

Commons on Monday, but instead they have produced confused and impractical emergency legislation that won't work for the serious cases we already face."

Imran Khan, a solicitor who represents men on control orders, said: "I'm flabbergasted at this. A few months ago the government said it was ok for people who had been relocated to go back to their homes. Now it's decided to bring internal exile back."

The Home Office said: "The Enhanced Tpm Bill provides powers for the home secretary to impose enhanced Tpm notices specifying more stringent restrictions than those available under the Tpm Bill, if approved by Parliament. These include the power to relocate the individual without their consent to a different part of the country, geographical boundaries, and tighter restrictions on association and communications."

Police officer jailed for 18 months for assaulting migrant

Pc Edward Prince was found unanimously guilty by a jury at Southwark Crown Court, in London, of intentionally kicking Nyrone Games in the face.

Games, who was convicted in May 2007 of eight counts of conspiring to supply Class A drugs, was wanted for deportation and for breaching the terms of his prison release.

When officers tried to arrest him from his girlfriend's property in Croydon, south London, he gave a false name then fled. During a long chase through the streets, he tried to hit an officer with a shovel before eventually being brought to ground on Brighton Road in Purley. Prince, 31, who was wearing plain clothes, was captured on CCTV running towards the front of Games as he lay on the floor. The footage, repeatedly played to the jury, did not cover Games's head and appeared inconclusive.

Pc Tina Bassett told the five men and seven women of the jury she overheard Prince tell Games he deserved the kick. Prosecutor Sam Brown said: "Pc Bassett heard him say words to the effect that Games would have received worse if the incident wasn't captured on closed circuit television." Police colleagues gave both prosecution and defence evidence - with officers contradicting one another forcefully about what happened.

Games's blood and saliva were found on Prince's shoe, but he said they could have come from bending down so closely to him. Prince, of Crawley, West Sussex, was jailed for 18 months.

Commander Peter Spindler, the Metropolitan Police's director of professional standards, said: "All Met employees are expected to behave professionally, ethically and with the utmost integrity at all times. Any instance where the conduct of our staff is alleged to have fallen below the standards of behaviour expected is treated extremely seriously by the MPS and will be robustly investigated. Today's sentence sends a clear message that this kind of behaviour by a public servant is completely unacceptable and will not be tolerated in British society."

Hostages: Melvyn 'Adie' McLellan, Lyndon Coles, Robert Bradley, Sam Hallam, John Twomey, Thomas G. Bourke, David E. Ferguson, Lee Mockble, Talha Ahsan, George Romero Coleman, Gary Critchley, Neil Hurley, Jaslyn Ricardo Smith, James Dowsett, Kevan Thakrar, Jordan Towers, Peter Hakala, Patrick Docherty, Brendan Dixon, Paul Bush, Frank Wilkinson, Alex Black, Nicholas Rose, Kevin Nunn, Peter Carine, Simon Hall, Paul Higginson, Thomas Petch, Vincent and Sean Bradish, John Allen, Frank Wilkinson, Stephen A Young, Jeremy Bamber, Kevin Lane, Michael Brown, Robert Knapp, William Kenealy, Glyn Razzell, Willie Gage, Kate Keaveney, Michael Stone, Michael Attwooll, John Roden, Nick Tucker, Karl Watson, Terry Allen, Richard Southern, Jamil Chowdhary, Jake & Keith Mawhinney, Peter Hannigan, Ihsan Ulhaque,

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Corporate homicide law extended to prisons and police cells

Legal change could make authorities liable for large fines over deaths in custody

Sandra Lavielle, guardian.co.uk, Sunday 28 August 2011

Police forces, prisons and youth detention centres face prosecution for corporate homicide from this week if an individual dies in their custody.

In the 10 years between 1999 and 2009, 333 people died in or following police custody, according to the Independent Police Complaints Commission. Ministry of Justice figures show that last year there were 58 self-inflicted deaths among prisoners in England and Wales.

Until now, the prison service, police forces and immigration units have not been subject to the new Corporate Manslaughter and Homicide Act, and there have been no successful prosecutions of police or prison officers, individually or at a senior management level, for institutional failures that have contributed to a death in custody.

But from 1 September a clause in the Corporate Homicide Act 2007 will come into place extending the law to cover all deaths in police custody suites, prison cells, mental health detention facilities, young offenders institutions and immigration suites. It will also cover Ministry of Defence institutions.

