

orders from the top went down the chain of command and led directly to the killing of 14 unarmed citizens in the days afterwards.

"That those orders were in the context of an 'indemnity' from the threat of court proceedings must have also been communicated to British army officers in charge of those responsible for these killings. All right thinking people must challenge this impunity. The British government must now respond to this document and address the matter with the utmost vigour in delivering justice to the bereaved families.

Relatives for Justice work with and support many of the families bereaved as a consequence of the horrendous outworking of this document. The document has now been provided to families and their lawyers. It is the intention of families to seek to address its content in respect of killings by the British army and the failure to hold to account in any way those responsible. The position regarding the relationship between the authorities and loyalists is also of concern and families bereaved in these circumstances at this time too will also seek legal advice.

"The document comes in the aftermath of a recent University of Ulster (UUJ) report that highlighted investigative bias in examining British army killings during this period by the current PSNI's Historical Enquiries Team (HET). At the time of these killings an arrangement existed between the RUC and the British army that the Royal Military Police (RMP), and not the RUC, would conduct investigations into fatal shootings by the British army. This arrangement covered the period from 1970 until September 1973 in which the British army killed over 150 civilians including women and children. The matter of indemnifying British soldiers must also be seen in this pre-existing policy arrangement. Families demand and deserve better." Document can be viewed online at <<http://relativesforjustice.com>>

The day following this meeting in July 1972 16 year-old Gerard Gibson was shot-dead by the British army. In the 21 days immediately after this Stormont Castle meeting, July 10th until July 31st, the British army killed 14 people. This does not include those killed by the British army from July 1st until 10th, which included the Springhill Massacre of July 9th that claimed the lives of four civilians, three of whom were children, and a Catholic priest administering to those killed and injured, and another Catholic civilian shot whilst driving his car on the Falls Rd also on July 9th, totalling 20 murders by the British army that month. Loyalists were also responsible for 8 murders from July 1st until the July 10th Stormont Castle meeting and a further 19 murders from July 11th until the end of the month totalling 27 murders. The UDA were responsible for the vast majority of these murders. In 1972 the British army killed 79 citizens. Loyalists killed 121 citizens.

Hostages: James Cullinane, Stephen Marsh, Graham Coutts, Royston Moore, Duane King, Leon Chapman, Tony Marshall, Anthony Jackson, David Kent, Norman Grant, Ricardo Morrison, Alex Silva, Terry Smith, Hyrone Hart, Glen Cameron, Warren Slaney, Melvyn 'Adie' McLellan, Lyndon Coles, Robert Bradley, Sam Hallam, John Twomey, Thomas G. Bourke, David E. Ferguson, Lee Mockble, George Romero Coleman, Neil Hurley, Jaslyn Ricardo Smith, James Dowsett, Kevan Thakrar, Miran 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, 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 Mawhinney, Peter Hannigan, Ihsan Ulhaque, Richard Roy Allan, Sam Cole, Carl Kenute Gowe, Eddie Hampton, Tony Hyland, Ray Gilbert, Ishtiaq Ahmed.

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Criminalising Children in the Care System

Criminalising the behaviour of working class children and feeding them into the Criminal Justice System is a practice that has existed for generations and is now responsible for Britain having the unenviable reputation of Europe's worst jailer of children in terms of the numbers imprisoned.

"State raised convicts" form a substantial part of the adult prison population and all share a common genealogy of Children's Homes, Approved Schools, Borstals and Young Offenders Institutions, and finally the long-term prison system. Many children who through no fault of their own enter the so-called Care System are percentage-wise seriously at risk of graduating into the Criminal Justice System and a life disfigured by institutionalisation and social exclusion.

There are currently 10,000 children in local authority care, their number doubling in the past four years, and the government's current "Austerity" agenda with its attack on state benefit and services will so deeply impoverish an already desperately poor section of the population that the number of children from this group entering the Care System is bound to increase significantly.

A leading magistrate and member of the Magistrates' Association Youth Courts Committee, Janis Cauthery, has openly condemned the care system for operating as a doorway into the penal system by regularly prosecuting children for behaviour such as pushing, shoving, and breaking crockery. Behaviour that in normal circumstances would simply be punished by parents is frequently being referred to the police by Children's Homes and children are being charged with criminal offences and placed before the criminal courts. Ms Cauthery has warned that children in care who receive criminal records for what is in reality normal adolescent behaviour are being drawn into a "vicious cycle" of crime, joblessness and imprisonment, that would go on to seriously affect the lives of their own children. Ms Cauthery said: "Many of the young people we see coming to court have never been in trouble before going into care. These young people are often charged with offences that have occurred within the care home, including damage (e.g. to a door, window, or crockery) and assault (often to one of the care home staff involving pushing and shoving). This behaviour is mostly at the lower end of offending, and in a reasonable family environment would never be dealt with by the police or courts. We worry about these children being criminalised". She added: "Surely the home has a duty to try to help the young people and find other solutions rather than resorting to the courts for minor offences which, in a normal family environment, would not be thought of as offending behaviour". She went on to warn that the maltreatment of children in care might be the reason for the "anti-social behaviour" in the first place, which is what classically happens in total institutions when inmates resist and challenge brutal regimes.

