matter back to the IPCC. She said: “We are very disappointed that the IPCC has suggested that the Met is now refusing to cooperate with them. This is not the case.”

A CPS spokesperson said: “After careful consideration of all the evidence the CPS will advise the IPCC, including on whether any charges should or should not be brought.”

Darren Neville Restrained by MET Police Officers Dies in Hospital *IPCC 10/05/13*

The Independent Police Complaints Commission (IPCC) can today (Friday, 10 May) confirm the death of Darren Neville who was restrained by Metropolitan Police Service (MPS) officers during a disturbance in Aberdeen Park, Islington. Mr Neville, 28, had been in serious condition at the Royal London Hospital since the incident on Tuesday, 12 March 2013. He was pronounced dead at hospital on Sunday, 5 May 2013. IPCC Commissioner Derrick Campbell said: "This is desperately sad news for Mr Neville's family and I send my condolences to them at this extremely difficult time. IPCC family liaison managers continue to provide support as part of our ongoing investigation into this incident. Through our initial enquiries it has become clear to me that our investigation needs to be widened so we are able to examine whether the officers involved followed the correct policies and procedures when making their notes. We will continue to explore the events leading up to the police being called and the actions and decisions of officers who attended this incident. Following our witness appeal a number of people have come forward and spoken to investigators but I urge anyone who was in the vicinity of Aberdeen Park, Islington, on Tuesday, 12 March, at around 7:00 am to contact us. Any information, no matter how insignificant you may think it is, could prove vital in assisting our investigation."

David Norris Loses Appeal Bid *BBC News, 10/05/13*

One of the two men jailed for life for the racist murder of black teenager Stephen Lawrence has lost a bid to challenge his conviction. David Norris was jailed for life in January 2012 for murdering the student in Eltham, south-east London, in 1993. His application for leave to appeal his conviction has now been dismissed by the Court of Appeal. Norris is serving a minimum of 14 years and three months and second killer Gary Dobson 15 years and two months. Last summer, applications for permission to appeal by both men were rejected by a single judge who considered the papers from the case.

However the pair still had the right to renew their applications before a panel of judges sitting at the Court of Appeal. They did so, but Dobson then withdrew his appeal against the sentence. Norris's application was thrown out by Lord Justice Leveson, Mr Justice Foskett and Mr Justice Hickinbottom.

Hostages: **Hostages:** Chedwyn Evans, Darren Waterhouse, David Norris, Brendan McConville, John Paul Wooton, John Keelan, 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, 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 425 16/05/2013)

Prisoners Face Strict 12-Month Supervision Orders After Release

Tough new regime implemented by private firms to include compulsory drugs test and new GPS tags Alan Travis and Nicholas Watt, The Guardian, Thursday 9 May 2013

More than 50,000 short-sentence prisoners a year are to be given new 12-month compulsory supervision orders under rehabilitation plans run by private companies and charities to be announced by the justice secretary, Chris Grayling. Ministry of Justice officials say the plans – which could prevent former prisoners from moving to a different area and subject them to compulsory tests for class B drugs such as cannabis – represent the most significant change to short custodial sentences in a decade.

The 12-month period of statutory supervision by companies such as G4S or Serco on payment-by-results contracts will apply to all offenders sent to prison for under two years, including petty criminals jailed just for a few days for offences such as non-payment of a fine. Grayling's announcement is the first detailed government plan to be outlined in the wake of yesterday's Queen's speech.

Grayling's offender rehabilitation bill, to be published today, will introduce powers to require released offenders to undergo compulsory drug tests for cannabis for the first time while they are living in the community under supervision. Those who test positive will face penalties and be required to attend appointments with the drug treatment services.

While they are in the community offenders, who will probably have to wear a new generation of GPS satellite tracking tags, will have to comply with a programme of support on housing, employment, training and alcohol and drug treatment. There will be a new emphasis on using reformed offenders to act as mentors to those newly released from prison. Those who fail to comply or misbehave will face being recalled to jail.

Short-sentence prisoners serving 12 months or less currently have the highest reconviction rate, with 58% found guilty of a fresh offence within a year. Under the MoJ plans the extended period of compulsory supervision and rehabilitation will also apply to a further 15,000 prisoners a year who serve sentences between 12 months and two years and are already subject to shorter periods of being released on licence.

The current 130 prisons in England and Wales are to be reorganised, with more than half – 70 – moving into a national network of resettlement prisons. Offenders will be released into the local area where their rehab and supervision programme is to take place and will be banned from moving to other parts of the country without permission.

Grayling has turbocharged this next phase of the government's "rehabilitation revolution" by demanding it is in place by the 2015 general election.

The justice secretary is also to confirm his plan for the privatisation of 70% of the probation workload of supervising 240,000 offenders a year. Partnerships between private companies and voluntary sector organisations will be invited to bid to take over the supervision of all low- and medium-risk offenders in 21 contract areas.

The role of the 100-year-old public probation service is to be restricted to the 30% of work that involves high-risk offenders and public protection issues.

Grayling said: "Tackling our stubbornly high reoffending rates has dogged successive governments for decades. These reforms represent a golden opportunity to turn the tide and put a stopper in the revolving door of the justice system. "It is simply not good enough that we spend £4bn a year on prisons and probation, and yet make no real dent in the appetite of offenders to commit more crime. It is little wonder when many of our most prolific criminals leave prison totally unsupervised in the community."

A G4S spokesman said the company was well placed to deliver the kind of innovations that the government was looking at. He claimed its long history of working with offenders in partnership with the public and voluntary sectors meant G4S had developed substantial expertise in the area.

Max Chambers of the centre-right think-tank, Policy Exchange, said there would be inevitable protests from "vested interests who resist change, including many who oppose this introduction of a profit motive for providers. But it's hard to argue with the idea of rewarding firms who have success in helping chaotic, difficult people to find work, keep a home, get clean and stay on the straight and narrow."

