BRICUP Newsletter 45

BRICUP

British Committee for the Universities of Palestine

October 2011

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Freedom of expression for LPO musicians

The demonstration at the Royal Albert Hall on September 1st, protesting against the invitation of the Israel Philharmonic Orchestra (IPO) to perform in the proms, was reported and analysed in last month's BRICUP Newsletter. However, there has been a very important development since then - the London Philharmonic Orchestra (LPO) has suspended four of its members for 9 months because they were among the signatories of a published letter protesting against the invitation of the IPO. This letter was published prior to the concert. Two of the suspended musicians are Jewish and none of them

played any role in the demonstrations on September 1st.

Steven Isserlis, writing in the Times expressed his dismay, "Profoundly though I disagree with the contents of that letter, it was neither disruptive nor illegal, and in no way merited such severe disciplinary action." The LPO chief executive Timothy Walker and chairman Martin Hobmann have stated that "For the LPO, music and politics do not mix". But, writing in the Guardian, Richard Witts pointed out that, "The chairman of the LPO has a poor grasp of its history [..] Among the many occasions when they have mixed at the LPO, the most notorious was the sacking of its highly admired manager Thomas Russell in 1952 because he was a communist. As Diana Neslen of JFJFP pointed out, "Whatever the London Philharmonic's intention in disciplining its orchestra members in this fashion. the effect, have no doubt, is to give very political comfort to those who daily destroy Palestinian liberty, lives and hopes. Brian Klug, also in the Guardian commented that, "There is something out of tune about an orchestra that does not "tolerate" freedom of expression. I do not support the cultural boycott of Israel. But I do believe in a society where people who do so are at liberty to speak out, identifying themselves professionally, without losing their jobs and jeopardising their careers."

The matter came to a climax on September 22nd when 117 prominent cultural figures wrote to the Daily Telegraph asking the question, "Why should it be so dangerous for artists to speak out on the issue of Israel/Palestine? This is their letter in full:

Dear Sir, We are shocked to hear of the suspension of four members of the London

Philharmonic Orchestra for adding their signatures to a letter calling for the BBC to cancel a concert by the Israel Philharmonic Orchestra. According to a statement from LPO managers, quoted in the Jewish Chronicle ("UK musicians suspended over Israel Proms row," 13-9-11) the action was taken because the musicians included their affiliation to the orchestra with their signatures (a convention which is common practice within the academic world, for example).

One does not have to share the musicians' support for the campaign for boycotting Israeli institutions to feel a grave concern about the bigger issue at stake for artists and others. There is a clear link being forcibly created here between personal conscience and employment, which we must all resist. A healthy civil society is founded on the ability of all to express non-violent and non-prejudiced opinions, freely and openly, without fear of financial or professional retribution.

The LPO management state that for them, "music and politics don't mix" – yet their decision to jeopardise the livelihoods of four talented musicians for expressing their sincerely held views is itself political. Why should it be so dangerous for artists to speak out on the issue of Israel/Palestine? We are dismayed at the precedent set by this harsh punishment, and we strongly urge the LPO to reconsider its decision

Signed by 117 artists

Mr Walker is reported to have told the Daily Telegraph that, "This all became an issue when we started to receive emails and letters from supporters, a lot of whom are Jewish, and felt that the players were taking an anti-Jewish position. Some said that they weren't going to come to the concerts or give us any money".

BRICUP urges the LPO urgently to reconsider its action

Notes:

Suspension of orchestra members could set dangerous precedent

More support for the LPO four

Philharmonic hits sour note
Artists protest 'Philharmonic Four' suspension

LPO: 'Jewish pressure' led to suspensions

End suspension of the LPO4 Facebook page

The campaign about doctors and torture in Israel: two years on

The campaign about the collusion of doctors, and in particular the Israeli Medical Association as an institution, with torture as state practice in Israel is now two years old. Four of its core campaigners are members of the BRICUP committee.

Where we have got to so far is best summarised by the letter below which was posted up by the British Medical Journal on its website bmj.com in early August, and then appeared in shorter form in the paper BMJ. It was written by campaign convenor Dr Derek Summerfield (UK) and lead signatory Prof Alan Meyers (USA).

