housewife and women's activist, to speak for them. I was happy to learn and take direction from censored sisters. Their first statement was For prostitutes, against prostitution, as so many in the women's liberation movement were hostile to sex workers and seemed to confuse the work with the worker – much as the housewife was confused with housework. We kept repeating (on both scores): we are not our work! Nearly 40 years later, sex workers still face persecution and prosecution across the world. The French attempt to criminalise clients follows the Swedish model, which also inspired the UK's Policing and Crime Act (2009). Opposition spearheaded by the ECP succeeded in limiting the criminalisation of clients to those deemed to "have sex with a prostitute forced or coerced". But raids and arrests of sex workers have escalated, and so has violence against the women.

A 24-year-old was murdered on Monday night in Ilford. Her tragic death comes in the wake of Operation Clearlight, a major police crackdown on street prostitution. Over 200 women have received "prostitute cautions" (where, unlike standard police cautions, there is no requirement to admit guilt and no right to appeal) in the last year and many have been arrested for loitering and soliciting and/or for breaching anti-social behaviour orders. The murdered woman was Romanian. An increase in racism against Romanian people in particular, fuelled by the government's anti-migrant witch-hunt, may also have contributed to her targeting. Another Romanian commented: "When the police raided the premises where I work, they were rude and bullying, calling me names and accusing me of being a beggar and a criminal. They tried to get me deported even though I have the right to be in the UK. They claim they are saving victims of trafficking but it is immigrant women like me who are targeted. How can we report threats and violence if we are scared that we will be arrested or deported?"

French sex workers must have the last word. Morgane Merteuil, general secretary of Strass (Syndicat du Travail Sexuel), which campaigns for decriminalisation, told the men claiming to defend them: "We are nobody's whores, especially not yours … If we fight for our rights it is largely to have more power against you, so we can dictate our terms … "

Authorities failed to ensure safety of prisoner at risk of violence from other prisoners

ECtHR held, unanimously, that there had been: a violation of Article 3 (prohibition of inhuman and degrading treatment) of the European Convention on Human Rights. The case concerned D.F.'s complaint that, as a former paid police informant and a sex offender, he was at constant risk of violence from his co-prisoners when held in Daugavpils prison between 2005 and 2006, and that the Latvian authorities failed to transfer him to a safer place of detention. The court held that, owing to the authorities' failure to coordinate effectively, D.F. had been exposed to the fear of imminent risk of ill-treatment for over a year, despite the authorities being aware that such a risk existed.

Hostages: Jamie Green, Dan Payne, Zoran Dresic ,Scott Birtwistle, Jon Beere, 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 451 (14/11/2013)

Danny Mansell, Wrongfully Jailed 1998/2009 - To Prosecute CPS!

His conviction had been "Procured by gross prosecutorial misconduct. It is hard to imagine a worse case of sustained prosecutorial dishonesty designed to secure and hold a conviction at all costs." Lord Brown Danny Mansell case Public confidence that the police will act properly and lawfully is one of the cornerstones of democracy. Without proper police conduct and without public confidence in the honesty of the police, the rule of law and the integrity of the criminal justice system would be seriously undermined. Lord Collins

However, none of the 18 police officers involved in the misconduct have ever been prosecuted, in fact the Crown Prosecution refused to prosecute them and refused a request for a re-examination of their decision, not to prosecute. Danny even though his conviction was quashed, has never stopped fighting the police over his fitting up. He is now in the process of seeking action in the High Court to obtain a judgement that will force the Crown Prosecution Service to bring charges against the officers involved.

Move To Prosecute Police Over Informer Scandal *Rob Waugh, Yorkshire Post, 31/10/13*

The High Court has been asked to order the Crown Prosecution Service to reconsider charges against West Yorkshire Police officers for misconduct or perverting the course of justice when they showered improper inducements on a supergrass whose tainted evidence eventually led to two murder convictions being quashed.

The CPS has previously refused to re-examine potential prosecutions of up to 18 officers it received files on after a catalogue of misconduct surrounding the handling of supergrass Karl Chapman was uncovered. No officers have ever been disciplined or charged for their actions and a legal challenge lodged in the High Court claims the CPS's refusal to reconsider prosecutions is "irrational" and "unlawful". While under the supervision of West Yorkshire Police, Chapman had access to heroin and alcohol, was taken to a brothel, had a relationship with a policewoman and received thousands of pounds in rewards he wasn't entitled to. Nearly all the improper inducements were concealed by officers during a trial in which Chapman's evidence was crucial to securing the convictions, in 1998, of brothers Daniel Mansell and Paul Maxwell for the murder of Wakefield pensioner Joe Smales.

The convictions were finally quashed, after a lengthy inquiry into the police misconduct, in 2009 and lawyers acting for Mr Mansell have now launched judicial review proceedings. The legal move follows a Yorkshire Post investigation which detailed the full scale of police wrongdoing. Mr Mansell's solicitor, Matthew Gold, subsequently wrote to Keir Starmer, the Director of Public Prosecutions (DPP), in May to ask the CPS to reconsider bringing charges. The request was refused in July, prompting the High Court challenge against the DPP, who is head of the prosecution service. Mr Gold said: "The claimant, Daniel Mansell, hopes the High Court will agree that it's about time the CPS agreed to review the strong evidence against the officers and to make a favourable charging decision in order to attempt to hold some or all of the officers to account for what they did." The court application, drawn up by specialist human rights barrister Alison Gerry, says the CPS failed to acknowledge the impact of stinging criticism from some of the country's most senior judges delivered at the conclusion of appeal

proceedings – and after the decision was taken not to prosecute any officers in 2006.

After the Court of Appeal quashed the convictions in 2009, the Supreme Court later ruled Maxwell could face a re-trial at which he pleaded guilty. But the Supreme Court ruling, published in 2011, delivered withering criticism of the police and expressed incredulity that no officers had been held to account.

Ms Gerry's High Court challenge says the decisions and judgements of both courts and the decision of the CPS to accept the devastating findings of a Criminal Cases Review Commission report into the police misconduct should have led the CPS to reconsider charges. The barrister says these are "relevant factors that have arisen since the decision in 2006 not to prosecute that were not and should have been taken into account and should have led the defendant to reconsider the evidence against police officers and consider instigating prosecutions for misconduct in a public office and/or offences of perverting the course of justice. Not to have done so was irrational". The application goes on to outline the catalogue of police misconduct before challenging a series of contentions, put forward by the CPS in a letter in July of this year, as to why prosecutions would not be reconsidered. It also states that if the CPS ultimately still decides not to prosecute, it should explain why it accepted the proposition, during appeal proceedings, that officers conspired to pervert the course of justice. The different approach when considering prosecutions "appears, at least on the face of it, to be irrational," the court document says.

The evidence does not support CPS claims there was no criminal intent or officers merely desired "to keep Mr Chapman happy", it adds. It further claims the CPS is wrong to rely on comments from one of five judges in the Supreme Court judgement which suggested the lack of charges maybe due to prosecution waivers given to some officers to persuade them to come forward as witnesses. The application says waivers were only in respect of disciplinary action, not prosecution. It concludes: "Judges of both the Court of Appeal and the Supreme Court considered that a large number of officers of WYP had been involved in a conspiracy to pervert the course of justice." A CPS spokeswoman said: "We are considering the application for permission to proceed with a claim for judicial review and will respond as appropriate in due course."

