

Harsh and psychological torture unit

Here I am in the harsh and psychological torture unit (aka Close Supervision Centre CSC) at HMP Woodhill, in a high control cell with a six-officer riot unlock. You will have been reading about CSC recently in MOJUK and FRFI articles by John Bowden, Kevan Thakrar, which are all true.

As a prisoner experiencing it at the present time it is very unpleasant, only two days ago a prisoner on the unit Danny Walker more or less amputated his arm. Requiring emergency hospital treatment where his arm had to be stitched back together and an operation to reconnect his nerves and arteries.

At the moment I am on suicide watch due to the abuse I have been receiving from officers, governors and the Mental Health Inreach Team, who have been refusing to see me because they say they are too busy. To my knowledge CSC at Woodhill gets specific funding for CSC prisoners and I thought that somebody on suicide watch would be a priority but obviously not, maybe they want people to mutilate themselves.

My brother Dano Sonnex is next to me under even worse conditions, they have had him this way for about six weeks. He is regularly refused exercise, showers, access to phone, no toiletries, no radio or TV, no news papers, no association, not even a complaint form to challenge his conditions. Totally inhumane, isolating, dehumanizing, atrocious does not come near to describing these unacceptable conditions.

Back to myself I am a prisoner in crisis, held under the same conditions and I can see how the people held within this unit deteriorate to the self-mutilation that is prevalent. I am due for release in about 44 weeks but may have a hurdle to overcome to make that date. I am up in Peterborough Crown Court on the 21st of this month for an alleged assault on another prisoner. My mental state is such that I do not think; I will be able to give my evidence to the best of my ability.

On the 8th May this year, I was brutally attacked by four prison officers, captured on CCTV and then sexually assaulted. Put in a complaint at the time, haven't heard a dickey bird since.

I am of Muslim faith and the majority of prisoners in the CSC at HMP Woodhill are Muslim, of nine prisoners, six are Muslim (the prison Imam is not allowed onto CSC). At HMP Whitemoor in the CSC unit, when I was there recently, of seven prisoners four were Muslim. At HMP Wakefield of seven prisoners two are Muslim. Half of those in the CSC have severe mental health problems, which cannot be treated in prison. So of 23 prisoners in CSC units, 12 are Muslim, more than 50%, this should be ringing alarm bells for you.

Makes me wonder are Muslim's being picked on! From my own perspective, we Muslim's are being targeted for our beliefs our daily lot is racism & discrimination. The people, who create and manage these regimes and torture units, should be made to spend time in the same conditions, see how they cope!

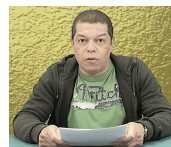
Kyle Major: A8397AJ, HMP Woodhill, Milton Keynes, MK4 4DA

Hostages: Alex Silva, Terry Smith, Hyrone Hart, Glen Cameron, Warren Slaney, Melvyn 'Adie' McLellan, Lyndon Colés, 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, Richard Roy Allan, Sam Cole, Carl Kenute Gowe, Eddie Hampton, Tony Hyland, Timothy Caines, Ray Gilbert, Ishtiaq Ahmed.

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MOJUK: Newsletter 'Inside Out' No 344 (06/11/2011)

Justice for Alexandre Silva



Alex, who is originally from Brazil, has lived in the UK for over twenty years and worked as an air steward for over 12 years for British Airways with an excellent work record. On Monday 6th July 2009, Alex was in central London when he received a message on his mobile phone from his housemate's immigration lawyer, stating that there were police in the house looking for him. Alex had only been living there for two weeks.

Alex went back to the house straight away, which he has always stated he doesn't believe someone would do if they were a real drug trafficker and knew the police were waiting in their house. He arrived at the house and was greeted by police officers who led him to the living room. Alex was cuffed and told to sit down. One of the officers was behind him carrying out a search the officer said that he had found a packet of drugs inside a box that belonged to Alex, where in fact Alex saw the officer picking the packet up from the floor. Alex was never shown the drugs and at the time explained in clear words that they were not his and could not have been in his box. The quantity of drugs found at the house was approximately 34 grams of Crystal Meth and 21 grams of cocaine (grams not kilos). Alex was arrested and remanded the same day Monday 6th July 2009 and remained in prison until Friday 27th November 2009, when he was released on bail.

The trial started on Friday 1st January 2010 and ended on Tuesday 16th February 2010.

Since Alex had no previous convictions, and had no experience of dealing with the law in the UK, he went into the trial very naively, assuming that since he was innocent, and despite the trauma of being wrongly arrested, he would be found not guilty and exonerated of all charges.

Even though no drugs were found on Alex's person at the time of his arrest and one of the other defendants told the court that the drugs were his and that Alex had no knowledge of them. Alex was found guilty of "conspiracy to supply a class A drug (Crystal Meth), and possession of a class A drug (Cocaine)". He was subsequently sentenced to 15 years in prison.

It was alleged that he and three others had worked together to supply and sell drugs. One of the accused was Alex's housemate, who at first pleaded his innocence. A week into the case, whilst still in prison, two of the defendants changed their plea to guilty. One of them was a cancer sufferer and died at Wormwood Scrubs just before sentencing on 19/03/10. This defendant had previously claimed never to have known Alex, and indeed Alex did not have his number in his mobile phone and had never made calls to him. There were messages sent on the phone which were from someone who called themselves "Alex", but there were also messages that were sent from someone calling themselves "Mark" who later was proved to be using a false name to send text messages. Alex's house-mate later wrote a letter to the judge explaining that the drugs were not Alex's and that Alex had nothing to do with any of it – however the judge threw this out of court stating it was misleading the court.

