Commission will investigate police conduct, including that of Sir Norman Bettison, the Chief Constable of West Yorkshire, and the Attorney General will look again at the inquest verdicts, but who will look at the role of the politicians in this sorry story? We need some answers from them.

Electronic Tagging of Offenders Could Have Saved £883m Telegraph, 24/09/12

Nearly £1bn has been spent on the electronic tagging of criminals over the past 13 years with little effect on cutting offending rates, offering little value for money and serving only to enrich two or three private security companies, one of which is G4S, according to a think-tank that has condemned the current system as out-of-date and inflexible. Had ministers let probation officers monitor offenders rather than signing contracts with private-sector firms, the money saved could have been used to recruit an extra 1,200 police officers, Policy Exchange said.

Its new report claimed the system used in England and Wales has changed little since 1989, with people serving the last few months of jail terms or community sentences forced to wear ankle bracelets linked to a box in their homes and kept under a curfew for 12 hours a night. However it means that prolific offenders such as burglars and shoplifters can still go out at commit crimes during daylight hours, without the authorities knowing where they are.

Policy Exchange proposes that the new contract set to be signed by the Ministry of Justice and one or two private firms to run tagging schemes, worth as much as £3billion, should be torn up in favour of more competition. The think-tank also wants GPS satellite tags to be used in future so offenders can be followed 24 hours a day.

Met's Mental Illness Custody Cases Reviewed BBC News, 24/09/12

The Metropolitan Police has commissioned an independent review into how it responds to people with mental health conditions. A panel will examine every case during the last five years where someone with a mental health condition has either died or been seriously injured after police contact. It follows criticism over the Met's actions prior to the deaths in custody of Olaseni Lewis and Sean Rigg. Both men had suffered mental illness.

Olaseni Lewis, known as Seni, was a 23-year-old IT graduate with a degree from Kingston University who had planned to undertake postgraduate study. He died in 2010 after collapsing during prolonged restraint by police. Mr Rigg, 40, died at Brixton Police Station in 2008. An inquest found police used "unsuitable" force. After his inquest, a report by police watchdog the Independent Police Complaints Commission (IPCC) said: "Sean Rigg's death is a symptom of a deeper problem: the linkage between mental illness and deaths in or following police custody." The commission will be led by Lord Adebowale, chief executive of the social enterprise Turning Point.

Hostages: Mohammed Niaz Khan, Abid Ashiq Hussain, Sharaz Yaqub, David Ferguson, Anthony Parsons, James Cullinene, 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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MOJUK: Newsletter 'Inside Out' No 391 27/09/2012)

Investigation of Fatal Incidents in Custody - Information for Families and Friends

When a death occurs, the Prisons and Probation Ombudsman can only investigate matters relating to the care provided by the prison, immigration, probation and courts services.

"The death of a relative or friend is hard at any time. But when someone dies in custody, it can raise particular issues and questions. I hope that the information in this leaflet explains how you can be involved in the investigation and reassures you that your concerns will be taken seriously. It also tells you about other organisations which can give support.

Bereaved families tell me that they hope that other people will not have to go through the same experience. These investigations also play an important part in making sure that any lessons are learned for the future." Nigel Newcomen CBE, Prisons and Probation Ombudsman

Who is this information for?: This information is for family members and friends of someone who has died while in a prison, immigration removal centre, secure training centre, while a resident of probation approved premises (often known as hostels) or in the custody of the courts. In the rest of this booklet we will refer to these places as the service where the death took place. The booklet explains the role of the Prisons and Probation Ombudsman following a death and explains how you can be involved in his investigation process if you would like to be.

What does the Ombudsman do?: The Prisons and Probation Ombudsman has two main functions. He investigates complaints. And he investigates all deaths that occur in prisons and in some other services. (Sometimes the Ombudsman will investigate the death of someone recently released from prison if it is thought that lessons can be learned.) The Ombudsman is completely independent from the prison, probation and immigration services that he investigates.

All deaths are investigated, whatever the cause. Some people may have died from natural causes, others may appear to have taken their own life. In some cases, the cause of death may be unknown. The Ombudsman's investigation tries to find out all the facts surrounding a death. We provide information for families and friends about what has happened. The investigation will consider whether the service did everything expected of it to care for the person who has died. If any failings are found, recommendations for improvement are made. Good practice is also recognised.

How is the investigation carried out?: Having been told about a death, the Ombudsman appoints an investigator to look into the circumstances. The investigator will find out as much as possible about what was happening to the person before their death. Documents and policies are examined and, where possible, staff, prisoners and other people are interviewed. In most cases we also ask the local healthcare provider to review the healthcare received. This is to make sure the person who has died received the same standard of healthcare they would in the wider community. The findings of the review are usually included into the Ombudsman's own report.

How can I be involved in the investigation?: The Ombudsman also appoints a family liaison officer in each case. In the weeks following the death, the family liaison officer will contact you either by telephone or letter. The family liaison officer will offer you the opportunity to ask any questions about the care your family member or friend was receiving and raise any concerns about their death so they are considered as part of the investigation. A meeting with the family liaison officer and the investigator can also be arranged if you would find this helpful. The family liaison officer may also

contact other family members or friends if this is appropriate.

The family liaison officer will remain your point of contact throughout the investigation. They will contact you at key stages of the investigation, when the draft, final and anonymised reports are available to share with you. (This process is explained further in the next section). You are also welcome to contact the family liaison officer at any time during the investigation if you have any questions or concerns.

What happens at the end of the investigation?: After the investigation is finished the Ombudsman will produce a report. This will outline our findings and recommendations. We aim to have a draft report available within 26 weeks. However, we do advise you that we cannot be sure what issues may arise in the course of an investigation and it can sometimes take much longer.

Draft report: The report will first be produced as a draft. Your family liaison officer will ask you whether you would like to receive a copy. A copy will also be sent to the relevant service and the Coroner. The report will be accompanied by other documents (referred to as annexes). These can include the review of the healthcare by the local healthcare provider, records of interviews, and other relevant papers. Both you and the service are given time to provide us with your comments on the draft report.

