

# Current Criminal Law



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## UK Home Secretary: wilful negligence of asylum seekers?



**SALLY RAMAGE** <sup>1</sup> <sup>2</sup>

*Mens rea* means a **guilty mind**; *guilty knowledge* and *wilfulness* without clear permission to do so.<sup>3</sup> Someone on *Twitter* social media website mentioned that the UK Home Secretary has a legal duty to “safeguard our waters” in terms of “safeguarding against dangerous crossings in inadequate vessels” and this is a subject that has been sorely neglected. The subject of the UK’s surrounding waters is often vehemently argued over with regard to *fishing rights*.

### Children’s rights

Why then are not other rights considered in relation to our surrounding waters? Our surrounding waters are under our jurisdiction. We do not only safeguard the United Kingdom through the UK Defence and Military systems against “marauding foreigners” as in days of old. Our surrounding

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<sup>1</sup> WIPO 900614, 2005-2025.

<sup>2</sup> ORCID at <https://www.orcid.org/0000-0002-8854-4293>.

See also <https://www.criminal-lawyer.org.uk/>

<sup>3</sup> Editor, *Black’s Law Dictionary* (1990), 6<sup>th</sup> Edn. St Pauls: West Publishing Co.

waters must today be safeguarded against unnecessary deaths by river crossings and this must come under the umbrella of human rights, surely, especially young children who die in our surrounding waters before reaching our shores with their parents-genuine asylum seekers whose rights we have breached by the hundreds of thousands being not yet legally processed –contrary to the Human Rights to a Fair Trial.

### **Unfair English asylum seekers' procedure**

Such many infants must not be locked up with their parents because these infants have done nothing wrong and babies, toddlers and children under age ten are not included in the UK penal system. They cannot be individually 'processed' to discover whether they have the *mens rea* of a criminal act of getting into a small boat, paying the fare for the crossing and reaching UK shores to face a myriad of police officers and government officials when in fact they need food and drink, change of nappies and change of clothing. They are legally minors, not criminals.

The UK Home Secretary appears to have mistaken the code of criminal procedure for the UK penal code. Criminal procedure is often called the faithful handmaiden of criminal law and the complexity and minutiae of its rules are not a collection of 'forbidding provisions' and many inexperienced non-lawyers often think.

To every country's procedural system is a fundamental underlying structure which takes account of the different tasks of criminal procedure<sup>4</sup>.

Well known is the fact that criminal procedure around the world generally falls into mainly two types of criminal procedure and variations and mixtures of procedures which are mainly accusatorial and inquisitorial procedures in countries around the world.<sup>5</sup>

It is to be noted how successfully lawyers play a role in United States legal system, compared to the UK system today. U.S. lawyers, unlike lawyers in many other countries, do 'run the show'. Their ethics and their concept of justice tend to be mostly procedural and override larger public interests<sup>6</sup>, in that U.S. lawyers can and do convert and manipulate public interests to achieve the private interests of their clients, the organisations they

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<sup>5</sup> In fact, many of the aspects of criminal procedure in the Soviet Union and China are due to the fact that both countries' procedural systems are mainly inquisitorial. Inquisitorial systems had their origin in the late Roman Empire, then disappeared from Western Europe during the early Middle Ages, and later re-established in Western Europe in the 13<sup>th</sup> Century by the Roman Church. Later inquisitorial procedure took its mixed modern form in France after the French Revolution of 1879. Some aspects of Soviet Union and China's procedures can be found in French law (codified and primarily the product of legislative and executive bodies instead of the courts. The main difference between modern procedures in France and those of China & the Soviet Union is that France enjoys more independence from State control than China and the Soviet Union; whilst the U.S. system has its roots in the English common law tradition, but when laws replace common law, courts may limit the scope of legislature's innovation by construing words used in the statute in ways consistent with meanings these words have acquired in past rulings of the courts. Today English law is still retarded by the fact that common law decisional rules have a high degree of uncertainty beyond the facts of the case or cases which they sprung from.