Recent high-profile cases when neglect by social workers has seriously contributed to the deaths of children already at serious risk from abusive or drug-addicted parents has created a public mood and climate favourable to the placing into care of even more poor and disadvantaged children, and for many of them an entry route into the penal system. The massive empowerment of social workers in the wake of tragedies like the Baby P case to remove more children into care, often for contentious and contested reasons, makes it reasonable to ask the question if many of these children actually face even greater abuse and the risk of destroyed lives by being placed INTO care.

There is clearly a greater propensity on the part of staff supervising the behaviour of children in care to view any non-conformist or disruptive behaviour on the part of such children as potentially criminal and therefore requiring intervention by the police and courts at the earliest opportunity, which also absolves such staff of the responsibility of working closely and consistently with young people in dealing with such behaviour in an emotionally supportive setting. How much easier to just offload such "difficult" children onto the courts and Young Offender System, where an awful self-fulfilling prophecy then takes place along with the process of criminalisation and institutionalisation. Ultimately, the wider society reaps the cost and consequences of this abandonment of vulnerable children to the Criminal Justice System. John Bowden, HMP Shotts, Cantrell Road, Shotts, ML7 4LE

Government Must Not Weaken Over Police Reforms

Raymond Peytors - opinionsite.org,

Hatred and distrust of the police is growing - Over-powerful, above the Law and over-paid...

The government's resolve to reform the way in which the Police operate is being severely tested after the announcement that the former rail regulator and lawyer, Tom Winsor is to be appointed as the new Chief Inspector of Constabulary for England and Wales. TheOpinionSite.org believes that the government is right to appoint someone from outside of the police to oversee their activities. The situation until now has been that a senior chief constable has always held the post and has thus denied any chance of true objectivity.

Generally speaking, policemen do not like to criticise other policemen. The Police Federation in particular, which represents rank and file officers, is protesting that the appointment of Mr Winsor is inappropriate, not least because he has no experience of policing.

From the government's perspective however, this is battle that it cannot afford to lose. To do so would demonstrate extreme weakness, with ministers being seen as failing in the same manner as their predecessors when trying to take on the excessive power that the police have to name their own terms. The Home Secretary, Theresa May received a rough ride at the recent police conference when it became clear that the police were no longer going to get everything that they asked for. Previously, Tony Blair and Gordon Brown had both been deliberately pathetic in standing up to police demands for more money and – even more importantly – more power. Mrs May has made it clear that she will not give in over the money but, as with her forebears, she is only too keen to give police more and more power over the rest of us, thus relieving the government of responsibility when things go wrong and the police abuse their power or break the Law themselves.

TheOpinionSite.org would like to think that Mrs May and the government were acting out of common sense and in an attempt to curb the powers of what has now been exposed by the Leveson Inquiry, the arrests and imprisonment of police personnel over the last two years and the often premature retirement of officers as being a corrupt, over-powerful and arrogant 'public service'. Relationships between the public and police have never been at a lower point with the public believing – one would hope, incorrectly – that all police officers are corrupt, dishonest and self-serving, only out for what they can get and not afraid to abuse the enormous power they have to wreck people's lives whilst never being held to account themselves.

Whether one agrees with the view expressed above by so many people or not, it is hard to ignore the evidence of the last two years which have seen more and more police officers finally being brought to justice for everything from child sex assaults to handling Class A drugs whilst others have escaped justice altogether as a result of collapsed trials, dis-

to London immediately to make a statement to the House of Commons in which he would put the blame for the ending of the truce fairly and squarely on the Provisionals and announce the government's intention to carry on the war with the IRA with the utmost vigour. The (British) army should not be inhibited in its campaign by the threat of court proceedings and should therefore be suitably indemnified. The shooting dead of a Catholic Priest and five civilians in west Belfast by the British army the day before the meeting are also mentioned

Speaking in response to the document Relatives for Justice Director Mark Thompson said:

"Of the approximate 300 hundreds killings by the British army there has only been convictions in three cases. All of those convicted were released significantly early and reinstated back to their regiments. Some were promoted. The processes of investigation into these hundreds of killings were perfunctory whereby a situation of de facto impunity existed.

