

## R v PRAGER [1972] CACD 1 WLR 260

The court discussed what would be 'oppressive' in questioning by the police, and chose to accept a previous speech given by Lord MacDermotte;

*'questioning which by its nature, duration or other circumstances (including the fact of custody) excites hopes (such as the hope of release) or fears, or so affects the mind of the subject that his will crumbles and he speaks when otherwise he would have stayed silent.'*

and *'what may be oppressive to one or someone inexperienced in the ways of the world may turn out not to be oppressive when one finds that accused person is of tough character and an experienced man of the world.'*

Edmund Davies said: 'As we have already indicated, the criticism directed in the present case against the police is that their 'interrogation' constituted 'oppression'.

This word appeared for the first time in the Judges' Rules of 1964, and it closely followed the observation of the Lord Chief Justice (Lord Parker) in *Callis v. Gunn* (1963) 48 Cr. App. R. 36 condemning confessions 'obtained in an oppressive manner'.

Today, matters of oppression would be argued inadmissible under Sec 76-78 PACE 1984

*The interpretation and comments made within this document are not to be considered as legal advice.  
Reference should always be made to the original case.*