

Should School Non-Attendance be Treated as a Crime?

Transform Justice: Last summer Rachel de Souza, the Children's Commissioner, said schools should "obsess" about attendance and aim to have 100% pupils in school September 2022. Needless to say, that was not achieved but she has continued to plug away. The Commissioner does say that schools should offer better support for pupils who have mental health and other difficulties, but her attendance mantra may backfire. There are children who don't go to school because they simply don't want to. But they are few and far between. Most children who miss school a lot are ill, vulnerable and/or alienated from school. Being physically away from school for so many months during the pandemic exacerbated these issues.

State schools are pressured by Ofsted to obsess about attendance, and by their local authority to take punitive action. When a child does not turn up, many schools phone and visit parents, even if they have already contacted the school to say their child is ill. A school can choose not to authorise a child's absence if they don't think the reasons are good enough. Unauthorised absences are racked up and reported to education welfare officers. If a child doesn't turn up for school five times in one term, their parent is likely to receive a threatening letter from their local authority. The law assumes that parents are responsible for their children's non-attendance at school, so need to be punished as a deterrent. Parents who don't see the error of their ways have to pay a fixed penalty fine and/or are prosecuted. They are usually prosecuted using the single justice procedure (SJP), a process almost designed to create injustice. SJP prosecution notices are sent snail mail. The defendant must respond online or on a paper form to say whether they are guilty or not guilty. If they plead guilty, their case is considered by a single magistrate behind closed doors. The parent is fined hundreds of pounds and, if they don't pay, they are prosecuted again. This can lead to imprisonment.

The fatal flaw in the single justice procedure is that most people do not respond to the postal prosecution. Maybe they don't receive the letter, or don't understand it, or mentally can't cope with it. So, thousands of people, who may not even know they have been prosecuted, are convicted of the school non-attendance of their children. There are many fatal flaws in the whole sanction system for school non-attendance. The principles are that Parents can control their children right up to their 18th birthday: Children don't have valid reasons to be often absent: Threatening parents with fines will prompt them to get their children to school: Prosecuting and fining parents is an effective deterrent. These principles don't hold true. The parents of children who can't get to or refuse to go to school are usually pro-school. They are already stressed out looking after a mentally ill child and the sword of Damocles is a hindrance rather than a help. Panorama followed families in which the children were struggling to get to school. One child had been bullied and the school had not resolved the situation. No wonder she wouldn't go. Financial fines merely punish and stigmatise parents and children who usually feel terrible anyway. Of course, there are some parents who bend the rules by taking their children out of school for foreign holidays, just because its convenient. They need to acknowledge the harm caused and make amends. But I cannot believe that the 35,693 (2019) prosecutions of parents for not sending their children to school were mainly of this type. In fact, the Panorama pro-

gramme and the research done by Rona Epstein suggests otherwise.

Unfortunately, the government does not seem to know how to get more children to go to school. Instead of offering more support to troubled children and parents, and trying to understand why school refusal is increasing, they are developing guidance to encourage schools to be still more punitive. The government consulted on a new framework for enforcing school attendance last year. They did not ask whether fixed penalty notices were a good idea, merely how to get them used more consistently. The majority of parents who responded to the consultation were dismissed. "We are aware that rather than disagreeing with the specifics of the proposal, many such respondents were not in favour of the wider policy of using fixed penalty notices at all. That was not, however, part of the proposal and the government is clear that there is a place for the use of fixed penalty notices and other forms of legal intervention to secure children's right to an education as a last resort when support does not work or is not engaged with, or when it is not appropriate such as in the case of term time holidays".

There is a huge irony in the government striving for consistency in schools combatting non-attendance. The regime seems only to apply to those enrolled in state schools. Those who home educate their children can set their own timetables for attendance and are judged not on hours but on outcomes. Meanwhile children who attend independent schools are frequently absent but their parents are never ever fined by the state for this behaviour. How consistent is a rule which only seems to apply to the state sector?

Effective Point-of-Arrest Diversion for Children and Young People

Russell Webster: Clinks published the latest article in its online evidence library that I am lucky enough to curate. The evidence library was created to develop a far-reaching and accessible evidence base covering the most common types of activity undertaken within the criminal justice system. The latest addition has been produced by the team at the Centre for Justice Innovation and examines the evidence base for effective point-of-arrest diversion for children and young people.

