wales during the period, and to both social and health issues facing the authorities at the time, reflected in contemporary media reports and publications. The penultimate chapter is concerned with influenza pandemics following 1918, up to the present century, and the last influenza pandemic of 2009.

Given the present public health concerns, I sought to draw the reader's attention to consider the present COVID-19 pandemic within the context of pandemics generally and to draw comparisons with the approaches made in the area of public health, both in the past and during this present pandemic.

The final chapter concludes with the important area of prediction and preparation for future pandemics, which includes research on antiviral medicines and vaccines. A selected bibliography is included to assist those readers who wish to continue their research into this fascinating area of inquiry and global concern.

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**THE
OSCAR WILDE
TRIALS
REVISITED**



David Holding

The Oscar Wilde Trials Revisited

Book 11. Published 2021

Find out more and get the book

Oscar Wilde was born in Dublin on the 16th October, 1854, the second son of Sir William Wilde, a prominent eye surgeon, and mother Jane, a poet and Irish Nationalist supporter. Oscar was an intelligent youth who read classics at Trinity College, Dublin. From there he won a scholarship to Magdalen College, Oxford, to read classics, graduating with a double first degree.

On leaving Oxford, Wilde lived most of his time in London but visited the continent frequently. He became involved with a number of enterprises during the 1880s, and his output was diverse.

A first volume of his poetry was published in 1881, and he contributed to such regular publications as the Pall Mall Gazette. He also wrote fairy stories and published a novel, *The Picture of Dorian Gray* in 1891. However, his greatest talent was for writing plays, producing a string of extremely popular comedies. These included *Lady Windermere's Fan* in 1892, *An Ideal Husband* in 1895 together with *The Importance of Being Earnest* in the same year. In 1884, he married Constance Lloyd, daughter of a prominent London barrister. They had two sons, Cyril born in 1885 and Vyvyan in 1886.

It was during the summer of 1891 that Wilde met Lord Alfred Douglas, a son of the Marquess of Queensberry, who was still a student at Oxford. Douglas was devoted to

Wilde's novel *The Picture of Dorian Gray*, claiming that he had read it at least nine times. Alfred Douglas was a slight, handsome, impetuous young man who already had a difficult relationship with his father, the Marquess. It is known that Douglas had homosexual relations with several young men while at Oxford. He was particularly irresponsible in matters of finance.

Wilde began an affair with Douglas whom he referred to by the name 'Bosie'. Wilde's flamboyant and expensive lifestyle flourished under the effects of this relationship with Lord Alfred. Like many tragedies, what is striking about the story of Wilde's downfall is the recurring presence of irony and coincidence. Through his affair with Bosie, Wilde's life changed in a dangerous way. Lord Alfred was fascinated by young men who for a few pounds and the offer of a free meal, would prostitute themselves.

Douglas introduced Wilde into his underworld of clandestine sexual activities.

The Marquess of Queensberry, being informed of the relationship between his son and Oscar Wilde, became irate, and sought opportunities to discredit Wilde at all costs. On the 18th February, 1895, Queensberry visited Wilde's London club, the Albemarle, and left a card for the attention of Wilde. This card was addressed: "To Oscar Wilde, posing sodomite", misspelling the last word.

When Wilde was handed the card by the club porter, he had several choices open to him. Having been accused in writing, he might have a case to bring against Queensberry for 'criminal libel'. This card had been seen by the club porter and therefore, from a legal standpoint, this constituted the 'publication' of the libel.

Wilde wrote to a good friend Robert Ross stating that he felt compelled to pursue a prosecution for criminal libel

against the Marquess of Queensberry. Ross advised Wilde to ignore the card and allow Lord Alfred and his father to settle their family differences themselves.

Another alternative suggested was that Wilde visit France for a time and allow the situation to settle down. Ignoring the advice, Wilde opted to defend his public image through litigation.

The three trials of Oscar Wilde captivated England and much of the literary world during 1895, by encompassing celebrity, sex, political intrigue, and issues of art and morality.

The legal drama unfolded at the Old Bailey, London, between 3rd April and 31st May 1895. In the first libel trial, Wilde was regarded by those present at the trial as equal in ability to Queensberry's defence counsel, so long as the subject of cross-examination was confined to Wilde's written work.

Wilde was a man whose name was well-known as the author of successful plays, many being performed at major London theatres during the time of the trial. However, during this trial, Queensberry's counsel turned his attention to the private life and habits of Wilde. Wilde was forced to admit his association with boys and young men of a class that was certainly beneath him socially. This fact was not overlooked by the audience and more particularly the jury, who became convinced that Wilde was homosexual.

As several names were put to him in cross-examination, the names of known blackmailers, of boys of humble class, who had been invited to dine with Wilde, Wilde's legal team (led by Sir Edward Clarke, a former Solicitor-General) realised that the libel case was literally lost.

Whilst Wilde had saved his reputation as a writer of books and plays, he had by association with these youths, confirmed to having at least ‘posed’ as alleged by Queensberry’s Plea of Justification, for the libel.

Wilde’s counsel was convinced that the only course open to them was to bring the case to an end, before the evidence of these witnesses could be heard in open court. Having announced this intention to the judge, the verdict reached was one of ‘Not Guilty’ for Queensberry, whose alleged libel was justified.

As the result of statements given by these witnesses to Queensberry’s legal team regarding Wilde’s alleged ‘acts of indecency’, by intervention of both the Home Secretary and the Director of Public Prosecutions, an arrest warrant was issued for Wilde who was subsequently charged with ‘acts of gross indecency’ with other men. He was remanded in custody to await a second trial, again at the Old Bailey.

Wilde’s second trial began on the 26th April 1895, with Sir Edward Clarke QC once again representing Wilde. The most dramatic part of this trial centred upon a poem written by Lord Alfred Douglas entitled Two Loves.

It ended with the words: “I am the love that dare not speak its name”.

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**THE LADY
CHATTERLEY
TRIAL
REVISITED**



David Holding

Complete and Unexpurgated

The Lady Chatterley Trial Revisited

Book 12. Published 2021

Find out more and get the book

When Penguin Books released a new, unexpurgated edition of DH Lawrence's *Lady Chatterley's Lover* in 1960, they were charged with publishing obscene material. The *R v Penguin Books Limited* trial took place between the 20th of October and the 2nd of November 1960 in Court No 1 at the Old Bailey, London. This involved the judge, the jury, prosecution and defence counsel and 35 witnesses; all called to support Penguin's planned publication of an unexpurgated edition of Lawrence's final novel.

First published in Florence in 1928 and Paris in 1929, the novel had not been published in Britain and the USA for fear of prosecution. However, British readers did have legal access to an expurgated text from publishers, Heinemann, while uncensored editions were smuggled in from Europe.

However, these were regularly confiscated by customs officials, with importers and retailers risking prosecution. One Soho bookseller was jailed for two months in 1955. When Penguin Books released a new unexpurgated edition in 1960, they were charged with publishing obscene material contrary to the new Obscene Publications Act of 1959.

