

# Professor Clive Walker

*LL.B., Ph.D, Solicitor*



**Title:** Professor Emeritus of Criminal Justice Studies

**Direct Dial:** (+44) (0)113 343 5033

**FAX:** (+44) (0)113 343 5056

**Location:** 2.17, The Liberty Building  
School of Law, University of Leeds  
Leeds LS2 9JT, UK

**Email:** [law6cw@leeds.ac.uk](mailto:law6cw@leeds.ac.uk)

**Web:** <http://www.law.leeds.ac.uk/about/staff/walker.php>

## Biography

### Abstract

*Current appointment:* Professor Emeritus of Criminal Justice Studies

*Formerly:* University of Manchester Lecturer 1978-83; University of Leeds, Lecturer 1983-89, Senior Lecturer, University of Leeds 1989-92, Reader, 1992, Professor of Criminal Justice Studies, 1993-2014, Director, Centre for Criminal Justice Studies 1987-2000, Head of the School of Law 2000-05, 2010.

*Visiting Scholarships Professorships, and Advisory positions:* University of Louisville, 1993; George Washington University, 1995; University of Miami, 2000; University of Connecticut, 2003; Stanford University, 2006; University of Washington, 2006; Sultan Qaboos University 2007; University of Melbourne, 2007; Institute of Advanced Legal Studies (University of London), 2009; University of New South Wales, 2012; University of Toronto 2016.

*Special interests:* Terrorism and the law, Policing and police powers, Media law, Civil Liberties and Human Rights, Public Law.

### Qualifications

- LL.B. (Hons., First Class) - University of Leeds, 1975
- Law Society's Qualifying Examinations, Part II (Hons., Second Class, 1976)
- Solicitor of the Supreme Court (admitted 1978)
- Ph.D. (The Prevention of Terrorism in British Law) - University of Manchester, 1982
- LL.D. (Terrorism and the Law) - University of Manchester, 2015
- QC (Hon), 2016

## Research outputs

[https://papers.ssrn.com/sol3/cf\\_dev/AbsByAuth.cfm?per\\_id=140783](https://papers.ssrn.com/sol3/cf_dev/AbsByAuth.cfm?per_id=140783)

### Publications

#### Books

- Walker, C.P., *The Prevention of Terrorism in British Law* (Manchester University Press, Manchester, 1986) 272pp. + xi
- Hogan, G and Walker, C.P., *Political Violence and the Law in Ireland* (Manchester University Press, Manchester, 1989) 342pp. + x
- Walker, C.P., *The Prevention of Terrorism in British Law* (Second edition, Manchester University Press, Manchester, 1992) 350pp. + xi
- Walker, C.P. and Starmer, K, (eds), *Justice in Error* (Blackstone Press, London, 1993) 257pp + xiv. The Introduction, Chapter 5 and the commentaries to each chapter are written by myself.
- Walker, C.P. (ed.), *Crime, Criminal Justice and the Internet* (92pp + iv, Sweet & Maxwell, London, 1998) (see "Editorial", pp.1-4, and (with Yaman Akdeniz), "The Governance of the internet in Europe with special reference to illegal and harmful content ", pp.5-18.
- Walker, C.P. and Starmer, K., (ed.), *Miscarriages of Justice* (402pp + xxx, Blackstone Press, London, 1999) (chapters 1, 2, 6, 8 , 10, 16)
- Akdeniz, Y., Walker, C., and Wall, D., *The Internet, Law and Society* (Longman, London, 2000) 416pp. I am the principal author of chapter 1, "The Internet, Law and Society", the joint author of chapter 14, "Whisper who dares: encryption, privacy rights and the new world disorder"; and the sole author of chapter 6, "Cyber-constitutionalism and digital democracy" and chapter 8, "Criminal justice processes and the Internet"
- Walker, C.P., *The Anti-Terrorism Legislation* (Oxford University Press, Oxford, 2002) xxxvi + 569
- Weaver, R.L., Kenyon, A.T., Partlett, D.E., Walker, C.P., *The Right to Speak III: Defamation, Reputation and Free Speech* (Carolina Academic Press, Durham, North Carolina, 2006) 331pp + xvi
- Walker, C. and Broderick, J., *The Civil Contingencies Act 2004: Risk, Resilience and the Law in the United Kingdom* (Oxford University Press, 2006) 372 + xxxvii pp
- Walker, C.P., *The Anti-Terrorism Legislation* (Second edition, Oxford University Press, Oxford, 2009) li + 606pp
- Walker, C.P., *Terrorism and the Law* (Oxford University Press, Oxford, 2011) lxxiii + 553pp
- Walker, C.P. and Weaver, R.L., *Free Speech in an Internet Era* (Carolina Academic Press, Durham, NC, 2013) 262pp (joint author of chapter 1: 'Can Newspapers Survive in an Internet Era?')
- Masferrer, A., and Walker, C., (eds.), *Counter-Terrorism, Human Rights And The Rule Of Law: Crossing Legal Boundaries in Defence of the State* (Edward Elgar, Cheltenham, 2013) 360pp (I am involved in three chapters: Masferrer, A., and Walker, C., 'Crossing legal boundaries in conceptual categories', Walker, C., 'Detention *in extremis*: transferring lessons from counter-terrorism policing to military detentions', Walker, C. and Staniforth, A., 'The amplification and melding of counter-terrorism agencies: from security services to police and back again')
- King, C., and Walker, C. (eds), *Dirty Assets: Emerging Issues in the Regulation of Criminal and Terrorist Assets* (Ashgate, Farnham, 2014) 372pp (my chapters are: Chapter 1 – 'Emerging issues in the regulation of criminal and terrorist assets'; chapter 11 – 'Terrorism Financing and the Policing of Charities: Who pays the price?')
- Walker, C.P., *The Anti-Terrorism Legislation* (Third edition, Oxford University Press, Oxford, 2014) lxxii + 645pp
- Walker, C.P. (ed.), *Contingencies, Resilience and Legal Constitutionalism* (Routledge, Abingdon, 2015) 152pp (my chapters are '1. Legal perspectives on contingencies and resilience in an environment of constitutionalism - An overview' and '7. The governance of emergency arrangements')
- Lennon, G. and Walker, C. (eds.), *Routledge Handbook of Law and Terrorism* (Routledge, Abingdon, 2015) 486pp + xix (my chapters are 1. Introduction (with Lennon, G.); 11. Detention and interrogation in law and war (with Vladeck, S.I.); 19. The victims of terrorism (with Bottigliero, I., and Sunga, L.S.); 21. Homeland security (with Guiora, A., and Lennon, G.); 27. Countering terrorism via the internet (with Conway, M.); 28. Manifestations of extremism (with Davis, F.); 29. The Penology of Terrorism (with Appleton, C.); 30 Conclusion (with Lennon, G.)