The Hunt for £198M Fortune of Britain's Most Notorious Drug Dealer

Paul Peachey, Indpendent, Friday 1st November 2013

The locals call it the Pontins of the south coast, close to the cliffs and the La Corbière lighthouse that makes this corner of Jersey one of the most photographed areas on the island. But Curtis Warren, the international drug dealer, is unlikely to be detained by the sights next week as he is driven in armed convoy out of HM Prison La Moye and down Le Chemin des Signaux, the narrow country lane lined with trees and dry stone walls. More likely his thoughts will turn to the prospect of losing £198m of his reputed fortune that he is accused of squirrelling away around the world.

For the past two weeks Warren has been back in court for a confiscation hearing. Unlike his drug convictions in 1997 and 2009, which led to long prison sentences, this time Britain's most notorious drug dealer is not standing trial, but still faces another 10 years inside if he cannot pay the sum ordered by the court. His appearances at the Jersey magistrates' court – notable for the armed police patrolling the lobbies – mark the latest of the authorities' largely unsuccessful attempts to claw back cash from the only drug dealer ever to make The Sunday Times Rich List.

The authorities in Jersey are using "proceeds of crime" legislation – laws that Warren's lawyers describe as "draconian" – to try to recoup money he has made from his "staggering" global business, sourcing cocaine from South America, heroin from Turkey and Iran, and

jail term for falsely claiming to police she had been raped by a stranger in a local park. It emerged that Potts Sneddon (22) was so embarrassed about having sex in bushes with an older man she made up the rape story. She only admitted her lies after being challenged by her mother, who told police her daughter invented the claims. The Dromore woman was given a five-month jail sentence suspended for two years and fined £1,000 for wasting police time.

Earlier this year a Crown Prosecution Service report found rape victims were being punished because of "damaging myths" about false rape allegations. The report estimated that around two false rape allegations are made every month in the UK.

Chris Kilpatrick, Belfast Telegraph, 07 November 2013

Sex Workers Need Support – But Not From the 'Hands off my Whore' Brigade

Prostitutes need better allies than French men focused on their own sexual freedoms – but too often, feminists only make their lives harder *Selma James, theguardian.com*

The 343 French intellectual men who signed a statement – "Hands off my whore" – defending their right to buy sexual services has infuriated women and caused wide controversy. Not only does it tell us what they think of sex workers, but of women generally and particularly what they think they can get away with saying publicly at this moment in time.

I have just signed a feminist statement opposing France's attempt to criminalise clients. The proposed law would impose a €1,500 fine on those paying for sex, double for a second offence. My motive for opposing it is entirely different from that of these men – not men's sexual freedom but women's ability to make a living without being criminalised and deprived of safety and protection. Driven further underground, women would be at the mercy of both those clients who are violent and those police who are sexist, racist and corrupt and like nothing better than to persecute and take advantage of "bad girls". For this is the inevitable consequence of such laws. Sex workers are the first to suffer from any proposals that make it more difficult, and therefore more dangerous, to contact clients. The fact is that sex workers have not been able to count on prominent feminists to support their long struggle for decriminalisation. Instead, establishment feminists have spearheaded attempts by governments to make it harder for women to work. Their stated aim is to abolish prostitution, not to abolish women's poverty. That is an old story and it is painful that it is now enhanced with feminist rhetoric: disguising its anti-woman content by proposing the criminalisation of men.

The need to work in prostitution is exploding with the austerity that has hit women hardest. When the welfare reform bill and the policing and crime bill were before parliament in 2009, we asked feminist MPs to oppose them, on the grounds that many single mothers on benefits made to "progress towards work", would progress towards the street corner, the only available option. We had no takers.

One result of the absence of voices of influential and powerful feminists defending women's right to work and in safety, is that the field is left open to men. The men, in the usual self-referential terms, defend their own rights as clients, not women's rights as workers. Nevertheless it's about time men admitted to being clients (intellectuals as that). But next time they should first check with the workers they are claiming to support, what they are proposing to say.

I was in France in 1975 just after the famous prostitutes' strike that launched the modern sex workers' movement in the west: women had occupied churches first in Lyon and then all over France to protest police arresting and fining them while doing nothing to stop murders and rapes. They formed the French Prostitute Collective and proclaimed: "Our children don't want their mothers in jail." Their actions inspired sex workers here to form the English Collective of Prostitutes (ECP). I was the first spokeswoman – none of the women could be public then, so they asked this respectably married

grief – this is not going to be easy or maybe even possible. But however unpalatable it may be to some, the fact is prisoners are still people, and if we want them to have any respect for society when they get out we need to be mindful of their dignity as fellow human beings.

Many people die in prison. Each year in the UK,five or six prisoners a month take their own lives, sometimes more. A similar number die of "natural causes". Some are murdered, and some have their deaths categorised as “unexplained". But the vast majority will one day be released and will be somebody’s neighbour. This is not an argument for sympathy or compassion for prisoners, and neither is it an appeal for prisoners’ rights. But so long as any society has a system that lets people out of prison it is in everyone’s interests that they are let out in better shape than they were when they went in.

If they need education, let them have it. If they need work skills, give them training. If they have behavioural or psychological problems or have issues with drug or alcohol abuse, provide the necessary treatments. And if they are mentally ill, don’t put them in prison in the first place. These simple measures are all it would take to bring a better public safety and cost efficient outcome by ensuring that more people come out of prison able, willing and motivated to be good neighbours. Is that really such a dangerous idea?

Woman who Cried Wolf About Rape May Have to Face her Victim in Court

A man falsely accused of rape could be called to give evidence against his accuser in court before she is sentenced for her myriad of lies. Natasha Foster told police she had suffered a serious sexual assault in November 2011. But as the investigation into her claims got under way, the 23-year-old, from Ballymena, Co Antrim, admitted she had lied about the attack. She was subsequently charged with perverting the course of justice for knowingly making a false statement to police. She pleaded guilty to the offence in September. Foster was accompanied by her mother at Antrim Crown Court yesterday where she was due to be sentenced. But sentencing was adjourned after a defence lawyer said his client admitted her guilt but there were discrepancies regarding the incident. Foster – who appeared in court wearing a black two-piece suit – is due to be sentenced later this month for what the judge told her was "a regrettable step". She was released on continuing bail.

Judge Desmond Marrinan said the man wrongly accused by Foster may be called to give evidence against his accuser prior to her sentencing. No facts have yet been outlined in court regarding the case. At a previous hearing, Judge Marrinan said: "I am not going to say anything more until I hear the facts of the case but you have pleaded guilty and that is an important factor here. "It means the person you made this allegation against does not have to appear in court." He added: "What I want to know is what drove you to make this allegation." Yesterday the judge said he was cautious of the risk to the man's anonymity should he be called to appear in court, saying it could cause "added damage" to the victim.

In 2010, Newtownabbey woman Lindsay Gorman was jailed for nine months after admitting to making a false rape claim (in 2008) which had terrible consequences for an innocent young man. The 20-year-old had caused widespread panic among students in Belfast's Holylands area after claiming she was attacked in Botanic Gardens. An 18-year-old man was arrested and charged with the 2008 attack. He was freed on £3,500 bail after being forced to stand handcuffed in the dock while a lawyer publicly accused him of being a sex offender. He was only cleared when Gorman admitted to police she had told them a pack of lies.

In January this year shamed Dromore woman Belinda Potts Sneddon received a suspended

cannabis from Morocco, prosecutors claim. The authorities claim that the scale of his business was revealed in a series of conversations covertly recorded by Dutch police in which Warren, speaking cautiously and in code, allegedly talks about plans for the business, referring to “bathroom suites for Moscow”, and “horrible” (heroin) and “I’ve got a one” (a ton).

