

Police Watchdog Announces Rare Reinvestigation of Restraint and Death of Black Man

INQUEST: Darren Cumberbatch, a 32 year old Black man, died in hospital on 19 July 2017, nine days after excessive use of force against him by Warwickshire Police officers. This took place whilst he was experiencing a mental health crisis in a bail hostel, McIntyre House, in Nuneaton. A jury inquest took place in 2019 and found the police use of force against Darren, which 'may have been excessive and avoidable', contributed to his death. Last year the Independent Office for Police Conduct (IOPC) included Darren's death in a critical review of cases involving Tasers. This led Darren's and other families to call for reinvestigation of their cases.

The IOPC has admitted that there were material flaws in their original investigation into Darren's death. They have announced a rare decision to reinvestigate key elements of the case, in particular the officers' entry into the toilet cubicle in McIntyre House where Darren had retreated, and their subsequent use of force. The IOPC agrees with the family that the reasonableness of the officers' decision to enter the toilet area was not sufficiently challenged by their original investigation. Equally, the officers' lack of communication, planning, and leadership was not sufficiently explored. Had this been done then the IOPC considers it likely that the events at McIntyre House, leading up to the officers entering the toilet area, would have been the subject of a conduct investigation.

In terms of the use of force, the officers' entry into the toilet cubicle resulted in a large amount of force used on Darren which included the use of Taser, PAVA spray, baton strikes, palm strikes, punches, and thigh stamps. This element of the IOPC investigation was not certified as a conduct investigation. Because of this, some of the officers who used force at McIntyre House simply provided statements to the investigators and were not interviewed as subjects. The officers were essentially treated as witnesses and their accounts were not critically analysed. The officers recognised, or should have recognised from their training, that Darren was suffering from Acute Behavioural Disturbance (ABD - a set of symptoms of a person in a heightened state, which amount to a medical emergency). They should therefore have ensured this featured in their risk assessment and decision making.

The IOPC recognises that the failure to properly test the officers' evidence under a misconduct notice, even in circumstances where they had provided detailed written accounts, amounted to a material flaw in their investigation. In terms of the public interest to reinvestigate, in a letter to the family the IOPC recognised that "the actions, decisions and omissions of those who dealt with Mr Cumberbatch ultimately resulted in significant force being used against a Black man who was suffering from ABD." They continued, "As noted by the pathologist, the force used was a contributory factor to Mr Cumberbatch's death. The issues relevant to the use of force, including the decision to enter the toilet area and to remain there, are significant and were not sufficiently explored during the original investigation. The Decision Maker acknowledges that this failure has the potential to undermine the public trust and confidence in the police complaints and misconduct system, which includes conducting effective independent investigations, as well as in policing generally." The IOPC have however decided not to reinvestigate later aspects of the restraint in the car park of George Eliot Hospital, despite the submissions that the family made about this.

Darren's family now awaits a 'mode of investigation' decision from the IOPC, and expects an

independent investigation to be shortly be allocated to an investigation team. Carla Cumberbatch, sister of Darren said: "I welcome the IOPC recognition that their investigation was flawed and that it is in the public interest to reinvestigate the police officers' conduct at McIntyre House. It is galling to my family that this is now five years after Darren's death. We made submissions to the investigator during and at the end of their investigation years ago that the investigation was flawed.

Back in September 2018, we set out our concerns to the IOPC on a lack of scrutiny of the degree and nature of force used by police against Darren, who was clearly mentally unwell and vulnerable. Pathology evidence shows the restraint and related physical exertion contributed to Darren's death. Therefore, the use of force requires careful scrutiny and analysis.

We told the IOPC that their original investigation did not consider key issues including whether containing Darren or de-escalation could have been an option, justification for the use of force, and the veracity of claims that officers felt threatened by Darren. There was also no consideration of what explanations from police were given at the time, compared to what was later said in interviews, and whether there are implications for the credibility of officers' evidence. These concerns have now been acknowledged, but we had to threaten to judicially review the IOPC to get to this point.

I remain disappointed that the IOPC will not reinvestigate the police officers' conduct in the car park of George Eliot Hospital, given that the jury concluded 'The police continued to restrain Darren. This included restraining him in a prone period for a period, as well as leg restraints, physical force and rear handcuffing, some of the police restraint in the hospital car park may have been excessive and, at times, avoidable.' This restraint was prolonged despite officers becoming concerned about Darren's breathing. Evidence about that emerged from the hospital security officer's body worn video footage, which officers were cross examined about in the inquest, but which the IOPC failed to consider in their original investigation. I will carry on my fight for justice for Darren."