Alex was always travelling with his job. His trips abroad included travelling to countries in many parts of the world. One of the perks of his job was that he could buy things cheaply abroad for friends, and bring things back with him such as t-shirts, perfumes, cigarettes etc. Because he did two trips to Cape Town, South Africa, the prosecution alleged that he was

going there to get Crystal Meth for his housemate. At the time he had discovered a cosmetic range made in South Africa and was trying to get a representation for his cousin to be sold at her beauty salon in London. As Cape Town trips are hard to come by, he decided to travel there on his concession to try to get an appointment with the producers. When he was in Cape Town he'd sometimes use his friend's girlfriend's mobile to send and receive texts which she had offered for him to use as it was cheaper to send and receive texts than on his London mobile. Alex used the phone to send some messages, however, his friend's girlfriend also sent text messages to his flat mate in London on the same phone that week. In some of the texts she's joking about 'talcum powder' and in another text she asks says that her boyfriend wishes to know if he can get 'Keyla'. 'Keyla' is Portuguese/Brazilian slang for Ketamine (horse tranquilliser), but Alex doesn't know if that was exactly what she was asking for. After Alex was arrested, his friend's girlfriend disappeared, and his "friend" there also refused to help. The text messages were used as key evidence in the trial against Alex, even though it was impossible to prove who had sent which messages. In the search in the house, a mobile phone was found in the living room which the police claim belonged to Alex. It had messages on it, which allude to drug deals. However, there is no proof whatsoever that this phone belonged to Alex or in fact that he had ever used it. Many of the messages on the phone were sent when Alex was in fact out of the country working.

All the officers who were at the house when Alex was arrested came to give evidence against him. They all "lost" their notes about everything that was asked, answered, commented or happened during the time in the house. Another key piece of evidence that "disappeared" after the police house search was a diary that Alex kept detailing the items that he bought for friends abroad. As a meticulous person, he kept notes about exactly what he bought and how much things cost etc. This diary could have proved very useful to Alex if presented in court. The chief of the investigation, also went to Alex's flat in NW9 which Alex was letting at the time, searched his house and found nothing, but in court declared that they never conducted the search.

Having himself done jury service Alex assumed that this jury would examine all the evidence as conscientiously as the one he had served on and return a not-guilty verdict. During the trial, when the jury weren't falling asleep or visibly not concentrating, they were quite often arguing amongst themselves, sending messages to the judge complaining about each other. The case even came to a standstill for two days because of that.

When the case was coming to an end, some of them also sent messages to the judge complaining that this case had to finish by such and such a date because they had childcare problems. Being gay, of mixed-race origin and Brazilian, Alex also faced a lot of prejudice during the trial process. Aspects of his personal life were revealed which clearly made it "easier" for the jury to assume he was guilty. Since Alex worked as an air steward this was used to suggest it would be easier for him to traffic drugs – whereas in reality airline staff are rigorously screened, more so than passengers, and regular drug tests on Alex, including one on being arrested, were all negative. Judge Clarke said that he thought that the jury would take at least three to four days, if not a week to decide the outcome. In the end they took just over two days to decide.

On the day they found Alex guilty (16/03/10), three hours earlier at 11am, they still hadn't come to a decision but by 2pm, they found him guilty.

In the confiscation procedures on 03/05/11 where the legal system can claim back money, property or hidden assets, the investigation team didn't find anything at all to suggest that Alex has profited from selling or trafficking drugs. Since Alex had sold his house after being con-

Prisoners given dentistry compensation

Prisoners in Wakefield have reached an out-of-court settlement with Wakefield District NHS Primary Care Trust over the poor levels of dental care they received.

The compensation payout amounts to £47,000, but the NHS trust also has legal fees of £300,000 to cover, reports the BBC. According to the Wakefield NHS trust, it inherited long waiting lists after taking over prison treatment in 2005 and has been vying to make improvements to the service provided.

Speaking to the broadcaster, Gill Galdins, the trust's chief operating officer, said: "Improvements have been made to provide a comprehensive, specialist dental service including emergency treatment. We are working hard to ensure the local prison population receive the same access to dental care, as residents across the country."

She claimed that dental treatment for the prison population was inherently more complex as inmates dental health is generally poorer and more problematic to begin with. Mrs Galdins also suggested that the trust was having difficulty recruiting for prison dentistry jobs.

She noted that no legal precedent has been set by the case and future litigation associated with prison dentistry would therefore have to be judged case by case, concluding: "Where a patient experiences a breach of duty of care and injury follows they are entitled to compensation."

Recently, Lord Howe, a former deputy prime minister, said that it was the responsibility of primary care trusts to ensure that any dentists they appoint are adequately trained for the role they are about to take on and suggested that newly qualified dentists are often lacking in certain areas.

Prisoners' Release: Foreign Nationals

Chris Bryant: To ask the Secretary of State for the Home Department how many foreign national prisoners had not been removed at the end of their custodial sentence and were not being detained for immigration purposes in (a) May 2009 and (b) May 2010. [78032]

Damian Green [holding answer 1 November 2011]: In May 2009 there were 2,483 foreign national offenders who had not been removed at the end of their sentence and were not being detained for Immigration purposes. In May 2010, there were 3,808.

IPCC probe Cleveland Police officers over Bronson Tyres kidnap trial

The police watchdog has opened a third inquiry into Cleveland Police over claims that officers conspired to pervert the course of justice in 2004.

The Independent Police Complaints Commission (IPCC) inquiry relates to the trial of a man jailed over the kidnap of a businessman. Bronson Tyers was jailed for 12 years in 2006 for the kidnap of Tony Pattison in Seaton Carew. The conviction was later overturned on appeal. Cleveland force is already the subject of two other IPCC inquiries.

An IPCC spokesman said it was "managing an investigation into an allegation that Cleveland Police officers perverted the course of justice during a man's trial. This investigation is ongoing and is being conducted by officers from West Yorkshire Police under the direction and control of an IPCC investigator. It would be inappropriate for the IPCC to comment further at this stage."

The IPCC is already looking into claims of corruption and misconduct against the force's chief constable Sean Price, his deputy Derek Bonnard and former head of legal services, Caroline Llewellyn. A separate IPCC investigation is ongoing into an allegation that Mr Price used undue influence to have an individual appointed to a position within the police force.

At this moment the chances of an inquiry seem remote, but Mrs Finucane has support from sources such as human rights groups and, significantly, the Irish government. Dublin has conveyed to London its "dissatisfaction and disappointment" with the announced review.