Warren, formerly Interpol’s No 1 target, operated his drugs business from Liverpool until 1995, when he moved to Amsterdam. There he set up a headquarters to run his networks from a heavily defended property known as The Shed, according to court documents. His ability to escape prosecution was notorious. A lack of evidence saw Warren walk free from court in the early 1990s after being accused of importing two loads of cocaine during a complex case in which it emerged that his co-accused was a high-level informant. After the case collapsed, he reputedly goaded Customs officers, saying he was off to spend the money from a successful first shipment and that they “can’t fucking touch me”. Warren denies the claim, citing his failure to comment in any police interview since the age of 13, and said the comment was made up by police to embarrass the judge.

He was finally convicted in a Dutch court in 1997 and jailed for 13 years for smuggling 400kg of cocaine (worth £75m), 100kg of heroin, 50kg of ecstasy and more than a ton of cannabis. His sentence was extended after he killed another inmate in a prison fight. He was released in 2007 but was free for only a few weeks before being arrested over a plan to smuggle £1m of cannabis from the Netherlands to Jersey, a “pump primer” to reassert his position as a top drug baron. Warren was jailed for 13 years in 2009, but because of concerns about a prison break from Jersey, he is serving his sentence on the mainland. Warren, known as “Cocky”, could be released as early as January. Before that can happen, he faces the final hurdle of the confiscation case in Jersey. For the past fortnight, the focus in court has been the business of the drugs trade: the bribes paid to corrupt shipping agents and drivers, the cost of shipping, the farm-gate prices for growers, the cuts for the middlemen and the huge profit margins for the multinationals. And like the legal business world, those who make it to the top rely on regular cash flow and significant price reductions for buying in bulk.

A key to the case in Jersey is how those profits have been recycled into legitimate businesses and laundered through property empires, overseas bank accounts in jurisdictions famed for their secrecy, and mining enterprises. Through it all, the muscular Warren, a former bouncer, has sat in the dock with three guards, passing repeated notes to his lawyer as he argued his case. Warren’s business and finance network is believed to have a global reach, with markets from Russia to Australia, The business is alleged to have continued apace as he awaited trial in Jersey. He made thousands of calls to more than 40 countries on seven mobile phones illicitly brought into the prison, according to the National Crime Agency. Many of the calls were made to contacts in Europe but others were made as far afield as Swaziland.

Jersey’s Solicitor General, Howard Sharp, claims that over the years, Warren has salted away millions of pounds and accumulated a vast fortune. Warren claims that after 17 years in prison and as a result of seized shipments, he has nothing. At the centre of the case is a secretly recorded conversation during a visit in a Dutch prison, where he boasted about the low rates of commission from his money launderer. “They’d do us in Spain, they’d just say, ‘there’s a car there, there’s the registration, go and pick the car up 7pm, open the bag, just take the money out’… Just pick it up and carry on! You know what I mean for 1 per cent, 1.5 per cent. But... hell mate, sometimes we’d do about £10m or £15m in a week. Do you know what I mean?” If Warren did that 10 times – a conservative estimate, according to prosecutors – then he laundered £100m between 1991 and 1996.

In an interview this summer from prison, Warren told The Guardian he "was bragging like an idiot and just big-talking in front of them". Prosecutors also claim that £11.7m passed through an account held at a bureau de change account at King's Cross in London between 1994 and 1996. The account, in the name of "Tony Liverpool", was said to be Warren's and that foot soldiers paid the proceeds of drug sales into the account. The two sums, adjusted for inflation, come to £198.51m in today's terms. A judge and six jurats – professional magistrates in Jersey – are expected to decide next week if Warren should pay, and if he does, how much. What assets he has remain largely a mystery and previous attempts at seizing his property have proved pitiful.

Warren himself has, not surprisingly, been less than forthcoming. His only declaration of means, made to a court in 1992, listed a fruit stall in Bold Street, Liverpool, as his only asset. The stall – long since gone – is believed to have been surrounded by properties held in the names of associates. His opportunity to break the habit of a lifetime came this week with the chance to give evidence about how much money he had. However, an application for immunity from prosecution to the Attorney-General, Dominic Grieve, was rejected, and he declined to take the stand. Even if he is released from jail next year, he is likely to be banned from using phone boxes or having more than one mobile, and will have to tell the authorities whenever he plans to leave Britain. "I just wanna leave England, don't I?" he told The Guardian. "And never come back."

What do you Think the Public Should Know about our In-Justice System?

Every day, whether on twitter, through a handwritten note from a prisoner or a quiet phone call from someone working in the justice system, people tell me things they feel I should know about. It might be an example of malpractice or overlooked success – of genius or of abuse.

It's impossible to say how important these conversations are for organisations like the Howard League for Penal Reform. Since our inception, almost 150 years ago, we have relied on the experiences of our members and supporters to drive change forward.

So what do you think we should know about? Please share your story about the justice system with me: Any personal details will be kept in the strictest confidence, unless you explicitly tell us otherwise, but your story could help us change our justice system for the better.

I hope to hear from you soon and thank you. Frances Crook - Write to

Chief Executive, The Howard League for Penal Reform

The Howard League for Penal Reform, 1 Ardleigh Road, London, N1 4HS

Powell Family's Police Complaint Upheld *Betsy Barkas, for (IRR), 7th November 2013*

Ten years from his death, the family of Mikey Powell have won a victory in their fight to expose the truth about the role of West Midlands police in Mikey's death. Last week, the family confirmed that the Independent Police Complaints Commission (IPCC) had upheld their complaint that the report made to the West Midland Police Authority[1] after the inquest was misleading. The report was important because it laid out the police response to the death, but the Powell family considered that it made a number of omissions that undermined the damning findings of the inquest jury.

Mikey Powell was 38 years old when he died in a police van after being restrained in Birmingham in September 2003. He was suffering a mental health crisis when he smashed a window at his mother's home. His mother, concerned for his well-being, called the police for help. When they arrived, the police drove a car at Mikey at high speed, claiming they thought he had a gun – he did not. Officers sprayed him with CS gas, struck him with a baton and restrained him before putting him on the floor of a police van and driving him to the police

tell us whether it was a mistake or an intention.

Lord Tomlinson (Lab): Does the noble Lord accept that the longer we vacillate on this, the longer we appear to be in conflict with the European Court of Human Rights and the worse our reputation is becoming among the other member states of the Council of Europe? Justice in this case should not be delayed any longer. We should comply with the 16-to-one decision. Then we will have the moral authority to talk about the importance of other people abiding by the European convention.

Lord McNally: The noble Lord knows that I agree with him that it is very important that we co-operate with the court and that we take the commanding heights in terms of defending human rights. We have throughout our history set a good example and I want us to continue to do so.

Prisoners Our Future Neighbours. So is Rehabilitation Such a Dangerous Idea?

So long as any society has a system that lets people out of prison, it is in everyone's interests that they are let out in better shape than they were when they went in

Erwin James, theguardian.com, Friday 1 November 2013

When I agreed to speak at the Festival of Dangerous Ideas, on this weekend at the Sydney Opera House, it was with some reservations. I wondered if my idea – that prisoner rehabilitation should be a primary concern of any advanced society's prison system – could really be thought of as dangerous at all. A much more fearful notion to my mind is the alternative: locking people up and doing relatively little to enable them to address the failings that led them through the prison gates in the first place. That way people get out of jail after serving their time and almost inevitably commit further crimes, create more victims and cost the state and society obscene amounts of public money.

