

affiliations. In addition, there were a large number of men with significant mental health issues who needed a great deal of attention. The management team was new. Many prisons have problems restricting access to illicit drugs and this was a significant issue at Dovegate. There were particular challenges associated with the availability of new psychoactive substances which led to widespread debt and bullying.

Inspectors were concerned to find: - specialist unit offering support for the early days in prison, prisoners could be dispersed after their arrival to any unit with a space, meaning work to ensure their safety lacked consistency; - levels of violence were high, many incidents were serious and responses to violence were largely reactive and tactical; - violence was often associated with drug-related debt and prisoners were left feeling even more insecure because staffing on units was often insufficient; - a number of prisoners being monitored for self-harm were being held in segregation without clear justification; - use of adjudications/segregation/force were higher than inspectors normally see, governance of use of force needed to be improved; - staffing levels were very tight, inspectors observed, that staff were often scarce; - attendance at activities was poor/quality of learning and skills provision was inconsistent; - visiting arrangements were poor. - Inspectors made 70 recommendations.

Nick Hardwick said: "The prison had struggled to maintain outcomes for a more challenging population and to respond adequately to the destabilising impact of new psychoactive substances. The performance of the prison had dipped and it had taken too long to address this. The various groups of prisoners in Dovegate need to be managed safely and coherently. This should include a dedicated first night/early days unit, better use of the stabilisation unit, and sensible arrangements to hold those who are vulnerable, either through debt or their inability to cope with prison life. Purposefully occupied prisoners are more likely to develop skills that will help them on release, and less likely to have the interest or inclination to become involved in problematic prison behaviour. We were encouraged that the prison's management team was focused on these challenges and some recent improvement and realistic plans for the future were evident. Nevertheless, there remains much to do and we hope this report will assist with that progress."

### **Paying for Sex Becomes a Crime in Northern Ireland**

*BBC News*

Legislation making it a crime to pay for sex has come into effect in Northern Ireland. Last year, Northern Ireland became the first part of the UK to pass legislation making the purchase of sexual services illegal. Anyone caught breaking the new law could face up to a year in prison and a fine of £1,000. Assembly members voted by 81 to 10 in favour of the measure, brought by the DUP peer Lord Morrow. Supporters said it tackled one of the main drivers behind human trafficking. Opponents included Justice Minister David Ford who claimed it would be difficult to enforce.

**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.

**Miscarriages of JusticeUK (MOJUK)**

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**MOJUK: Newsletter 'Inside Out' No 532 (04/06/2015) - Cost £1**

### **Keir Starmer Criticises Handling of Rape Cover-Up Claims** *BBC News, 22/05/2015*

Northern Ireland's Public Prosecution Service has been strongly criticised for its handling of allegations of rape and claims of an IRA cover-up. Sir Keir Starmer was asked to investigate three cases linked to the alleged rape of Máiría Cahill. Ms Cahill told a BBC NI programme that an IRA member raped her when she was a teenager. The review concluded the PPS had taken too long to reach decisions and described the delays as "unacceptable". Sir Keir, a former director of public prosecutions for England and Wales, was appointed in October to examine how the PPS had handled the cases. His report said Ms Cahill and two other alleged rape victims were "let down" by the PPS's handling of the cases. The PPS has apologised to the women. Director of Public Prosecutions Barra McGrory said: "One issue I'd like to make clear at the very outset is that no blame in relation to the collapse of these cases attaches to Máiría Cahill or the other two victims. "In Sir Keir's words, the Public Prosecution Service let you down and for that I wish to say sorry."

*Collapsed trials:* Ms Cahill is a member of one of the republican movement's best-known families. Her great uncle, Joe Cahill, was one of the founders of the Provisional IRA and a long-time associate of Sinn Féin president, Gerry Adams. Ms Cahill told a BBC NI Spotlight programme last year that an IRA member had raped her when she was a teenager and that four other members of the organisation later covered up the alleged abuse. She also accused the PPS and the police of failing to properly investigate her allegations. Three separate trials later collapsed after she and two other alleged victims withdrew their evidence. Five people were then acquitted of all charges against them. Martin Morris had been charged with rape and IRA membership. Four others, Padraig Wilson, Seamus Finucane, Briege Wright and Agnes McCrory, had faced IRA membership charges. Afterwards, Ms Cahill claimed that one of the key reasons the trials collapsed was the fact that it took more than four years for the cases to go to court.

Sir Keir's report describes the cases as "difficult, unusual and complicated", but then lists a series of failings by the prosecution service. 'Not pursued': It said that in order for the interests of the three alleged victims to be protected, it was "imperative that the sexual abuse case be tried with all reasonable expediency". But that did not happen. The report said "the time taken to reach decisions to prosecute in the membership cases was too long", and that "the overall delay in the sexual abuse prosecution was unacceptable". It said the result of the delays was that "each case became weaker over time" as "key witnesses pulled out" and "evidential leads were not pursued". Given the "significant failings in this case" it concludes that "it was almost inevitable" that the three alleged victims would "pull out of the process".

'Prioritised': The lead prosecution counsel, a barrister employed by the PPS, is criticised for failing to oppose a request by defence teams to change the order in which the trials were to be held. The request was granted and meant the sexual abuse trial could not go ahead until the charges of IRA membership had been dealt with first. Sir Keir described this as a significant step, and said the lead prosecution lawyer failed to consult with senior PPS management or the alleged victims. From that date on, the sexual abuse case was held back pending the trial of the membership cases," the report said. There were grounds for strongly opposing the defence argument and submitting that the sexual abuse case should be prioritised, as it had been

since the beginning of the case, not only by the court but by the police and prosecutors."

There is also strong criticism of a lack of communication between the prosecution team and the three women making the allegations. The report said this "contributed to a loss of faith ....in the conduct and handling of the cases by the PPS". On a positive note for the PPS, the report rejected any suggestion that the trials collapsed as a result of a conspiracy. It concludes that "there is no evidence... to suggest that decisions or actions of members of the prosecution team were improperly motivated". PPS apology: The report also stated that "it cannot be said with certainty whether the outcomes of these cases would have been different if particular decisions had been taken differently".

