

Medical and prison staff testified that they would have acted differently if they had been aware of Ben's risk factors. The coroner conducting the inquest, Sheriff Payne, subsequently issued a report highlighting his concern that there "should be a system to ensure that key members of staff have all of the relevant information to them... to ensure inmates at risk of self-harm are quickly identified". Similar failings were identified in Jake's inquest when the jury found there was a failure to record and consider reports of Jake's previous self-harm and thoughts of self-harm and suicide. This failure was found to have caused or more than minimally contributed to Jake's death.

The recent findings of inquest juries have confirmed the need for those working in the prison estate to adjust their practices to cultivate a better understanding of children and young people at risk of self-harming or suicide. Inquest called for an independent review in its January 2014 report, emphasising that any public inquiry should be conducted by a body that is sufficiently removed from the issues being investigated.

The Youth Justice Board published a report into the deaths of those in custody under-18 in February 2014, but this should not be viewed as a substitute for a comprehensive review into the issue. The Youth Justice Board lacks the requisite independence to conduct an impartial review into the self-inflicted deaths of children in state custody because it is the executive body that oversees the English youth justice system. It is apparent from the jury's verdict at Jake's inquest and the resulting prevention of future deaths report that there are many lessons still to be learnt about the treatment of vulnerable youths in state custody.

In the aftermath of Jake's inquest, the government needs to respond strongly to the mistakes that have been identified as contributing factors in multiple teenage custody deaths and implement swift reform where necessary. Excluding children from the scope of the independent review into self-inflicted deaths in custody is a failure to acknowledge this need, which really is one of life and death.

Helen Stone, Hickman and Rose solicitors

HMP Ford Absconder Sentenced to Further 8 Months In Prison *No5 Chambers, 18/08/14*

David Blood, 48, has been sentenced to 8 months in custody after having pleaded guilty to escaping lawful custody. He was serving a life sentence for armed robbery imposed in 2003 when he walked out of Ford Open Prison in West Sussex on 12 June and was arrested in Winchester on 24 June. He had been sentenced to 13 months in custody for a similar offence in 2012 but, on this occasion, the Court heard that he had attained "enhanced prisoner" status and had been given a number of scheduled home-release dates to aid his reintegration into society. These dates came and went without the promised release from custody and so Mr Blood walked out in desperation and had started to make plans to disappear into society when he was arrested by the police.

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 Cullinane, Stephen Marsh, Graham Coutts, Royston Moore, Duane King, Leon Chapman, Tony Marshall, Anthony Jackson, David Kent, Norman Grant, Ricardo Morrison, Alex Silva, Terry Smith, Hyrone Hart, Glen Cameron, Warren Slaney, Melvyn 'Adie' McLellan, Lyndon Coles, Robert Bradley, 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, Paul Higginson, Thomas Petch, 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, Carl Kenute Gowe, Eddie Hampton, Tony Hyland, Ray Gilbert, Ishtiaq Ahmed.

Foreign Criminals Barred From Open Prisons/Day Release

Telegraph

Twenty-one foreign criminals have been moved from open prisons back into closed custody in the last 48 hours as new rules to stop them absconding come into force. The Ministry of Justice announced that hundreds of inmates facing deportation orders were now barred from open jails and day release schemes. Prisoners who are being considered for deportation would also have to pass strict new tests if they wanted similar treatment. The overhaul came after figures showed a 30 per cent rise in the number of prisoners missing from jail, including 137 who walked out of open prisons.

Chris Grayling, the justice secretary, said: "We are working hard to return foreign national prisoners to their own countries to serve their sentences. While they remain with us, we must do all we can to make sure they stay safely under lock and key. That is why I am changing the rules to prevent those foreign nationals who are going to be deported from being transferred into open prisons or getting temporary release. Open prisons serve an important purpose for helping rehabilitate offenders, but we must make sure that only the right people go there. It's clearly not right that foreign nationals who are going to be deported end up in open prisons where they might abscond and threaten public safety."

Open prisoners have faced controversy in recent months, with an armed robber nicknamed 'Skullcracker' sparking a national manhunt when he went on the run from one. But only around 10 foreign criminals have absconded from prison in the last ten years, according to the Ministry. The other scheme they are now barred from is Release on Temporary License, which lets inmates leave their prison in the daytime to work or undergo rehabilitation.

The He-Man Approach to Crime Shames us all

Hugh Muir, The Guardian

Locking up ever more people in ever harsher and more crowded prisons is hardly the hallmark of a civilised society - Blame Tony Blair. We must be tough on crime, he said. Tough on the causes of crime. Tough was the watchword. Tough policing, tough sentences from tough judges working to tough rules shepherded through parliament by home secretaries tougher than tungsten. The tough guys – and they were men – set the tone. We've never looked back. And with an election looming, we won't. If anything, we'll strive to be tougher, with each aspirant desperate to show more muscle tone than their competitors. Testosterone fuels our approaches to crime and punishment. How is that working out?

Crime is down by 60% since 1995. That's to be applauded. The prison population has risen 68% in the same period. That isn't. And it is not as if we can link those facts, as proof that packing jails with felons results in safer communities. Countries that decline to use the judicial sin-bin as liberally as we in the UK have experienced similar reductions, presumably driven by the same advances in crime prevention and the same growth in an ageing population. Prison doesn't "work" in the sense beloved by the Tory grassroots; it merely delays the inevitable. As the prison population grows, so does the number who reoffend on release. At least Blair, advocating toughness, gave weight to addressing the causes of crime. It's toughness for its own sake now.

There have been multiple illustrations this week of the extent to which we self-harm as a soci-

ety as a direct result of this testosterone-driven approach to crime and punishment. There was an excoriating indictment from Nick Hardwick, HM chief inspector of prisons, who says overcrowding and staff shortages in underfunded jails have become so acute that ever more inmates are attempting suicide. "There has certainly been deterioration over the last year," he said. "Prisons are less safe." This leads to deaths "not acceptable in a civilised society". There emerged specific news from one troubled jail: the privately run HMP Doncaster, where inmates were locked in cells for two days and levels of violence were four times higher than might be expected.

