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Children (Parental Imprisonment) - Kerry McCarthy (Bristol East) (Lab) - I Beg to Move

That leave be given to bring in a Bill to require the Secretary of State to establish national policy guidelines in respect of children with a parent in prison, including for the identification of the children of prisoners at the point of sentence and for accountability for providing support to the children of prisoners; and for connected purposes.

I want to start by saying what this Bill is not about. It is not about prisoners, although there is some good and important work being done with prisoners and their families. We know there is often a value in maintaining family ties: it helps prisoners to cope with their sentences and makes it less likely that they will reoffend when they are released. However, this Bill is not about them. It is about their children, some of whom will have contact with their parent in prison and many of whom will not. If the parent is inside for domestic violence or for sexual offences involving children, or, indeed, if the child was the victim of the parent's crime, there might not be contact. If there has been a long history of criminal behaviour, of addiction or violence, or if there was never much of a family unit in the first place, there might not be contact.

Therefore, we do not start with the prisoner's wellbeing; we start with what is in the child's best interest—and we start from a difficult place, because we simply do not know how many children have a parent in prison. We do not know who they are, where they are or who is looking after them, or at least not in any systemic way. They are the invisible children. Sarah Burrows, who is here today, is the chief executive of Children Heard and Seen, a charity that does excellent work to identify, mentor and support children with parents in prison. She is fond of saying that we know exactly how many Labradors there are in this country, yet we do not know how many children have a parent in prison. That is why this Bill is needed.

I am not going to prejudge now what a statutory mechanism for identifying and supporting children with a parent in prison would look like, although I pay tribute to Sergeant Russ Massie of Thames Valley police, and the work he has led on Operation Paramount, and I think that the unique child identifier number that is being proposed by Labour's education team might play a role. In 2019, Crest Advisory estimated that around 312,000 children a year were affected by parental imprisonment, and for 17,000 of them it was their mother. The Ministry of Justice has now commissioned a BOLD—better outcomes through linked data—report, which will use Government data to measure the scale of parental imprisonment and estimate how many children have a parent in prison. Those statistics will be released on 13 June. There has been a lot of work behind the scenes to get to this point, and I particularly thank the hon. and learned Member for Eddisbury (Edward Timpson) for his help, the Children's Commissioner, who has backed this Bill, and the various Ministers who have met us over the years.

However, we need more than just a snapshot of how many children are affected. We need a statutory mechanism so that, at the point when an adult is sentenced to Toggle showing location ofColumn 783imprisonment, someone finds out whether there are any children involved and someone is then responsible for making sure that those children are okay. We know that at the moment that is not always picked up. Sometimes the question is not asked. Sometimes a prisoner does not want the authorities to know because they are worried the kids will be taken into care. Often schools have no idea. Children Heard and Seen has seen cases where children have simply been left to fend for themselves, and I want to mention a few.

A man went to prison for sexual offences, and it was only after the house was targeted by vigilantes that a Victim Support caseworker found his 15-year-old daughter living there on her own. A criminologist conducting research in a women's prison was told by a prisoner that her two daughters were living on their own, without any money for food or sanitary protection. A 16-year-old boy was arrested at the same time as his parents. He was released shortly afterwards and left to be the sole carer of his eight-year-old brother. An employer requested a welfare check after a woman had not shown up to work for two months. When the police went to the address, they discovered her 15-year-old son living on his own. There was no gas or electricity, and he had been getting up and going to school every day without anyone knowing that his mum was in prison.

Kinship carers—grandparents, aunts, uncles and siblings—often play an important role in stepping up when a parent goes to prison, and they need support to do so. However, there is also a real risk that children will end up living somewhere entirely unsuitable, with people who will abuse them, neglect them and exploit them. More often than not there is a parent, usually the mother, at home, but children can still be badly affected

Crucial Reforms To Help Thousands Trapped In Indeterminate Jail Terms Fail

Reforms to help thousands of prisoners trapped under abolished indefinite jail terms have failed after Labour refused to back changes to the parole process. The party has been accused of turning its back on desperate families of Imprisonment for Public Protection (IPP) prisoners in a crunch House of Lords debate on Tuesday 21st May.

Currently, inmates must convince a parole board they are safe to released before they can be freed. However an amendment to the Victims and Prisoners Bill tabled by Conservative peer Lord Moylan – which would have placed the burden of proof on the parole board to prove an inmate was unsafe - was withdrawn on Tuesday after Labour said it would not support the changes. They also refused to support a further amendment which would have forced the parole board to consider the proportionality of how long an inmate has served compared to their sentence when considering release.