Some children come into contact with the law and most are simply doing what comes naturally to them – pushing boundaries, making choices without thinking through the consequences, acting up among their peers. They may also be the victims of exploitation. Unfortunately, the consequences of being caught, arrested and convicted can be serious. For these children this affects future education and employment opportunities, and it can have a backfire effect, making children and young people more, not less, likely to reoffend. The evidence shows that point-of-arrest youth diversion is a better way of addressing low-level criminal behaviour. Moreover, in line with the Youth Justice Board's 'Child First' strategy, point-of-arrest youth diversion is vital to the prioritisation of the child's needs, enabling a fairer youth justice system.

Point of Arrest Youth Diversion: International research shows that when similar groups of children – comparable in demographics, offences and offending histories – are matched, and one group is formally processed while the other is diverted, the diversion groups do better. These findings are mirrored in the UK evidence base, with one influential study concluding that that the best approach to reducing reoffending by children is a policy of "maximum diversion." The research suggests that point-of-arrest youth diversion works because it avoids children feeling labelled as, and internalising the identity of a "criminal" by the justice system and because it seeks to minimise and, in many cases, eliminates children's contact with negative peer pressure. Additionally, point-of-arrest youth diversion avoids the collateral consequences of formal processing, such as interference with education, training and employment (including school exclusion, and future labour market consequences of carrying a criminal record).

As well as delivering better outcomes for children and young people, research suggests that point-of-arrest youth diversion is likely to be more cost effective than standard system processing. Good Practice: In its Valuing youth diversion toolkit, the Centre for Justice Innovation has codified the research evidence into six good practice principles which are the core content of this new Clinks Evidence Library publication:

1. Eligibility criteria should be set as broadly as possible and young people should be given more than one shot at succeeding. In doing so, schemes should avoid net-widening, and therefore be empowered to turn down inappropriate police referrals. There are also grounds for believing that young people should be accepted onto diversion schemes where they “accept responsibility” rather than specifically having to admit to an offence prior to participation.

2. Referral into diversion: Speed of referral is important. Effective schemes ensure diversion happens as soon as possible after arrest occurs. Therefore, schemes should make referral of young people in a diversion scheme as simple and straightforward for the police as possible. Diversion should be recognised by police as a “positive outcome” in their performance management schemes so that cases where diversion activity takes place do not simply get recorded as an “undetected” crime with no further action taken.

3. Induction into the diversion programme: Schemes should assess young peoples’ strengths and needs on induction, particularly to match them with appropriate interventions. Schemes should also make their expectations of young people clear, and ensure that young people fully understand the consequences of non-compliance.

4. Case work: Where possible, schemes should separate point-of-arrest youth diversion work from statutory operations, by holding sessions physically off-site and by avoiding mixing diverted young people with those under statutory supervision. There are reasonable evidence-based grounds for believing that dedicated diversion caseworkers may be preferable to statutory caseworkers. Diversion staff should also take care with their use of language to help avoid embedding negative perceptions.

5. Programming: The programmes schemes offered via point-of-arrest youth diversion should be evidence-based and therapeutic, relatively light touch and informal, and proportionate to the initial offending behaviour.

6. Outcomes and monitoring: Schemes should regularly report back on youth engagement to the police and to referring officers. This underlines that the original case requires no further action, and ensures that frontline police are kept updated on the scheme’s success. It is vital that schemes guarantee that successful engagement means that young people avoid a criminal record. Protocols should ensure that their participation should not be recorded in a disclosable manner in administrative databases.

900,000 Crimes Committed by People On Bail Under Tories

Rajeev Syal , Guardian: Nearly 900,000 offences including murder, kidnap, and child rape, have been committed by people on bail in England and Wales since the Conservatives came to power, a new analysis has found. The latest government figures show more than 20,000 offences were committed by those released from custody as they awaited a hearing, equating to 55 offences a day. More than 7,200 sexual offences, including some committed against children as young as 12, were also committed by people on bail since 2010, of which 260 were committed in the last recorded year of 2021. The data, released to Labour after a parliamentary question, came as the Ministry of Justice launched a review of London probation services after they were condemned for a lack of staff and poor management.

Labour has seized upon the figures, as Keir Starmer attempts to reinforce the message to voters that it is now the natural party of law and order. The shadow justice secretary, Steve Reed, said: “Dangerous criminals must not be left to roam the streets and prey on new victims. “Labour is the party of law and order. We will increase the number of lawyers allowed to serve as crown prosecutors to slash the courts backlog. In government, we will prevent crime, punish criminals and protect victims to keep our communities safe.” A number of people accused of murder have been released on bail this year because of delays in the criminal justice system and strike action by criminal barristers. In September, four people on trial for the fatal stabbing of 40-year-old Keith Green were released on bail after a judge refused to extend the time they could be kept in custody pending trial during the strike. Judge Ian Pringle, the recorder of Oxford, was asked to extend the period the accused could be held on remand beyond the six-month limit but refused to do so. Pringle pointedly remarked on the current state of the criminal courts and the government’s failure to remedy it. He said the government had made “virtually no ... reforms” to legal aid funding. It was part of a series of refusals by judges to extend custody time limits (CTLs) in cases affected by the barristers’ strike.