Prison reform groups voiced concerns. Juliet Lyon of the Prison Reform Trust said rehabilitation on release made sense but there was a danger that an inflexible approach to those who breach the conditions of their release could refill the prisons.

Andrew Neilson of the Howard League for Penal Reform also predicted that many would end up behind bars saying the extra support would do little more than repair the damage that prison had caused by leaving them without a job, home or access to their family.

Anonymity for Those Jailed By 'Secret Courts' is Wrong

No one can be sent to jail without an announcement being made in public, the Lord Chief Justice has ordered in guidance issued tonight. The directive to the judiciary comes in response to the case of a woman sentenced to five months behind bars in a private hearing in the Court of Protection. Wanda Maddocks, 50, was found to be in contempt of court after publicising details of her father John's case, contrary to Judge Martin Cardinal's orders. She was not present at the hearing, nor was she represented by a lawyer. Moreover, the judge did not publish the sentence passed in the Court, which automatically bars members of the public and the press from witnessing its hearings.

But Lord Judge has ruled that, in future, judges should: name the person they are jailing; outline the nature of the their offence; and details of the punishment imposed. "There are never any circumstances in which any one may be committed to custody without these matters being publicly stated," he and Sir James Munby, the President of the Family Division and of the Court of Protection wrote. They wrote: "It is a fundamental principle of the administration of justice in England and Wales that applications for committal for contempt should be heard and decided in public, that is, in open court."

They ruled that there are circumstances under which the hearings in which it is to be decided if someone should be jailed for a contempt of court themselves can be heard in private. But they said this should happen only in "exceptional circumstances". "The fact that the hearing of the committal application may involve the disclosure of material which ought not to be published does not of itself justify hearing the application in private if such publication can be restrained by an appropriate order," they wrote.

Their decision relates to those two courts, which are exempt in law from the principle of open justice. In 2010, The Independent led a group of news organisations to win the first right

IRA Man's Bid to Overturn Attempted Murder Conviction Fails

A former IRA man's bid to overturn his attempted murder conviction - by claiming he was assured immunity from prosecution by a senior Sinn Fein representative - has no merit, the Court of Appeal ruled today 07/05/13.Lawyers for Gerry McGeough argued that criminal proceedings which led to him being jailed for trying to kill part-time soldier Samuel Brush 32 years ago were an abuse of process. Central to their case was an allegation that North Belfast MLA Gerry Kelly assured him in 2000 that he would not be charged if he returned to Northern Ireland from being on the run. McGeough, who escaped from hospital after being wounded when his victim returned fire in the ambush, contended that this was a binding promise on behalf of the Stormont Executive.

But Lord Chief Justice Sir Declan Morgan pointed to legal authorities which set out that an abuse of process depended on an unequivocal guarantee of immunity being given by those bringing the criminal case. He said: "We do not consider that the evidence indicates any basis for the conclusion that Mr Kelly was a representative of those responsible for the conduct of the investigation or prosecutions. We further agree that in any event the statement attributed to Mr Kelly, who did not give evidence, did not contain any representation, never mind one which could be said to be unequivocal for the purpose of this test."

Prisoner Found Dead in his Cell at HMP Maghaberry *Source Belfast Telegraph*

Convicted sex offender Geoffrey Singleton (42) was pronounced dead yesterday evening 06/05/13, the NI Prison Service announced. He had been moved to an ambulance after being found collapsed in his cell. It is understood a ligature was also discovered in the cell. Singleton had only been returned to jail on Saturday 04/05/13 for a breach of a Sex Offences Prevention Order (SOPO). The incident brings to 12 the number of non-natural deaths in custody inside Northern Ireland's prisons since 2009.

Met 'Blocks' Quizzing Of Officers In Probe Over Restraint Death

David Churchill and Justin Davenport, Evening Standard, 08/05/13

Scotland Yard is refusing to allow officers to be questioned under caution over the death of a university student who was forcibly restrained by police at a psychiatric hospital, a watchdog claimed today.

University graduate Olaseni Lewis, 23, collapsed and slipped into a coma after he was held down by up to 11 police officers at the Bethlem Royal Hospital in Beckenham in August 2010. He was put on a life-support machine and died four days later. Mr Lewis, who was studying for a masters degree in business at Kingston University, became unwell after a night out with friends in August 2010.

His family became concerned about his behaviour and he voluntarily admitted himself to the psychiatric hospital. Within hours Mr Lewis became agitated and staff first tried to restrain him before calling for police help. Olaseni's mother, Ajibola, told the Standard: "Why they can't just allow for the officers to be questioned we just don't know."

Now a police watchdog has accused the Metropolitan Police of refusing to co-operate with a two-and-a-half year inquiry into the death. In a strongly worded statement the Independent Police Complaints Commission revealed that it had "directed" the Met to "re-refer" the incident to them as a "recordable conduct matter". A spokeswoman said: "That would allow the IPCC to interview the officers under criminal caution. The Met has refused to do so." The watchdog said the move came after it had reviewed its initial inquiry following concerns from the family.

However, Deputy Assistant Commissioner Patricia Gallan, head of the Met's professional standards, said the force had received legal advice that it would be "unlawful" to refer the

A key strength of the establishment was the quality of purposeful activity.

Inspectors were concerned to find that:

- segregation overused and insufficient accountability for use of special accommodation;
- although staff-prisoner relationships were reasonable, some prisoners reported some insensitivity to cultural differences and some perceived an element of victimisation from staff.
- a small number of sex offenders, some of whom raised concerns that poor respect for their confidentiality had put them at risk.
- offender supervisors was limited & provision for those with higher risks needed to improve
- more could have been done to meet the needs of those due to be deported
- Inspectors made 86 recommendations

Introduction from the report: Huntercombe is a category C establishment in Oxfordshire holding up to 430 adult male prisoners. Following several changes of role, in 2012 the establishment was designated a facility for holding convicted foreign national prisoners. At the time of our inspection, only a handful of UK nationals remained in the prison.