For the past two decades that is what has been happening on the whole under the British system. Successive governments have hammered the "tough on crime" agenda which has led to record prisoner numbers and mass over-crowding, while year on year resources available to those responsible for running the prison system have been cut and spread thinner and thinner. It's no wonder then that almost half of the 80,000 adults who leave prison each year are once again convicted within 12 months of release. For young people aged 18-20 the figure is nearer to 60%, and more than 70% for children aged 10-17.

The national audit office has calculated the financial cost of re-offending annually to be in the region of between £9 and £11bn. The reasons why re-offending rates are so consistently high are clearly defined in the recently published annual report by HM Prisons Inspector Nick Hardwick, who details prisoners spending too long in their cells with nothing constructive to do. He says than in the 12 months since justice minister Chris Grayling took office, the quality and quantity of "purposeful activity" across the prison estate has "plummeted" and describes his findings across the prison estate as "the worst outcome for six years."

Ministerial complacency, public apathy and a popular media that jumps on progressive and innovative proposals for prisoners with "soft on crime" banner headlines have all collaborated in creating this on-going crisis. Re-offending figures for prisoners released from Australian prisons are similar to those of the UK, with the same issues affecting progress.

I hope what I have to share at this year's festival will have some resonance. I guess the really dangerous element to my idea is that for positive changes to happen in prison and beyond, attitudes towards prisoners need to change. For victims of crime, especially of the most serious crimes – crimes that have devastated families and caused immeasurable pain and

years, a right which they always had under English law and practice until they lost it, by an oversight it seems, as recently as 2003. It is now 16 weeks since the decision of the Grand Chamber. Why has it taken so long for the Government to reach their own decision in this matter? How can that delay be regarded as fair on the prisoners themselves, who are waiting to know the answer?

Lord McNally: Let us be clear: the judgment gave an opinion about our law as it stands; there was no case that the outcome of such a decision should make the three prisoners concerned, or indeed any other prisoners, automatically allowable for parole or release. It was a judgment on our law and I think that we have every right to give due consideration to what we should do when we receive such a judgment. I do not think that there has been a delay. As I said in my reply, we will come forward with our response in due course.

Lord Morgan (Lab): My Lords, this judgment was supported by, among others, the English representative on the European court. Does it not show, first, that we are virtually unique in Europe, since every other European country has either no life imprisonment or the possibility of revising or reducing it? Secondly, does it not show that the United Kingdom has a far more punitive penal philosophy in these matters? This philosophy ignores the possibility of review or, perhaps, of release. It ignores the basic principle of rehabilitation and denies, in the words of the court, "the right to hope". The Minister is a humane and progressive man. Is he not anxious about presiding over such a policy?

Lord McNally: I am anxious about living in a time when both major parties advocate a more punitive approach to crime and punishment. I hope that the leaders of both parties will ponder a trend over the past 40 years in our society which looks more to punishment and less to rehabilitation. I should also mention the chutzpah of the Opposition because it was under their watch that this right was taken away in 2003. Whether that happened by mistake or by intention, I do not know, but it was under the previous Government that the provision covered by the ruling just made against us in Strasbourg was passed. We have had to pick up a lot of debris about human rights. The previous Government sat on the prisoner decision for five years and did nothing, so I will not take any kind of lectures from that side of the House.

Lord Marks of Henley-on-Thames (LD): My Lords, does my noble friend agree that we must comply with the Vinter decision in July, given our treaty obligations and our respect for the rule of law? Will the Government now reintroduce a review procedure for whole life cases to give prisoners serving them some hope of eventual release, other than purely on compassionate grounds, if and when their imprisonment plainly no longer serves a public purpose?

Lord McNally: That is one possible outcome of the consideration now taking place. At the moment, we are reviewing the matter in the light of this judgment. I cannot take the House any further in that direction. Nevertheless, it is a very interesting and, if I may say so, a very liberal approach to the problem that we face.

Lord Elystan-Morgan (CB): My Lords, I respectfully urge the Minister not to regard this as a political matter at all. On 9 July, the court clearly suggested that an error had been made, quite inadvertently, when the Criminal Justice Act 2003 was passed. Prior to that period, all life sentences were reviewable after a quarter of a century. It did not mean that anybody was thereby released; it meant that the sentence was reviewed. That is the narrow point. By failing to review, we are-according to the judgment of 16 to one, including the United Kingdom judge-in breach of Article 3. We must set the situation right as soon as possible.

Lord McNally: That is why we are considering the judgment. I will give way very quickly: I do not want to make this a party political matter, but perhaps the author of the 2003 Act can

station. The inquest jury found, in December 2009, that Mikey had died of positional asphyxia in the back of the van, and that the collision and police contact together with his mental health condition probably made him more vulnerable. The jury found he had been lying on his front in the van, which placed him at greater risk of positional asphyxia – this finding was contrary to the officers' evidence, which had claimed he was on his side.

Misleading report: However, the Police Authority report did not address these serious issues: there was no mention of the fact that the officers were disbelieved by the jury, nor that Mikey died in the van. The family's complaint argued that the report contained a series of omissions and misrepresentations that served to undermine the jury's findings. The complaint also raised the issue that no disciplinary steps had been taken by West Midlands Police to address the misconduct of the officers. A further issue was that the inquest result was misrepresented in the press. Immediately following the inquest, a Daily Telegraph article said that the jury had rejected 'the allegations that the way officers restrained him caused his death', as well as other inaccuracies, apparently having been given misinformation either by officers or their representatives. In response to a complaint by Claris Powell, the Press Complaints Commission ruled that readers would have been 'significantly misled' by the article.[2]

The IPCC's decision means that several officers who were present at the 2009 inquest will be questioned about inaccuracies in the report, with a view to discovering whether it was deliberately misleading. Following these investigations, the Police Authority (now West Midlands Office for Policing and Crime) must consider what action to take, and must demonstrate that it has made improvements to police practice.

This decision decision follows an apology given in September of this year by West Midlands police for the suffering caused by the death. Although the family accepted the apology, they observed it did not go far enough in acknowledging the cause of Mikey's death. The family have campaigned for ten years for police reform to prevent further deaths in custody.

Speaking about the IPCC decision, Tippa Naphtali, Mikey Powell's Cousin, said: 'On behalf of the whole family I am pleased that the IPCC has taken what is in my view the only right and proper decision in this matter … it is fitting on the recent marking of the 10th anniversary of Mikey's death that we have again demonstrated our resolve to fight back against any decisions that we and our legal representatives see as further injustices against our beloved Mikey.'

Police Watchdog Launches Inquiry After Leon Briggs Dies In Custody

A criminal investigation has been launched after a 39-year-old man died in custody, the police watchdog has confirmed. Leon Briggs, described by his family as a "kind, loyal and intelligent" father, died after being detained at Luton police station under the Mental Health Act on Monday. He had been arrested by officers from Bedfordshire police when members of the public reported concerns about his behaviour. On falling ill, he was taken from the station to Luton and Dunstable hospital, where he was pronounced dead.

Mary Cunneen, the IPCC commissioner, said that while it was important not to prejudge the investigation's findings, "at this stage we believe there is an indication that potential criminal offences may have been committed including gross negligence and/or unlawful act manslaughter, misconduct in public office, and/or offences under the Health and Safety at Work Act 1974. We will also be considering whether any potential disciplinary offences have been committed," she said. Cunneen confirmed that IPCC investigators reviewed CCTV from the custody suite in Luton where the man who died was held, and at the junction of Marsh

Road and Willow Way where he was arrested. She added: "House-to-house inquiries have been under way since Tuesday morning and I am extremely grateful for the response from the community. But we still believe there are a number of other people who may have seen Leon on Monday and we are keen to speak to them. We are in contact with Leon's family and continue to update them regularly with the progress of our investigation. I know this must be an incredibly difficult time and my thoughts are with them."