"The discovery of this document indemnifying British soldiers from the threat of court proceedings whilst they took their 'war' to nationalist communities with the 'utmost vigour' is the first official documented evidence of a policy amounting to impunity. It is a clear amnesty being put in place for what would later occur, the inevitable loss of life. In 1972 the British army killed 79 people. Not one soldier was held to account for these killings. This document provides an important insight into the mindset of the British government and those directly involved in and responsible for 'security' and its policy development. A policy that went on to have disastrous consequences for our entire community. Many observers will view this document as sectarian in its outlook and strategic approach.

Despite their involvement in sectarian murders the UDA were not a proscribed organisation. They were permitted to patrol areas and exist alongside the RUC and British army at a time when intelligence would have clearly shown the UDA to be involved in sectarian murders. In the minutes of the meeting the GOC praises the vigilante efforts of the UDA. Loyalists killed 27 Catholics in July 1972. The UDA were responsible for at least 16 of these killing. In 1972 loyalists killed 121 people of which the UDA were responsible for approximately 80. Yet the prevailing mindset is to focus military activity, including planning and resources, on areas that "harbour bombers and gunmen" further stating their (British government's) "intention to carry on the war with the IRA with the utmost vigour. Of course this was to target nationalist and republican areas. Evidence shows that when the British army went on shooting and killing sprees loyalists simultaneously carried out murderous attacks. In July 1972 the British army killed 20 unarmed Catholics, 14 of whom were killed in days following the meeting from which this document emerges.

Many more citizens were shot and injured. The questions that the bereaved families and the injured now ask is: "Was that 'utmost vigour' a license to kill their loved ones with impunity"? The clear answer to this question can be found in the strategic policy position outlined in this document when it states: "The (British) Army should not be inhibited in its campaign by the threat of court proceedings and should therefore be suitably indemnified". This equates to an amnesty - state killing with state sanctioned impunity.

This is illegal and in direct violation of the British government's obligations under the ECHR and other international treaties protecting human rights and the right to life. Consequently, and corresponding with the document, there were no prosecutions of British soldiers concerning this spate of killings and injuries. These killings, like hundreds of state killings, have never been properly or independently investigated. The rate of shootings by the British army on the ground in this period correlates precisely with this document of war. The planned aggression was against the civilian population by the British government in which

questioned under caution and Suffolk police failed to carry out a thorough investigation in relation to him and other suspects seen with him. Infact his home was only searched some 11 months after the murder and after Simon's arrest.

Justice4SimonHall have grave concerns regarding the Commissions handling of this case, especially as it appears to lacks any real sense of urgency and does not appear to be giving this case the priority it was promised and quite clearly deserves. The Commission are to be reminded that when they referred Simon's case in October 2009, they had identified specific aspects of forensic evidence that, in there view, raised the "real possibility" that the Court of Appeal might quash Simon's conviction. They failed to investigate several other points, already submitted to them, and have already had months in which to do so. Based on this fact we again plead with you to do everything in your powers to do the right thing in the interests of natural justice.

The real killers of Mrs Albert remain at large. These individuals are known to both Suffolk and Essex police and now by the Commission. It is surely in the interests of the Commission to also want to protect the public from these individuals and again use there powers to order that they are apprehended with immediate effect and taken off the streets.

It is also to be reminded that when Miscarriages of Justice are allowed to occur there are two sets of victims; in this case Simon Hall and least of all Mrs Joan Albert. By delaying the inevitable we believe the Commission is implicated in allowing this Gross injustice to continue and for allowing a factually innocent man, namely Simon, to remain in prison.

We again plead with you to use your powers to request a pardon for Simon Hall without delay. Sincerely, Justice 4 Simon Hall

Impunity for British soldiers' killings

An organisation representing families of people killed and injured by the British army during the most recent phase of armed resistance in Ireland have unearthed evidence that British soldiers were given a green light to shoot-to-kill. Relatives for Justice has seen a secret document which proves the British army was given a virtual amnesty for its actions.

The document is of a July 10th 1972 strategic government and security meeting at Stormont Castle involving the Secretary for State William Whitelaw MP, the North's most senior British army officer the General Officer Commanding (GOC) General Ford, Deputy Chief Constable of the RUC, Lord Windlesham the British government's representative in the House of Lords, British MPs, and senior civil servants from the NIO and London concerning the aftermath of the braking down of the IRA truce.