Campaigners said the changes would have offered a "glimmer of hope" to those trapped under an IPP sentence and slammed the "missed opportunity" for reform. A spokesman for campaign group UNGRIPP told The Independent: "We are extremely disappointed that more significant amendments were not supported by the Government in the Lords today, and as a result were not voted through. "These would have offered a small glimmer of hope to those who are still stuck in prison serving IPP sentences. We hope all parties truly understand the human consequences of this missed opportunity. We want everyone affected by IPP to know that UNGRIPP will continue to campaign for resentencing in order to finally put an end to this injustice." The government has agreed to reduce the licence period for IPP prisoners from 10 years to three, but has so far refused to re-sentence prisoners still locked up despite high rates of suicide and self-harm. Shocking recent cases include Scott Rider, who was given a 23-month jail term and took his own life in despair after serving 17 years in prison. A senior coroner blasted his sentence as "inhumane and indefensible".

Richard Garside, director of the Centre for Crimes and Justice Studies, slammed Labour for failing to back the "modest changes" to help end the "toxic legacy" of the IPP sentence. "Labour had a chance today to support a pretty modest change, and they bottled it," he said, noting the flawed sentence was introduced under New Labour in 2005. Today's Labour Party has a political responsibility

to sort out what has become a lethal mess created by a previous Labour government. This is a really disappointing setback. The battle to end the IPP sentence continues."

Defending the move, Lord Ponsonby insisted a "step by step" approach is the best way to address the IPP issue. "If we were to press ahead too quickly and prisoners were to be released and serious offences committed it would truly undermine the position of existing IPP prisoners who would be left behind," he told the Lords on Tuesday. Baroness Claire Fox, who previously withdrew an amendment calling for all IPP prisoners be re-sentenced due to lack of support, also cited The Independent's coverage for shining a light on the issue during Tuesday's debate. Following the debate, Lord Moylan said: "I remain committed to trying to correct the injustice of IPP."

Lord David Blunkett, who admits he regrets introducing the sentence as home secretary in 2005, is among a group of cross-party peers pushing for reform. He added: "IPP has at last reached the public's ear. The injustice of those finding themselves still subject to the IPP/DPP sentence 12 years on from its abolition, is now well known and appreciated by everyone who understands the double-bind - the longer the agony continues, the more difficult rehabilitation becomes."

A Labour spokesperson said: "It is right that IPP sentences were abolished and we are supporting the government's amendment to bring forward a statutory action plan in this area. Public protection is at the centre of our approach. It is not possible to make assessments on the individual needs of IPP offenders from Opposition without the relevant information, which is confidential. n government, Labour will work at pace to make progress on IPPs and we will consult widely to ensure any action plan is effective and based on the evidence."

Sexual Offences Case Sent to Court of Appeal

The Criminal Cases Review Commission (CCRC) has referred a sexual offences case to the Court of Appeal. Mr AW was convicted of sexual offences including rape in March 2016 and was sentenced to a total of seven years' imprisonment. The basis of the prosecution case was the complainant's account of the events that took place. Mr AW denied the offences, and the defence argued the complainant was an unreliable witness. Mr AW applied to the CCRC in August 2020. After analysing material from the police and other public bodies it has been determined there is a real possibility that the conviction may be overturned by the Court of Appeal.

Knowledge is the Most Democratic Source of Power

What is knowledge as a source of power? 'Knowledge is power' means that men/women have education and a complete control on his life by using the strength of knowledge. The ability to acquire knowledge, preserve and pass it on to the future generation makes men/women powerful. It enables him to control the forces of nature and use them for his benefit.

Knowledge means understanding of something such as facts, information, description and skills. It is the source of power to men/women and this distinguishes them from other creatures of the universe. Though men/women are physically weaker than many animals, for he/she cannot see as far as an eagle, nor carry heavy loads as some animals. Nevertheless he/she is the most powerful creature on earth. This power basically comes to him from knowledge not from physical strength. 'Knowledge is power' means that a men/women have education and a complete control on Their life by using the strength of knowledge. The ability to acquire knowledge, preserve and pass it on to the future generation makes men/women powerful. It enables them to control the forces of nature and use them for their benefit. This power of knowledge, if used wisely can bring happiness to mankind. Knowledge leads to wisdom, respect and consequently power.

Why is Knowledge Powerful? Knowledge does not always come with power. Knowledge is the state of awareness or understanding and learning of specific information about something and it is gained from experience or study. This means a person has the resources to express his views dynamically and make intelligent decisions based on his every day situations, awareness and understanding. This doesn't make a men/women powerful. Are said to be powerful when they uses his knowledge to mobilize in the right direction. When men/women have the ability or capacity to act or perform effectively with his knowledge then he/she gains Power.