The dead man's family said they had been deeply shocked by his sudden death, adding: "Leon was a loving father, son and brother. He was a kind, loyal, intelligent, caring person who put his family and others first. We have a lot of questions about why he was put through this terrifying ordeal and why he died. We feel he has been let down by the authorities at a time when he should have been provided with specialist care and support."

Dying Prisoners Routinely Chained to Hospital Beds *The Guardian, 08/11/13*

A Guardian investigation has revealed prisoners who are seriously and terminally ill are routinely chained in hospitals despite posing no security threat. A prisoner who was clinically brain dead remained in handcuffs in an ambulance taking him to another hospital. Another severely disabled prisoner was also chained. Glenda Jackson, his MP, said the practice was "disgusting and horrific." According to the prison service, inmates who require treatment at outside hospitals are risk assessed before decisions are made as to whether to restrain them or not. But a Guardian investigation shows the use of restraints to be the starting point for prisoners taken to hospital, irrespective of their medical condition.

Examples discovered include a prisoner, Michael Tyrrell, 65, dying from cancer and too weak to move; 22-year-old Kyal Gaffney, diagnosed with leukaemia, who had suffered a brain haemorrhage; and Daniel Roque Hall, 30, suffering Friedreich's ataxia, a wasting disease that has left him barely able to use his arms or legs. All three were chained in hospital and guarded by three prison officers each. Tyrrell, who was nearing the end of a 29-year sentence for drug offences and regarded as a model prisoner, was taken to hospital from Frankland prison, near Durham earlier this year. His daughter Maria said she and her sisters were horrified to see their father in chains when they visited him in hospital. She said the idea of her father running away was absurd. "He couldn't even prop himself up in that hospital bed. I was pulling him up so he could breathe." The restraints were only removed hours before Tyrrell died.

Gaffney, died in prison in November 2011, three weeks after being convicted of careless driving under the influence. He had been taken from Hewell prison, Worcestershire after suffering a brain haemorrhage, following a diagnosis of leukaemia. Though unconscious, he remained handcuffed to a prison officer until doctors ordered a CT scan shortly before he died. At one stage, doctors considered transferring him to another hospital, but the three prison officers present argued they should go in the ambulance with him. Gaffney's sister, Justine told the guards: "He's in a coma and you still think you need to stop him escaping?" In the end, medical staff agreed to travel with just one nurse and two guards, but by then it was too late.

In August last year, Daniel Roque Hall was rushed from Wormwood Scrubs prison, London to University College Hospital and placed in intensive care. He was serving three years for drug smuggling. Roque Hall, who used a wheelchair, was also guarded by three officers around the clock. He lost two stone in seven weeks, suffered dramatic muscle deterioration and was diagnosed with thyrotoxicosis. In February this year, he was released by the court of appeal after his lawyers argued Wormwood Scrubs could not meet his complex medical

apply are that the Ministry of Justice takes the state costs through the Legal Aid Agency and the health authority concerned takes the hit with regard to costs. The noble Lord makes a valid point and I will take it back to a probably not overenthusiastic Health Minister.

Lord Patel: My Lords, will the Minister take another suggestion back with him as well? We have three special health authorities of which Ashworth in Merseyside is just one; we also have Rampton and Broadmoor. The potential for high-profile cases in any one of those hospitals to impact on local health trusts is enormous. It would be really helpful if there were a way for a special allocation of funding to be made that did not impact on those mental health patients who do need care and attention.

Lord McNally: That is the value of this exchange. I will take that suggestion back. This is not a responsibility of the Ministry of Justice—as I say, the Legal Aid Agency is responsible for the legal costs on that side—but, as it now stands, those three health trusts are liable. I will report back to the Health Secretary and see whether this could be looked at. I hope that this will remain an almost unique case but, as the noble Lord indicates, there is a possibility that another such case will arise so we should look at this.

Baroness Trumpington: My Lords, does the mental health review tribunal come into this picture? I was proud to be a member of that tribunal, serving regularly in sessions at Broadmoor. Surely the tribunal should come into the picture, including the financial side of things. Examining Brady could come under its financial services.

Lord McNally: I shall look at that point. However, as the rules now stand, it is the responsibility of the health authority looking after that patient. As I say, though, this exchange reveals that that may put too much of a burden on a single authority, and I shall certainly ask my right honourable friend to look at the matter.

Prisoners: Foreign Nationals [979 immigration Detainees in Prison]

Michael Dugher: To ask the Secretary of State for Justice how many foreign national prisoners who have completed their sentences are resident in prisons in the UK.

Mr Harper: I have been asked to reply on behalf of the Home Department. For the week commencing 9 September 2013, there were 979 immigration detainees in prisons.

Please note that the data includes a small number of individuals who have never served a custodial sentence. These individuals present specific risk factors that indicate they pose a serious risk of harm to the public or to the good order of an Immigration Removal Centre (IRC), including the safety of staff and other detainees, which cannot be managed within the regime applied in IRCs. In-order to extract the small number of cases who have not served a custodial sentence would incur a disproportionate cost as this would involve looking at individual records. House of Commons: 31 Oct 2013 : Column 546W

Human Rights: Bamber, Vintner and Moore v United Kingdom

Lord Lloyd of Berwick to ask Her Majesty's Government what steps they will take to implement the decision of the European Court of Human Rights in Vinter and Others v United Kingdom.

Minister of Justice (Lord McNally) (LD): My Lords, the Government are considering the implications of the judgment and will set out their conclusions as soon as possible.

Lord Lloyd of Berwick (CB): My Lords, the noble Lord will know that there are now 51 prisoners serving whole-life sentences. He will also know that on 9 July the Grand Chamber decided by 16 votes to one that whole-life prisoners are entitled to have their sentences reviewed after 25

tion of a compensation order will always take into account the particular circumstances of the individual concerned and will never exceed the value of the damage caused. Young people who are at risk of harm, who have special educational needs or who have mental health difficulties will not be excluded from the requirement to pay compensation where they have damaged property or the fabric of the custodial institution, but Governors are obliged to consider each young person's particular circumstances when considering the amount of compensation. The changes to the Prison and YOI rules are supported by a Prison Service Instruction (PSI 31/2013). Although the Children's Commissioner was not consulted on the development of these changes, which affect all offenders in custody, a review of the systems to incentivise and sanction young people in custody is underway and the Commissioner will be consulted on the development of that policy.

Ian Brady

Lord Campbell-Savours to ask Her Majesty's Government whether, in the light of the amounts paid in respect of the mental health tribunal for Ian Brady, they will review the amounts payable from public funds in such cases.

Minister Justice Lord McNally: My Lords, the Government currently have no plans to review the amount payable in these types of cases.

Lord Campbell-Savours: My Lords, is it fair that in the case of Moors murderer Ian Brady, Mersey Care—in other words, the hospitals on Merseyside—had to spend £181,000 in a mental health tribunal? A further £92,000 then went to Brady's lawyers, RMNJ Solicitors, along with thousands more to Scott-Moncrieff—more defence lawyers. Why should the taxpayer pay these exorbitant fees on a pointless appeal when law centres all over the country are being run down and CABs are being starved of resources? What are these lawyers doing for all this money?

