PCC Statement Regarding Review Into Case Of Danny Major

Mr Major, a former West Yorkshire Police constable, was jailed for 15 months after being found guilty of assaulting a drunken teenager in custody at Millgarth police station, in Leeds, in 2006. He served four months of his sentence. His family have been campaigning to have his conviction overturned since he was released from jail in 2007 and an independent report commissioned in January 2013 was finally delivered today. - Mark Burns-Williamson, West Yorkshire Police and Crime Commissioner said on Friday 11th December: "I asked an independent police force (Greater Manchester Police) to carry out this investigation after speaking with the Major family and listening to the concerns they have. The family and I both want to know if justice was correctly served. They have been kept informed at all times about the progress of the review. I know they are frustrated at the length of time it has taken to compile this report but it was vital that the investigating team left no stone un-turned. Having received the report today I must now spend some time to review it in full and consider all the findings, recommendations and next steps. I have spoken to the family today to give them a very brief overview and we will be meeting shortly so we can discuss what happens now. What the report does say is that, in the opinion of the investigating team, the evidence supports the premise that there may have been a miscarriage of justice and that there is sufficient 'fresh evidence' to support the case being referred back to the Criminal Case Review Commission (CCRC). This is obviously an important development in this long running case which has previously been looked into by a number of agencies. It is important that no one now rushes to judgement and that any legal proceedings resulting from this be allowed to run their course. I will of course share all relevant information with all interested parties including the Major family."

Youth Custody: Per Capita Costs

Caroline Lucas: To ask the Secretary of State for Justice, what estimate he has made of the average amount the Youth Justice Board will pay for each place for a child in (a) Medway secure training centre, (b) Oakhill secure training centre, (c) Rainsbrook secure training centre, (d) Cookham Wood young offender institution, (e) Feltham young offender institution, (f) Parc young offender institution, (g) Werrington young offender institution and (h) Wetherby young offender institution; and what the average amount the Youth Justice Board wil pay on average for each place for a child in the financial year 2015/2016..

Andrew Selous: Secure Training Centres (STCs) typically cater for younger offenders with multiple or complex needs and therefore have smaller units and higher staff ratios than Young Offender Institutions (YOIs).The Youth Justice Board calculates the average cost of custody per place for the year 2015/2016 @ £108,908s.

Hostages: Mark Alexander, Anis Sardar, Jamie Green, Dan Payne, Zoran Dresic, Scott Birtwistle, Jon Beere, Chedwyn Evans, Darren Waterhouse, David Norris, Brendan McConville, John Paul Wooton, John Keelan, Mohammed Niaz Khan, Abid Ashiq Hussain, Sharaz Yaqub, David Ferguson, Anthony Parsons, James Cullinene, Stephen Marsh, Graham Coutts, Royston Moore, Duane King, Leon Chapman, Tony Marshall, Anthony Jackson, David Kent, Norman Grant, Ricardo Morrison, Alex Silva,Terry Smith, Hyrone Hart, Glen Cameron,Warren Slaney, Melvyn 'Adie' McLellan, Lyndon Coles, Robert Bradley, John Twomey, Thomas G. Bourke, David E. Ferguson, Lee Mockble, George Coleman, Neil Hurley, Jaslyn Ricardo Smith, James Dowsett, Kevan & Miran Thakrar, Jordan Towers, Patrick Docherty, Brendan Dixon, Paul Bush, Alex Black, Nicholas Rose, Kevin Nunn, Peter Carine, Paul Higginson, Thomas Petch, Vincent and Sean Bradish, John Allen, Jeremy Bamber, Kevin Lane, Michael Brown, Robert Knapp, William Kenealy, Glyn Razzell, Willie Gage, Kate Keaveney, Michael Stone, Michael Attwooll, John Roden, Nick Tucker, Karl Watson, Terry Allen, Richard Southern, Jamil Chowdhary, Jake Mawhinney, Peter Hannigan, Ihsan Ulhaque, Richard Allan, Carl Kenute Gowe, Eddie Hampton, Tony Hyland, Ray Gilbert, Ishtiaq Ahmed.

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MOJUK: Newsletter 'Inside Out' No 560 (17/12/2015) - Cost £1

Jack Whomes, Still Inside, Still Innocent, Still Fighting Colin Adwent, Ipswich Star

December the 6th was 20 years to the day since three Essex drug dealers were shot dead in what can arguably be described as the country's most infamous gangland murder. The hitman convicted of the triple-murder of Tony Tucker, Pat Tate and Craig Rolfe, on a remote track on a freezing winter's night was 35-year-old Jack Whomes, of Brockford, near Stowmarket. The father-of-two, who worked as a mechanic near Ipswich and was also a part-time doorman at a Stowmarket nightclub, was arrested five months later. Whomes and co-accused Michael Steele were convicted of the three murders at the Old Bailey less than a year later. To this day they still protest their innocence.

The case has continued to grip the public's imagination, with films such as Essex Boys and Rise of the Foot Soldier, along with crime documentaries, made about it. Whomes' mother Pam has never wavered in her belief that her son is behind bars for a crime he did not commit. Her faith has led her to wage a tireless campaign for his freedom. Now aged 77 she remains determined to see her son free but, unsurprisingly, carrying the burden of the fight has come at a cost. Mrs Whomes said: "It's been sheer hell. It's been a constant fight. It has completely broken my family up. That's what hurts me. It is such a struggle trying to prove his innocence. My whole life revolves around the telephone, waiting for him to call me twice a day. If I'm out I like to be back here so he gets an answer. It's about keeping yourself going and keeping the remainder of the family going. I feel like it's a losing battle. I just hope I live to see him walk out. I try to be strong all the time, trying to keep myself well and active, but it takes its toll, to be honest.

"Once I'm out it's the only time I get relief – when I'm in other people's company. For that little while you forget everything. If I didn't do that I think I would go stark, raving mad. I really draw strength from the fact I have got some good legal people behind me, helping me. Everybody's been so supportive. When Jack was convicted a lot of people said he did it, but a lot said he didn't and that he was a gentle giant. I know when anyone comes to the village, especially to the pub, I'm pointed out, but everybody's supportive." Mrs Whomes said her late husband Jack and their family originally managed to keep the arrest of the son she still calls 'Bubsy' a secret from her. I didn't know he had been arrested. When they went to charge him it came up on the telly. They showed some blokes covered up and just by the way he was walking I remember I said 'that looks like my Bubsy' and they [the family] said 'yeah, it is'. I nearly died on the spot. They tried to keep it from me. I had heard about the murders, but never in my wildest dreams did I think it was him."

Some would question why, at the age of 77, the mother-of-six keeps pursuing her son's case. However, she said: "How can I stop? I keep fighting because I'm determined to see him walk out a free man. I will never give up on him because I know he wouldn't on me." Her faith in her son and his innocence is unshakeable. I know he would never, ever do anything like that. He would never have put us through the agony of all those years. I've said to him myself 'just say you have done it and you can come home', but he won't. Jack will never give in. It's his way of life now. He's never going to give in." When asked about the future Mrs Whomes replied: "What future? I would like to see him go down to a different category prisoner and be at another prison nearer home so it makes it a bit easier to visit. Mrs Whomes said her son

has used his time behind bars well. He mentors other prisoners and has gained 26 City and Guild certificates. In a letter the Governor of HMP Whitemoor in Cambridgeshire stated he believes the passage of time and the positive way in which Whomes has approached his sentence has served its purpose and been his rehabilitation. The Governor wrote: "The level to which he has educated himself is truly impressive and he comes across as a man who just wants to end this chapter of his life, eventually get released, and spend the remainder of his life with his family." Going through the agony of losing an appeal in 2006 against her son's conviction was tough, but it has not deterred Whomes and his mother seeking a second appeal. She said: "It was terrible. We all thought we had won. We were sure we had won and then the night before a journalist rang us and said we had lost it. I have got no faith at all in the justice system. Sometimes I think we are bashing our heads into a brick wall, but we have just got to keep our spirits up, keep fighting and perhaps one day we will get there."

Jack Whomes remains resolutely defiant after nearly 20 years behind bars. The 54-year-old still vehemently proclaims he is innocent of the gangland slaying of Tucker, Tate and Rolfe. Whomes lost his freedom more than 19 years ago, but to this day he maintains he was not their executioner. The only real glimpse of the outside world he has had since then is being allowed out to attend the funeral of his father Jack senior in May 2011 in Bury St Edmunds. Speaking from HMP Whitemoor in Cambridgeshire, Whomes vowed he would never admit the murders for which he is convicted. Despite already losing an appeal in 2006 and spending years mired in the legal system while trying to get a second, Whomes said he has not given up hope of having his conviction overturned.

His hopes hinge primarily on technological developments in being able to pinpoint signals from mobile phones. This, along with Supergrass Darren Nicholls' evidence, were the mainstays of the prosecution's case back in 1998. Describing what life inside has been like for him, Whomes said: "It's been one hell of an education in every sense of the word – 19 years incarcerated for a crime I did not commit and will never admit to. I hope to prove my innocence and walk out of the appeal courts a free man and be reunited with my family, friends and everyone who has stood by me." Many would admit the offences for which they were convicted if it meant shortening their sentences.

However, Whomes still refuses to countenance the idea of admitting the killings, as he did when Jack snr knew he was dying and begged him to, so his son would eventually be able to come home and look after his mum. Whomes said: "I never committed them and after 19 years of trying to prove my innocence I'm definitely not going to say otherwise. Why admit to something I have not done? My heartfelt thanks go to all my friends, family and the people who have believed and supported us in this long journey. I hope one day you will be able to hear the truth from me."