Judges in Leicester, Bolton, Manchester and Isleworth, west London, all recently refused to extend CTLs, raising fears about potentially dangerous people being released. In one such case, at Bristol crown court, Judge Peter Blair QC blamed “chronic underfunding” for delays, the Law Society Gazette reported. According to the data, 20,121 offences were committed by people on bail in 2021, while 874,621 were committed between 2010 and 2021. A total of 265 sexual offences were committed by people awaiting a hearing in 2021, while 7,219 were committed over 11 years to 31 December 2021. The independent review of London probation would be led by a senior MoJ official, the government said on Thursday, after the service was condemned by the chief inspector of probation, Justin Russell, for “shocking” standards.

A government spokesperson said: “Bail decisions are made by independent judges and the police, not the government, but anyone who commits a crime while on bail faces a tougher sentence and we have strengthened bail requirements to protect victims. Since 2010 we have also driven up average sentence lengths almost every year and increased convictions by 15%. And we are going further to improve our justice system, by recruiting an extra 20,000 police officers, creating 20,000 additional prison places and investing almost half a billion pounds to reduce the number of outstanding crown court cases.”

Criminal justice Commission on Indefinite Hold

Monidipa Fouzder, Law Gazette: A 2019 Conservative manifesto pledge to set up a royal commission on the criminal justice process appears to have been booted even further into the long grass. Lord chancellor Dominic Raab was asked just before Christmas by Labour backbencher Mary Kelly Foy if he would make it his policy to convene a royal commission on criminal justice before the next general election, which must be held by January 2025. Justice minister Mike Greer replied that the Ministry of Justice ‘recognises the opportunity that a royal commission could present to look at structural questions in the criminal justice system’ but ‘we think it is right that, following the pandemic and the [Criminal Bar Association]’s disruptive action, we focus on delivering recovery priorities over the coming months’.

A royal commission to improve the efficiency and effectiveness of the criminal justice system was announced in the Queen’s speech following the December 2019 general election. Asked if the government still intends to set up a commission before the next election, a ministry spokesperson told the Gazette: ‘Work on the royal commission was paused during the pan-

democratic as we focused on keeping the justice system moving. We continue to keep issues in the justice system under review and are now focused on delivering major reforms to boost the rights of victims, overhaul the response to rape, drive down the pandemic-induced backlog and help offenders turn their backs on crime to better protect the public.' The department highlighted major justice system reforms announced in recent months, such as the Victims Bill, rape action plan, prisons white paper and parole reform.

Last year, then justice minister Lord Wolfson told the House of Lords that the government was 'absolutely committed to the delivery of this key manifesto pledge'. The Gazette understands that ministry staff were seconded to the commission and have since been reassigned. In 2020 the ministry advertised for a full-time deputy director-secretary to the commission on a salary of £72,500. The Gazette understands someone was recruited and has also been reassigned. The last royal commission on criminal justice was established by the home secretary on 14 March 1991. Its 276-page report was published on 6 July 1993.

Prisoners: Mental Health Services

In response to the Justice Select Committee's inquiry on Mental Health in Prisons and His Majesty's Inspectorate of Probation's inspection of the Criminal Justice Journey for Individuals with Mental Health Needs and Disorders, health and justice partners set out a wide range of commitments to improve mental health support in prisons, committing to ensuring that people in prison have access to an equivalent standard, range, and quality of health care in prisons to that available in the wider community. Since the inquiries, the Government has published a draft Mental Health Bill, which is now subject to pre-legislative scrutiny. The Bill includes vital reforms to support people with serious mental illnesses in the criminal justice system. This includes speeding up access to specialist in-patient care and treatment by ending the use of prison as a 'place of safety' and establishing a new statutory time limit of 28 days for transfers from prison to hospital. HMPPS continue to fund the Samaritans' Listener Scheme and will be providing the Samaritans with £625k each year until March 2025. Through the scheme, selected prisoners are trained to provide support to fellow prisoners in emotional distress. The Ministry of Justice continues to work with NHS England to improve services in prison to ensure that people have access to timely and effective mental health care that is tailored to their needs. This will be reflected in the new National Partnership Agreement on Health and Social Care in England, which is due to be published shortly.