Lord McNally: In this particular case, the entire process took almost three years and culminated in an eight-day tribunal hearing. This is a legal process and the trust had no option other than to comply; neither did the Legal Aid Agency.

Lord Thomas of Gresford (LD): My Lords, I was present at the trial of Brady at Chester Assizes in 1966, where he was represented by my noble friend the late Lord Hooson. He did not plead insanity at his trial. Indeed, he served some 19 years in an ordinary prison. It was a decision of the prison authorities to send him to Ashworth hospital, where he tried to commit suicide by starving himself to death. He was force-fed, and the purpose of his application to be transferred back to an ordinary prison was so that he could starve himself to death without being force-fed. Since the cost in Ashworth was well over £250,000 a year, was not the money well spent even if the decision went the other way?

Lord McNally: My Lords, it is very difficult to find much sympathy for Mr Brady, although it has to be said that he has been judged to be medically ill. Our law says that in those cases the mental health review tribunal is part of the process of our legal system and that a patient is entitled to a tribunal hearing, as set out in Part V of the Mental Health Act 1983. We cannot have one law for those we find worthy and another law for those we do not like. In some ways, it is the fact that Mr Brady has the protection of the law that should give reassurance to the rest of us.

Lord Hunt: My Lords, to go back to my noble friend's point, surely, given the size of the cost to the local mental health service, it ought to be helped out by the Department of Health.

Lord McNally: My Lords, I asked that question during the briefing. It is an almost unique case. I think that there have been only two such cases in recent times. I am speaking off brief at the moment, but it seems unfair that a single health authority should take such a disproportionate hit on something that is really a national matter. However, the rules as they now

needs. Glenda Jackson, Roque Hall's MP, said it was "absurd that people who could never present a risk to anybody, such as my constituent who is severely disabled, is chained in hospital. I find the whole practice disgusting and horrific."

The prisons and probation ombudsman Nigel Newcomen told the Guardian the issue of inappropriate use of restraints on elderly, infirm and dying prisoners needs to be addressed. "While the prison service's first duty is to protect the public, too often, the balance between humanity and security is not achieved." he said.

Deborah Coles, co-director of Inquest, said the chaining of seriously and terminally ill prisoners is "a shocking abuse of power". Lord Ramsbotham, a former chief inspector of prisons, compared the practices exposed by the Guardian to the chaining of pregnant women prisoners in maternity wards – a practice that was stopped in the mid 1990s. "The previous director general of the prison service used to preach what he called the 'decency agenda'. Clearly, there are some prison managers who do not understand what either word means," he said

A spokeswoman for the prison service said public protection is top priority and prison governors have a duty to mitigate the potential risk to the public, medical staff and other hospital users. "All prisoners are risk assessed before being escorted to hospital to ensure security measures are proportionate and that they are treated with dignity and respect," she said.

The Investigative Lab: A Model For Digital Investigations

James Kent explains how an investigative lab methodology enables forensic specialists, non-technical investigators and subject matter experts to collaborate efficiently.

Finding the truth within vast stores of digital evidence is becoming more challenging for investigators. Many digital investigations still rely on work-flows designed for a pre-digital age. However, the mass explosion of electronic data and devices has stretched traditional forensic tools and processes to capacity. Digital forensic investigators must often make arbitrary decisions about which data sources they analyse first – or at all. An investigative lab workflow can dramatically increase the volume and quality of digital evidence an investigative team can analyse. This collaborative approach offers investigators a more efficient way of using available resources.

Problems with traditional approaches: Case investigators, such as detectives, often view digital evidence as a way of 'joining the dots' in a broader investigation. As a result, digital forensic investigators tend to examine evidence sources individually, often without knowing the broader details of the case. They must make critical decisions about particular evidence sources and extract the information they believe is relevant from each device. This lack of collaboration means non-technical investigators and subject matter experts must rely on an incomplete and subjective slice of the evidence. As cases often hinge on the connections between multiple evidence sources, the context of evidence as well as its content, investigators can lose sight of the bigger picture.

The investigative lab work-flow model: The investigative lab model couples the rigour of traditional digital investigation methodologies with a tiered review system similar to the way legal teams handle electronic discovery. The first stage of this process involves the investigative team assembling all available evidence – including forensic images, email and mobile phone communications – into a single location. Conducting a light metadata scan of these sources then helps quickly establish which items are likely to be relevant.

Digital forensic investigators can then process these likely evidence sources in greater depth, following a set of previously agreed standards and settings. Over time, investiga-

tive organisations can build a series of best practices or case-specific workflows. By reducing operator-level decisions and inconsistencies around many time-consuming and error-prone tasks, investigative teams can deliver more consistent and repeatable outcomes. They can quickly condense large evidence sets into smaller highly relevant items for expert review.

Sharing the workload: The next step involves dividing processed evidence into review sets, for example by date ranges, custodians, location, language or content. At its most basic, this can be a way of sharing the work between multiple investigators to get the job done faster. However, it can also be a way of making certain types of evidence available to people who have the relevant expertise. In a fraud case, for example, investigators could pass on financial records to forensic accountants and internet activity to technical specialists. In an inappropriate images investigation, detectives could package potentially relevant pictures and videos for specialist child protection teams, while leaving other file types for their digital forensic investigators. In multi-jurisdictional investigations, investigative teams can produce evidence or intelligence packages for other agencies to review, comment on and return. This approach is not new in investigative circles. However, investigators often do not follow this process because traditional tools make it difficult to combine evidence from multiple sources and make it available to non-technical investigators or subject matter experts for review.

Using advanced investigative techniques: Investigators can also use techniques from the legal world to view evidence from different angles. For example, some investigative tools can visualise data and metadata to create network maps or timelines of communications between suspects. This can quickly reveal the who, what, where and when of the evidence. Another emerging technique identifies similar or near-duplicate documents within a data set by extracting and comparing lists of overlapping phrases called 'shingles'. This can locate documents with similar content, and gauge how similar they are. Near-duplicates can give investigators a picture of events over time, such as who created, changed and shared documents. Shingles can also deliver more targeted results than keyword searches, by allowing investigators to locate longer, more contextual phrases.

Perform deep forensics only when necessary: Many digital forensic investigators still believe the old-fashioned techniques are the only way to achieve the rigour that courts and other authorities require. The reality is, digital forensic investigators just can't get across the mountains of digital evidence to find the facts to prove or disprove the case. This is especially the case if investigators try to conduct deep forensic analysis on every data source. In-depth forensic analysis must become the exception rather than the rule.

Using the collaborative approach and tiered review methodology I have discussed, case investigators can quickly distil data into smaller, more manageable chunks. Once they have found the 'smoking gun', investigators can pass this evidence to digital forensics specialists, who can then provide the deep analysis for the courts.

Investigative labs in action: This collaborative investigation model and lab work-flow draws on the experience of Nuix's Director of Forensic Solutions Paul Slater when he worked at the United Kingdom Serious Fraud Office (SFO). As interim head of the Digital Forensics Unit from 2009 to the end of 2010, Mr Slater helped to standardise and streamline the SFO's digital investigative processes. The SFO reduced its focus on in-depth forensics; created and automated investigative work-flows and developed a more collaborative approach to investigations. By adopting this model, the SFO increased the volume of data it could process each year 20-fold. "While traditional computer forensics techniques dig deep into a handful of

feature of many of the police related cases we are working on. A recent enquiry involved the traumatic self inflicted death of a man with mental health problems, just minutes after being released by the police. Similar to other such cases, this case raises serious questions concerning the failure to secure urgent medical care and the operation of the police's duties under Section 136 of the Mental Health Act. These cases continue to highlight the need for an urgent review and development of a national strategy around policing and mental health.