Despite experiencing change and transition, some of it rapid, Huntercombe was a good institution. Most prisoners felt safe and other indicators supported that perception. The exception was a small number of sex offenders, some of whom raised concerns that poor respect for their confidentiality had put them at risk. Self-harm had risen slightly, but prisoners were well supported. Segregation was overused and there was insufficient accountability for the use of special accommodation, but use of force generally was low and security procedures proportionate. Environmental standards across the prison were reasonably good. Staff-prisoner relationships, similarly, were reasonable, although in our survey some prisoners perceived an element of victimisation from staff and also reported some insensitivity to cultural differences. We describe the promotion of diversity at Huntercombe as embryonic but it was improving. The provision of health care was good.

A key strength of the establishment was the quality of purposeful activity. Prisoners benefited from good time out of cell, and there was sufficient activity for the vast majority. Virtually all education, vocational training and work were accredited, and the breadth and quality of what was on offer was very good. The achievement of accreditations and qualifications by learners was outstanding. Three-quarters of prisoners regularly visited both the library and the gym.

The prison had begun to assess the resettlement needs of its new population and a reducing reoffending strategy was developing. Engagement and communication with prisoners about resettlement worked well, and the prison used release on temporary licence in support of resettlement confidently. Most prisoners were subject to assessment and sentence planning.

However, contact time with offender supervisors was limited and provision for those with higher risks needed to improve. Work to support resettlement and reintegration was generally good, although, as is often the case with a foreign national population, more could have been done to meet the needs of those due to be deported and it was difficult to assess actual effectiveness. Nevertheless, it is notable that Huntercombe had a more developed approach to reducing risk and resettling foreign nationals – a number of whom would ultimately be released into the UK – than we have seen at other foreign national prisons. This more responsible approach will need to be maintained and further developed.

Huntercombe is an example of a prison that has not been overwhelmed by change. It has embraced the challenge, exploited its strengths and planned effectively where it needed to develop new services. There were gaps, some significant, and some catch-up was required, but overall the prison was doing well in adapting to its new role.

to report from the Court of Protection, which handles the affairs of people adjudged not to have mental capacity to do so themselves. Its workings came to the fore in 2009 after the Independent highlighted the case of the blind, autistic pianist Derek Paravicini, who was nicknamed the “human iPod” because of his ability to play music after a single hearing.

Earlier this week, Justice Secretary Chris Grayling asked one of the country’s most senior judges to revisit the rules covering the Court, created by Labour’s Mental Capacity Act 2005 which came into force in 2007. Mr Grayling has asked Sir James Munby to widen the scope of the review he is currently carrying out into the family courts to include the Court of Protection. He wrote: “As you will be aware, the issue of transparency in the Court of Protection has recently attracted media attention. While we want to ensure that we balance the interests of safeguarding vulnerable adults with those of increasing the transparency of proceedings, I would welcome your views on how we might best achieve this.”

MI5 Applies for Secret Court Session as IRA Mole Sues *Ian Burrell, Indpendent, 06/05/13*

Martin McGartland, originally from west Belfast, has been credited with saving the lives of 50 police officers and soldiers in Northern Ireland as a spy within the IRA providing intelligence to the special branch of the Royal Ulster Constabulary. He is suing MI5 and the Home Office for failing to support him after he was attacked and repeatedly shot by an IRA hit team who tracked him to a safe house in North Tyneside in 1999.

Mr McGartland has told The Independent that solicitors acting for the Home Office, the government department responsible for the Security Service, have applied to have the matter dealt with by a Closed Material Procedure (CMP) hearing. CMPs are seen by the Government as a way of bringing before a judge information which, for security reasons, cannot be revealed in open court CMPs, are due to come into force shortly with the introduction of the Justice and Security Act 2013, claimants must be represented before the judge by special advocates who have been cleared for security. Such a hearing would mean that neither Mr McGartland or his lawyers were able to attend.

Labour, which says CMPs deviate from the “tradition of open and fair justice”, has called for the use of such closed proceedings to be limited unless a judge agrees a fair verdict cannot be reached by any other means. The Law Society president, Lucy Scott-Moncrieff, has also raised objections to CMPs on the grounds that they undermine the essential principle of justice that all parties are entitled to see and challenge all the evidence placed before the court.

Mr McGartland said that funding for treatment he was receiving for the post-traumatic stress disorder he suffered after the assassination attempt had been stopped. He claimed the secret hearing was designed to cover up the Home Office’s failure to meet its duty of care, rather than to protect genuine state secrets. “This is being done despite my legal case against them being related to their removing funding for my medical treatment, which they were funding after my 1999 shooting,” he told The Independent. “They removed the medical funding even after they were supplied two medical reports stating that I required a further three to five years of treatment. That resulted in a serious deterioration in my condition and it also led to my now requiring round-the-clock care, help and support. In other words MI5 are going to use CMP solely to cover up their own embarrassment and wrongdoing and not, as the Government has been claiming, in cases that relate to ‘National Security’.”

Mr McGartland become a high-profile IRA mole, with his experiences forming the basis of the 2008 film 50 Dead Men Walking, named after the number of lives he is said to have

saved. His cover was blown in 1991 when he fell under suspicion and was “arrested” by the IRA before being taken for interrogation. Believing he was about to be murdered after eight hours of questioning, he threw himself from a third-floor window. He suffered serious head injuries but was rescued by locals who called an ambulance.

Although the security forces gave him a new identity and a home in England, he was outspoken in criticising what he saw as failures in the campaign to counteract terrorism. Mr McGartland believes that his willingness to speak out about his experiences has contributed to the Government’s decision to stop paying for his medical and psychiatric care. A Home Office spokesman said: “There are ongoing legal proceedings in this case and therefore it would be inappropriate to comment.”