Migrant Media to Produce Radical New Documentary on the Bradford 12

We are pleased to announce that Migrant Media are going into production on a radical feature length documentary about the seminal case of the Bradford 12, supported by the BFI Doc Society Fund (awarding National Lottery funding). In 1981 twelve young Asian men were arrested and charged with terrorism for defending Bradford from an imminent racist skinhead attack. Following national and international protests in support of the defendants, and a tense lengthy trial, they were acquitted establishing the precedent of the right of organised self-defence for the first time in the UK.

This is their story. At the time Bradford was tense with police inspired rumours of an imminent invasion by coach loads of racist skinheads. The United Black Youth League called for an organised defence of Bradford and prepared themselves, along with others from the community. Twelve men were arrested in a case that became known as The Bradford 12. The

defendants were imprisoned on Conspiracy and Terrorism charges, facing life behind bars. The police said they were terrorists. The community rebutted, "They are our sons."

The documentary will be a journey through the case, from the victories against the old racism and fascism of the 80's, to the resistance against the new racism of Islamophobia of the present. We will see how the Asian Youth Movements and United Black Youth League were actively engaged in showing solidarity with the dead of the New Cross Massacre; of protesting against racist murders in Southall and East London and organising community self-defence of Brick Lane. They actively supported anti-colonial struggles internationally, especially in Palestine and Ireland.

'Self-defence is no offence' became a rallying cry that captured the imagination of people internationally and still has resonance in the world. This film will celebrate the resistance of the time and link it with the struggles of today. Tariq Memood, writer and one of the Bradford 12 defendants said "Without people organizing on the street, refusing to allow our criminalization, we would have become just another story of injustice and this film will be which is as much about this struggle, as it will be about an era which created us." Mukhtar Dar, artist said "The struggle was in itself a creative process, in our most inspired moments we imagined a world free of oppression and exploitation, and as we went about selflessly fighting the good fight we created a culture of resistance." Ken Fero, filmmaker said "This film has been a long time in coming allowing for a depth of reflection. It will be made collectively, with a strong political direction and follow the radical path of our previous multi-awarding features *Injustice* (2001) and *Ultraviolence* (2020) that examined the struggles for justice by the families of predominantly Black people killed by police in the UK." The team on Bradford 12 will include Tariq Mehmood, Mukhtar Dar, Ken Fero, Soulyman, Garcia, Meera Darji, Koutiba Al-Janabi, Kayla Troy and Mira Pharaon through the production, company Black Resistance in collaboration with the BFI Doc Society Fund (awarding National Lottery funding).

Comment: Inspectors Review Progress at HMP Brixton

Prison Reform Trust (PRT): New Independent Review of Progress report published by HM Inspectorate of Prisons shows that there is a serious problem with how ministers are held to account when a prison fails repeatedly. When Her Majesty's Chief Inspector of Prisons decides to issue an "Urgent Notification" about a failing prison, it's a big deal. It happens rarely and the process requires the Secretary of State to organise an equally urgent response about how things are going to be put right. To make sure that response actually turns into change on the ground, the inspectorate goes back to the prison after about 6 months for what it calls an "independent review of progress". It's news when a prison is found to be failing, and the secretary of state has signed up to a procedure that requires their personal attention on taking action to fix it. But it seems it's not news when the secretary of state is the one that doesn't deliver.

That independent review has just been published in the case of HM Prison Brixton. As often happens, the review is pretty complimentary about the effort put in by the management team at the prison. That team is frequently led by a new governor — changing the leadership locally is one of the easier things for the prison service to do quickly. That was true at Brixton, but what isn't obvious from the published review is that the new Governor is now the ex-Governor, having left the prison service altogether since the inspectorate visited.

The review is not at all complimentary about what has happened at a senior management level above the prison, however. Prisons like Brixton are saddled with inappropriate buildings that are centuries old. It's hard to change that, but the chief inspector specifically called for the prison service to reduce the number of people held at Brixton so that those unsuitable buildings at least

only hold the number of people they were designed for so long ago. That hasn't happened. The chief inspector called for the provision of specialist interventions for the men at Brixton held there because they have been convicted of sexual offences — that hasn't happened either. And he called for a big increase in the use of release on temporary licence to allow low security prisoners to go out to work each day from a prison that has far too few opportunities inside the walls to keep them occupied. There's no prize for guessing that that hasn't happened.

