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Woman's Conviction for Murdering Soldier Overturned

BBC News Northern Ireland: A woman jailed for the murder of a British soldier 50 years ago has had her convictions quashed by the Northern Ireland Court of Appeal. Senior judges ruled that Pauline McLaughlin's low IQ raised doubts about the reliability of alleged admissions to offences linked to the IRA killing of 2nd Lt Michael Simpson, who was shot dead while on patrol in the Shantallow area of Londonderry in October 1974. A second soldier was also wounded in the IRA sniper attack. Aged 17 at the time of the shootings, McLaughlin claimed to have transported the rifle to the house used as a firing point and returned the weapon afterwards.

Ms McLaughlin, 67, was convicted in 1978 of eight offences, including the murder of 2nd Lt Simpson, the attempted murder of his colleague, causing an explosion and belonging to the IRA. By that stage three men had already been jailed for their roles in the killing. Aged 17 at the time of the shootings, Ms McLaughlin allegedly admitted transporting a rifle to the house used as a firing point and returning the weapon afterwards. She was also prosecuted over separate bombing incidents at a factory and a warehouse in the city in October 1974 and September 1975. She was jailed but was later released in 1981 on medical grounds.

Her appeal was based on fresh evidence which became available during a re-examination by a body set up to look into potential miscarriages of justice. Issues were raised about Ms McLaughlin's intellectual capacity at the time of her arrest. Her defence claimed her legal representatives at the original trial did not act in accordance with instructions, failing to deploy available evidence of her illiteracy and alleged police ill-treatment. It was contended that she had been convicted without properly scrutinising the reliability of statements of admission or assessing the required criminal intent to commit the offences. Defence lawyers claimed her legal representatives at the original trial did not act in accordance with instructions, failing to deploy available evidence of her illiteracy and alleged police ill-treatment. It was contended that she had been convicted without properly scrutinising the reliability of statements of admission or assessing the required criminal intent to commit the offences.

'Stark and Exceptional Circumstances' The court heard a clinical psychologist concluded before her trial that she was in a "high grade mentally subnormal category". It was also accepted that Ms McLaughlin was shown at least one photograph of a corpse during police questioning. On Thursday, 3rd October 2024, Lady Chief Justice Dame Siobhan McKeegan said the appeal had identified "stark and exceptional circumstances" related to the defendant's mental age and intellectual capacity at the time. "This evidence raises a valid query as to her reliability in terms of standards prevailing in 1977 never mind 2024," the lady chief justice said. This was a vulnerable young woman, with an IQ of 64 in the learning disability bracket. The prosecution was clearly alive to the issue. Yet there we no safeguards provided to protect her including access to a lawyer and an appropriate adult."

Dame Siobhan suggested defence lawyers could have claimed Ms McLaughlin had been subjected to psychological pressure if they had known officers had shown an image of a dead body to a vulnerable woman. "Furthermore, if the trial judge had been aware of this, we consider there is a real possibility that he would have taken a different course in the case as he would have been slow to conclude that the confession was reliable," she added. The lady chief justice added: "Accordingly, we cannot be satisfied as to the safety of these convictions... and we will quash."

2-Year Sentence for Throwing Soup - That's The Farcical Reality of British Justice

As the Waters Rise, - George Monbiot, Guradian: Why do the mass killers of the fossil fuel industry walk free while the heroes trying to stop them are imprisoned? The sentences were handed down just as Hurricane Helene hit North Carolina. As homes were smashed, trucks swept down roads that had turned into rivers and residents were killed, in the placid setting of Southwark crown court two young women from Just Stop Oil, Phoebe Plummer and Anna Holland, were sentenced to two years and 20 months, respectively, for throwing tomato soup at the glass protecting Van Gogh's Sunflowers. No prison terms have been handed to the people whose companies deliver climate breakdown, causing the deaths of many thousands and destruction valued not at the £10,000 estimated by the court in damage to the painting's frame but trillions.

Everywhere we see a farcical disproportion. The same judge, Christopher Hehir, presided over the trial of the two sons of one of the richest men in Britain, George and Costas Panayiotou. On a night out, they viciously beat up two off-duty police officers, apparently for the hell of it. One of the officers required major surgery, including the insertion of titanium plates in his cheek and eye socket. One of the brothers, Costas, already had three similar assault convictions. But Hehir gave them both suspended sentences. He also decided that a police officer who had sex in his car with a drunk woman he had "offered to take home" should receive only a suspended sentence. Hehir said he wanted "to bring this sad and sorry tale to its end with a final act of mercy". The solicitor general referred the case to the court of appeal for being unduly lenient, and the sentence was raised to 11 months in jail.

Hehir also handed a suspended sentence to a man who rammed his car into the gates of Downing Street and was then found by police to have extreme child abuse images on his phone. By contrast, in July Hehir – the Judge Jeffreys of our time – gave five climate protesters who blocked the M25 jail terms of four and five years. It looks to me as if justice itself is suspended in Southwark crown court. The disproportion became still more visible after racist rioters (some of whom should arguably have been tried as terrorists) this summer received much shorter sentences than the nonviolent M25 protesters. It was highlighted again when the newsreader Huw Edwards received a suspended sentence for his disgraceful crimes. When people expressed their shock, lawyers and other upright citizens defended the disparity, primly explaining that it represents the proper application of sentencing guidelines – as if this somehow makes it right.