New Inquiry Into Murder Of Daniel Morgan ‘Will Expose Met Cover-Up

After five murder investigations spread over 25 years, and with no one yet brought to justice, the brutal 1987 killing of Daniel Morgan is once again set to be re-examined. An independent review, confirmed by the Home Secretary last week, also threatens to expose an alleged "corrupt nexus" of private investigators, the police and journalists said to be involved in the stark failure convict the killer. *James Cusick, Indpendent, 09/05/913*

A lengthy campaign for a public inquiry by the family of Mr Morgan is expected to be told by Theresa May on that the case will effectively be re-opened. The campaign has included high-level political pressure to re-evaluate critical evidence which they believe holds the potential of severely damaging the already fragile post-Leveson reputation of the Metropolitan Police and leading tabloid newspapers. The Labour MP Tom Watson, who has pressured the Home Office to re-visit the Morgan case, claimed the private investigator was murdered because he was about to expose corrupt Met officers.

Daniel Morgan, 37, was a partner in a London private investigations firm, Southern Investigations, when he was found dead in a south London pub car park. He had been struck in the head four times with an axe, the weapon found deeply embedded in the front of his skull. The killing has been described as a premeditated "execution" because Daniel was found with over £1,100 in cash still in his pockets.

The Home Office would only confirm that discussions with the Morgan family were continuing and that an announcement would follow. However it is understood that Mrs May ordered the review after extensive submissions on all the police investigations, including the last two Scotland Yard probes in 1987 and 2006, had been examined by Home Office lawyers.

If the form of the independent review and its remit mirrors the Hillsborough investigation, a panel of experts appointed by a judge will be given powers to examine all aspects of the murder, including the potential influence of police corruption in preventing a conviction. In a re-run of key elements of the Leveson Inquiry, the closeness of the relationship between Met officers and senior editors at the News of the World, and how this relationship could have affected the murder investigations, could also be examined.

Daniel's brother Alastair has remained silent on the Home Secretary's decision. However in his earlier submission to Mrs May, he said that for a quarter of a century his family had "done everything democratically and legally possible to secure justice for Daniel and to expose police corruption." He has blamed "obstruction and worse at the highest levels of the Metropolitan Police" and an "impotent police complaints system" which had resulted in "no public scrutiny of the evidence available in relation to Daniel's murder."

were encouraging and indicated that most prisoners felt safer than in comparable establishments, although indicators were less positive for certain groups, particularly black and minority ethnic and vulnerable prisoners. Levels of violence were not high but when they happened they could be extreme. The resources for and management of security were commensurate with the risk, and security was normally applied proportionately. The quality of staff supervision on the vulnerable prisoner wings and in communal areas, as well as CCTV coverage in the vulnerable prisoner wings, could have been better. The diversion of prescribed medications was also a significant problem. Decisive action was needed to address prescribing practice at the prison.

Frankland covers an extensive area and accommodation varies greatly in age, type and quality. Most was reasonable and clean, and some, like the Westgate Unit, exceptional. Most staff were knowledgeable and respectful, and relationships with prisoners were generally good. The promotion of diversity was mixed overall, with some elements that were adequate but also clear gaps evident. It was a concern that many minority groups held comparatively negative perceptions about their treatment. The management of formal prisoner complaints was surprisingly poor.

Access to time out of cell was reasonable for most prisoners and there were broadly sufficient activity places to meet the needs of all. Education was offered on a part-time basis, again to broaden access, but it was clear that not all available activity places were used and we found just under a third of prisoners locked up during the working day. The management of learning and skills was reasonably good and further improvements were being made. Many qualitative measures, such as the range of provision and support on offer, as well as prisoner achievements, were encouraging.

Very few prisoners were discharged from Frankland but the prison had a critical role in addressing individual risks and progressing prisoners. Offender management and public protection arrangements seemed appropriate, although the prison still needed to make more analysis of the full extent of the resettlement needs of the population. Offending behaviour work was available and well managed and, unusually, there was significant work to address sex offenders who were in denial or seeking to minimise their offending. The Westgate Unit was impressive and provided intensive and long-term interventions to work with personality disordered prisoners. An independent evaluation of dangerous and severe personality disorder (DSPD) units at the prison would be invaluable in determining the effectiveness of this work, although current indications are encouraging.

This is a very good report. Frankland has had to deal with some very serious incidents in recent months. The prison has done this proportionately and in a way that has not derailed it or undermined its confidence. Overall, the outcomes for prisoners at this prison are reasonably good, and some of the most challenging prisoners in the system are well managed and cared for.

Report on an Announced Inspection of HMP Huntercombe

Inspection 7–11 January 2013 by HMCIP, report compiled March 2013, published 08/05/13

HMP Huntercombe had managed its transition to a foreign national prison well, said Nick Hardwick, Chief Inspector of Prisons, publishing the report of an announced inspection of the jail in Oxfordshire. Huntercombe had seen several changes of role and, in 2012, was designated a facility for holding convicted foreign national prisoners. At the time of its inspection, only a handful of UK nationals remained at the prison. Despite experiencing change and transition, some rapid, Huntercombe was a good institution.

Nigeria: 55 Dead After Suspected Boko Haram Raid on Prison

The Nigerian Islamist sect Boko Haram is thought to have been behind a deadly siege on the northeastern town of Bama on Tuesday 07/05/13 that left 55 people dead. Military sources in Nigeria said 200 heavily armed members of Boko Haram arrived in buses and pick-up trucks and carried out a coordinated strike, first hitting the army barracks and the police station before breaking into the town's prison.

Military spokesman Sagir Musa told Reuters that 22 police officers, 14 prison officials, two soldiers and four civilians were killed in the five-hour raid, while 13 of the group's own members died. The attack is one of the rebel's most deadly single strikes since 2009. During the five-hour raid, gunmen freed 105 prisoners, while the town's police station, army barracks and government buildings were reportedly set ablaze.