So what now? It's news when a prison is found to be failing, and the secretary of state has signed up to a procedure that requires their personal attention on taking action to fix it. But it seems it's not news when the secretary of state is the one that doesn't deliver. Prisons like Brixton are discharging people every day as their sentences end — we all have an interest in those people having been given the best possible help to turn their back on crime. It's time the politicians are held to account when that doesn't happen.

Attacks on Civil Society in Europe

One of the foundations of democracy is respect for the fundamental right to meet and associate with the people you want to and to be able to work together on issues of mutual concern. As long as this is done peacefully, no democratic government should interfere. And yet, in Europe, this core concept is under threat. That it's disappearing in increasingly authoritarian Hungary and Poland is well known. But it may come as a surprise to some that the problem has also been emerging in France, Greece, Italy, and the UK. Civil society organizations, including groups that work to protect human rights, are under growing pressure across Europe. We see government ministers and officials openly attacking these groups, imposing legal restrictions and using the criminal justice system to prosecute and intimidate activists. Regulators limit or threaten groups, and governments and ruling parties try to influence the activities of publicly funded organisations through funding or board membership. All this is clearly to curb the actions of those with ideas ruling authorities don't like. The ability of independent groups to work freely is a measure of the health of our democracies. We ignore these curbs at our peril. On this day last year, the Home Office's Afghan resettlement scheme (ACRS) opened, promising to resettle 20K Afghans - 5K in its first year A year on, not one person has been relocated from Afghanistan under the scheme - January 9th 2023

Francesca Barker-Mills: Accountability is Everything!

Too close to home: In early October 2021, just three weeks after my release from prison, I had more or less secured a job with an incredible charity, one I continue to follow, champion and have huge respect and love for — Hope For Justice. I applied for this job through a recruiter I had worked with in the past, he knew I would be the perfect candidate for the role of marketing manager — politically in tune, passionate about equality, always first in the fight and on the frontline of creating a safer world for women and of course, a marketing whiz kid with 101 ideas to bring to the table. I'll be the first to admit, that the books I had my wife send me in prison were designed to keep my academic and geeky brain in full flow — I kid you not; a book on coding, web design and digital marketing to keep my knowledge up to date whilst incarcerated. I didn't want my stint behind bars to restrict my employment opportunities and hopes more than the stamp of a custodial sentence had (ironically, it was that stamp that ensured the job with Hope for Justice didn't go ahead, I was too fresh out the gates and the American contingent of the business couldn't grasp lived experience as a positive attribute, and on reflection, I wasn't ready. Three weeks out of prison is no time to jump into a management role and such an emotive one — too close to home)

No film star to the rescue: It was one of the things I talked about in my interview. We discussed my criminal disclosure, and I shared that one of my primary reasons for saying yes to the interview when the recruiter had put it to me is because, I had in fact, had direct experience navigating the realms of sex trafficking — and what that means in modern Britain in particular. We often misunderstand the concept of trafficking in this country and are blinded by the Hollywood and indeed Americanised version of what that looks like. But I can assure you Liam Neeson is not coming to the rescue of most women trapped in the cycle of crime that we now know, reaches every aspect and level of society. It's not the Epsteins and the jets we need to focus on, it's the man who runs the carpet shop down in North London — at least it was for me.

Laughed out loud: In March 2021, I sat on a plastic chair, two metres from my offender manager, who I was meeting for the first time. She was asking me questions so as to update my OAYS and gain some insights first hand as opposed to reading the notes from my previous HMP offender manager. There was a focus to the questioning and it was focused on things she could support me with whilst I was serving my time until release — my period of prostitution and coming to terms with all that occurred during that bout of homelessness, drug taking, family separation and total lifestyle upheaval. I said I didn't need counselling to deal with my sex work past, it was something I had taken as a period in my life and used it to take back my power over the men who had taken it from me. And then she said something that changed everything, "Fran you do understand that this is trafficking we're talking about," And I literally laughed out loud. "No it isn't,"

The truth: And in the cold light of day, my rose-tinted glasses came off. I sat on that plastic chair, in yet another two week period of covid isolation having landed at my new prison and I felt like the world had landed on my head. I'd been locked in a warehouse with no means of escape. Made to sleep with men for menial if any sums of money, with only scraps of food as a reward. Sharing a bed with other women, some who didn't speak English, with no hot water or heating and more mouse shit than anything else. No access to phones, the internet, or the outside world — aside from sitting in the back of a BMW being driven to client houses. Shit.