And Enda Kenny told the Irish parliament of a recent conversation with Mr Cameron: "I indicated quite clearly that, if Geraldine was not happy with what was on offer, then clearly we would not be happy either. I haven't changed my mind."

The murder of Nora McCabe

By West Belfast MP, Gerry Adams

Nora McCabe was murdered almost 29 years ago on July 9th 1981. She was shot in the back of the head at close range by a plastic bullet fired from an RUC armoured landrover. She died the next day in hospital from her injuries. It was the same morning Joe McDonnell died on hunger strike.

Nora was aged 33 and the mother of three young children, the youngest three months old. Over the years I have met her husband Jim many times. He is a quiet but very determined man who never gave up on getting the truth. Jim knew what happened, but as in so many other similar incidents, the RUC and the Director of Public Prosecutions office embarked on a cover up of the circumstances in order to protect the RUC personnel responsible for Nora's murder.

At the inquest in November 1982 several RUC people gave evidence, including James Critchley who was the senior RUC officer in west Belfast at the time. He was in one of the armoured vehicles. The RUC claimed that there were barricades on the Falls Road, that there were rioters and that they fired two plastic bullets when petrol bombs were thrown at them. In their account there were hijacked and burning vehicles on the road and beer barrels and debris strewn around.

At the inquest he was given a video filmed by a Canadian TV film crew who were on the Falls Road that morning. When he tried to introduce it as evidence the inquest was adjourned. It did not reconvene until one year later. The video was then played to the inquest and it entirely disproved the evidence given by the RUC witnesses. There were no rioters, no barricades, no burning vehicles. Crucially it did show the RUC landrover turn toward Linden Street where Nora McCabe was walking and a plastic bullet being fired. The inquest jury found that Nora was an innocent victim. But the DPP decided not to prosecute the RUC officers involved. The RUC sergeant who fired the deadly bullet and the senior officer who ordered him to fire are now both dead. Last year Jim initiated a judicial review into the decision not to prosecute anyone. He wanted that decision quashed. Last week the court accepted that there were significant factual conflicts between the evidence of the RUC witnesses and the film evidence. The judge said that consideration ought to have been given to charging the RUC witnesses with perjury. But he accepted that the DPP had the legal right to take the decision.

Speaking afterwards Jim said he felt vindicated in taking the case. The court had accepted Nora's innocence and the authenticity of the tape. The lies of the RUC witnesses had been exposed. Jim also spoke of the difficulties he and his children had encountered. And he acknowledged that many other families had suffered similar experiences.

Between 1970 when they were first introduced, almost 100,000 rubber and plastic bullets were fired up to 1981. In that year alone 30,000 were fired. 17 people, 8 of them children, were killed and thousands of people were injured. Some of them, like Emma Groves who was blinded, were permanently disabled. Jim McCabe is one of our unsung heroes. He reared his young family while pursuing truth and justice for his wife Nora. I am sure there were times when grief, anger and frustration must have threatened to overwhelm him. But he never gave up. He persisted. And this week he prevailed.

Plastic bullets are lethal weapons. They should be banned.

victed to help pay off his debts and other legal costs, they took some of the profit from the house sale – in the end leaving Alex's bank account overdrawn.

Lastly it should be said that Alex's friends know him for being someone who is very kind and giving, who would always help a friend. His mother is 75 and still lives in Brazil. For a long time Alex has always sent some of his salary back to his mum to pay for her medical treatments. She is now living in a state of misery in Brazil in the knowledge that her son is in prison in the UK and won't be released for a very long time. Alex's sister in Brazil has been able to raise awareness of his case locally – and so far she has managed to get thousands of people to sign a petition to help get justice for Alex. This has successfully gained the attention of the media – and so far several television, newspaper and radio reports have covered Alex's case nationally in Brazil. The Brazilian government is currently involved in discussions with the consulate in the UK to support Alex's case for an appeal.

Letters of support/Solidarity to: Alexandre de Sousa Silva GX7216

HMP Lowdham Grange, Old Epperstone Road, Lowdham, Nottingham, NG14 7DA

James Dowsett - Never Stops Fighting the System



Suffolk prisoner wins legal review over searches EDP24, 27/10/11

James Dowsett has won the first stage of his human rights challenge to rub-down searches by female prison officers - which he says make him "embarrassed and uncomfortable". Jailed for life in 1989 after he was convicted of the murder of Christopher Nugent, whose body was found with two shotgun wounds to the head in Mildenhall, Suffolk, in 1987. Now in his mid-60s and still behind bars, Dowsett is mounting a publicly-funded claim against the Ministry of Justice - arguing their policy of allowing only female and religious minority prisoners to choose who they are "rubbed-down" by is discriminatory and violates his human rights.

Despite saying she had "significant reservations" about his claims, Mrs Justice Thirlwall granted Dowsett permission to mount a full judicial review of the Ministry's nationwide policy on searching prisoners.

Having now served his 21-year minimum term, but failing to win parole, Dowsett is being held at HMP Highpoint, in Stradishall, Suffolk, where he suffers from ill health and recently underwent an operation on his pancreas, London's High Court was told.

Dowsett's lawyers argue the rub down searches prisoners are subjected to in jail amount to more than a "cursory skimming" of a convict's clothes. His barrister, Adam Straw, told the court: "The rub-down searches involve staff touching the prisoner's intimate areas, including around his crotch, and often touching bare skin beneath the trouser waistline. They make the claimant embarrassed and uncomfortable. They have been repeated about 1,500 times over an extended period and he has particular health concerns which make such searches even more uncomfortable."

Current prison policy means women inmates must only be searched by female warders, while male prisoners with "religious objections" can opt out of rub-downs by women. Other men, his lawyers say, do not have a choice. Dowsett says his objections to being searched by female prison officers have been met by "laughs and jeers" from his fellow lags.