Deborah Coles, director of INQUEST said: "Thorough investigation of deaths following police contact is vital for identifying failures and ensuring officers responsible are held to account. Not least when deaths are of significant public interest and raise broader concerns, including around the disproportionate use of police force against Black men, and the impact of racism and discrimination in police decision making. It is unacceptable that it has taken consistent and repeated action from a bereaved family to ensure deeply concerning aspects of Darren's death are given the scrutiny required. It should not have taken a critical inquest and such a long fight to make this happen. These omissions must not be repeated again with other investigations and families. We must see a full and fearless investigation to allow for truth, justice and accountability, without further delay."

Kate Maynard of Hickman and Rose solicitors said: "As Carla's says, we were concerned about the original investigators' lack of scrutiny of the conduct of officers throughout the investigation. The officers who used force on Darren at McIntyre House were interviewed as witnesses rather than subjects. The threshold to treat officers as subjects and declare a conduct investigation is low. The IOPC only needed to consider there to be an indication that the officer may have committed a criminal offence or have behaved in a manner that would justify them facing disciplinary proceedings. The failure to diligently exercise their duties and responsibilities and the excessive use of force are obvious potential disciplinary infringements. The failure to interview the officers as subjects of investigation, and to scrutinise and challenge their evidence was key here, as the IOPC has accepted "the failure to properly test the officers' evidence under a misconduct notice even in circumstances where they had provided detailed written accounts amounted to a material flaw in the investigation".

What concerns me is that the IOPC is making the same mistake again in their investigation of

Commonwealth jamboree in Trinidad. And beyond the summits the Commonwealth has become even more pusillanimous. Its secretariat fails to push or fund its human rights unit as a viable mechanism to encourage its members to comply with international standards; neither the secretary-general nor the diplomats of leading member states make a serious effort to get the Commonwealth to act collectively at the UN and elsewhere to champion human rights. Tom Porteous, guardian.co.uk, Tuesday 24 November 2009 Let's end the myths of Britain's imperial past - Britain's empire was established, and maintained for more than two centuries, through bloodshed, violence, brutality, conquest and war. Not a year went by without large numbers of its inhabitants being obliged to suffer for their involuntary participation in the colonial experience. Slavery, famine, prison, battle, murder, extermination – these were their various fates. Richard Gott, guardian.co.uk, Wednesday 19 October 2011

Though no longer subject to British Colonial rule, the United Kingdom currently has the following overseas territories - Anguilla, Bermuda, British Antarctic Territory, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Falkland Islands, Gibraltar, Montserrat, Pitcairn Islands, Saint Helena, South Georgia and the South Sandwich Islands, Turks and Caicos Islands and the Sovereign Base Areas of Akrotiri and Dhekelia. The British Empire comprised the dominions, colonies, protectorates, mandates, and other territories ruled or administered by the United Kingdom, that had originated with the overseas colonies and trading posts established by England in the late 16th and early 17th centuries. At its height it was the largest empire in history and, for over a century, was the foremost global power. By 1922, the British Empire held sway over a population of about 458 million people, one-quarter of the world's population,[1] and covered more than 13,000,000 square miles (33,670,000 km²): approximately a quarter of the Earth's total land area.[2] As a result, its political, linguistic and cultural legacy is widespread. At the peak of its power, it was often said that "the sun never sets on the British Empire" because its span across the globe ensured that the sun was always shining on at least one of its numerous territories.

Met Apologises and Pays Compensation for Arrest of UVW Official

United Voices of the World (UVW): The Metropolitan Police (Met) has apologised for the arrest of a United Voices of the World (UVW) union official on the picket line, settled a claim brought by the union after it aggressively dispersed its picket and paid compensation to both the union and its member worth a total £5,000, in a victory for militant trade unionism. Two and a half years after his arrest the Met finally apologised to the former head of UVW's legal department Franck Magennis and paid him £3,000 in compensation for detaining him while on a picket line organised by UVW outside St George's University Hospital on January 13 2020.

The police turned up in large numbers, distributed leaflets on behalf of the university to dispel the lawful picket and threatened the workers and union officials with arrest unless they left the property. It detained and handcuffed Magennis when he enquired about the legal basis for the warning. "My impression is that they made this decision in advance", Magennis says, "that they wanted to arrest someone in a way that was very visible so that everyone else in the picket line would see that someone was being arrested and see the handcuffs and would immediately understand the significance." The Met also agreed to pay £2,000 to UVW, settling a legal claim brought by the union under articles 10 and 11 of the European Convention on Human Rights before it reached the courts. The articles refer to Freedom of Expression and Freedom of Assembly and Association respectively. "We don't tolerate cops or bosses or anyone pushing us around." Franck Magennis, arrested UVW member, barrister and former head of UVW's legal department

New Law Gives Government Power to Override Release Dates

Inside Time: Prisoners can be kept in jail beyond their normal release date under a new power which took effect last month. The rule-change affects people who were handed a fixed-term sentence by their trial judge – meaning they are due for automatic release half-way or two-thirds of the way through their sentence – but who are now regarded as “dangerous” based on new information that has emerged while they were in prison. Section 132 of the Police, Crime, Sentencing and Courts Act 2022 allows the Government to override an individual's release date and refer their case to the Parole Board. They could then be required to serve the full sentence handed down at their trial. A policy framework published by the Ministry of Justice says the new power took effect from July 14 and spells out the types of risk which could result in a finding of dangerousness.