If you or your legal representative want to see any of the documents the investigator collects during the investigation, please ask your family liaison officer. We will provide everything that is considered relevant to our investigation in line with our disclosure policy. Further information about the Ombudsman's disclosure policy can be found on our website www.ppo.gov.uk.

Final Report: After we have considered any comments from you and the relevant service, the Ombudsman will produce his final report. Your family liaison officer will ask you whether you would like to be sent a copy. They will explain where and why any changes have been made.

Publishing the report: At the end of the investigation, usually after the Coroner's inquest, the Ombudsman will publish an anonymised version of his report on the Prisons and Probation Ombudsman's website. This is the same as the final report but no longer includes anything that could easily be used to identify anyone referred to in the report. When the final report is issued, your family liaison officer will ask you whether you would like to see the anonymised version of the report before it is published.

The Coroner's inquest: The Coroner will normally hold an inquest into any death that occurs in a prison, immigration removal centre, in the custody of the courts or secure training centre. The Coroner may also decide to hold an inquest following a death of a hostel resident. An inquest is a court hearing to find out how, when and where the death occurred. It is usually held with a jury. The inquest is a fact finding exercise and is not intended to apportion blame. The inquest provides an opportunity to find out what happened and to hear directly from those involved in the care of the person who has died. The Coroner and jury cannot return a finding that indicates civil liability or criminal liability of a named person.

The Ombudsman's investigation is separate from the inquest process. However, a copy of the Ombudsman's report is sent to the Coroner to assist with his or her enquiries. The Ombudsman has no influence over when an inquest will take place or the inquest process. For further information or advice about the inquest you should contact the Coroner's office. If you do not have contact details for the Coroner's office, your family liaison officer can obtain them for you.

You can also contact the independent organisation INQUEST. They provide a free, specialist advice service about deaths in custody. They can put you in touch with lawyers who are experienced in representing families

skills to tackle parenting, debt, job and housing problems. They are cutting rates of reoffending to as low as 10 per cent. Of those who do not enjoy access to such services, as many as 62 per cent leave prison and commit another crime within 12 months. Such punishment in the community is not at all a soft option, as our reports have shown. It needs to be massively extended. To do so would have the additional benefit of saving the Treasury huge amounts; to keep a woman in prison costs £56,000 a year; punishment in the community costs less than a quarter of that.

There are other measures that we set out today (pages 24-25) to improve the way that courts, prisons, probation services, local authorities, schools and government ministers could exercise a proper duty of care towards these children. If we do not act, we are abandoning a lost generation of children who are effectively orphaned by our criminal justice system.

What's the point?' Truth and justice

Who will look at the role of the politicians in this sorry story? We (Editorial, Indpendent 23/09/12) are guilty this week of something odd in a Sunday newspaper: we run the same headline on our front page, and we run an editorial on the same subject. We make no apology for doing so. "The Hillsborough Conspiracy" (Part II) follows on our astonishing revelations last week. Those detailed how a police constable's evidence was simply ignored by a judicial inquiry in 1997. His claim – that there was a conspiracy to get officers' stories straight, including wholesale re-writing of their statements – was true, we now know.

Today's exclusive report raises serious doubts about that inquiry even as it was set up. Jack Straw had promised in opposition to look again at the Hillsborough disaster. When he became Home Secretary, he – or, if he prefers, his officials – took just four weeks to conclude that there was no evidence to re-open the inquiry, and he backed them. Was that the best he could do in the face of bureaucratic obstruction, or was he following the line of least resistance? Or had he decided that taking on the vested interest of the police establishment would be politically risky? Then, having decided the public would doubt this verdict coming from him – or, again, as he would put it, the Government – he "therefore" thought a senior legal figure should be appointed to review the evidence that had come to light since the report of the Taylor inquiry in 1990. Was this simply good government? Was it possible, having conveyed these doubts about a full inquiry to the judge at their initial meeting, that this didn't colour the judge's approach?

Maybe. Perhaps. The families of Hillsborough, though, smell a rat, particularly when Tony Blair had earlier scrawled on a memo from an adviser on the issue of reopening the case: "Why? What's the point?" We headlined our leading article last week: "Our shame". We believe those guilty of failures which led to the families being denied the truth for 23 years include the London-based media, not excepting The Independent on Sunday. We failed to listen and investigate as we should have done.

Not only does Mr Straw seem to duck his share of responsibility for the scandal, except in the most fleeting of admissions, but he apparently passes most of the blame to Sir Murray Stuart-Smith, the very judge to whom he had said at their first meeting that the Home Office didn't think there should be a new inquiry. As we asked him about the affair, he quickly raised Sir Murray's awful gaffe with the families (a tasteless remark about the families arriving late, as some fans had done at Hillsborough) – the adept deflection of an old master. Had the judge done his job properly, he would have had a public inquiry, said Mr Straw. Not me, guv, has been the refrain of this fiasco. Where is the humility, Mr Straw? The sense of responsibility from a Home Secretary who promised that he would get to the bottom of it, and who palpably failed? Much more admirable to stand up and say I was wrong and I am sorry. And what of Mr Blair? Just what could that scrawled comment mean? The Independent Police Complaints

if you are to comply with your obligation to have due regard to the three equality aims in Section 149 of the Equality Act 2010. Young people have a right to be on the street, unchallenged, unless there is good cause to believe they are involved in crime. Please support us in asking the police service to reduce the use of stop-and-search and to improve their relationships with young people.

Sign up to the campaign for better and fairer engagement between the police and young people at <http://www.stopandtalk.co.uk/> Yours faithfully, Just for Kids Law, Mediorite, Young Hackney World, StopWatch, What We've Done, Fully Focused Community, Catalyst Gateway, Stop and Search Legal Project, Release, Poached Creative, Off Centre, Stop and Search UK Mobile App, Art Against Knives, Haringey Young People Empowered (HYPE) Release, Newham Monitoring Project, Netpol

Flagship Weekend Court Scheme Abandoned Over Prison Cost Telegraph, 21/09/12

A flagship scheme to open courts at weekends has been abandoned. In an embarrassment for David Cameron, who was driving the initiative, one arm of the Ministry of Justice has told the other that the plan is too expensive and demanding to succeed. HM Courts & Tribunals Service has been encouraging magistrates' courts to hold trials on Saturdays and Sundays in an attempt to make the system quicker and more efficient, following the example set after last summer's riots. But officials in HM Prison Service say it costs too much money to open up jails and take new inmates at weekends, or to take them out of cells and drive them to court buildings for hearings.