## Chapters in books

- 'New Developments in the Prevention of Terrorism' in J. Hayes and P. O'Higgins (eds.), *Lessons from Northern Ireland* (Belfast, S.L.S., 1990) pp.143 - 175.
- 'The role and powers of the Army in Northern Ireland' in Hadfield, B., *Northern Ireland: Politics and Constitution* (1992, Open University Press, Buckingham.) 110 - 129
- 'Terrorism' in Bridge, J.W. et al, *UK Law in the Mid-1990s* (UK Comparative Law Series, 1994) pp.170-220
- 'The governance of special powers' in Gearty, C., and Tomkins, A., *Understanding Human Rights* (Mansell, London, 1996) 611-643
- 'The impact of new technologies: the right of the individual and the public interest in legal proceedings' in Institute of European Media Law, *Fundamental Rights and New Information Technologies in the Audiovisual Sector* (Jehle Rehm, Munich, 1996) 83-105
- 'Criminal Libel (chapter 22)' and 'European Convention (chapter 23)' in Rogers, WVH, and Milmo, P, *Gatley on Libel and Slander* (9th ed., Sweet & Maxwell, London, 1998) 533-610 and Supplement to Gatley, Libel and Slander (Sweet and Maxwell, London, 2002) pp.111-129
- 'Annotations on the Criminal Justice (Terrorism and Conspiracy) Act 1998' in Current Law Statutes Annotated, Sweet & Maxwell, London, 1998, chap.40 pp.40-1 to 40-27
- 'The courts and the Internet' in Gibson, R., and Ward, S., (eds.), *Reinvigorating Democracy* (Ashgate, Aldershot, 2000) pp.81-106
- 'Emergency cases' in Doran, S., and Jackson, J., (eds.), *The Judicial Role in Criminal Proceedings* (Hart Publishing, London, 2000) pp.223-243
- 'The Patten Report and post-sovereignty policing in Northern Ireland' in Wilford, R., (ed.), *Aspects of the Belfast Agreement* (Oxford University Press, Oxford, 2001) pp.142-165
- (with Fitzpatrick, B., and Seago, P. and Wall, D.) - 'The magistrates' courts' in Elites in Criminal Justice by Ryan, M., Savage, S., and Wall, D., *Policy Networks in Criminal Justice* (Palgrave, Basingstoke, 2001) pp.98-121
- Walker, C., and McGuinness, M., 'Risk, political violence and policing the City of London' in Crawford, A., (ed.), *Crime, Insecurity, Safety and the New Governance* (Willan Publishing, Cullompton, 2002) pp.234-259
- Walker, C., 'The criminal courts online' in Wall, D., (ed.), *Crime and the Internet* (Routledge, 2002)
- Walker, C., 'Miscarriages of justice and the correction of error' in McConville, M. and Wilson, G., (ed.), *Handbook of Criminal Justice Process* (Oxford University Press, 2002) pp.505-524
- (with Rogers, WVHR and Milmo, P.) Supplement to Gatley, Libel and Slander (Sweet and Maxwell, London, 2002) pp.111-129
- Walker, C., 'Policy options and perspectives: British perspectives' in van Leeuwen, M., *Confronting Terrorism* (Kluwer, Dordrecht, 2003) 11-35
- Walker C. and Akdeniz, Y., 'The governance of the Internet in Europe with special reference to illegal and harmful conduct' in Wall, D.S., *Cyberspace Crime* (Ashgate, Abingdon, 2003) (reprint)
- Walker, C., 'Fundamental rights, fair trials and the new audio-visual sector' in Wall, D.S., *Cyberspace Crime* (Ashgate, Abingdon, 2003) (reprint)
- (with Rogers, WVHR and Milmo, P.) Gatley, Libel and Slander (10th ed., Sweet and Maxwell, London, 2004) chs.22 (criminal libel), 23 (human rights) (pp.652-751)
- Walker, C., Reports of Special Adviser' in Joint Committee on the Civil Contingencies Bill, Draft Civil Contingencies Bill (2002-03 HL 184 HC 1074) pp.103-116