The debate in Parliament at the time the law was passed centred on people thought to pose a risk of terrorism. However, the policy framework lists more than 180 types of crime which can justify extended detention if the prisoner is thought to pose a risk of committing them after release – including robbery, affray, assault with intention to commit actual bodily harm, brothel-keeping, carrying a firearm with criminal intent, possessing indecent images of children, or making threats to kill. The powers will be used when the Justice Secretary “believes on reasonable grounds that the prisoner would, if released, pose a significant risk to members of the public of serious harm occasioned by the commission of specified offences”. The document, called “Power to Detain Dangerous Prisoners Serving a Standard Determinate Sentence – Policy Framework”, sets out the process which officials must follow in such cases. It also includes a list of circumstances in which it would be seen as inappropriate to use the new power – including cases “solely based on poor behaviour in prison”, those “solely due to concerns over mental health”, or those where the risk is “due to concerns over availability of services in the community”. The document also cautions officials to watch out for “undue pressure to submit cases due to their notoriety or dissatisfaction with the original sentence handed down”.

40 Years of Struggle: An Interview with John Bowden by Connor Woodman

John Bowden, a long-time prison organiser and member of the Prisoner Solidarity Network, was recently released after 40 years of incarceration. While all those who were sent down with him were released after 20 years, Bowden was kept back as punishment for his anti-prison organising. Connor Woodman sat down with Bowden to discuss the prison system, including the dynamics of struggle between guards and prisoners, the role of gangs in today's prisons, and his involvement in an uprising in one of the most repressive segregation units in the UK.

CW: What Would You Say the Function and Purpose of Prison is?

JB: If there is a relationship between prisons and public protection, it's very much an inverse one. Prisons actually create and produce alienated and de-socialised individuals. We're dealing with people that already exist on the margins of society and have for most of their lives. To put them into a total institution, to disempower them, brutalise them if necessary – all that effectively does is further alienate and isolate them. That's why you have such a high rate of reoffending. People who spend long periods of time in prison encounter incredible difficulties trying to adapt to the society they then emerge into. Prison doesn't rehabilitate anybody in any sense; it further damages them. The fundamental purpose of prison is social control. The social composition of the prison population illustrates that perfectly: mostly poor, dispropor-

psychologically damaged prison officers are by prisons than prisoners. And the reason for this is that the system hands absolute power and control over prisoners to prison officers. Obviously this results in abuse, but something more disturbing and sinister happens. In order to save their consciences, most prison officers begin to see prisoners as almost subhuman. So brutalising them, beating them up, locking them up in solitary confinement is okay, because they're not really human beings. The prison officers themselves then become dehumanised. I remember I was in a prison van approaching Wandsworth Prison – it was an awful place, they called it the 'hate factory' – and like a lot of jails then, it was controlled and run by the POA. As the van drew up, I was watching the prison officers come on duty. They were there, heads down, scurrying through the gates, and as these guys entered the prison a sort of metamorphosis overcame them. The swagger would start, like they were mini-dictators.

Prison officers develop a real far-right, neo-Nazi culture. During the seventies and eighties, 70% of prison officers at Strangeways Prison – POA members – were active members of the National Front. I remember during the eighties they had to be ordered not to wear National Front uniform, so they just put on a little badge with the union jack. You can imagine the 4

CW: Were There any Groups on the British Left Supportive of Your Organising In Prison?

JB: When I tried to make contact with Marxist-Leninist groups, I was met by complete disinterest, or even hostility. We in prison were received as the 'lumpen-proletariat', and they thought prisoners would have to exist regardless of what sort of society we were living under. The only exception to that was the Revolutionary Communist Group. I found that anarchist groups, the Anarchist Black Cross in particular, were far more understanding and knowledgeable about the prison struggle than traditional Marxists.

CW: How Important for you was Solidarity From Groups Outside the Prison?

JB: Very important. We organised a massive work strike in Whitemoor Prison in 1991. We were all totally locked down, and I managed to get word out to a friend involved in the Anarchist Black Cross. They organised pickets of the Home Office, Prison Department headquarters and Whitemoor Prison. Once the system became aware that we had the support of outside groups and organisations, that empowered us immeasurably.