Occupy London Protesters Case Thrown Out Of Court Independent, 22/.09.12

The cases against five Occupy London protesters charged with public order offences during a peaceful demonstration outside the Bank of England have been thrown out of court after the judge deemed their arrests at the hands of police "snatch-squads" to be unlawful. The protesters were not cautioned and, while City of London Police officers suspected that some people within the group were breaching an order put in place by senior police on the ground, the individual arresting officers could not say whether the people they arrested were themselves in breach. "This outcome raises real concerns about the appropriateness of the policing of peaceful protest and in particular, the policing of the Occupy movement," said the five defendants' lawyer Sashy Nathan of Bindmans LLP.

We Risk Creating The Felons Of The Future Leader, Indpendent, 22/09/12

Two clear messages have emerged from the major investigation which this newspaper has conducted this week into the state of women's prisons. The first is that as a nation we jail far too many women for minor offences. They would be much better dealt with in other ways. The second is that imprisoning so many mothers is doing such harm to their children – about 17,000 of them every year, all innocent of any crime – that we risk creating an even larger generation of criminals to fill our jails in decades to come. A third of prisoners' children go on to suffer mental-health problems. Two-thirds of the boys go on to commit a crime themselves. There are ways to break this vicious circle. The first would be unrealistically expensive at a time of austerity. It is to close several of our big women's prisons and replace them with more, smaller units in which the unproductive punishment regimes of our present system can be replaced by an approach which combines punishment with serious and effective rehabilitative strategies. If and when the public purse can afford it, this is undoubtedly the strategy which should be pursued.

In the shorter term, there is a parallel approach which could seriously reduce the size of a female prison population that is now double what it was in 1990. As we have reported, there is already in existence a network of women's centres that run an extensive range of programmes for non-violent offenders. They offer drug and alcohol treatment, anger management and sessions to develop

Jailbreak of More Than 130 Mexico Inmates On US Border

Authorities in Coahuila state discovered a seven-yard long tunnel, ropes and electric cables they believe were used in the break from the prison in Piedras Negras, a city across the border from Eagle Pass, Texas. The prison's director and two other employees were detained for an investigation into the escape of 132 prisoners, Mr Ramos said. The prison houses roughly 730 inmates. "The fugitives used the tunnel which had an entry and exit hole with a 4-foot diameter," he said. "They cut the chain-link material outside and one by one they got out to a piece of land."

Proceeds of Crime *House of Commons / 18 Sep 2012 : Column 41WS*

The Minister of State, Home Department (Mr Jeremy Browne): Following the debate in the House of Commons on 12 June, the Government decided not to opt in at this stage to the draft directive of the European Parliament and of the Council on the freezing and confiscation of proceeds of crime in the European Union (European Union Document No. 7641/12). The Government welcome the overall aims of the directive and recognise the benefits of increased international co-operation to recover assets held overseas.

However having analysed the contents of the directive, and consulted with policy and operational partners, the Government identified a number of issues with the directive, including a serious problem with article 5 of the directive which introduces provisions on non-conviction based confiscation in limited circumstances. The UK has strong powers which are successfully used to tackle criminal finances. Our powers are already compliant with or stronger than many of those contained in the directive. As the directive offers no direct benefit and the risk to our domestic regime posed by article 5 is sufficiently serious, we decided that the best course of action is not to opt in at this stage. We will take a full part in the negotiations on the directive and will seek to shape it in the national interest before carefully considering the case for a post-adoption opt-in.

Former Met Police Officer Admits Failing To Investigate Rape Cases

Ryan Coleman-Farrow faked police reports, failed to pass on evidence and falsely claimed to have interviewed suspects *Sandra Laville, crime correspondent, guardian.co.uk, 12/09/12*

An investigator from the Metropolitan police specialist sex crimes unit has admitted failing to investigate the alleged rapes and sexual assaults of 12 women by faking police reports, failing to pass on forensic evidence and not interviewing suspects. The activities of detective constable Ryan Coleman-Farrow – who pleaded guilty to 13 counts of misconduct in public office on Wednesday – focus attention once more on Scotland Yard's sapphire unit, which is supposed to be the gold standard for rape investigations across the country. Coleman-Farrow's omissions in 13 rape and sexual assault investigations over three years have left 11 men suspected of rape and sexual assault at large, and his misconduct means the cases are "incapable of full and proper investigation" and will always remain unsolved.

His case was one of four major investigations into the unit by the Independent Police Complaints Commission (IPCC) which is due to publish a report on Sapphire in the autumn. It emerged in court that over the time he was involved in investigating rape cases Coleman-Farrow was ill and, according to the judge, the recorder of Westminster Alistair McCreath, he was not looked after properly. However, the IPCC, which carried out an independent inquiry into Coleman-Farrow after concerns were raised in 2010 about his performance, said their investigations had not found any supervisory failings within the Met police. They will publish

their full report on 11 October when Coleman-Farrow is sentenced.

Coleman-Farrow, 30, who was dismissed from the Met police in April last year, stood in the dock at Southwark crown court to answer his name, and pleaded guilty to 13 charges of misconduct in public office by wilfully engaging in conduct amounting to an abuse of public trust between January 2007 and September 2010 when he was working at the Sapphire unit in Kingston upon Thames, Surrey. The cases he failed to investigate, the court heard, involved 10 rape cases and three sexual assaults and included inquiries he carried out after Scotland Yard's radical overhaul of Sapphire following a series of scandals involving serial rapists who were not investigated.