Prosecutions will take place if it can be proved that the way the facilities are managed or organised caused a death and amounted to a breach of the duty of care. The penalty for organisations convicted is a fine with no maximum limit. Crown Prosecution Service guidance says that the fines are likely to be in the many millions of pounds.

Deaths of people being transported to and from immigration detention centres – such as that of Jimmy Mubenga – will also be covered by the Corporate Homicide Act. But in the case of Mubenga, who died while being restrained on a British Airways plane to Angola last year, the private firm hired to transport him cannot be prosecuted under the Act because the law is not retrospective.

Campaigners for the families of those who die in custody believe the new law will provide extra protection for vulnerable individuals and at last inject some accountability into the system.

Helen Shaw, the co-director of Inquest, the charity that works with families of those who die in custody, said: "While not all deaths in custody are a result of grossly negligent management failings that would lead to consideration of a corporate manslaughter prosecution many of Inquest's cases have revealed a catalogue of failings in the treatment and care of vulnerable people in custody and raised issues of negligence, management failings and failures in the duty of care. The new provisions provide a new avenue to address these problems and will hopefully have a deterrent effect, preventing future deaths. We also welcome the government's decision to extend these corporate manslaughter provisions to the UK Border Agency ... this is a positive step towards greater accountability." Inquest said that until now, there had been no successful prosecutions for deaths in custody, even in the 10 cases since 1990 where an inquest jury had returned an unlawful killing verdict.

Implementation of the clause covering custody deaths was delayed in order to give police forces and prisons time to inspect their custody facilities and make sure they were up to the highest standards.

The Association of Chief Police Officers has been preparing for the implementation of the law. In 2008, Acpo issued new guidelines to all forces. But the Ministry of Justice has conceded that more work needs to be done to reduce the number of deaths in custody, specifically around improving healthcare, improving buildings and improving the level of staff training.

John Coppen, the Police Federation representative for custody sergeants, said: "This will mean the people at the top, who actually control the buildings and the budgets, have to think about their responsibilities. In future if someone was to hang themselves from a ligature in a cell, not only would the custody sergeant be questioned, but the authorities would look at the way the building was designed, whether there were any obvious ligature points that had not been removed, and the force could be held responsible."

As well as unlimited fines, courts can also impose an order requiring the company or organisation to publicise the fact that it has been convicted of the offence, and give details.

G4S sacks pair who tagged offender's false leg

Private security firm G4S has sacked two members of staff who tagged a man's false leg allowing him to remove it and break a court-imposed curfew.

The pair were fooled by Christopher Lowcock, 29, who wrapped the prosthetic limb in a bandage when G4S set up the system at his Rochdale home. He was then able to remove the limb and break a curfew imposed for offences involving drugs, driving and a weapon.

G4S sacked the pair for committing a serious disciplinary offence, it said.

In a statement the Ministry of Justice (MoJ) said procedures "were clearly not followed in this case and G4S have taken action against the staff involved. Two thousand offenders are tagged every week and incidents like this are very rare," a spokesman added.

G4S revealed managers became suspicious last month but when they returned to Lowcock's home he had been returned to custody accused of a driving-related offence. The company revealed the second employee who went to check on the monitoring equipment at Lowcock's home was also sacked for failing to realise he had fooled them into tagging his false leg. A spokeswoman for the company said it placed electronic tags on "70,000 subjects a year on behalf of the Ministry of Justice. Given the critical nature of this service we have very strict procedures in place which all of our staff must follow. In this individual's case two employees failed to adhere to the correct procedures when installing the tag. Had they done so, they would have identified his prosthetic leg."

The two staff involved had committed a serious disciplinary offence by failing to follow procedure and had been dismissed, she said. The MoJ said contractors were expected to adhere to "the highest standards of professionalism" and strict guidelines had to be followed when tagging offenders.

Blackburn arsonist Kieron Gray found dead in HMP Preston

A Blackburn man who torched his ex-girlfriend's flat on New Year's Day was found dead a day into his jail term. Kieron Gray, 42, started a fire on Wellington Road on 1 January after his girlfriend ended their relationship. He was sentenced to two years in prison, at Preston Crown Court on Thursday. The Prison Service said Gray was taken to hospital after being found with injuries at HMP Preston on Friday, but died later that day. A spokesman said Gray was not on suicide watch. No details have been released about how he died.