On the phones: I realised quickly, my empowered fuck you was actually my way of coping with the reality. The reality was, I was one of many women who happened upon this place, seeing it as a better option than sleeping under a bridge in the big smoke, eating pity gifted Tesco meal deals as opposed to my joyous ability to buy them on a whim now. I was supposed to be the girl with the posh voice who answered the phones when men replied to the ads online. I was every variant of girl who was listed online. What can I say? I was obviously in marketing earlier than I realised. I was on the phones one night, a week or so into this strange new enterprise, it was a roof over my head. A client had knocked on the steel doors, and the boss came into the office and said "you, upstairs." I wondered who he was talking to at first — not me, I had been explicit in my boundaries — I'd take the calls but I wouldn't drop my knickers. Long story short, that was the first demand I adhered to, and of the £30 made, I didn't get a penny but I did get a McDonalds cheeseburger and after a few days without proper food and no ability to leave, it didn't seem like too bad of a deal at the time.

The letter: In 2021, the reality of what years before had really been, overwhelmed me and all of a sudden, my power was gone. I was in prison. Alone. And having a heart-breaking realisation. A bit late to the party, I reported it to the police, and it was the right thing to do, in retrospect, not the right time. Moments of such gravitas need real support, need the ability to hug, to hold, to feel love, to be held when you fall apart. I didn't have that when I made that call. More than that, I made that call in full view of my offender manager, on a phone, on a call

that was being monitored. because of course, I was in prison. A few weeks later, I received a letter from the Home Office, stating they had found I had indeed been a victim of sex trafficking and the case was being pursued by London Metropolitan police force.

Breakdown: That letter wasn't addressed to me directly, it went to the offender manager, who laid eyes on it first, and only then did I get to read it. This disconnect, this lack of privacy I suppose is something that hasn't sat right with me since I came home. Vulnerable moments like receiving a letter that changes the way you viewed one of the most traumatic parts of your life, should be yours. Not the justice systems. Much like a letter from a lawyer, it should have been mine to read and absorb. Not share. Unless through choice: Cue an absolute breakdown. I lost my mind for a few days inside. I couldn't grasp the gravity of what it meant or rationalise if it meant anything in 2021. I felt so alone. I have never felt so alone. Not even under that bridge. In that warehouse. Never. The consequences of that Home Office letter were almost life ending, never mind life changing and it was a catalyst of some poor choices and lapses in judgement, guard down, weak, and lost in an environment designed to isolate and decimate.

Home at last: So, here we are in January 2023. I'm home. I have that letter, emblazoned with the facts upon my desk. For the purpose of processing and writing this piece. National slavery and human trafficking prevention awareness month. It's advisory I suppose, to keep your eyes open. We live in a world, especially with the cost of living crisis driving those on the periphery further into the dark, looking for solutions in places no good can come from. Women leaving prison who feel their employment opportunities are limited, that the bills will stack up high, that the addictions will creep back in because real life is hard – harder than prison in lots of ways.

Don't! Stop! There is no greater cost than your body and your mind. There is no golden opportunity that makes it worthwhile, where the benefit outweighs the cost. Think. Talk. Engage. If you want to get your tits out on OnlyFans, and you've researched the danger, the privacy, the safeguards, the get-outs, the true cost – shake them freely. I believe every woman has the right to do as she pleases with her own body, as long as it's free of external influences of men, addiction, crime. There are brilliant support networks to keep safe – MASH in Manchester <https://mash.org.uk/> There are wonderful trauma informed practitioners who can support you in the understanding, recovery and rehabilitation that is sometimes needed for those of us who have been involved in the sex industry. – DARs and mental health within HMP, offender managers, the prison officers, you can and will find someone to place the trust, have those conversations and begin the unburdening, my only advice – do it when you are ready, when you feel safe, when you have support. And never feel ashamed. Accountability is everything.

Francesca Barker is a writer, former prisoner and prison reform campaigner

Transfers to Open Jails Plummet's by 90%

Since last June, prisoners serving indeterminate sentences – who need Parole Board approval to be transferred to open conditions – have had to pass a new three-stage test before their move can be approved. The test was introduced by Justice Secretary Dominic Raab in the face of public concern after a life-sentenced sex offender went on the run from North Sea Camp open prison last February. Transfers of life-sentenced and IPP prisoners to open prisons have all but halted since the Government introduced tough new rules, an investigation has found. According to Parole Board figures obtained by former BBC Home Affairs Correspondent Danny Shaw, in the year to April 2022, the Parole Board recommended that 568 indeterminate-sentenced prisoners were transferred to open conditions, and 515 of the recommendations were accepted by the

Ministry of Justice. However, in the seven months from April to October, the Parole Board only recommended 193 moves – and of these, only 27 were accepted. Shaw pointed out that in December there were 642 empty places in men's open prisons in England and Wales. He drew a link with the capacity crisis in men's closed prisons which led to an emergency Government announcement in November that police forces have been asked to make up to 400 police cells available to hold prisoners.