Allow Courts to Fine Lawyers Who Bring SLAPPs

The courts should have the power to issue big fines for law firms that bring 'Srategic Lawsuits Against Public Participation' (SLAPPs), global anti-corruption campaigner Bill Browder has told Legal Futures. He also claimed that there were plenty of City law firms happy to assist dictators, kleptocrats and others in moving dirty money. Mr Browder heads the Global Magnitsky Justice Campaign and was instrumental in the creation of the Magnitsky Act in the USA, which led to targeted visa bans and asset freezes on Russian human rights abusers and corrupt officials. Other countries have followed suit and, in 2020, the UK government introduced a Magnitsky Act-style sanctions regime targeting those involved in serious human rights abuses and violations.

After announcing it, then Foreign Secretary Dominic Raab met with Mr Browder and Sergei Magnitsky's widow and son, Natalia and Nikita. Mr Magnitsky was Mr Browder's Russian lawyer, who was imprisoned without trial and tortured after uncovering and testifying to a huge state fraud. He died in jail in 2009. Mr Browder recently spoke at a meeting of the government's Strategic Lawsuits Against Public Participation (SLAPPs) Taskforce, having himself been on the receiving end of what he considered to be two SLAPPs which were thrown out by the High Court. He told Legal Futures that he believed lawyers who were involved in bringing SLAPPs should also be punished, not just the claimants. He has reported one law firm to the Solicitors Regulation Authority but that was four years ago and its investigation is ongoing. "Justice delayed is justice denied," Mr Browder said. He continued: "There are plenty of law firms that would be happy to take dictator clients and other types of people. My proposed solution to this is that there should be a penalty imposed by a judge at the moment of the decision against law firms who were found guilty of bringing SLAPPs.

I know me coming in as an outsider and saying something like this sounds anathema to most people, but I guarantee you that, based on incentives – and I know incentives as a businessperson – it would stop in a heartbeat." While a single lawyer may view doing something bad as worth the risk, "his partners won't if there's money coming out of their pockets". Law firms would suddenly be much more careful about the cases and clients they took on, he said.

While welcoming the SLAPPs Bill currently going through Parliament, Mr Browder argued that it was only when "you actually hit people in the pocketbook that's everything changes… until you do that, people are dancing around the head of a needle finding ways and loopholes and opportunities to avoid these types of laws". More broadly, his view was that being a lawyer did not determine whether they would become involved in misconduct of this nature. "I've met some heroic lawyers but I've also met some absolutely evil lawyers in this long and terrible struggle that I've been involved in. And it has nothing to do with the profession – it has to do with the individuals and people's personal values, integrity and morals."

American by birth, he has lived in the UK for 35 years and is a British citizen. He said the sense that things were done 'properly' here has allowed people to "get away with a lot". He explained: "When Cyprus does really dirty stuff, the whole world comes down on them like a ton of bricks.

This country is riding on a vapour trail of respectability, which allows them to do a lot more bad stuff and get away with it. There are a lot of very cynical people in the legal profession and in the City of London, and the only thing people are afraid of is financial consequences and personal legal consequences like going to jail. If you create those, people don't do bad stuff." He was sceptical too of the argument that City law firms now have rigorous procedures for taking on clients. "I've seen enough big law firms take really dodgy clients, do really nasty stuff on behalf of those clients on a regular basis that you can't make that generalisation. You can say there's some lawyers who won't take bad clients and some law firms that might ask tough questions, but they can't generalise because there's a lot that don't." Mr Browder also argued that defendants in SLAPPs should be able to recover 100% of their costs; in one of his cases, he was awarded 65% of his costs and in the other, because of indemnity costs, 85%. "If somebody brings a case that gets dismissed, whatever it takes to get it dismissed, that should be their risk for bringing a case… If it's a totally unjust case that should have never been brought, why should I bear any financial liability?"

Police Say - No Grenfell Charges Likely Until 2027

*Tom Symonds, BBC News:*The delay announced Wednesday 22nd May means it is likely no defendants will appear in court until 2027, if there are prosecutions. - It will be 10 years after the Grenfell Tower fire before potential criminal prosecutions can begin. The Metropolitan Police and Crown Prosecution Service said no charges would be announced until late 2026 at the earliest because of the increasing "scale and complexity" of the inquiry. Nineteen companies or organisations are currently under investigation, along with 58 individuals, over the disaster which killed 72 people in June 2017. Grenfell United, the bereaved families and survivor group, said they need to see justice and the wait is "unbearable". Senior officers have confirmed they are continuing to gather evidence of potential corporate manslaughter or fraud. The police investigation, codenamed Operation Northleigh, has been under way for nearly seven years alongside the two-part public inquiry. The public inquiry into the fire is expected to publish its final report in the summer or autumn of this year. Police will then spend 12 to 18 months considering its contents, a legal requirement, senior officers said. - Deputy Assistant Commissioner Stuart Cundy said the Metropolitan Police had promised victims of the fire it would "follow the evidence wherever it would take us." He said police have "one chance" to get the investigation done to the right standard, and that "we owe that to those whilst their lives or who have been affected by the Grenfell Tower tragedy." Mr Cundy accepted the timeline was "incredible". "That isn't justice denied, but it's a long time to get to that point. A worse case scenario would be if we rushed the investigation," he said, because it might expose flaws in the cases the police will pass to prosecutors.