The trial of October-November 1960, which ended with Penguin's acquittal, attracted considerable interest and has become one of the best-known episodes in modern British legal history. The trial has been viewed as the catalyst for changing post-war attitudes to social order and public

decency, and as the starting point for a decade of conflict between champions of moralism and liberalism. The year 1959 saw the enactment of a new Obscene Publications Act which introduced a defence for publishers if they could show that a work was of 'literary merit' and 'for the public good'. The trial of Penguin Books was a 'test' case of this new law regarding obscenity.

The prosecution maintained that the book's 'pornographic' elements far outweighed any considerations of 'literary merit'.

The defence argued that the book's literary qualities and the author's status as a writer of significant standing should take precedence over 'prudish' notions of what constitutes obscenity.

The defence called 35 witnesses which included authors, academics, clergymen and MPs. Ironically, the prosecution called no witnesses.

This work follows the trial event over the six days in 1960, and introduces the reader to the trial process; the examinations-in-chief and cross-examinations of the witnesses, the opening and closing addresses by prosecution and defence counsel and the judge's summing-up to the jury at the conclusion of the trial. The final chapter takes a retrospective overview of the case and its impact on society.

Since prosecuting counsel chose to cross-examine only 14 of the 35 defence witnesses, ten of those witnesses have been chosen to represent a cross-section consensus, which supported the literary merits of the novel. Their testimonies are based on court transcripts of the trial, as are the prosecution and defence narratives. In this way, the reader is presented with the evidence available to the jury at the

original trial. This will enable the reader to reach a considered assessment of the case.

Looking at this case in retrospect, it is clear that Penguin's victory had a lasting impact. For one thing, the government's jurisdiction over personal morality had weakened. Censorship was now being seen as an infringement of individual judgment and personal ethics. The beginning of the 1960s saw conservative attitudes beginning to take a back seat. Young people were moving away from the 'staid and proper' behaviour of their parents and grand-parents. Outlooks were changing. Even attitudes towards the trial itself were liberal; some newspaper editorials suggested the money spent on prosecuting a work of literature would have been better spent in the investigation of actual exploitive pornography. After reading this work, the reader is left to consider one important question; can 'certain' literature truly corrupt us, or does it just make for expensive court trials?

Forensic Pathology Basics

The Dead Do
Tell A Story

by Dr David Holding



The Dead Do Tell a Story: Forensic Pathology

Book 13. Published 2021

Find out more and get the book

Forensic pathology has been defined as “the application of medical and scientific knowledge to determine the ‘cause’ and ‘manner’ of death”. An alternative definition has also been proposed: “a field of forensic science which involves the application of pathological methods in the investigation of crime, and of sudden, suspicious or unexplained deaths”.

However it is defined, forensic pathology is in many ways like a jigsaw puzzle. The pathologist finds on or inside a dead body, something unusual, which he or she must consider in reconstructing events concerning the death of the deceased.

It was only towards the middle of the nineteenth-century that forensic pathology really came into its own as a ‘sub-speciality’ of medicine. The English doctor, Alfred Swaine Taylor, wrote extensively on forensic pathology and helped to modernise the discipline within medicine in Britain. His most important textbook; *A Manual of Medical Jurisprudence*, published in 1831 went through ten editions during his lifetime. By the mid-1850s, Taylor had been consulted on more than 500 forensic cases.

During the late twentieth-century, there was a huge public demand for insights into the work of forensic pathologists. Influenced by this demand, not surprisingly, television

companies became keen to capitalise on this emerging public interest. As a result, they began producing medical dramas based on the activities of fictional forensic pathologists.

One of the first of these dramas was the American *Quincy ME*, first appearing in the US in 1976 and in the UK in 1977. It was not until the 1990s that the UK produced its own medical dramas. One example is the BBC's *Silent Witness* which spanned the years 1996-2008.

The popular and successful dramas were replicated in fiction, the most notable being the books by Patricia Cornwell in the 1990s. The downside of these fictional representations has been to confuse 'pathology' with 'forensic pathology' in the public imagination. However, to off-set this uncertainty, today's forensic pathologists have begun to utilise the medium of television to present a more realistic approach to their important work.

One excellent example came from Dr Richard Shepherd, a prominent forensic pathologist in the UK. He presented a 2006 series for the BBC titled *Death Detective*. The series focussed on the more routine coroners' cases rather than on violent crime.

It was equally important that it also included interviews with families of the deceased. They discussed openly the impact of the death on them, and were provided with explanations of how the Dr Shepherd's pathology findings helped the relatives to come to terms with their loss. Dr Shepherd's series, whilst confirming the association of pathologists with death, also provided a more realistic perception of their important work. It also emphasised the contribution that histopathology plays in the treatment of the living.

This work introduces the reader to the role that forensic pathology plays in determining the cause of death, and in confirming the cause as being the result of homicide, suicide, accident or natural causes. Each of the five chapters in this work provides informational continuity.

Chapter One provides an overview of the UK's existing legal systems, within which forensic pathologists have to operate.

Chapter Two discusses the most controversial aspect of forensic pathology and medicine – calculating the 'time of death'. It describes the various techniques that are applied to establish the time of death.

Chapter Three introduces the reader to the autopsy or post-mortem examination itself, the sequence in which they are conducted, and the compilation of the final report for the Coroner, outlining the main findings of the examination.

Chapter Four is devoted to an examination of the manner and cause of death, and describes in some detail, the various forms of criminal wounding, accidental injury and suicide.

The final chapter concludes with a collection of case studies, each describing the various causes of death discussed elsewhere in the text. This will assist the reader to appreciate the practical application of pathological theory.

A glossary of medical terminology is provided to help clarify many of the terms that appear in medical and post-mortem reports. In addition, a selected bibliography is included to assist readers interested in pursuing further research into the various aspects of forensic pathology.

The main objective of this work has been to reflect the status that forensic pathology now commands in the field of criminal investigation. It provides a compelling insight into the work of the forensic pathologist, and is recommended to all interested in the realities of detection, of which forensic pathology is a major player.

Words are Life presents...



The
Whitechapel
Murders of 1888
by David Holding
(A Retrospective View)

The Whitechapel Murders of 1888: A Retrospective View

Book 14. Published 2021

Find out more and get the book

This work is organised into four chapters each reflecting a sequence of the investigation of a case of serial murder. This allows the reader to compare the police investigation of the Whitechapel murders in 1888, with those of a similar investigation today. Obviously, forensic science was in its infancy at the time of the 'Ripper' enquiries, and due allowance must be accorded.

The reader is introduced to the Whitechapel area of East London to fully appreciate the socio-economic climate that the majority of its inhabitants had to endure during the latter decades of the nineteenth-century. It is against this backdrop of destitution and poverty that the five horrendous murders need to be considered.

The criminal investigation itself is examined in some detail to include the organisation of the Metropolitan Police at the time, medical and pathological reports on the victims together with their personal profiles, and a review of the main contemporary police suspects.

A chapter is devoted to an analysis of the geographical and psychological aspects of the case. It is here that the modern techniques of offender and psychological profiling are employed to throw new light on the killer's journey towards crime and the possible motives for the horrendous

killings.

