were two lengthy trials, both conducted in the Crown Court at Birmingham before the Honorary Recorder, His Honour Judge Davis Q.C. The first trial lasted from 23rd April to 7th June 2012 and involved eight defendants: Jermaine Lewis, Nicholas Francis, Tyrone Laidley and Wayne Collins, Amirul Rehman, Renardo Farrell, Salman Shah and Joyah Campbell. Lewis, Francis, Laidley and Collins were convicted of riot, possession of a firearm with intent to endanger life and arson being reckless as to whether life was endangered and were respectively sentenced to a total of 23 years, 30 years, 23 years and 18 years imprisonment (or, in the case of Laidley, detention). Rehman was convicted of riot and possession of a firearm with intent to endanger life and sentenced to a total of 12 years detention. Farrell was convicted of the same offences as Lewis, Francis, Laidley and Collins and sentenced to 18 years in a young offender institution. Salman Shah and Joyah Campbell were acquitted. Lewis, Collins, Laidley and Rehman subsequently lodged appeals.

The second trial, founded on the same facts with similar evidence and issues, took place between 10th September and 9th October 2012 and involved four defendants: Beniha Laing, Wesley Gray, Janine Francis and Nadine Banbury. Laing and Gray were similarly convicted of riot, possession of a firearm with intent to endanger life and arson being reckless as to whether life was endangered. In addition, both were also convicted of different offences of possession of a prohibited firearm and possession of ammunition without authority. Laing was sentenced to a total of 35 years imprisonment (which included 5 years imprisonment consecutive for a firearms offence unrelated in time) and Gray to a total of 29 years imprisonment. Janine Francis was convicted of various offences of possession of prohibited firearms and sentenced to a total of 7 years 6 months imprisonment. Nadine Banbury was convicted of two offences of possession of prohibited firearms and sentenced to a total of 5 years imprisonment. Laing and Gray subsequently also lodged appeals.

The cases arrive at this court by different routes. Lewis and Rehman appeal against conviction by leave of Sir David Calvert-Smith; they also renew applications for leave to appeal against sentence (as does Laidley) and Collins renews applications for leave to appeal against conviction and sentence in each case following refusal of leave by the same judge. Laing and Gray appeal against conviction and sentence by leave of Leggatt J. The recent appeals of Francis against conviction and sentence have been referred to the court by the Registrar. Having regard to the common issues that arise, the appeals and applications have been heard together. Although not strictly accurate, for convenience we shall refer to them collectively as "the appellants".

Conclusion: All the appeals against conviction and sentence, along with the applications for permission to appeal against conviction and sentence are dismissed.

Hostages: Jamie Green, Dan Payne, Zoran Dresic, Scott Birtwistle, Jon Beere, Chedwyn Evans, Darren Waterhouse, David Norris, Brendan McConville, John Paul Wooton, John Keelan, Mohammed Niaz Khan, Abid Ashiq Hussain, Sharaz Yaqub, David Ferguson, Anthony Parsons, James 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 Romero Coleman, Neil Hurley, Jaslyn Ricardo Smith, James Dowsett, Kevan Thakrar, Jordan Towers, Patrick Docherty, Brendan Dixon, Paul Bush, Frank Wilkinson, 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 Roy Allan, Carl Kenute Gowe, Eddie Hampton, Tony Hyland,

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MOJUK: Newsletter 'Inside Out' 461 (23/01/2014)

Liberating media 'If you don't Stand for Something you will fall for Anything.' Malcom X

The power of film to document stories, inspire action and agitate for change has run hand in hand with revolutionary cells, social struggles and mass movements. One of the critical points of our current situation is a rupture within our communities that prevents the support of independent media producers. More than ever we need media collectives that truly reflect relevant issues with a clear political analysis in a committed and radical way. Until we produce our own regular media - to inform, educate and mobilise -the majority of peoples' received wisdom is going to be mired in the racist redtops, the chattering broadsheets and the dominant opiate of the masses - currently known as television. None of these sources are useful in terms of self-determination whether this is based on race, class or resistance. After all, there can be no stronger destruction of political will than to tell a people that no change can happen and that for that message to be repeated every day. This is the role of mainstream media, to suppress the truth and to destroy hope. Yes, the internet has provided some access to the means of distribution of word and image but what is lacking is the sustained control of the means of production.

As a filmmaker I have spent some time, decades in fact, documenting the struggles for justice by the families of those that have died in police custody. Whilst the films we have produced have helped to mobilise people, have had a political impact and have been lauded across the world at film festivals, they have never been shown on British television to the shame of every single broadcaster in this country. There is a strong correlation between the fact that there has never been a successful prosecution for a death in custody and the fact that broadcast media have chosen to cower to police threats. Even more than that, Channel 4, for example, by not focusing a light on the crimes that have been committed against the very citizens that the broadcaster claims to champion has, by default, supported the right of the police to use lethal force.

It's a sign of desperation in our communities when we show gratitude to the BBC and their ilk if, once in a blue moon, they deign to dabble in the issue of deaths in custody and dip their toe in the blood spilt by police officers. In a country that prides itself on freedom of the press, the BBC should be covering this issue as often as it happens, which would mean on a very regular basis given that there are two custody deaths on average every week in this country. Of course, as a mouthpiece of the state, this is not going to happen; so no surprises there. A little more complex is Channel 4 and its delusional role in our psyche. This broadcaster claims to be independent and does not shy away from 'controversial issues' and yet the number of programmes it has made about deaths in police custody are very rare indeed, just three in its thirty year existence so that's one every ten years. This is an act of collusion.

In terms of the few that it has produced, each had to fight its way in. I do want to praise the films they commissioned and tried to bury or distance themselves from and they include The Peoples Account, a very strong film by Ceddo (now sadly defunct but the talented director Menalik Shabazz is still very active) about the 1985 uprising in Broadwater Farm, the very rarely seen Mysteries of July by the inspiring Black Audio Film Collective (now operating as Smoking Dogs Films, one of the most talented group of creative media producers working today and still headed by the very thoughtful John Akomfrah) and finally Justice Denied recently released online to mark the 20th anniver-

sary of the death of Joy Gardner (produced by Migrant Media who have a raft of films on the resistance to deaths in police custody to its credit - including the very influential Injustice still supressed by Channel 4 and the BBC since its release in 2001).

All these films grew out of collectives that were based in the community and were driven by passion, commitment and with cultural and/or political objectives. These were not the only ones, active workshops were based in all the major cities of the UK. Where have they all gone and why are they not thriving? Making films in a truly independent way is a hard struggle in itself. You need to be able to survive the lack of financial support and resist the censorship, death threats and actual violence to keep functioning - and this is just from elements of the state. The enormous pressure means films are rare rather than regular, as they could be.

Of course there is hope, new technologies have allowed a plethora of young media producers and bloggers which is healthy. Let's hope they have the decades of determination that are needed to make an impact. So what about all of us, our neighbours, our friends, what can they do? It would be too easy to just condemn the community for its unwillingness to support locally-based media collectives, what is needed is a shift in the use of economic power. Why is it that some people cannot live without SKY but can live without justice? It's a question everybody needs to grapple with and part of the answer is to start supporting grassroots initiatives linked to communities of resistance. Given the constant media bombardment supporting the spectacle of 'democracy' this may be hard to imagine but waking up the majority to the historical reality of collectives, and the established fact that the mainstream does not care about us, is another step towards liberating minds. *Written by Ken Fero for IRR, 16/01/14*

CCRC Refer Second Martin Foran Conviction to Court of Appeal *BBC News, 13/01/14*

Martin Foran, 69, who is terminally ill with cancer, was convicted of robbery in 1978 - a crime he denies. The Court of Appeal will rule on that conviction after a referral by the Criminal Case Review Commission (CCRC). A second 1985 conviction of robbing a Birmingham pub was declared unsafe by the appeal court in April 2013.