Grenfell United, the group for bereaved families and survivors, said people's lives are "on hold while those responsible walk free. Ten years until we see justice [...] 10 years until those responsible for the murders of 72 people are held to account for their crimes," the group said in a statement. The investigation has become increasingly complex as the Metropolitan Police considers the web of organisations and companies involved in the disastrous refurbishment of Grenfell Tower before the fire. This added a layer of highly flammable cladding, which led to a small fire in a flat spreading fast. Police are examining the role of the Royal Borough of Kensington and Chelsea and its tenant management organisation, companies involved in doing the work, and others which supplied and manufactured building materials. They have also gathered 27,000 pieces of evidence from the tower itself. Allowing reporters into a secret warehouse for the first time, they demonstrated how the plastic filling of a cladding panel had melted and dripped, one of the key reasons the fire had spread. The exhibits also include the burnt remains of the fridge, in which an electric fault sparked the fire, and racks of insulation.

Oliver Campbell: Judges Reserve Decision to Consider 'Dense' Arguments

Hope Browne, Justice Gap: Two months after the case was last heard, Oliver Campbell returned to the Royal Courts of Justice yesterday for the final hearing of his murder conviction appeal. Campbell was jailed in 1991 for the shooting of shopkeeper Mr Hoondle during a robbery. However, discrepancies existed between Campbell and the description of the gunman, and his guilt was based on his confession. A witness described the gunman as approximately 5ft 11in, and other evidence suggested he was right-handed. Campbell is left-handed and 6ft 3in. Yesterday afternoon 22nd May, the judges announced they would reserve their judgement to consider the 'extremely detailed' and 'dense' arguments presented – as reported by the Hackney Gazette's Charles Thomson.

Campbell, who has the mental age of a 7-year-old, was interviewed 11 times over the course of two days. Under questioning, Campbell chose not to have his lawyer present and confessed to the crime. In court, Campbell's lawyers questioned whether his consent to be interviewed without a lawyer was "voluntary, informed and unequivocal" due to these mental difficulties. However, the Crown prosecutor John Price KC argued that Campbell knew his lawyer having used his services previously, including for criminal behaviour, suggesting he was aware of his right to legal representation during the police interviews. Price stated, 'the empirical evidence shows that he could and, prior to November 30, has decided when and from whom he wished to have assistance at a police station.' Concerns about the possibility of a false confession have been central to the entire appeal, with Campbell's lawyers basing their arguments on scientific research developed since his conviction.

After the court adjourned in February, Campbell's legal team submitted additional written evidence, focusing on advancements in the understanding of false confessions. More on the evidence provided by forensic psychology experts in court can be found on the Justice Gap here. Defence barrister Michael Birnbaum also highlighted that Eric Samuels, Campbell's co-defendant in the 1990 crime, had exonerated Campbell to the police and supposedly named the real killer – information which was not shared with the jury at the time of trial being dismissed as 'hearsay'. While Price maintained that many of the concerns raised by the defence were addressed during Campbell's initial trial, saying 'nothing has changed', the defence disagrees.

Outside the court, one of Campbell's lawyers, Glyn Maddocks KC, noted 'the way in which police interrogate people or question people now is significantly different… the way that people with serious disabilities are treated now is massively different. And all of that really didn't feature in the arguments put forward by the Crown.' The judges – Lord Justice Holroyde, Mrs Justice Stacey and Mr Justice Bourne – will now make their decision and deliver it electronically. Speaking outside the court afterwards, Campbell said 'the wheels of justice move very slowly'.

Children Detained Under Little-Known Orders Speaking Out After Turning 18

Ashley John-Baptiste, BBC News: At the age of 14, Katy Baxter was detained alone under a Deprivation of Liberty (DoL), far from her Bournemouth home, supervised by two workers 24 hours a day, going for long periods without any contact with her family. "I wanted to see my nan and my sister. I couldn't even call them because I wasn't allowed a phone," she tells the BBC. "It made me mad... angry." Katy, now 18, is one of thousands of children in England and Wales - at least one as young as seven - to have been placed under what are known as Deprivation of Liberty (DoL) orders.