For over 133 years, these five homicides have remained unsolved. This gives rise to four fundamental questions which require answers:

Who was the killer?

What was the motive behind these killings?

Why were the victims' bodies so mutilated?

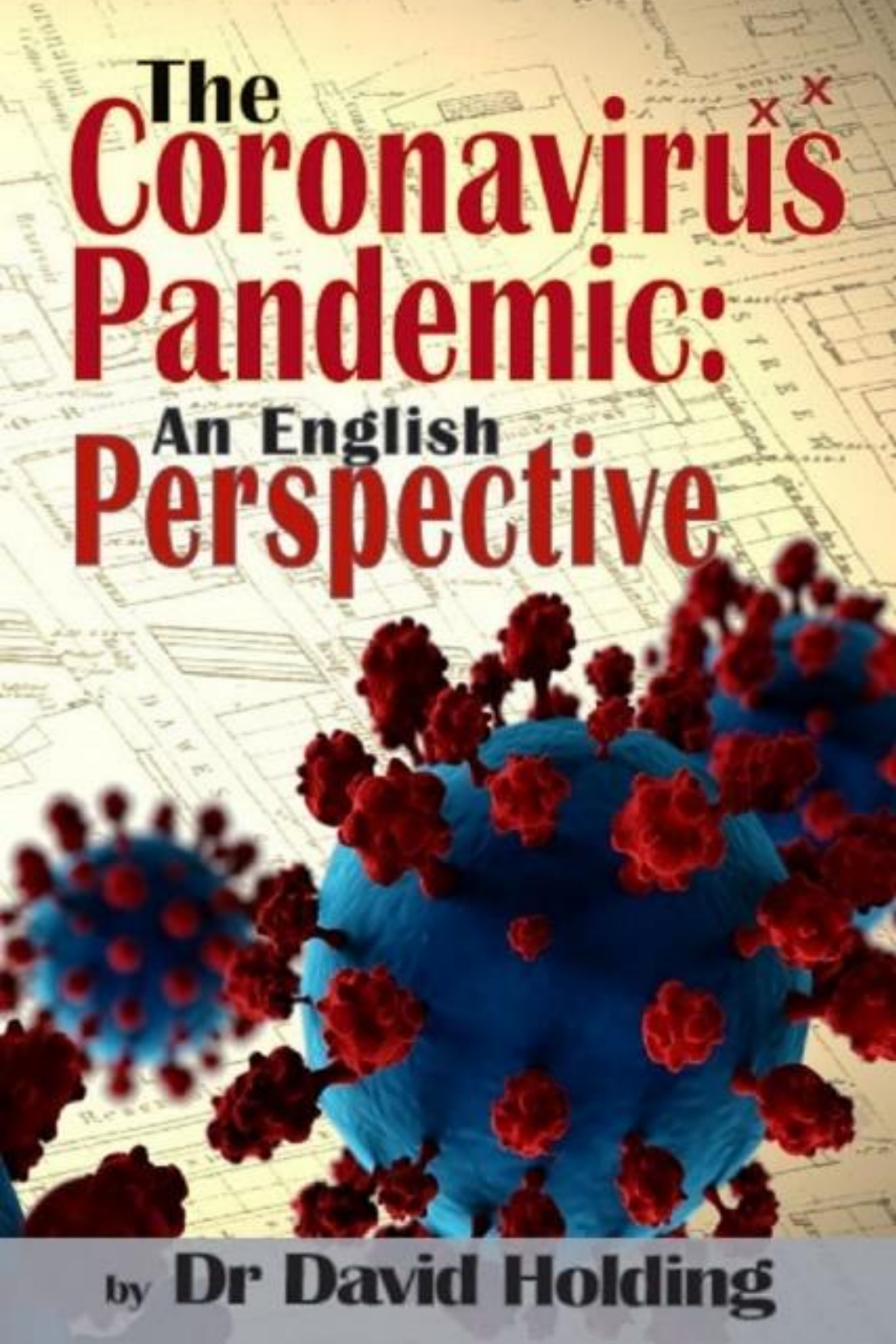
Why did the killings cease as suddenly as they began?

This work attempts to throw fresh light on these questions and hopefully provide some credible answers. The objective of this work is to approach the case from a purely factual perspective and to avoid the more speculative conspiracy theories that have tended to dominate other similar works on the subject of 'Jack the Ripper'. The modern techniques now employed in the investigation of similar serial murders, geographical and offender profiling, will enable the reader to recognise patterns in the crime locations and personal characteristics of the killer.

Though contemporary media reports have been consulted, they have revealed lack of balance and objectivity in the views they expressed. On the whole, media coverage of the case tapped into the predominant pessimistic perception of the killings. This has resulted in exaggeration for dramatic effect of the actual crimes, obviously with the aim of boosting sales figures. It is one of the essential tasks of crime historians to divide fact from legend, whilst still retaining both. Each are valuable sources when set within the contemporary context. Unfortunately, in the case of

some publications on the ‘Ripper’ murders, there are difficulties in distinguishing between baseless speculation and verifiable fact.

This work incorporates recently released source material, together with contemporary accounts to provide the reader with an accurate and reliable source of evidence, on which to reach a balanced and informed conclusion to this fascinating unsolved case of serial murder. The reader is left with the question which the late Stephen Knight posed in his work: *Jack the Ripper: The Final Solution*, “Is it possible after nearly 130 years of conjecture and deception, to get back to the basics of this crime?” It is hoped that this work goes some-way to providing an answer to this thought-provoking question...



The
Coronavirus^{x x}
Pandemic:
An English
Perspective

by **Dr David Holding**

The Coronavirus Pandemic: An English Perspective

Book 15. Published 2022

Find out more and get the book

This work aims to provide the reader with an easily accessible yet comprehensive account of the unprecedented and unexpected emergence of the coronavirus in England from 2020 to the present time.

This pandemic arrived in England in early January 2020 and brought in its wake a devastating impact upon the social and economic life of the country. The world was ill-prepared for such a pandemic, with the threat it posed to health on an unimaginable global scale. While this work is primarily focused upon England's response to the threat, this does not diminish the effects of this pandemic upon the other three countries that constitute the United Kingdom.

Scotland, Wales and Northern Ireland have their own devolved governments and constitutions. Consequently, their approach and policies for dealing with the threat have differed only in applying those policies, never in their intent to suppress COVID-19's spread. As in England, these governments experienced the tragic loss of life and upheaval to their respective social and economic structures. There has been (and I believe still is) a 'united' effort and response to suppress the progress of COVID-19 throughout the United Kingdom.

This work is organised into five chapters, each examining a specific aspect of the pandemic in England. Chapter One provides the reader with the background and epidemiology of the coronavirus and its emerging variants. It also examines the theories regarding the ‘origins’ of COVID-19, some of which are still controversial.

The second chapter analyses the impact on three prime areas of English society: Health and Social Care, Education and the Economy. It questions the government’s strategies to control the virus at the expense of these other essential social services.

The third chapter examines the race to produce vaccines to combat the rising tide of COVID. It also pays tribute to the vaccine programme’s success in vastly reducing the incidence of infection throughout the country.