Responding to the report, Northern Ireland's Director of Public Prosecutions, Barra McGrory said: "I take very seriously the failings identified particularly in the quality and timeliness of the decision making at key points by senior members of this prosecution team." Mr McGrory added: "I want to take this opportunity to express, as director of public prosecutions, a sincere apology to the three victims in these cases. It is clear that our service to them fell far short of the standard that they - and indeed the PPS - would expect. And I also want to say, to them and all other victims of sex abuse offences, that I am committed to ensuring that what happened in these cases will not be allowed to happen again," the DPP said.

#### **Graham Gordon to Sue Scottish CCRC and Government** *Jon Hebditch, Aberdeen Journal*

Graham Gordon was jailed for five years after being convicted of raping a woman he met in an Aberdeen nightclub. Prosecutors claimed he attacked the woman after taking her back to his home in the city's Bridge of Don area. But former Bon Accord Golf Club champion Gordon has always maintained his innocence and has made a string of attempts to clear his name.

Now Gordon is launching legal action against both the Scottish Criminal Cases Review Commission (SCCRC) and Holyrood ministers alleging "gross negligence" in the way his appeal has been handled. He is seeking £695,000 for breach of duty and malpractice in public office relating to the 2007 decision. Gordon was jailed for five years at the High Court in Stonehaven in 2002, and served three years and four months of his sentence. He has been relying on handouts from his family to support his constant legal battles. He will also be appealing to the UK Supreme Court – the country's highest court – and has contacted Prime Minister David Cameron.

The 55-year-old alleges that a "conspiracy" has taken place. He said: "If you asked someone on the street if they think a possible miscarriage of justice case should be heard in front of an appeals court they would say that of course it should. It's common sense that if there is any possibility that justice hasn't been served you look at it again. I have spent thousands in legal fees and clearing my name has basically become my full-time job. I've been studying the law for so long now I've learned some expertise in it. Basically, I want it to be shown that nobody is above the law, even the Scottish Government, and that my case needs to be heard with all the correct evidence in place." Gordon added that his life had been left "stained" since leaving jail with the stigma of being a convicted rapist. He has since moved from his Bridge of Don home to Westhill. He added: "Luckily, my friends and family have supported me through this. will never stop fighting this until my name has been cleared."

Although the SCCRC has admitted there "may" have been a miscarriage of justice, it has refused to reopen the case or refer it back to the Court of Appeal. The commission ruled it did not feel the move was in the interests of justice, given the amount of time that had passed. A Scottish Government spokeswoman said: "These are ongoing legal proceedings and, as such, it would be inappropriate to comment further." A spokesman for the SCCRC declined to comment.

to the UK was also reflected in the headlines of the Guardian: 'Cameron shelves move to ban British jihadis returning to UK' (September 2 2014) and 'Jihadis face ban from Britain: counter laws will allow police to seize suspected extremists passports' (November 14 2014) .

With the security threat in the UK being raised to the level of 'severe', the debate regarding the measures needed to combat such threats and indeed, allay public fears was again, inadvertently, having the opposite effect. With continuing disagreement came continuing public disquiet at the uncertainty at the highest levels of government. Apart from the uncertainty regarding the measures suggested, such as the seizing of passports by the police, names being put on 'no fly lists', as well as the power to prevent suspected terrorists returning from abroad, the legal uncertainty was also highlighted with the latter measure likely to be challenged by human rights lawyers. The Guardian pointed out that Cameron and his cabinet colleagues were wary of testing such issues in the future in the high court and, as such, any legislation would be drafted 'to overturn any future ruling that strikes down the operation of these powers' (September 2 2014). In relation to the seizing of passports, the former solicitor general Edward Garnier pointed out 'this could be illegal as Britain is a signatory to at least two UN conventions preventing states making their citizens stateless'. While new legislation has been implemented, there remains a societal perception and sense of uncertainty generated by a seemingly uncertain government in how to deal with the new uncomfortable reality. This uncertainty has perhaps brought with it a new moral panic, one that has replaced that generated by the gruesome executions of Britons by a Briton, 'Jihadi John'. This poses the question: is the existence of a moral panic simply a symptom of society in crisis? And, as a society, to paraphrase Cohen, have our politicians and socially accredited experts found or evolved ways of coping, with such a threat?

#### **HMP Dovegate Prisoner Haroon Ahmed Escaped - Recaptured**

Police are hunting a "violent" convicted robber who has escaped from a category B prison in Staffordshire. Haroon Ahmed, from the Derby area, escaped from HMP Dovegate, near Marchington, at about 16:15 BST on Wednesday 27th May 2015. Ahmed, 26, has been serving a sentence for a robbery he committed in Derby in January 2008. A 25-year-old man from Derby has been arrested on suspicion of assisting an offender and is in police custody. A black Volkswagen Golf, which officers believe Ahmed had access to, has been seized and will be examined by forensic experts. Ahmed is described as Asian, 6ft tall with a thin build and short black hair. He was wearing jeans and a grey t-shirt when he escaped. A Staffordshire Police statement said: "Due to his conviction for a violent robbery we advise members of the public not to approach him and to in ring 999.

Haroon was recaptured four days later in Nottingham and back in HMP Dovegate!

#### **HMP Dovegate - Going Down the Toilet - More To Do To Improve**

Performance had dipped at HMP Dovegate a privately run prison managed by Serco, said Nick Hardwick, Chief Inspector of Prisons. Friday 29th May 2015 as he published the report of an unannounced inspection of the training prison in Staffordshire. HMP Dovegate is a complex prison. It houses a therapeutic community which is subject to a separate inspection report. Inspectors found that the prison had gone through a period of considerable change since its last inspection in 2011. There had been an influx of mainstream category B prisoners, many of whom were not from the area and nearly all of whom were convicted of serious violent offences. Dovegate also had a small remand function serving local courts and held a number of men who needed to be kept apart for various safety reasons, including those with gang

might say draconian, measures put in place in the aftermath of the London bombings and Glasgow Airport attack in 2007, appeared to be ineffectual. Measures such as increased surveillance of young Muslims, increased stop and search in particular communities and the implementation of anti and de-radicalisation projects including the PREVENT strategy, whilst designed to keep the UK safe from terrorism appeared to only add to the radicalisation process for a minority of young 'hard to reach', disillusioned and alienated young Muslims. The ability to access ISIS propaganda, via the social media, the relative ease by which many could travel to Syria to 'enlist' in their cause also served to heighten the sense of moral panic in the UK.