The document reveals:

- (1) British soldiers would be indemnified from prosecution concerning the British government's policy to pursue the war against the IRA
- (2) The links and levels of cooperation between the UDA and the GOC at a time when the UDA were engaged in an intensified sectarian murder campaign
- (3) That the British government would publicly blame the IRA for the ending of the truce

The details are as follows:

If the British army did not now attack the IRA the probability was that the UDA would

Plans were to be produced urgently for the containment of areas known to harbour bombers and gunmen

More troops and materials would be needed for the operations visualised

The GOC would see UDA leaders that afternoon. The Secretary of State would return

missals from the force and a need not to bring the police into disrepute.

Maybe, had the civilian Mr Winsor already been in post, more officers would have been caught earlier. There has been little chance of that whilst the only oversight of police has been carried out by another policeman. That the police do have too much power is a view expressed by very many people. That successive administrations have been too ready to give police that power is undeniable.

Ministers will not involve themselves in what they call the 'operational procedures' of the police and neither will the courts, which must interpret the 'Will of Parliament', all of which might seem quite reasonable and sensible (from a political point of view at least) until one realises that such a doctrine has allowed the police to do whatever they want, whenever they want and without fear of ever being brought to book over their abuse of power.

TheOpinionSite.org has been told by many people that although they are uneasy about the amount of power that the police have, there is little that can be done about it. It is certainly true that if money was not as tight as it is, the current government, like those before it, would be throwing millions at the police and giving them even more power, even more protection from prosecution and even more, unregulated independence of action.

By contrast, in Europe, a judge oversees all police investigations and ensures that the investigators stay within the Law. In Britain, the police are allowed to do whatever they want, any misdemeanours then having to be challenged in court, usually in front of an impotent judge and a jury that is either too frightened, too biased or too ignorant to raise one word of criticism of police officers. Now, with the appointment of Mr Winsor and the government on a collision course with police officers, there is a real chance to get these people back in harness and once again make them responsible for their actions.

There are also other objections to reform coming from the rank and file officers most likely to be affected, one of which is that all officers should undergo a 'fitness check' once a year. Why not test every officer's fitness annually? A fat policeman trying to chase a fit, 19 year old burglar is of no use to anyone. Officers don't like the idea of taking what they see as a pay cut either. Why shouldn't they suffer the same pain as everyone else? Policemen cannot be sacked, are probably overpaid anyway and retire at 50. Most other people on the other hand can be sacked (and frequently are), are usually underpaid and might now have to work into their 70s.

As TheOpinionSite.org has pointed out on previous occasions when policemen have thrown a tantrum because they could not get what they want, the Police are there to serve the Public – not the other way around. If policemen don't like being officers of the Law with all the advantages that such office brings, let them go and do something else instead. If receiving £50,000 – £160,000 a year salary is not enough for them, let them go and find it elsewhere.

If the fact that they cannot be sacked, get at least 5 weeks holiday a year and receive 'rest days' in addition are things not worth having, let them leave. If the power trip they get from being able to arrest people on the merest suspicion or just because they feel like it is not a sufficient ego boost, let them become politicians instead; then they can take it out on their former colleagues, several of whom are in the House of Lords already.

The government must stand firm against the police and not weaken. If it does, ministers will be reaffirming a truth that was first revealed by Tony Blair – that the government is afraid of the police and afraid of criticising them. Once that becomes the norm, there is little hope for the rest of us and little hope of retaining what freedom still exists in Britain – and there isn't much of that nowadays.

US Has 5% Of Worlds Population Yet 25% of World Prison *by Sean Gonsalves*

Congressional Research Service published a report on the "Economic Impacts of Prison Growth," providing a useful check on the spirit of vengeance that has dominated penal politics going back to former Gov. Nelson Rockefeller's mandatory sentencing laws in the state of New York in 1973. "The U.S. corrections system has gone through an unprecedented expansion during the last few decades with a more than 400% jump in the prison population and a corresponding boom in the prison construction. At the end of 2008, 2.3 million adults were in state, local, or federal custody, with another \$5.1 million on probation or parole...Globally, the United States has 5% of the world's population but 25% of its prisoners."

What's fueled the growth, the report says, is "tough drug enforcement, stringent sentencing laws, and high rates of recidivism." Who cares? Well, as the report goes on to point out, this "historic, sustained rise in incarceration has broad implications, not just for the criminal justice system, but for the larger economy."

The U.S. prison industry now directly employs about 777,000 people and the Labor Department expects the prison labor market to grow 9% by 2018, accompanied by a projected 16% increase in the number of parole and probation officers. "By comparison, there were 880,000 workers employed in the entire U.S. auto manufacturing sector." Of course, there's a host of moral and social dilemmas created by high rates of imprisonment -- "increased income inequality and more concentrated poverty" and "the fact that African Americans and Hispanics are far more likely than whites to be incarcerated," for starters.