The case against Jack Whomes: On May 13, 1996, Jack Whomes was hosing down a boat at his workplace G and T Commercials in Barham, near Ipswich, when armed police and customs officers burst into the yard and arrested him. Four days later he was jointly-charged with murdering Essex gangsters Tony Tucker, 38, Pat Tate, 37, and Craig Rolfe, 26. Tucker and Tate had enjoyed fearsome reputations as hard men known for violence, retribution and drugs. A short time before their deaths Essex police officer's daughter Leah Betts died after taking an ecstasy tablet at a Basildon nightclub. The chain was believed to have trailed back to Tucker. Rolfe, Tate and Tucker were lured to Workhouse Lane – a remote snow-encrusted track in Rettendon, near Chelmsford – on the evening of December 6, 1995. There they were taken by surprise and shot while still sitting in their Range Rover. The trio's bodies were found the following morning.

Tucker was clutching a mobile phone, Tate was slumped on the back seat, and Rolfe was sitting in the driver's seat. Whomes and Michael Steele, from Ainger's Green, Great Bentley,

Prisoners Who Maintain Their Innocence

Glyn Razell writes: It seems as though maintaining innocence is still very much a barrier to progression. Last week I received a letter from NOMS saying that because I've completed 'no work to reduce my risk' there is no 'realistic prospect' of the Parole Board recommending a transfer to open conditions, therefore they've decided to sift my case out and cancel my pre-tariff review. My fist parole board will now be in 2019 when my tariff expires.

The letter is riddled with contradictions. Over the last twelve years, since my wrongful conviction, I've actually worked for many hours in reviews, assessments and evaluations. Whilst I've always robustly maintained my innocence I've also applied for all the offending behaviour work available. It is hardly my fault that I've been refused because I don't present with the 'cognitive deficits or criminogenic traits' the courses are designed to correct. Of course I don't, I'm wrongly Convicted.

I've spent the last twelve years complying with their ridiculous sentence planning targets. I've collected all the brownie points to qualify for extra privileges. My Offender Manager and my Offender Supervisor and the Governor here all agree that there is no further work or assessments I could do in closed conditions and have recommended a parole hearing for open conditions. My risk on OASys is assessed as low in all the categories that matter. The PSI specifies the condition that should lead to a prisoner being sifted out. I don't meet any of them.

Ever since the Oyston case fifteen years ago the Parole Board cannot lawfully deny progression on the basis that a prisoner simply maintains his innocence or anything that flows from it. Do NOMS not know this? Their own instructions to staff emphasise that it is not the work that has been done that matters but the risk remaining, and I simply don't have any. Less than thirteen months earlier the PPCs within NOMS had advanced my pre-tariff review by six months due to 'the good progress made'. Now the same section has cancelled it altogether. Either they haven't understood the facts of my case or there's still a policy in place to deny progress to wrongly convicted prisoners who maintain their innocence.

On a happier note, I've asked the prison to enclose a cheque for £50 as a contribution to MOJUK running costs. Thank you for all the work you do on the newsletter every week. I find it a mine of pertinent and useful information. It is much appreciated. Most importantly it gives me hope. Glyn Razzell: A0744AK, HMP Guys Marsh, Shaftesbury, SP7 0AH

John Milligan Referral to Court of Appeal

Scottish CCRC: The applicant was convicted after trial at Edinburgh High Court on 7 May 2009 of seven contraventions of the Civic Government (Scotland) Act 1982, as amended, relating to the possession of indecent photographs of children, taking or permitting to be taken or made, indecent photographs of children, distributing or showing indecent photographs of children, possession of a number of indecent photographs of a child or children with a view to them being distributed or shown by him to others, and distributing or showing indecent photographs of chldren to his co-accused). He was also convicted of conspiring with others to commit sexual offences against a child (Charge 54). The Commission has decided to refer the case to the High Court because it considers that, in light of the decision in Strachan v HMA [2011] HCJAC 3, the libel in one of the charges against the applicant should have been restricted to one between him and his co-accused who he had direct contact with. In these circumstances the jury returned a verdict in respect of the applicant in respect of the conspiracy charge which was not as restricted as the evidence against him suggested, and in these circumstances, this may have led to a miscarriage of justice.

custody at HMP Peterborough this morning. Police were called at 1.45am. The next of kin have been informed and our thoughts are with the family. It would be inappropriate to comment further while the police investigation is under way."

A Prison Service spokesperson said: "We take a zero tolerance approach to violence in our prisons. Offenders who take part in violent incidents can be referred to the police for prosecution and face additional time on their sentences. We have also established a violence reduction project to gain a better understanding of the current levels of violence in our prisons. In addition, we have responded to recent staffing pressures by recruiting 2,340 prison officers over the last year, with 540 more full-time prison officers in our prisons than there were twelve months ago."

Prison Officer Who Revealed Concerns About Violence Challenges Dismissal

Sandra Laville, Guardian: A prison officer who revealed serious concerns about rising levels of violence in her jail is challenging the government's decision to sack her for speaking out of her concerns about the soaring levels of violence and overcrowding in Lewes prison after – she said – her complaints to management were not acted upon. Lennon was dismissed last month when a disciplinary panel found she had brought discredit on the prison service by disclosing official information. She is to lodge an appeal against the decision this week, in a move backed by her union, the Prison Officers' Association.

Faced with the loss of her job, Kim Lennon said she had no regrets about speaking out. "They tried to say I wasn't a whistleblower; they didn't see me as a whistleblower. But I had raised this with my management and they didn't do anything. "I spoke out because I wasn't being listened to about serious concerns relating to safety. Everything was dangerous in the prison, not just for us prison officers but for inmates. A lot of what I said applies to a lot of prisons. I decided to use my name and not be anonymous because I felt it would have more impact. I would do it again, and I would say to other prison officers if they had such concerns to speak out, but maybe now I would advise them to remain anonymous."

Lennon spoke out amid growing concerns at the levels of inmate suicides within the prison system, soaring rates of violence both against staff and inmates as well as unchecked overcrowding. She told her local newspaper, the Argus, last year that 20 staff were off with stress-related sickness as the jail tried to operate safely amid staff cuts and threats of violence. She said she feared for her and her colleagues' safety as government cuts had left the prison in a "rocky" state and demoralised staff feeling helpless, tired and overworked. She added that a camera in the visitors' hall installed to keep prison officers safe was not working and there was not enough money to fix it, and said: "They said even if it was fixed they wouldn't have the staff to watch the cameras. We've not got enough staff to look after prisoners properly. They are becoming extremely frustrated and frontline officers are in danger." Lennon also revealed the smuggling of drugs was rife at Lewes, and its wings "resembled a war zone".

She was sent a letter by the then prison governor, Nigel Foote, tell her she was to be disciplined for "failing to meet the standards of behaviour expected of staff". At her disciplinary hearing last month she was told the service did not see her as a whistleblower. She was dismissed and found guilty of bringing discredit upon the Prison Service. Lennon said the service was especially concerned that she had revealed publicly that the camera in the visitors centre did not work. Lennon is to lodge her appeal this week, claiming that her sacking was an unduly unfair result. A Prison Service spokesperson said: "This is a confidential matter. We cannot comment further as we would not wish to prejudice a possible appeal."

denied the murders, but were jailed for life in early 1998 after being convicted at the Old Bailey of the triple homicide. He and Steele, now in his early 70s, had been named by supergrass Darren Nicholls as the killers. The alleged motive was a feud over a drug deal involving Steele which had gone wrong. The case against them rested primarily on the word of Nicholls – a convicted criminal and police informant – who claimed he drove the men from the murder scene and named them as the killers. Whomes and Steele still say the story Nicholls told in court was a lie.

Nicholls gave details of phone calls and meetings between himself, Whomes, Steele and the victims. He testified Steele was behind a series of drug-smuggling runs from the continent in 1995. A key piece of evidence in the trial centred on two mobile phone calls made by Whomes to Nicholls just before 7pm on December 6, 1995 – just minutes after he had allegedly shot dead the three victims. The first call cut off after a few seconds and the next, Nicholls claimed, was Whomes telling him to "come and get me" from Workhouse Lane. The calls were picked up on two different transmitters, meaning Whomes must have been using his mobile phone in an area overlapped by them – and Workhouse Lane was in the centre of it. However, Whomes, a mechanic and doorman at Jokers nightclub in Stowmarket, had claimed he was at The Wheatsheaf pub in Rettendon to pick up Nicholls' broken-down VW Passat.

End The Political Show Trials of Gavin Coyle and Davy Jordan.

Following on from the farcical exhibition of political policing that will undoubtedly prolong the isolation and degradation policy being imposed upon IRPWA prisoner Gavin Coyle, Tyrone Republican Davy Jordan appeared in Dungannon Magistrates Court charged in connection with the same incident. The PSNI Detective Sergeant claimed in Court submissions that they are attempting to connect Davy to the charges as a result of car identification near to the scene, "traces of explosives in a car seized" in 2008 and his previous political imprisonments. When challenged by Davy's solicitor, Peter Corrigan of KRW Law, the PSNI detective admitted a number of discrepancies in their case, at this early stage. These include the admittance by the PSNI: • that a car seized in 2008 was not, and never had been, registered to Davy Jordan. • that an expert car vehicle analyst had submitted, in an official report to the PSNI, that the car captured on CCTV could be any one of three possible models of car. The car seized could not be definitively and positively identified as the make and/or model captured in CCTV images near the scene. • that even if it was the same make and model as the car seized by the PSNI, there is no guarantee that it is the same car seized. Nor is there any proof whatsoever that the car seized was in that area at all. Even if it could be proven that it was, there is no proof that the car was there for "illegal activity". • that there is no facial identification from any captured CCTV image that links Davy Jordan with being the driver of the car pictured. • that while small traces of nitro-glycerine were found in the car seized by the PSNI in 2008, this substance can be the result of innocent activities – as proven in the case of the Birmingham Six. • that even so, no traces of nitro-glycerine were found by forensics as part of their investigation into the incident connected to the charges, the explosive used was semtex – a totally different explosive. • that no DNA, facial identification, witness statements or tracking evidence existed that could link Davy Jordan to the incident connected to the charges. • and that having been arrested and interviewed about this incident in 2008, and released without charge, there is no new evidence being produced that wasn't available then.