Jonathan Swift QC, for the Ministry of Justice, told the court: "He says that every time he has been searched by a female prison officer in the previous 18 years he has had feelings of discomfort, embarrassment etc. But there is a serious question to the credibility of that evidence, given the fact that it has taken 18 years for him to raise it."

Mrs Justice Thirlwall today ruled Dowsett's claims of sexual and religious discrimination and breaches of his human rights to privacy and equality should be given a full hearing by a High Court judge. She said: "It seems to me that there is significant merit in the [Ministry of Justice's] argument, but I accept at this stage that what the claimant submits is arguable."

If Dowsett wins his case, he could force a change in Ministry of Justice policy to allow male inmates to choose who they are searched by.

Justice for Simon Hall

A meeting has been arranged for mid November 2011 to meet with the CCRC; I do believe meetings like this are rare. Attending the meeting are myself, Correna Platt, Campbell Malone (Simon's legal representatives), the original Commissioners that referred Simon's case to the appeal courts in October 2009 and the case worker for the CCRC, Mr John Curtis.

The aim of the meeting is to discuss the 'fresh evidence' that has since come to light following Simon's failed appeal in January 2011 and to discuss the way forward. We are hopeful that a fresh application will be accepted and promptly reviewed following on from this meeting; in order to get Simon back to the appeal courts in the very near future.

Stephanie Jane Hall / steph@easy.com

Free Babar Ahmad - No Extradition to the US

Babar Ahmad is the longest detained-without-trial British citizen in the modern history of the UK. He has spent over 7 years in prison without trial fighting extradition to the US. Ahmad was previously arrested by British police but material seized from his home was found by the CPS to be insufficient to charge him with any offence. Yet, that same material now forms the basis of the US indictment against him, which appears to completely undermine the British criminal justice system.

An official e-petition has been launched on the government website to put Babar Ahmad, now in his eighth year of detention, on trial in the UK. Almost 65,000 people have already signed the petition. If 100,000 people sign the petition by 10 November, a parliamentary debate is likely to take place. This is a vital opportunity for the British public to defend the sovereignty and integrity of our criminal justice system.

An open debate could force the government to comply with the findings of the Joint Committee on Human Rights and introduce a 'forum bar' into UK law, thereby allowing not just Babar Ahmad, but other British citizens also facing extradition such as Gary McKinnon, to be tried in Britain. The petition has received support from many leading figures in the legal world, including Sir Geoffrey Bindman QC.

In June this year, the Joint Committee on Human Rights called upon the government to introduce a 'forum bar' provision into law, which would allow a British court to block extradition where a significant part of the offence took place in the UK. It also urged the government to renegotiate the Treaty to prevent extradition of persons where the British authorities decide not to prosecute them for an offence based on the same evidence. In October this year, the government's official extradition review concluded the opposite - that the Treaty is fair and that there is no need to introduce the 'forum bar' provision. The findings of the review panel are not binding on the government, and arguably it should instead follow the recommendations of the parliamentary committee, which consists of elected representatives.

Letters of Support/Solidarity to:

Babar Ahmad, A9385AG, HMP Long Lartin, Evesham, WR11 8TZ

with what they'll hear". Instead, he announced the review. She says: "I asked David Cameron what part the family would play in this review and he said, 'Oh no, no, you don't do anything.' His tone was, 'Don't you worry your pretty little head about it. When the QC finishes he'll tell you what went on.' The air was very charged at that point and we put forward the reasons why a review was totally unsatisfactory. Everybody was very angry and obviously devastated but we retained our composure. Voices were raised but nobody was rude. "I thought there was no point in staying there any longer and I said, 'I can't listen to any more of this, I want this meeting to end.' Afterwards, one of the officials said they were quite shocked."

The family had been banking on the promise of an inquiry made by the last Labour government. So why does she think that, 22 years on, none is forthcoming? "Because of what would be disclosed," is her reply. "They really don't want to air the behaviour of the British government and the military, and the policy that was carried on against its own citizens."

Pat Finucane was a prominent Belfast solicitor whose clients included a number of high-profile IRA members such as the hunger striker Bobby Sands. His successes in the courts caused much resentment among the security forces. According to his widow: "He was too dangerous. It was rocking the boat and the establishment really didn't like that. If you were troublesome they could just take you out – there was no process of catching you and trying you or anything like that. If you were troublesome in any way they just got rid of you. They used the loyalist paramilitaries like a regiment in the army to do their dirty work. Then they would back off and distance themselves from it. There were a lot of gunmen in Belfast, probably still are, but at that time they were two a penny. It didn't take much to get a gunman to pull the trigger. The question has always been – who put the gunmen up to it?"

But what evidence is there that official agencies were actually involved in murder or at least turned a blind eye to it? Much information is already in the public domain. Sir John Stevens, later Commissioner of the Metropolitan Police, concluded after one of the lengthiest investigations in British police history that there had been collusion. There was, he said, "Wilful failure to keep records, the withholding of intelligence and evidence, and the extreme of agents being involved in murder so that people have been killed or seriously injured."

Despite solid intelligence that Mr Finucane and others were being targeted, they were not warned, he found. He also said his inquiries were obstructed by the police and army, describing a fire in his incident room as "a deliberate act of arson". Similar conclusions were reached by a former Canadian judge, Peter Cory, who was tasked by the British and Irish governments with reviewing papers in the case. He recommended a public inquiry after finding strong evidence that collusive acts were committed not just by the police and army but also by MI5.

The judge discovered that MI5 and police had held a meeting to discuss a "very real and imminent" loyalist threat to Mr Finucane's life, but had together decided to take no action. He reported that detectives investigating the killing were not given crucial information, and were not told that one of the murder weapons they were seeking was actually in the keeping of a Special Branch agent. While this much is already known, much more embarrassing information would be bound to emerge from a public inquiry. Many observers were therefore puzzled by the fact that the Government gave the impression of seriously considering one.

The crucial question is how far up the chain of command collusion might have gone. Mrs Finucane is definite: "It is to be proven," she says, "but I do think it went to the very top of the security and political establishments. They all worked very much in hand. Everybody was informed as to what was going on."