Report on an Unannounced Inspection of HMP Frankland

Inspection 10–14 Dec 2012 by HMCIP, report compiled February 2013, published 30/04/13

HMP Frankland is one of five high security dispersal prisons in England and Wales, intended to hold those posing the greatest risk to security and safety. It is the largest dispersal prison, with many men serving sentences of great length and/or retaining the highest category A status. Its previous inspection in 2011 found an establishment that had made commendable progress. This inspection indicates that progress continues despite considerable challenges, including the recent murder of a prisoner and serious assaults on staff. [Prison contains a Dangerous and Severe Personality Disorder (DSPD) unit for the management and treatment of men whose risk of serious offending is/was linked to a severe personality disorder.]

Inspectors were concerned to find that:

- the quality of staff supervision on the vulnerable prisoner wings and in communal areas, as well as CCTV coverage in the vulnerable prisoner wings, could have been better;
- Levels of violence were not high but when they happened they could be extreme
- the diversion of prescribed medications was a significant problem;
- many minority groups held comparatively negative perceptions about their treatment; and
- management of formal prisoner complaints was surprisingly poor
- not all available activity places were used and inspectors found just under a third of prisoners locked up during the working day.
- very few prisoners were discharged from Frankland but the prison had a critical role in addressing individual risks and progressing prisoners.
- An independent evaluation of dangerous and severe personality disorder (DSPD) units at the prison would be invaluable in determining the effectiveness of this work
- Inspectors made 76 recommendations

Introduction from the report: Frankland, situated near Durham, is one of five high security dispersal prisons in the country, intended to hold those posing the greatest risk to security and safety. With more than 800 prisoners, it is the largest dispersal prison, with many men serving sentences of great length and/or retaining the highest category A status. At our previous inspection in early 2011, we found an establishment that had made commendable progress. This unannounced inspection indicates that progress continues despite considerable challenges, including the recent murder of a prisoner and serious assaults on staff.

Risk is ever present in an institution like Frankland, yet the prison had commendably maintained equilibrium and was, by our judgement, generally safe. The findings of our survey

Murder inquiries took place in 1987, 1988-89, 1998-2000, 2002-03, with the last one beginning in 2008. Suspected have been arrested, released, re-arrested, charged and re-charged in connection with the case.

Mr Morgan's business partner at Southern Investigations, Jonathan Rees, along with three others, was charged with the murder in 2008. A Met detective sergeant was also charged with perverting the course of justice. The case was halted in 2011 and the defendants cleared when the prosecution admitted defeat before the trial had officially started. Some 750,000 pages of material had been gathered by the prosecution lawyers.

Fall-out from murder, which took place in a Sydenham car park, has been felt inside Scotland Yard, and inside some national tabloid titles which have been accused of covering up the extensive use of dark practices which were touched on during the Leveson Inquiry.

During testimony heard by Lord Justice Leveson, it was claimed that the Morgan investigations had been influenced by the closeness of the relationship between News International's now-defunct Sunday tabloid, senior Scotland Yard detectives, and Southern Investigations. Jacqui Hames - a former police officer and wife of the Met officer who led the last two investigations of the Morgan murder, detective chief superintendent Dave Cook - revealed to Leveson that she and her husband had been put under surveillance by an operation run by the News of the World. The NOTW editor alleged to have ordered operation is said to have enjoyed a business relationship with Southern Investigations.

The Home Office review potentially adds another layer of legal complexity to the criminal trials scheduled for later this year on phone hacking and corruption. The publication of the Morgan review is therefore unlikely to be published before all the hacking and corruption-related cases have concluded. The total bill for all the Morgan-related investigations over the last 25 years is reported to be around £30m.

Salford Prison Van Escapee Ryan Mcdonald Jailed In Absence *BBC News*

A man who escaped from a prison van in Salford on Tuesday 30/04/13 has been sentenced for his part in a string of raids on pawnbrokers' shops. Ryan McDonald, 20, of Allendale Walk, Salford, was jailed in his absence for seven years and 10 months. He was being transported to court when the prison van was ambushed. He and another man escaped. Police earlier offered a £10,000 reward for information leading to the men's recapture.

The other prisoner is Stevie McMullen, 31, who faces charges of conspiracy to kidnap, conspiracy to commit robbery, conspiracy to commit arson and possession of a firearm. McDonald had pleaded guilty at an earlier hearing to two counts of conspiracy to commit robbery and aggravated taking of a vehicle. Two others were sentenced for their parts in the raids and a 17-year-old youth will be sentenced on 3 June. A motorbike was used to flee from where the raids were carried out Jorden Jones, 19, of St Simon's Street, Salford, and the 17-year-old also pleaded guilty to conspiracy to commit robbery and aggravated taking of a vehicle. Jones was sentenced to three years in jail. Jordan Aston, 22, of Lower Seedley Road, Salford, pleaded guilty to conspiracy to commit robbery and was sentenced to seven years and two months in jail.

Police said McDonald and Aston admitted a conspiracy where one pawnbroker store in Manchester and two in Salford were targeted for jewellery. In all cases, the offenders would approach the shops during the day, smash the front windows and steal jewellery. Chief Supt Kevin Mulligan said: "It is unfortunate that McDonald wasn't present today to see this sentence being passed down, but we will track him down and find him to ensure that he does get his day in the dock."

London Riots Hero Put On Police Wanted Poster Wins £50K Damages

A hero of the Hackney riots who helped distressed and confused victims to safety has been awarded libel damages after his face was put on a police wanted poster. Leslie Austin, a council housing worker, was commended and thanked by several police officers for his actions during the riots on 8 August 2011, but later saw his face pictured on a poster seeking to identify people "involved in the disorder". In the High Court today he was awarded damages for libel by the Metropolitan Police. The size of the award was kept secret, though he was understood to have been seeking up to £50,000.