Despite all this, the Magistrate Judge stated she was convinced that the PSNI had connected Davy Jordan to the charges and remanded him to Maghaberry Gaol, in one of the clear-

est incidents of internment by remand seen in Ireland in recent years. Despite the counter claims of collaborators and quislings, internment by remand is continuing to be used against Irish Republicans by the MI5-directed PSNI and State Judiciary, supported by the Stormont SF/DUP Coalition. The case of Gavin Coyle and Davy Jordan should be highlighted by all as a disgraceful abuse of process, especially in the context of the continuing targeted isolation of Gavin – who having been in solitary for almost five years and nearing release, now sees himself facing further charges that could ultimately prolong his nightmare for a number of further years. End British Political Policing. End Internment By Remand.

Court of Appeal Hit by 25% Increase in Number of Applicants Without Lawyers

Justice Gap: The number of applications for leave to appeal lodged by applicants without lawyers at the Court of Appeal shot up by more than a quarter last year. According to the Court of Appeal's annual report published yesterday, the proportion of such applications remains low although there has been a marked increase from 4.7% in 2013/14 to 6.04% in 2014/15. Over the period October 2014 to September 2015, there were 1,518 applications to appeal conviction, compared to 1,410 over the previous 12 months; and 4,518 applications to appeal sentence (compared with 4,706 in 2013/14). 'Applications for leave to appeal lodged by applicants acting in person have increased significantly this year and I anticipate this trend may well continue,' commented Master Egan QC, registrar of Criminal Appeals. 'This is likely to place a greater demand on the Court office in terms of advice to applicants and support to the judiciary.' The annual report recorded that almost eight out of 10 conviction applications considered during the year (79% of) were refused by a single judge and seven out of 10 sentence applications were refused by a single judge. The court heard 299 full conviction appeals (compared with 397 the previous year) and 1,424 full sentence appeals (compared with 1,582 the previous year). There were 1,232 applications for leave to appeal conviction (compared with 1,148 the previous year) and 3,226 applications for leave to appeal sentence (compared with 3,841 the previous year).

National Crime Agency Reviews Warrants After Major Trials Collapse Guardian

The National Crime Agency has launched an internal inquiry into its use of warrants and production orders after the collapse of major trials, amid warnings that other cases could be in jeopardy. The NCA and the Crown Prosecution Service were investigating every type of authorisation the organisation received to raid homes, seize property, and collect telephone and banking records, BuzzFeed News reported. The website reported that the NCA admitted to judges it used evidence that may have been gathered unlawfully in four major cases – three of which have collapsed at a cost of millions of pounds to the taxpayer. The NCA deputy director Chris McKeogh, admitted the collapsed trials had been due to "incompetence". The NCA said the review would be a "substantial task" and the organisation, nicknamed Britain's FBI, had issued updated guidance to officers and revised training. Judge Wendy Joseph QC, who presided over three of the trials involved, told BuzzFeed News the problem was "systemic" in the NCA and other cases could be affected.

The NCA said: "As a result of issues identified with warrants in two cases that went before the courts, Operations Heterodon and Enderby, the NCA has instigated a comprehensive review of inherited processes and standards around warrant applications, and of live cases where issues with warrants may not have been previously identified. The review is of all warrants, production orders, account monitoring orders and authorisations for searches under S18 of Pace (Police and Criminal Evidence Act) in all live cases. It is chaired by a member of the NCA legal team,

Prisons: Mental Health Services

To ask the Secretary of State for Health, what steps he is taking to ensure the efficient and timely transfer of prisoners to hospitals under the Mental Health Act 1983; and how many prisoners have waited for more than 14 days for such a transfer in each of the last five years.

Ben Gummer: NHS England has revised good practice guidance on transferring adult prisoners to secure hospitals under sections 47 and 48 of the Mental Health Act 1983. This guidance includes the expectation that a transfer will take place within 14 days, when the need for hospital admission is urgent, and that longer transfer periods should be reported to NHS commissioners, so that steps can be taken to improve. The guidance will be published shortly. Between April to September 2015, 343 prisoners waited more than 14 days for a transfer. Data on prisoner transfer waiting times was not held centrally prior to April 2015. Since then, NHS England has collected data from Health and Justice Indicators of Performance (HJIPs) at a national level.

Suspected Prison Murders at Highest Since Records Began *Jamie Grierson, Guardian*

The number of suspected murders recorded in UK prisons is at its highest in at least 37 years after another alleged homicide at a privately run jail. Prison reform campaigners said violence in jails was out of control after a 25-year-old man was arrested on suspicion of murder at HMP Peterborough in the early hours of Wednesday morning. The victim was severely beaten to death and was found in his cell, which he shared with one other prisoner, sources told the Guardian. There have been eight suspected murders at UK prisons this year, the highest since records began in 1978, when the previous record was set at five. There are on average one or two murders in prisons each year, according to official Ministry of Justice figures, whereas in 2015 there have been as many suspected murders as in the previous five years combined. There have been two other suspected murders in UK prisons in the last two weeks alone: a 24-year-old inmate was arrested on suspicion of murder after an 80-year-old man died on 3 December at Nottingham prison, and another prisoner was arrested on suspicion of murder after a fellow inmate was stabbed to death at HMP Dartmoor on 26 November.

Frances Crook, chief executive of the Howard League for Penal Reform, said the spate of suspected homicides behind bars had raised the possibility of the highest recorded murder rate in at least 37 years. "Levels of violence are now out of control, putting both prisoners and staff in danger," she said. "Whilst we welcome the concentration by the government on solving the long-term problems within the system, immediate action must be taken to cut the number of people in prison and to support staff."

Peterborough prison, which is run by Sodexo Justice Services, is a category B prison that holds about 500 men. Glyn Travis, a spokesman for the Prison Officers Association union, asked what the justice secretary, Michael Gove, and Michael Spurr, chief executive of the National Offender Management Service, which runs prisons in England and Wales, were doing to address the high levels of violence. "The silence on this issue is ridiculous," he said. "They just say 'the police are dealing with it', but what's the underlying cause to this? We firmly believe it's down to lack of staff and staff cuts. You reap what you sow."

A Cambridgeshire police spokeswoman said: "We were called at about 1.45 this morning with reports of violence at HMP Peterborough. Sadly one prisoner has died. Another, a 25-year-old man, has been arrested on suspicion of murder and is currently in custody at Thorpe Wood police station in Peterborough." Peterborough prison was the site of a pilot payment-by-results scheme, under which released prisoners received through-the-gate support in an effort to reduce reoffending. A Sodexo spokesman said: "We can confirm there was a death in

raised her fist as if to punch her. She thought she was in imminent threat of attack. As a result she punched the complainant in the area of her eye. Miss Hassan has only one eye and that may have distorted her vision.

8. The defence case for Miss Tunajek was that she was not a party to a joint attack upon Edyta. She did not physically assault the complainant. She did spit at her at the beginning of the confrontation, but did so in self-defence. The complainant had demanded her sister's money and pushed her. All her actions were in defence of herself or Miss Hassan.

9. Both appellants relied on their good character and character references.

10. The issues for the jury were (i) whether or not Hassan was or may have been acting in self-defence or defence of another, and, if not (ii) whether or not Tunajek was or may have been acting in self-defence or defence of another and if so (iii) whether or not Miss Tunajek was acting in a joint attack upon Edyta with Miss Hassan when Miss Hassan punched Edyta in the eye.

54. Conclusion: This was a short trial. The issues the jury had to resolve were relatively straightforward. In some respects, it is correct to say that the prosecution and defence cases were diametrically opposed. However, in our view, that represents an over-simplification of the issues. The directions should have been tailor made to the facts of the case.

55. However, it was open to the jury on the facts to conclude that, even if the appellants had started as the aggressors, they may have subsequently been acting in self-defence.

56. The Recorder directed that a defendant cannot have honestly believed that it was necessary to use force to defend herself if she was the aggressor. On the facts of this case that direction could have prevented the jury from considering the issue of self-defence at the time the injury was inflicted.

57. We are also concerned that there was no reference in the summing up to Kiran Hassan's distorted vision which may have been relevant to her perception of any threat of violence.

58. We also consider that the Recorder should have explained to the jury that self-defence applies equally to defence of another.

59. Whilst the Recorder's direction on joint enterprise was adequate in general terms, we do not consider the direction in respect of joint enterprise was adequate in all the circumstances of the case as it presented the jury with an inappropriate route to a guilty verdict in respect of Sylwai Tunajek simply on the basis of the spitting.

60. These problems were compounded by the Recorder's answer to the jury. The question suggested the jury was focusing on the spitting by Sylwai Tunajek. The Recorder did not explain to the jury that whatever view they took of the spitting, to convict Sylwai Tunajek, they must be sure the defendants were in together at the time the injury was inflicted.