There were indications too that shortages are having a direct impact on the educational programmes that should drive rehabilitation. The privatisation of that crucial activity has run into trouble because the companies concerned struggle to turn a buck. This week the contractor A4e withdrew from a £17m deal to educate and train prisoners in 12 London boroughs because the activity – vital if we are to strike the balance between punishment and rehabilitation – does not yield sufficient profits. There's too little money in it and too few staff to ensure inmates can get to lessons. If more prisoners, untrained and uneducated, reoffend on release into a world that demands both training and education, might this be why?

We certainly have been tough on the prison system, sinews stiffened by redtop newspapers and a picture of cushy jails with lax regimes where the inmates' only dilemma is what show to watch on cable. But it's not like that. Who says so? Neville Thurlbeck, the former chief reporter of the News of the World, recently released from Belmarsh prison in south-east London after serving 37 days of his six-month sentence for conspiracy to hack phones. "I can disabuse anybody of the notion that it is a holiday camp," he said. "There are interminable hours of boredom and pain. The beds are made of what I can only describe as giant pencil rubbers and over time your hips and shoulders start to ache. It's pretty grim." It sounds like the sort of regime we readily condemn whenever it is inflicted on British prisoners in developing countries. But it is surely the logical consequence of our He-Man approach to law and order.

And it's He-Man on steroids when those dragged into the criminal justice system are foreign. Here the bloodlust is not just to see them locked up, but deported too. Just this week, Labour, still hanging tough, chided Theresa May for failing to deport enough foreign criminals. Poor Mrs May, accused of going soft on murderers and rapists, helpless in the tangle of rights they might claim under the Human Rights Act. It's unfair to criticise her, for she is trying. But the testosterone approach demands results, and it has created a situation where those facing deportation are not just the grisly convicted types we should banish from our shores, but also relatively harmless figures who one can only assume are being targeted to bulk up the numbers.

We know of Trenton Oldfield, the Australian-born activist who May tried and failed to deport after he disrupted the 2012 Oxford/Cambridge boat race. Now meet Dom O'Dwyer, a 26-year-old social and environmental campaigner. He was arrested in Oxford on 27 July during a demonstration against relics of the far right, the National Front. An NF poster proclaiming the need to "secure the existence of our people and the future of white children" was grabbed. O'Dwyer was said to have taken it. He was charged with theft and obstructing or resisting a constable in execution of duty. He spent 14 hours in a police station, wasn't released until 2.30am and was forced to surrender his passport. So far so predictable. But O'Dwyer is Australian. Officers gleaned as much from his accent. And so, before leaving the police station, he was given a letter informing him that, if convicted of taking the NF's poster and then resisting a constable, he would be recommended for deportation. In the event, stymied perhaps by the task of finding someone to claim ownership of the NF poster and the difficulty

How Many More Tragic Deaths of Children In Custody?

The treatment and welfare of vulnerable young people in state custody has been called into question by coroners, juries, charities and bereaved families due to a succession of tragic deaths. There have been 31 deaths of people under 21 in state custody in the past three years and three self-inflicted deaths of children under the age of 18 in young offender institutions (YOIs) between April 2011 and January 2012. Two of these children's inquests, including Jake's, concluded earlier this year and the third is expected before the end of 2014.

Youths in state custody comprise a particularly vulnerable cross section of the population. The Prison Reform Trust has reported that 11% of young people in state custody have previously attempted suicide, while the rate of suicide in boys aged 15–17 who have been sentenced and remanded in custody in England and Wales may be as much as 18 times higher compared with the general population. In her report following Jake's death, Coroner Hewitt questioned whether prison and clinical staff in the environment of a Young Offenders Institution are able to manage the complex needs and possible increase in the risk of self-harm and suicide of vulnerable children.

The treatment of vulnerable teenagers in state custody is also central to an ongoing campaign and judicial review by Just For Kids Law. The charity organisation is challenging the home secretary's failure to implement legislative safeguards for 17-year-olds detained in police stations. This is in response to the high court's judgment in the 2013 case of HC v Home Secretary. In that case the high court ruled the provisions of the Police and Criminal Evidence Act 1984 (PACE) - which established that 17-year-olds apprehended by police are treated as adults rather than children in police stations - were unlawful. Code C of PACE was amended, but after the decision amendments to the legislation were delayed. These laws are likely to be scrutinised again during the forthcoming inquest into the death of 17-year-old Kesia Leatherbarrow, who was held in a police station all weekend as a result of the impugned provisions of PACE rather than being moved to different accommodation. The underlying concern across all these cases is that prevailing policies and procedures, and often the staff that implement them, are ineffective in fulfilling the state's duty of care to vulnerable children in custody.

The Ministry of Justice announced in February that Lord Harris would head an independent review by the Independent Advisory Panel on deaths in custody into self-inflicted deaths of 18- to 24-year-olds in state custody. However there are no plans to expand the ambit of the review to include children, despite 16 of them dying in custody since the youth justice board was established in 2000.

The unequivocal conclusions of the jury in Jake's case confirm the scope of the review is too narrow. The issues and failures which arose in his case need to be considered in a wider context. The Inquest charity stressed in its January 2014 report into the deaths of children and young people in custody that problems faced by the two age groups overlap and are intrinsically linked. This nexus was recognised even more recently in the Prisons and Probation Ombudsman's July 2014 report, where he acknowledged that "the needs of 18- to 24-year-olds may well have more in common with those of the younger age group".

The close connection between the two age groups was demonstrated by the death of Ben Grimes. Ben was incarcerated as a teenager at Youth Offenders Institution Portland and turned 18 only six weeks before his death. In June 2013, the jury returned a critical narrative verdict at Ben's inquest, finding that authorities' insufficient communication and ineffective risk management had contributed to his death. It emerged that reports outlining Ben's mental health illnesses and risk assessment were not shown to medical and prison staff when he was transferred from Feltham youth prison to Portland shortly before his suicide.