Chapter Four is devoted to analysing the vast amount of statistical data generated in response to the pandemic and the requirement to monitor its progress daily. It also explains the relevance of the ‘R’ number in informing government policy.

The final chapter comprises a compendium of personal ‘Commentaries’ by professional individuals involved in observing the progress of COVID-19 since 2020. These ‘personal reflections’ are wide-ranging in their content, providing contrasting overviews of the pandemic and enabling the reader to make up their own mind on the British government’s response to the pandemic.

Live or Let Die

The Euthanasia Debate Revisited



by **Dr David Holding**

Live or Let Die: The Euthanasia Debate Revisited

Book 16. Published 2022

Find out more and get the book

Euthanasia, which essentially relates to decisions concerning the end of life, has become a focus of public, academic and legal debate. These decisions encompass such moral issues as the ‘sanctity of life’, autonomy and consent to medical treatment. As such, euthanasia is a hotly debated issue in almost every country where reasonably well-settled constitutions are tested by medico-legal decision-making at the end of life. Even the medical profession can find no consistency in answering the important question of where the doctors’ duties and the patients’ rights lie. Not surprisingly, the medical profession includes both supporters of euthanasia and those opposed.

Advocacy of a duty to end a suffering patient's life as an act of medical-moral compassion will be met with an equally strong call for the medical profession to maintain the ‘sanctity of life’. Strong calls will also be made to maintain the tenet of the Hippocratic Oath, which states:

“To please no one will I prescribe a deadly drug, nor give advice which may cause his death”.

Case law, which emerged after the decision to remove ventilation and hydration to Anthony Bland (*Airedale NHS Trust v Bland* (1993) AC 789), has had to confront many

aspects of end-of-life medical practice.

During this work, it will be revealed that there has been a widening of the circumstances where the courts have been willing to declare the non-treatment decision of doctors to be a 'lawful' act. In part, the medical profession recognises this expansion of circumstances that their work is sometimes as much about easing suffering at the end of life as saving lives.

The initial problem with the debate on euthanasia is one of definition. This difficulty arises from the different perspectives from which euthanasia may be defined. A supporter of the power of the individual to make decisions about when their death should occur would regard the term 'euthanasia' in a positive light. The term may also be seen by an 'enabler' to encompass both the 'active' or 'positive' ending of life. Similarly, the advocate of the 'right' to euthanasia may equally be considered an advocate of the 'right to euthanasia'.

The term 'euthanasia' has been generally regarded as the means of causing death by a 'positive act'. There are two definitions to be considered.

Firstly, a medical definition: "A quite painless death, the intentional putting to death by artificial means of persons with incurable or painful disease".

Secondly, a general definition: "The act of killing someone painlessly, especially to relieve the suffering from an incurable disease".

The common feature in both definitions is the notion of a "painless end to a painful or incurable illness".

There is also some common ground in that some form of

activity is involved. This involvement of 'activity' or 'passivity' has become the main focal point for judicial intervention concerning the decisions at the end of life. However, one may not find a consensual or comprehensive definition of euthanasia. It may best be described as an 'umbrella term', which involves decisions about ending a patient's life. This focuses on the key issue of the legality or illegality of forms of euthanasia.

The factual issues that can impact the legal regulations of euthanasia are fairly wide but essentially centre on the difference between voluntary and involuntary forms of euthanasia. The resultant debate forms the subject of this work, which centres on whether there is a moral and/or legal difference between actively terminating life and creating those circumstances in which other causes of death will result, commonly termed passive euthanasia.

This work introduces the reader to such factors as the use of technology in medicine at the end of life, mercy-killing and assisted suicide, the importance of consent to medical treatment, active euthanasia as practised in the Netherlands and the legal position of euthanasia in the United Kingdom.

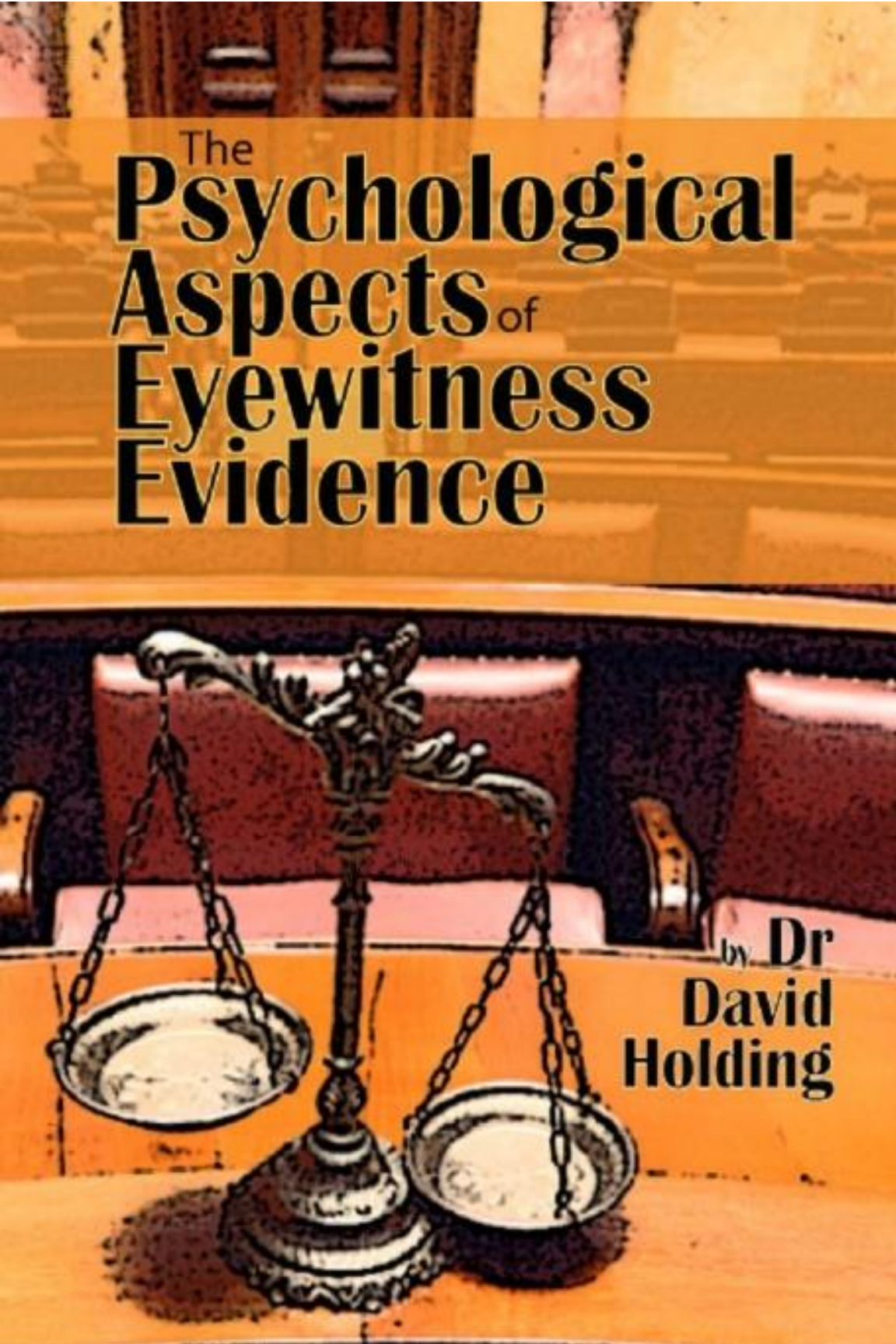
The subject of euthanasia invites regular debate at both international and national levels because changes in medicine and the law affect us significantly.