The enemy within: It was also recognised, especially in the wake of the Charlie Hebdo attacks in Paris and the stand-off in Belgium days later in January 2015, that this was now a Europe wide threat. Indeed, according to Shiraz Maher: 'That the flow of foreign fighters has worried governments across Europe, from where more than 3,000 people are thought to have travelled to support jihadists in Syria and Iraq. The consequences of this mobilisation have been far reaching. The Syrian crisis revived the fortunes of the global jihad.' *New Statesman*, October 31 2014

However, within the UK context it was the identification of 'Jihadi John' (later identified as Mohammed Emwazi from London) as a British citizen that fuelled the moral panic. The fear of returning jihadist bringing violence to the streets of Britain, and especially in the aftermath of the brutal killing of soldier Lee Rigby in broad daylight in Woolwich, London, served to heighten the insecurity in relatively secure Britain. The notion of the 'home grown' jihadist, or the 'enemy from within', heightened the call for increased security measures and government intervention. After being associated with the execution of US and UK citizens 'Jihadi John' hit the headlines with chilling messages – 'I'm back and I'll kill a Brit' (*Daily Mirror*, 3rd September 2014); 'A Briton will be next' (*Daily Mail*, 3rd September 2014); 'You're next, Briton told' (*The Times*, 3rd September 2014)) The media headlines relating to 'Jihadi John' added to the calls for tighter security, community surveillance and new legislation which resulted in David Cameron telling MPs:

'It is abhorrent that people who declare their allegiance elsewhere can return to the United Kingdom and pose a threat to our national security. We are clear in the principle that what we need is a targeted, discretionary power to allow us to exclude British nationals from the UK.' *Guardian*, September 2, 2014 However, and again, according to the *Guardian*, this 'clear statement of intent was not backed by any proposals to match the rhetoric'. While the moral panic, following the initial shock and outrage of the atrocities carried out by 'Jihadi John', was now giving way to the new and uncomfortable reality of the growing number of young radicalised Britons, both male and female, travelling to Syria to join ISIS, together with the real prospect of trained and experienced jihadists bringing the fight to Britain's streets and communities sent alarm bells ringing both within government, the security and intelligence services as well as society in general.

The increasing political disagreement within the coalition government in terms of the best way to counter such threats mirrored the increasing anxiety, uncertainty and division within wider society. In attempting to bring a sense of leadership and direction to this new and uncomfortable reality, divisions within the government and Cameron's approach merely served to bring about a different and further sense of moral panic, based on a perceived crisis of leadership and effective action. Paddy Ashdown of the Liberal Democrats warned David Cameron and the government against the implementation of ill thought out measures. Under the headline 'Ashdown slams 'knee-jerk' Tory response to jihadi terror threat', he accused the Prime Minister of 'stoking fear in the minds of the British people' (*Observer*, August 31, 2014).

The sense of uncertainty of how to deal with the new reality of returning and trained jihadists

## Where Next For Joint Enterprise Reform?

*Tom Wright, Justice Gap*

It was tense in the Court of Appeal back in February. Three hours had been spent reviewing the initial case against Gerard Childs. Then, in untimely fashion, Lord Justice Davis decided to break for lunch. It was yet more waiting for Mandy – sat just one row behind the family of the young man who died in 2013 – who had spent the last year campaigning against Joint Enterprise and her son's murder conviction. Gerard Childs was convicted of murder, along with his friend Stephen Price in 2013. The two had a fight with Jonathan Fitchett at a retail park in Merseyside that resulted in Fitchett's death. Childs threw the first punch that he claims failed to connect, before Price threw another that knocked Fitchett straight to the ground. He never regained consciousness.

Childs and Price were both convicted of murder and sentenced to 10 and 11 years in prison respectively under the controversial joint enterprise law. Childs and his family claim that at no point during the trial was he told the prosecution was trying to convict him using joint enterprise. The prosecution argued – and the jury agreed – that there was enough evidence to show that Childs and Price had planned to seriously harm Fitchett and therefore were guilty of murder, not manslaughter. This was vigorously denied by Childs, Price and their defence teams. Fast forward two years to February, and Childs and Price are both at the Royal Courts of Justice. Price's murder conviction has been downgraded to affray and he is sentenced to two and a half years in prison, substantially less than the original 11. Childs however has not been so lucky. He too has had his murder conviction quashed, but he is instead convicted of manslaughter and ordered to serve seven years, just three years less than his initial sentence.

Mandy has mixed emotions. Her son is no longer a convicted murderer, but his sentence still seems high, especially considering Price – who initially had a longer sentence – has been sentenced to just two and a half years. Gerard's case isn't an isolated incident. A study by the Bureau of Investigative Journalism into joint enterprise last year found that between 2005 – 2013 4,590 people were convicted homicides involving two or more people. While it is not definitive that Joint Enterprise was used in all of these cases, it is the closest approximation that can be made and is widely accepted by academics.

*Momentum stalled:* At the end of last year MPs called for an urgent review of joint enterprise. A Justice Select Committee ruled that the doctrine was being used to deliver a 'social message' about the perils of gang crime, rather than to convict people proportionately. 'There is a real danger in justifying the joint enterprise doctrine on the basis that it sends a signal or delivers a wider social message, rather than on the basis that it is necessary to ensure people are found guilty of offences in accordance with the law as it stands.' Alan Beith

A key concern was the use of joint enterprise in murder cases such as Gerard's. The use of joint enterprise means that a peripheral figure in a group that commits murder will receive the same mandatory life sentence as the main perpetrator even though they did not cause the fatal wound. In reference to this, the committee said that 'the Law Commission should consider the proposition that it should not be possible to charge with murder, but only with manslaughter or a lesser offence, secondary participants in joint enterprise cases who did not encourage or assist the perpetration of the murder'.

Childs' appeal victory, along with a second damning report from the Justice Select Committee, led many to believe at the beginning of the year that there was growing momentum heading towards a reform, but this seems to have stalled. Former Justice Secretary Chris Grayling seemed reluctant to push for change, said. 'Joint enterprise law has enabled some of the most serious offenders to be brought to justice. It ensures that if a crime is committed by two or more

people, all those involved can potentially be charged and convicted of that offence. We have considered the Justice Committee's recommendations carefully and it would not be appropriate to launch a review of the law before the end of the Parliament. We also need to think carefully about the impact changing the law would have on the families of victims.'