Senior Investigating Police Officers' Handbook: Policy decisions and files

In this series, Police Oracle preview sections of Blackstone's third edition of the Senior Investigating Officers' Handbook. This book provides invaluable insight about the essential skills and responsibilities that a senior investigating officer needs to manage serious crime investigations, from the initial response through to crime scene examination and investigative strategies. This week, they focus on the key elements of a policy decision and explain more about policy files.

There are three important elements to all policy file decisions and entries. These are:

1. The decision. 2. Reasoning and rationale behind the decision. 3. Information and resources that were known and available at the time the decision was made. Point 3 is often neglected or omitted and shouldn't be because it is all-important that decisions are put into context and combined with essential detail regarding what was known at the time they were made.

In support of this point, the IPCC have stated the following: Police officers and staff are accountable for the decisions and actions they take and are expected to provide a rationale for those decisions when questioned. . . we recognize that police operational decisions involve taking risks and in assessing decision-making we will focus on whether the decision was reasonable and proportionate in all circumstances (including the information and intelligence available and the operational policing context) as they existed at the time . . . in considering the decisions and actions of individual officers we recognize that police operational decisions often need to take into account competing objectives, timescales and limited resources.

Policy files explained - A policy file or 'decision log' is normally a bound book, A4 in size (and/or typed directly onto a database such as HOLMES) that is serial numbered on the front, internally paginated and labelled with details of the investigation or operation it refers to. It also includes details of the SIO and their deputy and the date the enquiry commenced.

Each and every entry is sequentially numbered for ease of reference. Quite often, books are designed and produced specifically for the purpose by forces and units with self-carbonating pages, instructions and prompts contained within the first few pages. Each and every one of the SIO's key policies and decisions can be comprehensively recorded in the file in a legible and durable format. This should be done contemporaneously or as soon after as practicable.

Entries can be made at the SIO's dictation if a nominated entry/log maker, staff officer or designated assistant is working alongside the SIO. All entries should be timed and dated (ie both when the decision was made and when the entry was made, if different), and signed by the person making the entry and the person making the decision (if not the SIO, the SIO should countersign to say they agree to the decision and have noted the entry).

In practical terms, the SIO usually begins recording decisions as initial note taking in a 'day' or 'notebook' during the busy first few hours of an enquiry. These can later be transferred into an official policy file at a more convenient time. It should be stressed there should be no undue delay in making or transferring decision entries into the correct file format. Every effort must be made to avoid an unwieldy backlog of decision details that will inevitably require transferring into a policy book, especially if there needs to be a handover and smooth transition to another SIO (who needs to be aware of the key decisions already made).

Blackstone's Senior Investigating Officers' Handbook is designed specifically to meet the quick-reference needs of any officer conducting a serious investigation. The only portable step-by-step guide to the processes and actions involved in the role of a Senior Investigating Officer (SIO), it explains all the relevant procedures and instructions integral to the position in a clear and accessible style.

of proving that O'Dwyer intended to permanently deprive them of it, the CPS withdrew the case, saying that to proceed would not be in the public interest.

But the intention was clear. For a minor skirmish at a protest event, a foreigner unlucky to be arrested at all would probably have been deported, along with or perhaps in lieu of, all those murderers and rapists. "I think there is a very conscious attempt to intimidate people away from protest," O'Dwyer said. That is clearly so; we have seen other examples. But it also highlights our enduring fidelity to the testosterone approach, even when the results diminish our traditions as a humane society that has a grasp of what is sensible, decent and proportionate. We're stuck with it now; the public expects it, the media demands it and craven politicians oblige. We're past caring that it shames us all and doesn't work.

20 Detainees Stage Peaceful Protest at Brook House IRC

Crawley News

Detainees at a Gatwick immigration centre staged a peaceful protest last night 07/08/14 and refused to return to their cells, according to firefighters. At around midnight last night, inmates were reportedly protesting on a small section of grass within the Brook House Centre, located towards the south of the airport. The complex, which was opened in 2009 and is designed to hold more than 400 people, is operated by security firm G4S. It is unclear what the inmates were protesting over. A crew of firefighters were called from Horley Fire Station because a small bonfire had been lit, which was quickly extinguished. G4S is currently looking into the issue and say they will respond in due course.

Chaos at Harmondsworth IRC as New Protest Takes Place

Politics.co.uk

About 70 detainees at Harmondsworth removal centre took part in a protest last night, Saturday 9th August, which was broken up by a special police unit. The prisons unit – the officers they use against prison riots or any disorder in a detention facility – arrived at about 6:00 am. They are dressed entirely in black, wore helmets and carried batons. They reportedly arrested everyone and handcuffed them. Those involved appear to have been shipped out – possibly to Dover removal centre. Doctors reportedly gave first aid to those injured.

A representative from Harmondsworth confirmed there had been a non-violent protest of about 60 people which was brought to an end when the prisons unit showed up. But he said there had been no use of force at all. "In most of these of these situations it's the presence of these guys which brings the situation to an end," he added.

That was a different account to the one given to by a detainee, who spoke on the phone as he watched the protestors being put in a van through a cell window. He said one man was not walking properly and showed signs of having been beaten around the legs.

Bullying Rises at Hindley Young Offender Institution Where Boy Killed Himself

A young offenders institution criticised for failing to support a 17-year-old boy who hanged himself after being bullied is still struggling to keep its inmates safe, inspectors have warned. YOI Hindley, near Wigan, where Jake Hardy died in January 2012, has seen bullying increase and fights and assaults rise to an average of one a day. A number of failures at the YOI that contributed to Jake's death were highlighted at an inquest at Bolton coroner's court earlier this year. Her Majesty's Inspectorate of Prisons held an unannounced inspection in March before the inquest concluded and found bullying was up to 251 incidents reported in the previous six months, from 199 incidents at the last inspection.

There had been improvements to processes to keep protect boys in the institution, a former borstal opened in 1961, but the HMIP report added: "Yet despite these efforts, Hindley struggled to keep the vulnerable boys it held safe." In one case, a boy who appeared to have fallen out with others was forced to "report" to a side room off a main association area to meet his assailants and while one boy kept watch, others crowded around to punch and kick him. The incident only came to light when the CCTV was viewed later, inspectors added. Chief Inspector of Prisons Nick Hardwick said: "The boys Hindley holds are now more vulnerable and more challenging than ever and, as in other YOIs we have inspected, the evidence of this inspection suggests a much more fundamental review is required about how best to hold these boys safely and securely."