61. Taking all matters together, we do not consider the convictions of either appellant is safe.

62.. In the circumstances, we do not need to consider the other grounds of appeal at any length. Suffice it to say, none of them amount to a ground of appeal which would render this conviction unsafe. We do not consider the summing up was biased as was suggested in the original written grounds of appeal on behalf of Kiran Hassan, and Mr Shelley was right to draw back from that suggestion when he addressed us today. We do, however, feel that this is the sort of case where written directions would have been helpful to the jury. Not only does that exercise concentrate the mind of the trial judge, it gives all advocates an opportunity to consider the directions when they are at draft stage, and it is now well established written directions are welcomed by juries. A direction pointing out the inconsistencies in the complainant's accounts and the approach the jury should adopt to them when considering her credibility would have been helpful.

63. However, for the reasons we have given, these convictions are quashed.

independent from the part of the NCA which obtained the warrant and is assisted by the CPS. As well as the review, we have issued updated guidance to officers, revised the legal and awareness training for officers applying for warrants, and introduced additional rigour to the application and authorisation process, ensuring all new applications meet the required standard. We are sharing our experience with law enforcement and police colleagues to ensure that they too can learn from the cases." The NCA had a conviction rate of 91% last year, it said.

McKeogh told BBC Radio 4's Today programme: "It is a matter of record, and in those particular cases a harsh assessment but I think justified, to say that it was incompetence that sat within those two cases." Pressed on the scale of the internal investigation, he said: "By the time the review finishes, which I'm expecting to complete in the early part of January next year, we will have looked at in excess of 2,000 different parts of documents that may be relevant to warrants and orders." He played down the prospect of completed cases being quashed, claiming that there was nothing to suggest that this would happen. "The review started at the beginning of September and there has been nothing found to date that lets me, or indeed the senior panel that is doing this work with me – from the Crown Prosecution Service – to believe that we need to go back to settled cases. What we have got is, as we go through the various orders and documentation that we are finding, we are talking about small, technical, procedural flaws."

'Inaccurate, Misleading, Incomplete': Intel Given to May Over Terror Banning Orders

Bureau of Investigative Journaism: Britain's security services provided Home Secretary Theresa May with "incomplete, inaccurate and misleading" intelligence as the basis for banning two al Qaeda bomb plot suspects from returning to the UK, judges ruled today. Judges at the Special Immigration Appeals Commission said that for security reasons they were unable to give any details about the misleading intelligence but announced they were quashing Home Office exclusion orders against the two Pakistani nationals. The pair, Rizwan Sharif and Umar Farooq, were excluded from Britain in December 2009, eight months after they had been arrested as part of a suspected al Qaeda plot to blow up Manchester's Arndale shopping centre. The original decision had been taken in December 2009 after then Home Secretary Alan Johnson had "personally directed they be excluded from the UK on the ground that their presence would not be conducive to the public good".

Sharif and Farooq, who had been in the country on student visas, had left Britain voluntarily two months earlier after being threatened with deportation. The terror allegations against them had been dropped due to lack of evidence. But in 2011, two years after their return to Pakistan, according to the Siac ruling published today, the men asked Theresa May to reconsider the 2009 decision. A year later in November 2012, she was sent a crucial "letter of recommendation" from the Security Service that formed the basis of her move to "maintain" Alan Johnson's decision. It was Theresa May's decision which the two men appealed at a Siac hearing in October.

The judges ruled that the letter she was given contained faulty information. In their ruling they said exclusion orders were "founded on" such letters of recommendation and that it was "axiomatic" that they be accurate. They said in the case of Farooq, now 32, and Sharif, 35, the details were "materially incomplete and in one or more respects inaccurate and misleading". They added: "In consequence, the Secretary of State did not have all of the relevant information to enable her to answer the question correctly. For that reason and that reason only, her decision must be quashed." They said the matter would now be sent back to Mrs May for her to "reach a fresh decision". "In this open judgment, we can explain the nature of the reasons for that decision, but can say little about the underlying facts," they said. The case is being

covered by the Bureau of Investigative Journalism as part of its long-running examination of the use of secret evidence in UK courts, including for counter-terrorism hearings. Such evidence is usually highly sensitive intelligence material.

Cricket loving Sharif and Farooq, who deny they pose any threat to national security, were among 12 mostly foreign students arrested in April 2009 as part of a high profile counter-terrorism operation. They were suspected to have been part of a plot to detonate a bomb at the Arndale centre during Easter 2009. It was reported at the time that MI5 had been tracking their movements for weeks. Memorably, the police raids in Liverpool, Manchester and Lancashire had to be rushed forward at the time after then Assistant Commissioner Bob Quick of the Met Police's counter-terror squad accidentally allowed details of the operation to be photographed as he arrived for a Downing Street briefing. No bomb was ever found and the UK case against the 12 collapsed within a fortnight. No charges were ever brought in Britain and of the 12 only Abid Naseer, the alleged ringleader, was ever convicted – in a US court earlier this year. He was prosecuted using a growing body of law that allows the United States to prosecute foreign citizens for some actions. Of the remaining men, one was British while the rest were either deported or left voluntarily for Pakistan and Afghanistan. The judges will now set a date by which Mrs May must make a fresh decision on whether the two can return to Britain. The Home Office was unable to comment at the time of publication.

Serious Failures in Relation to Death of Davy Larmcombe at HMP Lincoln

Jury Return Highly Critical Conclusion in Self-Inflicted Prison Death Inquest. Lester Morrill have secured a damning conclusion from the inquest into the death of Davy Larcombe, a vulnerable young man who took his own life at HMP Lincoln on 22 February this year. In delivering their conclusions the jury identified several failings, describing several as "serious". On 13 January, Davy was unexpectedly, and without explanation, transferred from HMP Nottingham to HMP Lincoln. Unbeknownst to him, this was due to overcrowding on the vulnerable prisoners' wing at Nottingham. Due to the distance away, Davy's parents were not able to visit him at all in Lincoln, as Davy's father was very ill at the time. Davy had very little money, and therefore could not afford to contact them by telephone, meaning aside from his initial phone call on arrival at Lincoln, Davy did not speak to his parents for the entire time he was there.

Davy was monitored via the ACCT (Assessment, Care in Custody and Teamwork) system; however, there were numerous failings in relation to the ACCT paperwork, and the management of his risk. Davy self-harmed by cutting twice, and on each occasion referred to the distance from, and lack of contact with his family as the main cause of his low mood. Attempts were made by Custodial Managers to facilitate a transfer back to Nottingham; however, these were not actioned due to staff shortages, nor were they followed up due to deficiencies in his ACCT document. The jury characterised these as "serious" failings. Those responsible for managing Davy's ACCT also failed to record key risk factors in the ACCT document, such as his family history of suicide and important trigger dates - again, the jury found this to be a "serious omission". There were also several "serious failures" to pass on, or act on relevant information.

Davy disclosed in an ACCT review on 17 February that he had been experiencing increased thoughts of self harm since taking Duloxetine - which he had been prescribed three weeks previously for back pain. Duloxetine can also be prescribed as an antidepressant, and it has a known side effect of increasing self-harm or suicidal ideation in the first 2-3 weeks of the prescription. No review had been scheduled to follow up Davy in relation to this risk, and no

tence was not a 'specified serious offence', any sentence passed by the judge in this regard should not have been made part of the minimum period. In a written note dated 6 October 2009, he alerted the Crown Court to this difficulty and, additionally, he complained that the 51-week period should not have been imposed in its entirety because that equated to a sentence of imprisonment of about 2 years.

5. On 29 October 2009, the case was relisted before Judge Watson. She decided that it was wrong to impose the entirety of the 51 weeks' suspended sentence, and she varied the minimum term to nine years three months' imprisonment. Accordingly, the minimum term was increased by a lesser term: 6 months. She did not address the other issue raised by the appellant's counsel.

6. It is common ground between the prosecution and the defence that the judge did not have the power to 'increase' the minimum term in order to incorporate a sentence that reflected a breach of a suspended sentence imposed for the breach of a sexual offences prevention order, because the relevant offence was not a (serious) specified offence for the purposes of sections 224 and 225 and schedule 15 Criminal Justice Act 2003.

7. We are grateful to the Commission for bringing this issue to our attention. Albeit this matter has been raised many years after the sentencing exercise, we consider that it would be unjust to leave this illegal element of the sentence undisturbed.

8. We grant leave to appeal. We quash the minimum term of nine years three months' and substitute the original sentence the judge passed, eight years nine months' imprisonment. We activate the suspended sentence with the term unaltered, and in the event the appellant will serve a concurrent period of 51 weeks' imprisonment for the breach of the sexual offences prevention order. In our view, the breach of the sexual offences prevention order – albeit it occurred slightly before the period covered by the indictment – was an integral part of the overall history leading to his conviction and the sentence on the nine counts of rape. In those circumstances it would be wrong to impose a consecutive sentence for the breach.

Tunajek & Anor, R v [2015] EWCA Crim 1915 (09 December 2015)

This is an appeal against conviction with the leave of the single judge.

1. The appellant Sylwia Tunajek is now aged 29. The appellant Kiran Hussan is now aged 30.

2. On 13th May 2015 at the Nottingham Crown Court the appellants were convicted by a jury of Inflicting Grievous Bodily Harm contrary to s.20 Offences against the Person Act 1861.

3. On 10th June 2015 they were each sentenced by Mr Recorder Swain to 18 months imprisonment suspended for 24 months with an unpaid work requirement.

4. Each appellant was ordered to pay a Compensation Order (£478) and a Victim Surcharge Order (£100). Each appellant was also made subject to a Restraining Order.