CW: My experience of the prison abolition groups over the past few years has been that there generally aren't that many prisoners or ex-prisoners involved in them.

That is a problem in itself. It's critically important that prisoners have some central input. The thing to do is to try to build a network of support within the prison system itself. Open up lines of communication with prisoners. It is difficult. At the moment you've got this massive lockdown of prisons, and that isn't going to ease, regardless of what happens with this virus. The POA have made it clear that they want prisoners locked down permanently, and they've been campaigning for this lockdown for at least the last ten years. But solidarity can be achieved.

CW: What Opportunities are There for Prison Organising Today?

JB: I suspect that even if the lockdown continues they will ease it just to allow prisoners to work and to continue to exploit them. Because of the divisions within the prison populations in terms of race or gangs, the one area where organisation is potentially possible is in creating a loose trade union movement within prison workshops like they've done in parts of America. I think there's also incredible potential for groups like the Prisoner Solidarity Network along with Black Lives Matter to highlight the purpose of prisons, why they exist, what they're there to do, and how abolition is a reasonable alternative.

In the Summer In the Prisoners Are Stuck in Cells Like 'Ovens'

Sophie K Rosa, Novara Media: "The headaches and dehydration caused by the heat can be intense," says Kevan Thakrar. Thakrar has been imprisoned for almost 15 years. In testimony shared with Novara Media via activist group Community Action on Prison Expansion, he describes prison life during the hot summer months. He says he has spent "weeks naked, feeling too weak to move from the heat" in his cell. With temperatures in the UK this week hitting a record-breaking 40C, campaigners have raised concerns about conditions in prisons and detention centres. Anti Carceral Solidarity said heat inside prisons was "unbearable" and called for "action to ensure those inside prisons and immigration don't overheat during the heatwave". The United Nations rules that prison cells must pay "due regard to climatic conditions" and stipulates natural ventilation – but many UK prisons are built and run such that those inside face excessive heat. UK prison infrastructure, much of which was constructed during the Victorian era, is not built to cope with 40C heat.

At present, many prisoners have little-to-no time outside of stifling cells. A damning recent report from the Chief Inspector of Prisons warned that despite Covid-19 restrictions being lifted, many prisons are locking people up for 23 hours a day. With the burgeoning climate crisis and a deteriorating prison estate, those who spoke to Novara Media say things are getting worse. "Most jails are antiquated in terms of physical conditions, and designed simply to contain and confine prisoners," says John Bowden, a member of the Prisoner Solidarity Network.

When Bowden was in prison in the 1980s, 90s and early 00s, average temperatures were lower than they are today. Even back then, he says, "being confined to a small concrete box in the heat of summer was terrible". Today, he says, hotter summers along with "mass overcrowding" and the "deteriorating condition" of prison facilities are making cells increasingly "like ovens". Prisoners in locked-down jails who have been in contact with Bowden during the heatwave have told Bowden life inside is "torturous". Being in a cell for up to 23 hours a day is not only a threat to prisoners' personal wellbeing, says Bowden, but to their resistance – which he believes is "the true reason why prison guards want to permanently enforce the lockdown". During his time in prison, when cells got too hot, prisoners would organise collectively – for example by staging sit-down protests in exercise yards, refusing to return to cells. Protests such as this, he points out, are "now virtually impossible".

Climate activist Nick Cooper spent five days on remand at Bedford Prison last September. Although it was only in the low 20Cs outside, the temperature in his cell gave him "borderline heatstroke", he says, contributing to him being unable to sleep, eat, and precipitating a mental health crisis. His cell, which he shared with two other people, had a lot of direct sunlight, no curtains and "only tiny pin holes for ventilation". He says it took him threatening to kill himself for staff to open a fire door in the corridor, which "produced just a small draft into the cell". Some prison cells, such as those used for segregation in Close Supervision Units, says Thakrar, do not have openable windows at all.

Campaigners claim that not only are UK's prisons ill-equipped to accommodate people safely at high temperatures, but that some prison officers "use the heat punitively, refusing to unlock people during unlock time, and even blasting the heating". Thakrar says he has submitted complaints to HMP Belmarsh about the heating being "on full-blast" in summer, and received responses amounting to no more than "excuses and lies". He believes prisons' excessive heat can be "deliberate". When he has raised the alarm about high temperatures to prison officers, he says they have made "comments to the effect of not wanting people to

the death of Oladeji Omishore (Deji). The two officers who confronted Deji on Chelsea Bridge are still being treated as witnesses to the investigation rather than subjects. I fear we will be in the same place again in five years time with their evidence unchallenged, trying to make up for a flawed investigation. Meanwhile, evidence may be lost over time, and the bereaved family will feel the injustice. Another example of where a decision was made at an early stage not to designate an officer as being the subject of a conduct investigation is the IOPC's investigation of the police shooting of Sean Fitzgerald. In that case it was two years before the IOPC then designated the police shooter as being the subject of a conduct investigation. Bereaved families are concerned that there is a systemic reticence in the IOPC to declare a conduct investigation. We would urge the IOPC to retrain their investigators and cascade the lessons learned in this case, so that their decision making is more robust and to restore public trust and confidence in the police complaints and misconduct system.

