

The Culture of the Breach

A Defence Lawyer's Handbook for Identifying and Challenging Abuse of Process Under PACE 1984 and CPIA 1996

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Price \$95

An essential handbook for UK defence lawyers at all levels of position, role and experience. A fresh perspective with a book that 'flips the script' by focusing on the reality of the abuse rather than just a mundane recycling and reciting of Police & Criminal Evidence Act 1984 (PACE) Codes of Practice and related procedural law.

Thoroughly researched and verified case examples of each element.

- **Why this book works for the busy Duty Solicitor or Trial Advocate.**

- ☐ Searchability
- ☐ Ease of Reference
- ☐ Instantaneous Learning
- ☐ Conversion into critical situational practical skills and competence across the range of process abuse issues

Construct and Rationale

The Field Guide Formula: each sub-section benefits from a repeatable, inverted layout:

1. **The Mirage:** What the police write on the official forms/logs.
2. **The Reality:** The actual strategic abuse or shortcut taking place.
3. **The Law:** The specific PACE/CPIA breach (your legal backdrop).
4. **The Countermeasure:** The exact application, submission, or cross-examination line the advisor should deploy.

Part 1: The Custody Suite Chronology

*Reciting detention time limits and review requirements under PACE Code C. The "Sleep Deprivation" Tactic: How late-night reviews and delayed starts are used to wear down defendants, and what the custody record *really* means when it says "resting." And other examples of how the 'custody clock' is manipulated.*

Part 2: The Interview Room

Amid a wide range of examples this chapter explains the right to legal advice and the mechanics of disclosure prior to interview - and challenges during the interview,

The Myth of the 'Voluntary Interview'

The Ambush & The Pivot: Recognizing "drip-feed" disclosure tactics in real-time, and how police use vague summaries to trigger a "No Comment" inference unfairly.

Part 3: The Digital Footprint Sting

Examining and practically understanding and applying the truism of how the police must pursue all reasonable lines of inquiry under CPIA Code of Practice. The Digital Black Hole: How "disproportionate burden" arguments are normalized to avoid downloading exculpatory phone data, and how to spot the selective extraction of text messages.

Part 4: Skirting the MG6 Schedule

Explaining the difference between sensitive and non-sensitive unused material. The Art of the MG6C: Spotting the "neutralized description"—how highly relevant, helpful evidence is buried under boring, one-word descriptions like "Log" or "Notes" to avoid disclosure.

Part 6. 'Tribalistic Investigations'

Police officers engineering fake witness accounts and /or employing smear tactics against 'suspects', often by adding more officers to the case with either weak hearsay or fabricated evidence. 'Ganging up' tactics, usually well after the case has commenced. (Examples provided)

Part 6. The Countermeasure (The Practitioner's Toolkit)

Part 7. Cross-Examination Skeleton: Challenging the OIC in Court