5. The background to this case was some money (£1,074.16) that in 2012 Iwona Kolodziejczyk had paid to assist the appellant Miss Tunajek with her move to the UK. The issue of whether the money should be paid back appears to have been a bone of contention leading to a confrontation in the street on the 19th October 2013 between the complainant, Edyta (Iwona Kolodziejczk's sister), and Miss Tunajek and Miss Hassan. Edyta and Miss Tunajek had been work colleagues at KK Sports.

6. The prosecution case was that this was a joint attack and Edyta Kolodziejczyk was assaulted by the two appellants. The most serious injury was caused by a punch in Edyta's eye by Miss Hassan. It was contended that Miss Tunajek was also guilty of the assault as she had been acting in a joint enterprise with Miss Hassan.

7. The defence case for Miss Hassan was self-defence. The complainant pushed her and then

Yusuf Sarwar & Mohammed Ahmed Appeal Against Extended Sentences

1. Both appellants appeal against extended sentences of 17 years and 8 months imposed in the Crown Court at Woolwich on 5 December 2014 for an offence of preparation of terrorist acts contrary to section 5(1) of the Terrorism Act 2006. The extended sentence comprised a custodial term of 12 years 8 months and an extension period of 5 years. In addition, the appellants were made subject to notification orders under the Counter Terrorism Act 2008 for a period of 30 years.

2. Appellants entered guilty pleas on the second day of their trial, but prior to the swearing in of a jury. In passing sentence the judge granted 20 percent credit for the guilty pleas and no complaint is made about that. It follows that the custodial term after a trial would have been one of 16 years.

56. Stepping back and looking at the matter in the round we are persuaded that the judge took too high a starting point for the custodial term in setting it at 16 years. We are principally influenced by our finding in relation to the basis of plea and the combat activity issue, but bear in mind that what they did went a long way towards fulfilling their intentions. Our conclusion is that in all the circumstances there should be a reduction in sentence based on a starting point of 13 years. Giving 20 percent credit for the guilty pleas (as the judge did) results in a custodial term of 10 years and 3 months. We consider that the 5-year extension period was appropriate in the circumstances in this case.

57. Accordingly, for the reasons given, the appeals are allowed and the sentences are reduced in each case by the substitution of an extended sentence of 15 years and 3 months for the 17 year 8 month term imposed below. That extended sentence will comprise a custodial term of 10 years and 3 months and an extension period of 5 years. This alteration does not affect the application of section 246A of the Criminal Justice Act 2003 (special provisions relating to the release on licence of prisoners serving extended sentences where the custodial term is of 10 years or more).

O'Meally, R v [2015] EWCA Crim 1917 (09 December 2015)

1. In a judgment handed down on 20 May 2015, the applicant's appeal against conviction following a reference by the CCRC under section 9 Criminal Appeal Act 1995 was dismissed.

2. In a 'Postscriptum' to the judgment we added: During the course of his submissions Mr Butterfield did not address the sentence imposed by the judge, an issue that had been raised by the Commission and to which there was reference in the appellant's skeleton argument. The Court assumed that this matter was no longer being pursued. However, in his comments on the draft of the judgment, Mr Butterfield indicated that this was a live issue. As a result we give the respondent until 4 pm Friday 29 May 2015 and the appellant until 4pm Friday 5 June 2015 to file any final written submissions on this issue. The court will then hand down a reserved decision.

3. The short history relevant for these purposes is that on 29 September 2009 the judge sentenced the appellant to imprisonment for life for nine counts of rape, and she specified eight years and nine months' as the minimum term to be served under section 82A Powers of the Criminal Courts (Sentencing) Act 2000. The appellant's convictions put him in breach of a sexual offences prevention order and as a result the judge additionally imposed a concurrent term of two years' imprisonment to reflect the breach. However, immediately after the end of the sentencing exercise, prosecuting counsel revealed that a suspended sentence of 51 weeks' imprisonment had been passed on 21 August 2008 at the Wolverhampton Crown Court for an earlier breach of the sexual offences prevention order. The judge thereafter 'increased' the minimum term to nine years nine months' imprisonment 'so that the sentence will be served in full'.

4. After the hearing, defence counsel took steps to address what he perceived as an error on the part of the judge. Because the offence for which the appellant had received the suspended sen-

record was made in the ACCT review of his increased thoughts of self-harm, despite a note being made on the medical records by the mental health nurse who attended the review. On 21 February, Davy gave a note to a prison officer, stating that he was being pressured on the wing about debts inherited from a former cellmate, and had increased anxiety and "zero motivation". The jury concluded that the Senior Officer on the wing, who happened to be Davy's ACCT Case Manager, was made aware of the note, and that event if he wasn't, he should, as case manager, have made himself aware in any event. No case review was held following receipt of this note - another "serious" failure according to the jury - and Davy took his own life that night.

This is another sad case of a prison failing to adequately care for the needs of a vulnerable young man in their custody. HMP Lincoln Governor, Peter Wright, accepted in evidence that there had been failings in numerous areas and explained that he has implemented various steps in respect of the issues raised in Davy's case. Mr Wright was present throughout the inquest, and also gave evidence that he intended to have a full staff briefing in light of the evidence that he had heard.

Davy's family were represented by INQUEST lawyers Gemma Vine and Trainee Solicitor Charles Myers who are part of the civil liberties team at Leeds based solicitors Lester Morrill and Barrister Jesse Nicholls, Doughty Street Chambers, London.

Review Into Care and Management of Transgender Offenders

The management and care of transgender people in prison is a complex issue and one that the Government takes very seriously. NOMS is committed to incorporating equality and diversity into everything it does and treating offenders with decency and respect. Currently, transgender adult prisoners are normally placed according to their legally recognised gender. However, we recognise that these situations are often complex and sensitive. That is why prisons exercise local discretion on the placement of those who live, or propose to live, in the gender other than the one assigned at birth. In such cases, senior prison management will review the individual circumstances, in consultation with medical and other experts. However, we have received a number of representations expressing concern that the present system doesn't sufficiently address the needs of transgender prisoners.

As already announced, NOMS is undertaking a review of Prison Service Instruction 7/2011 to ensure that it is fit for purpose and provides an appropriate balance between the needs of the individual and the responsibility to manage risk and safeguard the wellbeing of all prisoners. The review will now be widened to consider what improvements we can make across prisons and probation services and across youth justice services. The review will develop recommendations for revised guidelines which cover the future shape of prison and probation services for transgender prisoners and offenders in the community. The review will be coordinated by a senior official from the Ministry of Justice who will engage with relevant stakeholders, including from the trans community, to ensure that we provide staff in prisons and probation with the best possible guidance. NOMS, the YJB, the NHS and The Government Equalities Office will provide professional and operational expertise. In addition, Peter Dawson, and Dr Jay Stewart will act as independent advisers to this review. Peter Dawson is deputy director of the Prison Reform Trust and has served as deputy governor of HMP Brixton and governor of HMP Downview and HMP High Down. Dr Jay Stewart is a Director of Gendered Intelligence, an organisation that aims to increase understandings of gender diversity. A copy of the Terms of Reference will be placed in the libraries of both Houses. The Review will be expected to conclude its work early next year.

Source: Minister for Women, Equalities and Family Justice (Caroline Dinenage).

Claimants' Solicitors Worthy Of Real Criticism - Completely Fucked the Case Up

Commissioner of Police of the Metropolis v Abdulle & Ors - 1. This appeal from Hickinbottom J raises, in an acute form, the width of the discretion given to a first instance judge when deciding whether or not to strike out a claim for failure to comply with procedural rules, and the grounds upon which an appeal court can or should interfere with that exercise of discretion.

2. I take the background facts from the judge's judgment. On the evening of 28 February 2007, the three claimants were driving in a car in Willesden Lane, North London, when they were overtaken and forced to stop by a police car. Police officers dressed in black and holding rifles with tracing lights got out and approached them. The officers smashed windows in their car, pulled the claimants out and forced them to the ground where they were handcuffed. The claimants contend that there was no lawful justification for the use of any force against them, so that their detention and all force used against them was unlawful. In any event, they say that the amount of force used was excessive.

3. The claimants instructed Hersi & Co, Solicitors, to represent them; and this claim was issued on their behalf by that firm on 25 February 2010. In his Defence, the Commissioner of Police (who is responsible for all of the relevant police officers) contended that the officers' actions were lawful, because they had a reasonable – if, as is now accepted, mistaken – belief that there was an assault rifle in the boot of the car. That belief arose, it is said, primarily as the result of CCTV footage that was available to the police, which led them to believe the rifle had been put there. The Commissioner also says that the amount of force used was no more than reasonable.

4. The procedural history of the claim has been protracted, and beset by delays. Not all of them have been attributable to the claimants or their solicitors, but many of them have. On 28 March 2011, the matter came before Deputy Master Rose, who allocated it to the multi-track. He also refused the Commissioner's application to strike out the claim, and ordered the claimants to restore the matter for further directions after the exchange of evidence for which his order provided. However, preparations were delayed whilst the Commissioner pursued an appeal against the refusal to strike out, which was ultimately dismissed by Cranston J on 24 November 2011. He ordered the Commissioner to pay the claimants' costs of the appeal to be assessed if not agreed. No formal steps towards assessing those costs have ever been taken. As the judge observed, none of that eight month delay was the fault of the claimants.

5. The next step in the proceedings should have been a case management conference ("CMC"). For reasons that remain unexplained the claimants' solicitors, whose job it was to arrange that CMC, took 14 months to do so. The claimant's solicitors' attempts to lay the blame at the feet of the Commissioner's legal department did not impress the judge; and he concluded that the delay remained unexplained and that it was clear that the claimants' solicitors "were doing less than they could or should have done to move the claim on towards trial".