-----LETTER STARTS-----

On its second anniversary we write as lead signatory and convenor of a medical ethical campaign representing 725 doctors, including 115 professors, from 43 countries. This was reported in the BMJ at the time. (1)

We appealed to the World Medical Association (WMA), the international watchdog on medical ethics, who are mandated to ensure that its members adhere to its codes, including the seminal antitorture code for doctors, the Declaration of Tokyo. The Declaration obliges doctors to denounce and report torture whenever they encounter it. We asked the WMA to examine the record of the Israeli Medical Association (IMA), a WMA member, and thus the probity of the appointment of longstanding IMA President Yoram Blachar as WMA President. We noted the precedent set when the Medical Association of South Africa was obliged to withdraw from the WMA during the apartheid era on this issue of medical complicity. Our appeal was supported by a voluminous evidence base pointing to systematic collusion by Israeli doctors with torture, from a 1996 Amnesty International report to the 2008 Annual Report to the UN Committee of Torture by a coalition of 14 Israeli and Palestine human rights organizations. (2) (3) Over the years the IMA had rejected or ignored all appeals made directly to them to take action under the Declaration of Tokyo.

Both Physicians for Human Rights-Israel and the Public Committee Against Torture in Israel (PCATI) also submitted documentation to WMA in support of our campaign.

Between 2001 and 2009 PCATI had recorded 600 complaints about torture and ill-treatment inflicted on Palestinians during interrogations in Israel, with every single one dismissed perfunctorily by the authorities (4). PCATI's 'Ticking Bombs' report, which we cited, carried detailed testimony of the torture of 9 Palestinian men. Doctors, several of which were named, saw the prisoners at various points before, during and after episodes of torture (which in one case caused spinal damage and disability), did not take a proper history, made no protest, and returned them to their interrogators. (5)

Over these two years the WMA has refused to even acknowledge receipt of our letters and evidence, bar vilification in the media and a libel suit threat issued by WMA President Blachar through London lawyers against the convenor (DS). Our letters were addressed to the entire WMA Council but we discovered later that bar the Council Chair, the Council was kept in the dark. In striking contrast, over these 2 years the WMA has spoken out about reports of medical ethical abuses in Iran and Bahrain. (6)

Thus we reluctantly concluded that the WMA was itself unfit, and was simply not going to act when the case was the IMA, whatever the evidence. In August last year we proceeded to submit the appeal and evidence to the UN Special Rapporteur on Torture Manfred Nowak, using the email address (urgent-action@ohchr.org) which his office advertises for precisely this purpose. Hearing nothing, we repeated the appeal when Nowak was succeeded as Rapporteur last November by Juan Mendez- who is the first Rapporteur to have been a torture survivor himself. Again, we have not even received acknowledgement of receipt, and we understand that the Rapporteur himself may not have been shown it by his staff. Yet a 2009 UN Human Rights Council resolution tasked the Rapporteur with paying particular attention to the question of 'medical complicity' with torture.

So what are we to conclude from this? The mandate of these Western- led institutions promises much, but what will they deliver for Palestinian rights? Our campaign continues, for this is an issue that goes to the heart of the moral standing of the medical profession worldwide. Until our case is addressed it remains an open reproach to the idea that the regulation of international medical ethical codes

governing doctors and torture is applied equally, and that action will follow against those who flout the Declaration of Tokyo- even if they have powerful friends.

Alan Meyers, Professor

Dept of Paediatrics, Boston University USA

Derek Summerfield, honorary senior lecturer

Institute of Psychiatry, King's College,
London.

Notes.

- 1. Kmietowicz Z. Doctors call for head of World Medical Association to quit as "matter of priority". BMJ 2009;338:b2556.
- 2. Amnesty International. "Under constant medical supervision", torture, ill-treatment and the health professions in Israel and the Occupied Territories. London. Amnesty International. MDE 15/37/96.
- 3. Defence for Children International. Palestine Section. United Against Torture (UAT) Report: Torture and ill-treatment in Israel and the OPT. 2008.
- 4. PCATI petitions the High Court of Justice: order the AG to investigate torture. 8 March 2010. www.stoptorture.org.il/en/node/1531.
- 5. Public Committee Against Torture in Israel. "<u>Ticking Bombs":testimonies of torture victims in Israel.</u>" Jerusalem:PCATI, 2007.
- 6. Summerfield D. BMJ 2009;339:b4635. The WMA speaks out on Iran but not on Israel. Why not?