That is indeed the main source of the problem, though the attitude of judges like Christopher Hehir makes it worse. When the maximum sentence for chaining yourself to the railings is more than twice the maximum sentence for racially aggravated assault, anyone who cares about justice should be appalled. The draconian new laws introduced by the Conservatives, which, shockingly, the Labour government now defends, ensure that non-violent protest is routinely treated as a more serious crime than most forms of violence. The issue is precisely that this asymmetry is institutionalised.

Point this out and the conversation immediately switches. Why can't those stupid activists target fossil fuel infrastructure instead of attacking works of art? Well, they do, but scarcely anyone notices. Last month, four protesters, also with Just Stop Oil, were sentenced in Basildon crown court for trying to block access to the Navigator oil terminal at Thurrock in Essex by digging tunnels under the road then living in them. Joe Howlett was jailed for 15 months, Chris Bennett for 18 months, Samuel Johnson for 18 months and Larch Maxey for three years. When the BBC reported this sentencing, it mysteriously failed to mention the oil terminal – it must have seemed to anyone reading this story that they tunnelled under a minor road in Essex for no obvious reason.

The same goes for the trials: thanks to the removal of crucial legal defences by the Conservative government, climate protesters are now routinely forbidden from explaining the context for their actions and must be tried as if they committed mindless acts of vandalism. No link can be made with the global disasters that now rumble behind almost every one of these sentencing decisions. The desperate, courageous attempts by powerless people to draw attention to the issues the media and governments neglect are endlessly decontextualised.

Most of our media could be seen as a giant context-stripping machine. In recent years, there has been a sharp rise in the intensification of tropical cyclones, resulting in more devastating hurricanes like Helene. Why? Because greenhouse gas emissions heat the ocean. An early estimate is that global heating caused 50% more rainfall during Hurricane Helene in parts of Georgia and South and North Carolina. The hurricane's impact might also have been exacerbated by higher land temperatures, as the resultant evaporation allowed the storm to rage longer and further. Yet most news reports – and most political responses – treated this disaster as if it were a random quirk of nature.

What we see in all these cases is a fatal lack of moral seriousness. It extends from the media to the courts, from the government to our living rooms. We are swept along on a storm surge of virulent trivia. A single episode of *Strictly Come Dancing* receives a thousand times more media coverage than the recent mass deaths in West Africa and Nepal or the current inferno in the Amazon, all caused or exacerbated by climate breakdown. Does this reflect our hierarchy of values? If so, we have fallen into a deep moral pit. If not, we should ask how we have allowed ourselves to become perennially distracted from what will be, if unaddressed, the only issues that count.

Or perhaps it has to be like this. If it were otherwise, we would need to ask some further hard questions – questions almost no one in a position of power or influence wants to air. Why do the mass killers of the fossil fuel industry walk free while the heroes trying to stop them are imprisoned? Why, in nominal democracies, do we allow industrial lobbyists to steer government policy? Why, when we know so much, do we permit a handful of billionaires to propel us towards predictable catastrophe? Such questions invite trouble. Those who raise them are either sidelined or, if they cannot be ignored, relentlessly attacked. It is so much easier to lock up the people impeding our frenetic dance towards oblivion and then pretend the problem has gone away.

Prison Reform Trust Comment: IMB Thematic Report On Prisoner Property

Commenting on the findings of the IMB thematic report on prisoner property, Ryan Harman, Advice and Information Manager at the Prison Reform Trust, said: "Today's report echoes many of the same concerns that we hear from prisoners every day. Preparing for your court or parole hearing without your legal papers; being forced to live for over a year without your prosthetic leg; or unable to speak with your family because staff have destroyed their contact details are stark examples of a deeply inadequate and dehumanising system in need of urgent reform. The loss, damage and carelessness with which property is routinely treated not only impacts prisoners' safety, health and prospects for progression and release, it undermines the legitimacy of prisons and staff—a crucial foundation for safe, decent and effective jails. The prison service is scoring an own goal—personal property means great deal to people in prison, and staff don't want to have to explain that it's gone missing. Effective reform is a win-win."

Introduction from Elisabeth Davies IMB National Chair

Property – having your own possessions that are important to you – is vital to those who are living in the constraints of a prison environment, deprived of their liberty, with little connection to the outside world. The national scale of loss and damage to prisoners' property shown by IMBs monitoring

in adult prisons and YOIs, and the detrimental impact this has on these men, women and children's quality of life, is unacceptable. Property loss and damages severely harmed prisoners' mental health and wellbeing, causing huge amounts of distress. It also undermined their safety, dignity and humanity, physical health, and prospects for progression and release. Many of these losses have been unforgivable: a disabled prisoner living without his prosthetic limb for over a year; critical evidence for a prisoner's sentencing missing; the irreplaceable letters from prisoners' loved ones who have died while they've been inside misplaced. The causes of lost property have been well-documented. Over many, many years almost all IMBs in adult prisons and YOIs have repeatedly told ministers and the Prison Service that they need to get a grip and have made recommendations about how to do so. In the latest tranche of annual reports alone, nearly 60 IMBs asked 75 property related questions to governors and directors, the service and ministers.