It will become apparent that the key to an understanding and analysis of medical law is to consider whether the medical decisions still lie with the doctor or whether the patient has the right to control the decision-making process.

Consent remains the crucial element in medical law in determining who can control when members of the medical profession intervene to save life or maintain health. English law is imprecise and uncertain, and doctors cannot always be given clear advice about the legality of various

procedures they encounter. There is certainly some evidence that doctors do practise 'covert' euthanasia. If what is taking place in medical practice is acceptable to society, then it is argued that the law should be changed to set out clearly the parameters within which these activities occur. If society disapproves of certain procedures, how then can they be controlled? On the one hand, some oppose legislation because the current uncertainty allows for maximum flexibility for a caring medical profession. Any proposal to clarify the current uncertainty polarises opinions sharply. Pro-life campaigners have sought unsuccessfully to encourage police and prosecutors to pursue any evidence of 'covert' euthanasia with vigour. Supporters of 'voluntary' euthanasia argue to the contrary with equal passion. The uncertainties and doubts that affect public attitudes toward the euthanasia debate are compounded by a misunderstanding of the relevant law and its lack of clarity. This work aims to clarify these misunderstandings regarding the theory, practice and legal position of euthanasia to provide the reader with a clearer overview of this important aspect of medical practice.

The
**Psychological
Aspects of
Eyewitness
Evidence**



by **Dr
David
Holding**

The Psychological Aspects of Eyewitness Evidence

Book 17. Published 2022

Find out more and get the book

In a legal sense, eyewitness testimony refers to an individual's 'first-hand' account of an event they have witnessed. Such eyewitnesses can be a victim or a bystander present at an event or incident that is subject to an investigation. 'Testimony' is that person's description of what they have observed during the event, including those involved in the event.

Eyewitness evidence is perhaps the oldest form of evidence. Consequently, it is given the most credibility in the courts, apart from a confession. It is eyewitness evidence which plays a crucial role in proving the elements of a crime. It is also one of the most persuasive forms of evidence presented to juries in a criminal trial.

Eyewitness testimony has become a specialised branch within the field of Cognitive Psychology. In the past, 'memory recall' has been considered a credible source of evidence. However, psychologists have challenged this, claiming that memories and individual perceptions of events are 'unreliable' as they can be easily manipulated and even biased. The psychologists draw attention to the fact that it has been due to DNA profiling that individuals who were convicted based on false eyewitness testimony were exonerated.

The criminal justice systems in both the USA and the UK place the responsibility on juries to assess the credibility of eyewitness testimony presented at trials. Research has shown that 'mock' juries are often unable to distinguish between a false and accurate eyewitness testimony.

Several different terms have been used to describe the application of psychology to law; 'legal psychology', 'criminal psychology' and 'forensic psychology'. Some psychologists are concerned with the treatment and rehabilitation of offenders.

There is also psychological research which centres on witness testimony, juror decision-making and public perceptions of crime and punishment. This work focuses on the specific area of psychological research into Eyewitness Evidence. This is one of the most extensively investigated areas of Cognitive Psychology, and this work contributes to this ongoing research.

The claim that eyewitness testimony is reliable and accurate is testable. Research indicates that eyewitness identification is vulnerable to distortion without the witness's awareness.

Specifically, the assumption that memory provides an 'accurate recording' of experience is incorrect. Memory is 'malleable'; it can be remarkably accurate or remarkably inaccurate.

Eyewitness evidence is considered inherently 'unreliable' due to its dependence on the 'human senses' and the brain's ability to process and remember perceptions. Evidence on the reliability of eyewitness testimony is presently mixed.

The veracity of eyewitness evidence is often called into question because of factors that influence a witness's ability to accurately recall an event.

Research shows that eyewitnesses are usually correct 'immediately' after an event. However, their memories can become contaminated during interviewing and questioning about the event. Such inaccuracies in eyewitness testimony can, in turn, lead ultimately to wrongful convictions.

The more times an eyewitness is questioned, the more likely their memories will become contaminated. This can result from 'leading questions' or hearing more information about an incident from the media or from other witnesses present at the time. These can all affect a person's memory of an event. A witness's expectations about what they think 'should' have happened can also influence their memory of what 'actually' happened during an incident. Interviews can intentionally or unintentionally reinforce witnesses' expectations by the form of questioning.

This work contributes to the ongoing research by examining those factors that impact the accuracy and reliability of eyewitness testimony. Each chapter examines factors such as facial recognition, errors of the senses, the effect of age on testimony, the presentation of eyewitness testimony in court, child testimony, the Cognitive Interview, and detecting errors in written and oral evidence. The work stresses that careful treatment of the memory is vital when dealing with the accuracy of eyewitness identification.

It does not take much to completely distort the recollection of an event, especially if it occurred a considerable time ago. By carefully and patiently extracting bits and pieces of an event, the likelihood of accuracy increases.

Eyewitness testimony often has a powerful impact on juries and may decide whether a defendant is convicted or exonerated. Regardless of the 'integrity' jurors credit to eyewitness evidence, research on perception and memory

highlights that such evidence is subject to 'inaccuracy'.

This work provides readers with an overview of which factors need to be considered in analysing the reliability of eyewitness testimony.

Justice Delayed: Hillsborough Revisited

by Dr David Holding



Justice Delayed: Hillsborough Revisited

Book 18. Published 2022

Find out more and get the book

The Hillsborough disaster resulted from a human crush which occurred during the staging of the semi-final FA Cup tie match between Liverpool and Nottingham Forest footballs clubs on 15 April 1989 at the Hillsborough Stadium in Sheffield, South Yorkshire, England. This crush resulted in the deaths of 96 people, 94 dying on the day, and two more victims dying later in hospital. In addition, another 766 people were injured. All were fans of Liverpool Football Club.

The Hillsborough disaster remains the deadliest in terms of victims killed in a stadium-related disaster in British sports history. It also ranks as one of the world's worst-ever football tragedies. Both clubs contested the semi-final of the FA Cup to be played at a neutral venue, Hillsborough being chosen by the Football Association. The stadium was segregated between the two opposing fans. South Yorkshire Police chose to place Nottingham Forest fans in the Spion Kop end, the stadium's larger section, despite Liverpool having a larger fan base. They were designated the Leppings Lane stand. Liverpool fans arriving had to pass through several turnstiles. As it became visibly overcrowded before kick-off, the police ordered a large exit gate (Gate C) to be opened to allow supporters to enter straight down a tunnel, which led directly to two pens in the Leppings Lane stand. This sudden influx of supporters caused forward crushing, with fans climbing over fences at the side of the pens to escape the crush. Moments after

kick-off, a crush barrier broke, resulting in fans falling on top of each other. Approximately six minutes into the game, the match was stopped but it was not officially abandoned until half-time.