So where do we stand on Joint Enterprise now? The momentum that was gathering at the beginning of the year seems to have faded. Just this week JENGBA campaigner Janet Cunliffe was at the High Court in London to see her son Jordan's appeal for a reduced tariff rejected. Jordan – along with two other co-defendants – was sentenced to 12 years in prison for the murder of Garry Newlove in 2007. Jordan, who is registered blind, claimed that although he had spent the day with the people involved in Newlove's murder, he couldn't see the incident because of his vision impairment. This claim was rejected by the prosecution in the initial trial, but just a matter of weeks later he had surgery to correct the problem.

The Ministry of Justice wrote to JENGBA this week however it stopped short of committing the government to further review. The letter said that the new justice secretary Michael Gove would 'consider carefully a number of areas as part of the new government' and that the group's views would be 'fed into this'. Despite this, JENGBA is gathering support. Jimmy McGovern's BBC drama *Common* brought Joint Enterprise into mainstream attention and the group recently handed a petition of over 10,000 signatures to 10 Downing Street. But what needs to change? Speaking to the Justice Gap, barrister Tunde Okewale said: 'I'm of the belief that there needs to be a reform around sentencing, in particular those that are on the peripheral and where it's accepted that they're not the main person. I think the law needs to take into account their culpability and they need to be sentenced proportionately.'

### **Prisoners Tend to View Law Solely as an Instrument of Punishment'**

The Prison Service claim that they're about preserving family ties – but it's totally the opposite; they take your stamps away, they move you hundreds of miles away from your family,' former prisoner, Christopher McDonald told the audience at the Prisoners' Advice Service (PAS) at an annual panel discussion. McDonald (a PAS client) and four other panelists addressed the question of whether the European Convention on Human Rights (ECHR) was providing adequate human rights protection to UK prisoners, in a debate chair by former PAS director Matt Evans.

Nicola Padfield, a senior lecturer in criminal and penal justice at Cambridge University, pointed out that European Governments had, in some cases, gone as far as to release detainees in response to judgments of the European Court of Human Rights (ECtHR). She made clear her position that it was better to have the Convention than not. Padfield also raised concerns that the ECtHR had made the wrong decision in finding Britain's hearsay laws to be compatible with the right to a fair trial. Referring to the Court's famous *Horncastle* judgment, she said, 'I hope it's not a conclusion of any dialogue; the whole point of ECHR is to have an ongoing dialogue. Such a dialogue needs to continue, as I suspect that the national court's interpretation might not be right.' Eric Allison, the Guardian's prison correspondent and an ex-prisoner, said there had been some improvements to the penal system brought about through judgments of the ECtHR and the domestic courts. 'Prisoners tend to view law solely as an instrument of punishment,' he said. '[If prisoners] find the law, however occasionally, to be on [their] side, that could lead somewhere positive.'

Dirk van Zyl Smit, a comparative law professor at Nottingham University, focused on cases dealing with prison overcrowding in Hungary, Italy and Poland to show that the ECtHR is adequate and even improving the lives of prisoners. 'Because this overcrowding is coupled

was made in April of this year. We have written to Lewis' family to explain our decision in detail and to offer a meeting should they want one.'

Cindy Butts, an IPCC commissioner, said: "Having considered a full file of evidence, the CPS has decided there is insufficient evidence to charge any officer with any criminal offence in relation to Lewis' tragic death. Following the conclusion of our investigation I provided a report to the Metropolitan police service, detailing our findings as to whether or not any officers involved has a case to answer for either misconduct or gross misconduct and should face disciplinary proceedings. Under police complaints procedure, it is now a matter for the force to respond to me with a decision on what action it proposes to take as a result of those findings." About 10 serving police and one retired officer, all of whom were involved with restraining Lewis immediately before he died, were interviewed under criminal and gross misconduct caution.

### **'Jihadi John': the Making of a Moral Panic**

*Alan Grattan, Justice Gap*

Stanley Cohen, in his seminal study *Folk Devils and Moral Panics* (1964), says that societies 'appear to be subject, every now and then, to periods of moral panic'. 'A condition, episode, person or group of persons emerge to become defined as a threat to societal values and interests; its nature is presented in a stylised and stereotypical fashion by the mass media; the moral barricades are manned by editors, bishops, politicians and other right thinking people; socially accredited experts pronounce their diagnoses and solutions; ways of coping are evolved.' Stanley Cohen Although Cohen was commenting on a different era that was arguably more media insular and less media pervasive, nevertheless his observations still retain contemporary resonance. John Macionis and Ken Plummer (in *Sociology: a global introduction*) pointed out in 2002 that, since Cohen's study in 1964, many such 'folk devils' and moral panics have been identified. In the contemporary climate, the 'moral panic' has been identified as Islamic fundamentalists – radicalised Muslim youth and the 'home-grown' terrorist. Building on Cohen's assertion – and in the British context – one such moral panic is the fear of the increased threat of violence on British streets emanating from the identified modern 'folk devils' – the returning British born jihadist.

Jihadi John: This has been exacerbated by the wave of Islamic State of Iraq and Syria (ISIS) executions of Western hostages by beheading over the last year, sending shockwaves throughout the world. The fact that those Western hostages executed were innocent people, going about their work in either delivering aid or simply reporting to the world the unfolding tragedy in that region, compounded the sense of revulsion and moral outrage as well as raising the uncomfortable question as to how to confront this new and seemingly invincible 'force of evil'. The fact that the US and UK intelligence community identified the chief executioner as a British subject – known in the media as 'Jihadi John' – sent further shock waves throughout the West especially in the UK. The response from the politicians in Westminster and the British media was as predictable – as was the shock and horror that a British born citizen could commit such atrocities. The subsequent blanket broadcast media coverage that followed each of the executions was equalled by the British press – as the headlines above indicate. Collectively, it could be argued at that time, the British media succeeded in stimulating a new moral panic to which the Westminster coalition government had to respond.

The new moral panic lay not so much in the rise of ISIS, but rather the realisation that young British Muslims had joined their ranks, and that they were prepared to share with the social media savvy and other politically disillusioned young Muslim people in the UK the results of their 'work'. Part of this moral panic derived from the fact that the increased, and some

## No Prosecution for Police Involved in Death of Olaseni Lewis

*Guardian*

[The officers invoked their right to silence the right of every suspect and did not answer questions] Prosecutors have decided not to take action against police involved in the death in 2010 of a man who was restrained by officers at a psychiatric hospital. The Crown Prosecution Service (CPS) said there was insufficient evidence for a realistic prospect of conviction against any of the officers involved in the death of Olaseni Lewis, an IT graduate. Lewis, 23, died on 4 September 2010 following his restraint by a number of Metropolitan police officers at the Bethlem Royal hospital in Beckenham, south-east London, where he was, initially, a voluntary patient because of mental health problems.