In September 2022, the Prison Service implemented a new policy framework with the aim of addressing the main problems continually identified by IMBs nationally in recent years and improving prisoner outcomes. During its development, and even now, IMBs receive assurances that the framework is doing just that. Two years later, however, the wider findings of the IMB suggest there is little to no evidence the framework has made any difference. As the causes of property loss have been so well evidenced by local IMBs over the years, this thematic monitoring report focuses much less on the process and system failures (although there are many) and far more on the poor outcomes for prisoners. It also highlights good practice in prisons and YOIs that has helped to prevent or resolve property loss. It is my hope as National Chair that this is the last time IMBs will have to set out these recurring issues and the scale of this problem, and that the new government will finally overhaul property processes and systems and invest in much-needed immediate and long-term resolutions, including a national digital tracking system. This will also be a significant investment in staff time, prison safety, improving prisoners' lives, their mental health and wellbeing, and their perceptions of staff, fair treatment and the system overall.

Baby P's Stepfather Refused Parole For Fifth Time

Bethan Bell, BBC News: Steven Barker was jailed for 12 years in 2009 for causing or allowing the death of 17-month-old Peter Connelly in Tottenham, north London, in 2007. When Peter died he had a broken back and ribs, and his fingernails had been torn out. Barker was also handed a life sentence and ordered to serve a minimum term of 10 years after being convicted of the rape of a two-year-old at a separate trial. The Parole Board said Barker, 48, was not safe to be released or transferred to a lower-category prison. During the trials of those found responsible for Peter Connelly's death, his full name was not allowed to be reported and so he was referred to as "Baby P" or "Baby Peter". He has continued to deny the rape he was convicted of, and of causing any harm to Peter. Barker has not taken part in any courses that might reduce his risk of violent and sexual reoffending, the Parole Board said, adding that he was "ambivalent" about treatment. "Given that key areas of risk remain to be addressed, the panel considered that he was appropriately located in a closed prison," the board said. It comes almost a month after Tracey Connelly – Peter's mother and Barker's girlfriend at the time of his death – was recalled to prison two years after being freed, having breached her licence conditions for a second time. She was also convicted for her role in her son's death alongside Barker's brother Jason Owen. This was Barker's fifth review since the end of his minimum term, meaning he has already spent an extra seven years behind bars. The panel reviewing his case found that at the time of his crimes, Barker was taking drugs, "struggling with his relationships" and was "preoccupied with sex, believing that he could have sex as and when he wanted to". Barker will be able to seek parole again in about two years' time.

Black Bank Manager Settles ‘Racial Profiling’ Claim Against Metropolitan Police

Doughty Street Chambers: Dale Semper and two family members have settled their civil action against the Metropolitan Police relating to a police investigation which took place between 2017 and 2019, involving searches of their properties and various other steps, and which led to no further action being taken. The Metropolitan Police have as part of the settlement issued a statement apologising that some elements of the investigation “were not handled as well as they could have been” and have reiterated their apology for comments which were made by officers during the investigation. The police have also agreed to reinvestigate parts of Mr Semper and his family’s complaints which were initially dismissed after a delay of over five years.

Mr Semper made the following statement: “Seven years after the unjustified search of my and my families’ homes, and the intrusive steps taken afterwards, the Metropolitan Police has finally apologised for its officers’ conduct and settled my and my families’ civil claims against them. We remain convinced that the actions taken against me were motivated by racism, both conscious and unconscious. This is a bitter-sweet moment, as although I feel some justice has been done, my and my family’s lives have been torn apart by the unjustified actions of the police, and the extreme delays in responding to our complaints, which, disgracefully, remain ongoing seven years after the events. I hope that my case can be an example to the Met and will assist in Sir Mark Rowley’s stated intention to make the Met “truly anti-racist”. We would now welcome an invitation by Sir Mark to discuss with him how we were treated and how the Met can learn from our experiences.”

PROOF 6: It was the Irish First, Now it’s the Muslims

Khobaib Hussain, Naweed Ali, Mohibur Rahman and Tahir Aziz are presently serving long sentences for being part of a terrorist plot. They claim to have been fitted up by undercover police officers. The men have become known as the Birmingham Four. From the latest issue of PROOF magazine. Illustration by Isobel Williams and photo by Andy Aitchison. Shortly after 9am one August morning in 2016, three MI5 officers arrived at an address on Florence Street, central Birmingham. It’s a scruffy side-road comprising tatty industrial units with concertina doors used by mechanics, fast-food suppliers and, at number 16, a parcel delivery company. The officers (to this day, we don’t know their names) have arrived to install a bugging device inside a car belonging to a young Muslim man.