Publication of his photograph had caused him considerable and repeated embarrassment and distress and on several occasions he had to explain to his employers, shopkeepers and local people that it was a mistake. He came close to losing his job with his employers demanding evidence of his innocence. A letter had to be written by police assuring his employers that he was not a suspect.

The wanted poster, headed "Operation Withern Identity Sought", was put up in shops in East London and Mr Austin saw one in May 2012. He complained to the police who promised that they were about to be taken down, but they remained up until June 15. On June 7 the Hackney gazette featured his photograph as one of the suspected rioters sought by police despite Mr Austin having been assured he had been eliminated from inquiries.

"This was extremely distressing to the claimant. Not only was it false in his case, but he felt his safety to be at risk as there had been revenge attacks following the riots," said Matthew Nicklin QC. During the riots Mr Austin spotted a terrified woman clutching a baby in a building close to a burning car and he dashed in to escort them to safety before, despite thickening smoke making breathing difficult, going back into the premises to check if anyone else needed help. Earlier he had seen one of his elderly clients caught between the police lines and the rioters. He helped her get past the trouble and took her home.

In documents filed as part of the case it was stated that polce had thanked him for his actions on the night of the riot: "On three separate occasions police officers thanked him for his assistance." Later, when the confusion over the wanted posters was raised, he was publicly praised by the police. "The public-spirited attitude of this member of the public is outstanding and I apologise on behalf of the Met for any distress caused," said Detective Sergeant Ian Coleman.

David Hirst, for the police, said that, as a result of the poster campaign, it had been possible to identify and bring to justice thousands of individuals. The police have apologised to Mr Austin. A spokesman for the Metropolitan Police said: "As soon as we were made aware that Mr Austin had not been involved in the disorder, but had in fact been trying to assist those caught up in it, we took steps to remove all of these posters and images from circulation, though we did not do so effectively enough." Lewis Smith, Indpendent, 03/05/12

Jury Criticises HMYOI Aylesbury over Death of 21 Year Old Billy Spiller

A jury has found that prison officers at Aylesbury Young Offenders Institution should have increased their level of observation of Billy Spiller prior to his death on Saturday 5 November 2011. The coroner at the inquest also criticised the lack of training of prison officers and has used his rule 43 powers to recommend all officers have suicide and mental health awareness training. During his childhood Billy was variously diagnosed with learning difficulties, autism and attention deficit hyperactivity disorder (ADHD). He self harmed as a child and first used a ligature when he was 16

police misses the point entirely.

Any reasonable person can see that, given the amount of information that was in the public domain (especially the tabloids), anyone with an agenda could have simply copied any of the well-publicised statements and gone to the police claiming to be a 'victim'; no doubt with their bank account number in hand. This practice of using 'patterns of behaviour' as supposed proof of wrongdoing is known as 'Similar Fact Evidence', a nasty piece of Law dreamt up in the 1980s in order to convict people of serious sexual offences where no real evidence otherwise exists. 'Similar Fact Evidence' is in reality probably more responsible for innocent people being sent to jail for alleged sexual offences than anything else. That innocent people are often sent to jail is not disputed. The government itself has previously stated in Parliament it estimates up to 10,000 of those in jail – about 11% – are probably innocent.

TheOpinionSite.org believes that both policemen and CPS officers should stop trying to ingratiate themselves with the public by expressing open invitations to people to come forward on the basis that they will automatically be believed. Anonymity should also be given to the accused at least until they are charged and possibly even until they have been convicted.

The Director of Public prosecutions, Keir Starmer recently said he wanted more prosecutions for sexual abuse and wanted the police and CPS to concentrate on testing the suspect, not the honesty of the alleged victim. By making this statement, he has knowingly and willingly opened the door to an endless stream of greedy, often vindictive individuals seeking a chance to make easy money or who for personal reasons wish to destroy the lives of others. Starmer has also devalued the claims of genuine victims of abuse and guaranteed even more miscarriages of justice, all in the cause of self-aggrandisement and populist policies. He has at a stroke destroyed any possibility of a fair trial in sex abuse cases and obliterated any chance of someone accused of a sexual offence against a child ever being presumed innocent until proven guilty – despite such a presumption of innocence being required by law.

Police and CPS are equally to blame. They both say that they need to encourage other witnesses or "victims" to come forward in order to build a case against the accused and it seems that police officers in particular will now do anything in order to achieve this goal, even if by doing so they destroy innocent lives, ruin reputations, rip families apart and in some cases, cost individuals their life. TheOpinionSite.org would suggest that instead of 'touting for business', police stop taking the easy route and get down to some hard work by trying to find some real evidence instead of just relying on the alleged victim's word and that of their friends – which may be true but, in a rapidly growing number of cases, is proving to be false, vindictive, driven by greed and wholly manufactured for personal gain or gratification.

If the police disagree with us, they are always most welcome to comment.

Mentally-Ill Patients 'Tasered' More Than 50 Times *Indpendent, 07/05/13*

Police have resorted to firing Tasers to subdue mentally-ill patients in hospital and care homes more than 50 times in three years, Freedom of Information requests have disclosed. Charities have expressed alarm over the levels of Taser use and warned that it could aggravate the condition of people already suffering extreme distress. The Care Quality Commission (CQC), the health service watchdog, has said Tasers should be deployed only as a last resort in psychiatric wards. However, The Independent has established from replies received under the FoI Act that English and Welsh police forces authorised Taser use against people receiving psychiatric care on 52 occasions in the last three years.

ment – even if it is not meant to be so affected.