The BBC has interviewed several young people who were subject to DoLs and are now speaking publicly about their experiences for the first time. They told us stories of being cut off from their families, kept permanently under surveillance and subject to brutal - sometimes inappropriate - restraint. All said the experience had had a detrimental impact on their long-term wellbe-

ing. A local authority can apply to the Family Court to impose a DoL order on a child if they are deemed to be at serious risk - either from themselves or others - and if depriving them of their liberty is seen as the only way they can be kept safe. The measure is intended as a last resort when secure accommodation or placements are not immediately available.

The use of DoL orders has risen dramatically in recent years. Between April 2017 and April 2018, there were 102 applications to use DoLs in England, according to the Children and Family Court Advisory and Support Service (Cafcass). In the same 12 months across 2023-24, applications had risen to 1,234 - the majority of which were granted.

A DoL order may be extremely restrictive. The child can be confined and kept under constant supervision by workers, who may be authorised to physically restrain them. Many find themselves living in properties not designed for care, including temporary accommodation or even hotels, in unfamiliar locations. In the second half of 2022, the average DoL placement was more than 55 miles away from the child's home, external. Use of the orders - which has grown twelve-fold since 2018 - has been heavily criticised by England's most senior family judge, who has told us the situation represented a "crisis". His concern is echoed by the children's commissioner for England who says their impact has been "absolutely horrific" and a "national scandal". In her early teens, Katy was absconding from home and deemed to be at high risk of sexual exploitation. Her local authority at the time, Dorset Council, applied to the Family Division of the High Court for her to be placed under a DoL order.

The BBC gained permission to view and publish extracts from Katy's court documents. The judgment set out the details of her restrictions. These were: Staff supervision at all times - No access to cash - No access to a phone or social media - No unsupervised use of the internet Use of physical restraint strategies to reduce the risk of harm to herself or others in accordance with the Restraint Policies offered by [the care provider] She would be held under DoL orders, across a range of care homes as far away as Bristol - miles from her home and family - for more than two years. Although she was detained because of worries about sexual exploitation, Katy says she ended up being supervised mainly by male workers.

Katy recalls a disturbing incident from this time. She was having a shower, when a male worker knocked loudly on the bathroom door, demanding she come out. "He then jumped on me. I was naked," she says. "It made me angry… There's nothing I could do about it." She also recalls an occasion where a worker grabbed and twisted her arm: "I thought he was going to break it." Katy says she is still traumatised by the memory. Dorset Council has told us it takes Katy's allegations very seriously and says it will investigate them thoroughly.

Zarha Codsi from east London was placed under a DoL order when she was 13. It was the culmination of a traumatic childhood. At the age of three, she was put into foster care after suffering severe neglect and sexual abuse. By the time Zarha reached her teens, she had been placed in 14 foster homes - and had run away from several of them. Her local authority - Tower Hamlets - applied for a DoL order on the grounds she was at high risk of involvement with gangs, drugs and child sexual exploitation.

The BBC has obtained the details of her order through the Family Court. Like Katy, Zarha had to be supervised by two workers around the clock, in accommodation in Bedfordshire. She was not allowed to have a mobile phone or unsupervised access to the internet. The DoL order was only imposed for a week, but Zarha was then placed in secure accommodation in Glasgow for three years, 400 miles away from her London home. She says the impact was traumatic. "I had friends who thought I had died because these people just took me away," she says. Like Katy, Zarha

believes the restraint used by her workers was often unnecessary and inappropriate. "If you said something slightly annoying, the workers could simply put their hands on you," she says. "They could restrain you for the simple fact of crying." Zarha says it felt wrong that a teenager who had once been sexually assaulted could be restrained by two males, and that the restraints were not always about keeping her safe. "Sometimes they would do it to overpower me and make me feel weak," she says. "They never listened to me when I told them to stop." We contacted Tower Hamlets Council about Zarha's treatment. It said this was the first time it had heard these "concerning allegations" and would welcome more information from her. The council also said it rarely used DoL orders and only when a child was extremely vulnerable.

Dame Rachel de Souza, the children's commissioner for England, says she is concerned about the suitability of workers who supervise children on DoL orders. Referring to them as "guards", she says they are often untrained agency workers and not qualified social workers, lacking the therapeutic skills needed to support vulnerable children.

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Court Backlog Target in England and Wales no Longer Achievable

*Haroon Siddique, Guardian:*The Ministry of Justice's ambition to reduce the backlog in crown courts in England and Wales to 53,000 by March next year is no longer achievable, a parliamentary watchdog has said. The MoJ set the target in October 2021 when the outstanding caseload was 60,000, but by the end of last year it had reached 67,573 – its highest level ever – according to a National Audit Office (NAO) report.