Jake's mother Liz Hardy said: "Reading this report, it appears that not enough has changed at Hindley, two and half years on from my son Jake Hardy dying. The recommendations that the inspectorate are making are the same as those that came out of the inquest: in particular in relation to the problem of shout-outs at night, bullying incidents, the need for better internal recording and passing-on of information; and the need for improved care of vulnerable young people with learning difficulties. It is distressing knowing that another family may have to go through the heartache and heartbreaking experience that we as a family had to suffer."

Frances Crook, chief executive of the Howard League for Penal Reform, said: "Hindley's first priority should be to keep all boys safe, and this is not being achieved. It is completely inappropriate to put young adults together with children in such a dangerous environment and the government should reverse this decision immediately. This report illustrates how the government is putting children at risk with its plan to build a huge new jail that will mix younger boys, and girls, with older teenagers with too few staff. Prisons are dangerous places for children."

Michael Spurr, chief executive of the National Offender Management Service, said: "Hindley manages a very complex and challenging population and the governor and his staff deserve real credit for the impressive progress they have made. "As the chief inspector recognises, the young people there are being given access to good quality education, training and resettlement work which are all key to their rehabilitation. Safety is the governor's top priority and it will continue to be given the necessary focus as they build on the progress made and take forward the recommendations." *Guardian, 15/08/14*

Two-Tier Justice: Private Prosecution Revolution

Paul Peachey, Independent

Private prosecutions are on the increase as police budget cuts and pressures on the justice system force hundreds of Britons to fund their own criminal actions. Prosecutions for a wide array of offences including sex attacks, violent assaults and multi-million pound frauds are currently being pursued by private law firms. The growing trend for private criminal prosecutions has raised concerns about the prospect of a "two-tier" justice system, with some cases reaching court only because the victims – often corporations – can afford to pay the substantial costs.

One specialist firm involved in private prosecutions says that up to 40 per cent of its cases are brought by people angered by the failure of police to investigate, or by the Crown Prosecution Service's unwilling to press ahead to trial. Under UK law anyone has the right to bring a private prosecution, but cases have previously been rare due to the crippling cost of investigating and pursuing such cases. Legal aid is not available, meaning they have largely been restricted to private industry or wealthy individuals. Cases being brought by law firms in the coming months include allegations of fraud over a property land grab and claims of wrongdoing by a member of police staff.

Justice for sale: The growth in private prosecutions is creating a highly undesirable two-tier sys-

they've said that on the blog comment and in emails."

Labour recently called for an inquiry into a preventable murder last month, after a man was wrongly assigned to the CRC, receiving less supervision than he would have done in the NPS. Su McConnel, a senior officer from the Cornwall and Devon region, speaking as a member of the Napo probation union, told The IoS that she has taken months off with stress as she was so devastated that her team specialising in domestic violence and sex offenders would be broken up. "They're having their jobs and careers trashed and I was trying to look after completely traumatised staff and it took its toll," she said.

Last night the shadow Justice Secretary, Sadiq Khan, called on David Cameron to halt the "half-baked" privatisation. He added: "The question Sarah Kane's colleagues will be asking is: could her death have been avoided? I am receiving regular reports on the enormous stresses and strains the Government's probation privatisation is causing to conscientious and professional staff. I can't believe the Justice Secretary and Ministry of Justice aren't receiving similar reports on a daily basis, of the exasperation of dedicated and experience probation staff at the growing mess the Government's reckless privatisation is causing."

The private sector is currently bidding to manage the 21 CRCs in a move that has upset the unions. A Napo spokeswoman said last night: "This privatisation would put inexperienced profiteers in charge of public protection and their interests would be about their shareholders and not the interests of local communities and the offenders themselves." The MoJ declined to comment. Independent on Sunday

UK Court Rulings Show Move Away From European to Common Law

Supreme court deputy president questions whether return to constitutionalism is response to rise in anti-European sentiment: Leading judges are putting "renewed emphasis" on British constitutional principles after years of concentrating on European legislation as a source of rights and obligations, according to the UK's most senior female judge. Brenda Hale, deputy president of the supreme court, said a theme was emerging from recent court decisions which suggested that UK constitutionalism was "on the march". She said she wondered whether the trend was developing as a response to a "rising tide of anti-European sentiment".

Lady Hale made her comments in a lecture to lawyers, which was published on the supreme court website on Friday. "After more than a decade of concentrating on European instruments as the source of rights, remedies and obligations, there is emerging a renewed emphasis on the common law and distinctively UK constitutional principles as a source of legal inspiration," she told the Constitutional and Administrative Law Bar Association conference in London. "It seems to me to take us in some interesting directions."

Hale said the theme had been characterised as "the empire strikes back" but she preferred to "broaden" it into "UK constitutionalism on the march". She listed a number of recent supreme court decisions and said there was a "growing awareness of the extent to which the UK's constitutional principles should be at the forefront of the court's analysis". Litigants and litigators had been reminded that they should look "first to the common law to protect their fundamental rights. It was for others to decide whether the trend was developing "as a response to the rising tide of anti-European sentiment among parliamentarians, the press and the public"; whether a marker was being put down for what might happen if the 1998 Human Rights Act was repealed; or whether it was "simple irritation that our proud traditions of UK constitutionalism seemed to have been forgotten".

Chris Grayling Accused of 'Murdering the Probation Service'

Colleagues and friends of a probation services officer who took her own life last month believe that government reforms to the service were a "contributing factor" to her death. Sarah Kane, who became a probation services officer in 1999, died last month aged 49. Her self-written eulogy, read out at her funeral, accused the Justice Secretary, Chris Grayling, of having "murdered the probation service" through his much-criticised reforms. In the eulogy, a copy of which has been seen by The Independent on Sunday, Ms Kane wrote: "A trouble-making Sarah would have delighted in calling Chris Grayling a murderer, he's certainly murdered the probation service. But hey, let's face it, Chrisso will continue safe and sound in his ivory tower breaking stuff that didn't need fixing beyond repair. Shame some of that stuff was the probation service now left reeling from his incompetent bumbling."