Following the disaster, the official inquiry, the Taylor Report (1990), concluded that the main reason for the disaster was the failure of police control. The findings of this report resulted in the elimination of 'standing terraces' at all major football stadiums in England, Wales and Scotland.

In 2009, on the 20th anniversary of the disaster, government minister Andy Burnham called for the police, ambulance service and all the other bodies involved in the disaster to release documents relating to the event which had not been made available to the Taylor Inquiry in 1990.

This ultimately led to the formation of the Hillsborough Independent Panel, which in September 2012, concluded that Liverpool fans were not responsible for the deaths. It was also revealed that the authorities had made attempts to conceal what happened. This included the amendment by police of 164 witness statements relating to the disaster. The panel report prompted apologies from the then prime minister, David Cameron, the Chief Constable of South Yorkshire Police, David Crompton, and Kelvin MacKenzie, the then editor of The Sun, for their organisations' respective roles in the disaster.

Chaired by Bishop of Liverpool James Jones, the Hillsborough Independent Panel concluded that up to 41 of the 96 who died might have been saved had identified failings been addressed. In addition, it also revealed multiple failures in other emergency services and public bodies, which contributed to the death toll.

In response to the panel's 2021 report, the Attorney-General for England and Wales, Dominic Grieve MP, QC, confirmed that he would consider all the new evidence that had emerged and evaluate whether the original inquest verdicts of Accidental Death could be overturned.

In 1989, most football stadia in the UK placed high steel fencing to separate spectators from the pitch. This was in direct response to hooliganism affecting football for several years that was particularly virulent in England. The hooliganism would often be expressed in pitch invasions, the throwing of missiles, and both pre- and post-match violence. However, from the early 1970s, when these security measures were implemented, English stadiums experienced increasing numbers of crushes.

Hillsborough Stadium became a regular venue for FA Cup semi-finals during the 1980s and hosted five matches. A previous crush occurred at Hillsborough during the 1981 semi-final between Tottenham Hotspur and Wolverhampton Wanderers, resulting in 38 injuries. This event prompted Sheffield Wednesday to alter the design of the Leppings Lane stand, which was divided into three separate pens.

When Sheffield Wednesday was promoted to the First Division in 1984, the stand was further divided into five pens. In 1983 when Liverpool and Nottingham Forest met at the same semi-final stage of the same competition, many Liverpool fans reported crushing in the Leppings Lane stand. As a result, Liverpool Football Club lodged a complaint before the 1989 FA Cup semi-final.

As is usual practice in most domestic matches in England, Hillsborough was segregated between the two opposing fans. The police chose to put Nottingham Forest fans in the Spion Kop end of the stadium, which had a capacity of 21,000 in total. The Liverpool supporters were assigned to

the Leppings Lane end of the stadium, with a capacity of 14,000 fans.

The kick-off for the match was scheduled for 3:00 pm, and the fans were advised to take up their positions 15 minutes before kick-off. On the day of the match, radio and TV advised that supporters without tickets should not attend the match. Fans had been delayed arriving at the stadium because of roadworks on the M62 motorway and subsequent road congestion.

Between 2:30 pm and 2:40 pm, there was a large build-up of fans in the relatively small area outside the turnstile entrances to the Leppings Lane end, fans being eager to enter the stadium before the match started.

A bottleneck developed with more fans arriving than could be accommodated in the two pens in the middle of the Leppings Lane stand. Fans who had been refused entry could not leave the area because of the crush behind them, so they remained as an obstruction. In one instance, a small gate was opened to eject one person, but twenty people got into the ground through it.

Also, a side gate was opened to ease the build-up; with an estimated 5,000 fans trying to get through the turnstiles.

With concerns over crushing outside the turnstiles, the police (to avoid deaths outside the ground) opened a set of gates intended as an exit, which did not have turnstiles (Gate C). This decision allowed a rush of supporters through the gate into the stadium.

This decision to open Gate C resulted in thousands of fans entering through a narrow tunnel at the rear of the terrace and into the two already overcrowded central pens. This action created additional pressure at the front of the terrace. Hundreds of people were pressed up against one another

and against the fencing at the front by the sheer weight of the crowd behind them.

The people entering were unaware of the problems at the fence. Police or stewards would normally have been positioned at the entrance to the tunnel when the central pens reached capacity. They would have directed the fans into side pens, but on this occasion, they did not. At the time, a BBC TV news report stated that if police had positioned two police horses correctly, they would have acted as breakwaters directing fans into the side pens.

For some time, the problem at the front of the pen was noticed only by those directly affected. The attention of the majority of those present was absorbed by the match, which had already begun. It was only at 3:06 pm that the referee (on being advised by the police) stopped the match. Fans had begun climbing the fence onto the pitch to escape the crush. The intensity of the crush had broken the crush barrier on the terrace. Those packed in the pen died of compressive asphyxia while standing.

The police, stewards and St John's Ambulance Service members present at the stadium were overwhelmed. Many uninjured fans helped assist injured fellow fans. By this time, 44 ambulances had arrived, but police prevented all but one from entering the stadium.

Only 14 of the 96 fatalities ever arrived at a hospital. A total of 96 people died on the day, either at the stadium, in the ambulance, or at hospital shortly after arrival. Their ages ranged from 10 to 67 years old, with 766 other fans injured, around 300 of whom were hospitalised.

On 19 April, the death toll reached 95. A 14-year-old boy, Lee Nichol had been attached to a life-support machine since the event, but succumbed to the crush injuries he had

received at Hillsborough. The final death toll reached 96 in March 1993, when the artificial feeding and hydration of 22-year-old Tony Bland was withdrawn after nearly four years.

During this time, Tony had been in a persistent vegetative state (PVS) and showed no improvement. Most of the fatalities were young. 79 were aged 30 years or younger.

By the time of the disaster's 10th anniversary in 1999, at least three people who survived the events of the day were known to have committed suicide due to emotional problems brought on by the disaster. Numerous cases of alcoholism and drug abuse were also blamed on the tragedy.

Immediately following the disaster, Lord Justice Taylor was appointed to conduct an inquiry into the disaster. Taylor's inquiry lasted for 31 days and published two reports, the first being the Interim Report, which covered the events of 15 April 1989 and the immediate conclusions reached. The Final Report made general recommendations regarding football safety. As a result, previous pens were converted to all-seated venues.

In its conclusions, the Taylor Report found that "policing on 15 April broke down in the ways described, and although there were other causes, the main reason for the disaster was the failure of police control".

There was considerable debate over some aspects of the disaster; in particular, attention was focused on the decision to open the secondary gates. It was suggested that it would have been better to delay the start of the match as had occurred at other venues and matches.