-----LETTER ENDS-----

The day after we sent the BMJ letter to the Rapporteur's Office we received an acknowledgement at last from the Rapporteur's Office, requesting the whole dossier originally submitted in August 2010 to be re-sent. Perhaps the BMJ letter helped! We have again asked for confirmation that the Rapporteur himself has read it and will keep on his trail.

On the more domestic front Dr Chris Burns-Cox, BRICUP member and one of the 725 signatories, published a letter in the BMJ in follow-up of the one above about the longstanding reluctance of the British Medical Association to act at the WMA, given that it is like the IMA an influential member, despite years of requests from various UK doctors and BMA members. Dr Burns-Cox noted that, even as a BMA member of 40 years standing, he was denied any information about proceedings in the BMA International Committee- this is the committee

whose remit includes medical ethics, membership of WMA etc. He had been told that proceedings were in effect secret and that even the Freedom of Information Act did not apply.

Dr Vivienne Nathanson of the BMA (the Head of Ethics) replied, and confirmed in print in the BMJ that last year the BMA had formally asked the WMA to investigate the IMA's record. This is a significant admission, a tribute to the pressure from BMA members in the campaign, but Dr Nathanson said nothing about how WMA had responded, if it had. When pressed further on this by Dr Burns-Cox at bmj.com, Dr Nathanson wrote that: "In its reply to the BMA's March 2010 letter, the WMA pointed out that the allegations of medical complicity in torture went beyond a breach of medical ethics and amounted to criminal allegations. On that basis, the BMA's letter was passed directly to the IMA, which replied stating that it recommended a criminal investigation".

I would comment on this as follows:

It is preposterous if this is how the WMA responded to a formal request from a member organisation on a matter that goes to the heart of why the WMA was created after World War 2, which was precisely for such as medical complicity with torture. It is an attempted stitch-up for the WMA to say that this is not their business because it is "beyond a breach of medical ethics", based on the IMA (the accused party!) supposedly saying that this was a criminal matter which could be dealt with inside Israel.

The evidence we originally submitted to the WMA (and now to the UN Rapporteur on Torture) contains documentation on specific cases- not least those documented Physicians for Human Rights-Israel and the Public Committee Against Torture in Israel, but the whole thrust of our case has been to indict the IMA itself and its leadership under (then) President Yoram Blachar. The IMA leadership has worked consistently and with their eyes fully open over many years to block all appeals about the role of Israeli doctors in processing Palestinian prisoners in units where torture was institutionalised, has consistently sought to dismiss clear-cut and reputable documentary evidence (eg the 2007 "Ticking Bombs" report from PCATI) and to vilify those who pointed to it, whether inside Israel (PCATI, PHRI) or outside, including our campaign. And out of their own mouths too- in 1999 the then IMA Head of Ethics Eran Dolev told a visiting human rights delegation that "the breaking of a couple of fingers" during the interrogation of Palestinian men was justified for the information it might yield (I reported this in the Journal of Royal

Society of Medicine); longstanding IMA President Blachar defended the "ticking bombs" argument for torture in the Lancet and in an Israeli newspaper. The IMA were eventually pressured into agreeing to investigate PCATI's "Ticking Bombs" report; the upshot was a letter of a few lines to PCATI from IMA Head of Ethics Avinoam Reches to the effect that they had interviewed a few doctors, all of whom denied wrongdoing, leaving only the testimony of the prisoners which of course could not be relied on!! End of investigation- utter cynicism. Indeed in the vast majority of cases brought to their attention over the years the IMA had not even gone as far as even a pretence of an investigation.

Even if individual Israeli doctors were singled out - as in "Ticking Bombs"- they could claim in their defence that the IMA had given them no effective ethical leadership on this matter, and in fact could point to the same incriminating evidence we do regarding IMA philosophies. How is the IMA to investigate itself?!

The WMA are here refusing to fulfil their mandate, which is to ensure that its own members abide by WMA codes, including the anti-torture Declaration of Tokyo. It is yet another graphic piece of evidence that the WMA cannot or will not function as intended when it comes to the IMA, who seem to have some sort of hold over it on this issue. The IMA claim that they will deal with the matter inside Israel is of course their attempt to bury it, to ensure nothing comes out. Even in this can be seen their studied defence of the role of doctors inside interrogation units (whose role violates the Declaration of Tokyo) and in effect of torture as state policy.