<sup>6</sup> Here, public interests include interests protected by the legal system from victimisation by government, gov. interests e.g. police, prosecutors and judges. Private interests include defendants' interests in evading a criminal conviction; or reducing penal consequences; or in deriving private advantage for themselves or agencies that employ them; and in engaging in deals with the opposing party.

represent or themselves. The adversarial system cannot operate without lawyers and is beyond the control of non-lawyers-to date. Plea-bargaining, for example, lends itself to be dubbed as lawless, since it has almost total lack of concern with accurate determination of whether an accused is guilty or innocent, or whether according to some objective standard, he or she receives the punishment that he or she, individually, ought to receive.

## **Trafficking of Billions of £ worth of illicit drugs – UK conduit**



**SALLY RAMAGE** ®

In the UK we have not been so keen on stopping the trafficking as billions of pounds sterling of illicit drugs: in fact it has been widely known for dozens of years that the UK is the conduit for transporting illicit drugs across to Europe, turning a blind eye to the United Nations Convention Against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances.<sup>7</sup> This Convention, as adopted, calls upon party states to take specific law enforcement measures to improve states' ability to identify, arrest,

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<sup>7</sup> 18 Denv. J. Intl. L. & Poly. 387 (1990).

prosecute and convict those who traffic in drugs across national boundaries, using methods including the establishment of drug-related criminal offences and sanctions under domestic law, making such offences the basis for international extradition between party states and providing for mutual legal assistance in the investigation and prosecution of covered offences as well as the seizure and confiscation of proceeds from and instrumentalities used in illicit trafficking offences. But the UK does not do this. Instead, it deports little people with a few grams of cannabis etc., oftentimes people who were born here and have never seen the place they are being deported to, without any facilities of appeal whatsoever, putting the UK in a position to be charged with offences of ethnic cleansing or genocide.<sup>8</sup>

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<sup>8</sup> This govt. raised the idea that the UK is overcrowded. This does not excuse the UK from deliberately allowing hundreds of people in small boats to drown within reach these islands. See Hansard 714, 11<sup>th</sup> May 2022.

## EU millions receive free DSS Payments having left the UK after staying for awhile



**SALLY RAMAGE** ®

Transporting potentially *hundreds of millions of peoples from European Member States* through the right to free movement within the European movement was blessed and approved by ex-Prime Minister Tony Blair, Lawyer. It has been recorded that there are a million Polish citizens who travelled to the UK, stayed for a while, registered to work, etc and receiving unemployment and /or sickness benefits, returned happily to Poland where they happily draw free money from the UK Treasury-all legal due to that government in place in the UK at that time.

Murderers, fraudsters, thieve, rapists, terrorists, etc. came and went freely because our own London Metropolitan Police was still using hundreds of old Operating System Windows XP computers – deliberately or not-up to recently- and the EU oversight bodies were unable to see whether there was surveillance of criminals crossing over to and from the UK or not. This is especially import with regard to money laundering, because it is universally known that the capital place for money laundering facilities is

in the United Kingdom. This is no new concept. Looking through legislation over hundreds of years one can see blatantly that property has always had more value over lives in the UK. Money rule-not life.

Up to a dozen years ago, we have been aware that the National Health Service has been systematically plundered by officials who facilitated counterfeit drugs to be bought and sold for hospital consumption for oftentimes hundred times the true cost of the drugs they replaced. There were myriad drug manufacturers as there were hundreds of drug manufacturers which were created during the Covid Pandemic, as criminals became aware of the financial opportunities of making hundreds of millions of pounds through blatant fraud. You know who you are and I myself saw hundreds advertising their new companies on *Linked-In* social Media website. It is a simple matter to create a full list of these new PHARMAS.<sup>9</sup>

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<sup>9</sup> Look on Companies House Website; on drugs directories; on social media websites; and on other countries' websites.