The case has been subject to many legal moves which have culminated in the latest decision. The CPS said, following consideration of evidence provided by the Independent Police Complaints Commission (IPCC), it had decided that there was “insufficient evidence for a realistic prospect of a conviction against any of the police officers involved in Lewis’ restraint for any offence”. It added: “Our consideration of the case included an external review by a queen’s counsel, which was concluded early 2013. The additional material recently supplied by the IPCC has not changed the evidential position in relation to possible criminal charges. The decision was taken in accordance with the code for crown prosecutors which requires there to be sufficient evidence for a realistic prospect of a conviction and a consideration of the public interest factors before charges can be authorised.

“It should be noted that despite the reinvestigation launched in 2013, the bulk of the evidence has remained unaltered from that which was referred to us in 2012. The QC instructed by the CPS advised the IPCC on a number of points to be put to the police officers in interview but they invoked their right to silence (the right of every suspect) and did not answer questions, relying on prepared statements.” The CPS said that regarding a possible offence of actual bodily harm, there was insufficient evidence that strikes with a police baton, which left only superficial injury, and the handcuffing of Lewis, were unreasonable or unlawful in the circumstances and could not “be considered as amounting to the offence of assault occasioning ABH as defined by law”. It reached the same conclusion with regard to unlawful act manslaughter and gross negligence manslaughter.

“It is important to remember that the law entitles officers to restrain an individual until they achieve control. Having carefully considered the evidence, including the views of a number of experts, we have concluded that there is insufficient evidence to show that the manner in which he was restrained was unlawful or unnecessary given the circumstances in which the officers found themselves. The evidence of the hospital staff does not, on the whole, criticise the methods as excessive and there is considerable evidence as to Lewis’ strength and violence.” As for misconduct in a public office, the CPS said: “Whilst it may well be said that Lewis’ restraint might have been handled better, there is insufficient evidence that the actions of the officers meet the high criminal threshold required for this offence.” It concluded: “We have advised the IPCC that no further criminal action should be taken in relation to this matter. The issue of whether to bring internal disciplinary proceedings, which do not require the same level of evidence, is a matter for the IPCC. “We understand that our decision will be hugely disappointing and frustrating for the family of Lewis who have acted with dignity throughout this process. However, the CPS can only prosecute where there is sufficient evidence of an offence as defined by the law. We also understand that the time taken to reach this decision has only added to the disappointment and frustration. We want to reassure Lewis’ family that we have reached this decision as swiftly as possible since receiving the IPCC’s latest referral which

with other countries, and because it is structural, the Court will order the nation to change the system itself,’ he said. ‘Italy was ordered to make major changes in response to overcrowding, and serious modifications have followed.’ Professor van Zyl Smit also discussed the system in place in many European countries whereby prison governors never take on additional prisoners if their prison is too full. ‘They deal with it in the same way as a hospital: if a murderer is convicted then space will of course be found. But with less serious offenders, people are sent away, and told they will come back to serve their sentence when there is space,’ he explained. ‘The downside is that there are about 200,000 people in Poland who could be called to serve a sentence at any time, and have that hanging over them,’ he said.

Pete Weatherby QC of Garden Court North warned of a ‘tsunami’ of anti-Europe and specifically anti-Convention cases in the UK. He pointed out that the UK stands in complete defiance of four ECtHR judgments finding the blanket ban on prisoner voting to be an arbitrary breach of prisoners’ human rights. Christopher McDonald, a former IPP prisoner, provided the audience with insight into the reality of life on the inside, far away from the court room. ‘For about two years I stayed in a cell that was no longer than my arm span, with two to three other people in a cell,’ he explained. ‘Later on in my sentence I was represented by Lubia [Begum-Rob, joint managing solicitor at PAS], who told me I do have rights, and we could start to challenge some of the decisions. More needs to be done to inform prisoners of what they are entitled to,’ he said. McDonald also stated that the prison service was not doing enough to facilitate contact between prisoners and their families. He explained how the prospect of a few minutes telephone contact with loved ones was often all that kept him from despair while he was serving his sentence. ‘As an IPP prisoner I was told that I had to do numerous courses; if the course was only available in another location, I had no choice but to be relocated to Manchester. Without my family you can feel hopelessness, you feel demoralised, you think what’s the point.’

## The Years Since I Was Jailed For Releasing The ‘war Diaries’ Have Been a Rollercoaster

*Chelsea E Manning, Guardian:* Today marks five years since I was ordered into military confinement while deployed to Iraq in 2010. I find it difficult to believe, at times, just how long I have been in prison. Throughout this time, there have been so many ups and downs – it often feels like a physical and emotional roller coaster. It all began in the first few weeks of 2010, when I made the life-changing decision to release to the public a repository of classified (and unclassified but “sensitive”) documents that provided a simultaneously horrific and beautiful outlook on the war in Iraq and Afghanistan. After spending months preparing to deploy to Afghanistan in 2008, switching to Iraq in 2009 and actually staying in Iraq from 2009-10, I quickly and fully recognized the importance of these documents to the world at large.

I felt that the Iraq and Afghanistan “war diaries” (as they have been dubbed) were vital to the public’s understanding of the two interconnected counter-insurgency conflicts from a real-time and on-the-ground perspective. In the years before these documents were collected, the public likely never had such a complete record of the chaotic nature of modern warfare. Once you come to realize that the co-ordinates in these records represent real places, that the dates are our recent history and that the numbers represent actual human lives – with all of the love, hope, dreams, hate, fear and nightmares with which we all live – then you cannot help but be reminded just how important it is for us to understand and, hopefully, prevent such tragedies in the future.

A few months later, after spending months poring over at least a few thousand classified US diplomatic cables, I moved to also have these documents released to the public in the “cablegate”

archive. After reading so many of these documents – detailing an exhaustive list of public interest issues, from the conduct of the “global war on terrorism” to the deliberate diplomatic and economic exploitation of developing countries – I felt that they, too, belonged in the public domain.