The Prisons and Probation Ombudsman will conduct an investigation into his death.

Criminal Cases Review Commission extend submission time for Jeremy Bamber

The Criminal Cases Review Commission recently set a September 8th deadline for further submissions in response to its provisional decision not to refer the murder convictions of Jeremy Bamber to the Court of Appeal. Mr Bamber's legal team has very recently suggested that an additional line of enquiry should be pursued. In the interests of completeness, we have agreed in principle to explore the potential for the further work suggested and have extended the deadline for submissions in order to facilitate this. We have not yet agreed a new time limit but will do so when ongoing discussions with Mr Bamber and his legal team about specific aspects of the case have concluded. This means that the previous deadline of September 8th will now not be met. The Commission will provide an update when a new time limit has been decided. Such extensions are not unusual. We routinely consider, and where appropriate allow, extensions in cases where there is a reasonable justification for doing so.

Ministers plan emergency law to move terror suspects

By Dominic Casciani BBC Home affairs correspondent

Ministers have revealed draft emergency measures to relocate terror suspects months after pledging to scrap a similar power known as control orders. The power to move a suspect to a new home was ditched following a review by the coalition government. Critics say the incoming Terrorism Prevention and Investigation Measures (Tpims) are weak. Tpims are the proposed replacement for control orders restrictions which are due to be scrapped at the end of the year. The measures are used against suspects who have not been charged with an offence.

Ministers say the new system is a better balance between monitoring suspects and allowing them reasonable liberties. The bill before Parliament removes the home secretary's power to forcibly relocate a suspect. Each man who has been relocated will be allowed to return home once control orders are replaced in January 2012.

"We are scrapping the old control orders (system) and replacing it with something wholly different - it's time-limited, we are lifting house arrest, there won't be curfews in the old fashioned way, there won't be relocation orders" Deputy Prime Minister Nick Clegg, on Tpims system in January

However, the Home Office's draft 'enhanced' bill, to be held in reserve, would reintroduce relocation in exceptional circumstances. A draft bill of stronger measures was always likely because the coalition's review of counter-terrorism laws concluded that there may be exceptional circumstances when additional powers would be needed to control suspects. Documents published by the Home Office describe exceptional circumstances as a moment when "we are facing a terrorist threat that cannot be managed by any other means."

Other restrictions: The draft bill, if enacted, would give the home secretary the power to control the finances of a suspect and ban them from using mobile phones or computers - current control order powers. Curfews could extend to 16 hours. Ministers have faced pressure from the opposition and other critics who have highlighted the case of a controlee, known only as "CD", who will return to London once control orders lapse.

Labour MPs have been planning to try to reinsert the relocation power into the main Tpm bill next week. Shadow Home Secretary Yvette Cooper accused the coalition of incompetence and a political fudge. "After pressure from the police, the intelligence services and the Opposition, the government has finally admitted there is a problem with their plans to weaken counter terror legislation and remove the ability to relocate very dangerous terror suspects. The trouble is they are refusing to solve it. They could easily change their plans in the

ently if they knew what prison is really like.

"Prison does not work. People do not know about prisons and it is massively important that they do. We know about our schools, we know about our hospitals but we know little about our prisons. There are 85,000 people in prison and 85,000 reasons why they are there."

Patsy McKie's son was brutally murdered in 1999. She spoke at the event of her own experience and how she came to forgive her son's killer and praised the dignity of the families who lost loved ones in the Birmingham riots. She strongly feels that the revenge culture in our society is destructive and does little to undo the hurt and anguish families feel when they have lost a loved one to violence or those who have a family member who is the perpetrator.

"I really believe we have a responsibility as a society to bring about change in our communities. We have accepted the revenge culture that the media portrays and we are following it like the Pied Piper. We should be thinking about how we can get together to bring about change. Prison is not the answer- if a system is not working change it. Sometimes it's our approach to how we deal collectively with violence in our communities that is the key."

Patsy believes that the media has created a taboo around violent crime where many people find it difficult to put themselves in the position of the families of the perpetrator or speak out against dehumanising treatment of the perpetrator, even when they have served their time and are deeply remorseful, very young or have mental health issues. She said:

"This is a difficult message to get heard in today's media, but I am convinced as a victim of loss through violence, along with Mothers Against Violence, that it is through understanding humanity, mercy, humility, rehabilitation and a better justice system that we have a greater chance of reducing violence in our society. We owe it to our community and every family who has suffered the murder of a family member.'