Mark Heywood QC, prosecuting, said: "The case involves investigations by this defendant, a serving police officer, into allegations of sexual offending. "The indictment alleges against him 13 offences of misconduct in relation to each of the 13 investigations carried out. Behind the evidence stand 12 complainants and 11 suspects in total. In almost all cases no proceedings resulted and certainly no conclusion adverse to anyone was ever reached."

The court heard that Coleman-Farrow repeatedly made false entries on the police computer to report that the Crown Prosecution Service had advised no further action in cases. He also failed to view CCTV footage on a number of occasions, failed to submit forensic evidence for analysis, lied about taking a statement from a victim, falsely claimed one victim had withdrawn support for a prosecution, falsely claimed to have interviewed suspects when he had not, falsified a witness statement and failed to interview key witnesses.

Heywood said a thick line had now been drawn by the Met police under all 13 investigations as a result of the failures by the officer. He said: "There is now no prospect of these matters being progressed in any further respect."

Coleman-Farrow's activities first emerged in 2010 when the CPS became concerned that information and evidence from cases he was involved in were not being passed to them. In September of that year two sex workers – Jaime Perlman, 37, and Riley Lison-Taylor, 33 – gassed themselves to death in a suicide pact at a flat in Putney, south London and left notes which accused the Metropolitan police of not properly investigating their complaints against clients who had stalked them.

During the internal inquiry following their deaths Coleman-Farrow's name came up again as an officer who was involved in investigating Perlman's stalking allegations in 2009. Coleman-Farrow was cleared of the allegations made by Perlman, but after an independent inquiry by the IPCC he was charged with the 13 misconduct counts relating to other cases. It is understood the officer was interviewed four times during the IPCC investigation and said that he had been suffering from cancer during the period they were investigating.

The court heard on Wednesday that his ill health would be key to the court assessing his culpability. Heywood said that issue was likely to be common ground between the prosecution and defence. He said a significant part of the offending took place between September 2009 and September 2010 and the relationship between his conduct then and his health at that time was an important factor. The judge gave the former officer bail before sentencing on 11 October.

Spokeswoman for Women Against Rape said: "This is a very serious case, because at least 12 victims have been denied justice and at least 11 rapists have received impunity as a direct result of this man's actions. Every single case this specialist officer has been involved in should be reviewed."

The IPCC said Coleman-Farrow appeared to be a "rogue" officer and they did not identify supervisory failing. However, another officer from Sapphire is currently under investigation by the IPCC for similar offences of falsifying records to suggest cases were closed when they were not. The deputy chair of the IPCC, Deborah Glass, said: "Ryan Coleman-Farrow was entrusted to investigate

of these police powers to stop and search, without even the safeguard of reasonable suspicion, compounds their ineffectiveness. The collective points out that current discriminatory use of stop and search powers requires corrective steps to be taken, as required by Section 149 of the Equality Act 2010. The forthcoming Association of Chief Police Officers 'Best Practice' review of stop and search hardly fits the bill, and the collective calls for community scrutiny of this police review process. The letter asks that the Metropolitan police reveal details of a forthcoming stop and search policy, 'Stop It', and initiate a consultation with communities on changes to stop and search, which these organisations see as necessary for community safety.

The letter reads: 'We are a collective of organisations that believe police stop-and-search tactics are damaging the relationship between young people and society. We are calling for the police to change their approach. Our work with young people, and in-depth research into last summer's riots, shows that stop-and-search was a key causal factor in the violence that swept the country. The Metropolitan Police will soon release figures to demonstrate a reduction in the number of stop and searches conducted as well as an improvement in effectiveness. Disproportionality will also be shown to have reduced.

We acknowledge these developments but believe this is still not enough. Young people remain angry about stop-and-search – they believe that it continues to be a discriminatory and dehumanising imposition. Some feel that if they are to be treated as suspects, they may as well commit crime. We believe that stop-and-search is the embodiment of the negative relationships young people have with the police. It is often carried out with little reason given and makes no differentiation between criminal and victim. Between you, you three have the power to change this. We are calling on you to take steps to further reduce the use of stop-and-search with young people, to increase effectiveness of stop-and-search and to reduce disproportionality in stop and search.

Specifically we are asking for: . . . . The suspension of Section 60 of the Criminal Justice and Public Order Act (1994) which allows officers to stop and search young people without even the safeguard of reasonable suspicion. . . . . Interested parties: civil liberties groups and community organisations to scrutinise and comment on ACPO's forth coming review of "Best Practice" in the use of Stop and Search. We are sceptical that a review of best practice is sufficient to deal with the gravity of the issues at hand, and communities must be allowed the chance to read it and deliver their verdict. . . . . The Metropolitan police to reveal the details of their forthcoming stop and search policy "STOP-IT" and allow space for consultation with communities. If stop and search is ever to be a positive force for community safety communities must support it. This will not happen if they feel it is simply imposed upon them from above.

We make this call for three good reasons: . . . . Stop and search is not effective. Only 1/10 stops under Section 1 of the Police and Criminal Evidence act (1984) results in an arrest, and 0.4% of stops under Section 60 result in an arrest for a dangerous weapon. Yet we know that negative interactions with the police destroy trust and make young people more likely to resent police. For every knife Section 60 takes off the streets many more young people lose their trust in the police and turn to weapons to make them feel safer. . . . . Police and community relationships are better without it. The Equalities and Human Rights Commission report Stop and Think report highlighted that when stop-and-search was reduced in Staffordshire and Cleveland crime levels also dropped and public confidence in the police increased. . . . . It is discriminatory. Black people are 37 times more likely than white people to be stopped and searched under Section 60 by police in England and Wales. Black and Asian people are more likely to be stopped across all forms of stop and search than white people.

In relation to this last reason based on discrimination you are required to take corrective steps

no longer necessary for protection of the public, or where so long had elapsed without a meaningful detention review that detention had to be considered arbitrary.