An hour before, Naweed Ali arrived at the unit in his sister’s car for his first day as a delivery driver for Hero Couriers. His friend Khobaib Hussain has been working there for the past four weeks. It’s £100 a day, cash-in-hand, to drive up and down the country reuniting lost air luggage with its owners. The pair grew up in the Sparkhill area of Birmingham, they are lifelong friends and neighbours – both have previous convictions for terrorism, hence the attentions of our security services. The country had been on high alert ever since 7/7 when four suicide bombers with rucksacks full of explosives killed themselves and 52 others in London.

Moazzam Begg chaired a panel discussion on the Birmingham Four case. ‘It was like being a witness to a bizarre replay of history’. It has been 11 years since that atrocity and there has been just one death at the hands of Islamist terrorists in the UK. In 2013, Lee Rigby, a British soldier had been hacked to death with a meat cleaver on his way back to barracks in Woolwich. A plastic bag partially tucked under the car’s driver seat is spotted. One of the officers carefully opens the drawstring bag to reveal a roll of gaffer tape. It is attached to the handle and trigger of a handgun. Then the officer sees a pipe. The bomb squad is called, the area evacuated. The bag also contains a meat cleaver.

The word Kafir (‘unbeliever’) is scratched into the blade.

Attack averted? Less than 12 months later, Mr Justice Globe hands down the sentence in the case of the Crown against Naweed Ali and Khobaib Hussain together with another two men, Mohibur Rahman and Tahir Aziz. The trial lasts four and a half months. The prosecution case is that the four men comprise a terrorist cell. The judge tells the court that messages found on the men’s phones in the run-up to MI5’s discovery indicate an attack was ‘imminent’.

The jury of Londoners need no reminder of what’s at stake. The day the prosecution opens its case, Khalid Masood drives a car into pedestrians on Westminster Bridge, injuring more than 50 people. Four people die. He then crashes and fatally stabs an unarmed police officer before being shot. This is the first of four terrorist attacks that are to take place during the trial: 22 people are murdered at the Ariana Grande concert at the Manchester arena in May; eight people are killed the following month when a van is driven into pedestrians on London Bridge, its occupants later run to Borough Market and begin stabbing people before being shot dead by the police; and later that month a (white) man drives his van into a crowd of Muslims outside Finsbury Park mosque killing one and harming nine. ‘The events of Manchester and London Bridge demonstrate the terror and irreparable serious damage to life that can result from the use of explosives and bladed weapons,’ Mr Justice Globe tells the court. Another attack by a cell of four home grown jihadists has been averted, so the jury is told. He passes life sentences on all defendants with minimum terms of 20 years for three and 15 years for Aziz.

Stuck in a Timewarp - It has now been seven years since the four men were convicted. Khobaib Hussain, Naweed Ali, Mohibur Rahman and Tahir Aziz are serving time at Long Lartin (Hussain), Frankland (Ali and Rahman) and Whitemoor (Aziz). One day in November last year, the men’s families and lawyers arrive at the House of Lords for an event organised by the Future of Justice Project and hosted by Labour peer Lord Tony Woodley. A screening of a short documentary has been arranged for parliamentarians presented by the former Guantanamo Bay detainee Moazzam Begg. The families are joined by their legal team, the veteran human rights lawyer Gareth Peirce and formidable defence barrister Stephen Kamlisch KC. Both are convinced the men were wrongly convicted and that the case is a uniquely appalling miscarriage of justice.

The day after the jury’s verdict, Peirce did something that she had never done before. She published a public statement: ‘We register our unqualified respect for the system we have of trial by jury in this country. But jurors can on occasion get things wrong.’ The lawyer says that the circumstances leading to their conviction felt to her ‘like being in a timewarp’. ‘There were cases in the 1970s and the early 1980s where West Midlands Police planted and fabricated evidence to such an extent that the squad responsible was completely disbanded and dozens of defendants convicted, one by one had their convictions quashed,’ wrote the solicitor. ‘This case rests on police fabrication and mendacity in the clearest way.’ The new documentary is called *The Birmingham Four: A grave miscarriage of justice* and was made by the campaign group CAGE. The title is a nod to Peirce’s most notorious case: the six innocent Irishmen who spent 16 years in prison for the 1974 IRA bombing of two pubs which killed 21 people. It was the outrage at that appalling wrongful conviction that led to a royal commission and the establishment of the Criminal Cases Review Commission. The fate of the four men now rests with the commission which is based in Birmingham in recognition of the failure of our justice system to right an obvious injustice. It is a 10 minute walk from Florence Street to the site of the two pubs blown up by the IRA via the CCRC’s head office. At the time of writing, an application on behalf of the men is expected to go to the CCRC.

A New Suspect Community - For over 20 years, Moazzam Begg claims to have been on ‘the receiving end of state harassment and violence’ despite never having been convicted. At the

start of the documentary, he says has been 'imprisoned and tortured' in some of the most notorious prisons on Earth: 'Pakistan, Bagram, Guantanamo, and Belmarsh'. Begg has been a client of Gareth Peirce for almost a quarter of a century. He recalls when they first met, the solicitor telling him: 'It was the Irish first and now it's the turn of the Muslims.'