Close friends and former colleagues believe her words reflect the impact of the Grayling reforms on her professional and personal life and directly "contributed" to her death. It is understood that police investigating the circumstances of her death have shown interest in the eulogy. A police report will be sent to the North East Kent coroner. An inquest to confirm the cause of death will be held once post-mortem examination and toxicology results are in. Kent Police described her death as "non-suspicious".

Under the reforms, the probation service has been split in two, with high-risk offenders overseen by the National Probation Service (NPS) and lower-risk criminals placed with 21 community rehabilitation companies (CRCs) across the country. The CRCs, which account for about 70 per cent of the service, will be handed over to the private sector later this year. The split happened at the beginning of June and critics say that the service has been hit by difficulties, including IT problems and administrative failings ever since. Case files have been lost, with some offenders assigned to incorrect supervision potentially posing a risk to the public. Probation officers have privately complained of increased levels of stress in what was already a difficult job.

Ms Kane, a relatively junior officer from Margate, was assigned to the NPS rather than the Kent, Surrey and Sussex CRC. Colleagues say this meant that she was dealing with potentially more dangerous offenders than she had previously been used to. Her reassignment to a harder role came only a few months after she requested a reduction in hours. Friends said she had been suffering with diabetes and had been unhappy after the death of her cat.

Nick Alderson-Rice, who trained with Ms Kane and remained a close friend, said this weekend: "The changes were a huge disruption and Sarah had spoken to me about this and the longer- and shorter-term implications – she was worried about job security and there was anxiousness over dealing with new types of offenders. I certainly think that the split and new case load was an added burden and could have been a contributing factor to the outcome." A second colleague, who declined to be named, said they believe the changes to her job "precipitated" her death. "Sarah was an unqualified grade of staff, I knew she wouldn't be able to cope with it [the NPS]. The NPS deals with high-risk offenders – murderers, rapists. The woman was not well ... what she wrote [in her eulogy] suggests how she felt," the colleague added.

A close friend of the dead woman, not part of the probation service, confirmed last night that Ms Kane's work was making her unhappy. "I know she was under pressure at work. She expressed concern in doing a role she couldn't fulfil." An industry blog, On Probation, has frequently published anonymous comments from officers complaining of stress in recent weeks. The man who runs the blog using the pseudonym Jim Brown said this weekend: "People are extremely depressed. They're off sick in droves. Some of these people are suicidal –

tem Lawyers say they have acted on behalf of the family of a man who had a heart attack during a neighbourhood dispute, and another that involved a fight after a road rage incident. One leading firm estimated that up to 250 cases were being handled by the private sector – including the RSPCA and the music and film industries – but there are no official figures measuring the amount of work being done by the private sector. "It's a growing market where people are acting out of sheer frustration when their cases aren't being heard and they're being fobbed off too readily" said David Rosen, an associate law professor at Brunel University who has brought a number of private prosecutions. It's a sad state of affairs when neither the police nor the Crown Prosecution Service have the resources to tackle every crime." The majority of cases involve fraud which are not taken on by the police – which has seen the closure of a number of anti-fraud units – or the Serious Fraud Office. They have included gold bullion fraud and Brazilian rain forest investment scams.

"We have to acknowledge that the pressures on the public system at the moment are extreme," said Kate McMahon, whose company Edmonds Marshall McMahon is pursuing about 75 private prosecutions. "If people want some sort of justice that can be done in a timely manner, sometimes you need to go private." Her company is representing Michael Doherty, a 42-year-old aircraft engineer who is behind a private prosecution of a Metropolitan Police civilian worker. Mr Doherty alleges the worker made false claims about him in a witness statement after he reported concerns about child grooming to the force. He described the case, which is due to come to court next month, as a "David vs Goliath" battle which has involved three years of court hearings. These organisations are failing to do their jobs so people are taking it into their own hands for DIY justice," Mr Doherty said. "I think the position is now that the Establishment is clearly very worried about private prosecutions."

Critics have raised concerns about an unregulated private investigations industry carrying out inquiries on behalf of lawyers to build their cases. Private investigators have the disadvantage of not being able to arrest suspects, apply for search warrants, or have access to defendants' criminal records, leading in some cases to controversial joint inquiries with police forces. The Lord Chief Justice criticised one such deal which saw the Metropolitan Police help Virgin Media prosecute a gang of fraudsters in return for a cut of any compensation. The first court hearing was not told that it was a private prosecution. Police have also previously approached insurance companies to contribute to the costs of investigating fake car smashes, according to a paper by Professor Ed Cape of Bristol Law School published this week. "The big danger is that corporations will have an undue influence on policing policy in the way that the public doesn't," he said. The Government has been challenged over the issue and has promised guidance on public-private deals.

Paying for justice: high-profile cases: A tycoon was jailed for eight years last month after swindling investors out of £13.5m in the largest private prosecution so far to come to the courts. Ketan Somaia was convicted of nine counts of fraud after a case launched by his victim, a former friend. Murlir Mirchandani had handed over millions of pounds to Somaia, which he used to prop up his ailing businesses. Mr Mirchandani launched the private prosecution in 2011. "By bringing a private prosecution, I have made sure that his conduct is seen for what it is: criminal and dishonest," he said in a statement after the case.

A private prosecution brought by an anti-counterfeiting group led to Anton Vickerman (right), from Gateshead, being jailed for four years in 2012 for making available pirated movies on his website. He was said to have made £250,000 profit from advertising on the site – Surfthechannel – which was the 514th most popular in the world. In a separate case, two men are due to be sentenced

later this month after pleading guilty after a private prosecution over the illicit recording and uploading of the action movie *Fast & Furious 6*, said FACT, the Federation Against Copyright Theft, which is funded by broadcasters and major film studios.