Julia Brosnan, co-director of Dovetail said: "David Cameron has said the point of E-Petitions is to empower people to have their voices heard. Where is the voice of women like Patsy? He has invited Helen Newlove, someone who has also suffered a great loss, but who has a very different message, into the House of Lords as his special advisor on law and order. Patsy McKie is just as qualified for the job. If we are all in The Big Society - why aren't a range of views throughout society heard?"

Magistrates' court clerk first to be prosecuted under Bribery Act

An administrative clerk at Redbridge Magistrates' Court in Ilford, Essex, has become the first person to be prosecuted under the Bribery Act 2010. Munir Patel had already been charged with misconduct in public office and perverting the course of justice.

Goan Hart, reviewing lawyer for the CPS special crime and counter-terrorism division, said: "It is alleged that Patel promised an individual summonsed for a motoring offence that he could influence the course of criminal proceedings in exchange for £500, on 1 August 2011. I have reviewed all of the evidence gathered by the police and considered the Director of Public Prosecution's guidelines on the Bribery Act. I am satisfied there is sufficient evidence to charge Munir Patel with requesting and receiving a bribe on 1 August 2011, intending to improperly perform his functions." The DPP consented to the additional charge under section 2(1) of the Bribery Act last week. The maximum sentence is ten years. Patel is due to face the charge at Southwark Crown Court on 14 October 2011.

Locked Inside your Mind

By Michelle Nicholson

Imprisonment is a common judicial response to violations of the law, but there is disagreement on what its purpose should be. Mentally ill people are being locked up instead of treated for their health issues.

For many years people have been sentenced to prison for behaviours relating to their mental health which are also criminal acts. In prison mental health is left untreated and is exacerbated. Prisoners are often left unable to cope with the harshness reality of life inside and many, do not survive to see the outside.

Ruth Bond, the chair from the highly respected women's institute organisation suffered the ordeal of being powerless to obtain care for her son suffering from the mental health condition of schizophrenia. At the age of 22 whilst at university Ruth's son suffered a nervous breakdown and began to deteriorate rapidly having no symptoms beforehand. He began to repeatedly attempt suicide as a response to being tormented by his own mind.

Ruth's son developed a fascination for guns as way to take his own life and was often detained for his own safety in Newcastle as a result of this. Ruth's son was well known in the community for his mental health condition and well known to the local police therefore soon received cared and treated should they be called out by the care team and speedily admitted to hospital safely.

He started to visit another city after starting a relationship with a girl who lived there and soon became more chaotic. On one visit he purchased a gun so that he could take his own life, he made a phone call to his sister as a cry for help informing her that he was going to shoot himself. Following the call his sister called the police asking them for help informing them of his state of mind and requested that they take him to a psychiatric unit. She awaited the news of his safety. Ruth's son was in fact arrested and charged before being taken to prison and received a sentence of 5 years.

His mental health soon declined as family contact was hard due to travel and short visiting hours and he did not fit in with the other prisoners often being bullied for his difference and was soon scapegoat for an accusation of racism by his peers in prisoner. Staff segregated him for his own safety and he was taken to the segregation unit. Ruth's son declined into a state of despair seeing no end to his suffering not knowing what was going to happen next and he felt unsafe and desperate.

In a letter he wrote the following 'you must understand that one of my beliefs, at a deep level, is that the world is a dangerous and malevolent place – this is common with my illness. As a result, I do assume that everyone is out to get me.....you can see that I am in a terrible situation, segregated, hated by the entire jail it seems and not knowing what will happen next.....I hate this kind of life and I have considered actual suicide. I am by myself and the cell is cold'. He later suffocated himself using a plastic bag.

Following the tragedy the Ruth Bond the chair of the women's institute fought hard alongside the prison reform trust for those that were entering the criminal justice system to be identified and taken to care rather than custody. Following three years of campaigning Kenneth Clarke and Andrew Lansley declared plans of care rather than custody for those suffering with mental health conditions.