By contrast, the European Court essentially viewed protecting the public and rehabilitation as two sides of the same coin. A real opportunity for rehabilitation was “a necessary element of any part of the detention which is to be justified solely by reference to public protection.” Detention for public protection could not be allowed to “open the door to arbitrary detention.” Reasonable provision of rehabilitative services was all that was required. Yes, persons could be detained indefinitely on the grounds of public protection from the risk they posed, but the system had to provide for those risks to be reduced through rehabilitation. As the courts below recognised, this was the basis upon which the Secretary of State had laid the enabling statutory provision before Parliament. It was, for Laws LJ in the Divisional Court in Wells, “inherent” in the way the legislation was intended to work in practice. It appears that for the Strasbourg Court, however, it was also inherent to the question of lawfulness.

In the House of Lords, Lord Judge had insisted that an IPP sentence did not render prisoners “confined to penal oblivion. To the contrary, common humanity, if nothing else, must allow for the possibility of rehabilitation.” Yet, whatever the level of humanity involved, it is now clear that proper resourcing and planning was required in order to ensure that a prisoner progressed along the continuum between offending and release, within which rehabilitative courses are an accepted vital stage. Instead, short-tariff prisoners like the applicants might well find themselves in a position that feels very much like penal oblivion.

Consequences: The Court’s judgment could have immediate, practical consequences. Whilst, unsurprisingly, the Ministry of Justice does not intend to release the 3,531 prisoners currently being held beyond their tariff dates on IPPs and intends to appeal the Court’s judgment intends to appeal the Court’s judgment. The Prison Reform Trust is calling upon the Justice Secretary to urgently review those cases.

There is perhaps an additional headache for the Justice Secretary as the judgment could pave the way for damages claims brought on behalf of those 3,531 people, as well as other IPP prisoners who have been released but were themselves arbitrarily deprived of their liberty as a result of the systemic failings noted by the Court. These could be grounded in the tort of false imprisonment and/or Section 8 of the Human Rights Act 1998. Whilst HRA claims would be limited to relatively low awards reflecting “just satisfaction” within the meaning of Article 41 ECHR (the applicants received only a few thousand Euros each), proceedings in tort could lead to much larger damages payments, especially for prisoners considered to have been held arbitrarily for periods of months or years.

This could lead to further drain on a public purse already lightened by the need to fund the detention of prisoners who might have been suitable for release long ago had prisons been provided with the promised resources.

Collectively Opposing Stop and Search *Danny Reilly, Institute of Race Relations*

A collective of sixteen organisations has launched a campaign against current stop and search policy. The groups have sent an open letter to Home Office ministers Theresa May and Nick Herbert, and Bernard Hogan-Howe (the present Commissioner of the Metropolitan police). It highlights the racially discriminatory character of the implementation of recent stop and search legislation, particularly Section 60 of the Criminal Justice and Public Order Act (1994) which allows police to stop and search without reasonable suspicion. The negative impact on young people

serious sexual offences and support some of the most vulnerable people in the criminal justice system. He let them down by his calculated abuse of their trust. His actions are beyond belief. "The MPS [Metropolitan police service] have told us they reviewed all cases where Mr Coleman-Farrow was officer in charge and I understand that, where cases required further or re-investigation, this has been done. Our investigation did not reveal systemic or serious supervisory failings … While dealing with rogue individuals must always be a concern in any system, supervisory systems will not necessarily pick up on an officer who has concocted evidence to cover their tracks."

Time for an Enquiry into the Culture of the Police *Indpendent, Thursday 13/09/12*

Compared with the shock provoked by the revelations of a systematic police cover-up after the 1989 Hillsborough disaster, an ex-policeman's admission to Southwark Crown Court that he deliberately bungled 11 rape cases – faking records, falsifying witness statements and lying about forensic analysis – received relatively little attention. But Ryan Coleman-Farrow's case is chilling proof that Hillsborough is not an isolated aberration long in the past, but part of a decades-long pattern of unethical police practices which still continues today.

The past 40 years and more have been regularly punctuated by scandals involving the activities of the police. The list of cases casting doubt on the truthfulness and integrity of British forces is shamefully long, including the Birmingham Six, the Guildford Four, Blair Peach, Stephen Lawrence, Jean Charles de Menezes and Ian Tomlinson – to name but a few. Each incident has exposed toxic problems ranging from incompetence to racist stereotyping to outright disinformation.

There is an appalling array of examples from which to choose. There were, for example, the false claims that Mr Menezes, a Brazilian plumber shot dead by police on the London Tube, was a "suspected terrorist" wearing a padded jacket with wires sticking out. There was the Macpherson Inquiry into the Lawrence case, which exposed deep-rooted institutional racism in the Metropolitan Police. And there was the death of Mr Tomlinson in the G20 protests in 2009 and what the Independent Police Complaints Commission described as a "simply staggering" acceptance of ill-disciplined behaviour, given that the policeman who assaulted the newspaper vendor had faced complaints in two separate police forces but was still allowed to rejoin the Met.

Policemen and women are, of course, required to do a difficult and dangerous job. And it is one which requires a culture of loyalty, camaraderie and internal strength. But it too often results in unacceptable secrecy, in closed ranks, in obfuscation and dissembling.

In fairness, attempts are being made to remedy the situation. Not only are many chief constables working hard to instil a greater sense of integrity in their forces; the Government is also introducing elected Police Commissioners to boost local accountability, and one of the Home Secretary's more unpopular innovations is a plan to recruit senior officers from outside. But it will take more than a few tweaks to crack open the closed culture of Britain's police forces and re-shape a culture too wedded to the notion of protecting its own.It will take more than a few tweaks to crack open the closed culture of Britain's police forces

The system for investigating accusations of malpractice is a good place to start, given that the more than 8,500 allegations of wrong-doing against the police over the past three years have resulted in just 13 criminal convictions. Even Dame Anne Owers, the new head of the IPCC, questions the ability of forces to investigate their own officers. She is right. The status quo would be laughable, were the fall-out from it not so appallingly serious.

But even that will not be enough by itself. The problems of police corruption will not end with either the Hillsborough report or the sentencing of Mr Coleman-Farrow. Indeed, one need

look no further than the phone-hacking scandal for evidence of more to come. So far, attention has focused on the press. But the role of the police in selling information to newspapers is both more shocking and more corrosive of Britain's institutions.