Mr Foran, who has never stopped fighting being 'Fitted up' by the West Midlands Serious Crime Squad, said he was "very pleased". He served six years of a 10-year sentence for four counts of robbery. "If it is successful, it will go down in history as a double miscarriage of justice, but I will have to wait and see," he added. "It has been a long, hard battle to get to this point and I have waited 38 years." Although he is dying, Mr Foran said he was determined to "hang in there" for justice. "I won't give up," he added. He told the BBC his dying wish was to go to his grave an innocent man.

The Commission has decided to refer Mr Foran's convictions to the Court of Appeal because it believes that there is a real possibility the Court will quash the convictions. The case is being referred on the basis that information, not previously considered in proceedings against Mr Foran, has come to light regarding the credibility of a police officer from the West Midlands Serious Crime Squad who was involved in the case against Mr Foran. This information, and a reassessment of other matters relating to the officer that have previously been raised on Mr Foran's behalf, leads the Commission to conclude that the officer's credibility is tainted. Also, developments in case law mean that the fact that the evidence of a tainted officer is supported by an officer to whom no criticism is attached, is no longer sufficient to uphold a conviction (as was the case at Mr Foran's 1995 appeal).

The West Midlands Serious Crime Squad was a police unit in the West Midlands which

HMP Birmingham Guards 'Attacked With TV Glass' *BBC News 21/01/14*

An inmate used a shard of glass to launch a "frenzied" attack on several guards after smashing the TV set in his cell, a court has heard. Ahmed Sharif Jama Al-Sharif, 53, is alleged to have "cut down to the bone" of one prison officer's arm. Birmingham Crown Court heard he got hold of the glass used in the attack by smashing the TV three days earlier. Mr Al-Sharif denies three counts of assault and two charges of wounding with intent. Prosecutor Jason Pegg told the court five glass fragments were left inside the defendant's cell after he punched a prison officer on 4 November 2012. Mr Pegg told the court one of the pieces was later wrapped in green fabric and used to attack three other members of staff three days later. The court heard Mr Al-Sharif confronted Robert Belcham - who was the guard most seriously injured in the attack - after the warder unlocked his cell to give him food at about 11:30 GMT. Mr Pegg said two or three inches of glass were poking out of the defendant's fist when he rushed at Mr Belcham "in a frenzy" and hit him in his left arm, causing a serious injury. That wound cut through some of the tendons, a muscle and a nerve in the officer's arm," he said. The prisoner is then alleged to have caused injuries to three other officers who tried to restrain him, including lacerations and a broken finger. Mr Al-Sharif claimed he acted in self-defence, the court heard.

Security Measures to be Lifted on Five 'Dangerous' Terror Suspects

At least five terror suspects who are due to have restrictions on their movement lifted at the end of this week remain highly dangerous, according to previously unpublished court papers, Labour has said. The five suspects have been subject to two-year Tpims – 'Terrorist Prevention and Investigation Measures' – which are due to lapse on 26 January and cannot be renewed unless fresh evidence is produced. The court papers show that the five were described by the home secretary in their latest court hearings as continuing to pose a threat to the UK. They also disclose that several of the suspects – who can be known only as BF, CF, CD, AM and BM – continue to have ambitions to travel to Syria, Somalia and Pakistan to engage in terrorist-related activity. In some cases the judge specifically noted a continued commitment to terrorist-related activity and developments that had reaffirmed those views. The Home Office has said the police and MI5 will put "tailored plans" in place to manage the threat posed by the five suspects when the supervision measures expire. *Alan Travis, theguardian.com, 22/01/14*

"Bartons Arms" Seven - Mark Dugan Riots Appeals Dismissed

Jermaine Nathaniel Junior Lewis, Nicholas Shaun Trevor Francis, Amirul Rehman, Tyrone Martell Laidley, Wayne Courtney Collins, Beniha Laing, Wesley Gray

This case is probably unique in the annals of public disorder in this country in recent times. Late in the evening of Tuesday 9th August 2011, a group of some 42 masked or hooded individuals assembled outside the "Bartons Arms" public house in the Aston area of Birmingham. It had occupants upstairs. Members of the group proceeded to break into The Barton Arms and set the ground floor alight with petrol bombs which they had brought with them; its furniture was strewn over the A34 road outside. This was done deliberately to entice the police to the scene. When police officers arrived, members of the group used at least four different firearms to discharge at least 12 rounds in their direction. The police were forced to withdraw and, fortunately, nobody was struck. The group then moved off by foot through Aston. During their move away at least one further shot was fired at a police helicopter that was deployed to track their movements. Much of the incident was captured on CCTV or video footage taken from the helicopter itself.

There was a substantial investigation. Arrests were made, some at the scene. There

Report on an Unannounced Inspection of HMP/YOI Parc

HMP Parc near Bridgend in South Wales, managed by G4S Care and Justice Ltd is one of the largest prisons in England and Wales, holding some serious offenders. At the time of inspection it held 1,326 prisoners, as well as 57 children and young people in a distinct unit. It was operating at 13% above its certified normal capacity. The government has recently announced plans to add another 387 places to the prison. We found it to be one of the better local prisons we have inspected in a long time and it delivered good or reasonably good outcomes in every area. It served prisoners and the public well.

Inspectors were concerned to find that: - young adults were over-represented in violent incidents and the prison had not given enough thought to how the behaviour and progress of younger prisoners with less maturity could best be managed; - prisoners lacked confidence in the complaint system; - offender supervisors were stretched and not helped by the fact that many prisoners were transferred to Parc without an up-to-date assessment of their risks and needs; - there were far too few sex offender treatment programme places available for the sex offender population (of around 280). - Incidents of self-harm were high but a small number of prisoners accounted for a very high proportion of the incidents - Inspectors made 53 recommendations

Foreign national prisoners were well supported and we were pleased to see arrangements had been made for them to use Skype under properly supervised conditions to stay in touch with their families. The prison's work to help prisoners develop and sustain constructive relationships with their families and to work with the families themselves was outstanding. Prisoners' families may be a source of crucial support to a prisoner, they may be punished themselves by the effect of the prisoner's sentence and, in some cases, they may be part of the problem that lies behind a prisoner's offending behaviour. In other cases they may be the victims of the prisoner's offence. Parc worked on all these issues.I

Inspection 9/19th July 2013 by HMCIP, report compiled January 2014, published 21/01/14

Report on an Unannounced inspection of HMP Wayland

HMP Wayland is a category C training prison in Norfolk holding around 1,000 men

Inspectors were concerned to find that: - first night and induction arrangements were poor; risk assessment of newly arrived prisoners was inadequate - number of violent incidents, some serious, was slightly higher than in similar prisons and prisoners were a little more concerned for their safety than elsewhere - not enough was done to reintegrate prisoners from segregation back onto the main units; - although some staff-prisoner relationships were very positive, too many were dismissive and disinterested; and - were less likely to be on the enhanced level of the incentives and earned privileges scheme than others. - Prisoners had little confidence in the discrimination incident complaints process and we identified examples of serious discrimination complaints that had been poorly dealt with. - Foreign national prisoners were neglected - we found prisoners with disabilities whose needs had not been considered and met. - there was a lack of resources applied to diversity and equality issues - Prisoners from black and minority ethnic backgrounds and Muslim prisoners reported particularly poorly about being treated with respect by staff and being victimised - the allocation and use of activity places was ineffective and best use was not being made of the resources available; and - 60% of prisoners were transferred to the prison without an up to date OASys risk assessment, which made sentence planning more difficult. - overall management of learning, skills and work required improvement - Inspectors made 58 recommendations

Inspection 22July/2 August 2013 by HMCIP, report compiled Jan 2014, published 22/01/14

operated from 1974 to 1989. It was disbanded after an investigation into allegations against some of its officers of incompetence and abuses of power. Although numerous officers were found to have fitted up many of those they had arrested, not one of them ever spent a minute in prison. 62 known Miscarriages of Justice were later overturned on appeal, including the cases of the Birmingham Six, Bridgewater Four.