"It's Official Screws Batons are Offensive Weapons

Inside Time: Prison officers who keep their batons at home have been warned that they risk being arrested for possession of offensive weapons. It follows a change in the law which lengthened the list of weapons that are considered to be offensive, and made it a crime to possess certain weapons in private places as well as in public. The Prison Officers' Association (POA) has warned its members who were previously storing batons at home, safely and legally, that they should alert their manager. The trade union said it was working with the Prison Service to clarify the position and ensure staff can return batons they had stored at home. Types of baton thought to be affected by the changes to the Offensive Weapons Act include PR24 side-handled batons and extendable batons that are issued to prison staff. Mark Fairhurst, National Chair of the POA, said: "We are concerned that members will be placing themselves at significant risk if they continue to store any of these items at home, rather than in the workplace."

Pregnant Prisoners Have More Premature Births

Inside Time: Pregnant women in prison are almost twice as likely to have a premature baby compared with pregnant women in the community, research has found. In the general UK population 6.5 per cent of births are premature, but among prisoners the figure rises to 11 per cent. Babies born prematurely are more likely to die or have a disability than babies carried to full term. The finding comes from a report published by the Nuffield Trust, called *Inequality on the Inside*. Researchers analysed NHS hospital data to compare treatment and outcomes for women prisoners against what is seen in the community. Among the findings is that almost 45 per cent of NHS hospital outpatient appointments made for women in prison are missed. The researchers comment: "This is likely to be a symptom of wider problems the prison estate faces, in particular around staff availability." Previous Nuffield Trust studies have shown that male and female prisoners often miss hospital appointments because their prison is too short-staffed to provide the two prison officer escorts who are needed to accompany them. When appointments are made for female prisoners to attend a hospital's obstetric [pregnancy care] department, 30 per cent are missed, whilst among prisoners' midwife appointments, 22 per cent are missed. The report also analyses the reasons why women prisoners attend hospital. It finds that in 2019/20, just under 30 per cent of inpatient admissions of women prisoners had a diagnosis of substance abuse, compared with just under 20 per cent of inpatient admissions of male prisoners. The Nuffield Trust said its research – led by Dr Miranda Davies, Rachel Hutchings and Ellis Keeble, and funded by the Health Foundation – had come up with findings which "underlines the challenges and risks women in prison face because of barriers to accessing health and care services".

"The 'Butchers Apron' ~ aka the 'Union Jack'

Why MOJUK is not Supporting the Games - The vast majority of people who make it to the UK, seeking asylum come from former British Colonies. Countries that the UK plundered of natural resources and when forced to depart, left most of the countries in political/economic turmoil the ramifications of which still bedevil these countries today. The legacy of the British Empire MUST be front and centre when we make arguments about the injustice of immigration controls. "we are here because you were there and are still there" is critically relevant. Britain with brutal and violent oppression colonized over 57 countries mostly in the 16th/17th/18th centuries. None of the countries asked to be colonized and most of them had to resort to bloody and violent insurgency to drive the British out and gain their freedom/independence back. To the majority of those colonized the Union Jack was known as the 'Butchers Apron'. Though Britain boasted the sun never set on the British Empire, it would be more true to say, 'the sun never set and the blood of innocents never dried.'

Britain Destroyed Records of Colonial Crimes - Thousands of papers detailing shameful acts were culled, while others were kept secret illegally. Thousands of documents detailing some of the most shameful acts and crimes committed during the final years of the British empire were systematically destroyed to prevent them falling into the hands of post-independence governments, an official review has concluded. Those papers that survived the purge were flown discreetly to Britain where they were hidden for 50 years in a secret Foreign Office archive, beyond the reach of historians and members of the public, and in breach of legal obligations for them to be transferred into the public domain. Read more: *The Guardian*, 18/04/12 Most of the countries after throwing of the shackles of Britain became part of the British Commonwealth; now an intergovernmental organisation of fifty-four independent member states, all but two of which were formerly part of the British Empire. Did the 'Commonwealth' bring peace and economic prosperity, to the people of these nations? Not at all, the Wealth was only common to the rich and all that changed for the indigenous populations; was the color of the flags that flew over them and the accents of their 'masters'.