It took the Leveson Inquiry to expose the behaviour and ethics of the media. The arguments for a full public investigation into the culture of the British police – perhaps modelled on the Hillsborough panel – are surely stronger still.

When apologies are not enough *Harmit Athwal, Institute of Race Relations, 13/09/12*

What are the implications of the ground-breaking report of the Hillsborough Independent Panel for the families of those who die in police, prison and psychiatric custody?

On the 12 th September, David Cameron issued an apology to the families and victims of the Hillsborough tragedy: 'With the weight of the new evidence in this report, it is right for me today, as Prime Minister, to make a proper apology to the families of the 96 for all they have suffered over the past 23 years. Indeed, the new evidence with which we are presented today makes it clear, in my view, that these families have suffered a double injustice: the injustice of the appalling events—the failure of the state to protect their loved ones and the indefensible wait to get to the truth; and then the injustice of the denigration of the deceased—that they were somehow at fault for their own deaths. On behalf of the Government and indeed our country, I am profoundly sorry that this double injustice has been left uncorrected for so long.'

The number of 'profound' apologies over Hillsborough already sound a little hollow: the Sun was 'deeply ashamed and profoundly sorry' as was the Chief Constable of South Yorkshire police: 'I am profoundly sorry for the way the force failed on 15th April 1989 and I am doubly sorry for the injustice that followed and I apologise to the families of the 96 and Liverpool fans.' Sheffield City Council also got in on the act: 'our actions at the time were wanting and criticised. For that we sincerely apologise,' as did Sheffield Wednesday Football Club: '[We] would like to offer our sincere condolences and an apology to all the families who have suffered as a consequence of the tragic events of 15 April, 1989.' A representative of South Yorkshire Ambulance Service said: 'I sincerely apologise for the shortcomings identified in the report relating to the way in which the incident was managed in the early stages.'

What cannot be forgotten amidst this mass self-flagellation is the families' fight for justice. For twenty-three years they have consistently disputed the official version of events. For twenty-three years they were left wondering what happened to their loved ones on that fateful day. It took their tenacity and that of their extended families and supporters to secure the absolutely damning report published yesterday. The conduct of the police and the media in this case is being treated as a one-off – an aberration. However, David Cameron's apology to the Hillsborough families is equally due to the many families that have lost loved ones in police, prison and psychiatric custody. These families face the same David vs Goliath battles that the Hillsborough families did. Because when a death takes place involving police, prison guards et al, they close ranks. That is the norm. The cover up starts at the bottom and usually goes all the way to the top. (On Radio Four's 'Today' programme even former director of public prosecutions, Ken Macdonald condemned the culture of secrecy as 'absolutely suffocating' while Lord Falconer, former Lord Chancellor, condemned the inquest system as 'hopeless'.)

The demonisation of the victims is not new either. We have witnessed, time and again, the slandering of those who should have been looked after by the state. The families of Roger Sylvester, Sean Rigg, Mark Duggan (to name a few) had to fight to get inaccurate police and Independent

When indefinite becomes arbitrary: James, Wells and Lee v UK

Jim Duffy, UK Human Rights Blog, Monday 24th September 2012

UK violated the Article 5(1) ECHR rights of three prisoners sentenced to indeterminate prison sentences for public protection, where reasonable provision for their rehabilitation was not made.

In April 2005, the Government introduced indeterminate imprisonment for the public protection, or "IPP sentences", whereby certain prisoners would not have a right to parole. Instead, under section 225 of the Criminal Justice Act 2003, they would remain in prison following expiry of their tariff periods until a Parole Board had decided they were no longer a risk to the public. Prior to an amendment in 2008, an IPP sentence was mandatory where there was a future risk of further offending, and there was an assumption of risk where there was a previous conviction for a violent or sexual offence unless the sentencing judge considered it unreasonable to make such an assumption.

Last week, three men who found themselves on the wrong end of IPP sentences under the 2005 scheme were successful in their applications before the European Court of Human Rights. The Court held unanimously that the failure to make appropriate provision for rehabilitation services resulted in breaches of Article 5(1) of the European Convention on Human Rights, which protects the individual from arbitrary detention.

Despite the introduction of the IPP scheme being premised upon rehabilitation services being made available to offenders, the Court observed that there had been considerable delays and that the applicants "had no realistic chance of making objective progress" towards parole. It considered that this had been the result of "lack of resources, planning and realistic consideration of the impact of the sentencing scheme introduced in 2005," which has since been applied to more than 6,000 offenders.

The applicants were recommended to take part in various rehabilitative courses, which are administered in the main by certain lifer prisons around the country. Yet, by the expiry of their tariffs, and some two and a half years post-tariff, each remained in his local prison unable to begin processing through the prison system in order to eventually emerge – he would hope – from the other end. The Court noted that it took a further five months post-transfer for Mr Lee to begin work under a rehabilitative programme – a delay of 34 months in the context of a nine-month tariff.

Analysis: This important judgment shows that the lawfulness of indeterminate sentences based on offenders' risk to the public must depend upon the extent to which that risk is addressed in detention.

Strasbourg's approach differed from that of the domestic courts when confronted by the applicants' Catch 22 predicament: they complained that they could not show that they were rehabilitated and therefore suitable for release because of the failure to ensure that they had access to the courses that would progress their rehabilitation. The Court of Appeal (Secretary of State for Justice v Walker [2008] EWCA Civ 30) and House of Lords (Secretary of State for Justice v James [2009] UKHL 22) had been united in their criticism of the Secretary of State's failure to provide adequate resources with which to meet his public law duty, yet each had fallen short of finding the detention to be unlawful in and of itself.