The CPS prosecutor also appeared to be disingenuous in his claim that the alleged victims "…did not know each other". It later came to light that in fact most of the 13 alleged victims apparently did know each other and that in some cases, their parents were friends of Mr Hall. Only two girls were seemingly not actually known to each other and, in our opinion, the prosecutor was either mistaken – in which case he should have corrected his statement – or was simply being dishonest in order to attract favourable publicity. Others have expressed surprise that Mr Hall admitted' the offences having previously denied them.

Actually, there is nothing remotely surprising about this given that the CPS dropped a charge of rape in return for his admissions of guilt to the lesser offences. The applicable law of the time (which must be applied in sentencing) provides for a maximum sentence of two years for Indecent Assault; the offence of Rape on the other hand does – and always has done – carry a maximum sentence of life Imprisonment.

Which option would any sensible person under immense pressure choose when knowing that a jury would find them guilty in any case, regardless of the lack of any hard evidence? Admit the indecent assaults with its two year sentence or be tried for rape and risk life imprisonment?

This 'unofficial plea-bargaining' is applied by the CPS in cases every day and is allowed to continue because it is 'politically expedient'; from the point of view of the authorities and the campaigning groups that support them, it is better to have everyone accused of a sexual offence convicted for something rather than a lack of real evidence causing the case to fall apart.

According to the Prosecutor's Code of Practice, the CPS, in order to bring a case to prosecution, have to apply two main tests: Prosecutors must be satisfied that there is sufficient evidence to provide a realistic prospect of conviction against each suspect on each charge. They must consider what the defence case may be, and how it is likely to affect the prospects of conviction. In every case where there is sufficient evidence to justify a prosecution, prosecutors must go on to consider whether a prosecution is required in the public interest. In terms of "the public interest", the following questions must be asked:

How serious is the offence committed?

What is the level of culpability of the suspect?

What are the circumstances of and the harm caused to the victim

Was the suspect under the age of 18 at the time of the offence?

What is the impact on the community?

Is prosecution a proportionate response?

Do sources of information require protecting?

In reality, any likelihood of a "successful conviction" comes not from "real" evidence but from the fact that there is now not a jury in the land that will not convict the defendant in a case of alleged sexual abuse, particularly if the alleged victim was a child at the time of the alleged offence. In cases of sexual abuse allegedly involving children, senior barristers and even some judges now privately admit that it has become impossible to mount an effective defence in such cases. Juries today convict on emotion rather than fact because there is no evidence other that the word of the accuser.

The police and CPS said in the case of Jimmy Savile that "…where so many people who do not know each other all say the same thing, it must be true." In fact, if one reads the report into Savile presented by the police and the NSPCC, it is nothing more than a list of accusations; there is no proof or evidence present at all. In any event, this absurd statement by the

years old. Billy had previously tried to hang himself in Aylesbury in January 2010.

Dr. Misch, a consultant psychiatrist in child and adolescent forensic psychiatry who acted as an expert witness in this case, said that Billy's risk of committing fatal acts of self harm was exceptionally high and this risk could never be low for Billy because of his history of prolific and extreme attempts and threats to self harm. He said: "Suicide in a Young Offenders Institute is everybody's business. Everybody should have been very worried about Billy".

Dawn Spiller, Billy Spiller's mother said: "I just can't believe that Billy was left in the care of two prison officers who had no mental health or first aid training. I wouldn't trust them with my cat, let alone young people with mental health needs. Throughout Billy's life I tried to get proper care and support for him but all the doors were shut in my face. From the moment he was sentenced to imprisonment, I knew that they wouldn't be able to look after him. They should have diverted him from the courts or made sure that everybody in the prison had training to deal with him. It is really important to get rid of the stigma around mental health and to recognise that people like Billy need treatment and not punishment. I don't believe that justice has been done for Billy. We will never give up our fight so that other people do not have to suffer like him."

Deborah Coles, co-director of INQUEST said: "It is especially shocking that such system failings were identified and staff were not properly trained given what is known about the particular vulnerability of young people in prison. Billy Spiller is one of 145 children and young people aged 21 and under to die in prison since 2000, the overwhelming majority self-inflicted. This is why an independent inquiry into deaths of children and young people in prison must take place as a matter of urgency."

Nancy Collins, representing the family said: "The witnesses accepted that Billy was extremely impulsive. The prison officers considered his threat of self harm to be manipulative. Accordingly, his threats of self harm were not taken seriously, the real risk not appreciated and inadequate steps taken when he threatened to self harm. This is in spite of clear guidance that prisoners' threats to self harm should not be regarded as manipulative."

INQUEST has been working with the family of Billy Spiller since his death in November 2011. The family is represented at the inquest by INQUEST Lawyers Group members Nancy Collins from Irwin Mitchell solicitors and barrister Stephen Cragg QC of Doughty Street chambers.

Boy Wins Birmingham Magistrates' Court Cell Ruling

Insufficient arrangements were made to prevent 13-year-old "T" associating with adult inmates while in custody at Birmingham Magistrates' Court. This led him to become "incredibly distressed" following his arrest for for breach of a bail condition in 2011. He was placed in adult cells because the local youth court was closed. Although he was alone, he was surrounded by cells occupied by "shouting" adults, the court heard.

The teenager, who has Asperger's syndrome and attention deficit hyperactivity disorder (ADHD), also suffered distress when taken to an interview room and had fleeting contact with at least two adult inmates. Ian Wise, QC told the court T's solicitor, Steven Jonas, had to calm him down in an interview room and adults were shouting in the busy cell area. After the ruling, Mr Jonas, said: "This ruling will have a significant impact on the way young people are dealt with in future when in custody in both magistrates' courts and in police stations."

Sir John Thomas, president of the Queen's Bench Division, and Mr Justice Cranston ruled that T's treatment amounted to a breach by the Justice Secretary, who has responsibility for those in custody, of Section 31 of the Children and Young Persons Act 1933. This

requires arrangements be made to prevent young people associating with adult defendants. In a joint ruling, the judges said: "The evidence is that this 13-year-old claimant, with his particular vulnerability, was in a cell for some three hours, with a glazed door opposite the custody desk, had transitory contact with at least two adult prisoners in the corridor and could hear adults shouting either at him or at other prisoners."