Fugitives Face Extra Jail Time Under New Law *BBC News, 18 January 2014*

Criminals who go on the run to avoid being sent back to prison could face an extra two years in custody under plans announced by the government. The measures will target offenders who have been released from prison but abscond to avoid being recalled for breaching their licence conditions. Under current laws, once caught they can be sent back to prison to serve the remainder of their sentence. There is no additional penalty for going on the run.

The Ministry of Justice said about 800 criminals a year could face prosecution under the new offence of being unlawfully at large following recall to custody, which will carry a maximum two-year sentence. It is already a criminal offence to escape from jail, to not surrender to custody when on bail and to not return from release on temporary licence.

Justice Secretary Chris Grayling said: "It is unacceptable that criminals who disregard the law and attempt to evade the authorities are able to do so with impunity. I am today sending a clear message to those people that if you try to avoid serving your sentence you will face the consequences when you are caught. From my first day in this job I have been clear that punishment must mean punishment. We're on the side of people who work hard and want to get on and my message is simple - if you break the law, you will not get away with it."

R v Renate Andrews and Others - Judge Throws Out CPS Late Evidence

[1] The Judge: A matter has arisen which requires me to give a ruling. Before doing so I will make one or two preliminary observations. First, I will give the ruling without making any particular comment on the matters with which I have to deal, beyond the decision and reasons for it. I take that course because I think that the subject matter of this ruling needs to be brought to the attention of others, and I direct that a transcript of what I am about to say shall be prepared and sent to the resident judge of this court, His Honour Judge Marron, with a view to onward transmission to higher sources within the CPS.

[2] Second, the three defendants are charged in an indictment with two counts of conspiracy to supply class A drugs. The evidence against them falls under a number of different heads.But in relation to two of the three defendants, the case against them involves only a willingness to allow bank accounts to be used for the purpose of laundering money representing the proceeds of the sale of drugs, a matter which seems to me to be almost entirely divorced from the subject of the evidence with which I am asked to deal.

[3] The subject of this ruling is the failure of the prosecution to serve before now, the second day of trial, evidence on which it proposes to rely; and the prosecution's further failure to advise the defence whether the material in question is used or unused material. The question raises serious issues about the practice of the CPS in cases where complex evidence is involved.

[4] I begin with a statement of well-known principles. Initial prosecution disclosure is routinely made subject to a fixed timetable. That timetable is expressed in terms of steps being taken within a matter of so many days after the case is sent for trial. One of the reasons why the timetable must be adhered to is that it affects the lodging of the indictment, and the date of and preparation for the

plea and case management hearing. The plea and case management hearing depends fundamentally on initial disclosure being made by the prosecution within the prescribed time. The Consolidated Criminal Practice Direction, paragraph IV.41.8 states:

"Active case management at the PCMH is essential to reduce the number of ineffective and cracked trials and delays during the trial to resolve legal issues. The effectiveness of a PCMH hearing in a contested case depends in large measure upon preparation by all concerned and upon the presence of the trial advocate who is able to make decisions and give the court the assistance which the trial advocate could be expected to give."

The prosecution's duty of disclosure is a continuing one. The Crown is under a continuing obligation to disclose information that may undermine its case or assist the defence, and particularly when so requested in a defence case statement.

[5] In the present case, I was not myself involved at earlier stages, but on the 4th October of this year I conducted a pretrial review, during which I was told two things relevant to the present question about the state of the evidence. One was that draft admissions were being prepared; the second was that the Crown intended to adduce further cell site evidence.

[6] The Crown is entitled at any stage to serve notice of further evidence. If no prejudice is caused to the defence, the court will generally allow the evidence to be given. In this case, however, the defence made representations which one can well understand, to this effect: that depending on the nature of the evidence on which the Crown relied, not only might the defence wish to challenge that evidence, but it might be necessary for the defence to instruct an expert. With today's trial date in mind, or yesterday's trial date in mind I should say, I made a direction that any further cell site evidence should be served within 7 days, and if the Crown had further evidence no tcovered by that direction, they were to serve it within 14 days.

[7] A further hearing was held on 8 November, because by that time, it was clear that the Crown had not complied with the direction given on 4 October with respect to the cell site evidence. By 13 November, when the case was mentioned yet again, the Crown had still not complied with that direction, but stated, somewhat bizarrely, that the prosecution was ready for trial. I then indicated that, because of the failure of the prosecution to comply with the direction that I had given about cell site evidence, I would not allow the Crown to rely on it at trial. Counsel who was then present, Mr. Pons, asked if I would leave that matter open so that Mr. Connell, who is trial counsel, could argue the matter again yesterday and I agreed to that course.

[8] Mr. Connell duly raised the matter again yesterday, the first day of trial. I was given detail that I think had not been placed before me before. The detail was that the evidence in question, the only “new evidence” as it was put, consists of a statement by Mr Baxter, the Crown's expert, which does two things. Firstly, it puts in pictorial form or an easier form for the jury to understand, the detail of the cell site evidence. Secondly, it adds to that some ANPR evidence. I was also told that the raw data of the cell site analysis had been served on the defence as long ago as April in the form of one or more discs, and runs to some thousands of pages. It was argued that I should allow the evidence to be given because, in effect, there was very little, if anything, new about it of which the defence was not already on notice.

[9] The defence took the position that there had been a clear deadline; that the Crown was in breach of that deadline; and that it was not sufficient for the prosecution to say, “well, we have already served this material in raw data form”, but that rather the evidence on which the Crown proposes to rely should be properly served and it should be indicated whether itis served as used or unused material. The Crown replied that the CPS had made no decision

they leave custody so that more are encouraged to go into education, training or employment and fewer go on to reoffend.

1. The Secure College will be purpose-built and designed around a fully-equipped education facility, with modern living blocks to accommodate young offenders. Every young person will have an Individual Learning Plan that they will be expected to achieve while in custody and which will continue after release in the community. This plan will ensure that upon leaving custody the local Youth Offending Team can continue the programme of work started in the Secure College.

2. Building work for the Secure College will begin in 2015 and it will open in 2017. It will house up to 320 young offenders aged 12-17. Legislation will shortly be introduced to create Secure Colleges as a new form of youth detention accommodation.

3. As we develop the Secure College we are launching a competition for new organisations to bid to provide education within the current publicly-run Young Offender Institutions (YOIs). The new contracts, which will come into effect in late 2014, will seek to more than double the number of hours contracted education that young offenders receive each week. At the moment, young offenders receive an average of 12 hours a week contracted education, though it ranges from 5-15 hours across the YOI estate. The contracts will be overseen by the Youth Justice Board, rather than the Education Funding Agency, ensuring that education is fully integrated into a new regime for young offenders in custody.

4. It is proposed that the new Secure College will be built on land adjacent to HM YOI Glen Parva (an establishment for young adult offenders) in Leicestershire, for which the department already holds planning permission. The Secure College will serve young offenders from the Midlands and the East of England, though offenders from other areas could also be taken.