Despite noting the Secretary of State's "deplorable" failure to meet his public law duty, the House of Lords had found no rupture in the causal connection between the ground of detention and the detention itself. In the Court of Appeal in James, Lord Phillips' starting point had been that the primary object of the IPP sentence was to protect the public, not to rehabilitate. For his Lordship, concerns from an Article 5 perspective only arose when the stage was reached that detention was

In most cases deportation will continue to be proportionate where the foreign national has received a custodial sentence of at least 12 months, or has received a custodial sentence of less than 12 months and their offending has caused serious harm or they are a persistent offender who shows a particular disregard for the law.

Report on an Unannounced Short Follow-up Inspection of HMYOI Reading

Inspection 9/11th May 2012, report compiled July 2012, published 20th September 2012

Introduction from the report: Reading prison, built in 1844, has had a number of roles in its long and interesting history. It currently holds remanded and convicted young male adults. Our last inspection in 2009 established that the prison was performing reasonably well across all four of our tests of a healthy prison – safety, respect, purposeful activity and resettlement. This short follow-up inspection confirmed that sufficient progress was being maintained in those areas.

Prisoners felt safe. Newly arrived prisoners received a full reception and first night service, even if they arrived late in the evening. The ongoing care of prisoners at risk of self-harm was discussed at daily multidisciplinary safer custody meetings, which also allowed information to be shared about suspected bullies.

However, there was still an over-dependence on the safer custody group to drive standards. Disappointingly, personal officers were rarely involved with self-harm monitoring reviews. Although the use of special accommodation had reduced, we were concerned that prisoners were still kept in the accommodation for lengthy periods with little planning to reintegrate them to normal location.

Progress had been slower in improving the environment. Cells designed for one prisoner continued to hold two. We found many instances where staff had taken too long to answer cell call bells. The arrangements for the management of diversity had improved, but better communication with prisoners was required. There was some useful work to support foreign national prisoners.

Health services had made clear improvements to the environment and services provided, and 24-hour nursing cover was in place. The integrated drug treatment system (IDTS) had improved care for the relatively small proportion of prisoners who needed it, and there were now specialist staff and designated cells. Services for alcohol misusers had increased.

The prison was continuing to manage education and training well, and the good levels of achievement identified at the last inspection had been maintained and improved. The number of activity places had been increased, and the range of vocational training had been expanded. However, many prisoners had only one evening period of association each week.

Resettlement and offender management work were in a state of transition. The new model of case management, the extension of assessment and custody planning and the recruitment of new probation staff were positive. However, the full impact of this strategic shift would not be realised for some months. The Kennet resettlement unit continued to be underused, and although the prison planned to develop its use to a wider prisoner group, this had yet to be implemented.

Most unsentenced prisoners were now from the local area, which meant that they could receive domestic and legal visits more easily. Pre-release arrangements for prisoners were reasonable, although work on finance, benefit and debt services was weak. Links between induction, initial assessment, preparation for release and resettlement had improved.

It is commendable that Reading continues to improve in spite of the dated infrastructure and buildings. Education and health care offer a good service, and if the resettlement plans deliver on their early promise, the outcomes for prisoners will continue to improve.

Police Complaints Commission statements about their loved ones withdrawn and amended.

The families of those that die in custody also face the same long waits for inquests and official reports and inquiries. They are often at the mercy of the inquest system and the foibles of individual coroners. Coroners may decline to push for answers, the police may cover-up their involvement or simply say they can't recollect precise events (witnessed recently at the inquests into the deaths of Sean Rigg and Habib Ullah). And despite a Macpherson recommendation that the families of those who die in custody should be granted legal aid for inquests, in most cases they have still to fight for it.

The CPS is another culprit, consistently refusing to prosecute those involved in deaths in custody, with lame excuses of 'not enough evidence to secure a conviction', more like no appetite to prosecute officers of the state involved in deaths. Because if the public loses confidence in those we are meant to trust … what then? I would like to see an independent panel (similar to the Hillsborough Independent Panel) set up to examine deaths in custody over, say, the last twenty years – and for this panel to have access to documents and papers denied to the families of those that have died. It is significant that the last successful prosecution for a black death 'in' custody was in 1971. The state (and its agents) do indeed get away with murder.

What now for the families of the Hillsborough 96. Will there be a new criminal investigation into the tragedy? In all likelihood the assessment by the CPS will be that because so much time has passed there is no realistic prospect of convictions. And new inquests? Again, the families are also unlikely to obtain unlawful killing verdicts (notoriously hard to obtain) and will probably have to accept narrative verdicts which make mention of neglect contributed to by the South Yorkshire police and Sheffield City Council. There is no doubt that the families will fight on.

Susan May, who Served 12 years in Prison said...

What I have often said re my own case is it is bad enough that corrupt practices were used pre trial to gain a wrongful conviction....it is what happens after conviction that is also disgusting. Evidence rewritten, forged and 'lost' in order to sustain that conviction. Now following the revelations re Hillsborough, How many enquiries have there been over the years to get to the truth yet not once has one of those police who altered their statements felt a pang of regret to stand up and show courage to admit what went on.

Shame on them and they have to be brought to account and not be allowed to use the usual 'escape' route of early retirement or permanent sick leave. The scale of deception at Hillsbro' just goes to highlight what happens in every single miscarriage of justice but here we are seeing it on such a massive scale, how cover ups do happen from the top down.

Early Day Motion 547: Hillsborough Disaster & Sir Norman Bettison

That this House believes the cover-up by South Yorkshire police officers of the truth about the Hillsborough disaster is an outrage; further believes that this cover-up slurred Liverpool fans in general and those who so tragically died in particular; supports the call by Richard Wells, former Chief Constable of South Yorkshire after the disaster, for police officers involved in the comprehensive lies that were told by the police to be prosecuted; demands the resignation of Sir Norman Bettison, currently Chief Constable of West Yorkshire, as the highest ranking serving police officer who was centrally involved in the events in South Yorkshire police force following the disaster; and calls for an early meeting of the Forfeiture Committee to consider whether his knighthood is any longer appropriate. George Galloway MP

Close Supervision Centre - Dehumanising, Degrading and Demonising

Prison officials like to claim that the Close Supervision Centre (CSC) exists to remove the most significantly disruptive, challenging and dangerous prisoners from ordinary location and to enable these prisoners an opportunity to develop a more settled and acceptable pattern of behaviour.