Geraldine Finucane: 'I felt so angry and insulted. It was cruel'

The widow of one of the most tragic victims of the Troubles tells David McKittrick of her fury with David Cameron
David McKittrick, Independent, Friday, 28 October 2011

The anger of the widow of the murdered Belfast solicitor Pat Finucane remains undimmed two weeks after she ended a meeting with David Cameron in which he declined to hold a public inquiry into her husband's death.

Geraldine Finucane indignantly describes the Government and the Prime Minister as "a disreputable government led by a dishonourable man". Mr Cameron apologised to the Finucane family, saying it was clear that there had been "state collusion" in the murder, but turned down the request for an inquiry. Her continuing campaign has since been supported by all major nationalist parties in both parts of Ireland, the Irish Prime Minister Enda Kenny declaring they "supported Geraldine Finucane in her search for the truth".

The killing of the lawyer was carried out in a murky underworld of agents and informers where many things remain hidden from public view. A former senior government official privately admits that it was, among Belfast's many security and intelligence controversies, "the smelliest of them all". Three separate intelligence agencies have been shown to have been active around the murder.

The facts of the 1989 assassination of the solicitor are clear enough. He and his wife Geraldine and their three children were having a meal together on a dark February evening when loyalist gunmen arrived. Mrs Finucane recalls: "We were having our dinner in the kitchen. Basically they just bludgeoned their way through the front door, came up the hall, came into the kitchen and shot Pat."

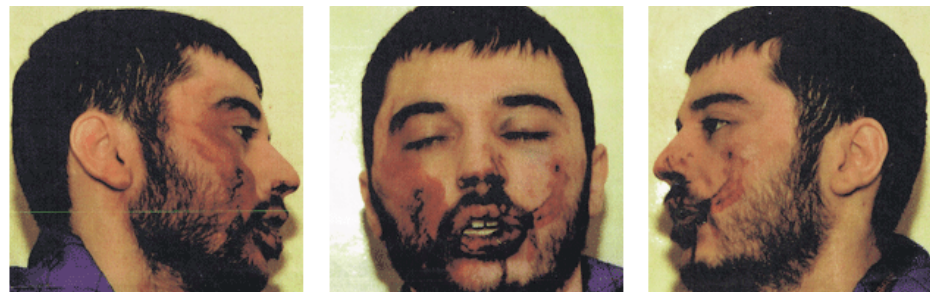
A detective superintendent called the killing "the most ferocious murder I have come across". He related: "Every shot seemed to strike home. I believe the gunmen involved had murdered before. They were certainly experienced in the use of weapons." A post-mortem report reveals the lawyer was shot six times in the head, three times in the neck and three times in the torso. It details the clinical nature of the attack, noting: "Any of the wounds to the head, the neck or the torso would have been fatal."

Today Mrs Finucane still lives in the house where her husband died, using the kitchen where she and her children witnessed his death. Did she ever consider moving house? "They've killed my husband but they're not going to wreck the whole bloody family. This is our home and it will remain our home," she says. The killing had so many suspicious aspects that calls for an official inquiry have been made for many years. When the shooting happened her children were young: now her two sons are lawyers and she has six grandchildren. Her face lights up when she talks about the grandchildren, whose colourful toys are piled in one corner of her lounge. But it darkens when she recalls the meeting she and her three children had with Mr Cameron.

They were convinced that a public inquiry was on the cards, but instead he informed them a QC would review the papers in the case and report back in December next year. The QC will have no power to compel witnesses to speak to him. "I cannot remember the last time I felt so angry," she says. "I felt humiliated and insulted – it was a very cruel, devastating experience." The family had been in contact with the authorities on numerous occasions over the past year, discussing in detail potential models for an inquiry. One, already used in the case of Baha Mousa, a civilian who died in custody in Iraq, was entirely acceptable.

According to Mrs Finucane, the family's hopes were raised when a senior official called to say "The PM wants to speak to the family himself and I think the family will be very pleased

Motto of HMP Frankland officers, See no Evil, Hear No Evil, Do No Evil



Kevan Thakrar after beating by prison officers at HMP Frankland, these are the pictures, shown to officers and that the officers, collectively denied ever seeing any such bruises!

Let there be justice for those who have died in police custody

The deaths pile up each year, and it has been a shocking 42 years since any officers have been found guilty
Nina Power , guardian.co.uk, Friday 28 October 2011

Saturday 29th October 2011 saw family, friends and many others marching against deaths in police custody in an annual event that is now entering its 13th year. The list of those who've died has grown ever longer, as does the gap between now and the last time a police officer was prosecuted for the death of somebody in custody – that record stretches back a shocking 42 years to 1969, when the two officers who were implicated in the death of David Oluywale, the first black man to die in police custody in the UK, were found guilty of assault and sentenced to a pitiful few months in prison.

Since this isolated case, there have been more than 1,000 more deaths in custody, and not one successful prosecution of a single police officer, despite a verdict of unlawful killing in several instances – a verdict handed down only after years, or even decades, of work, campaigning and painstaking legal challenges by the families of those killed (these struggles are well documented in Ken Fero's documentary Injustice). The past few months have seen a couple of high-profile deaths – Smiley Culture and Mark Duggan – as well as the increased use of Tasers. Three people (Dale Burns, Jacob Michael and Philip Hulmes) died after being shot with Tasers in an eight-day period in August this year. Tasers were also used more recently during the violent eviction of Dale Farm, directly contrary to police guidelines that state they should not be used in public order situations.

A report on deaths in custody put out by the IPCC, widely criticised for its lack of independence from the force, nevertheless revealed: "There was a breach of police procedure in 27% of cases and ... people from black and minority ethnic backgrounds were more likely to be restrained whilst in police custody than whites." Despite the Metropolitan police being declared "institutionally racist" in 1999's Macpherson report, this doesn't appear to have stopped them from being actually racist in any respect.