Stephen Kamlish KC has called the verdict 'utterly Islamophobic' by a jury 'who didn't care that the whole of the evidence was bent'. 'People were getting increasingly nervous and scared about being the next victim. Who's going to let somebody let alone, a Muslim with a beard accused of terrorism – out at this time?' he says. Three of the four men had previous terrorist convictions. Ali and Hussain travelled to Pakistan to attend a training camp but came back within two days when their families discovered where they were. Rahman spent time in prison accused of possession of a publication with terrorist content.

Aziz had no previous terrorism (or any) convictions and barely knew the three men. When he is picked up by West Midlands Police following the raid on the unit, the police discover a sword in the back of his car. From the very start, Ali insists that the bag was planted. Gareth Peirce had travelled to the police station in Birmingham to advise Ali and Hussain during the initial interviews. If the bag was a 'plant', Peirce thinks, how and when was it planted?

Weeks before the trial begins, the solicitor receives an email from the Crown Prosecution Service requesting a short extension to the deadline for serving evidence. When the evidence does arrive, there is a witness statement from the 'proprietor' of the courier company: 'I am a serving law enforcement officer currently engaged in undercover operations. For the purposes of the covert operation I was deployed on, I was known as "Vincent".' When Ali arrived at the unit in his sister's car, he was met by 'Vincent'. There were double yellow lines outside and no parking available. He handed his car keys to 'Vincent' for him to park it inside the lock-up. The MI5 officers who came to bug Ali's car (and then make the 'discovery' of the bag) were acting at the behest of a shadowy unit of West Midlands undercover officers.

Hero Couriers was a front for 'Operation Pesage' which had as its sole purpose the plan to lure in Khobaib Hussain. The hope was that he would then incriminate himself as he chatted to co-conspirators as he ran fabricated errands. It didn't work. After four weeks, the net was widened to include Naweed Ali. It's on his first day of 'work' at Hero couriers that MI5 arrive to arrange the surveillance of his car and make their shocking discovery. The timing suggests that the Crown was prepared to let the trial proceed on the basis that 'Hero Couriers' was a legit business, and with the role of the undercover police entirely concealed. The extensive surveillance of all four men yielded no connection to a terrorist plot. There is no CCTV evidence footage and, until late in the trial, no forensics (see later). Instead, days at trial are devoted to what is described to the jury as 'mindset evidence'. The evidence of 'longstanding radical violent ideology', as Justice Globe explains, comes from their membership of extremist Telegram groups, messages relating to 'Jihad' and the quoting of Arabic songs known as 'Nasheeds'. Moazzam Begg likens the way Nasheeds were cited in the trial as evidence of dangerous radicalism to the way prosecution lawyers increasingly use drill lyrics in rap songs as evidence of gang membership (see page 12). 'It's self-evidently ridiculous,' Begg comments. 'The songs were in Arabic – the men don't speak the language. They literally didn't know what they meant.'

Oscar-Winning - 'Vincent' was the key prosecution witness in the trial and gave evidence from behind a screen. He is subjected to what Mr Justice Globe describes as 'a cross-examination onslaught' by Stephen Kamlish. Gareth Peirce describes the barrister as 'an intelligent, blunt instrument'. The Kamlish 'onslaught' tilts the balance of the trial. At one point, the bar-

ristler even convenes a meeting with the four defendants ahead of court business before the trial resumes. 'You're going home, lads,' the barrister tells them. The prosecution had been forced to release a 38-page phone log of the texts between 'Vincent', his boss and other officers after the phones of the undercover team are seized by the police.

More than a thousand supposedly 'deleted' texts are recovered going back to Khobaib Hussain's recruitment a month prior to the raid. The document appears to blow apart the credibility of their undercover operation. For example, 'Vincent' appears to anticipate the security service's discovery of the plotters' kit. Before the MI5 officers arrive at 9.50am on August 26 to make their discovery, 'Vincent' texts his boss: 'They have just told me this is an intel-only search BSS [British Security Service] will look and photograph anything but they can't copy anything or forensically analyse anything!!!!'

Three months into the trial, the prosecution appears to have a major breakthrough. They reveal forensic evidence linking Khobaib Hussain to the bag in Ali's car. When the MI5 officer opens the drawstring JD Sports bag, he sees a magazine taped to the handle of a pistol. Hussain's DNA has been discovered on the adhesive side of the tape. The court now learns that four weeks after the raid, 'Vincent' messages an undercover colleague: 'It's a sticky tape story – you were right.' Kamlish speculates could the DNA have been obtained by pressing the adhesive side of the tape to the steering wheel of the car which Hussain had driven to work and which 'Vincent' had parked for him in the unit on eight separate occasions (in the same way he did with Ali's)? Would that, he asks, explain why most of the DNA belonged to Hussain's sister. After all, it was her car.