- Raine, J.W., and Walker, C., Implementing the Human Rights Act into the Courts in England and Wales: Culture Shift or Damp Squib? in Halliday, S., and Schmid, P., *Bringing Rights Home: Socio Legal Perspectives on Human Rights in the National Context* (Hart, Oxford, 2004) pp.111-135
- Walker, C., 'Liability For Acts Of Terrorism: United Kingdom Perspective' in Koch, B. (ed.), *Terrorism, Tort Law and Insurance* (Springer, Vienna, 2004) pp.138-175
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- Walker, C., and Campbell, K., 'The CCRC as an option for Canada: Forwards or Backwards?' in Naughton, M., *The Criminal Cases Review Commission: Hope for the Innocent?* (Palgrave Macmillan, Basingstoke, 2010) pp.191-204
- Walker, C., 'The paradox of global terrorism and community based security policing' in Henham, R., and Findlay, M., *Exploring the Boundaries of International Criminal Justice* (Ashgate, Farnham, 2011) pp.253-273
- Walker, C., 'Cosmopolitan liberty in the age of terrorism' in Crawford, A. (ed.), *International and Comparative Criminal Justice and Urban Governance* (Cambridge University Press, Cambridge, 2011) pp.413-438
- Lennon, G., and Walker, C., 'Law and terrorism' in Martin, G., *The Sage Encyclopedia of Terrorism* (2<sup>nd</sup> ed., Sage, Thousand Oaks, 2011) pp.343-353
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- Walker, C., 'The Impact of Contemporary Security Agendas against Terrorism on the Substantive Criminal Law' in Masferrer, A. (ed.), *Post 9/11 and the State of Permanent Legal Emergency* (Springer, Dordrecht, 2012) pp.121-152
- Walker, C., 'Governance of the critical national infrastructure' in Hufnagel, S., and Roach, K., *Emergency Law* (Ashgate, Farnham, 2012)
- Walker, C., 'Counter-terrorism and human rights in the UK' in Breen-Smyth, M. (ed.), *The Ashgate Research Companion to Political Violence* (Ashgate, Farnham, 2012) pp.443-463
- Walker, C., 'Global speech and global terrorism: a tall 'tale of two cities' in Capper, D., (ed), *Modern Defamation Law* (SLS, Belfast, 2012) pp.115-134
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- Walker, C., 'Terrorism prosecutions and the right to a fair trial' in Saul, B., (ed.), *Research Handbook On International Law And Terrorism* (Edward Elgar, Cheltenham, 2014) pp.418-436
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- Walker, C., 'Living with National Security Disputes in Court Processes in England and Wales' in Martin, G., Greg Martin, Scott Bray, R., and Kumar, M., *Secrecy, Law and Society* (Routledge, Abingdon, 2015) pp.23-42
- Horne, A. and Walker, C., 'Parliament and National Security' in Horne, A. and Le Sueur, A. (eds.), *Parliament: Legislation and Accountability* (Hart, Oxford, 2016) pp.203-240
- Moran, J. and Walker, C., 'Intelligence Powers and Accountability in the U.K.' in Goldman, Z.K. and Rascoff, S.J. (eds.), *Global Intelligence Oversight: Governing Security in the Twenty-First Century* (Oxford University Press, New York, 2016) pp.289-314
- Cooper, K., and Walker, C., 'Heroic or Hapless? The Legal Reforms of Counter-Terrorism Financial Sanctions Regimes in the European Union' in Fabbrini, F. and Jackson, V., *Constitutionalism Across Borders in the Struggle Against Terrorism* (Edward Elgar, Cheltenham, 2016) pp.52-77
- McKay, S. and Walker, C., 'Legal regulation of intelligence services in the United Kingdom' in Dietrich, J-H. and Eiffler, S.R. (eds.), *Handbuch des Rechts der Nachrichtendienste* (Richard Boorberg, Stuttgart, 2017) pp.1855-1933