The report's publication date was decided before the election announcement, but the criminal justice system is expected to be a key battleground between Labour and the Conservatives. On Wednesday 22nd May, ministers triggered emergency measures, leading to the last-minute postponement of hundreds of court hearings, and release of suspects on bail rather than being held on remand, to tackle prison overcrowding. The NAO says the remand population in jails, which last year reached more than 16,000, the highest in 50 years, with around two-thirds awaiting trial as opposed to sentencing, is contributing to "acute prison population pressures".

Meg Hillier MP, the chair of the Commons public accounts committee, said: "Victims, witnesses and defendants are waiting an unacceptable amount of time for their cases to be heard, with the average crown court case taking almost two years [from offence until completion]. Longer waits are damaging to victims' mental wellbeing and increase the risk of the trial failing. Changes made to one part of the criminal justice system affect other parts of the system, for example increasing prison population pressures. The Ministry of Justice must get a grip on these impacts, understand them better and take coordinated, timely action so justice is delivered quicker, and the case backlog is reduced."

In the final quarter of last year, a case took 683 days on average from offence to completion in the crown court, with almost a fifth relating to sexual offences and approximately a third involving violence against a person. Among contributory factors to the backlog identified by the report were a shortage of criminal law practitioners, trials frequently being postponed at the last minute, an increase in complex cases such as adult rape, the effect of the Covid pandemic and strike action by the Criminal Bar Association (CBA) between April and October 2022. Last year, the number of trials cancelled on

the hearing day because not all legal professionals required were available rose to 1,436 (5% of trials), up from 71 (0.3% of trials) in 2019. The NAO warns that court buildings not being fit for purpose "due to long-term underinvestment" may add to the difficulty in reducing the backlog. This leads to closures because of, for example, leaks or heating failures. The report, published on Friday 17th May, says the MoJ's own estimate is that the number of outstanding cases will be close to 64,000 by next year, but it has not set a new ambition to reduce it.

The CBA chair, Tana Adkin KC, said: "The NAO report confirms that which criminal practitioners have known for years: that the criminal justice system remains in crisis without a plan for sustained investment, despite the repeated warnings of prosecutors and defence advocates who are tasked with delivering justice daily in our publicly funded courts." Nick Emmerson, the president of the Law Society, said: "The report correctly highlights the decline in lawyers working in the criminal defence profession, which is due to a reduction in legal aid fees, increasing levels of stress and poor working conditions. There simply are not enough solicitors, barristers and judges to do all the work and few young lawyers are attracted to the criminal defence profession."

An MoJ spokesperson said: "The crown court sat for over 107,000 days last year, more days than at any point in the last seven years. We are also investing more in the system, rolling out remote hearings, extending the use of Nightingale courts and recruiting hundreds of judges to get victims the justice they deserve and put more offenders behind bars. The government is pushing ahead with the largest prison expansion programme in 100 years – with 10,000 of the 20,000 additional places to be delivered by the end of 2025."

Joint Committee Supports Wide-Reaching 'Hillsborough Law'

Jack Sheard, Justice Gap: The Joint Committee on Human Rights has supported calls for a 'Hillsborough Law' to ensure that the government meets its human rights obligations, saying current proposals 'do not go far enough. The proposed 'Hillsborough Law' is designed to increase the effectiveness of inquests and inquiries. It would have three components – a statutory duty of candour on public authorities; legal funding for bereaved families; and the creation of an independent Public Advocate.

The Joint Committee noted that 'institutional defensiveness remains a problem for public authorities', hindering efforts to establish the truth after major disasters. Existing proposals, such as in the Criminal Justice Bill rely on internal disciplinary processes, which would be difficult to enforce. The Committee recommended a statutory duty of candour applying to all public authorities, obliging them to proactively assist legal proceedings and act in the public interest. The recommended duty should be reinforced by threat of criminal sanction.

The Committee also addressed legal aid for bereaved families after major incidents. Presently, this is only provided under Exceptional Case Funding, which was available only for 750 of the 36,000 investigated deaths last year. Most families were left unrepresented against government-funded lawyers, leaving them 'traumatised, bereaved and confused'.

The Committee recommended that non-means-tested legal representation be made available whenever the state has is represented. This representation should be proportionate to the government's own legal representatives, to ensure equality of arms.