The right to bring a private prosecution dates back to the earliest days of the legal system. The most high-profile private prosecution was by the family of Stephen Lawrence in 1996, against five suspects after three years of bungled police investigations. The case resulted in only three making it to trial and they were acquitted on the orders of the judge. The Director of Public Prosecutions – the head of the Crown Prosecution Service – can take over cases and stop them if they are considered “vexatious” or “malicious”. They can also be stopped if they interfere with other criminal cases, or are considered not in the public interest, according to prosecutors’ guidance.

Report on an Unannounced Inspection of HMP Doncaster

HMP Doncaster 'private status' is a large and relatively modern facility operated by Serco. It holds over 1000 adult and young adult male prisoners and serves courts in south and west Yorkshire. Its last full inspection was in 2010 when the findings were positive. This inspection was troubling. While the provision of training and the resettlement of shorter-term prisoners remained commendable, it was a less respectful institution and it was less safe. There was a serious act of concerted indiscipline days before inspectors arrived. Doncaster was a prison with much that had to be put right, some of it urgently. The prison was experiencing real drift and performance was in decline. Some staff seemed overwhelmed by the challenges confronting them and needed more support. This was an issue that needed to be addressed immediately, as was ensuring prisoner safety. There was a clear need for strong, purposeful and visible leadership.

Inspectors were concerned to find that: - first night arrangements were poor, with limited supervision and cells in a poor condition; - drug services were very concerning and the arrangements to supervise alcohol detoxification were unsafe; - levels of violence in the prison were high with up to four times more incidents than typically seen in similar establishments; Some of these incidents were also very serious. - support for victims was minimal and intervention to reduce violence was weak; - many staff blamed the dispersal of young adults among the population for the difficulties, but there was no coherent strategy to improve matters; - too many prisoners at risk of self-harm were on a basic regime or isolated in segregation without proper consideration of their circumstances; - two prisoners had taken their own lives since the last inspection and although the prison had responded to recommendations made following these deaths, inspectors were not confident these responses would be sustained; - there was a significant amount of evidence of drugs in the prison; - environmental conditions and cleanliness were poor; - although relationships between staff and prisoners were benign, many staff did not exercise effective authority; and - the poor quality and lack of thoroughness of public protection work was a significant concern. - Arrangements to deal with prisoner's complaints were timely although responses were too often dismissive - it was concerning that for several months prisoners had been unable to make confidential applications to the Independent Monitoring Board. - aspects of healthcare delivery were satisfactory but this was undermined by some unprofessional behaviour by some healthcare staff, poor systems for managing complaints and weaknesses, in at least one case potentially dangerous weakness, in the administration of medications. - Inspectors made 97 recommendations:
Inspection 24 March - 4 April 2014 by HMCIP, published 13/08/14

youth movements which sprang up across the UK, for example in Bradford and Sheffield.

The death of Blair Peach greatly impacted on those he came to support in Southall. His death galvanised a community to face down those forces terrorising them – the National Front and the police. Reflections on the death of Blair Peach lead ultimately to the plea that the ‘killers are at large and should be brought to justice’.

Incidentally, two songs are heard on the DVD: first an ‘oldie’ ‘Jah Wars’ by Misty in Roots which details the events of St George’s Day. (The group was based in Southall at 6 Park View Road, which the police stormed that day and arrested and injured numerous people including the band’s manager who was hit over the head with a truncheon.) And there is also a more recent song ‘Stand Strong (Ode to Blair Peach)’ by Asian rapper Swami Baracus in tribute to Blair Peach. Young Rebels tells the story of how a community successfully came together to defend itself and is an important part of the history of Black communities in the UK. The film is not only educational but also surprisingly entertaining, funny and moving too. It dispels the myths of the ‘passive Asian’ and is definitely a must-see. *Harmit Athwal, IRR News*

Guardian View of the Cliff Richard Police Search/Media Circus

It is less than two years since the Leveson report on the press. One of the key issues in the inquiry was the treatment of celebrities. Another, umbilically linked, was the relationship between the press and police. At the interface between the two, the report said that police sometimes tipped off the media about high-profile raids on celebrities, and debated the pros and cons of media “tagalongs” on police raids and operations. One way or another, these sensitive issues have rarely been out of the public eye ever since.

In his report, Lord Justice Leveson approvingly quoted the Metropolitan commissioner Sir Bernard Hogan-Howe’s view that it was crucial that “the individuals who are the suspects or are the subject of arrest when you get there, or were being sought when you arrived, are not identified, and there should be nothing, the written nor the visual accounts, that allow that to happen”. Leveson himself said that police professionalism “must be sufficiently robust to instil the mindset that such leaks about forthcoming arrests or the involvement of the famous in the criminal justice system are not in the public interest”. Current Association of Chief Police Officers’ guidance says that “the identities of people who come under suspicion of an offence as a result of police attending a location, with or without a warrant, are generally not volunteered by forces”. The report recommended a tightening-up of that guidance.

This week, South Yorkshire and Thames Valley police raided the Berkshire apartment of Sir Cliff Richard in an operation which has not yet led to any criminal charge and which concerns allegations that Sir Cliff describes as completely false. The police were accompanied by journalists and press photographers, while media helicopters hovered overhead for much of the five-hour raid. Accounts of who tipped off whom are unresolved. But the BBC was among those who knew about the raid in advance and also had time to station a reporter outside Sir Cliff’s holiday home in Portugal. Yesterday’s papers, including the Guardian, were full of coverage of the case.

This is an evolving and sensitive story. It may lead somewhere or nowhere. But the relationship between the police and the press in this case raises, yet again, wider and troubling issues about the way that due process, and the presumption of anonymity for suspects, including celebrities, lacks the robustness that was called for by Leveson and to which the police – and the press – are supposed to be committed. When the dust settles on this week’s events, there could be a strong case for fresh reflection and a stronger set of rules to prevent prejudicial coverage of such cases.

able, but instead will try its utmost to bring them back to civilisation. In contrast, the idea of “once a rapist, always a rapist”, the notion that people who are released from jail must continue to be punished and shunned and shamed, is narrow-minded and backward, like something from the Middle Ages. It is fuelled by a misanthropic conviction that some humans are beyond moral repair and thus must be excluded from normal life forever. We all live in a society in which former criminals move among us, and I can handle that. What I find far harder to handle is that I live in a society in which more than 60,000 of my fellow citizens believe that telling a man who has served his time in jail that he may now move on is somehow a bad thing.