### **Contributions to Journals etc**

- Walker, C., 'Film Censorship - The Effects of the Criminal Law Act 1977' (1978) 75 *Law Society's Gazette* 992-993: this article was the subject of comment in *The Guardian*, 19 October, 1978.
- Walker, C., 'A Question of Contributory Negligence' (1979) 129 *New Law Journal* 674-676
- Walker, C., 'Police Surveillance by Technical Devices' [1980] *Public Law* 184-217
- Walker, C., 'Shooting to Kill - Some of the Issues in *Farrell v. Secretary of State for Defence*' (1980) 43 *Modern Law Review* 591-594
- Walker, C., 'An Exploration of the "Right to Silence"' (1980) 9 *Anglo American Law Review* 257-278
- Walker, C., 'Prisoners in Parliament - Another View' [1982] *Public Law* 389-394
- Walker, C., 'Access to Information in Central and Local Government' (1982) 11 *Anglo-American Law Review* 38-56
- Walker, C., 'Public Rights to Information in Central and Local Government' (1982) 146 *Local Government Review* 931-933, 955-956, 963
- Walker, C., 'Opening the Vaults - Police Powers and Bank Accounts' [1983] *Criminal Law Review*, 723-733
- Walker, C., 'The Jellicoe Report on the Prevention of Terrorism (Temporary Provisions) Act 1976' (1983) 46 *Modern Law Review* 484-492
- Walker, C., 'Members of Parliament and Executive Security Measures' [1983] *Public Law* 537-549
- Walker, C., 'Book Review: Manwaring-White, S., *The Policing Revolution* (Harvester, Brighton, 1983)' [1983] *Public Law* 694-695
- Walker, C., 'Freedom of Information - A Little Local Difficulty' (1984) 148 *Local Government Review* 287-294
- Walker, C., 'Arrest and Rearrest' (1984) 35 *Northern Ireland Legal Quarterly* 1-27
- Walker, C., 'Prevention of Terrorism (Temporary Provisions) Act 1984' (1984) 47 *Modern Law Review* 704-713
- Walker, C., 'Book Review: Walsh, D.P.J., *The Use and Abuse of Emergency Legislation in Northern Ireland* (Cobden Trust, London, 1983)' in (1984) 35 *Northern Ireland Legal Quarterly* 407-409
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- Walker, C., 'Book Review: Leigh, L.H., *Police Powers in England and Wales* (Butterworth, London, 1985)' in (1986) 37 *Northern Ireland Legal Quarterly* 300-303
- Walker, C., 'Book Review: Robilliard, St.J. and McEwan, J., *Police Powers and the Individual* (Basil Blackwell, Oxford, 1986)' in (1987) 38 *Northern Ireland Legal Quarterly* 202-205
- Walker, C., 'Review of the Prerogative: The Remaining Issues' [1987] *Public Law* 62-84
- Walker, C., 'The Public Order Act 1986' (1987) 151 *Local Government Review* 364-369
- Walker, C., 'Book Review: Bonner, D., *Emergency Powers in Peacetime* (Sweet & Maxwell, London, 1985)' in (1986) 8 *Dublin University Law Review* 126-128
- Walker, C., 'Elected representatives and the democratic process in Northern Ireland' (1988) 51 *Modern Law Review* 605-622
- Walker, C., 'Book Review: Alexander, Y., *The 1986 Annual on Terrorism* (Nijhoff, Dordrecht, 1987)' in (1988) 37 *International and Comparative Law Quarterly* 1021-1022
- Walker, C., Walker, C.P. & Brogarth, D. 'Court Reporting and Open Justice' (1988) 138 *New Law Journal*, pp. 909-916
- Walker, C.P. & Brogarth, D., 'Televising the Courts' (1989) 153 *Justice of the Peace* 637-640
- Walker, C., 'Army Special Powers on Parade' (1989) 39 *Northern Ireland Legal Quarterly* 1-35
- Graham, C. & Walker, C.P., 'The Continued Assault on the Vaults' [1989] *Criminal Law Review* 185-197
- Cram, I., and Walker, C.P., 'Taxi deregulation: safe in their hands' (1989) 153 *Local Government Review* 968-969
- Walker, CP, and Cram, I., 'D.N.A. Profiling and the Law' [1990] *Criminal Law Review* 479-493
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- Walker, C., Book Review: Data Protection Law in Ireland by R. Clark (1990) 8 *Irish Law Times* 187-188
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- Walker, CP, and Cram, I., 'Confidentiality of bank accounts' (1991) 3.4 *Law for Business* 157-161
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- Walker, C., 'Book Review: Murphy, J.F., *State support of International Terrorism: Legal, Political and Economic Dimensions* (Westview, Boulder, 1989)' in (1991) XI *Conflict Quarterly* 82-85
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- Walker, C., 'The detention of suspected terrorists in the British Islands' (1992) 12 *Legal Studies* 178 - 194
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- Walker, C., 'A realistic call for a lasting peace?' (1994) 12 *Irish Law Times* 80-84
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  - Walker, C., 'The governance of special powers' (1995-96) 38 *University of Leeds Review* 115-148
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  - Walker, C., 'Anti-terrorism laws for the future', (1996) 146 *New Law Journal* 586-588, 657-658
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- Crawford, A., and Walker, C.P., *The Renewal of Criminal Justice? New Labour Policies in Perspective* (CCJS Press, Leeds, 1998) 60pp + iv.
- Raine, J., and Walker, C., *The Impact on Courts and the Administration of Justice of the Human Rights Act 1998* (Lord Chancellor's Department, Research Series 9/02, London, 2002), 95pp + ii.