Shaw wrote on his blog: "The aim of Raab's new approach is laudable – to bolster public safety and confidence in the criminal justice system – but there's a risk that it merely stores up problems that prison staff, the Parole Board and ministers will have to confront further down the line ... Although it's too early to draw conclusions, one thing is already clear: the policy has added to the capacity problems across the prison estate. Hundreds of cells in open prisons are lying vacant, because fewer offenders are being dispatched there, while other overcrowded jails have run out of room." Spending time in open conditions is often seen as a way for prisoners serving life or a sentence of Imprisonment for Public Protection (IPP) to demonstrate that their risk level has reduced, before the Parole Board is asked to approve their release. Critics have argued that if they are prevented from reaching open conditions, more of them will eventually be released directly from closed conditions – which would arguably put the public at greater risk.

People Get Jailed to Find Winter Warmth, Claims MP

A Labour MP has claimed that people are deliberately getting sent to prison due to the cost-of-living crisis. Nadia Whittome, MP for Nottingham East, said after a visit to HMP Nottingham: "Awful to hear of people turning to crime in a cost-of-living crisis to get food and shelter in prison." She told the Nottingham Post: "It was particularly concerning to hear that over winter, the prison is anticipating the number of inmates who have deliberately committed crime in order to be housed and fed to grow."

Youth Custody Leaving Age Lifted to 19

The age at which prisoners transfer from youth custody to an adult prison is being raised from 18 to 19. The move was announced by Prisons Minister Damian Hinds as a response to the population pressures in the men's estate, which has seen the Government ask police forces to set aside 400 police cells to cope with an overflow of prisoners. By contrast, the youth estate – including Young Offender Institutions and the one remaining Secure Training Centre – have ample capacity as the number of children in custody has steadily declined over recent years. In a letter to Sir Bob Neill, Chair of the Commons Justice Committee, Hinds wrote that the capacity pressure in the men's estate "allows us to take the opportunity to consider the transition of young people to the adult estate to ensure that this is safely managed, making best use of our estate capacity whilst considering the individual and moving away from the practice of presuming the automatic transition of a young person at their 18th birthday. Instead, we will look to transition young people up to their 19th birthday where appropriate." Hinds pointed out that there have already been cases of young men remaining in the youth estate beyond their 18th birthday, especially when they only have a short time left to serve before their release date. He added: "We have always taken a case-by-case view of transition from the children and young people's secure estate to the adult estate, as reflected in our published transitions framework ... This case-by-case approach will continue." In his letter, Hinds also said that Rainsbrook Secure Training Centre, from which all children were removed in 2021 amid concerns over safety, will not reopen. He said that the first Secure School, on the site of the former Medway Secure Training Centre, is on course to open in spring 2024.

Women Wrongly Turned Away by Mother and Baby Units

An investigation has found that some women who apply for places in prison Mother and Baby Units (MBUs) are being wrongly rejected. A panel of experts led by the Chief Social Worker examined case notes of 39 women who were refused places. There were concerns about 14 of the cases, and in three the decision “was not deemed to be reasonable”. Prison rules say that any woman can be considered for a placement, regardless of her offence – yet one woman, whose social worker had recommended that she be given a place, was rejected solely because she was on remand for murder. In other cases, social workers failed to submit reports to the panels which rule on applications. There are six MBUs in women’s prisons in England, each with space for between 10 and 12 infants aged up to 18 months.

Boris Becker Released From Jail

Former tennis star Boris Becker was released from prison and flew home to Germany by private jet last month, after serving eight months of a two-and-a-half year sentence for hiding assets after being declared bankrupt. The three-times Wimbledon champion, now 55, had lived in the UK for decades and has three children living in London. However, he agreed to a fast-track deportation, and may not be allowed to re-enter the UK until 2031. It was reported that the BBC have dropped him as a Wimbledon pundit – but he is said to be in talks with other broadcasters about a return to the screen. Becker served his first month at Wandsworth prison before being transferred to HMP Huntercombe, in Oxfordshire, a jail for foreign nationals, where he is reported to have coached fellow prisoners in fitness and yoga. He also took a course on the teachings of the Roman philosopher Seneca.