5. Plans follow a full consultation with the public/stakeholders on the future of youth custody.

6. The Transforming Youth Custody consultation sought the views and proposals of a broad range of stakeholders and providers, including education providers with experience in the academies and free schools sectors, on how youth custody can deliver improved education and reoffending outcomes while driving down costs. The consultation ran from 14 February to 30 April 2013.

7. There were 1,323 young people in youth custody in England and Wales at the end of November 2013. In the 12 months ending June 2013, 6.3% of all young offenders sentenced received a custodial sentence.

8. In September 2013, boys made up 95% of all young people in custody and girls 5%. 15-17 year olds accounted for 89% of young people in custody, 18 year olds accounted for 7%, and 10-14 year olds accounted for 4%.

9. For the 12 months ending December 2011 (the most recent period for which figures are available) 71% of young offenders re-offended within a year of leaving custody, compared to 46% of adults leaving custody.

10. The youth custodial estate currently consists of three different types of detention: Young Offender Institutions, Secure Training Centres and Secure Children’s Homes. As of 1 January 2014 the youth custodial estate consists of: Secure Children’s Homes – 166 place Secure Training Centres – 301 beds Young Offender Institutions – 1311 beds

In 2012/13 the Ministry of Justice and Youth Justice Board spent approximately £247 million on the detention of young offenders. The average cost of a place in each of these types of youth custody is: A place in a Secure Children’s Home costs an average of £212,000 per annum A place in a Secure Training Centre costs an average of £178,000 per annum A place in a Young Offender Institution costs an average of £65,000 per annum.

taken into care as a consequence of the concentration on removing young babies from their mothers and the difficulty of assessing risk at birth given that risk factors change later in life; further notes that in 2010 1,400 babies under one month were taken into care, but in 2013 that figure was 2,013, a 45 per cent increase; recognises that the statistics are aligned with the thesis that more children are dying as a result of child abuse and neglect as a consequence of the concentration on younger children; and believes that this issue should be reviewed urgently. *Primary sponsor: John Hemming, - House of Commons: 2013-14*

Young Criminals Must be Punished, But Education is the Cure

Doubling the time spent on schooling for young offenders will help cut reoffending: The "sky-high" rate of reoffending by young criminals must be reversed, the Deputy Prime Minister Nick Clegg and Justice Secretary Chris Grayling said today as they unveiled radical proposals to rehabilitate young offenders through better education and training.

Almost three quarters of young offenders return to crime when they are released. Currently, young offenders spend on average just 12 hours a week in education under new proposals this would be more than doubled to give young offenders much more time in the classroom or workshop to help them develop the skills they need to turn their back on crime.

Under the plans to transform youth custody, a pioneering Secure College will be built in the East Midlands. The fortified school will provide young offenders with strong discipline, while focusing squarely on rehabilitation and education. The Secure College will have a head teacher or principal at the core of a leadership team made up of educational professionals and offender managers.

Deputy Prime Minister Nick Clegg said: "Criminals can't go unpunished, but young people who've made mistakes and committed crime can't simply be left on the scrapheap. If we expect them to turn their lives around, we have to put their time inside to good use. The Coalition has reduced the number of young people in custody. But reoffending is sky high in this country and the answer lies in education and opportunity to change.

We need to make sure that time spent in custody is time well spent – an opportunity to turn lives around. We can do this by helping young offenders develop the skills and training they need to break the destructive cycle of crime. Some young offenders spend less than one school day a week in the classroom. By increasing the amount of time young offenders spend learning, we can help them to move away from crime, take responsibility for their actions, and rebuild their lives."

Justice Secretary Chris Grayling said: "Nearly three-quarters of young offenders who leave custody reoffend within a year; clearly the system as it is at the moment isn't working. It's right that the most serious or persistent young offenders face custody but we must use this time to tackle the root cause of their offending and give them the skills and self-discipline they need to gain employment or training upon release. Young people themselves tell me that better education and training would help them get on to the right path and become law-abiding, productive and hard working citizens."

At any one time, there are about 1,000 young people in youth custody across Britain. Nearly three quarters of young offenders who leave custody reoffend within a year. In order to help them turn their backs on crime, education, vocational training and work skills will become a central part of a young offender's daily routine, giving them the tools they need to turn their lives around and increase their chances of getting a job after release.

The Government is also taking steps to improve the help given to young offenders when

in that regard. Mr Connell told me that the CPS prefers to make decisions of that kind in-house, rather than delegating them to trial counsel. He undertook to consult with the CPS about the matter, a process which, through no fault of his, took some considerable time. He returned to court to tell me that the Crown's application today was to serve, presumably as used material, those parts of the evidence on which the prosecution intended to rely, hoping that the defence would then cooperate in the preparation of some admissions to put before the jury in convenient form the evidence that was relevant. The Crown say that in any event most of the evidence served on the discs is not really very relevant.

[10] What is disturbing about this is that I was told very candidly that the application by the Crown was being made primarily on financial grounds. If I am understanding that correctly, I think it means that there are financial implications in serving a large number of pages of evidence that then have to be reviewed by defence counsel. Of course, once so many pages are explicitly identified, that obviously does have financial implications - and so it should. Why the CPS should concern itself with considerations of that kind was not explained, although it certainly calls for some explanation. But whether this, or any other financial considerations are involved, it is in my view quite wrong for such considerations to stand in the way of the Crown properly complying with its disclosure obligations. I am also seriously concerned that the CPS does not allow decisions of this kind to be made by trial counsel, whose responsibility it is to conduct the trial, and who is best placed to make the decision. Quite apart from the problems it causes – of which this case is a prime example – the CPS's practice seems to me to fly in the face of what is required by paragraph IV.41.8 of the Consolidated Practice Direction, to which I referred earlier.

[11] So, the position is that on the second day of trial, the Crown now proposes for the first time to select certain portions of the cell site evidence, to serve it as used material, and to invite the court to admit it on that basis. I regard that proposition as completely unacceptable. I wish to make clear that in my judgment, no criticism at all attaches to Mr Connell, whom I have known for several years as a very competent, experienced barrister who invariably acts in the highest traditions of the Bar. Nor is any criticism to be attached to the officers in this case, who have clearly tried their best to respond to the very understandable requests made by Mr Connell and by the defence.

[12] The problem, in my judgment, has been created by the refusal of the CPS to make a decision about basic disclosure until the very last moment. It seems to me, going back to first principles, that the mandatory timetable for initial service by the Crown and for the plea and case management hearing, is not intended simply to impose some bureaucratic regulation on trial preparation. Its purpose is to give effect to an extremely important underlying principle and that principle is one of fairness. The defence are entitled to know, not on the second day of trial but in advance of trial, what the case is that they are expected to meet. While it may be in some cases that the case can be deduced from a simple reading of the papers, I do not think that that is true of this case. I cannot judge that matter definitively because I have not been supplied with the evidence in question. I do not criticize anyone for that. There is no reason why I should be provided with it. But relying on the accounts that I have been given, it seems to me that it would have been extremely difficult for the defendants to anticipate the case against them without reading many pages, for which, as I have been rightly told and candidly told, it would be highly unlikely that the defence lawyers would be remunerated.

[13] The issue is, therefore, one of fairness. The rules do not exist in a vacuum for their

own sake. They are there because it is incumbent on the prosecution, which brings a charge against a defendant, to give precise and proper notice of that evidence on which it seeks to rely. That is a principle which underlies the common law. It underlies article 6 of the European Convention on Human Rights, the provision regarding fair trial, and it is spelled out in so many words by the Criminal Procedure Rules.

[14] Rule 1.1 provides that the overriding objective is that criminal cases be dealt with justly.