And has the BMA accepted this farcical reply?

Our campaign continues actively in both its international and UK-based forms.

Derek Summerfield Campaign Convenor

The PACBI Column

Israeli International Festivals: Occasions for Whitewashing Oppression or for Resisting it?

[While cultural talks go on] in the nice cinematheques of Jerusalem, Tel Aviv and Haifa, it is hell on earth in Gaza and I would not want to be there basically. [1]--Mike Leigh

Once again, the Israeli cultural establishment is attempting to put itself on the global cultural map by mounting another extravaganza, this time the 27th Haifa International Film Festival to be held from 13-22 October 2011. The Festival is sponsored by Israel's political establishment, from the Minister of Culture and Sport to the Mayor of the city of Haifa. The Israeli Haifa elite celebrates Haifa as "a city that has become a symbol of co-existence, tolerance and peace," in flagrant contradiction to the realities of segregation, discrimination, and racism suffered by the native Palestinian residents of Haifa, and in denial of Israel's violent history of ethnic cleansing in that city [2].

The Palestinian Campaign for the Academic and Cultural Boycott of Israel (PACBI) appeals to all international artists of conscience to withdraw their participation from the festival, whether through direct attendance or by showcasing their films, and thus, to deny the festival the international legitimacy it seeks through such participation. PACBI calls on these international artists to refrain from showing their films or accepting awards at the festival. Doing otherwise would inadvertently lend a stamp of approval to Israeli policies of colonialism, apartheid and occupation, especially given the festival's ties to the Haifa city government and the larger Israeli establishment, both of which use this as an opportunity to rebrand Israel as a normal country by showing its "prettier face"--its vibrant cultural and artistic community.[3] Israel, however, is not a normal country and should not be admitted into the global cultural arena until it respects international law and recognizes the Palestinian people's right to freedom, equality and justice.

A former deputy director general of the Israeli foreign ministry, Nissim Ben-Sheetrit, explained upon launching the Brand Israel campaign in 2005: "We are seeing culture as a hasbara [propaganda] tool of the first rank, and I do not differentiate between hasbara and culture."[4]

We urge filmmakers and other artists scheduled to appear at the festival or to showcase their films to follow the example of the renowned filmmaker Ken Loach, who declared in 2006 that he would decline any invitation to the Haifa International Film Festival, or other such occasions, as an acknowledgment of the Palestinian call for boycott, which Palestinians have been driven to pursue "after forty years of the occupation of their land, destruction of their homes and the kidnapping and murder of their civilians." [5] Loach was responding to the 2006 call by Palestinian filmmakers, artists and others to boycott state sponsored Israeli cultural institutions and urged others to join this campaign [6]. The Palestinian cultural workers were heeding the Palestinian call for the cultural and academic boycott of Israel, launched in 2004 [7], supported by an overwhelming majority of Palestinian civil society movements and organizations. We are particularly concerned that this festival has the active support and enthusiastic promotion of the British Council, an organization that PACBI has previously taken to task for promoting cultural cooperation with Israel through the BI Arts scheme [8]. Thanking the British Council's "partners at the Israeli Ministry of Culture and Sport and the Ministry of Foreign Affairs who co-fund the BI ARTS programme," the director of the British Council Israel, Dr. Simon Kay, enthuses about the

While the British Council is part of the same UK officialdom that has regularly granted immunity to Israel and has refrained from imposing sanctions of any kind upon this rogue state, we certainly expect more from British filmmakers and artists, many of whom have been at the forefront of the academic and cultural boycott of Israel and the solidarity movement with Palestinians. We particularly appeal to John Madden, who will be given the Award for Cinematic Excellence at the Festival. We hope that Madden will not follow in the footsteps of the British writer Ian McEwan, who accepted the Jerusalem Prize last February during the Jerusalem Book Fair. Festivals and similar events, put on by state-supported cultural institutions in Israel, are occasions par excellence for the Israeli rebranding campaign [9], and are used by officials to discredit the growing international support for Palestinian civil society's call for Boycott, Divestment and Sanctions (BDS), as well as to show off Israel as a cultural and artistic haven.

highlight of the Festival: the launch of the UK-Israel

Co-production Film Treaty.