Ched Evans: A4677CN, HMP Wymott, Ulnes Walton Lane, Leyland, Preston, PR26 8LW

Southall Youth Movement - Young Rebels With a Cause

A new film, ‘Young Rebels’, on the history of the Southall Youth Movement (SYM) is a must-see. The young men of the 1960s and ‘70s who were involved in transforming Southall into what it is today are now Asian elders, old enough to be respectfully addressed as ‘Uncle-ji’. And here in interviews they speak frankly about their experiences of growing up in Southall at a time of extreme racism – racist attacks, harassment by the police and bussing (where Asian schoolchildren were transported every day out of the area to other schools to prevent Southall’s schools becoming predominantly Asian). One interviewee, Balraj Purewal, a founder member of the SYM, spoke of the sanctions he received at school and having to write repeatedly, ‘I must not speak Punjabi in class’. When he tried out for the school football team, he had spent his time running around the pitch with no-one passing to him – ending his dreams of playing football for his school. Others spoke about the Skinheads who came ‘P**i-bashing’ to the area and of the way they were forced to respond by going ‘Skinhead-bashing’.

The film tells a history of a struggle very specific to Southall that was led by its youth who joined together in 1976 to collectively organise under the banner of the Southall Youth Movement. The SYM brought together numerous ‘gangs’ in Southall and the movement ‘wasn’t like the Panthers’ who had a political programme, but organised on issues affecting the local community – like the overpriced Indian cinemas!

The parents who came as new migrants post-war were respectful of the ‘mother country’. Their children, on the other hand, who were born here and sent to the local schools couldn’t sit back and watch the daily racisms meted out – at school, in the workplace, on the streets. They organised and began fighting back. As it was put in the film by one interviewee: ‘All the rebel kids in Southall got together’ – the birth of the first Asian Youth Movement in Britain.

The film recounts the siege of Southall police station in 1976 which brought into focus the different attitudes of the generations. As another interviewee put it, on the one hand you had the older generations saying ‘we have to survive’ and then on the other hand was the younger generation saying ‘we have rights’. The film also deals with the death of Blair Peach at the hands of police officers from the Special Patrol Group (SPG) on that fateful St George’s Day in 1979. Recollections from the day detail what we would now call kettling and the snatch arrest squads deployed by the police which resulted in 342 (overwhelmingly) young people being charged with various offences in relation to the demonstration. One of the funniest moments in the film comes as one SYM member describes the embarrassment of a young man charged with assaulting (not a police officer) but a police dog with a curry-powder bomb. The arrests resulted in a sustained campaign to support the 342 who were charged. In a co-ordinated defence campaign families were ferried to and from the court in Barnet, fines paid, people visited in prison etc. The campaign was to become a model of ‘good practice’ for many other

A4e Ends £17m Prisoner Education Contract

The welfare-to-work provider A4e has prematurely pulled out of a £17m contract to deliver education and training to prisoners in 12 London prisons on the grounds that it was unable to run the contract at a profit. The decision was criticised by prison charities as likely to cause significant disruption for inmates. Announcing that it would be terminating its contract, the company said delivering the Offender Learning and Skills Service (OLASS) had become “extremely challenging” in the past two years because of “a number of constraints” which had “a heavy impact on learner attendance, completion and achievements. We have concluded, in order to not continue to deliver the contract at a loss, to terminate our provision of [the contract] in London,” it said. “This has been a very hard decision to make because A4e and its employees are passionate about the delivery of education services to offenders and believe education is critical to an offender’s long-term rehabilitation.

Militarisation of US Police Law Enforcement Guardian,

Michael Brown was shot dead by an officer from a police force of 53, serving a population of just 21,000. But the police response to a series of protests over his death has been something more akin to the deployment of an army in a miniature warzone. Ferguson police have deployed stun grenades, rubber bullets and what appear to be 40mm wooden baton rounds to quell the protests in a show of force that is a stark illustration of the militarization of police forces in the US.

Since 2006, state and local law enforcement have acquired at least 435 armored vehicles, 533 military aircraft and 93,763 machine guns, according to an investigation by the New York Times published in June. This was made possible under a department of defense program that allows the agency to transfer excess military property to US law enforcement agencies. More than \$4.3bn worth of gear has been transferred since the program was created in 1997, according to the Law Enforcement Support Office (LESO). The ACLU said there are no “meaningful constraints” to what a local police force could acquire, meaning that even a 10,000 person town with no history of major violence could request and receive a mine-resistant vehicle, like those that are currently available on the LESO site.

“As we’ve seen in Ferguson, the militarization of policing tends to escalate the risk of violence to the communities,” said Kara Dansky, senior counsel with the ACLU’s Center for Justice and the prime author of its June 2014 report on the militarization of US police. “We think that historically, the police and the military have had different roles and that American neighborhoods aren’t war zones and police officers should not be treating us like wartime enemies.” She said the trend of militarizing local police forces has continued over the past several decades and that communities of color bare the brunt of most military policing. Representative Hank Johnson, a house Democrat from Georgia, said on Thursday that he plans to introduce the “Stop Militarizing Law Enforcement Act”, which would end the department of defense’s military surplus program.

“I’m a soldier, I’m a military officer and I know when there’s a need for such thing, but I don’t think in a small town of 22,000 people you need up-armor vehicles,” Cristian Balan, a communications officer in the US army, who was not speaking on behalf of the US military, told the Guardian. “Even if there’s an active shooter – are you really going to use an up-armor vehicle? Do you really need it?” In the eyes of the government, the answer increasingly seems to be a resounding yes.