### Other research-related activities

## **Research grants and awards**

### **Reporting of Crown Court proceedings and the Contempt of Court Act 1981 (1988 -1990)**

This project was funded by the Leverhulme Trust. The study was directed by myself as sole grant holder with the assistance of a full-time research officer. The aim was to investigate the frequency and nature of orders under sections 4 and 11 of the Contempt of Court Act 1981 which in some way restrict or postpone the reporting of Crown Court proceedings. A survey of 8 courts was undertaken. Further fieldwork research was carried out in the U.S. (in Kentucky in 1993 and in Washington DC in 1995) and Scotland. Other work involved study of the new audio-visual media (satellite and internet). Papers appeared in the *Modern Law Review* (listed above) in 1992 and 1996.

### **Pre-trial reviews in the Magistrates' Courts (1990 - 93)**

The Home Office agreed to fund this research into the working of these preliminary hearings as practised in the Bradford and Leeds Magistrates' Courts. There were two other grant-holders and a research officer. The research findings were submitted as evidence by the Home Office to the Royal Commission on Criminal Justice and two further publications.

### **Urban Crime Fund (1992-94)**

I acted as principal grant holder in this project which also involved the Centre for Criminal Justice Studies, the Department of Geography at Leeds University, the Management Centre at Bradford University and the Institute of Environmental & Policy Analysis at Huddersfield University. We evaluated for the West Yorkshire Police Authority the 43 projects which were set up pursuant to the Urban Crime Fund. A substantial paper was published in *Policing & Society* (listed above).

### **Police National Legal Database Consortium (1994 - 2014)**

A team from the West Yorkshire Police established a wide-ranging database of legal information of relevance to police officers. It has since grown into a nationwide operation, approved by government and ACPO (see <https://www.pnld.co.uk/>). I agreed to act as auditor of the inputted data, and I am the principal grant holder. A number of academic papers have arisen from the research for the police, for example, "Internal cross-border policing" (1997) 56 *Cambridge Law Journal* 114-146 and details of the PNLD have been considered in (2005) 169 *Justice of the Peace* 410. I have also acted as a consulting editor for Staniforth, A. and Police National Legal Database, *Blackstone's Counter-Terrorism Handbook* (3rd ed., Oxford University Press, Oxford, 2013) and Staniforth, A. and Police National Legal Database, *Blackstone's Handbook of Port Security* (Oxford University Press, Oxford, 2013). Total income was £50990.

### **Commercial victims and political violence (1994-1996)**

Following the IRA bombings of the City of London in 1992 and 1993, action was taken by the Government to stabilise the insurance market so as to ensure that cover remained available for commercial properties. I received a grant from the Airey Neave Trust to research into the working of the arrangements. A full-time research student was appointed (Martina McGuinness). Fieldwork was undertaken in the City of London Police and Corporation during July and September 1995. My trip to Washington DC in August 1995 provided the opportunity to investigate Federal and State intervention into the insurance markets with reference to earthquakes and hurricanes. A full commentary appeared in (2004) *Current Legal Problems* (listed above).