Peirce and Kamlish argue that 'Vincent' rewrote his notebooks and, in so doing, listed entries in the wrong date order so events appeared before they had happened. The text messages reveal that a week after the arrests the undercover officers are being chased up about writing up their statements. Vincent's boss texts him: 'We have agreed with cookie [a senior officer] that you will write your pocketbook for Pesage, not type, hope that helps.' The issue of fabricated notebooks was a feature of the Irish cases. 'The whole system's computerised, everyone was meant to put in a report on the day,' says Peirce. According to the lawyer, Vincent had to 'make up an entire month's notes' to try and get a specifically coloured bag mentioned into his notebook in an attempt to match the bag discovered in the car. She points out that even then the bag retrospectively added to the notes is not the bag that her client is recorded on CCTV as having.

Under Surveillance - 'Vincent' jokes with one of three undercover colleagues who work on 'Hero Couriers', and who is about to retire. 'Vincent' has a farewell card for him. Vincent: 'Hope it gives you a laugh.' Colleague: 'Not as much as reading your statement earlier!!! Joke joke joke...'. Stephen Kamlish reads out the farewell text of 'Vincent' to his friend: 'So you wanker ... U leave me with a load of fucking wet wiped nob heads who don't know how to put a job together wipe arses or cover tracks... Wanker... Miss you.' The message trail reveals that the undercover officers had been in constant contact throughout the trial, as suspected, despite assurances to the court that they had not. This, the defence lawyers argue, is clear evidence of perjury. 'Vincent' and his boss meet in a car park just before the trial was due to start to discuss breaking into the Florence Street unit. Does 'Vincent' have an angle grinder, his boss asks. No need, he replies, he has 'bolt croppers'.

Just ahead of giving evidence, he texts his boss: 'I'm even more determined to put in an Oscar performance when I get in that box... I know [colleagues] think I'm an old school dinosaur but I don't give a fuck what they think... they have never seen me give evidence... I won't let you down... I would die first. See you Monday :)'. His boss replies that he will

not let him down either 'even if it has been 25 years xxx [thumbs up emoji]. 'Vincent' says: 'LOL... We are getting older... but not too old to twirl them and put them away for a long time

'They Just Didn't Care' - Over the course of the four month trial, Stephen Kamlish believes that he had exposed that the men were convicted on the basis of a plant by corrupt police officers. The barrister says that the case stands out in more than 40 years at the Bar. 'Any open-minded observer knowing the evidence would have realised that this case was a fit-up organised by a small number of police officers.' Gareth Peirce agrees. 'If you had been representing someone wrongly convicted, and you came upon this evidence years later, it would be the key to the door,' she said. 'This would be evidence you couldn't ever have dreamed of – clear police complicity. We couldn't believe the jury could believe the prosecution case.'

At a public screening of the documentary on the same day of the House of Lords visit, the solicitor Matt Foot, who at the time worked with Peirce, recalled representing Hussain and Ali when they were arrested. 'In 25 years of doing police station work, that was the scariest police station I've seen,' he said. 'It was absolutely clear to me that they were innocent. It was also clear to me that the police officers couldn't answer the most basic questions because they weren't in control of who had the information. It was terrifying. It was like being in a separate universe.' He recalled attempting to visit 'Heroes Couriers' in the immediate aftermath of their arrest. 'It wasn't there anymore. There was nothing there,' he recalled. 'It felt like you were going mad in a system that wasn't telling you the truth.'

'It's Too Much' - Mariam, Khobaib Hussain's sister, says that her brother immediately regretted his trip to Pakistan with his old friend. 'He's my only brother,' she says. 'He was influenced by the Internet or other people, it's shocking but he didn't actually commit an offence at the time. They came back on the first flight home.' Naweed Ali's sister Shakila recalls ringing her brother in Pakistan. 'It was bizarre but, thankfully, I got to get hold of him and told him: "Whoever is asking you to do this is wrong. You need to get home." They were so happy to get home.' Hussain recalled the call. 'My mum told me to come back and not to do anything stupid,' he said.

The pair were sentenced to 40 months in prison after guilty pleas for their part in the fiasco – they had already spent almost two years in jail. The judge, Mr Justice Henriques, acknowledged the pair 'took the decision not to proceed with terror training and... realised what a shocking mistake you had made'. It was, Henriques said, 'a chilling thought that unbeknown to your parents you left this country intending to undergo a period of terror training'. The ringleader, Irfan Nasser, was sentenced to life with a minimum of 18 years.

Mariam Hussain recalled her brother coming out of prison in 2015, only to be 'recruited' by Hero Couriers the following year. 'We had raids on our home and racist officers to deal with,' she said. 'It destroyed our family's future. Now it's six years on, and he's in prison. He's hit 30 – this has been going on since he was 18 years. It's a constant journey and a struggle that we are continuing to fight.' Nazreen, Tahir Aziz's sister, explained to parliamentarians at the Westminster meeting how her brother didn't know the others. He met Hussain and Ali once and only knew Rahman because he offered him a lift when Rahman's car had broken down. 'My dad was so grieved by what happened to Tahir, he was hurting inside. He died in 2018.