Significant cases and inquests: Four inquests into deaths of women in prison taking place over October and November tragically highlight similar issues and demonstrate once again why alternatives to prison should be considered when dealing with women who are in conflict with law.

The inquest into the death of Sarah Higgins in 2010 at HMP Bronzefield concluded on the 28th of October 2013 with a jury finding that Sarah had died of mixed methadone and codeine toxicity, the jury identified serious procedural failings and inadequate formal training which they concluded contributed to her death. During the night of her death, just two nurses were responsible for looking after over 400 women at this privately run Sodexo prison. Sarah was a mother of three young children and her offences were directly related to her drug dependency. The jury's conclusions came on the same day as Ministry of Justice announced its plans for reform of the justice system for women, which once again ignored the overwhelming evidence that what is needed is an end to prison for women and reinvestment into alternatives, as outlined in INQUEST's report, 'Preventing the deaths of women in prison: the need for an alternative approach'. In fact, the reforms are likely to impact adversely on women with the closure of the only two open prisons and mother and baby units.

Sarah's death was the first of two women's deaths in HMP Bronzefield in 2010, both under startlingly similar circumstances. The inquest into the second death, that of Helen Waight, is due to begin in November. Like Sarah, Helen was also on a detoxification programme at the time of her death and her inquest will raise similar questions and concerns about her care and treatment. INQUEST is working with both families to highlight the serious concerns raised by the deaths.

The inquests of Thi Hien Tran and Mahry Rosser also take place in November. Thi Hien Tran died in Holloway prison in 2012 and her inquest will focus on the healthcare provided by the prison for her known heart condition. Mahry Rosser died at New Hall prison on the 17 April 2011. she was 19 years and An ACCT was open at the time of her self inflicted death

INQUEST: 89-93 Fonthill Road, London N4 3JH

Prison and Young Offender Institution (Amendment) Rules 2013

Baroness Stern to ask Her Majesty's Government whether the Children's Commissioners for England and Wales have been consulted about the application to children of the Prison and Young Offender Institution (Amendment) Rules 2013. To ask Her Majesty's Government whether children who have mental health difficulties will be excluded from the Prison and Young Offender Institution (Amendment) Rules 2013. To ask Her Majesty's Government whether children who are being monitored for risk of self-harm and suicide will be excluded from the Prison and Young Offender Institution (Amendment) Rules 2013. [HL2573] To ask Her Majesty's Government whether children who have special educational needs, including emotional and behavioural difficulties, will be excluded from the Prison and Young Offender Institution (Amendment) Rules 2013.[HL2574]

Lord Ahmad of Wimbledon (Con): We have introduced changes to the Prison and YOI rules that enable Governors and Independent Adjudicators to order compensation from individuals in custody who intentionally cause damage to property or the fabric of the custodial institution. The imposi-

persons to be urgently trained as investigators to work within the IPCC as commissioners.

Latest News From INQUEST

Recent inquests have raised deeply worrying issues concerning deaths in prison, police and mental health custody including those into the deaths of four women in prison. What the inquests cannot address however is the fundamental question about whether those women should have been in prison at all. INQUEST is continuing its campaigning and lobbying work calling for the abolition of prison for women and the reinvestment of resources into community-based alternatives. We have been focusing on ensuring policy, media and government continues to focus on the need for a national strategy on mental health and policing, particularly in light of the ongoing concerns raised by the deaths of Thomas Orchard, Olaseni Lewis, James Herbert and Sean Rigg among others.

And we continue our policy and parliamentary work to achieve more pre-inquest independent investigations into deaths in psychiatric settings. These deaths now form a significant part of our casework and it remains a serious concern that the investigation process needs fundamental reform. On World Mental Health Day we joined others in parliament celebrating the achievements that have been made in challenging the stigma associated with mental illness. We think that for this stigma and discrimination to be fully challenged, deaths in mental health care should be treated in the same way as other deaths in state detention.

Casework: Our casework team continued to deal with wide ranging enquiries from across England and Wales, and it has been a busy couple of months. In the period 1 September – 31 October the casework team opened 65 new cases of which 11 related to deaths in custody. 9 of those were prison deaths and 2 were police custody deaths. Concerns around the care and response to people with mental health issues continues to be a dominant and disturbing feature across many of the new custody queries received in this period, with 2 families contacting us about worrying self inflicted deaths whilst in mental health detention, and 13 non-custody inquiries also relating to people suffering mental illness with potential failings identified in their care. The high number of non custody related enquiries (54) continues to demonstrate the absence of comprehensive alternative sources of advice for families going through the inquest process.

New cases: We are continuing to receive high numbers of new enquiries, often from people struggling to access the help and advice they need to deal with complex and demanding cases. We offer advice to anyone facing an inquest, and specialist, detailed support to those bereaved by a death in custody.

The unsuitability of prison detention for those suffering serious mental ill health has been highlighted yet again in several recent enquiries involving the self inflicted deaths of highly vulnerable individuals in the prison setting. Common to several of the cases has been the failure to pass on critical medical information and deaths occurring during periods when ACCT (Assessment, Care in Custody, and Teamwork – the system used for prisoners who are at risk of self harm) documents are open, intended to put in place care and protection measures for those considered at risk.

In a number of recent prison deaths of those with physical illness, staff have delayed informing families of a deterioration in health causing families to miss their opportunity to say goodbye to relatives. In several of these cases prisoners have been left in handcuffs during their dying hours. This is despite the call made by the Prison and Probation Ombudsman to stop this inhuman and degrading practice. The high number of enquiries we are continuing to receive concerning the death of mental health service users continues to highlight what appears to be a growing crisis in accessing emergency mental health care for patients in crisis.

The policing response to those with mental health issues continues to be a significant

computers, [the SFO can now] quickly distil the huge volumes of data captured in our search operations and to focus on material likely to have greatest evidential yield," wrote the SFO's Chief Executive in its 2010-11 Annual Report and Accounts. "We can now handle up to 100GB of new information each day – a 2,000 per cent increase year on year. It is also allowing us to respond quickly to court requirements – in one case we were able to identify and produce over 47,000 emails overnight to satisfy a judge's order. Such speed of response would have been impossible before." It is also allowing us to respond quickly to court requirements – in one case we were able to identify and produce over 47,000 emails overnight to satisfy a judge's order. Such speed of response would have been impossible before."

Dr James Kent is Head of Investigations at Nuix

Major Shake up to Prisoner Incentives Now in Force

Significant reforms to the Incentive and Earned Privileges (IEP) policy across prisons in England and Wales have been brought into force Friday 1st November.

When taking up the role of Justice Secretary, Chris Grayling made it clear that the current policy needed a thorough and detailed review to ensure that it properly addresses reoffending as well as being something the public can have confidence in. A full review of the policy – the first for 10 years – was ordered by Minsters last year and was completed in April. From today the absence of bad behaviour will no longer be enough to earn privileges – prisoners must also actively work towards their own rehabilitation. Key changes include:

. . . . All prisoners, including young offenders, who deliberately damage prisons and/or prison property will be required to pay for the damage that they have caused

. . . . The introduction of a new IEP level – "Entry" – where privileges are restricted.

. . . . Certificate 18 DVDs and subscription channels banned from all prisons.

. . . . A national standardised list of items available for each level.

. . . . An automatic IEP review for bad behaviour, with a presumption of downgrading.

. . . . TVs turned off when prisoners should be engaged in work or other productive activity.