Many people don't experience police brutality, of course, and it is all too easy to imagine that a death in custody must have had some mitigating circumstance, especially when the media is often complicit in putting out stories that work to damn the victim – so we heard that Mark Duggan was a "gangster", that he "shot first", just as Jean Charles de Menezes was wearing a "bulky jacket" and "jumped over the barriers"; none of these things are true but,

when released in the first few hours of a story, they can significantly alter the perception of the victim, even if this misinformation is later corrected.

The procession was of huge significance for the families of, among many others, Roger Sylvester, Leon Patterson, Rocky Bennett, Alton Manning, Christopher Alder, Brian Douglas, Joy Gardner, Aseta Simms, Ricky Bishop, Paul Jemmott, Harry Stanley, Glenn Howard, Mikey Powell, Jason McPherson and Sean Rigg, but it also has significance for everyone concerned about the lack of police accountability and their growing use of force against the population. The United Friends and Family Campaign – which has organised Saturday's march – calls, among other things, for the investigation of deaths in police custody by a body that is "genuinely independent of the police", for automatic prosecution of officers following verdicts of unlawful killing and for CCTV to be placed in the back of all police vans – Lord knows, we have it everywhere else.

Samantha and Marcia, sisters of Sean Rigg, who died in Brixton police station, said: "It is now over three years since Sean died and still we are fighting to get crucial evidence from the IPCC. Why? This is our fourth attendance on the UFFC march and it beggars belief the number of deaths that have occurred since Sean died ... We as families do not have justice; we just have us. It is therefore evident that families must unite to remember their loved ones and continue their quest for justice and change in the British judicial system. No justice. No peace."

Lack of police accountability and police violence during arrests, in police cars, in police custody and in prison cells, as well as at protests and occupations, is something that concerns us all. Let there be justice for those who have died in custody, and let no one else suffer the same fate: join the march on Saturday and let the families and friends of those who are suffering know that they are not alone.

Are there more life sentence prisoners in the UK than in all of the rest of Europe?

George O'Neill - Full Fact.org, 8 October, 2011

With sentencing reform proposed by Ken Clarke, and overcrowded prisons an often revisited subject, the head of the Howard League made this striking claim about the prison population in this country. "We in this country have more life sentence prisoners than all of the other countries in the council of Europe added together", Frances Cook, Chief executive of the Howard League for Penal Reform, Today Programme 27 October 2011 Ken Clarke's proposal to impose a mandatory life sentence for those offenders who have twice committed a serious violent crime have met with some opposition. Stories about the overcrowded state of prisons in this country have become quite commonplace, but can the UK really be as prolific with its handing out of life sentences as the head of Howard League claims?

Analysis It is certainly a striking claim. 47 countries are members of the Council of Europe. The Howard League's claim would mean that the life sentence prisoner population in the UK is at least 46 times that of the average life sentence prisoner population in these other European countries. Full Fact contacted the Howard League to ask for their source. They pointed us towards the Council of Europe Annual Penal Statistics; the latest CoE report on this matter, based on a 2009 survey of the CoE countries.

On page 71, a breakdown of each country's prison population by length of sentence is provided. England and Wales are recorded as having a life sentence prisoner population of 12,521, Northern Ireland as having 175, and Scotland as having 762. The rest of the European countries have a combined total of 8,027. These Council of Europe figures therefore back up the Howard league claim. A note of caution is introduced when we look at the "general

In his report, former senior civil servant David Norgrove said family justice was slow, incoherent and children had to suffer "shocking delays" over decisions about where they would end up. He said: "Every year 500,000 children and adults are involved in the family justice system. They turn to it at times of great stress and conflict. It must deliver the best possible outcome for all the children and families who use it, because its decisions directly affect the lives and futures of all those involved, and have repercussions for society as a whole." Mr Norgrove's report said family justice was under huge strain with care cases on average taking more than a year to resolve. Approximately 20,000 children are currently waiting for an outcome.

Last month I sat in on a typical case in the Family Courts in central London. Several young children had been removed from their mother's care and placed with foster parents. Two had serious injuries, dating back to the summer of 2010. But in October 2011, 15 months on, the children were still with their foster parents.

One of the questions addressed in both Mr Norgrove's interim and final report was whether both parents should have equal rights to access to a child after a separation. Mr Norgrove did not recommend a legal right in either of his reports, but the interim document had suggested ministers could use legislation to underline "the importance of the child continuing to have a meaningful relationship with both parents, alongside the need to protect the child from harm". The final report dismisses that idea, saying it could do more harm than good.

But Ken Sanderson, of campaign group Families Need Fathers, said: "The core failing of the current family justice system is that the rights of children to maintain meaningful relationships with both parents, as set out in the UN Convention on the Rights of the Child, are not adequately supported or enforced. "By choosing not to address this issue, any other proposals... will be merely superficial adjustments to a fundamentally broken system."

The report includes many proposals from the interim document, including creating a single family justice system and making courts focus on where a child goes, rather than spending time looking at the detailed care arrangements. The review said parents should use mediation and other routes to make arrangements for caring for their children and only turn to the courts as a last resort.

In its first official response to the report, the government said it would introduce a six-month deadline for decisions on the care of children. "It is vital we radically reform the family justice system to tackle delay and improve the service to children," said a spokesman. We know the amount of time it takes for a child to be adopted is unacceptable. We are already taking forward some of the review's recommendations on speeding up care cases. As set out in the Coalition Programme for Government, this government is committed to encouraging shared parenting and is firmly of the view that children should have meaningful relationships with both parents after separation. We will examine carefully the panel's recommendations as part of achieving that commitment."

Met Police spends millions of pounds on secret aircraft

The Metropolitan Police has secret spy planes capable of eavesdropping on mobile phone calls from the sky. The existence of the fleet of planes - each costing at least £3 million to purchase and hundreds of thousands more to operate - has never been publicly disclosed. The police have been using the planes since at least 1997. Despite the cuts the Met's secret fixed wing aircraft fleet is still flying regular sorties over London from a base at Farnborough airfield, in Hampshire. The planes have apparently been fitted with secret surveillance equipment capable of intercepting mobile phone calls or eavesdropping on conversations. By Jason Lewis, Telegraph, 29/10/11

head-on collision and the officers claimed that intelligence showed he held a grudge against the police because a police car was involved in the crash. Anti-corruption officers found nothing to support any of the intelligence that the six officers claimed to have gathered.