The 'worst of the worst' designation defines the inhabitants of the CSC as fundamentally 'other' and dehumanises, degrades and demonises us as essentially different from other prisoners. It provides an immediate, intuitive and unassailable rationale for the added punishment, extraordinary control and severe deprivation which prevail in the CSC. All the discomforts of life in a CSC unit have been brought upon prisoners by 'our own behaviour'. The Prison Service's frequent recourse to horror stories about prisoners' dangerousness also helps to 'shift' the blame over anything that happens to us in the CSC onto ourselves. This technique of 'condemning the condemners' allows prison workers to further neutralise any criticisms of their policies and practices and to justify, to themselves and others, the harsh treatment of CSC prisoners.

The fact that the design of the CSC is more likely to induce violence than to reduce it is not comprehensible by the corrupt Prison Service management or staff, with whom the temptation is strong to treat us as less than another human being. It is the same process that is brought to bear in wartime - the enemy, soldier and civilian alike, are demonised, and whatever happens to them is of little concern.

Prisoners are more isolated, observed and controlled, afforded less human contact and suffer more sensory deprivation than anywhere in Britain. According to criminologist Anthony Bottoms: 'to impose additional physical restrictions, especially of a severe character, will almost certainly lead to a legitimacy deficit, and that deficit may well in the end play itself out in enhanced violence'.

So the Prison Service's claims about the positive impact of the CSC on dangerous and disruptive prisoners are evidently false. It is impossible for any prison trainee psychologist to help CSC prisoners achieve a level to progress to normal location, whilst we are suffering under the conditions of the CSC itself. So why are we here?

Interference with mail: The security department at Woodhill CSC has made itself obstructive in my attempts to contact anyone over the last two and a half years. Mail repeatedly goes missing or is stopped for unlawful excuses; phone numbers are deleted from my PIN and applications to add numbers to call are ignored or rejected; visitors' approval applications sit for months without any action or are rejected for no reason.

Daniel Guedalla of Birnberg Peirce solicitors issued a letter before action some time ago about this abuse, but the prison didn't even bother to respond so it seems judicial review is inevitable…

While all CSC prisoners suffer intensely, this particular harassment by security is specific to me. To demonstrate this, I recently received a notice of a stopped incoming letter. The thing about this letter is that it was actually posted by another prisoner in HMP Woodhill. What this means is that the letter is suitable for security checks on one prisoner but not for me. If there was a legitimate issue with the letter, the prison wouldn't have allowed it out in the first place (all mail must be posted out to Royal Mail and back in, even if its addressed to the prisoner next door to you!) so I wouldn't have had cause to complain.

To the many people who have written to me without response, I can only apologise for HMP Woodhill's corruption. I do respond to all mail with I receive with a return address. If anyone has written without reply, please notify Daniel at Birnbergs so it can be included in my judicial review.

Kevan Thakrar A4907AE, HMP Woodhill, Tattenhoe Street, Milton Keynes, MK4 4DA

Prisoners: Literacy: Learning in prisons is delivered by providers of further education and training under contract to the Skills Funding Agency. The number of people in custody who were enrolled on learning aims to study English in the 2010-11 academic year. A total of 38,600 people enrolled in Skills for Life-related learning aims, of which 26,200 learners were enrolled on aims in English. Some of the 26,200 individual learners may have enrolled on more than one learning aim. Data for academic year 2011-12 not yet available. *House of Commons / 17/09/12 : Column 472W*

Prisoners: Mental Illness

Jenny Chapman: To ask the Secretary of State for Justice how many patients and inmates in the dangerous and severe personality disorder programme are serving indeterminate sentences for public protection. Jeremy Wright: Of the 188 people who were in the programme as at 31/12/11, a total of 25 were serving an indeterminate sentence of imprisonment for public protection.

Prisoners: Foreign Nationals

Mr Hollobone: To ask the Secretary of State for Justice from which three foreign countries the highest number of foreign national prisoners come; and what steps he is taking to return such prisoners to secure detention in their country of origin. [121306]

Jeremy Wright: The top three countries with the highest number of foreign national offenders (FNOs) in prison in England and Wales are currently Jamaica, Poland and Ireland. We have prisoner transfer agreements (PTAs) with Poland and Ireland. The UK's agreement with Ireland is for voluntary transfer only and very few Irish nationals seek to transfer. Poland has a five-year derogation from the EU compulsory PTA but compulsory transfer is possible under the additional protocol to the Council of Europe convention. Prisoners are currently being considered under this instrument. The UK signed a voluntary PTA with Jamaica in 2007, but it has not been ratified as Jamaica has not implemented the enabling legislation. We are in discussions with the new Government of Jamaica on a compulsory PTA.

Reducing the FNO population in the UK is a key priority for this Government. The UK has PTAs with over 100 countries and territories, most of which are voluntary and require the prisoner's consent to transfer. However, as part of our strategy to reduce the FNO population, we are seeking to negotiate more compulsory PTAs, which will not require the consent of the prisoner to transfer, with our high volume FNO countries. *House of Commons / 17 Sep 2012 : Column 472W*

Immigration: Offenders *House of Commons / 18 Sep 2012 : Column 571W*

Charlie Elphicke: To ask the Secretary of State for the Home Department whether she has reviewed the extent to which the right to family life is being invoked by convicted offenders who are not UK citizens and who are seeking to remain in the UK following sentence; and if she will make a statement. [121192]

Mr Harper: In 2011-12, 409 appeals against foreign national offenders' deportations were allowed. Of these, 177 were allowed on the grounds of article 8 of the European Convention on Human Rights (ECHR)—the right to family and private life.

New immigration rules came in to force on 9 July 2012 following the Government's intent to redress the balance between the family rights of criminals and illegal migrants and the rights of the British public. Only in exceptional circumstances will family life, the best interests of a child or private life outweigh criminality and the public interest in seeing foreign national offenders deported where they have received a custodial sentence of at least four years.