

“It is not merely of some importance but is of fundamental importance, that Justice should not only be done but should manifestly and undoubtedly be seen to be done”.

In her [press release about Amazon](#) withdrawing Ibn Warraq’s book, and their previously withdrawing Easy meat by Peter McLoughlin Rebecca stated, as vindication for the information within Easy Meat

“Lately, the British press has been filled with trial after trial, as these men finally face justice after British officials had turned a blind eye to the phenomenon for over twenty-five years.”

And before lockdown that was true. But since trials have resumed now that pandemic restrictions have been lifted virtually no trials are reported upon in the press.

Men (usually in Northern towns, with names one associates with Islam) will be arrested. Groups of 20+ will attend the local Magistrates court (all criminal cases in England and Wales must start with the magistrates, then depending on the crime, they are committed to the Crown Court) and their names will be in the public domain. The local paper might well report, and the county police force may well publish a news release; they are glad of the opportunity to demonstrate that they are now taking industrial scale sex assault/rape/prostituted slavery seriously.

Then when proceedings reach the Crown Court a reporting restriction is made and that is often the last heard of the matter, in public, that is openly known. As a matter of general interest, me being old school, there is only one Crown Court in England and Wales. But it sits at many different sites. Therefore the correct way to refer to a court is The Crown Court (sitting at) Barchester. Barchester Crown Court is not correct, but nobody else bothers to describe it any other way. It's not relevant to this issue.

There are professional websites where Crown Court listings can be examined. Legal professionals can subscribe and have access to all sorts of information. Even the free subscription available to members of the public gives a certain amount of information. Not that I dare repeat any of it. The warning 'Reporting restriction – check with the Court' is attached every day.

My favourite such site vanished during lockdown, but there are others that I consult regularly.

I therefore know that of over a dozen men arrested in 2019, who should have gone before the courts in 2020, then 2021, most of them were tried piecemeal early this year, and some were even sentenced. But nothing has been permitted to appear in the local press. I have the dates, I know what court, before what Judge. I do not know what the convictions were for, or what the sentence was; and if I did know I couldn't tell you. If I did 'they' would have to kill me. Or at the very least ruin my life.

I know that a small group of men from a larger group arrested and taken through the magistrates court this spring are on trial at the moment in a court centre in England. I have no idea what stage the trial has reached.

The lists will often, for a post office robbery, say, have some information every evening. For example Witness No 3

sworn. Defence case begun. All there is for this case is 'part heard'. Every day 'part heard'. Another case I am following solely by number; even the names are substituted with asterisks.

I have no idea how many other cases are on going but I have not spotted them as I surf Court news.

There is a valid case for reporting restrictions in some situations. The names of sexual assault victims are always, rightly, kept confidential and have been for years. Often cases will not be reported until every defendant is dealt with; one wouldn't want the next trial for a defendant compromised because the jurors read about his conviction only the previous week.

These are the [official Judiciary guidelines](#) on the imposition of Reporting restrictions, updated only last month.

It is a central principle of criminal justice that the court sits in public so that the proceedings can be observed by members of the public and reported on by the media. Transparency improves the quality of justice, enhances public understanding of the process, and bolsters public confidence in the justice system. Media reporting is critical to all these public interest functions. There are occasions, however when it is necessary to make an exception to these principles, to protect the rights of children or the identities of some adult complainants for example.

And

In recognition of the open justice principle, the general rule is that justice should be administered in public. To this end:

- *Proceedings must be held in public.*
- *Evidence must be communicated publicly.*

- *Fair, accurate and contemporaneous media reporting of proceedings should not be prevented*

by any action of the court unless strictly necessary.

Therefore, unless there are exceptional circumstances laid down by statute and/or common law the court must not:

- *Order or allow the exclusion of the press or public from the courtroom for any part of the proceedings.*
- *Allow evidence to be withheld from the open court proceedings.*
- *Impose permanent or temporary bans on reporting of the proceedings or any part of them*

including anything that prevents the proper identification, by name and address, of those appearing or mentioned in the course of proceedings. Important statutory exceptions to the open justice principle are the exclusion of the public from criminal proceedings in the Youth Courts and the prohibition on identifying under 18s...

The courts and Parliament have given particular rights to the press to give effect to the open justice principle, so that they can report court proceedings to the wider public, even if the public is excluded

To summarise, the victims must be protected, the young must be protected. Otherwise the imposition must be 'exceptional'. It is becoming the rule.

And while I can see the need for a reporting restriction for short periods, or in some EXCEPTIONAL cases I cannot rid myself of the suspicion that these trials are no longer reported because the authorities are frightened of public opinion, were the details of the crimes and the vulnerability

of the victims to be widely known.

“It is not merely of some importance but is of fundamental importance, that Justice should not only be done but should manifestly and undoubtedly be seen to be done”.

I actually remember the full text of [Lord Chief Justice Hewart's](#) famous maxim in R v Sussex Justices ex parte McCarthy 1924. (It is usually abbreviated to “Justice must not only be done but should be seen to be done”)

Even if these restrictions ARE done for the best of motives they are giving rise to all manner of conspiracy theories about secret trials and corruption in high places. It is doing no good.