We also appeal to the international members of the jury for the "Golden Anchor Competition for Mediterranean Cinema," Raisa Fomina (Russia), Gareth Unwin (UK), Azize Tan (Turkey), Yael Fogiel (France), and Daniel Mulloy (UK) not to allow the Festival to exploit their international

standing in an event that only serves to whitewash Israel's crimes.

Likewise, we urge all participants in the international competitions to withdraw their films immediately, as a gesture of solidarity with Palestinians and in respect of their call for BDS. We particularly appeal to the Turkish director **Nuri Bilge Ceylan**, whose film, "Once Upon a Time in Anatolia," has been entered in the international competition for Mediterranean cinema. We remind Mr. Ceylan that Israel has certainly not behaved as a good Mediterranean citizen, as attested to by the state violence it unleashed against fellow Turkish "Mediterraneans" on the Mavi Marmara last year.

In heeding the Palestinian call for boycott, these artists and filmmakers will be joining the increasing number of international artists, including Mike Leigh, the Yes Men, Jean Luc-Godard, among others, who have in recent years refused to entertain apartheid Israel and who have chosen not to cross the Palestinian picket line [10].

PACBI would like to point out that there are honorable precedents concerning the Haifa International Film Festival. In 2006, the administrative council of the Greek Cinematography Center (GCC) decided to withdraw all the Greek films from the Festival, arguing that "under the current circumstances the specific cultural event has lost its meaning" [11]. Earlier, in 2002, Gaslight, the producers of the British documentary "Sunday" withdrew their film form HIFF. In their withdrawal letter to the festival, they wrote:

... of the many lessons that flow from the story of Bloody Sunday, key among them is the ethical political and long-term military folly of governments attempting to impose military solutions on civil and human rights problems. We take this action in support of the Palestinian people and in solidarity with Palestinian artists and filmmakers. It is also done in solidarity with those within Israel (both Israelis and Arabs) who are speaking out and acting (e.g. refuseniks) against the government's murderous policies against the Palestinian people [12].

PACBI contends that funding by Israeli state institutions of international film festivals is a key aspect of the rebranding effort to cover up for an escalating agenda of apartheid, occupation, and colonialism against the Palestinian people, as well as a blatant whitewash of the deadly assault on the Gaza Strip in the winter of 2008-2009, and the lethal attack on humanitarian aid workers aboard the Gazabound Freedom Flotilla in May 2010, which resulted in the murder of nine Turkish relief workers and human rights activists. When international

filmmakers and artists shun film festivals by refusing to participate and thus withdrawing their implicit approval, it deprives Israel of the chance to use art and culture as a tool in beautifying its apartheid reality.

With Israel's continued disregard for international law and the basic rights of the Palestinian people, the kind of solidarity we expect from people of conscience around the world is to heed the Palestinian civil society call for BDS against Israel and its complicit institutions, as international artists did in the struggle against apartheid in South Africa.

Finally, we would like to call on international solidarity groups to put pressure on international participants of the Haifa International Film Festival to cancel all forms of participation, and to explain to them the political meaning of their participation.

PACBI

http://www.pacbi.org/etemplate.php?id=1722

Notes:

[1] http://www.thejc.com/news/uk-news/40043/zionism-to-hell-all-says-%EF%AC%81lm-director

[2] See

http://www.pmes.org/articleArchive/Haifa and http://www.palestineremembered.com/Haifa/Haifa/ [3]

http://www.nytimes.com/2009/03/19/world/middleeast/19israel.html

- [4] <u>http://www.haaretz.com/misc/article-print-page/about-face-1.170267</u>
- [5] http://www.pacbi.org/etemplate.php?id=340
- [6] http://www.pacbi.org/etemplate.php?id=315
- [7] http://www.pacbi.org/etemplate.php?id=869
- [8] http://www.pacbi.org/etemplate.php?id=1177

[9]

http://walt.foreignpolicy.com/posts/2009/05/13/truth_and_advertising

- [10] A partial list of those who have adhered to the Palestinian call for BDS and the degrees to which one can support the call
- [11] http://www.pacbi.org/etemplate.php?id=309
 [12] http://electronicintifada.net/content/gaslight-boycotts-israeli-film-festival/117