In 2010, I was considerably less mature than I am now, and the potential consequences and outcomes of my actions seemed vague and very surreal to me. I certainly expected the worst possible outcome, but I lacked a strong sense of what “the worst” would entail. I did expect to be demonized and targeted, to have every moment of my life re-examined and analyzed for every possible personal flaw and blemish, and to have them used against me in the court of public opinion or against transgender people as a whole.

When the military ordered me into confinement, I was escorted (by two of the friendliest guys in my unit) to Kuwait, first by helicopter to Baghdad and finally by cargo plane. It was not until I arrived at the prison camp in Kuwait that I actually felt like I was a prisoner. Over the succeeding days, it only got worse as the public and the media began to seek and learn more about what happened to me. After living in a communal setting for about a week, I was transferred to what amounted to a “cage” in a large tent.

After a few weeks of living in the cage and tent – not knowing what my charges were, having very limited access to my attorney and having absolutely no idea of the media firestorm that was beginning to swirl in the world outside – I became extremely depressed. I was terrified that I was not going to be treated in the dignified way that I had expected. I also began to fear that I was forever going to be living in a hot, desert cage, living as and being treated as a male, disappearing from the world into a secret prison and never facing a public trial.

It didn’t help that a few of the Navy guards delivering meals would tell me that I was waiting for interrogation on a brig on a US cruiser off the coast of the horn of Africa, or being sent to the prison camps of Guantánamo Bay, Cuba. At the very lowest point, I contemplated castrating myself, and even – in what seemed a pointless and tragicomic exercise, given the physical impossibility of having nothing stable to hang from – contemplated suicide with a tattered blanket, which I tried to choke myself with. After getting caught, I was placed on suicide watch in Kuwait.

After being transferred back to the US, I was confined at the now-closed military brig at the Marine Corps base in Quantico, Virginia. This time was the most difficult for me overall, and felt like the longest. I was not allowed to have any items in my cell – no toothbrushes, soap, toilet paper, books, paper and on a few occasions even my glasses – unless I was given permission to use them under close supervision. When I was finished, I had to return these items. At night, I had to surrender my clothing and, despite recommendations by several psychiatrists that I was not deemed suicidal, wear a “suicide prevention” smock – a single-piece, padded, tear-proof garment.

Eventually, after public outcry regarding the conditions of my confinement at Quantico and the resignation of PJ Crowley, the former press secretary of the Department of State, I was transferred to medium custody and the general population at an Army prison. It was a high point in my incarcerated life: after nearly a year of constantly being watched by guards with clipboards and having my movements controlled by groups of three-to-six guards while in hand irons and chains and limited contact with other humans, I was finally able to walk around and have normal conversations with human beings again.

The government pressed forward with charges of “aiding the enemy” – a treasonable offense under the US constitution – and various charges under the Espionage Act of 1917 and the Computer Fraud and Abuse Act. Over nearly two years of hearings, I witnessed firsthand just how much the government was willing to invest in my prosecution: the stacks of money spent; the gallons

have complicated his appeals and left them vulnerable to being dismissed on technicalities. “If you’re here long enough the laws change so much that it gets messed up,” he said. “I’ve got the best attorneys in the world. Even the best attorneys in the world can be thwarted by the system ... the deck is always stacked against you.”

‘What if I’d been in the jury and heard my own case?’ His problems began when he responded to an advertisement in *Glider Rider* magazine and agreed to buy an ultralight aircraft from a building contractor named Bob Tate on 8 October 1983. That day, four men – Tate, Ronald Mayes, Philip Good and Jerry Brown – were shot in the head at close range in a hangar on a ranch near Sherman, 60 miles north of Dallas. Three of the bodies were placed under a carpet pile. The crime bore many of the hallmarks of a professional-grade assassination. Initially the investigation focused on possible connections to drug dealing. Months later it turned to Bower after phone records showed he had talked to Tate. Bower, who did not want his wife to know he had bought the plane because she was firmly against the idea, was questioned by the FBI and lied to them by claiming he had no link to Tate or the aircraft. When parts of the plane were found in his garage, he was arrested. “In the long run I’m really responsible for putting myself down here. I didn’t help in the investigation. It’s like the quarterback for the New England Patriots [Tom Brady]; once he decided not to cooperate then they said: ‘well, if you’re not going to cooperate then you know more [than you’re letting on]’. And they came down on him ... Now, clearly the state took advantage of that situation. But there’s not much I can do about that right now,” he said. “It’s a difficult job being on a jury. I’ve thought about this. What if I’d been in the jury and heard my own case? I think that given what the jury had to go with, the evidence before them, I think I would probably have reached the same conclusion.”

No witnesses or evidence directly linked Bower to the crime scene and the murder weapon was not recovered. But prosecutors built the case that Bower killed Tate to steal the aircraft and shot the other three – one of them a former police officer, another a sheriff’s deputy – when they unexpectedly turned up. Bower’s lawyers contend that much of the evidence the state relied upon at trial was dubious, such as the speculative claim that the murders were carried out using a very rare kind of subsonic ammunition previously bought by Bower, who was a licensed weapons dealer. Prosecutors wrongly told the jury that only 15 people in Texas had access to the type of bullets. They say that since the conviction in 1984, witnesses have come forward and documents have been unearthed to suggest that the killings were indeed sparked by a drug deal gone wrong. They also argue that the jury was not given the option to take mitigating circumstances such as Bower’s previous good character into account during the sentencing phase of the trial. In his dissent last March after the supreme court refused the case, justice Stephen Breyer said this was a “glaring” and unconstitutional error that should entitle Bower to a new sentencing proceeding.

Prosecutors have insisted in court filings that the new witnesses were not credible, that there is no hard evidence the murders were drug related and that the case against him remains highly persuasive. As for the lengthy stay on death row? According to Texas’ attorneys, this is Bower’s own fault for fighting his conviction so doggedly. “Bower has consistently litigated his case without stop over the last thirty years. Any delay is purely of his own making,” they wrote earlier this year.

Bower was calm and measured throughout an hour-long interview, never becoming emotional and discussing his situation with clinical detachment. “I don’t know if the futility has mellowed me or whatever; I have found it doesn’t do any good to yell and scream and wave my hands,” he said. “If it’s my time to go it’s my time to go ... If next week I end up in the execution chamber, my final words probably will be: ‘Hey, I’m out of here, this hasn’t been fun. I’m going on someplace else. Tired of this.’”