6. The CMC was eventually listed for 21 May 2013. However, unfortunately, the claimants' solicitors failed to inform the Commissioner's legal department of this date, as they should have done; and the Commissioner's Counsel was in the event unavailable. The CMC was consequently moved to 4 June before Master Cook, who then duly gave directions. He directed that liability be tried as a preliminary issue, with a trial window of 1 October to 31 December 2013, with a seven-day time estimate; and he gave detailed listing directions, including orders that (i) the claimant's solicitors apply to the Queen's Bench Listing Office for a listing appointment (paragraph 3(a)); (ii) the parties each file pre-trial checklists as directed by the Queen's Bench Listing Office (paragraph 3(f)); and (iii) no more than seven days and no less than three days before

itive views about safety - despite the relatively high levels of violence. Links between safer custody and offender management staff were effective, and information was shared well between the two. There were good systems to tackle violence but support for victims was less assured. A small number of 'safer custody' prisoners - men who were under threat on the wings or who found it difficult to cope - were scattered around the prison with very limited regimes and little evidence of active support. Nevertheless, levels of self-harm were low and prisoners identified as being at risk of suicide or self-harm told use they felt well supported. More attention needed to be given to recommendations from the Prisons and Probation Ombudsman following previous self-inflicted deaths. Given the threat from NPS, security was mostly proportionate. Not surprisingly, use of force was high but governance was very good. Good use was made of recorded NPS-related incidents so both staff and the prisoner (who could often not recall the incident) could learn from what had happened. The use of segregation was slightly lower than elsewhere, but although relationships and the environment were generally good, not enough was done to reintegrate men back on the wings. The incentives and earned privileges scheme was a weakness. Neither staff nor prisoners had much confidence in it so it was inconsistently and inflexibly applied and did little to motivate prisoners.

The management of learning and skills was good, as was the range and quality of activities which were effectively linked to local employment needs. Men who were fully employed could spend I a hours a day out of their cells and there were enough activity places to meet the needs of the population. It was disappointing therefore that we found a quarter of prisoners locked in their cells during the working day, with 40% in total on the wings. Some of this was due to temporary staff shortages or prisoners attending other legitimate appointments and failing to return to work or education afterwards. The prison had to balance the need for effective offender management processes for men serving longer sentences and the resettlement needs of men due to be released. The strategic management of both was good. However a backlog of risk assessments undermined planning for individual prisoners and the prison as a whole. The new community rehabilitation company was settling in well and the practical resettlement needs of most men were met. More needed to be done to strengthen work with families and children. HMP Wealstun was dealing with significant challenges that affected outcomes for some prisoners. Nevertheless, it was dealing with these challenges better than most and much of its work compared very favourably with other similar prisons. It is a concern that even a well-run prison like HMP Wealstun was struggling to cope with the supply and use of NPS - and this indicates the need for national action to deal with it. It is a credit to the prison that despite this threat, it was able to provide a safe and decent regime for most of the men it held. Progress from last inspection, inspectors made 69 recommendations, 16 were not achieved and 4 only partly achieved. *Nick Hardwick, HM Chief Inspector of Prisons, October 2015*

Woman Arrested for Alleged Hit And Run After Car Contacts Police

Scott Docherty - Police Oracle: Cathy Bernstein allegedly left the scene after her Ford Focus hit a truck and then collided with a van in Florida. The crash initiated her vehicle's safety feature which automatically rang 911, prompting a call handler to call the 57-year-old back to see if everything was okay Suspicions were raised by the call handler after Ms Bernstien insisted that nothing was wrong. The call handler replied: "OK, but your car called saying you'd been involved in an accident. It doesn't do that for no reason. Did you leave the scene of an accident?" Ms Bernstien denied that she had been involved in an accident, but was taken to the same hospital as victim Anna Preston - who recognised her. After she received medical treatment, Ms Bernstien was taken into custody.

of health care was variable Recommendations from the last report: Inspectors made 73 recommendations, 32 recommendations were not achieved and 8 only partly achieved.

Overall this is a disappointing report. The prison was a reasonably decent place where people were treated respectfully, but it was unsure of its role - something for which both local managers and NOMS must take responsibility. As a consequence, outcomes in a number of key areas were seriously lacking. This was especially so in the key area of reducing the risk of reoffending and preparing prisoners for a return to their communities. This serious shortcoming must now be unambiguously addressed by both NOMS and local managers working in partnership. *Nick Hardwick, HM Chief Inspector of Prisons, October 2015*

Unannounced Inspection of HMP Wealstun

HMP Wealstun is a category C training and resettlement prison that, at the time of this inspection, held about 800 adult men. The prison had to deal with a number of challenges. The availability of new psychoactive substances (NPS), particularly synthetic cannabis such as 'Spice', was very high and had very serious effects on the health of prisoners and the safety of the prison. In the few hours I spent walking round the prison one morning I saw three prisoners clearly affected by what they had taken. The prison had a younger and potentially more volatile population than most prisons of its type. There were almost double the number of fights and assaults than in similar establishments, although most of these were low level. In other prisons this combination of factors has led to many prisoners feeling fearful and has had an impact on all aspects of the regime. In Wealstun, however, fewer prisoners told us they felt unsafe than in similar prisons and our observations of a generally calm and positive atmosphere supported prisoners' perceptions The reasons why the prison was doing better than we might have expected were clear. The leadership of the prison by the governor and senior management was very good. There were very good relationships between staff and prisoners. Staff in different departments worked effectively together to tackle joint problems and support each other, and a 'can do' attitude characterised the approach of the staff team.

The NPS problem was very serious. It was causing so many health emergencies that this was sometimes a drain on local community resources. Drug debts and the enforcement that followed were undoubtedly behind much of the low level violence that was happening. It was not possible to test for NPS, most of which were legal in the community, and supply from outside sources carried little risk. The prison covered a large area and had a lengthy perimeter and a regular stream of prisoners, visitors and staff of all types going backwards and forwards through the gate, and this meant preventing supply was very difficult. The prison was responding vigorously to the challenge. There was a sophisticated analysis of the threat, good links with the police, and multi-disciplinary interventions, sometimes working with family members, for individual users. There was a delay in processing some intelligence that might have meant that some opportunities to intercept supplies were missed, but the difficulty the prison had in reducing supply and use was a reflection of factors largely outside its direct control.

The problems caused by NPS would have been worse had it not been for the prison's other strengths. Staff relationships with prisoners were friendly but challenging when necessary. The environment was generally satisfactory and basic services were delivered efficiently. Consultation arrangements were generally good but needed to be strengthened for prisoners with protected characteristics. Prisoners were very positive about faith provision, although the fact that chaplains did not have cell keys hindered the execution of some of their duties. Health care and substance use services were good. There was no doubt that these good relationships underpinned prisoner's pos-

the trial, the claimants were ordered to file an indexed and paginated bundle of documents that complied with the requirements of CPR rule 39.5 and CPR 39 PD39A (paragraph 4).

7. There was some slippage in this timetable, although the Commissioner does not blame the claimants for any of that particular delay. The listing appointment in fact took place on 15 October 2013 when, no one attending on behalf of the claimants, the trial was fixed without reference to the claimants' dates of availability, in what was effectively a short trial window: it was ordered that the trial would begin between 6 and 12 May 2014. The judge recorded that the provision of a short window of that kind is not unusual in Queen's Bench listing: nearer the time, and after the hearing fee has been paid, the actual start date is fixed within that period. 6 May 2014 was a Tuesday, Monday 5 May being a Bank Holiday.

8. Notification that the trial period would begin on 6 May 2014 was sent to the parties on 17 October 2013. That notice confirmed that pre-trial checklists would be sent to the parties at least eight weeks before the trial date and, pursuant to the Civil Proceedings Fees Order 2008, on the filing of the checklist, the claimants would be required to pay the trial fee of £1,200, namely £110 for the checklist, and £1,090 for the hearing fee. On 18 February 2014, the court sent out pre-trial checklists with an accompanying notice indicating that they were required to be completed and returned on or before 31 March 2014. The claimants' solicitors did not suggest that that notice was not received. The checklist noted possible sanctions for failure to return the checklist, the existence of which was highlighted on the face of the notice.

9. In accordance with the notice, on 31 March, Ms Fowler, who had conduct of the action on behalf of the Commissioner, filed the Commissioner's pre-trial checklist. Before doing so, she sent a draft trial timetable by fax to the claimants' solicitors, and telephoned them to ensure that it had been received. She was told that the fax was not working that day, and so she sent it through by email. However, no claimants' pre-trial checklist or listing questionnaire was ever received by Ms Fowler, or indeed referred to in the fairly scant correspondence she received from the claimants' solicitors. Mr Hersi, the claimants' solicitor, said that he had sent the claimant's checklist to the court under cover of a letter of 2 April. Neither the letter nor the check-list has ever been found. Although the judge described Mr Hersi's evidence on this topic at [12] as "far from satisfactory" and at [35] as "rather dubious" he nevertheless accepted it.

10. By the week before the opening of the trial window Ms Fowler had heard nothing at all from the claimants about preparation, including the drafting of a trial bundle index, preparation of a trial bundle or arrangements for playing the available video evidence in court. She sent a chasing letter to the claimants' solicitors on 29 April, when she also telephoned the court. She was told that the listing fee had not been paid, nor the pre-trial checklist filed; but the court were contacting the claimants' solicitors and would give them written notice to pay the court fee within two days, in default of which the action would be referred to a judge to be struck out.

11.The claimants were now late in filing the pre-trial check list which should have been filed by 31 March 2014, and had also failed to pay the fee as required by the rules or to apply for fee remission.

