

**MOJUK: Newsletter 'Inside Out' No 928 (07/12/2022) - Cost £1**

**Fight Racism! Fight Imperialism! Remembers Eric Allison**

FRFI pay tribute to former prisoner and campaigning journalist Eric Allison who died on 2 November, just a month before his 80th birthday. Most widely known as the Prisons Correspondent for The Guardian, Eric had also been a writer for FRFI since 1990 and was joint author of our book *Strangeways 1990: A serious disturbance*.

Unlike many of today's long drawn-out inquiries, the Woolf Inquiry into the uprising at *Strangeways* and other prisons began almost immediately. Eric attended all the Manchester sessions and as many as he could elsewhere. The first article he wrote for FRFI was a report into the Inquiry entitled 'Odds stacked against the prisoners' (FRFI 96 August/September 1990). From then on he wrote regularly, first following the Inquiry and later the trials of the protesters ('*Strangeways* trial verdict: savage sentences', FRFI 107 June/July 1992).

In 1991 Eric went back into prison himself for a while, and wrote from there for FRFI colourful articles describing the vile conditions, such as 'HMP Wandsworth – Top of the League of Lousy Prisons' (FRFI 105, February/March 1992). In 1993, Eric and Nicki Jameson, FRFI Prisoners' Fightback page editor, began 18 months of work which would culminate in the publication of *Strangeways 1990: A serious disturbance* in 1995. This involved travelling to prisons up and down the country to speak to the men who had taken part in the protest. And not just those specific prisoners, as Eric was alive to every instance of prison brutality, every wrongful conviction or injustice, and would take copious notes, write lists, hatch plans of how an individual's case could be highlighted or tied in with the general cause.

During this period we organised protests outside prisons such as Full Sutton and Winson Green, from where we'd received reports of prisoners being beaten in the punishment blocks, as well as outside the Home Office in solidarity with the 1994 Whitemoor escapees – who again had been badly beaten up by prison staff – and at Nottingham Crown Court, where *Strangeways* protester David Bowen was on trial for escape. Ever resourceful, Eric wasn't content with the flimsy placards used by most activists and commissioned a friend who was a sign writer to produce four heavy wooden signs with slogans such as 'Stop the Brutality' and 'Sack the Guilty Screws' (the latter particularly hated by the Prison Officers Association). *Strangeways 1990* was published in 1995, on the fifth anniversary of the uprising. Eric spoke at launch meetings in London and Manchester and was interviewed widely on radio and profiled in the *MEN*. In 2000, Manchester-based theatre company Fink On dramatised the book, repeating this in 2010 in a new version, in which an actor played Eric as narrator.

In 2003 The Guardian advertised for a former prisoner to become a correspondent on what was initially a three-year contract. Eric's combination of having been a guest of Her Majesty's Prisons in each of the four preceding decades and the regular writing he had been doing since 1990 won him the position. He wrote a letter to FRFI which we published on the prison page, making it clear that although he was delighted to get the job (even though the money was not good, and crime paid much better) he was not jumping ship and would keep writing for FRFI, 'the staunchest friend to prisoners'. True to his word, for the next 18 years, Eric kept sending us articles and we kept publishing them. Some of these reflected the work he was doing at

The Guardian, where the resources of a national daily paper allowed him to become an investigative journalist on a scale he had long aimed for. Together with Guardian writer Simon Hattenstone, he authored in-depth exposés of child imprisonment, deaths in custody, private racketeering in the punishment industry and miscarriages of justice, posthumously winning a Criminal Justice Alliance award for Outstanding Journalism. For FRFI, he also wrote about the Close Supervision Centre system, mental health in prisons and the scandal of the IPP system. Eric's last full article for us was in 2021; entitled 'Stop imprisoning children!', it was an eloquent rant about a subject close to his heart. Eric was a life-long socialist, known during his prison days as 'Eric the Red', due to a combination of his left-wing politics and support for Manchester United. He joined the Labour Party in the Corbyn era, but left again the moment that project was clearly over. Despite moving in some very illustrious circles, both when a fraudster and later as a journalist for a mainstream newspaper, Eric never lost touch with his working class roots, dedicating large amounts of time to supporting friends and neighbours, and for many years organising a local football team in West Gorton, where he lived with a series of beloved dogs from his last release from prison in 1999 until his death. We Send Our Condolences To Eric's Daughters, Grandchildren, Family And Friends.