Thirdly, the committee recommended the establishment of an independent Public Advocate. This role would assist the victims of major incidents through the legal process which follows. Such proposals are included in the Victims and Prisoners Bill, presently advancing through parliament in advance of the general election. The committee recommended that a

Standing Advocate be appointed within 3 months of the bill's passage, and individual advocates within 72 hours of any major incident. The Committee stated that these proposals are necessary to support the government's human rights obligations, under articles 2 and 3 – the right to life, and the prohibition on degrading and inhuman treatment. Taken together, these oblige the state to investigate deaths promptly and effectively. The Committee approved of the Government's signing of the Hillsborough Charter and commitment to transparency in public service, but 'it has taken too long to reach this point'. While some aspects of the Hillsborough Law appeared in other legislation, 'they do not go far enough'. There are currently 17 ongoing public inquiries. Approximately 35,000 inquests take place a year.

Lucy Letby Appeal Refused

Her convictions for the murder and attempted murder of babies in her care when she worked as a neonatal nurse. Dame Victoria Sharp, sitting with Lord Justice Holroyde, said: 'Having heard her application, we have decided to refuse leave to appeal on all grounds and refuse all associated applications. A full judgment will be handed down in due course.' At a two-and-a-half day hearing last month, the former nurse's legal team asked the court for approval to bring an appeal against her convictions. The 34-year-old nurse also faces retrial at Manchester Crown Court in June on a single count that she attempted to murder a baby girl, known as Child K, in February 2016. As a result, UK readers are still prevented from reading the 13,000 words investigation in the New Yorker magazine by staffer Rachel Aviv which Tory MP David Davis raised in Parliament as reported in the Justice Gap (here). Although that ban hasn't stopped UK commentators discussing the ban including the Guardian's former editor Alan Rusbridger (By all means ban the Lucy Letby article—but cherish the spirit behind it).

No One Needs to 'Bring Back Stop and Search'. It Never Left

Habib Kadiri, Justice Gap: Policing minister Chris Philp's call for officers to conduct more stop and searches to address knife crime confirms two core beliefs among the political establishment today. First, the assumption that doing more of it will lead to improved outcomes, chiefly taking more knives off the streets. Second, that many politicians and police chiefs seem allergic to evidence that doesn't suit their law-and-order agenda. Even Philp's token caveat – that the controversial tactic should be used 'lawfully and respectfully' – is eclipsed by the obsession with volume. But there is nothing in the data to suggest that this is 'the best foot forward'.

While we hear that the number of searches fell by 23% since the pandemic, and by 44% in London, less attention is paid to the fact that the arrest rate for offensive weapons searches remained the same during that period, at 15-16%. Home Office data also show that 82% of searches specifically intended to find weapons instead found nothing. In fact, a weapon was found in only 3% of all searches in the year to 31 March 2023. Much like lesser-known methods, such as bin amnesties and weapons sweeps, police efforts to recover knives safely within densely populated areas is reminiscent of the act of looking for a needle in a haystack. Perhaps this is why two-thirds of police searches are for drugs (often small quantities of cannabis), compared with one-sixth for offensive weapons. Or why nothing is found to warrant any further action in just over 70% of police searches in England and Wales, every year.

Does the justice system deal with dangerous knife carriers, though? The Police National Computer records show that possession accounted for 97% knife and offensive weapon offences dealt with in the courts over the last decade. Problem solved, you might think. However, when young people who carry knives are asked why they carry weapons, many routinely claim that they do

so for their own protection. The threat of punishment is no deterrent, and the government knows this. The 2019 British Youth Council Youth Select Committee report on knife crime quotes them recognising that 'short custodial sentences are associated with high levels of reoffending', so they are 'unlikely to deter young people who feel scared for their lives from carrying a knife out of protection'. The government would also do well to heed established research demonstrating the limited capacity of stop and search to affect the occurrence of violence. The long and growing body of academic literature includes a decade-long study which 'struggled to find evidence' of stop and search's impact on violent crime in London, and a Home Office evaluation of the Met's Operation BLUNT 2, which found 'no statistically significant crime-reducing effect from the large increase in weapons searches' during the course of the trial.

Then there is persistent racial disparity in stop and searches towards Black people, justified on the grounds that 'young Black men are disproportionately victims of knife crime'. Of course, no one doubts that there is a problem with violence among young people in hyperlocalised areas of cities such as London, some of which involves young Black boys and men. But this does not explain why there should be more stop and search per se. The results of a BBC Politics London investigation released in 2020 found that as a sixth of the capital's population, Black people made up 47% of firearms searches and 55% of weapons searches, despite the police being less likely on average to find a blade or firearm on them. So Black Londoners could be forgiven for wondering why the Met cannot adequately explain away this racial disproportionality any more than academics can prove a causal link between stop and search volumes and violent crime.