It's just my mum now and she's always worried about him. If someone has committed a crime, you can understand the consequences; but if you haven't committed anything and you're punished for something that you've never done, it impacts everybody's lives.' 'My dad came here when he was only 15,' Nazreen said. 'He spent most of his life here, working and paying taxes. I was born in Pakistan, came with my mom and I grew up in this country. I've always worked. I used to have two different jobs from

nine to five, and then six to 12. We've always been brought up the British way, always followed the law. Tahir worked hard, he also had two jobs, at Primark during the day and delivering take-aways in the evening. He had multi-faith friends and never expressed any hatred to any religion. It's so unfair.' She explains the sword Tahir Aziz had in the back of his car on his arrest was a ceremonial sword he had picked up from a sports shop to protect himself from racists he encountered delivering takeaways.

One in a Thousand - The Criminal Cases Review Commission, the body set up 25 years ago as a result of the furore over the Birmingham Six, will be charged with looking into the alleged misdeeds of West Midlands police. 'When the CCRC began, it was with very, very high hopes,' recalls Gareth Peirce. 'The first commissioners and the work they did, was confident and determined. Over the years, there's been a shrinking of courage.' Peirce is all too aware of the crisis enveloping the watchdog body. 'In lots of ways, the Home Office, which had the role before, was better, that's the irony,' the solicitor says. 'It was the Home Secretary's decision to refer a case back and it was possible to badger, badger, badger them so that it was more embarrassing not to refer a case. But the CCRC is an institution. It doesn't have that vulnerability.'

The CCRC can only refer cases back when there is a 'real possibility' that the Appeal judges will overturn the conviction and that means new evidence or arguments have to be identified. That the Birmingham Four were, in the view of their lawyers, conclusively exposed as a self-evident victims of a miscarriage of justice during the trial doesn't help in an appeals system which treats the jury as infallible. 'It's been seven years and we're still knocking on doors looking for new evidence,' complained Khobaib Hussain's father in the House of Lords. 'The evidence is already there. How the hell are you going to produce new evidence if you're not allowed to investigate the officers because of that anonymity. The families are suffering. They haven't committed a crime'.

West Midlands Police were asked to respond to the claims made above. They pointed out the investigation was by West Midlands Counter Terrorism Unit. In a statement, they said that in 2017 all four men were unanimously found guilty by a jury and the following year Mr Justice Openshaw rejected their leave to appeal saying there was 'abundant evidence' of Ali's 'extreme Jihadist beliefs, to the effect that it was his duty to attack those whom he considered to be 'unbelievers' in this country'. The statement flagged the judgement of Lord Justice Holroyde in the Court of Appeal in 2018: 'We have considered whether anything put before us casts doubt on the safety of the convictions. We are satisfied that there is nothing that does so. The jury by their verdicts plainly rejected that the evidence had been planted. Having done so there was ample circumstantial evidence against each of the accused to support the convictions.' Authors Jon Robins and Abdallah Barakat for the Justice Gap

The Constant Cries of "Woe Is Me" About the State of Jails Will Not Cut Through

Raymond Smith Hope - Not Hopelessness: I have been thinking about Cassandra. Not Rodney's wife in Only Fools and Horses, giving away my age, but the priestess from ancient times in the city of Troy, who the Gods both blessed and cursed. The blessing was she could foretell the future; the curse that no one would ever believe a word that she said. When Paris, Prince of Troy, with the help of Goddess Aphrodite, seduced Helen of Sparta and took her back home, the whole population adored her. But not Cassandra, who roamed the streets muttering the Greek equivalent of "She's going to be nothing but trouble, that one." Nobody cared. The abduction incited a Greek army to invade, intending to take her back, but they were repelled for nine years. The Trojans believed they were winning the war, but Cassandra told everyone "You'll be lucky". They ignored her. And when the Trojans awoke one day to find the Greeks had sailed away leaving behind a giant wooden

horse, she announced “Beware the Greeks bearing gifts”. They laughed at her and dragged the horse inside the city. But during the night, a platoon of soldiers came out of the horse, opened the city gates, and in poured the rest of the Greek army. The rest is history. Or legend. Cassandra was right, but nobody had taken any notice.

For Goodness Sake, Cheer Up - I have my own theory on this. In my view, the curse from which she suffered was to be permanently miserable, so all her prophecies of destruction, ruin, and death, depressed everyone. People wanted a bit of light and happiness, and she never provided that, so they didn't listen. After all, if a fortune teller is working in a booth at the seaside, they are not going to make much money if, when people come in and pay a fiver, they look into their crystal ball and announce, “Don't bother making plans for Christmas, you are not going to make it that far.” Or “Renew your life insurance today so your family will get a decent sum and can pay for your imminent funeral.” Gloom is not popular. This is why I feel the present Government strategy of endlessly spreading misery will not work. I feel they'd best start looking for good news to announce. All we get is negativity. “The country is skint. Hospitals are falling apart. School buildings are going to collapse. And as for prisons and the justice system, forget it”. I do understand that they are setting the scene for cuts in finances and further reductions of the services, but it won't work. Whilst the early release system is necessary, the constant cries of “woe is me” about the state of jails will not cut through. The problem is the ones who need to be convinced will not be swayed, but meanwhile it is demoralising those striving hard within the system to make it all work. They feel undervalued, unappreciated, and ignored.