Rule 1.2 requires each participant in the case to prepare and conduct the case in accordance with the overriding objective and to comply with the rules, practice directions and directions made by the court and at once to inform the court and all parties of any significant failure to take any procedural step required by the rules, any practice direction or any direction of the court. A failure is significant if it might hinder the court in furthering the overriding objective.

[15] All parties are free at any time to invite the Court to grant an extension of any time laid down for a particular act to be done, and the Court recognizes that there will be many cases in which this is appropriate, especially in a difficult case. But the defence say that this is not such a case. The defence say that the application is a cynical device by the CPS which cannot be permitted to succeed; and that it is not right that the prosecution should now be permitted to cherry pick bits and pieces from the various discs and give what is essentially initial disclosure, on which the Crown intends to rely, on the second day of trial.

[16] I agree entirely with the submissions made by the defence. I will not permit the prosecution to adduce evidence in circumstances in which there has clearly been willful, calculated and prolonged disobedience, not only to the rules but also to the specific directions given by this Court. As Edmund Davies LJ said in Ford v. Lewis [1971] 1 WLR 623:

"Had Veale J known that [the breach] was the result of a deliberate decision based upon the tactical value of surprise I regard it as inconceivable that he would have ruled in favour of admitting the statement. But … I go so far as to say that, even if he had, such an attitude ought not to be countenanced by this court. A suitor who deliberately flouts the rules has no right to ask the court to exercise in his favour a discretionary indulgence created by those very same rules. Furthermore, a judge who, to his knowledge, finds himself confronted by such a situation, would not, as I think, be acting judicially if he nevertheless exercised his discretion in favour of the recalcitrant suitor. The rules are there to be respected, and those who defy them should not be indulged or excused. Slackness is one thing; deliberate disobedience another. The former may be overlooked; the latter never, even though, as here, it derives from a mistaken zeal on the client's behalf. To tolerate it would be dangerous to justice."

Although Edmund Davies LJ was speaking of a quite different set of rules, and in a civil case, his words are even more apposite when criminal liability is at stake. In any event, I would in the circumstances exclude the evidence under section 78,holding that to admit it would have such an adverse effect on the fairness of the proceedings that I ought not to do so.

[17] I have been told by Mr Connell that the result of this ruling is that he will offer no evidence against the defendants. I am not clear why that result should follow. I simply record that I did earlier inquire as to the extent of other evidence available, and that in the case of the two defendants against whom the case is essentially one of money laundering, I fail to see the relevance of the cell-site evidence. But that is not a matter for me. It is a matter for the Crown, and on the Crown's request, if that is still its wish, I will have the jury brought down and I will direct them to return verdicts of not guilty accordingly. I will, as I have indicated, refer this ruling to Judge Marron because of the concerns I have about the conduct of the CPS.

and safe policing response to those with mental health issues.

Deborah Coles, co-director of INQUEST said: "It was critically important that the Minister heard directly from these families and listened to their calls for urgent action to be taken to develop a national and co-ordinated approach to the safe policing of people suffering mental illness. These four vulnerable but otherwise physically healthy men all came into contact with the police while suffering a mental health crisis. They were in need of help and protection and yet died following the dangerous use of force and restraint by police officers. The fact that deaths are continuing shows how urgent it is for joint action to be taken to change culture, policy and practice across police and mental health services."

Tony Herbert and Barbara Montgomery, parents of James Herbert said: "Giving James a legacy that his tragic and unnecessary death may prevent others suffering the same fate, is extremely important to us. The very encouraging meeting with Norman Lamb, led by INQUEST, and with three other families who lost their sons and brothers in a very similar way, is an important step to that end."

Aji and Lara Lewis, mother and sister of Olaseni Lewis said: "White and black, from all parts of the country, we have lost loved ones in shocking and brutal circumstances. We have joined together to fight for national change to stop the further terrible deaths of people in mental crisis. This was a promising meeting and we thank INQUEST for organising it, but the evidence will be in the change that follows."

The family of Thomas Orchard said: "Our meeting with Norman Lamb, MP was an important early step in pushing for reform in the way in which people with mental health problems are treated. Our son and brother, Thomas, died needlessly – and tragically - after being detained and restrained in police custody in October 2012. Early intervention from staff trained and equipped to deal with vulnerable people, such as Thomas, could stop more unnecessary deaths in custody from occurring. Lessons from the deaths of Thomas and other tragic cases such as Sean Rigg, Seni Lewis and James Herbert must be learned."

Samantha Rigg-David and Marci Rigg, sisters of Sean Rigg said: "The meeting was a good start, it was important for us families to come together in a united way, but it was sad for us all to be reminded that after over 40 years of families and friends campaigning for an end to deaths in custody - things are actually getting worse...forms of restraint are getting more barbaric and our loved ones are still dying needlessly. Norman Lamb is in touch with all the issues and seems really keen to do something about this - what we actually need to see now is real accountability for authorities who are responsible for these deaths and real action."

INQUEST Press Release, 16 January 2014

EDM 950: Deaths Of Children From Child Abuse And Neglect In England

That this House notes that prosecutions for manslaughter and murder as a result of a child death in 2011 were 16 and in 2012 were 19, but in 2013 were 34; further notes that this would imply an increase in the number of child deaths from child abuse and neglect; further notes that Ofsted hold records of significant incident notifications as a result of deaths of children suspected to have occurred as a result of child abuse and neglect and that Ofsted did until 2012 provide lists of those notifications to the hon. Member for Birmingham, Yardley for his research and analysis; further notes, however, that Ofsted are now refusing to provide that information either through freedom of information or through a parliamentary question; further notes the thesis of the hon. Member for Birmingham, Yardley that the wrong children are

N. Ireland - Families Have the Right To Know Relatives for Justice, 14/01/14

Relatives for Justice (RFJ) Calls on PSNI to Release Completed HET Reports. RFJ has revealed details of requests it has made to the Policing Board and PSNI to lift the suspension on completed Historical Enquiries Team (HET) reports from being handed over to families. The embargo on handing over reports was put in place as an initial measure following a damning report by Her Majesty's Inspectorate of Constabularies (HMIC) last July that highlighted major shortcomings of the HET.

Relatives for Justice said that the Policing Board played a very important and significant role on behalf of families in having the HMIC conduct an inspection but that the position adopted in respect to not handing over reports was now having a negative effect on families awaiting receipt of their final report. Since July last RFJ have met with the Policing Board several times calling for the HET to be replaced by a proper independent investigative mechanism free from the interference of the PSNI. RFJ also requested that all reports completed up to the date of when the HMIC findings were published and the HET suspended, be handed over arguing that it was unfair to families who had waited many years on a report that was now sitting in a drawer somewhere within the HET offices.

RFJ Director Mark Thompson said; "Families bereaved by conflict have the Right to Know [United Nations Human Rights Council Resolution 9/11] the circumstances of the killings of their loved ones. This Right particularly extends to all documentation relating to the killing. We believe there are as many as 40 completed reports up until the July 2013 period not yet handed over to families. There are also supplementary reports in response to further issues raised by families following the initial reports they received. We believe that these too are completed. From the families' perspective they understand fully that the HET process was flawed but that doesn't lessen the fact that they simply want these reports irrelevant of them being good, bad or otherwise. It's a very human thing to want to know what a particular report says about those closest to you who were killed. It is a human right and the Policing Board I believe now support the position of families receiving their reports. Families have spent many years engaging the process and have invested so much emotionally and physically and to then be told they can't receive the completed report into their loved ones death is upsetting to say the least. We again call on the Policing Board and ultimately the Chief Constable to hand over these reports to families and afford them the dignity they deserve."

England - Families/INQUEST Meet Health Minister to Urge Action To Prevent Deaths

INQUEST and four families of young men who died following restraint by police held a highly significant meeting with Norman Lamb, Minister of State at the Department of Health with responsibility for mental health services on Wednesday 15th January 2014.