The Met said it was still considering further disciplinary action against the other officers who had been investigated. Seven officers remain suspended and three officers are on restricted duties.

Police officers escaping punishment by resigning

Hundreds of police officers accused of misconduct are escaping punishment by resigning, according to a Panorama investigation Amy Fallon, guardian.co.uk, 31/1011

Hundreds of police officers accused of misconduct are escaping punishment by quietly resigning, according to a BBC Panorama. 489 officers from 47 forces facing misconduct action were allowed to discreetly leave through the 'back door' between 2008 and 2010, the programme found.

There were 1,915 guilty findings against officers for misconduct over the same period. One fifth of officers were given punishments - 382 - were dismissed or required to resign, Panorama found via Freedom of Information (FoI) requests made to the UK's 53 forces over the two years.

Campaigners called for more accountability among forces. Lawyer Jocelyn Cockburn, who handles cases involving complaints against police, said there were risks in letting officers avoid sanctions by leaving. "If they are allowed to leave the police without any stain on their character then there is the chance they will go and work in another force, and that does happen," she said.

Greater Manchester Chief Constable Peter Fahy, speaking on behalf of the Association of Chief Police Officers (ACPO), said corrupt officers were damaging community confidence and undermining their counterparts who were doing their job ethically. "There have always been a small number of individuals who fail to uphold the professional standards required of them and their actions harm the reputation of the huge majority of the 140,000 officers who serve their communities with commitment and integrity,"

Fahy said. "No-one in the service wants officers who are clearly incompetent or corrupt to remain within the organisation. "If such an officer remains suspended on full pay for a protracted period, it may have a damaging impact on public confidence." He said there was a "judgement to be made" about whether officers should be taken off the payroll and out of the force through a "long, drawn out and potentially costly procedure". "As a service, we need to ensure that complaints and misconduct are dealt with to the satisfaction of the victim involved as well as making sure that officers who we know to be guilty are removed as quickly as possible," he said.

"Cases of misconduct are closely scrutinised by police authorities and they receive regular updates on the progress of investigations." The IPCC handles public complaints and only plays a role in very few, serious misconduct cases. It can make a misconduct finding, but does not have the power to punish, with that being left up to the officer's own force. "There is no overall body that has responsibility for the police misconduct system other than the Home Office, I dare say," IPCC deputy chair Deborah Glass said.

Family justice review calls for six-month case deadline BBC News, 03/11/11

Childcare decisions in family courts should be made within six months, an official review has said. Former senior civil servant David Norgrove's report said parents should be encouraged to make their own care arrangements when they separate. The review rules out using the law to give both parents equal access to a child.

A government spokesman said it was vital to "radically reform" the family justice system.

remarks" beneath the table. We are told: "Some countries could have included persons sentenced to security measures (mentally ill offenders and persons considered as dangerous) under the category "life imprisonment" because in such cases the length of detention/imprisonment is not fixed. However, as a rule, such persons have been excluded from the distribution, and counted separately (see notes to Table 8)"

When Full Fact examined the explanatory notes for the UK date, however, it found no mention of prisoners for which "the length of detention/imprisonment is not fixed". Such sentences do exist in England and Wales (indeed, Ken Clarke's latest proposals include scrapping them), so Full Fact decided to look for Ministry of Justice (MoJ) statistics regarding both these unfixed sentences and life sentences. An MoJ summary states that, as of 31 March 2008, there were "10,911 prisoners serving an indeterminate sentence (life imprisonment or Imprisonment for Public Protection)". 4,170 of these "are sentenced to an indeterminate sentence of Imprisonment (or Detention) for Public Protection".

A more recent MoJ document reported that, as of the end of March 2011, there were 14,650 prisoners in England and Wales serving indefinite sentences. 6,550 of these were serving an "Imprisonment for Public Protection" (IPP) sentence. Because they cover different time periods to the CoE figures solid comparisons cannot be made. However the figures do highlight the impact that including those serving IPPs in the figures could have. We have contacted the Council of Europe to establish some certainty on this point.

This need not discredit the CoE results. The MoJ themselves have referred to those given IPP sentences as life sentence prisoners. For example in the report, "Life Sentence/Imprisonment for Public Protection – An Overview", it says: "For the purposes of this Manual the term "life sentence prisoner" includes those offenders sentenced to Imprisonment (or Detention) for Public Protection (IPP) unless specifically stated otherwise"

The potential problem of combining these two types of sentences together is illustrated in the two tables below.

Tariff lengths

Among prisoners serving IPPs around three quarters had tariff; or less.

Table 2. IPP Population by Tariff (March 2011)

Less than 2 years	1,550
2 years and equal to 4 years	3,200
Over 4 years and equal to 6 years	1,200
Over 6 years and equal to 10 years	500
More than 10 years	50
Tariff unavailable	50

Table 3. Lifer Population by Tariff (March 2011)

Up to 10 years	2,650
Over 10 and up to 20 years	4,350
20 years or more	850
Whole life	41
Tariff unavailable	250

Actual number given for whole lifers

As can be seen, the length of tariff (the amount of time that must be served before the prisoner is considered for release) generally given to those serving life sentences is considerably longer than for those serving IPPs. It should be noted that the length of tariff does not equate to the length of the sentence actually served, as 3,500 of the 6,500 currently serving IPPs have served longer than the length of their tariff. Nonetheless, the difference in the length of tariff is indicative of a difference in the length of sentence served for the two groups.

Conclusion The possibility that IPPs are included in the figures could challenge the exact formulation of the claim, and we are trying to get clarity from the Council of Europe on this issue. Even if we disregard IPP sentences, it is clear that "life sentences" in the UK are imposed to a far greater extent than in other Council of Europe countries.