## **UN Convention's stringent Controls on the international trade of unmonitored chemicals, equipment and other materials in new manufacture of drugs<sup>10</sup>**



**SALLY RAMAGE** 

This UN Convention obliges party states to cooperate among themselves in suppressing illicit traffic. It does not appear as illicit traffic when the company is operating a new drug company making Covid-related drugs allegedly. Who in the UK would stop the possibility of easily gaining billions of pounds sterling of easy drugs money? Not the highest in the land. Article 3 of the illicit trafficking convention requires that each party state establish criminal offences under its domestic law a comprehensive list of activities involved in or related to international drug trafficking, including counterfeit drugs to be sold to the NHS for a hundred times the price of former drugs used. The already wealthy people are the very ones who facilitate these rogue practices for they have the means to buy their own

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<sup>10</sup> This goes hand-in hand with the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, which provides definitions of 'firearm', 'parts and components', 'ammunition', 'illicit manufacturing', 'illicit trafficking' and 'tracing'.

yachts, aeroplanes, factories etc., in plain sight, and though the UN Commission on narcotic drugs and the UN International Narcotics Board are empowered with administrative and oversight responsibilities of the party states, nothing seems to happen and the wealthy grow wealthier, even though one of the mandatory offences by Article 3(1) includes “the organisation, management or financing of production, cultivation, possession, manufacture” of such drugs for nationwide government-sponsored use in hospitals and by prescription from doctors.

## UK Border barriers to trafficking in arms non-existent



**SALLY RAMAGE** 

How is it that youth in the UK having access to guns they use to kill each other with? This country is not an armed country yet many persons who should not have guns do possess them until we learn of a killing. We do not, in the UK, have the right to own and trade in arms. Guns come into the UK in a similar to illicit money and illegal or counterfeit drugs. In July 2001, two dozen years ago, the United Nations convened a global conference on “The illicit trade in Small Arms and Light Weapons in all its aspects.”

As a result of this conference an agreed “Programme of Action” was agreed on, calling on states to take measures to prevent, combat and eradicate the illicit trade in small arms<sup>11</sup> and light weapons<sup>12</sup>. Because SALW has

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<sup>11</sup> ‘Small arms’ are weapons intended for personal use such as revolvers, self-loading pistols, submachine guns, assault rifles, and shoulder-fired missiles.

<sup>12</sup> ‘Light weapons’ are intended to be used by crews of a few persons, including heavy machine guns, re-coil-less rifles, anti-tank and anti-aircraft missiles, rockets and low-calibre mortars. In reports in year 2010, the number of small arms and light weapons (SALW) in existence globally was estimated to be over 500 million, then worth billions of U.S dollars and manufactured by more than 1,000 companies in about 100 countries, these countries mostly permitting the export of these weapons (SALW). In year 2010 the main exporting countries of SALW were Brazil, China, Germany, Italy, Russia and the USA.

legitimate uses by law enforcement and the military and many small arms become available to criminals through resale due to lack of strict international criteria and controls and also deception by authorities who deceive about the number of weapons they actually have in their legal possession, making SALW a sort of currency to swap for drugs and other items. So lawfully produced arms can be diverted and sold illegally to organised crime outfits, especially if domestic rules and regulations succumb to 'cash-in-hand'. This is one way that organised terrorists, subversives and criminal organisations obtain most of their illegally-held weapons,<sup>13</sup> not to mention the be all and wend all of these crimes-the money laundering, because cash is king.

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<sup>13</sup> The fact that SALW have the capacity to cause widespread death and injury and are easy to use, is the reason why criminals like them, as they can result in profound civil and political consequences.

## **Examination of UK borders as regards pollutants, nuclear waste and contaminants**



**SALLY RAMAGE** ®

For many dozens of years the UK government has committed terrible international and national crimes by welcoming contracts with other countries to 'look after' their nuclear waste for them-at a price. On top of this and with the ignorance and innocence of the UK public-at-large, the UK government has put all our lives at huge risk of being shortened by cancer and radiation leaks and chemical waste in our bathing and drinking water, simultaneously boasting that ours is the best quality water in the whole world, an obvious lie.



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