[Comment: It is assumed that once formal independence was achieved for these countries, the countries were entirely responsible for their own fate which ignores the constraints imposed on them by patterns of ownership and trade in raw materials as a part of colonial legacy and then subsequent developments after WWII when intricate financial regulation through the world bank, IMF strangled them into indebtedness and dependency. Neo-liberal ascendancy finally devastated most of them since the 1990s. Saleh Mamon]

Britain Must Own Up To Its' Brutal Colonial Past - We associate the term 'concentration camps' with the Nazis. But it started with the British. Remember all that national soul-searching and self-flagellation over Empire and all the horrors committed in its name? No, me neither. But this is the fictional Britain that has been conjured up by our Foreign Secretary, William Hague. "We have to get out of this post-colonial guilt," he declared in Friday's *Evening Standard*. "Be confident in ourselves." Here is an echo of Gordon Brown's assertion in 2005 that "the days of Britain having to apologise for its colonial history are over". It was a straw man argument, because there has never been an apology for British imperialism. The British Empire has been virtually erased by collective amnesia; like an embarrassing, sordid secret that should never be mentioned in polite company. A foreign country such as Turkey can rightly be berated for failing to come to terms with an atrocity like the Armenian genocide, but the darkest moments of our own history are intentionally forgotten. Read more: Owen Jones: 04/09/12

The Commonwealth is a Jamboree of Repression - In recent years the collective political will of Commonwealth members to promote human rights has all but evaporated. Only the tiny Pacific nation of Fiji, suspended following a coup in 2006, will be excluded from this month's

tionately young Black people. Those who really don't have a place in society are disappeared into the prison system.

CW: As a Committed Prison Organiser. What Principles Guided Your Organising?

JB: I committed and devoted my life not just to the personal struggle against brutality but to a wider struggle against the prison system generally, and spent almost 40 years trying to organise and mobilise prisoners. Our aim was to collectively empower prisoners. By collectively empowering them we could shift the balance between us and those with the keys. You had to see where the balance of power lay, not just with the screws but between prisoners themselves, and try and change that incrementally by creating a common purpose or consciousness amongst as many prisoners as you could. You have to establish the roots of organisation amongst the prisoners before you can confront the system itself.

CW: *What Were the key Tactics of Struggle You Would Use in Prison?*

JB: Once you had successfully created a structure of organisation and solidarity, there were many issues you could focus on: the brutalisation of particular prisoners, the maltreatment of prisoners in segregation, the behaviour of particular prison officers. The tactics we would deploy would include sit-down protests, refusal to lock-up, refusal to work, food strikes. Even in places like close supervision centres, where you're in virtual solitary confinement, if you're able to communicate with those around you – for example through the cell windows – you could organise collective protests. Organisation even in the most oppressive situations was possible.

CW: *What Was the Most Successful Prison Uprising You Were Involved In?*

JB: The one that gave me the greatest inspiration and faith in struggle occurred in probably the worst segregation unit in the UK: Wakefield segregation unit, or F-Wing. During the seventies they set up this control unit in Wakefield Prison, based on the principles of behaviour modification, Pavlovian methods. It was absolutely brutal. A lot of the lessons they learnt from that were applied in Northern Ireland in the H-Blocks – it was very much an experiment in behaviour modification. They would use F-Wing as a national facility for the most 'difficult' or 'unmanageable' prisoners in the system. People were held in total and absolute isolation and were frequently brutalised by the staff. There was a high level of suicide, mental illness etc. I took a prison governor hostage at Parkhurst Prison in the early eighties, and after that I was sent to Wakefield F-Wing. I was placed in a subterranean cage. It was an atmosphere of total and absolute control and terror. When I got there, they'd got so confident of being able to control and break so-called prison subversives that it was quite overpopulated by Irish Republican prisoners and others. I was able to open up lines of communication with them, and we started to withdraw our cooperation, engage in dirty protests, wreck the cells etc. And the whole place came together in absolute and total unity. For two days, we had more or less control of it. It was unprecedented, they shut F-Wing Wakefield for about two months and ghosted us all elsewhere. Despite the fact we were in individual cells, there was this great feeling of togetherness, that we had won. The inspiring thing about that was, even in a place of total repression, where the system appeared to have absolute control, we won. And if it could be achieved there, it could be achieved anywhere. That was the most inspiring experience of my life in prison. It gave me great hope and faith in the collective power, not just of prisoners, but of poor and oppressed people everywhere. They were capable of defeating the system, providing they saw their struggle as one.