The families of Sean Rigg, James Herbert, Olaseni Lewis and Thomas Orchard attended the meeting. All died in circumstances involving the use of force and restraint by the police during a mental health crisis. Among the concerns discussed at the meeting were: - the continuing high number of deaths of people with mental health problems following the dangerous use of force and the restraint by police and the increasing use of restraint equipment - discriminatory attitudes and responses to people in mental health crisis - lack of urgent learning from previous deaths and the occurrence of further deaths raising near identical issues - lack of any consistent practises or systems in place by police forces across the country in their response to mental health - ack of accountability when deaths occur - despite pockets of good practise and new pilots around country, the piecemeal nature of these schemes and approaches - the urgent need for a national response and strategy to develop a coherent understanding

Abdolmalek Bavi V Snaresbrook Crown Court and Thames Valley Police

Mr Abdolmalek Bavi, seeks judicial review of the decision of Snaresbrook Crown Court dated 18 January 2007 (Ms Recorder C Booth QC, sitting with Justices) by which the sum of £18,500 in cash, seized from Mr Bavi at the Reading Festival on 27 August 2005, was forfeited under the Proceeds of Crime Act 2002 ("PoCA"). Unusually perhaps, in a case like this, Mr Bavi seeks not only the quashing of the original decision but its substitution with a fresh decision that the money should be returned.

This case has had a long and tortuous history, culminating in the decision of the Court of Appeal on 28 November 2012 ([2012] EWCA Civ 1830) by which Mr Bavi was granted relief of various kinds, including permission to apply for judicial review of the decision of Snaresbrook Crown Court. It is therefore necessary to set out the procedural background, before going on to look at the legal framework, the decision of the Crown Court, and the grounds for challenging that decision.

2. Procedural History: On 27 August 2005, Mr Bavi was apprehended on his way into the Reading Festival. His rucksack was searched and the sum of £18,500 in cash was seized by the Thames Valley Police. On 7 March 2006, the Reading Magistrates ordered the forfeiture of the cash under Section 298(2)(a) and/or Section 298(2)(b) of PoCA. Mr Bavi's appeal against that order was heard at Snaresbrook Crown Court by way of a re-hearing. The appeal was dismissed on 18 January 2007. Mr Bavi's application for permission to bring a judicial review claim in respect of that decision was refused on 1 December 2008. His application for permission to appeal was dismissed as being wholly without merit on 30 April 2009.

In March 2010, Mr Bavi was first diagnosed as suffering from Asperger's Syndrome and Social Phobia and OCD. As a consequence of this diagnosis, the Court of Appeal granted Mr Bavi permission to rely on fresh evidence, in the form of an expert's report from a psychiatrist, Dr Lachlan Campbell. This culminated in the decision of 28 November 2012, in which the Court of Appeal allowed Mr Bavi's appeal; permitted him to amend his applicant's notice, his judicial review claim form, his statement of facts and grounds of review; gave him permission to appeal against the decision refusing permission to apply for judicial review on 1 December 2008; and gave him permission to apply for judicial review of the decision of Snaresbrook Crown Court.

10. Likely Disposition: I consider that by far the most likely disposition of this case at the Crown Court hearing is as follows. Dr Campbell's evidence will be accepted. That will almost certainly provide a complete explanation for the lies and other oddities within Mr Bavi's answers and previous evidence. As to any unlawful conduct said to have generated the cash, since there was never any real evidence of any particular unlawful conduct (as opposed to unanswered questions about what happened to the loan), and the police now have to be much more specific about this, it must be likely that the first aspect of the forfeiture proceedings will simply fall away.

After all, if there had been positive evidence of any unlawful conduct said to have generated this cash, that evidence would have been put to Mr Bavi long ago. And if it was now said that there was specific misconduct, years after the event, it would lead to all sorts of questions as to why that evidence had not been raised before. The suggestion in Mr Fletcher's skeleton that the police would now want to investigate how the loan was obtained smacks of desperation; not only was that not raised before, but it seems likely that the forfeited cash was largely made up of that loan, the inability to repay which has caused so much difficulty for Mr Bavi. As things presently stand, I consider that the police case under s.298(2)(a) would be unlikely to succeed.

That leaves the intended unlawful conduct. As I have already said, the police seemed anx-

ious not to identify what the intended unlawful conduct might have been. Inevitably, I think, the police will have to say that the intended unlawful conduct related to the buying and selling of drugs. On the face of it, Mr Bavi seems a very unlikely candidate for a drug dealer. If the medical evidence is accepted, particularly in relation to his predilection for saving and for hoarding, then there would appear to be an innocent explanation for his odd conduct, rather than any intended involvement in drugs. If so, that would be the end of the police case under s.298(2)(b) as well.

In short, if the detail of the medical evidence is accepted or agreed, then in the absence of something entirely new demonstrating unlawful conduct (which would lead to plenty of questions as to why it had not arisen before), I consider that these forfeiture proceedings are likely to fail. Whilst, for the reasons that I have given, I cannot substitute my own decision for that of the Crown Court, and there therefore needs to be a re-hearing, I would urge the Interested Party to reconsider its position and, in the absence of anything new, give careful consideration to releasing this money back to Mr Bavi without further delay. If that does not happen, and the rehearing goes as I have indicated, there will be an obvious risk that the Interested Party will be liable for indemnity costs. I order a rehearing which must be expedited. I would ask the parties to draw up the order based on this Judgment and agree all ancillary matters.

Bakewell Tart' Case Reopened: Police To Probe Yorkshire Ripper *Daily Star, 19/01/14*

Retired detective Chris Clark had unearthed new evidence linking "Bakewell Tart" Wendy Sewell's killing with Yorkshire Ripper Peter Sutcliffe. Now we can reveal the authorities are launching an inquiry into Derbyshire Police's investigation – amid concerns evidence was "buried" and potential Ripper links ignored. The development came after Mr Clark obtained a pathologist's report on the murder victim. In 1973, legal secretary Mrs Sewell, who was given her nickname because of her love of outdoor sex, was sexually assaulted and killed in Bakewell Cemetery in the Peak District. Stephen Downing, then 17, was convicted of her murder but was cleared after 28 years in jail. Nobody else has been charged with the killing.

Veteran investigator Don Hale – who campaigned to help free Downing in 2002 – told us the authorities have asked him to back calls made by Mr Clark for the Home Secretary to launch an independent inquiry. Mr Hale told us: "The Home Office have asked me to write backing Chris' call for a full inquiry into Derbyshire Police's handling of the Sewell case. "When the police got hold of Downing they just shut down the whole operation. The real killer was still out there, whether it was the Ripper or someone else."

Mr Hale added: "Opportunities were available to resolve this case in 1973, in 1980 and again of late to properly investigate and resolve this murder. For whatever reason Derbyshire Police failed in their duty. Both Chris and I believe this murder was a deliberate coverup. Several important leads were ignored in 1973 and due to the activities of the victim it was easier to blame someone else and to keep a lid on Wendy's affairs. There is a clear pattern that vital evidence was buried at the time and since. The further revelations and new inquiries from an ex-detective exposing their own, enhances this argument. I feel the Sewell case and all the other potential Ripper links identified by Chris warrants a specialist team to study and investigate all the claims."Last week Mr Clark told us he is looking at 17 more possible victims of Peter Sutcliffe after uncovering a pathologist's report. He said: "I couldn't believe it when I read the pathologist's observations. He states that Wendy Sewell had sustained massive bruising to her neck and Adam's apple. This is consistent with being garrotted. She was then hit about the head with a heavy object. It is a classic mode of attack used by the Yorkshire Ripper."