William Beck's 31-year Fight To Clear Name Fails *New Scotsman*

Claiming for more than 30 years that he was jailed for a robbery he did not commit today 30/04/13, had his claim that he was a victim of a miscarriage of justice rejected. Appeal judges rejected his claim that he did not rob a supermarket post office in Livingston in 1981.

"Absolutely shocking," muttered Beck, 52, as he left the Court of Criminal Appeal in Edinburgh. His attempt to overturn his 1982 conviction had been supported by the Glasgow Caledonian University Innocence Project which campaigns on behalf of those who believe they have been wrongly treated by the courts. The Scottish Criminal Cases Review Commission, which investigates possible miscarriages of justice had also taken up the case - after repeated applications - and asked appeal judges to look again at Beck's trial.

A jury's majority verdict convicted Beck of stealing a car from the Broomielaw in Glasgow on December 12 1981 and taking part in the robbery. Two post office workers were struck with hammers and bags containing £21,000 in cash were taken. Beck, originally from Castlemilk, Glasgow, was jailed for six years and an appeal against conviction was thrown out in October 1982. But with the help of his supporters his complaints about the trial were given a fresh hearing in March this year.

His grounds of appeal criticised the legal directions given to jurors by trial judge Lord Dunpark, the eye witness evidence Beck claims was mistaken, the rejection of his alibi and a claim that his legal team had let him down. All were rejected by Lord Carloway, sitting with Lords Brodie and Marnoch. Lord Carloway noted that because Lord Dunpark has since died and the shorthand notes taken at the trial were destroyed after ten years there were difficulties. But what Lord Dunpark had told the jury had been transcribed for the 1982 - and appeal judges said that the judge could be criticised for some of the things he said. "Although there were misdirections in the charge these were not, in the event, material," said Lord Carloway. He added that in dealing with the identification evidence Lord Dunpark had been, if anything, favourable to Beck. He told the jury that eye witness evidence was "notoriously difficult" and that "it was easy to make a mistake if you only get a fleeting glimpse." The appeal judges also said that Beck's lawyers had properly put forward his defence - an alibi claiming he was in Glasgow with his girlfriend.

Beck left court claiming that he would never give up his fight for justice and would try to take his case to the Supreme Court.

Police Invitations to 'Victims' Encouraging False Allegations

Raymond Peytors - theopinionsite.org - May 7, 2013

Police officers making statements related to sex abuse cases have been told to always include a reference to "brave victims" and to always invite other "victims" to come forward with more allegations, safe in the knowledge that they will be assumed to be telling the truth, even though they may well have other motives.

The result is that police are being inundated with allegations from the distant past as well as more recent accusations, many of which may be completely unfounded. In another populist move,

police now routinely speak of "victims" rather than "accusers" or "complainants" after criticism from campaign groups that people were being discouraged from reporting genuine cases of abuse for fear that they would not be believed. The reality is however that whatever one may feel, nobody is entitled to be referred to as a "victim" unless and until it has been proven that they have in fact been abused; until then, they are merely an "accuser" or "complainant".

As TheOpinionSite.org has previously pointed out, the law dictates that those who have successfully convinced a court that they have been abused will most likely receive significant compensation from the Criminal Injuries Compensation Authority or have the option to sue the (often very wealthy) alleged perpetrator. However, the compensation, rather than being paid to those providing appropriate medical, psychological or counselling services, is instead paid straight into the bank account of the person receiving it.

Senior barristers have recently pointed out that because in abuse cases hard evidence is not required for a conviction, merely a "pattern of events that is similar in a number of cases", the number of allegations to police has increased dramatically as individuals become aware of the potential to receive compensation payments whilst remaining completely anonymous, protected and safe from criticism. At present, there is no anonymity for those accused but there is life-long anonymity for accusers.

Further concern is now being expressed over the manner in which police forces are exploiting the currently highly emotive state of public opinion in order to repair the damage done to police reputations in the wake of the Jimmy Savile affair. Every police statement following a successful prosecution, every statement regarding an arrest must now include an invitation for more accusers to come forward with any allegation relating to abuse.

The recent arrest of the Deputy Speaker, Nigel Evans is a case in point. Not only did police apparently tip off the press that they were going to arrest Mr Evans in order that the proceedings could be captured on film for public consumption but they also made a statement that included an invitation for others to come forward with any claims of abuse they may have.

The police statements in such cases now always include the words (or similar): "We take all allegations of a sexual nature extremely seriously and understand how difficult it can be for victims to have the confidence to come forward. We would encourage anyone who has experienced sexual abuse, no matter how long ago, or who has information about it, to have the confidence to report it to us knowing that we will take it seriously, deal with it sensitively and investigate it thoroughly." These very same words can be heard up and down the country now every time there is an allegation, investigation or court statement regarding sexual abuse, be it current or "historic".

The police are not alone in using this new tactic either. The Crown Prosecution Service (CPS) is just as guilty of encouraging false accusations by the endless repetition of: "We have carefully considered the evidence and believe that there is sufficient evidence for a successful prosecution and that that it is in the public interest to prosecute." The fact is that there is often little, if any evidence to consider in the first place other than the word of the accuser.

The CPS are also going out of their way to garner popular support in these cases. After the conviction of Stuart Hall, Nazir Afzal, chief crown prosecutor for north-west England and who clearly enjoys being on television, described Mr Hall as an 'opportunistic predator', saying he established a pattern of behaviour that was 'unlawful' and for which no innocent explanation could be offered. TheOpinionSite.org believes that it inappropriate for a senior prosecutor to express a personal opinion as part of a public statement, especially before sentencing of the defendant has taken place and where the sentence could well be affected by such a state-