### **The role and appointment of stipendiary magistrates (1995-2000)**

In conjunction with Peter Seago and David Wall, I was commissioned as principal grant holder by the Lord Chancellor's Department to conduct fieldwork research into the above to feed into a current Working Party. We produced a very substantial and detailed report by the end of September 1995 *The Role and Appointment of Stipendiary Magistrates*. Academic papers have been published in the *Criminal Law Review and Criminal Law Forum* (listed above). Our recommendations were implemented by legislation (Access to Justice Act 1999, Pt V).

### **UK Law Online: The UK Legal System on the Internet (1997-2004)**

This project was funded by the Hamlyn Trust. The main object was the raising of public awareness, appreciation and understanding of the English, Scots and Northern Ireland Legal Systems ('UK Legal System') by use of the medium of the Internet. The project involved the creation of internet pages designed to educate the public as to the nature and availability of their legal system by providing complex legal

information in a comprehensible way. The aim was to offer generalised education and the improvement of knowledge on important legal issues.

### **The Impact on Courts and the Administration of Justice of the Human Rights Act 1998 (2000-02)**

This project was funded by the Lord Chancellor's Department and was conducted jointly with a colleague (Professor John Raine) at the University of Birmingham over 24 months. This research project assessed the workload, case-processing, resource costs and other effects of the Human Rights Act 1998 for courts. It was planned as a 'before and after' study, examining the expectations as anticipated ahead of implementation and the actual effects afterwards. The project provided information to assist Government, the courts as they both prepared for and responded to the introduction of the particular provisions of the Act. The project was published as Lord Chancellor's Department, *The Impact on Courts and the Administration of Justice of the Human Rights Act 1998* (Research Series 9/02, 2002), and as a chapter in a book (listed above).

### **The Enforcement of Financial Penalties (2000-02):**

This project was funded by the Home Office and the principal research holder was a colleague from Birmingham. The research covered more than 20 separate projects, and I was responsible solely for three. The project final report was published as *Clearing the Debts: The Enforcement of Financial Penalties in the Magistrates' Courts* (09/03, London, 2003) 115pp.

### **Comparative Experience with Pediatric Pathology and Miscarriages of Justice in the United Kingdom (with Professor Kathryn Campbell (University of Ottawa) (2007)**

The Inquiry into Pediatric Forensic Pathology in Ontario was established by the Government of Ontario under the Public Inquiries Act on April 25, 2007. The Honourable Stephen Goudge was appointed Commissioner. The Inquiry commissioned a series of research papers to assist it in fulfilling its systemic mandate. Our paper examined how expert forensic pathologists are used by courts in England and Wales, and the impact of their testimony on convictions, including several pediatric death cases that have resulted in miscarriages of justice. This included an overview of how forensic pathologists are designated by various regulatory bodies, as well as a consideration of the limits of their expertise. It discussed the use of forensic pathology experts by both prosecution and defense and the role of the court (judges and parties) as gatekeepers and/or referees of this expertise. In addition, the paper explained the relationships between legal processes which adjudge the opinions of forensic pathologists, and the professional regulators which are determining whether a forensic pathologist has failed to maintain professional standards. In particular, the authors considered the lessons learned from the case of Sir Roy Meadow and his involvement in the cases of Sally Clark, Trupti Patel, and Angela Cannings. It also considered the specialized procedures in England and Wales which handled the response to the findings of miscarriage of justice in those cases, including by the Attorney General and by the Criminal Cases Review Commission and other independent inquiries. The Inquiry paper is available ([Click here for link](#)) and was later published in a journal (listed above).

### **Terrorism and the Law: The Construction and Application of Laws and Legal Policies in the United Kingdom (2009-11)**

An AHRC Fellowship grant allowed me to undertake research for my book contract with Oxford University Press, *Terrorism and the Law* (Oxford University Press, Oxford, 2011). The book provides an authoritative and comprehensive description and analysis of the relevant laws, legal policies, and practices which impact within the United Kingdom. This project took stock of terrorism laws affecting the United Kingdom, as secured through the following principal themes. There is an accumulation of knowledge about terrorism laws. There is reflection upon the strategies by which the law relating to terrorism has been developed. Those strategies are principally set by the Home Office CONTEST (Counter-Terrorism) Strategy. The project next examines how the law relating to terrorism is affected by values other than security and risk. Those influences include normative constraints, especially individual human rights. There is also the value of accountability which involves a number of tiers and mechanisms - expert inquiry, governmental oversight, and parliamentary scrutiny. The project additionally located the law within the dynamics of power and practice. In pursuance of the fellowship, a large range of seminar and conference papers were delivered, study visits were made to the Max Planck Institute in Freiburg and the European Union Institute, Florence, as well as during a visiting professorship at the Institute of Advanced Legal Studies, University of London). Fieldwork was also undertaken through a range of formal interviews with UK-based practitioners, policy-makers, and administrators and site visits (such as to detention centres). The book manuscript was subject to a strict review process by consultants appointed by Oxford University Press: Lord Alex Carlile,