12. CPR Part 3.7 provides for sanctions for the non-payment of court fees. It applies both to non-payment of the fee payable on filing a pre-trial checklist and also non-payment of the hearing fee. The procedure in such a case is laid down by CPR Part 3.7 as follows: "(2) The court will serve a notice on the claimant requiring payment of the fee specified in the relevant Fees Order if, at the time the fee is due, the claimant has not paid it or made an application for full or part remission. (3) The notice will specify the date by which the claimant must

pay the fee. (4) If the claimant does not - (a) pay the fee; or (b) make an application for full or part remission of the fee, by the date specified in the notice – (i) the claim will automatically be struck out without further order of the court; and (ii) the claimant will be liable for the costs which the defendant has incurred unless the court orders otherwise."

13. In essence, therefore, the sanction is not triggered unless and until the court gives the notice required by Part 3.7 (2), and even then the defaulter is given one last chance to pay. Although the court did try to serve such a notice Stewart J decided at a hearing on 6 May that no such notice had in fact been served. He therefore ruled that the claim had not been automatically struck out. 6 May was, of course, the first day of the trial window; but no attempt was made on that day to try to ensure that the trial started within what was left of that window. Instead the trial date was vacated. Mr Thomas, for the Commissioner, relied heavily on that fact, arguing that if a claimant loses a trial date through his own default he should not ordinarily be given a second chance.

14. Stewart J ordered the claimants to pay the Commissioner's costs which he assessed summarily at £11,500. He made no order for set off of those costs against the costs which the Commissioner had been ordered to pay the claimants by the order of Cranston J. The claimants paid those costs on the last day for payment. A further costs order was made against them by Blake J on 15 December 2014, which the claimants have not paid. At the hearing before Stewart J Mr Thomas told the judge that if the claimants' claim had not been struck out automatically, the Commissioner would nevertheless apply for it to be struck out on the ground that the claimants had failed to comply with rules, orders or practice directions. The Commissioner issued such an application on 13 June 2014. The failures relied on were failing to (i) pay the court fee in breach of paragraphs 2.1-2.3 of schedule 1 to the Civil Proceedings Fees Order 2008 and the Queen's Bench Listing Officers' Notice dated 18 February 2014; (ii) file a pre-trial checklist, in breach of Master Cook's Order of 4 June 2013, and the Queen's Bench Listing Officers Notice dated 18 February 2014; and (iii) prepare trial bundles in breach of CPR rule39.5 and the Order of Master Cook of 4 June 2013.

15. It was that application that came before Hickinbottom J on 30 October 2014. The judge's jurisdiction to strike out the claim arose under CPR Part 3.4 (2) (c) which provides: "(2) The court may strike out a statement of case if it appears to the court – (c) that there has been a failure to comply with a rule, practice direction or court order."

16. Clearly the word "may" shows that the court is exercising a discretion. It was rightly common ground before the judge (and was before us) that the exercise of this discretion differs from the exercise of the discretion to grant relief against sanctions under CPR 3.9. There are at least two reasons for that. First, in a case under CPR 3.9 the sanction has already been imposed, whereas in a case under CPR 3.4 (2) it has yet to be imposed. Second, and leading on from the first point, the proportionality of the sanction is not (or ought not to be) in issue in a case under CPR 3.9 because proportionality will have been considered at the stage when the sanction was imposed. By contrast in a case under CPR 3.4 (2) proportionality of the sanction is likely to loom large in the argument: Walsham Chalet Park Ltd v Tallington Lakes Ltd [2014] EWCA Civ 1607, [2015] Costs LO 157 at [44].

17. The judge, while recognising the differences between an application under CPR 3.9 and an application under CPR 3.4 (2), accepted Mr Thomas's invitation to consider the matter by reference to the decision of this court in Denton v T H White Limited [2004] EWCA Civ 906, [2014] 1 WLR 3926. In that case this court laid down the approach to be followed in deciding whether or not to grant relief against sanctions. The majority of the court (Lord Dyson MR and Vos LJ) said at [24] that a judge should approach the question in three stages: i) Identify and assess the seriousness of the failure to comply; ii) Consider why the default occurred; iii)

Report on an Unannounced Inspection of HMP Maidstone

We last inspected a very different Maidstone nearly four years ago when the prison mainly held sex offenders. Since then the prison has changed its role and is now a category C training prison for foreign nationals serving prison sentences for criminal offences. Some 600 adult men were serving a range of sentences, including nearly 60% who had been held in excess of four years, and a small number subject to life sentences. Maidstone was not an immigration removal centre: just 23 prisoners were detained at the end of their sentences. However, approximately 90% of prisoners were eventually discharged from the prison directly to their country of origin, a unique challenge that the prison had yet to get to grips with. There was a lack of agreed vision for resettlement with the National Offender Management Service. The prison had not been designated a resettlement establishment and had comparatively few resettlement resources and a very weak focus on this key responsibility. The management of resettlement overall was poor and not well understood, with no local strategy or effective coordination of services.

There was an unacceptably high number of prisoners with no current OASys assessment, reflecting the very low priority afforded these prisoners by sending establishments. The general quality of offender management and supervision was inadequate. Public protection arrangements were in place but were not robust. The failure to adequately address risk was true for the 10% of prisoners who were resettled to UK home areas, as well as those who were deported. Practical resettlement arrangements for UK-based prisoners were just adequate. For those who were being removed, the useful 'Tracks' information and signposting tool, which was intended to give foreign nationals information about their destination countries, was inexplicably underused. Work with foreign prisoners was further undermined by the often late decisions to detain and/or remove them by the Home Office at the conclusion of sentences. Within the prison, those detained had reasonable access to time out of cell and the availability of outside exercise was good. Our Ofsted partners on this inspection judged the provision of learning and skills as 'requiring improvement'. Learning and skills management, prisoner assessment and allocation to activity were not good enough. There was sufficient activity for most although the range of education was limited and much underemployment was evident. The quality of much teaching and learning was at best variable but achievements were more encouraging. Library and gym provision were adequate.

The prison remained a reasonably safe place and most prisoners expressed generally positive perceptions in our survey. New arrivals were well supported despite a small reception area, and levels of violence were not excessive. There had been one recent self-inflicted death to which the prison had responded correctly, and those at risk of self-harm received generally good care despite the weakness of some case management and other interventions. The application of security was proportionate and drug taking, as measured by mandatory testing, was low. There was, however, some emergent evidence concerning the use of new psychoactive substances, to which the prison was responding with, among other things, work to better educate staff and prisoners about the risks. Disciplinary procedures, segregation and the use of force were all managed to an adequate standard although, as with most things at Maidstone, there were also weaknesses that needed to be corrected.

Despite the age of the prison, the environment, both internal and external, was reasonable and relationships between staff and prisoners were positive. Promotion of equality was poor and it was perplexing that this issue had not been given greater priority in a foreign national prison. Monitoring of equality outcomes was inadequate, interpretation underused, consultation hardly in place, and incident reporting was little understood by prisoners. Legal support was also lacking despite the complexity of the legal problems many faced. The provision

Prison Initiatives and Programmes

Charlotte Leslie: What assessment he has made of the potential merits of increasing the use of sport-based initiatives in (a) rehabilitation and (b) counter-extremism programmes in prisons.

Under-Secretary of State for Justice (Andrew Selous): We are interested in developing and testing sports-based initiatives as part of our approach to rehabilitation, and remain committed to using evidence to drive better outcomes and value for money. In October this year, we part-funded an initiative called the National Alliance of Sport for the Desistance of Crime, which will provide further evidence for whether and how sport may assist desistance.

Charlotte Leslie: The often troubled young men and women who, instead of having their anger and drive directed elsewhere, fall prey to manipulative and destructive extremist ideology are to be pitied. Is the Minister aware of the success of boxing in rehabilitation and helping to prevent extremism, including in prisons such as HMP Doncaster, and will he consider piloting non-contact boxing schemes in more prisons and for more categories of offender?

Andrew Selous: My hon. Friend, who has been persistent on this issue, is right that there is promising evidence for the positive influence of sport in rehabilitation. Across prisons in England and Wales, we have 183 different sports-based interventions, although not all of them are available in all prisons. The National Alliance of Sport for the Desistance of Crime will go further in this area, but I would be happy to meet her to talk further about the initiatives she mentions.

Keith Vaz: I am not convinced that teaching potential jihadists boxing or table tennis will form an essential part of a de-radicalisation programme, but I am ready to be convinced on the pilot. Does the Minister agree that one way to do this is to appoint an extremism officer to monitor radicalisation in prison and ensure that people are de-radicalised when they leave prison?

Andrew Selous: We will of course proceed according to the evidence from the initiative we have just launched. The right hon. Gentleman will also know that the Secretary of State has launched an independent review of extremism across the prisons estate. Yesterday, I met the excellent former governor who is conducting the review, and we will report in due course.

Jenny Chapman: I am afraid there is an ever-widening chasm between what the Secretary of State and the Minister say about what is happening in our prisons and the reality. I do not doubt that the Minister is sincere in his belief that improvements are being made, but, given that in most prisons exercise in the fresh air, which the hon. Member for Bristol North West (Charlotte Leslie) so wishes to see, is limited to just 30 minutes a day and purposeful activity outcomes are currently at the lowest level inspectors have ever recorded, owing to understaffing, how can he suggest that there is anything other than a crisis in our jails?

Andrew Selous: I genuinely respect the hon. Lady's experience in this area, but we have been extremely successful in getting a lot more prison officers on to the landings up and down the country. In the year to 30 September, we saw a net increase of 540 prison officers, meaning less restrictive regimes and more activities. The good news is that we will carry on recruiting at that number up to the end of March next year, when we are seeking an additional 1,700 to 2,000 prison officers.