**MoJ Requests Urgent Use of 400 Police Cells For Male Prisoners**

Aletha Adu and Rajeev Syal, Guardian: Dominic Raab has been accused of presiding over a "foolish and unrealistic" prisons policy after his department was forced to request the emergency use of 400 police cells for inmates for the first time in 14 years. Ministers blamed the recent barristers' strike for an "acute and sudden increase in the prison population" of 800 in the last two months – a claim that was challenged by charities, MPs and unions. The Ministry of Justice has written to the National Police Chiefs' Council to establish the protocol known as Operation Safeguard. Damian Hinds, the prisons minister, blamed the Criminal Bar Association strike action over the summer for the "acute and sudden increase in the prison population". "In recent months we have experienced an acute and sudden increase in the prison population, in part due to the aftermath of the Criminal Bar Association strike action over the summer, which led to a significantly higher number of offenders on remand. With court hearings resuming, we are seeing a surge in offenders coming through the criminal justice system, placing capacity pressure on adult male prisons in particular."

**Aidan McAnespie: Ex-soldier Found Guilty of Checkpoint Shooting**

BBC News: Former soldier David Holden has been found guilty of the manslaughter of Aidan McAnespie in Tyrone 34 years ago. The 53-year-old is the first veteran to be convicted of a historical offence in Northern Ireland since the 1998 Good Friday Agreement. Mr McAnespie was killed by a shot which ricocheted off the road and struck him in the back. His family said they were "relieved and happy" with Friday's verdict after a 34-year wait. Aidan McAnespie was walking through a border crossing on his way to a Gaelic football match when he was shot.

Mr Justice O'Hara said he considered the defendant "criminally culpable" beyond any reasonable doubt. He found that Holden had pointed a machine gun at Mr McAnespie and pulled the trigger, while assuming the gun was not cocked. He said: "That assumption should not have been made." In his written judgement, Mr Justice O'Hara said he was satisfied the defendant had not cocked the weapon himself before firing it. He said he fundamentally disagreed with the suggestion that it was not exceptionally bad for the defendant to have assumed that

the weapon was not cocked. "In my judgement this was the ultimate 'take no chances' situation because the risk of disaster was so great. "The defendant should have appreciated at the moment he pulled the trigger that if the gun was cocked deadly consequences might follow." The judge told the court Holden had given a "deliberately false account" of what happened. He dismissed the defendant's claim that his hands had been wet from cleaning duties. He also concluded Holden's explanation as to how the weapon came to be fired was "entirely unconvincing" and was a "deliberately false account of what happened". In the written judgement, he said the defendant had broken two "golden rules", which included never aiming a weapon unless one intends to fire and never increasing the risk of negligent discharge. The court heard Mr McAnespie was unarmed.

First Army Veteran Conviction However The Tories Intend It To Be The Last

David Holden is the first - and could be the last - Army veteran convicted post-Belfast Agreement for a Troubles-era crime. The government legacy bill, if passed next year, could end future prosecutions under a conditional amnesty scheme. Currently, Soldier F, accused of murders on Bloody Sunday, is the only other veteran where trial proceedings are progressing. Around a dozen other veterans are awaiting prosecution decisions from the Public Prosecution Service. It is possible that they will face no action if, should they be charged, proceedings are not started by next May, or if the bill passes before then. In 2019, the government made a manifesto commitment to protect veterans from historical investigations and prosecutions. The bill not only covers veterans, but anyone involved in killings from the troubles, including paramilitaries.

A further hearing to determine the sentence will be held in the new year. Speaking after the ruling, Mr McAnespie's brother Sean said the family never believed they would get the judgement after 34 years. "I'm thinking of my father and mother who prayed and prayed for this day and they're not here to see it," he said. ""As a family we are very relieved and happy that we have such a big family, community and relations, to help us through this." David Holden sat in the dock, wearing a suit and tie, with a guard beside him.

Behind a glass partition, around two dozen of Aidan McAnespie's relatives and their supporters watched from the public gallery. As the judge criticised Holden's evidence as being "deliberately false", members of the family looked at each other and nodded - knowing that a guilty verdict was looking likely. Outside the courtroom, a number of them wept and embraced. David Holden's expression remained neutral throughout the proceedings.