CW: *How Does the Prison System Try and Prevent Such Uprisings?*

JB: The 1990 Strangeways Uprising was incredibly positive. It really terrified the system, because

they realised that prison organisation and collective rebellion was a possibility. In response they introduced the close supervision centre system, whereby those perceived to be trouble-makers and organisers are placed in total isolation. They introduced the incentives and enhanced privileges scheme, which is a kind of class system among the prisoners. If you refuse to work, you are basically locked up with nothing. If you agree to work and cooperate, your 'privilege' status is increased. State-hired psychiatrists were always used against prisoners, particularly from the fifties to the eighties. Psychiatrists would lend their blessing to the brutalisation of prisoners, usually in the form of the 'liquid cosh': the unlawful sedation of difficult prisoners. Later you had the growth of psychology in the prison system. In order for prisoners to achieve parole or release, they had to accept that they suffered from a personality disorder and accept that all the problems were within their own character. They had to do behaviour modification courses, and if they didn't, they wouldn't receive parole, and if they were life sentence prisoners they would die in prison.

CW: *How Did the Prison System Relate to the Emergence of Prison Gangs?*

JB: I escaped from prison in 1992, and was eventually recaptured in Scotland. When I went back to Whitemoor Prison years later I was absolutely shocked by the changes in prisoner culture. Divisions among prisoners had grown, gang culture had really grown, drug culture had increased dramatically, and it was clear that the staff, the screws, were using that as a means of control. They'd almost subcontract out the discipline and control function to the most powerful gangs on the wing. When I went to Swaleside Prison, for example, there was a mentally ill prisoner next door to me. He was banging on his door all night and a gang of screws went in and badly beat him up. The next morning a group of us said to everybody else on the wing, 'we can't allow this. They can come in at any time day or night and physically assault people, we need to protest'. So we tried to organise a stay-out, to refuse to lock-up at the end of the day. Initially about 70-80% of the wing agreed with us, so there was a real feeling of solidarity. Then I noticed the screws approaching and talking to certain members of the gangs that were selling most of the drugs on the wing. And I then watched those gang members going around various cells talking to people, and by 9 o'clock that night, when they were trying to lock us up and we were going to stand out, there were just five of us left.

CW: Marshall "Eddie" Conway, a Black Panther and prison organiser who was imprisoned for about as long as you, writes that he managed to find a degree of mutual understanding and respect with the gangs within some prisons in the US. Did you ever manage something similar? JB: To some degree. When I was in Swaleside I interacted a lot with the young Black gangs and I tried to encourage them to see a common struggle and attempted to organise a Black prisoners representative group. But the screws became aware of what I was doing, and they would approach leading gang members in the wing and encourage them to instruct the younger Black prisoners to 'come out of my influence'. Sometimes it would even assume the form of blackmail with drug debts etc. So when trying to organise – although there's always a potential for organisation, particularly among young Black prisoners – you're not just up against the screws and the governors and the system, you're up against people I would describe as kapos, in the sense that the system is prepared to turn a blind eye to their drug dealing and so on provided they maintain order on the wing. And that was the hardest part of my time in prison.

CW: *A debate occasionally breaks out on the British left, most recently within the Corbyn project, over the role of prison guards in the labour movement. What do you think of the POA?*

JB: One of the things that really struck me during my imprisonment was how far more

become comfortable". The Ministry of Justice (MoJ) deny that Belmarsh Prison has the heating turned on during the summer months, saying, "there [is] no truth to these allegations".

Meanwhile, those taking direct action around the climate crisis are increasingly ending up in prison. Fighting to end the climate crisis, and facing "prison cells [that are] heating to dangerous levels because of the very thing that we are trying to prevent" as a result, is a "cruel convergence", says Cooper. Due to his experiences in prison, he now runs training sessions for other climate activists facing arrest that include warnings about the dangers of hot cells.

Excessive heat inside is just one example of dangerous prison conditions overall. Far from being humanely-designed buildings, says Griff Ferris, senior legal and policy officer at global criminal justice watchdog Fair Trials, "Prisons in England and Wales are primarily built as cages, to punish people and keep them out of sight and out of mind from the rest of the public." A 2021 report about prison conditions during the pandemic by Fair Trials details tiny, dirty cells, unsanitary facilities in disrepair, rat infestations and inadequate nutrition. These conditions are "having a devastating impact on incarcerated people's lives and wellbeing," says Ferris, with prisons seeing "record levels of self-harm and death by suicide."

Most urgently this summer, campaigners are calling for fans, iced water and mobile air-conditioning for all prisoners. Beyond this, Bowden says that improved ventilation and more time outside are important. Ultimately, he says, since prisons are "created to punish and brutalise prisoners... the conditions under which prisoners are held will never truly improve. The current Tory promise of spending over £4 billion on prison expansion will not result in more humane conditions for prisoners in the least," he says.

In response to a request for comment by Novara Media, the MoJ said: "Prisons have plans in place to protect staff and offenders during hot weather. This includes adjusting the working day to minimise exposure to heat, offering extra water and working with the NHS to support the vulnerable." Prison officers even blast the heating as punishment, campaigners claim.