Although it was noted that Hillsborough was considered

one of the best stadiums in the country, Sheffield Wednesday was criticised for the low number of turnstiles at the Leppings Lane end and the poor quality of the crush barriers there. However, as stated earlier, the Taylor Report stated that the official cause of the disaster was “the failure of police control”.

Due to the low number of turnstiles, it was estimated that it would have taken until 3:40 pm to get all ticket holders into the Leppings Lane end had an exit gate not been opened. Gate C was opened to let more fans in, but the total number of fans entering the terrace was not thought to have been more than the capacity of the standing area.

The disaster happened because most of the fans entering the terraces headed for the central pens three and four, as directed by the large notice pointing them that way above the tunnel. Normally a police officer or steward would direct fans away from already-full pens, but on that day, this did not happen. There were no stewards in that area at all.

The official capacity of these pens was around 2,000. Still, the Health and Safety Executive later found that this should have been reduced to around 1,600 as the crush barriers did not conform to the Guide to Safety at Sports Grounds 1986.

It is estimated that more than 3,000 people were in those pens shortly after kick-off at 3:00 pm. It was this overcrowding that caused the fatal crush.

There were accusations that the behaviour of the Liverpool fans contributed to the disaster. Accusers specified the consumption of alcohol before the game and attempts to enter the ground without a ticket. Lord Taylor acknowledged that these aggravated the situation but were only secondary factors. Witness estimates of the number of drunk fans varied from a minority to a large proportion of

the crowd.

Lord Taylor unequivocally stated that most of the fans were “not drunk, nor even the worse for drink”. He concluded that they formed an exacerbating factor.

The issue of fans attempting to gain entry without tickets (or with forgeries) was also suggested as contributing to the disaster.

South Yorkshire Police also suggested that the late arrival of fans amounted to a conspiracy to gain entry without tickets. However, analysis of the electronic monitoring system, Health and Safety Executive analysis and eyewitness accounts showed that the total number of people who had already entered the Leppings Lane end was far below the capacity of the stand there.

In addition, eyewitness reports dismissed the conspiracy theory.

After the disaster, pitch-side barriers were removed from many football stadiums in Britain. The Taylor Report deeply impacted safety standards for stadia built in the UK. Most notably, all new stadiums built in the Premier League and most Football League venues have been all-seater stadiums.

In May 1997, when Labour came into office, the then Home Secretary, Jack Straw, ordered an investigation into the disaster. This was undertaken by Lord Justice Stuart-Smith.

In the years following the disaster, there was a growing feeling that the full facts behind the disaster were not in the public domain. There was also suspicion that some facts had been deliberately covered up. The Hillsborough Family

Support Group, under the leadership of Trevor Hicks, had long campaigned for the release of all relevant documents covering the disaster.

Following the 20th anniversary of the disaster in April 2009, supported by the then Culture Secretary Andy Burnham and Minister of State for Justice, Maria Eagle, the government asked the Home Office and the Department of Culture, Media and Sport to investigate the best way for this information to be made public. In December 2009, the then Home Secretary, Alan Johnson, announced the formation of the Hillsborough Independent Panel, whose remit would be to oversee “full public disclosure of all relevant government and local information within the limited constraints set out in the disclosure protocol” and “to consult with the Hillsborough families to ensure that views of those most affected by the tragedy are taken into account”.



Beyond Reasonable Doubt
The Jenkins Case
Revisited

by

Dr David
 Holding



Beyond Reasonable Doubt: The Jenkins Case Revisited

Book 19. Published 2023

Find out more and get the book

Billie-Jo Margaret Jenkins was a 13-year-old girl who was brutally murdered on 15 February 1997 in Hastings, East Sussex. She was originally brought up in East London, with her father imprisoned and her mother unable to cope on her own.

Billie-Jo was placed in foster care from the age of nine with Sion and Lois Jenkins, who coincidentally had the same surname but were not related. The couple already had four daughters of their own.

Billie-Jo's foster-father, Sion Jenkins, had started teaching in a number of schools within the London area. In 1992, he applied for the post of deputy headteacher at the William Parker School in Hastings, East Sussex. On securing this position, the Jenkins family moved from London to Hastings in August 1992.

Billie-Jo moved with the family and attended Helenswood School in Hastings. She had been living with the Jenkins family for five years prior to her death in February 1997. She was described as being a 'fun-loving' child who wanted to become an actor.

At the time of the murder, this case gained widespread media attention and to date, the case remains unsolved. Within the space of one month following the death, Billie-Jo's foster-father, deputy headteacher Sion Jenkins, became the prime suspect.

He was arrested, charged and convicted of the crime at a trial held in 1998. However, following two appeals and two further re-trials, Jenkins was formally acquitted of the crime in February 2006. In both of these re-trials in 2005, the juries were unable to reach a verdict.

Jenkins spent six years in prison following his conviction, but, on his acquittal, he was denied compensation for the time spent in prison. This was on the grounds that there was no evidence to prove his innocence of the crime. This was, apparently essential in order to be considered for compensation payments.

He had been declared 'Not Guilty' at the second re-trial by the judge. It appears that Sion Jenkins holds the rare distinction of having been acquitted of murder, but has never been found 'Not Guilty' by a jury. A second charge of 'obtaining a pecuniary advantage by deception' in that he lied about his academic qualifications to obtain the post in Hastings, was not pursued, but 'left to lie on file'.

Sussex Police have maintained that there are no plans to re-open the investigation into Billie-Jo's murder. However, in January 2022, they did announce that as part of a regular 'cold-case review', they would be re-examining the available evidence from the crime scene to see if advances in forensic science since 1997 could lead to a breakthrough in the case. They also assured the public that any new information received which may lead to new lines of

enquiry, will always be considered.

Billie-Jo's natural family have always maintained that Sion Jenkins was guilty of Billie-Jo's murder, and have blamed the outcome of the final re-trial on the judge's ruling that new forensic evidence obtained by the prosecution was deemed inadmissible. This was due to a procedural oversight on the part of the prosecution, having failed to disclose this new evidence in time for the defence to examine and respond to it. The judge considered this to be disadvantageous to the defence.

The aim of this work is to consider and analyse the evidence presented by both the prosecution and defence over the course of three criminal trials and two appeals. In so doing, it may be possible to answer two critical questions which this case raises.

Did the police have the right suspect in the first place, or was an innocent man wrongly convicted of a crime that he did not, or could not, have committed?

Analysis of the case reveals that Sion Jenkins became the target of a lynch-mob mentality in the public's eye. This was certainly fuelled to a large extent by media frenzy which was also reinforced by the seemingly endless legal processes Sion Jenkins had to endure.

This work also exposes failings in the criminal justice system in terms of its administration. There was what some observers of the case have described as deliberate 'tainting' of the Jenkins's children's statements to the police following the murder, together with a concerted effort to influence the statements made by Lois, Jenkin's former wife.

To assist the reader, the work follows a chronological format of events, beginning with the relevant backgrounds of the main families involved in the tragedy. This is followed by an examination of the police investigation itself and the interviewing of witnesses. Included are details of two other suspects of interest to the inquiry, both of whom were eventually eliminated from the investigation.