At least 179 crimes have been committed by officers in the past three years, a figure which the former deputy commissioner of the Metropolitan Police, Brian Paddick, described as "very worrying". The reports show that officers are guilty of serious crimes including sexual assault, possession of cocaine, using excessive force and lying on a crime report form relating to a rape case. The reports also show that dozens of officers are caught speeding and drink-driving every year – with many escaping with little more than a written warning.

In July 2010, two firearms training officers were convicted for selling guns that they had obtained during their employment with Durham Constabulary. Another officer from the same force was found guilty of possessing child pornography on his personal computer in 2012. Jon Stoddart, Durham's chief constable at the time of the convictions, condemned the officers. "They were criminals whose conduct was beneath contempt," he said. "These officers brought disgrace to the uniform they wore and the good name of Durham Constabulary."

In 2012, a police constable with Northumbria police resigned after he was found guilty of running a brothel, supplying a class C drug, money laundering and one offence under the Consumer Credit Act. Another officer leaked sensitive police information to "associates" from a confidential force database. In one case last year, a Hampshire police officer was fined £4,030 for abusing a domestic cat and was banned from keeping pets for 12 months.

The Metropolitan Police, Britain's largest force, had the most offences among the 31 of 46 regional forces that responded to our request. They arrested 46 of their own officers for offences committed whilst on-duty – including one cop who conspired to sell controlled drugs in 2010. In 2013, a Metropolitan police officer was caught speeding at 102mph in a 50mph limit. Another resigned after being convicted of stalking and harassment while on duty. A spokesperson for the Met said: "Only a tiny minority of our officers fall below the very high standards expected of them. Those that do are dealt with robustly, either through the criminal law or police misconduct procedures.

Greater Manchester Police has the second highest number of officer convictions (26) – including seven constables caught drink-driving, three arrested for domestic assault and one case of "sexual assault/rape". Michael Cunningham, head of professional standards at the Association of Chief Police Officers, says that many criminal officers "choose to resign" before facing a misconduct panel and are only reinstated on "rare occasions"

However, in the Met, nearly half of convicted officers were reinstated by the force after committing crimes, including speeding, dangerous driving and fraud. Four officers escaped disciplinary proceedings by resigning after committing serious offences such as stalking, causing injury to a police dog and conspiracy to supply controlled drugs. Kent police, who reinstated six officers found guilty of speeding and drink-driving said: "Just like all people, police officers sometimes make mistakes. Any offences committed by officers or staff are investigated in the same way as anyone else, but are also subject to disciplinary action from the force."

IPCC Moves To Stop Police Officers Conferring

The police watchdog is planning to introduce guidance spelling out that officers should be separated and must not confer before giving statements about a death or serious injury. The Independent Police Complaints Commission (IPCC) has maintained that officers conferring to produce accounts of fatal shootings or deaths in custody damages public confidence. IPCC Deputy Chair Rachel Cerfontyne said the watchdog would "hold officers to account" if they did not abide by the guidance.

four years since the arrest and detention of Martin Corey. At no time was he questioned by police or were his legal team shown evidence against him. At no time was due process had. This was a clear abuse of Martin Corey's human rights and is an indictment on those who held him," Ms McCann said. Corey's party, Republican Sinn Féin, was formed in 1986 following a split with the Sinn Féin leadership. The roots of the fallout were over Sinn Féin's decision to take seats in the Irish parliament, thus ending its policy of abstention in the Republic of Ireland.

Tadas Lapas - Failure of Prison Service to Provide Offending Courses

[1] The Applicant, a Lithuanian national, was a prisoner who was serving a fixed term sentence and an Extended Custodial sentence (ECS) concurrently. [2] He had the prospect of release from extended custodial sentence on or around the 2nd February 2012 when a hearing before the parole commissioners was expected to be held. [3] A parole dossier assessed the Applicant as a risk of serious harm to the public. It suggested certain offending behaviour work that he should undertake in order to reduce his risk and evidence this reduction to the parole commissioners. [4] Despite this recommendation, such work was not provided to the Applicant for a significant period. [5] The reason that such work was not provided was because he was not fluent in English and therefore he would not be able to engage in it. [6] No alternative provision has been made for the Applicant. The alternatives suggested include allowing him to partake in group work with an interpreter or allowing him to do one to one work with an interpreter. [7] In correspondence with the Applicant's solicitors the NIPS have stated that the use of an interpreter would be inappropriate for cognitive based group programs and that using an interpreter in group work would not be possible as it would disadvantage the other participants. [8] The applicant submits that the prison service have not given any reason as to why he could not access behaviour work on a one to one basis or other adapted basis. [9] On 22 October 2011, in the Applicant's sentence review, the Prison Service decided to provide the Applicant with some behaviour work (drug counselling and victim awareness sessions). An interpreter would be provided for same. [10] The prison service will not however provide cognitive group work sessions (or any equivalent) and the applicant was not to be assessed for same until he achieved level 3 proficiency in English language which it was anticipated will not be for the foreseeable future. [11] Ultimately the Applicant was unexpectedly released on parole before a decision was made in this application.

Decision: I consider that Mr Lapas' has been discriminated against in relation to his Art5 rights when read with Art14 and that this finding constitutes just satisfaction. In addition to, and supported by, the other grounds, it is clear that release, in the applicant's case was dependent upon him completing work that would allow him to demonstrate a reduction in risk. It is further clear that no reasonable provision was made for his access to such courses. Therefore it follows that the decision not to give access to these courses, and the continued failure to do so, was irrational. *Tadas Lapas, Judicial Review [2013] NIQB 118 (20 December 2013)*

Sex, Drugs and 'Evenin All' – Police Officers That Break The Law *Tom Payne Indpendent,*

Serving police officers have been found guilty of nearly 200 crimes in the past three years, with some actively using their positions for illegal gain. Police forces across the country have arrested their own officers for a range of offences – including some as serious as running a brothel, possession of child pornography, and selling firearms – Freedom of Information requests by The Independent have revealed.

Birmingham Remand Prisoner Hanged Himself On Third Suicide Attempt

Satnam Singh, an inmate at HMP Birmingham hanged himself in his cell after two previous attempts to kill himself failed, an inquest heard. Hehad never been in prison before when he was sent there on remand after being charged with rape. An inquest heard that Mr Singh was not placed on suicide watch, despite trying to kill himself twice in the days before he died. The inquest jury returned a conclusion of suicide, but said factors leading to his death included communication difficulties, a lack of a professional translator for Punjabi-speaking Mr Singh, a lack of communication between the various departments in the prison and failing to administer sufficient mental health care. At the time of Mr Singh's death in February 2010 the prison was still being run by the Government.

Police 'Advised Drop Hard Stops 6 Years Before Mark Duggan's Death'

Scotland Yard ignored recommendations to review a controversial police tactic deployed against Mark Duggan minutes before he was shot, despite being advised to do so six years earlier. The "hard stop" – a controversial interception technique designed to stun armed suspects into submission – was used on the taxi Mr Duggan was travelling in when he was shot dead by armed officers in August 2011. Three unmarked police cars boxed in the vehicle, brought it to a halt and officers later fired two shots, the second of which killed Mr Duggan.

A Panorama programme alleged that the Independent Police Complaints Commission (IPCC) privately advised Scotland Yard to review the tactic as long ago as 2005, after the technique was deployed on another suspect, again with lethal consequences. Azelle Rodney was killed when the car in which he was travelling was forced to a halt outside a pub in north London. It is claimed the IPCC privately advised Scotland Yard to review use of the technique, deeming it a "high-risk option".