Independent Reviewer of the Terrorism Legislation; Sir Ken MacDonald, former Director of Public Prosecutions, Barrister, Matrix Chambers; Sir David Omand, former Director of the Government Communications Headquarters, Permanent Secretary at the Home Office, Permanent Secretary and Security Intelligence Co-ordinator in the Cabinet Office. The outcome was rated as 'Excellent' by the AHRC.

### **The Confiscation of Assets: Policy, Practice and Research (2011)**

Jointly with a colleague (Dr Colin King), funding was secured from a leading law journal, *The Modern Law Review*, to run a conference at the University of Leeds, April 2011. I was joint organiser and chair of the conference. A book based on the conference proceedings was published by Ashgate in 2014, *Dirty Assets*.

### **Special Adviser to the Independent Reviewer of the Terrorism Legislation (2011-)**

The Home Office appointed me in late 2011 as Special Adviser to the Independent Reviewer of the Terrorism Legislation. The [Independent Reviewer](#), an office currently filled by David Anderson QC, is appointed under the Terrorism Act 2006, section 36, to report to the Home Office on the working and development of the highly controversial and sensitive legislative codes against terrorism. In recognition of my work as a leading academic author on the terrorism legislation and in view of the substantial work undertaken with the previous reviewer (Lord Alex Carlile), the Home Office created this new post for me as Special Adviser in view of my status as a world leader in the field. Under this contract, my duties include keeping the Independent reviewer informed of current legal developments and commenting on his drafts and submissions, as well as answering inquiries from the Independent Reviewer and the Home Office. I have also undertaken a number of special studies which have been published by the Independent Review:

- Foreign Terrorists Fighters, 2016: The work appears in the Independent Reviewer's *Annual Report for 2015* (Home Office, London, 2016) Annex 2.
- Proscription and financial listing, 2017: The work appears in the Independent Reviewer's *Annual Report for 2016* (Home Office, London, 2017) Annex 2.

### **ESRC Research Seminar: In search of resilience: exploring shifting paradigms of contingency management (2011-13)**

I have acted as a co-investigator in a team of five (the principal is a former PhD student, Dr Martina McGuinness, now a lecturer at Sheffield University). The series has focused on the hazards faced by 21st century society and reflects changes within the broader risk domain. Within the UK focusing events like 7/7, the floods of 2007 and latterly swine flu have tested existing structures of preparedness at the national and local level. This has called into question the adequacy of the current state of UK preparedness for extreme events. Whilst the role of government remains that of guarantor of security for its citizens, this is not a task that can be tackled by government alone. The Civil Contingencies Act of 2004 created new frameworks for responding to major events reflecting a policy agenda underpinned by the concept of 'resilience'. Beyond considering whether the current resilience agenda is effective in mitigating the impact of large risk, the concept of resilience itself raises important questions regarding the nature of risk in late modernity as well as the governance of risk in an age of uncertainty. My own distinctive role was to organise an international symposium held at the Royal United Services Institute in London in March 2013 and attended by government and military officials as well as academics. A book, Walker, C.P. (ed.), [Contingencies, Resilience and Legal Constitutionalism](#) (Routledge, Abingdon, 2015), has now appeared based on the delivered papers.

### **Law and Terrorism (2013-14)**

The funding by the Royal Society of Edinburgh under its Research Workshop in Arts & Humanities scheme, which was secured jointly with Dr Genevieve Lennon (University of Strathclyde), facilitated workshops which brought together world renowned experts from the field of terrorism law and security. The venue was the University of Strathclyde, 28-29 May 2014. Our mission was to deliver an authoritative, comprehensive, and critical analysis of how laws are, and ought to be, invoked in domestic jurisdictions against terrorism. Such laws have proliferated since the events of 9/11, which demonstrated to the world a heightened risk of terrorism. We adopted a thematic approach to the substance of counter-terrorism law, examining categorical approaches, based on pursuit, protection and prevention. The contributors tackled each subject on a broad basis, with reference to comparative materials if possible. The workshops enabled cross-fertilization between the various contributors, allowing them to further develop their analysis. The papers from the workshops will be published as the *Routledge Handbook of Terrorism and Law*, a book containing around 30 chapters and edited by Clive Walker and Genevieve Lennon. [Click here for details.](#)