But whatever you may think about the plight of the incarcerated and their families, what no one concerned about budgets can ignore is the growing cost. In 2008 alone, taxpayers spent \$68.7 billion to feed, clothe, house and provide Supreme Court affirmed medical care for prisoners -- a 688% increase since 1982. In fact, "during the past three decades correctional spending has risen nearly twice as fast as state spending on education, health care, and social service programs."

Electronic Monitoring Should be Used More Effectively, Say Inspectors

Tagging should be used more creatively not only to punish, but also to help change behaviour, said Liz Calderbank, Chief Inspector of Probation, publishing the report of an inspection on electronically monitored curfews.

The report, *It's Complicated: The Management of Electronically Monitored Curfews* reflects the findings of HM Inspectorate of Probation in a follow-up inspection of electronically monitored curfews. The first inspection report, *A Complicated Business*, published in 2008, found that curfews were not always being enforced properly and that the opportunity was being missed to use curfews properly to manage offending behaviour. This report similarly found that curfews applied recently had only rarely been used to best effect, and that enforcement still remained problematic.

The use of court-ordered curfews has more than doubled over the past six years and its cost now represents the equivalent of 10% of the total probation budget. The maximum period of confinement could soon be extended from 12 to 16 hours per day in an effort to increase public confidence in community sentences. While sentencing may properly contain an element of punishment, it should also promote change and reform if it is to be effective in reducing reoffending.

Inspectors were concerned that:

- curfews were often unrelated to the offence, and rarely part of a strategy to address offending behaviour;

- the number of cases where a thorough assessment had been completed before the

individual was made subject to an electronically monitored curfew had decreased significantly;

- enforcement thresholds fall far short of what people have a right to expect, and should be more rigorous; and

- there were continuing inaccuracies in information conveyed by the courts to the probation service or electronic monitoring provider, which were serious enough to undermine the efficient management of cases.

Liz Calderbank said: "Electronically monitored curfews are now being used as an additional punishment for people convicted of minor offences that would not normally attract a prison sentence. Even at this level, however, punishment comes at a price. If the cost of electronically monitored curfews is to be fully justified, they need to be used more creatively and more effectively. This means providing targeted control and restriction and helping individuals to change their offending behaviour."

Electronically monitored (EM) curfews were introduced by the Criminal Justice Act 1991 although not immediately brought into force. Since 1999 certain prisoners with short sentences have been able to serve up to the last four and a half months of their custodial sentence in the community on Home Detention Curfew with an electronically monitored curfew. Early release under this scheme is authorised by the prison governor. Court ordered EM curfews were made available in 2000. They have since been in widespread use and now form part of a community sentence.

Justice for Simon Hall: Open letter to the Chairman of CCRC Richard Foster CBE

Dear Mr Foster, We, Justice4SimonHall, are writing to plead with you as Chairman of the CCRC to do the right thing in the Simon Hall case in both the interests of justice and the interests of public safety. We plead with you to use your powers to make an immediate formal request to the Secretary of State for Justice, The Rt Hon Mr Kenneth Clarke, that Simon Hall be given a pardon. It is abundantly clear that Simon Hall is factually, technically and morally innocent of the murder of Mrs Joan Albert and a wealth of evidence has been provided to the Commission over the years that show this.

The Commission is to be reminded that the only evidence presented by the prosecution during Simon's trial, which was said to link him to this crime, were fibres. It is widely accepted that fibres, unlike DNA or fingerprints, cannot provide a positive identification of a suspect; yet the blood, hair, fingerprints, footprints and other DNA traces found at the crime scene have been shown to not be a match to Simon Hall. The credibility of the only evidence that led to Simon's conviction has been seriously undermined and it is also now known that the fibre tapings taken from the crime scene had been contaminated by Suffolk police's forensic kit boxes; which incidentally are lined with the same flock fibres found at the crime scene. The fresh evidence submitted to the Commission in November 2011 in relation to the knife, supports the link with the Higham burglary, where the knife which was used to murder Mrs Albert was stolen.

Therefore Simon remains in prison on contaminated, now discredited, circumstantial fibre evidence alone; when all other evidence in this case quite clearly points away from Simon and towards the alternative viable suspects. We have provided a wealth of submissions to the CCRC which show alternative viable suspects were in the village on the night of the murder and were looking for houses to burgle. One of these suspects gave confessions to several different individuals that he was responsible for the murder. Yet this suspect was not