. . . . Prisoners who misbehave will lose their TV.

Justice Secretary Chris Grayling said: "For too long the public has seen prisoners spending their days languishing in their cells watching TV, using illegal mobile phones to taunt their victims on Facebook or boasting about their supposedly easy life in prisons. This is not right and it cannot continue. The changes we have made to the incentive scheme are not just about taking TVs away from prisoners, they are about making them work towards their rehabilitation. Poor behaviour and refusal to engage in the prison regime will result in a loss of privileges. It is as simple as that. The expectation now is that prisoners engage in work or education as well as addressing alcohol or drug issues. Only by doing this can we hope to bring down our stubbornly high reoffending rates." Since April, major work has been going on across the prison estate to make staff and prisoners fully aware of the changes and ensure that the scheme is implemented safely across the prison estate.

Fifteenth Annual UFFC Remembrance Procession *Harmit Athwal for IRR, 31/10/13*

The United Families and Friends Campaign (UFFC) marched on Downing Street last weekend, Saturday 26th October 2013, as it has done for the last fifteen years, to mark the deaths of loved ones in the custody of the state.

The annual remembrance procession was led by the families of those including Ricky Bishop, Mark Duggan, Demetre Fraser, Joy Gardner, Anthony Grainger, Olaseni Lewis,

Sean Rigg, Jason McPherson, Thomas Orchard, Leon Patterson, Billy Spiller, Roger Sylvester and Jason Thompson. They were also joined by campaigners and supporters on the short march from Trafalgar Square to Downing Street where speeches from the assembled families followed – moving and angry pleas for justice.

A *letter was also handed in at Downing Street to David Cameron: 'For the record, this is the 15th annual letter to the head of government from the UFFC since its inception in the late 90s when it was formed to demand justice for those who have died in state custody in suspicious and controversial circumstances. On no occasion has the government engaged in a process of meaningful dialogue following the delivery of the letters … The unlawful killing verdicts into the unlawful deaths of Jimmy Mubenga and Azelle Rodney earlier this year has yet again shown compelling evidence of wrong-doing, deceit and corruption by state officials (as in previous cases) where repetitive fundamental errors, racism and a lack of duty of care at an unacceptable standard has yet again been exposed … However, the deaths still continue with no accountability and the result is that deaths in custody are at an all time high. Countless years of unnecessary lengthy investigations continue to stifle justice to the families. The Hillsborough disgrace echoes year after year, case after case. Injustices as in the cases of Joy Gardner, Christopher Alder, Brian Douglas and Mikey Powell, to name but a few, are inhumane. Yet the British government refuses and/or is unwilling to give justice where it is blatantly due.'

By Hand and Post for the attention of: The Prime Minister Rt. Hon. David Cameron MP

Dear Prime Minister /Deaths in State Custody

We write further to previous correspondence. As you are aware the United Family and Friends Campaign (UFFC) is a coalition of family campaigns who have lost loved ones as a result of violence or neglect by state officials charged within their care. These include the police, prison and immigration officers/officials and NHS staff. UFFC continues to gain interest and support from various members of the community.

Today marks UFFC's 15th peaceful annual remembrance procession and we will march to Downing Street from Trafalgar Square. For the record, this is the 15th annual letter to the head of government from the UFFC since its inception in the late 90's when it was formed to demand justice for those who have died in state custody in suspicious and controversial circumstances. On no occasion has the government engaged in a process of meaningful dialogue following the delivery of the letters.

After arduous campaigning by a number of families and high profile cases, a number of reviews were commissioned over the past year - (notwithstanding similar past campaigns, reviews, reports and recommendations) - for example, amongst other findings, the findings and recommendations of the Home Affairs Select Committee's (HASC) Report into the work of the IPCC, the findings and recommendations in the Review of Mental Health and Policing by Lord Victor Adebowale, Dr. Silvia Cassale's Review and recommendations of the original investigation by the IPCC into the death of Sean Rigg and the IPCC's investigations into deaths in custody as a whole, and the IPCC's recent progress report into it's own Review in investigating deaths in custody, the final report expected in December of this year - bare many of the core issues of concern by the families.

The unlawful killing verdicts into the unlawful deaths of Jimmy Mubenga and Azelle Rodney earlier this year has yet again shown compelling evidence of wrong-doing, deceit and corruption by state officials (as in previous cases) where repetitive fundamental errors, racism

and a lack of duty of care at an unacceptable standard has yet again been exposed.

A number of documentaries and radio chat shows have also highlighted disturbing growing public concern in mental health and policing. High profile Inquests continue to give rise to disturbing accounts given by state officials, which are implausible and/or improbable. Imminent Inquests will no doubt hear further implausible accounts.

However, the deaths still continue with no accountability and the result is that deaths in custody are at an all time high. Countless years of unnecessary lengthy investigations continue to stifle justice to the families. The Hillsborough disgrace echoes year after year, case after case. Injustices as in the cases of Joy Gardner, Christopher Alder, Brian Douglas and Mikey Powell, to name but a few, are inhumane. Yet the British government refuses and/or is unwilling to give justice where it is blatantly due. The intrusion and surveillance of families who have lost their loved ones in state custody is nothing more than further insult and a breach of their privacy.

The "plebgate" 'supervised' investigation by the IPCC and Questions by the HASC showed an MP and the Met. Police at loggerheads over whether the word 'pleb' was said outside your place of residence. Evidence of deceit and cover-up by the officer(s) as to whether the word 'pleb' was used bares no comparison to the deceit and cover-up of a 'death in custody'. That investigation appears to have been fast-tracked (maybe because the complaint was made by an MP and not by an ordinary member of the public.). As is usually the case, the officers were found to have no case to answer by the Met. Police. In evidence recently given to the HASC by Deborah Glass of the IPCC, she felt that the officers should have been disciplined for gross misconduct since the evidence pointed to that conclusion. What was the point of the IPCC's supervision?

In the public's interest, we believe it is essential that the police (the least reformed of all public services) be scrutinised and urgently reformed, and that state officials are subject to the same judicial system as any ordinary member of the public. Please see our statements and demands below. *Yours faithfully / United Families and Friends Campaign (UFFC)*

What we believe: - That failure of State officials to ensure the basic right to life is made worse by the failure of the State to prosecute those responsible for custody deaths. - That failure to prosecute those responsible for deaths in custody sends the message that the State can act with impunity.

What we demand: 1. Fundamental reform of the IPCC to ensure open robust transparent and thorough effective investigations into police deaths in custody by a 'truly' independent body from the very outset of the death. 2. Officers and officials directly involved in custody deaths be suspended until investigations are completed. 3. Immediate interviewing of officers and all officials concerned with the death. 4. Officers and officials should never be allowed to 'collude' over their evidence and statements of fact. 5. Full disclosure of information to the families. 6. Prosecutions should automatically follow 'unlawful killing' verdicts at Inquests and officers responsible for those deaths should face criminal charges, even if retired. 7. Nationwide implementation of police body cameras and cameras in all police vehicles in the interests of both the officers and the public. 8. The end of means testing of families for legal aid. There is a lack of funds for family legal representation at Inquests whilst officers and NHS staff get full legal representation from the public purse - this is unbalanced.

UFFC specific demands regarding the operation of the IPCC: 1. Removal and/or drastic reduction of ex-police officers within the IPCC in order to regain public confidence. 2. IPCC to continue to use the power to compel officers involved in custody death cases to be interviewed. 3. Individual statements should immediately be taken from all police officers to avoid any collusion. 4. Full disclosure of evidence to families and better communications with them. 5. Lay