### **Dirty Assets: Experiences, reflections, and lessons learnt from a decade of legislation on criminal money laundering and terrorism financing (2014-16)**

This project is funded by the AHRC under its Research Networking Scheme. The principal investigators are Dr Colin King (University of Manchester) and Prof. Clive Walker. The research will bring policymakers, practitioners and researchers together at a series of workshops to discuss current, and future, directions in asset forfeiture and terrorism financing. It will build upon the successful one day event – The Confiscation of Assets: Policy, Practice, and Research – held in Leeds in April 2011. This network will inform policy making, practice development, and research directions in the area of asset forfeiture and terrorism financing. It will allow relationships to be cultivated in an area that has traditionally been reluctant to engage with academics. The workshops were held in Manchester (October 2014), London (May 2015), Tilburg, Netherlands (October 2015), and Notre Dame, USA (April 2016).

### **Deportation with Assurances (2014-2017)**

The Home Office have made a grant in 2014 for research on international and comparative law in connection with the inquiry by the Special Adviser to the Independent Reviewer of the Terrorism Legislation (David Anderson QC) into the policy and practice of 'Deportation with Assurances'. A symposium was also organised on behalf of the Home Office in London on 24 September 2014. The research was published as part of the main report (*Deportation with Assurances* (Command Paper 9462, 2017). The report concluded that the scheme was at a 'low ebb' and that high costs, strict judicial scrutiny, and the state of human rights in countries affected by the 'Arab Spring' meant that the prospects for expansion were low. The policy could "play a significant role in counterterrorism" but only 'if laborious care is taken'.

### **Review of proposed Counter Terrorism Act of Sri Lanka (2016-)**

The United Nations Office on Drugs and Crime (UNODC) appointed a team of international experts to undertake a review of the draft policy and legal framework of the proposed Counter Terrorism Act of Sri Lanka which will replace the Prevention of Terrorism Act 1979. The research involved the compilation of a report and attendance at dialogue meetings and events. Further work has been conducted for the Foreign & Commonwealth Office.

### **'Hitting Them Where It Hurts: The history and development of Civil Recovery powers under the Proceeds of Crime Act (2002 - 2016)' (2018-)**

On 1 October 2017, there commenced a new AHRC-funded project. The project is being headed by Dr Colin King at the University of Sussex. Professor Emeritus Clive Walker is funded as a mentor.

### **Editorships**

- *Legal Studies* (Deputy editor) (1994-98)
- *Journal of Civil Liberties* (Board of editors) (1995-2000)
- *Entertainment and Sports Law Journal* (Board of editors) (2002-2016)
- *Criminology and Criminal Justice* (Board of editors) (2010-2013)
- *Covert Policing Review* (Board of editors) (2010-14)
- *International Journal of Risk Management* (Board of editors) (1998-2015)
- *Law & Justice Review* (Board of editors) (2010-)
- *Argument & Critique* (Board of editors) (2012-)
- *Universiti Utara Malaysia Journal of Legal Studies* (International Advisory Board) (2014-)
- *Journal of Malaysian and Comparative Law* (International Editorial Advisory Board) (2016-)
- International Centre for Counter-Terrorism – The Hague (ICCT) (2016-).

## Teaching and supervisions

### *Undergraduate*

- Civil Liberties
- Constitutional Law
- Cyberlaw
- Forensic Process
- Jurisprudence
- Policing

Examples of external examinerships: University of Manchester; University of London; UiTM (Kuala Lumpur); University of Dundee

Fellow of the Higher Education Academy

### *Postgraduate*

#### **Taught modules**

- Business, Workplace, the Environment and Rights
- Criminal Justice Research Methods
- Forensic Process
- Miscarriages of Justice
- Privacy, Family Life and Rights
- Policing I and II
- Terrorism and Law

#### **Research students**

Numerous supervisions and appointments as external examiner at Ph.D, M.Phil. and MA levels:

[Click here for link to a full list of supervisions.](#)

## Appointments

- Member of the Internet Society (1999-)
- Special Adviser to the Parliamentary Joint Committee on the Civil Contingencies Bill (2003-04)
- Member of the International review and Assessment Committee for the College of Law, Sultan Qaboos University (2005-2006)
- Member of the Programme Board of the Centre for the Study of Terrorism and Political Violence, University of St Andrew's (2006-2011)
- Special Adviser to the Independent Reviewer of the Terrorism Legislation (2011-)