CCRC: Husband's Application is Sixty-Second Horizon Case Sent for Appeal

The husband of a deceased Post Office worker has seen his wife's case posthumously referred to the Court of Appeal by the Criminal Cases Review Commission (CCRC), taking the total of CCRC "Horizon" cases sent for appeal to 62. Mrs Joanne O'Donnell was a Sub-Post Office Assistant at North Levenshulme Post Office in Manchester who died in June 2016. In May 2007, Mrs O'Donnell had stood trial at Manchester Crown Court and was convicted of theft. She was sentenced to 7 months' imprisonment and ordered to pay £6,220 costs and £11,000 compensation.

In 2021 Mrs O'Donnell's husband tried to appeal on his late wife's behalf. However, he was unable to do so because the law says that posthumous appeals must be lodged within a year of the person's death, unless they are referred by the CCRC. Mr O'Donnell therefore contacted the CCRC. Following a detailed review of the case, the CCRC has decided that, in light of what is now known about Horizon, there is a real possibility that Mrs O'Donnell's conviction will now be quashed. The CCRC has therefore decided to refer her conviction to the Court of Appeal. Only the CCRC has the power to send cases like Mrs O'Donnell's back to the Court of Appeal. The CCRC has therefore recently written to the relatives of 29 deceased Post Office workers to make them aware they can apply on behalf of a deceased relative to have their conviction reviewed and potentially sent for appeal.

By the end of July 2022 as part of its campaign to reach out to former sub-postmasters and Post Office counter staff, the CCRC has contacted just over 300 individuals whose convictions, or those of a deceased family member, may be affected. CCRC Chairman Helen Pitcher

OBE said: "Many of the convictions affected by Horizon are now over a decade old and sadly some of those who were convicted are no longer with us. I'd urge anyone who thinks that a loved one's case might be affected to get in touch with us." To date, the CCRC has referred 62 Post Office cases to the appeal courts. A further 29 Post Office cases are still under review.

New Guidance Will Help Modern Slavery Victims In Prison

Ella Hopkins, Each Other: Victims of modern slavery are to receive better support in prison following a legal challenge which highlighted a lack of guidance for prison staff. The new guidance, to be issued later this year, will help prison staff support victims and potential victims of modern slavery who have been imprisoned under criminal powers. The Modern Slavery Act, passed in 2015, was the first piece of legislation to explicitly tackle the prevention, detection, investigation and prosecution of slavery and human trafficking offences in England and Wales. Statutory guidance states that prisons hold responsibility for identifying and supporting victims and raising awareness of this crime.

However, a judicial review claim brought by the Anti Trafficking and Labour Exploitation Unit (ATLEU) last month stated that the government had no "overarching written policy" to direct how prison staff should respond to and support victims and potential victims of modern slavery. According to the ATLEU, the government admitted there was no structure in place to inform prison staff when the Home Office had identified prisoners as victims or potential victims of modern slavery. Nearly half of people identified by the Home Office as victims or potential victims of modern slavery experienced criminal exploitation, according to the latest government statistics. The government does not publish figures detailing how many of these people are in prison. 'Serious failings' Lindsay Cundall, a lawyer who worked on the ATLEU's judicial review claim, said she identified "serious failings" in the prison system for victims of trafficking, a form of modern slavery. Before working for ATLEU, Cundall was an immigration lawyer representing people in removal centres who had been transferred from prisons. In seven years, she could not recall a single case where an assessment of recovery needs was carried out or recovery support – such as counselling – was provided to victims of trafficking while they were in prison. Appropriate support - Cundall worked with a man imprisoned for cannabis cultivation who said he had been trafficked from Vietnam. Though he was identified by the Home Office as being a potential victim of modern slavery (called a 'reasonable grounds' decision), prison staff were not notified and he was not given appropriate support, said Cundall.

The man was placed in the same cell as another inmate who had been working on the same cannabis farm. This person could have been a "potential exploiter", said Cundall. "He was receiving legal calls in his cell with a Vietnamese-speaking, co-defendant, potential exploiter sat next to him," she said. Cundall said this case shows prison staff have "no idea" how many victims or potential victims of trafficking there are in prison. This is "particularly damaging" in a prison environment, according to ATLEU. Victims should not be required to identify themselves to prison staff, the organisation said, because the "anti snitch culture" in prisons makes them less likely to disclose what has happened to them. New guidance to support victims - ATLEU brought its judicial review claim on the grounds that these failings in the prison system "unjustifiably discriminate" against victims and potential victims of modern slavery detained under criminal powers, compared with other victims of modern slavery. The organisation also argued that trafficking victims who were criminally exploited were being indirectly discriminated against, because they were more likely to go through the prison system without support than victims who had not been criminally exploited.