Family of convicted Croydon killer launch posthumous appeal

YourLocalGuardian, Tuesday 25th October 2011

The family of a convicted killer who hanged himself in jail has launched a posthumous appeal. Darren Liston had served eight months of a minimum 18-year jail term for the murder of chemistry technician Anthony Fernandes in July 2008. The 28-year-old, formerly of Derby Road, Croydon, was found hanging in his cell in Wandsworth Prison in February this year. A Court of Appeal challenge to the safety of Liston's murder conviction will still go ahead in central London before Christmas despite his death. Liston had been convicted alongside fellow defendants 44-year-old Paul Maddix and 17-year-old Jason Terry.

The original trial heard how Mr Fernandes, 46, suffered more than a dozen knife wounds after the trio had broke in to his house in Windmill Road following an afternoon drinking session in Wandle Park, Croydon, with one of the weapons snapping clean in half because of the force used. The court heard how the trio had spent the afternoon of July 28, 2008 drinking in the park and discussing their experiences of being homeless, when Liston suggested visiting Mr Fernandes, who worked at Epsom College, to see if they could stay with him because he was an "easy touch".

The jury was told the men took a minicab to Windmill Road, and Maddix and the youth smashed a glass pane in Mr Fernandes' front door to gain access to the house. When he asked them to leave the situation became ugly and murderous, the court heard, and the men fell on him with at least four separate knives, with many of the wounds slashes to his back.

Maddix claimed to have committed the murder alone as he phoned the emergency services for help, but was heard telling the other two to leave the flat during the call. The trial heard how Liston wandered the streets after the attack, making calls from telephone boxes before throwing away the blood-stained t-shirt he was wearing. The grounds on which Liston's representatives are challenging the conviction are not yet clear, but appeal judges will need to be satisfied the guilty verdict was "unsafe" before quashing it.

Two HMP Preston officers charged after death of inmate BBC News, 2 November 2011

Two prison officers have been charged following the death of an inmate at a Lancashire jail. Christopher Oldham, 36, was found hanging in his cell in HMP Preston on 21 April. He was on remand, accused of perverting the course of justice. Shaun Percy, 49, of Walton-le-Dale, is charged with misconduct in public office. He has been suspended. His wife, Lisa, also 49, is charged with attempting to pervert the course of justice. She is also suspended. Both are due to appear before Preston magistrates on 21 November.

Bryan Boulter, from the Crown Prosecution Service special crime and counter terrorism division, said it was alleged that Mr Percy "failed to carry out mandatory cell checks in relation to a number of prisoners who had been assessed as being at risk of suicide, including Christopher Oldham, without reasonable excuse or justification". It is further alleged that he falsely recorded on the relevant forms that he had done these checks." He said Mrs Percy, the senior officer on 21 April, was alleged to have "made further entries on the relevant records in her husband's name falsely recording that he had made two further checks on Mr Oldham".

Police keep their jobs after smashing up suspect's car

Secret disciplinary hearing finds Met officers guilty of excessive force over attack on Mini with baseball bats
Sandra Laville, guardian.co.uk, Wednesday 2 November 2011

A secret police disciplinary hearing has ruled that six Metropolitan police officers who

smashed up a suspect's car used excessive force but can keep their jobs.

Video footage shows the detective sergeant and five constables leaping from an unmarked car shouting "attack, attack", before smashing baseball bats and a pickaxe handle into the side windows and windscreen of a Mini stopped in traffic. The plainclothes officers – all members of the Enfield crime squad in north London – then pull out the driver, Jonathan Billingham, and push him to the floor, where he is arrested. At least one of the officers is wearing a non-police-issue jacket with the words "police detective, crime squad" on the back – similar to those worn by US police.

Scotland Yard released the findings of the disciplinary hearing, which took place over seven days behind closed doors. It followed a 16-month anti-corruption inquiry by the Met's directorate of professional standards, into a whistleblower's claims that detectives had assaulted and abused suspects, used excessive force to stop a stolen car, and taken property for their own use in the police station, including a Mercedes, other cars, flat screen televisions and other electrical goods.

The investigation – supervised by the Independent Police Complaints Commission – involved 43 separate inquiries and targeted all 15 officers in the Enfield crime squad. An allegation that two suspects were "waterboarded" during their arrest was not upheld. The inquiry also uncovered evidence that senior managers knew of the culture in the crime squad but did nothing about it – one police source suggested this was because the unit was producing "good results". The three superintendents involved were interviewed as witnesses and found to have been "generally aware" of what was going on. None have been reprimanded and all three have since been promoted to chief officer rank.

Scotland Yard said that the six officers – who are the first to face disciplinary action as a result of the inquiry – had been found guilty of misconduct but would not be sacked. The Yard said the detective sergeant involved had been demoted to detective constable, and the five constables had been formally reprimanded. A spokesman said: "The misconduct panel found that the detective sergeant failed to properly supervise five officers by allowing them to use baseball bats and a pickaxe handle to carry out the stop and detain the driver. The five other officers were found to have used more force than was reasonable or necessary to affect the stop by using a non-issue baseball bat, hitting the rear offside window causing it to smash."

The Crown Prosecution Service, who were passed a file of evidence by the police, said last year that they were not going to charge any of the 15 officers involved either for theft or misconduct in a public office. Commander Peter Spindler, head of the directorate of professional standards said: "They abused their position of trust and authority and by doing so breached the high professional standards expected by the public and the vast majority of outstanding Metropolitan Police Service officers."

Local MP Andy Love criticised the secrecy of the disciplinary panel. He told The Guardian: "I am concerned that this hearing was held behind closed doors. There is a need for much greater transparency and the way that this was carried out, the way the police have investigated themselves, will do nothing to restore public confidence." The video footage of the six launching an attack on Billingham's car was uncovered during the inquiry, which involved ten months of surveillance before officers from the Met's directorate of professional standards executed search warrants at Edmonton police station.

Billingham was being targeted, the detectives claimed, because they had intelligence that he had a history of carrying weapons, had made death threats to the police and had threatened to shoot a police officer. Billingham's twin brother had been killed two years before in a