### 30 Years on Death Row Many Appeals Later, 'Deck is Always Stacked Against You'

Lester Bower made for an unlikely mass murderer, will be the second-longest tenured Texas inmate to be put to death in modern era but will a seventh stay of execution save him? At the time when four men were shot dead in an aircraft hanger near Dallas, Bower was a 35-year-old, college-educated, married father of two who made a comfortable living as a chemicals salesman and did not have a criminal record. That was in 1983. Bower was convicted of the killings the following year and has been on death row ever since, maintaining his innocence and launching appeal after appeal. Texas has attempted to kill him six times only for Bower to be granted stays when facing imminent execution, most recently in February.

The state will try again 3 June, when the 67-year-old is scheduled to die by lethal injection. He will be the oldest inmate executed in Texas since capital punishment was restored in the US in 1976. Texas has executed 522 prisoners during Bower's 11,341 days on death row. Of the 265 people currently on the state's death row, nine have been there longer. Raymond Riles, who is seriously mentally ill, has been on the row since 1976. Bower will be the second-longest tenured Texas inmate to be put to death in the modern era after David Powell, a cop killer who spent 32 years on death row before his execution in 2010.

Yet Bower is philosophical about his extended stay and the probability that it is about to end. "I'm not overly earth-shaken about what's going on," he said from behind glass in a cage the size of a phone booth at Texas's death row in Livingston, 70 miles north of Houston. "Once you've been through the dates three or four times, once you've been to seven ... you get down to the captain's office to go through the last protocols, ask for your witnesses and stuff like that – geez, we're all on a first name basis now. They're used to it. It's kind of, I walk in and say, 'same as last time. Just get last time and re-duplicate it'." He expects to mount a last-minute appeal to the US supreme court, which declined to take up the case in March after granting a stay in February to give them time to decide whether to hear it. In 2013 the court opted not to stop Arizona from executing Edward Schad, a 71-year-old who had been on death row for nearly 35 years.

The average time on Texas death row is 10.82 years, according to the Texas Department of Criminal Justice. That Bower has been there nearly three times as long has formed part of his appeal strategy. The supreme court is considering whether drug protocols using midazolam violate the constitutional ban on cruel and unusual punishment. Bower argues the duration of his stay breaches the eighth amendment by effectively being a form of torture. Courts in Texas have not bought that argument, but a federal judge in California ruled last year that the state's death penalty was unconstitutional because a "random few" who are put to death "will have languished for so long on death row that their execution will serve no retributive or deterrent purpose and will be arbitrary".

Robert Dunham, executive director of the Death Penalty Information Center, said it is legitimate to ask whether any useful penological purpose is served by keeping inmates on death row for so long, often in harsh and isolated conditions that may affect their mental health. "Three decades is an extraordinary period of time. When you tell people that somebody has been on death row for 30 years, one of the first things you hear from them is, 'well, what's the point?'" he said.

Bower said he listens to NPR and BBC news reports on the radio in his cell, especially when there's an election on – though as a felon he is not allowed to vote. "You have to keep yourself occupied. You've got to do something," he said. "For some that's drawing, painting; some people just read. A lot of people just enter into correspondence with pen pals around the world. Everybody kind of handles it different ways. You can keep a reasonable chess game going."

He has been entangled in litigation for so long, he said, that changes in the legal process

of fuel burned; the reams of paper printed; and the lengthy rolls of personnel, lawyers and experts. For over 100 days, I watched the lawyers who prosecuted my case present me as a "traitor" and "enemy of state" in court and then become friendly people giving greetings and making chit-chat out of court. It became clear to me that they were basically just decent people doing their jobs. I am convinced that they did not believe the treason arguments they made against me – and was, even as they spoke them. The verdict and sentencing at the end of my court-martial was difficult to predict. The defense team seriously worried about the aiding the enemy charge and the very wide range for a sentence, which was anything between "time served" and life without parole. After the judge announced my 35-year sentence, I had to console my attorneys who, after years of hard work and effort, looked worn out and dejected. It was a low-point for all of us.

After years of hiding and holding off because of the trial, I finally announced my intent to change my name and transition to living as woman on 22 August 2013 – the day following my sentencing – a personal high point for me, despite my other circumstances. However, the military initially declined my request to receive the medically-mandated treatment for my diagnosed gender dysphoria, which is to live as a woman and receiving a regular regiment of estrogen and androgen blockers. Just like during my time at Quantico and during my court-martial, I was subjected to a laborious and time consuming legal process. Finally, just under four months ago – but nearly a year and a half after my initial request – I began my hormone treatment. I am still fighting for the right to grow out my hair to the military's standard for women, but being able to transition remains one of the highest points for me in my entire life. It can be hard, sometimes, to make sense of all the things that have happened to me in the last five years (let alone my entire life). The things that seem consistent and clear to me are the support that I receive from my friends, my family and the millions of people all over the world. Through every struggle that I have been confronted with, and have been subjected to – solitary confinement, long legal battles and physically transitioning to the woman I have always been – I manage not only to survive, but to grow, learn, mature and thrive as a better, more confident person.

### Weapon That Murdered Seven Catholics Found in War Museum Display BBC News

An assault rifle used in seven unsolved murders has been discovered on public display at the Imperial War Museum. BBC Panorama has learned that investigators re-examining paramilitary murders in Northern Ireland found the gun on display in an exhibit on the Troubles. The families of the murder victims had previously been told by the police that they had disposed of the weapon. A senior officer says the Police Service of Northern Ireland fully supports an investigation into its history. Forensic tests conducted in the 1990s showed the rifle was one of two weapons used in an attack on a Belfast betting shop in 1992. Five Catholics, including a 15-year-old boy, were killed in the attack on the Ormeau Road by Protestant paramilitaries. The rifle has also been linked to the unsolved murders of two other men in 1988. The weapon was originally recovered by the police in 1992, but officers from the Historical Enquiries Team (HET) were unable to locate the gun when they reopened the unsolved murder cases. Families were told that the VZ58 rifle had been officially "disposed of", but investigators from Northern Ireland's Police Ombudsman's team found the gun at the museum and have sent it for further tests.