Nicola Sturgeon Defends Mobile Phones for Prisoners

First Minister Nicola Sturgeon has defended Scotland’s policy of providing every prisoner with a mobile phone – saying it is vital to maintain family ties and promote rehabilitation. She told the Scottish Parliament: “Prison is about punishment, yes, but it should also be about rehabilitation. It is important that we do not lose focus on that. Mobile phone provision ... is about ensuring connections between prisoners and families, including children. That is important to rehabilitation, and rehabilitation is important to reducing offending and reoffending.” Sturgeon was responding to a question from Conservative Russell Findlay, who called for the phones to be withdrawn. He labelled the £4 million service as “freebies for criminals” and said the phones had been misused nearly 5,000 times.

Accredited Programmes Still Below Pre-Covid Levels

The number of prisoners completing offending behaviour courses is still below what it was before the start of the Covid pandemic, the Government has admitted. In 2019/20, the last full year before Covid struck, 5,216 prisoners in England and Wales completed an accredited programme – often a vital way to demonstrate to the Parole Board that risk has been lowered. The courses were suspended when prisons went into lockdown during the pandemic, and only 833 were completed in 2020/21, rising to 1,848 in 2021/22. However, despite the lifting of most Covid restrictions in May 2022, the current year’s total is still set to be lower than the pre-pandemic figure. Prisons Minister Damian Hinds told MPs: “For this 2022/23 delivery year, targets for the number of accredited programme places to be delivered is back up to 90 per cent of pre-Covid delivery levels.”

MPs and Peers to Investigate Forensic Science

Parliamentarians have launched an inquiry into the state of forensic science – amid concerns that mistakes are leading to innocent people being wrongly convicted. The Westminster Commission on Forensic Science will question experts, lawyers, police investigators and victims of miscarriages of justice. It will set out its findings in a report, expected in 2024. The inquiry will be co-chaired by Baroness Black of Strome, a forensic anthropologist and cross-bench peer, and Professor Angela Gallop, a leading forensic scientist. It has been established by the All-Party Parliamentary Group on Miscarriages of Justice (APPGMJ) that since the Forensic Science Service was scrapped in 2012, analysis has been done by police forces or private labs.

Scotland Yard Investigates Over 150 Officers for Sexual Misconduct or Racism

More than 150 Metropolitan Police Officers are being investigated for allegations of sexual misconduct or racism, preventing them holding public-facing roles. Revealed in a Freedom of Information disclosure provided to the Guardian this week, the numbers are double the previous estimate by Scotland Yard. These latest figures show 118 officers are being investigated for sexual misconduct and 43 for racism as of the end of November. The Met have attributed this rise in restrictions on officers duties to ‘concerted efforts’ to recognise and respond to wrongdoing by their staff members. The force, Britain’s largest, are under pressure to reform in the wake of the murder of Sarah Everard by a serving police officer, and the jailing of officers in relation to the investigation of the murder of Bibaa Henry and Nicole Smallman. Mark Rowley has been at the helm of the Metropolitan Police since September 2022. Shortly after his appointment he told BBC Radio 4’s Today programme: ‘I have got about 100 officers in the organisation who have very restrictive conditions on them because frankly we don’t trust them to talk to members of the public... it’s completely mad that I have to employ people like that as police officers who you can’t trust to have contact with the public. It’s ridiculous’ In the wake of these new figures, a spokesman for the Met said: ‘Following concerted efforts to encourage employees to recognise and report wrongdoing, mandatory training that makes it a duty to report misconduct, boosting officer numbers in the directorate of professional standards, and listening to the public’s views about their expectations of suspension, we’ve seen restrictions and suspensions of officers almost double.’ ‘Our work continues at pace to identify those who let down the public and police, and deal with them as swiftly as possible.’

Trade Union Congress (TUC) Launch Anti Racist Network

The inaugural meeting of the Trade Union Congress (TUC) anti racist network took place in London last November. It was attended by about 50 people, The overwhelming majority of them were migrant and migrant advocate organisations’ members. The discussion stressed the importance that all workers, whatever their immigration status is, get organised to stop exploitation, and showed a general wish to see a permanent network created and coordinated by the TUC. The Government’s anti migrant and racist legislation was condemned and it was evident that the TUC and individual Unions accepted that they must do much more, both in challenging racism and organising precarious workers. A number of participants including Status Now and some of our supporters emphasised the requirement to get nationality status and regularisation campaigns into the heart of union work. The creation of this network signs an important advancement in the TUC’s increasing commitment to fight against the hostile environment and any form of racism.