Forced to address the issue at a Pentagon briefing on Thursday, spokesman Read Admiral John Kirby said that while the government made such equipment available in a “useful” program, it was up to local agencies to decide how to use it. “I’m not going to inject the Pentagon into this discussion,” he said. “How this equipment is used to serve local citizens is up for local law enforcement agencies to speak to.” The increasing militarization of US police is also

attributed to the skyrocketing proliferation of Swat teams across the US. There has been a more than 1400% increase in the amount of Swat deployments between 1980 and 2000, according to estimates (pdf) by Eastern Kentucky University professor Peter Kraska.

The police presence in Ferguson has centred around two large armoured trucks ferrying around officers in military-style uniforms. Officers wearing body armour and holding sniper-style rifles have been positioned atop them. Some have adorned night-vision goggles as the evenings grew darker. Accompanying the trucks have been hundreds of officers from various forces from around the region. Some state troopers and county police officers have been kitted out in basic riot gear – shields, batons and helmets with visors – along with their standard handguns and plastic cuffs.

Others, whose affiliations are not made clear by their uniform, have been carrying what look like AR-15 assault rifles. They wear helmets and all-black body armour, some with partial urban camouflage. On Wednesday evening, some such officers were carrying 12-gauge shotguns and “super-sock” bean-bag cartridges for shooting at protesters. Protesters have also been fired on with 60-calibre Stinger rubber bullets and what appear to be 40mm wooden baton rounds. Mini “flashbang” stun grenades, which are used by the US army to disorient combatants, have also been deployed.

But the most alarming sight for many protesters and residents has been the deployment of officers wearing army-style fatigues distinguished only from the military version by the word “POLICE” emblazoned in grey across their chest. Some have been carrying grenade launchers, apparently for shooting gas canisters. The remains of “triple chaser” grenades have been found on the streets. Others have carried paintball-style guns for shooting pepperballs.

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Dispatches: Tracking US Police Brutality

Human Rights Watch

Over the past month in the United States, police officers have killed three unarmed black men in circumstances that raise serious human rights concerns. On July 17, Eric Garner, a 43-year-old father of six, died after a New York Police Department officer placed him in a choke hold—a tactic that the NYPD banned in 1993—while trying to arrest him for selling black market cigarettes on a Staten Island street. The New York Medical Examiner has ruled his death a homicide. On August 5, police fatally shot John Crawford, 22, inside a Walmart in Beavercreek, Ohio. Witnesses say Crawford was holding a toy gun that was available for purchase in the store, and that police opened fire when he did not comply with an order to put it down. Then, on August 9, police in Ferguson, Missouri, shot and killed Michael Brown, an 18-year-old due to start college two days later. Police allege that Brown assaulted an officer, but witnesses say he was 35 feet away from the police car when he was shot. The US Federal Bureau of Investigation has opened an investigation into the shooting as a possible violation of federal civil rights laws. Communities throughout the US have long voiced concerns about the use of excessive force by police, saying incidents like these disproportionately involve black men. And indeed, Garner, Crawford, and Brown join an appallingly long list of unarmed black men killed by police in the US in recent years.

Medievalism of Campaign to Stop Ched Evans From Getting His Old Job Back

Brendan O'Neill, Telegraph: One of the key building blocks of a civilised society is the rehabilitation of criminals. In modern, democratic nations, we don’t demonise criminals forever. We don’t brand them, or make them bear some sort of mark of Cain, or force them to wear a garment that lets everyone know they once murdered or raped someone or burgled someone’s house. Instead we punish them, with prison if their crime is serious, and then we let them go. We return them to society, and trust – or at least hope – that they have been remade and will once again become good and maybe even fruitful citizens.

But it seems some people don’t like this basic ideal of justice. So reports that Ched Evans might be returning to play football for Sheffield United have caused a storm of outrage. Evans was convicted of rape in 2012. He was sentenced to five years in jail. On the basis that he is no longer a danger to the public, he is due to be released in October, having served half his sentence. And there are rumours that Sheffield United, where Evans was a player at the time of his arrest, are giving him his job back. Cue fury across the internet and in some of the press too.

At the time of writing, 64,257 people have signed a petition demanding that the Chairman of Sheffield United should “refuse to reinstate Ched Evans as a player”. Extraordinarily, the petition says that if Sheffield gives Evans a role it will be sending a “clear message” that he has been “forgiven for [his] crime”. But isn’t that what enlightened societies do – forgive people for their crimes, or at least allow them to move on once they have served their punishment? The petition says that re-employing Evans would send a message that “men who commit such atrocious crimes will suffer only a small penance”. Leaving aside the fact that two-and-a-half years in jail is not exactly a small penance, and that we must surely trust judges and the prison authorities to decide what is the appropriate amount of time for an individual to spend in jail, just what do these petitioners think would be the right penance for Mr Evans? Life in jail? To never work again? To be deprived of his career as well as his liberty? That isn’t justice; it’s retribution, more suited to medieval societies than modern ones.

A columnist for the Guardian says giving Evans a role at Sheffield would be like “pretending that he never committed a crime”. Okay, so should murderers who are released from jail never be allowed to seek work? What about armed robbers or people who commit GBH and other forms of violence – should they be prevented from returning to their old, pre-crime professions too, on the basis that it would “send the wrong message” to society? One of the things that helps keep ex-cons on the straight and narrow is being helped to find work, to become normal. The re-emergence of the pre-modern idea that certain criminals should be shunned from respectable society for the rest of their lives is likely only to isolate ex-cons, and make it more likely that they will lapse back into criminal activity.

The Guardian writer says: “Being a footballer for Sheffield United, however talented one may be, is not a right.” What an odd thing to say. Yes, technically speaking, there is no right to play for Sheffield United. But there is a right to work, to gain employment, to be a citizen, to re-enter society even after having committed terrible crimes. Those calling for Evans effectively to be expelled from the field in which he previously made his living are implicitly calling for those rights to be shelved, and for one section of the populace to be metaphorically branded for life as “Beyond the Pale”.

There is something wonderful about the belief that criminals can become free citizens again. It speaks to a profound faith in mankind, in our capacity to change, to remake ourselves, to rewrite our destinies, to become good even after having been terribly bad. It shows that society is not willing to write people off simply because they did something criminal or unspeak-