Mark Rowley, the Assistant Commissioner of the Metropolitan Police, told the BBC: "No formal review took place and perhaps it should have done. Perhaps some formal paperwork and formal thinking should have been done." But in comments to to the Panorama program, he defended the tactic: "If we've got intelligence about gang criminals carrying guns across London to go and shoot others, we have to plan operations to confront that threat," he said. "At the time there were no formal changes. But we're constantly looking at the tactic and if anyone has a better idea on how you confront armed criminals in vehicles with a view to arresting them safely and seizing their weapons, then we're up for better ideas. People say review; people don't come forward with better ideas."

Deborah Glass, the former deputy chair of the IPCC, told Panorama that "questions will be asked" of the Met's failure to carry out a formal review. The technique was also deployed in 2012 when Anthony Grainger, who was unarmed, was fatally shot by a police marksman as he sat in a stolen car. The Chief Constable of Greater Manchester, Sir Peter Fahy, has been charged with breaching health and safety legislation for alleged "serious deficiencies in the preparation for this operation that unnecessarily exposed individuals to risk".

According to the programme, eight out of the 10 people fatally shot by armed Met police officers in the past decade have been killed during "pre-planned operations", including hard stops. The programme also speaks to two anonymous Met officers from the same firearms unit that killed Mr Duggan. "It's extremely difficult, especially when you think that you're doing something for good, you're doing the right thing and you're being trained to do something to protect the public and protect your colleagues, when you then face the potential of prosecution," one said. *Kunal Dutta, Indpendent, 20/01/14*

High Risk Criminals Will Not be Handed Over to Private Sector *Telegraph, 14/01/14*

Criminal justice experts are concerned that the public probation service will be left responsible for the highest risks, after it emerged the private sector will not take over the supervision of the most dangerous and high profile criminals when it is outsourced. Murderers and serial sex attackers, as well as cases involving criminals who have attracted significant media attention, will be the responsibility of the public probation service.

The split was revealed in leaked guidance from the Ministry of Justice about the allocation of offenders in England and Wales to private and voluntary sector providers when it is outsourced this year, the Guardian reported. The 'restricted policy' guidance, also state that in cases involving celebrities or those with significant public interest management approval will be needed before their supervision can be handed to a private firm - even if the person has not been sentenced to prison. The guidance also explains a new procedure to determine whether offenders are classed as high, medium or low risk using a complex 'risk of serious recidivism' calculator, which critics have said would be time consuming.

Harry Fletcher, a criminal justice expert, said: "The case allocation system has been devised so that all risk is carried by the public sector. Even cases which are deemed low risk but which might attract media attention will be held by the public sector."

The disclosure has emerged as a fresh attempt was due to be made in the House of Commons on Tuesday to require a vote from both houses before privatisation can take place. Justice Minister Jeremy Wright said: "Around 85,000 crimes are committed every year by prisoners released from short sentences. We must act now to address the scandalous gap that allows our most chaotic offenders to leave prison with no support or supervision to turn their lives around. For anyone to complain about more extensive risk assessments and greater supervision of these chaotic offenders would be a pretty strange position to take."

Jailed For Refusing To Give Police USB Stick Password

Syed Hussain, 22, from Luton, was convicted of failing to provide police with the password to the stick seized in a counter-terrorism operation. He was already in jail for being part of a cell that considered attacking a Territorial Army base in the town. He said he had forgotten the password until a fraud probe was launched. The judge jailed him for four more months. Sending Hussain back to prison, Old Bailey judge Richard Marks said the defendant's deliberate failure and refusal to comply with a police notice to provide the password was a very serious matter because it had potentially hampered investigations.

Hussain and three other men were jailed in 2012 after admitting discussing attacking the town's TA headquarters by placing a homemade bomb on to a remote controlled toy car. When Hussain was arrested in April 2012, police seized a USB memory stick from his home - but they discovered the information on the device was protected by sophisticated encryption technology. Hussain told detectives that he could not remember the password because he was suffering from stress - which meant they could not access its contents. Police called in experts from GCHQ, the government's secret eavesdropping and communications agency, but even they were unable to crack the device.

Police and prosecutors gave Hussain a deadline of last January to reveal the password - but his lawyers maintained that he had forgotten it. Eleven months later police told Hussein's lawyers they had launched a fresh investigation into alleged credit card fraud by Hussain - and within days he revealed the memory stick's password was "$ur4ht4ub4h8", a play on words relating to a chapter of the Koran. Police accessed the memory stick and found it contained information relating to the ongoing inquiry into alleged fraud - but nothing relating to terrorism or national security.

Waiting Must End For Eddie Gilfoyle *Daniel Finkelstein, lAssoc Editor The Times.*

I do hope that I am not being impatient, and I'm sure they will let me know if I am being a nuisance bothering them like this, but I wonder when the Criminal Cases Review Commission might get round to ruling on the case of Eddie Gilfoyle. It's been more than 20 years now since Mr Gilfoyle was convicted of murder and the accusation has always seemed an odd one. He was found guilty of somehow tricking his wife Paula into writing a suicide note, fooling her into climbing a ladder and then putting a noose a round her neck without provoking a struggle. I don't buy this prosecution theory for a second. And I'm not surprised that strong evidence has come to light that challenges it and undermines the evidence that helped to convince the jury. Eddie Gilfoyle has finally emerged from jail but he can't get on with his life until his conviction is overturned, as I believe it should be. Yet this can't happen until someone, somewhere makes a decision Listen, we're all busy and that, but it has now been three and a half years since new evidence was presented to the Criminal Cases Review Commission. And nothing. No decision after all that time on whether to refer the case. I know these things are complicated, and there are other cases and so on, but really.?

Martin Corey Released From Prison *BBC News, 15/01/14*

The prominent Irish republican, Martin Corey, has been released after almost four years in prison without trial. He had been held in Maghaberry jail since April 2010 without any charges being brought against him, after he was deemed to be a risk to the public. The Republican Sinn Féin member is a convicted double murderer. Corey was originally sentenced to life in prison in 1973 for his part in the IRA murders of two police officers, but was released on licence in 1992. He was re-arrested at his home in Lurgan, County Armagh, on 16 April 2010 and had been in custody since that date.

'Unspecified allegations' - He was told in April 2010 that he was being sent back to jail because he was considered a risk to the public, but at the time neither Corey, or his legal team, were told why the authorities believed he posed a threat. Former Northern Ireland Secretary of State Shaun Woodward had ordered his prison recall on the basis of "closed material" and unspecified allegations of involvement with dissident republicans. Corey's supporters claimed he was being interned without trial and launched a campaign to secure his release. Last May, his lawyers said they would challenge his detention in the European court.

Corey was released from custody on Wednesday evening 15/01/14, following a decision by the Parole Commissioners for Northern Ireland. He left Maghaberry prison in an unmarked van at about 20:00 GMT. It is understood the conditions of his release include a ban on speaking to the media.

Members of the Free Martin Corey Campaign have told the BBC they had concerns about the manner of his release. A campaign spokesperson, Cait Trainor, said: "It is clear the continued imprisonment of Martin Corey was a political embarrassment to the Northern Ireland Office and he was released in a way that would ensure minimum publicity."

In a statement, a spokeswoman from the Northern Ireland Office (NIO) said that "the independent Parole Commissioners for Northern Ireland have issued their judgment in respect of Martin Corey". "The Parole Commissioners have decided to release Martin Corey on a licence that is subject to conditions which are designed to manage the risk they assess him to pose," the NIO spokeswoman added.

Corey's release has been welcomed by Sinn Féin but the party said the government has "lessons to learn from his imprisonment". Sinn Féin MLA Jennifer McCann said: "It is almost