BRICUP takes on Ahava Dead Sea Laboratories

Readers of this Newsletter will already know about BRICUP's on-going interest in EU funding, under the EU 'Framework' programmes, of Israel's development of new weaponry and surveillance systems for use against the Palestinian people (BRICUP Newsletters 41 and 44). BRICUP is now participating in a campaign, along with other NGOs and human rights groups, to ensure that the EU Commission's proposed new rules on EU funding of research and innovation (The Horizon 2020 Programme) will include safeguards to prevent this abuse of EU taxpayers' money. Such rules should, of course, exclude any organization operating in the illegally occupied territories, and BRICUP has been particularly active in the case of Ahava Dead Sea Laboratories (Ahava DSL) which has, to date, received €1.13 billion from the EU's Framework programmes. Ahava DSL is a division of the cosmetics company, Ahava, which operates out of the illegal West Bank settlement of Mizpe Shalem and which illegally expropriates natural resources from the West Bank in contravention of the 4th Geneva Convention. When we challenged the European Commission about this, they justified the funding on the grounds that Ahava's main office was located inside Israel and that this enables it to qualify as a 'legal entity' for Framework 7 research funding. Current EU rules do not specify where the research is to be carried out. BRICUP has had the support of Keith Taylor, Green Party MEP for the South East of England in pursuing the case against the EU funding of Ahava DSL. He has used Parliamentary written questions to the Commission to extract valuable information for us, and to press the Commission about the inconsistency in its own rules. These do not allow settlement companies to use an official Israeli address to obtain tariff-free trade for their goods, but do permit Ahava DSL to do so in order to obtain large research grants from the EU. The Commission's response to Keith Taylor's latest written question about the ethical abuse of EU rules by Ahava DSL does suggest a slight possibility that the rules might be tightened, but the Commission expressed no ethical concerns whatsoever. They said, 'The Commission is, however, aware of the issues raised by the Honourable Member and is currently scrutinizing options to be able to evaluate and potentially address such a situation in the frame of the preparation for the New Horizon 2020 programme.'

BRICUP is also campaigning against Ahava DSL's numerous research partners in the UK, which include King's College London (KCL). So far, approaches by BRICUP and King's Student's Palestine Society to Sir Richard Trainor, the Principal of KCL, has been met with the expected rebuff using the 'legal entity' defence. The students have followed up by launching a petition to end the association with Ahava DSL, and are planning a major awareness-raising campaign on the campus: BRICUP will support this in any way it can. Clearly, there will be no change, either in the UK academic community or within the Commission itself, without substantially more pressure from civil society groups and academics across Europe. Later this year, the focus of the Horizon 2020 campaign in the EU will move from the Commission to the Parliament, where we aim to help build on the significant support that is already there to ensure that the new research funding arrangements will prevent EU money from being used to support violations of human rights and international law.

Another artist boycotts Israel

Natacha Atlas has issued the following statement: I had an idea that performing in Israel would have been a unique opportunity to encourage and support my fans' opposition to the current government's actions and policies. I would have personally asked my Israeli fans face-to-face to fight this apartheid with peace in their hearts, but after much deliberation I now see that it would be more effective a statement to not go to Israel until this systemised apartheid is abolished once and for all. Therefore I publicly retract my well-intentioned decision to go and perform in Israel and so sincerely hope that this decision represents an effective statement against this regime.

Financial support for BRICUP

BRICUP needs your financial support.

Arranging meetings and lobbying activities are expensive. We need funds to support visiting speakers, book rooms for public meetings, print leaflets and pay the whole range of expenses that a busy campaign demands.

Please do consider making a donation.

One-off donations may be made by sending a cheque to the Treasurer, at BRICUP, BM BRICUP, London, WC1N 3XX, UK or

by making a bank transfer to BRICUP at

Sort Code 08-92-99

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BIC = CPBK GB22

Like all organisations, while we welcome one-off donations, we can plan our work much better if people pledge regular payments by standing order.

You can download a standing order form.

More details can be obtained from treasurer@bricup.org.uk

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BRICUP is the **British Committee for the Universities of Palestine.** We are always willing to help provide speakers for meetings. All such requests and any comments or suggestions concerning this Newsletter are welcome.

Email them to: newsletter@bricup.org.uk