If this government believed in non-punitive approaches to serious violence, then we would see a lot more worthwhile investment in the appropriate policy remedies that deal with young people with knives who are often vulnerable and in need of safeguarding. Instead, senior ministers speak of 'ramping up' stop and search, as though there are no downsides to doing so. Their memories may be short, but many of them have been in power long enough to have witnessed the days when forces conducted over one million searches annually in England and Wales, one of which resulted in the death of Mark Duggan, sparking a nationwide backlash. No one wants a repeat of that. No one needs to 'bring back stop and search' either. It never left. The police need to do it better.

CCRC Refer Failure to Disclose Presence of Undercover Officer at Arrest

The Criminal Cases Review Commission (CCRC) has sent a protestor's conviction back to the courts after it came to light that police had failed to reveal the presence of an undercover police officer at the demonstration. Barbara White was convicted of obstructing police and assaulting an officer in April 1978. In September 1977 as a member of the Communist Party of England (CPE) she took part in a march opposing a demonstration by the National Front in Barking, East London. During this, there was a confrontation which led to eight people being arrested. One of the eight arrested was an undercover police officer, who stood trial in the name of 'Desmond Barry Loader' (HN13). At the time of trial, evidence suggests the court was made aware there was an informant among the defendants, but it does not suggest the prosecutors, or the court were made aware that one of the defendants was an undercover officer.

After a thorough review by the CCRC and an investigation looking into undercover police officers by the Undercover Policing Inquiry (UCPI), the CCRC believes there is a real possibility this conviction would be overturned by the Crown Court as an 'abuse of process'. The CCRC is appealing for any of the other people convicted of offences connected with this protest to come forward so that their cases can also be considered.

Jury Finds Palestine Action Activists 'Not Guilty' Over Elbit Occupation

*The Canary':*Two activists from Palestine Action were unanimously acquitted of criminal damage against arms manufacturer Elbit by a jury in Leicester Crown Court after a deliberation of just one hour and 40 minutes. Palestine Action: occupying Elbit: For six days from 19 May 2021, four people from Palestine Action occupied the roof of UAV Tactical Systems, an Elbit drone factory in Leicester: The action was taken urgently in response to the ongoing bombardment of Gaza at the time. Whilst on the roof, the activists spray painted messages including "Shut Elbit Down" and "Free Palestine", damaged a skylight to reveal a military drone inside and sprayed the building in blood red paint: In total, it was claimed that the knock on costs of extra security since the action amounted to £40,000 of losses per month, totalling £1.6m.

Three days into the action, two of the four came off the roof in order to ration supplies. The jury heard from one defendant about how the two which remained on the roof and were subsequently charged, resorted to drinking rainwater in order to maintain the disruption for as long as possible in order to save lives in Palestine. The defendant explained how the factory, which is majority owned by the Israeli weapons firm Elbit Systems, was used to assemble drone equipment for the Israeli military and the ways in which Elbit's drone are deployed in Gaza. Between the defence and prosecution, the agreed facts of the cases included the factory's export licenses of drones to Israel for use by the state of Israel. He spoke through reports by drone wars and human rights watch which explained the numerous war crimes which have been conducted in Gaza using Elbit's drones, leading to deliberate massacres of the Palestinian people.

Not Guilty – Obviously - The jury also heard of how hundreds from the local community supported the action, several of which were arrested for attempting to throw water for to the activists on the roof. Cops eventually forced the activists down: The defence argued that the action taken was necessary in order to save lives and prevent the greater property damage in Palestine. In her closing speech, Mira Hammad from Garden Court North Chambers told the jury that: The consequences of failing to act would mean the death of children, parents, grandparents in Palestine and prioritising Elbit's right to property over Palestinians right to live is a: smokescreen of dehumanisation. Clearly, the jury agreed.

170 Years For Crimes he Didn't Commit

Carlos Edmilson da Silva had already served three years in prison for a crime he had not committed when he was arrested in the Brazilian city of Barueri and accused of a string of horrific rapes. His face was plastered across newspapers and TV reports, where he was dubbed the "maniac of Castello Branco", after the highway where 12 women had been raped over two years. At the age of 24, he was convicted in the first of the 12 cases. By the end of the trials, he had been sentenced to a total of 170 years in jail, where he spent 12 years – before DNA tests revealed that another man had been responsible for the crimes. Da Silva was released earlier this month and, now aged 36, is trying to rebuild his life.

But his lawyer has warned that the police procedure that led to his arrest is still widely used by Brazilian detectives, and accepted by prosecutors and judges. Da Silva's convictions were all based on photo recognition, in which victims were shown his mugshot and asked whether they believed he was the perpetrator. Now, there are calls for the technique to be scrapped, amid growing evidence that it perpetuates racial bias and has led to miscarriages of justice. "We accept a kind of amateurism in investigations. We're satisfied with so little to condemn people to high prison sentences," said Schietti.