Prisons: Construction

Mr Peter Bone: To ask the Secretary of State for Justice, what estimate he has made of the (a) average costof building new prisons planned by the Government and (b) length of time it will take from conception to completion to build such a prison.

Andrew Selous: £1.3bn will be invested to reform and modernise the prison estate to make it moreefficient, safer and focused on supporting prisoner rehabilitation. The government will build 9 new, modern prisons, 5 of which will open in this Parliament and the rest shortly after.

Evaluate all the circumstances of the case so as to enable the court to deal justly with the application, including the need for litigation to be conducted efficiently and the need to enforce compliance with rules, practice directions and orders.

18. The judge rejected the argument advanced on behalf of the claimants that the court's failure to give notice under CPR 3.7 had, in effect, deprived the claimants of the opportunity to pay the fee. He said at [32]: "… that simply underscores their ability to pay, and makes the more blameworthy their failure to pay earlier. The requirement to pay court fees is mandatory, not aspirational. Fees are required to be paid when they are due, and not only after the relevant party receives from the court the equivalent of a red demand for money from a utilities company."

19. He also rejected the argument that there was a good reason for the non-payment of the fee. He regarded the non-payment of the fee as the reason why the trial date was lost. Thus he concluded at [37]: "…the failure to pay the fee was a serious breach by the Claimants, with particularly serious procedural consequences, namely that the trial date was inevitably lost."

20. In accordance with Denton the judge then went on to consider "all the circumstances". The first matter that he took into account was the claimants' conduct of the case, of which he had already been very critical. He then accepted that although there was CCTV evidence which went to some issues in the case, there was other evidence which would have to come from police witnesses whose memories would have faded. (I interpose to say that, as Moore-Bick LJ suggested in argument, it seems probable that police witnesses would have a near contemporaneous note of the events of that night which they would have routinely recorded in their notebooks and from which their memories could be refreshed). The judge then took into account the effect of the delay on the claimants themselves, one of whom had a psychiatric condition. The last specific factor that he took into account was the strength of the underlying claim which he considered at [41]. That was perhaps an unfortunate phrase to use in the light of the decision of the Supreme Court in Global Torch Ltd v Apex Global Management Ltd (No 2) [2014] UKSC 64, [2014] 1 WLR 4495 at [29] but what the judge clearly meant was that he could not say that the claim was bound to fail or bound to succeed. Mr Thomas did not argue that he was wrong to do so.

21. The judge then came to his overall conclusion which he expressed as follows: "[42] Whilst I do not consider that I am greatly helped by any reference to other cases which necessarily turn upon their own and very different facts, I do also have to take into account the need to enforce the rules of the court and to allocate only proportionate resources to any claim, as now underscored by the overriding objective and in cases such as Denton. [43] On its merits, I have not found this an easy application. In my judgment, the behaviour of the Claimants' solicitors is worthy of real criticism: I agree with Mr Thomas that at times they appear to have failed to understand the rudimentary requirements of being a litigation solicitor, including their duties to the court and their obligation to comply with rules and orders and promptly so. On the other hand, this case is now all but ready for trial; and, as I have indicated, this case is not an insubstantial one. The assessment of the Claimants' solicitor – no doubt rough and ready, and no doubt contentious – is that the claim might be worth in excess of £400,000. In any event, in the circumstances of the incident that led to this action, it is clear that the substantive claim is a serious one. [44] Although I have found this to be a fine judgment, in my view the balance is in favour of the case not being struck out now but being allowed to proceed, albeit on terms."

22. Mr Thomas submitted that the judge was wrong in his appreciation that the case was "all but ready for trial"; but I do not consider that we are in a position to disagree with the judge on that point. Moreover, even if there was more to be done the judge gave further directions for trial which could all have been backed by "unless" orders.

23. Mr Thomas' main point was, as I have already said, that the loss of the trial date was particularly serious and that, where the loss had been caused by the claimants' own default without good reason, those factors outweighed the countervailing reasons that the judge considered tipped the balance into allowing the claim to proceed on terms. If the general delay in progressing the case is added to the relevant factors, it can be seen that the judge's decision was outside the range of reasonable case management decisions. Mr Thomas posed the question: if a case is not struck out on facts like these, when will it ever be?

24. Let me say at once that if I had been the first instance judge I would have accepted Mr Thomas's submissions. I would have given more weight to the lamentable history of delay in progressing this case, the apparent incompetence of the claimants' solicitors, and the loss of the trial date. But that is not the question for an appeal court.

25. Mr Thomas's submissions did not include a submission that the judge overlooked any relevant factor, or that he took into account irrelevant factors. Nor did he suggest that the judge misdirected himself in law. Rather, his submissions were directed to the weight that the judge attributed to the various factors that he did take into account in exercising his discretion. That is not a promising start to an attack on an exercise of discretion. What it amounts to is a submission that the judge's decision was perverse.

26. In Mitchell v News Group Newspapers Ltd [[2013] EWCA Civ 1537, [2014] 1 WLR 795 at [52] this court said: "We start by reiterating a point that has been made before, namely that this court will not lightly interfere with a case management decision. In Mannion v Ginty [2012] EWCA Civ 1667 at [18] Lewison LJ said: "it has been said more than once in this court, it is vital for the Court of Appeal to uphold robust fair case management decisions made by first instance judges.""

27. The first instance judge's decision in that case was to refuse relief against sanctions and her refusal was upheld by this court. But the same approach applies equally to decisions by first instance judges to grant relief against sanctions. In Chartwell Estate Agents Ltd v Fergies Properties SA [2014] EWCA Civ 506, [2014] 3 Costs LR 588 Davis LJ said at [63]: "… the enjoinder that the Court of Appeal will not lightly interfere with a case management decision and will support robust and fair case management decisions should not be taken as applying, when CPR 3.9 is in point, only to decisions where relief from sanction has been refused. It does not. It likewise applies to robust and fair case management decisions where relief from sanction has been granted."

28. In my judgment the same approach applies to decisions by first instance judges to strike out, or to decline to strike out, claims under CPR 3.4 (2) (c). In a case in which, as the judge himself said, the balance was a "fine" one, an appeal court should respect the balance struck by the first instance judge. As I have said I would have found that the balance tipped the other way; but that is precisely because in cases where the balance is a fine one reasonable people can disagree. It is impossible to characterise the judge's decision as perverse.

29. In Chartwell Davis LJ also said that if parties understand the approach that this court will take to discretionary interlocutory decisions of first instance judges then satellite appeals should be avoided. I echo that hope. It is a depressing fact that this satellite appeal has added a further year to the overall delay in bringing this claim to trial. I would dismiss the appeal.

Parole Hearings: Victim Statements

The Conservative election manifesto included a commitment to introduce a new victims law enshrining the rights of victims, including the right to a personal statement before the Parole Board decides on a prisoner's release. We will publish details in due course.

Custodial Sentences: Women

Drew Hendry: What steps he is taking to reduce the number of custodial sentences given to women.

Caroline Dinenage Minister for Justice: Crime is falling and the female prison population is now consistently under 4,000 for the first time in a decade. Last year, over 70% of women successfully completed their sentence in the community. However, we want to do more, so in partnership with the Government Equalities Office we are making available a £200,000 grant fund to support local areas to pilot the development of multi-agency approaches to female offending.

Drew Hendry: I thank the Minister for that answer, but the number of women in prisons across the UK has doubled since 2000. Many are mothers serving six-month sentences or less for minor offences, and that causes irreparable damage to family life. Will the Minister follow the example of the SNP Scottish Government in working harder to reduce the number of women in prison and give community sentences where possible?

Caroline Dinenage: The hon. Gentleman is absolutely right, and that is what the pilots are about. Female offenders often have very complex needs. They are much more likely to self-harm and to be victims of violence or domestic abuse than their male counterparts. That is why the pilots, which seek to divert women away from a pathway to prison very early on in their offending behaviour, are fantastic. The schemes recognise that sending women to prison can have a devastating effect not only on their lives, but on those of their dependent children.

Philip Davies Will the Minister confirm that, for every single category of offence, a man is more likely than a woman to be sent to prison, to be sent to prison for longer and to serve more of their sentence in prison? Given this age of gender equality that the Government believe in so much, what possible justification can there be for releasing more women from prison than men, and what assessment has the Minister made of whether or not that breaks discrimination laws?

Caroline Dinenage: I am very happy to have the opportunity to answer that question. Obviously, sentences are based on the individual offence. Male offenders are, and will continue to be, supported through existing processes to address their needs, but let us not forget that our Prison Service and probation service were designed with male offenders in mind, because they make up 95% of their customers.

Ms Margaret Ritchie Will the Minister outline what levels of support will be available or are being considered for those women's dependants, many of whom are quite young children?

Caroline Dinenage: The hon. Lady makes an excellent point. That is why our women's prisons have made an enormous effort to engage with families and children, and some of them give women the opportunity to hold overnight visits with their young children. That is what the pilots are about: they are about recognising offending behaviour very early on, so that we can bring in third sector organisations and local authorities to divert women from ending up in prison.

Prisons' Engagement with Employers

Michael Gove: The investment in prison reform announced by my right hon. Friend the Chancellor of the Exchequer in the spending review is designed to make it easier to get prisoners learning and working. As a result, I recently met the Employers' Forum for Reducing Re-offending to discuss how we can improve employment opportunities for ex-offenders. Something like 20% of companies employ ex-offenders, but as many as 90% of companies have expressed an interest in doing so. It is economically sensible to ensure that ex-offenders are in work—about 22% of those in receipt of out-of-work benefits are ex-offenders—and it makes moral sense to give people dignity and a chance to redeem themselves by contributing economically to society.