There was proof of this in the Daily Telegraph on 16th September, when an excellent article by Ed Cumming and Lizzy Dearden laid out the background to early release – explaining the capacity crisis, the strains on everyone, stress on training and education that assists in rehabilitation, as well as precautions taken to mitigate against any harm. The comments, however, were so negative. One even said, “Bring back the stocks, hang the serious criminals, deport all foreigners.” Others called for longer sentences in austere conditions as the answer. Not only were these risible but I imagine they were written by the type of person who says to you “My father used to beat me with a slipper every day and it didn't do me any harm” when their every word proves it certainly did. Another blatant Press contradiction is that many papers interviewed people walking out on September 10th with no settled address and were reporting that it would lead to inevitable reoffending, yet when the Mayor of London called for newly released people to be prioritised for housing, those same papers howled that it is wrong that “criminals” should get put ahead of others. Ridiculous.

So I would want to see Ministers stressing what is already being achieved and how the space freed in jails can be used to expand that. There are excellent initiatives within our prison service being provided by dedicated officers and staff. The figure of 27 per cent or thereabouts for those who reoffend after release and end up back inside jail shows that actually 73 per cent do not, so perhaps focus on that percentage, and how it can be increased.

We all know that far too many people enter prison with low or even no literacy and numeracy skills, but those who receive education while inside leave with greatly enhanced prospects for their future. We know that employment on release increases chances for success, and so should look to expand release on temporary licence to increase those opportunities. Praise this and publicly commit, right now, to doing more of those positive things. We know far too many locked up have neurodiverse issues, and many were abused as children. Also, drugs and alcohol

play a major destructive part in leading people into crime. Those impacted deserve the highest level of support. There are good programmes within prisons helping to overcome this, so let us hear the Government boosting these with resources and praise, so staff know they are appreciated by governing politicians. Then tell us what they will do to achieve that.

So I urge ministers to switch to matching their criticisms of the present with a vision for the future, extending schemes that already work. Then highlight how people have turned their lives around, and confirm the aim of increasing the numbers of those who do not reoffend by supporting positive projects. Stress the commitment of those thousands who work in prisons seeking to achieve this, and encourage governors to ensure all staff support the concept. Warn about the problems of today by all means, but stress hope for the future.

History Could Have Been Rewritten - They should not be like dismal Cassandra, moaning about doom and gloom, depressing her audience who find her too miserable to heed. Had Cassandra, for instance, matched her prophecies of imminent destruction with good news stories, such as a prediction that descendants of Trojan Prince Aeneas would found the Roman Empire and that 2,500 years later great writers such as Chaucer and Shakespeare would recreate the love story of Troilus and Cressida, everyone would have cheered up. The population would perhaps have taken her advice and pushed the giant wooden horse back into the sea. Then Troy would have won, history would have been changed, and Homer would never have written the Iliad and the Odyssey. Indeed we may never have heard of Homer, and think how that would affect us all today. Who would be the main character of the Simpsons?

Mixing an accurate description of present problems with positive ideas for the future can change public perception. Merely describing the current crisis and making it sound terminal will not. Justice ministers must take note. Press the good news button once in a while.

Nearly 500 Law Firms Sanctioned For Transparency Failures

Neil Rose, Legal Futures: The Solicitors Regulation Authority (SRA) has sanctioned 470 law firms over failures to comply with its transparency rules. The regulator has issued 439 official warnings and 31 fixed penalty fines since the rules were implemented in December 2018, it revealed yesterday, as it sought to impress its commitment to ensuring that the public have more access to information when choosing law firms. The announcement, along with publication of new and updated resources to support the profession, follows the Legal Services Board's publication a statement of policy on empowering consumers in April 2022. This gave regulators a deadline of 30 September 2024 to provide assurance about how they are meeting the expectations it sets out. Among the new resources include pricing templates that are compliant with the SRA's requirements. “Our research along with findings from others has consistently found that the easier the public find it to access key information on the services law firms offer, including on costs and the customer experiences of others, the more likely they are to seek professional support when they have a legal need. While price and service information has been a requirement for firms offering certain services for more than five years, so-called quality indicators have proven a harder nut to crack – but all the legal regulators are under pressure to do more on this. The SRA, Council for Licensed Conveyancers and CILEx Regulation ran a joint pilot on quality indicators and comparison websites that reported last year. The voluntary code for comparison websites used in the pilot has been put on a permanent footing. ReviewSolicitors, reallymoving, The Law Superstore and Trustpilot have signed up to it so far, which means that, among other commitments, they promise to offer “a transparent process for legal service providers to challenge reviews they believe are not from their clients or prospective clients”, as well as a clear complaints process.