Assistant Chief Constable Will Kerr said the Police Service of Northern Ireland would fully support the ombudsman investigation. "I have been made aware that investigators from the Police Ombudsman's office have recovered a weapon on loan from police in Northern Ireland to the Imperial War Museum in London as part of a permanent exhibition relating to 'the Troubles'. In the interests of public confidence and transparency, I accept that it merits further investigation."

A spokeswoman for the Imperial War Museum (IWM) said it was given the gun by the Royal Ulster Constabulary Weapons and Explosives Research Centre. "IWM believes that we provide an appropriate context for the display of items used in conflict. This object has always been displayed in the context of a wider story which sets it against other items from both sides of the Northern Ireland conflict." She said the museum was told that the weapons it received could have been used in "specific events", but it wasn't given any details of what those events were. The museum is now working with the police ombudsman to try to work out whether there are any other weapons from unsolved murders in its collection.

Billy McManus, whose father Willie was killed in the betting shop shooting, says the murder weapon should never have been treated as a museum exhibit. He said: "I am absolutely shocked that a gun connected with so many deaths was there on display for anyone to come and see at the Imperial War Museum in London. It should be here in a secure place so that it can be used for ballistics. Why would somebody let something so important be shipped to England to be put on display? What does that say about their treatment of the case? They just don't care."

The families of those killed at the bookmakers have long believed that the security forces colluded in the attack. Earlier police investigations have already established that the second murder weapon - a hand gun - was given to the paramilitaries by a soldier at an army barracks. An informant in the terror group later handed the gun in to his police handlers. The police claim they deactivated it before giving it back to their agent, but the pistol was working when it was used in the attack on the Belfast betting shop.

### **How UK Immigration Controls Create 'Slaves'**

*Lucy Williams, Open Democracy*

British immigration controls aren't working and policies stripping rights from large numbers of migrants are creating a 'slave' population in the UK. The term 'modern slavery' is used to describe the terrible reality of some people's lives, but it is used selectively. Stories of slavery today tend to focus on an 'evil' perpetrator and often offer fetishistic descriptions of bondage while neglecting the processes that allow one group of people to dominate another. Historically, chattel slavery has meant much more than the simple ownership of one person by another. To get to the heart of slavery, we must move beyond images of chains and frightened faces and look at how people become victimised and stripped of their humanity.

Slaves are institutionally powerless and perpetually dependent in a capricious world. They are obliged to abide by laws that don't protect or benefit them, existing in a liminal state between a lost social place and new communities and identities. Slaves are 'marked' as different and, as people without rights, can lawfully be rejected and abused. They are not free to make their own choices or work towards their own goals. In declaring many migrants in the UK 'illegal' and 'deportable', refusing them permission to work, to rent or even to marry, the State has declared them 'unwanted' and without personal rights.

Migrants who have lost or been refused leave to remain in the UK are liable to detention, destitution and deportation. Many have been living in the UK as students, visitors, workers and members of settled families but have lost their rights for a variety of reasons. Their visas may have run out or policy changes may have re-branded them as undocumented or irregular. Some may have been asylum seekers refused refugee status, or perhaps they have had their temporary protections withdrawn. Some might have been convicted of criminal offences carrying more than a year's sentence which, since 2008, has meant automatic deportation. Some may have lived in the UK for most of their lives, embedded in communities where they feel, and are accepted as, 'British'. For all of

them, a Home Office decision denying further right to remain means that they become effectively banished to the fringes of society. Many migrants in the UK today experience the restraints on freedom that academics have linked to slavery. They are not 'owned' and they do not necessarily work unrewarded for the gain of others, yet without rights to support themselves legally and with the threat of detention and deportation hanging over them, they are marked as aliens with no chance to belong.

Immigration detention in the UK is administrative—meaning it results from a bureaucratic rather than a judicial procedure—and indefinite. Drawing on many studies, the recent All Party Parliamentary Inquiry described the damage detention can inflict on already vulnerable people. Detention is promoted as a means of facilitating deportation but, despite the rhetoric, recent official figures show that only 53 percent of detainees leave detention for countries of origin.

Many migrants are released from detention into a British community, put under curfew and monitored by electronic tag. They must often live at specified addresses and almost all will have to sign regularly at Immigration Reporting Centres, from where they can be re-detained without warning. If eligible for 'Section 4 support' (Immigration Act 1999), they receive no-choice accommodation and an 'Azure' card, a cashless, pre-paid card, worth £36.62 per week in designated shops. Through tags and the Azure card, some 5,000 migrants on Section 4 are surveilled and monitored. Reporting requires migrants to submit themselves to further monitoring and also saves the Home Office the trouble of rounding up potential deportees. In other words, detention is not the end of many migrant stories in the UK. It remains a constant threat even after they have been 'released' into the community, and some people are detained and released many times before they are removed.

The pain of this contingent situation is evident from the testimony of Said, a Middle Eastern man released after 20 months in detention: . . . .I'm not allowed to work and I am reporting every 3 months ... and believe me when I go I know they can detain me anytime—they can detain me forever ... so I will be in the same circle—if this happens again I don't know I thought of finishing my life, to end this suffering...Consider the experience of Abdul, a young Afghan who was in Local Authority Care as an asylum-seeking child and who worked hard to integrate into British life. Refused asylum as an adult, he is not only rejected as 'one of us' but subject to clumsy attempts at deportation to a country he knows little about and where he fears persecution and death. ... we are not sleeping at night we don't know what to do with our life 'cos we haven't got nothing we can't work we can't go to college. What we can do – I'm just going to kill myself (bangs table) its really bad – its really difficult to think about this stuff. This is the 'hostile environment' that Theresa May boasts she has created for 'illegal' migrants. Living under threat of detention, destitution and deportation, the migrant is 'everywhere in chains'—chains represented by Section 4 'support', tagging, reporting, immigration raids, illegal employment and a lack of recourse to the law or protection from abuse.

Excluding a group because of their place of birth and heritage is as unethical as stripping rights from any group without the possibility of reprieve or redemption. The privatisation of the control of migrants and with it reliance on remote methods of surveillance brings further concerns. The same companies that profit from the detention, deportation and warehousing of migrants are bidding to run prisons and other formerly public functions. Not only do they profit from keeping people in the system and by failing to resolve cases, they also distance the British government from the messy end of immigration control. As even citizenship in the UK becomes contingent, we should all fight for the rights of people already defined by their lack of rights and their enslavement by the State.