A chapter is devoted to a detailed analysis of the forensic evidence presented by both prosecution and defence, because this formed the main strand in the prosecution and defence of Sion Jenkins. A chapter is devoted to media response to the crime. The work concludes with a retrospective overview of the case.

Taken as a whole, the work will provide the reader with the opportunity to consider a case which has become one of the greatest *causes celebres* in British criminal history. Here the reader is invited to consider the evidence presented to the juries in the three criminal trials. With the benefit of this information, it is hoped that the reader will be in a position to reach their own considered verdict in this thought-provoking criminal case. It is also hoped that the work will contribute to, and possibly encourage, a quest to expose those who bear the responsibility for this horrific and senseless crime.



The
**Ukrainian
Conflict**

A British Perspective

**Dr David
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The Ukrainian Conflict: A British Perspective. Book One - The Year 2022

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Russia's invasion of Ukraine on 24 February, 2022, is regarded as the biggest threat to peace and security in Europe since the end of the Cold War. Russian President, Vladimir Putin's, justification for what he has coined the 'Special Military Operation' essentially rests upon his dislike over the expansion of NATO in Europe. In particular, Putin's fundamental issue centres upon the perceived legitimacy of Ukraine to be regarded as an 'independent' state in its own right. Putin's obsession is a belief that 'unity' exists between all eastern Slavs, which include Russian, Ukrainian and Belarusian. To support this belief, Putin has claimed that Ukrainian and Belarusian separate 'identities' are fundamentally artificial. They have, according to Putin, emerged as the result of 'foreign manipulation' by the West in an attempt to discredit Russia.

Since Putin came into power, Moscow has pursued a policy towards Ukraine based on Putin's convictions that its 'national identity' is untenable. It is this conviction which Putin assigns to the ideal of Russian, Ukrainian and Belarusian 'unity' that explains the origin of the present conflict. This is the overriding reason why Moscow has been so willing to carry out a large-scale war with Ukraine, despite the fact that neither Ukraine nor NATO have posed

any military threat to Moscow. In addition, Ukraine's bid for membership of NATO is seen by Russia as a threat to its security. What is now abundantly clear from Russia's invasion of Ukraine, is that Moscow aspires to dominate Ukraine politically, economically and militarily.

What this invasion exposes is Russia's military strategy that appears to have been calculated on the fact that sufficient Ukrainians, particularly in those areas in the east of the country, would readily accept a form of 'reintegration' under Russian control. This, according to Russia, is because of a 'perceived shared culture' embracing linguistic, religious and other 'ties' with Russia. However, this perception has not been borne out, since pre-war polls have clearly demonstrated that a large percentage of Ukrainians would be willing to defend their country and its 'independence' against Russian aggression. Now Russia has become bogged down because of this miscalculation.

What Putin has overlooked dramatically, is that since Russia's annexation of Crimea back in 2014, there has taken place a significant consolidation of Ukrainian 'civic identity'. A generation has now grown up in an 'independent' Ukraine, with a robust and successful democracy, and a significant 'European' outlook.

On the other hand, Putin's Russia has remained fixated on 'quasi-imperial' power aspirations, while the invasion of Ukraine has 'united' Ukrainian citizens in all regions of the country from linguistic and religious backgrounds. This has, in fact, reinforced and 'not unified' the split between Ukrainian and Russian distinct identities. In Putin's vanity he portrays himself as embodying 'Russia's imperial tradition'. This is why he insists that NATO and the European Union are responsible for 'manipulating' 'national sentiment' as an integral part of their own geo-

political competition against Russia. It is now emerging that the Kremlin's 'over-confidence' that the conflict with Ukraine would be won quickly and easily has backfired significantly. Political outlooks in Ukraine and Russia have diverged. Calls for Ukraine's integration with both the EU and NATO have grown substantially since Russia's annexation of Crimea and the occupation of Donetsk and Luhansk.

Preparations for Russia's planned invasion of Ukraine were centred on the mobilisation of collaborators from among the host population which has failed to materialise, mainly due to the prospect of the 'all-Russian' nature which has generally been rejected. Evidence over the past twelve months has revealed that Russia's military calculations have been dramatically wrong. History has shown that Moscow's repeated attempts to bring Ukraine within the Russian 'sphere of control' have all failed. Putin's invasion of Ukraine in February 2022, now appears to be a 'last-ditch' effort to reverse the legacy of past failures. However, judging by Russia's current failures, it was much more likely to accelerate rather than reverse the process of 'nationalisation' in Ukraine.

It has also now become patently clear that Moscow's ambition to force Ukraine to abandon its aspiration for closer integration with the West has also failed. In effect, Putin has gambled on an 'all-out' invasion of Ukraine by massing a reported 190,000 troops on the Ukrainian border with Russia. However, Moscow lacks the sheer manpower to carry out a sustained military occupation of Ukraine. The failure to occupy the cities of Kyiv, Khartiv and others in the spring of 2022, has resulted in heavy casualties, and effectively forced Russia to retreat back to the Donbas region. Both US and EU sanctions have hit Russia

economically. In addition, the war has prompted a mass exodus of professional Russians. The current conflict firmly rests on the same assumptions about Ukrainian 'identity' that have back-fired on Moscow before.

Ukrainian resistance has far surpassed anything Moscow expected. Russian forces have suffered thousands of casualties and they have failed drastically in their initial objective to occupy the capital, Kyiv. In retrospect, Putin's gambles have backfired. Russia has failed to achieve any of its stated military objectives and also suffered significant losses in terms of troops and material.

The consolidation of Ukrainians of all linguistic and regional backgrounds is an endorsement of and consistent with, the 'historical' experience of foreign invasion. This acts as the catalyst for both 'state building' and 'national unity'. If Russia is determined to be Europe's 'enemy', then they must be treated as such. The aim of this work is to provide readers with an overview of the progress of the current conflict in Ukraine from the initial invasion in February to the end of 2022. The reader is introduced to the historical background relevant to the relationship between Russia and Ukraine. This goes some way to explain the objective for Russia's invasion of the country. This work is organised in a chronological sequence to enable the monthly progress of the two armies to be assessed. In this way, the reader is involved in the ongoing military campaign as it unfolded during 2022.

The penultimate chapter of the work considers the controversial question of alleged 'War Crimes' and 'Genocide' perpetrated by retreating Russian troops in Ukraine. Some of the text reveals the horrifying treatment meted out to 'civilians' in the country. The concluding

chapter is devoted to a selection of *Commentaries* by expert observers of the crisis, with expertise in the field of armed conflicts and politics. These reflections are essentially personal views, and provide the reader with a ‘balanced assessment’ of the Ukrainian war and a suitable conclusion.

Vladimir Putin’s goal is to win his place in history as the man who managed to recreate the Soviet Union, restore the Kremlin’s power, and strike fear into the hearts of ‘free nations’. What Putin fails to comprehend is that he has already lost. Here we have a man humiliated by the fact that he has seriously underestimated the reality of the situation since the initial ‘illegal’ invasion of Ukraine back in February, 2022. He has fatally underestimated the resistance and persistence of the Ukrainian people. His dream of victory will never materialise.