Prison however is an institution which is hundreds of years old we can only speculate about the figure of voices remaining unheard within the prison walls with mental health issues and the pain and suffering it has caused them. Despite the recent recommendations 2 thirds

of men women and children in custody suffer from 2 mental health problems or more, (information taken from PRT).

Mental health is a problem which can manifest in anyone, it can be triggered by; life experiences, unfold out of the blue from the genetic material that a person possesses. It can cause a calm persons behaviour to change dramatically as they live with the torment in their mind. Experts then diagnose the problem to provide adequate treatment and care. Not all those however suffering with mental health problems go on to be placed in a safe environment to receive effective treatment some are placed into the criminal justice system which is an environment which can cause mental health problems and seriously exacerbates it.

Prison is not a safe place, it is mentally tasking for those residing in its walls not knowing who to trust and the strongest are seen to survive the experience. The mentally weak can be easily identified and pried upon used as scapegoats for the extreme negative environment or taken advantage of for their goods. The mentally ill are often open to bullying inside, little security and safety is offered and staff is not trained to care for them.

Rhonda Rowland was another of those unheard voices. 'Ronnie' was a prolific offender being unable to cope in the outside world following a lifelong pattern of sexual abuse towards her. Inside prison Ronnie sometimes coped well, she was able to make a life for herself; she had friends, a job, a community and even a relationship being perceived as 'happy'. Some days however, Ronnie revealed a darker side to her and for days and even weeks she would change her mood and no one could talk to her, she would cut herself off from the 'inside' community and, appeared vulnerable.

As a self harmer the staff would put her in a place of safety in segregation and remove all sharp obstacles, staff were supportive and humane. Staff informed that she was not eating or drinking, she was a vulnerable young women facing her demons and internalising her pain as often women do. The battle that abused people face, quadruples on the 'inside,' and Ronnie was joined by other vulnerable women.

Ronnie had no visits and life outside became further away . She distanced herself from reality and became increasingly institutionalised. Ronnie was a victim, before entering a life of crime herself.

In 1995 Ronnie was given a life sentence for attempted murder, I realised then that Ronnie would not make it to the outside world again, she would never pass any vigorous parole board having mental health issues and a list of prescribed antipsychotic drugs , this would alarm any parole board. Her mental health would soon decline in a much more inhumane environment being placed in a prison, which has now been condemned for its conditions. Staff were harsh and cynical often treating the women with contempt Ronnie confronted them and after lots confrontations with the staff she was placed in the segregation unit and at the age of 36 she ended her life of torment by way of suicide.

Ronnie's death did not make big news. Following her suicide she was lost and unknown by many, she had no family to campaign against the treatment she never received. She will be remembered by very few. I remember you Ronnie.

Following the death of Ruth Bond's son, in March 2011, MP Kenneth Clarke and Andrew Lansley, planned to divert those with mental health issues to care and not custody.

Many voices in prison are still left unheard. Rest in Peace Rhonda 'Ronnie' Rowland and all of those who have been locked inside their tumultuous minds locked away from society.

Prisoners are vulnerable Human Beings. Do not forget about them. [End]

How to Appeal - A guide to the criminal appeal system

[This updated edition doesn't miss a trick on guiding you through the appeal system]

Free to prisoners

How to Appeal provides simple, accessible information on the appeal system and procedures – for prisoners and those who advise them.

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Eric Allison, Guardian prison correspondent urges people to sign E-Petition - Patsy Mckie for Baroness

Guardian prison correspondent and human rights campaigner Eric Allison is calling on people to sign up to a new E-petition to get Manchester-based Mothers Against Violence spokesperson Patsy McKie into the House of Lords.

I'm involved because Helen Newlove was made a Baroness after the death of her husband, Garry and since she has been in the house of Lords she has taken a firm hang 'em flog 'em approach.

Whereas this lady, Patsy McKie, lost a son, murdered, but preaches forgiveness.(As did the mother of Anthony Walker, who's son was murdered in Liverpool.) Why aren't they in the House of lords? Eric Allison

In the wake of the riots across England crime and punishment is back on the political agenda, with many convicted rioters receiving harsh sentences. Eric says now is the time for some real debate around the effectiveness of prison as a punishment.

Eric spoke to a range of socially motivated organisations at Lunchworks, an event in Manchester organised by social enterprises Dovetail and Reason Digital. He said prison rarely cures criminal behavior and that the public might think differ-