Holden, who was serving in the Grenadier Guards and was aged 18 at the time, was on his first day of checkpoint duties. Mr McAnespie was known to security forces as a "person of interest" - an IRA suspect. Holden was initially charged with killing Mr McAnespie in September 1988. At that time, staff from the Director of Public Prosecutions met with the senior RUC investigating detective and a forensic firearms expert and decided to withdraw the manslaughter charge. In December 1988, Holden was subsequently charged by the Army under Section 69 of the Army Act 1955 with the offence of "prejudice to good order and military discipline" and was fined £370.86 by his commanding officer. During the trial, defence counsel Frank O'Donoghue KC told Mr Justice O'Hara: "My client, by the age of 19, believed that this matter was behind him and he could pursue his own life and left military life in 1990." The court heard that in 2008, the PSNI's Historical Enquiries Team (HET), reviewed the case of Mr McAnespie and produced a report for his family.

Seven years later, the Attorney General for Northern Ireland invited the director of the Public Prosecution Service (PPS) to review the case in light of the HET report. In January 2018, the PPS informed Holden that a decision had been taken to prosecute him for Mr McAnespie's manslaughter. Paul Young, from the Northern Ireland Veterans Movement, said the people

he represents would be "deeply disappointed" with the verdict. "I'm saddened by it but it's not over for David yet. As far as I'm aware, his team are going to appeal the decision and I think eventually, if necessary, go to the Supreme Court." In a statement after the verdict, the Northern Ireland Office said its condolences were with the family of Aidan McAnespie. It added that the government's legacy bill, which is progressing through parliament, "seeks to address the legacy of Northern Ireland's past by implementing an effective information recovery process that will provide answers for families and help society to look forward".

### **Justice Committee Want Your Views Wanted Into Staffing Issues in the Prison System**

The number of staff working in the key officer roles in the prison system has fallen significantly in recent years. In the last 12 months, there has been a fall of 600 staff in prison officer and custodial manager roles. The Prison and Probation Service has introduced initiatives to improve support for new employees and aid development. However, despite these efforts and improved pay the numbers leaving the service are increasing. Days lost through sickness have also risen significantly in the last five years.

The Justice Committee has launched a new inquiry to investigate workforce pressures in the prison system. The Committee's inquiry will examine why staff are leaving the prison service and the impact this has on the ability to provide a safe and effective prison regime. It will examine the impact of measures to improve pay, conditions and support for prison staff and ask what more can be done to improve recruitment and retention.

Launching the inquiry, Chair of the Justice Committee Sir Bob Neill said: "Understaffing in the prison system has serious consequences for prisoners and prison officers alike. Without sufficient staff their safety is at risk. It also limits the ability to provide the vital services that support the physical and mental health of inmates, and prepares them for release. We have launched this inquiry to understand what can be done to reverse the exodus of staff from the prison service. It will look at why so many are seeking employment opportunities elsewhere and what measures can be put in place to encourage them to stay. It will also examine the impact of recently implemented initiatives designed to increase support for prison officers and operational support grade staff."

Terms of reference The Justice Committee invites interested groups and individuals (This means YOU!) to provide written submissions of up to 3000 words to inform their work. Submissions should address some or all of the questions set out below. The deadline for submissions is Friday 6 January 2023. The Committee invites evidence on: 1) Why staff, particularly at the operational support grade (OSG) and prison officer grades, are leaving the prison service? What implications difficulties in recruiting and retaining OSGs and prison officers have on the ability to provide effective regimes for prisoners? 2) Whether projected staffing levels are sufficient to deal with the forecast prison population in the coming years? 3) What is required to improve recruitment levels, both in terms of the number and quality of candidates? 4) How effective is HMPPS at retaining OSGs and prison officers, and what more could it do to improve job satisfaction and staff morale? 5) What is required to improve diversity and inclusion in the prison workforce? 6) How effective is the initial training, professional supervision, and continuous professional development provided to prison staff? 7) Whether prison officers have the tools and support they need to carry out their roles effectively? 8) What lessons can public sector prisons learn from those run by the private sector, and vice versa; and what lessons can be learnt from other countries? 9) What progress has the Government made on the commitments made in the Prisons Strategy White Paper in respect of the operational workforce? Send submissions to: Justice Committee, House of Commons, London SW1A 0

### **G4S Owed A Duty to Prisoner to Prevent Ingress of Drugs into HMP Birmingham**

In Carr v G4S Care and Justice Services (UK) Ltd [2022] EWHC 3003 (KB) Mrs Justice Henrietta Hill DBE dismissed an application by G4S for strike out and summary judgment in which it argued that it could not, as a private contractor, owe a general duty under Article 2 to have adequate systems in place to limit the ingress of dangerous drugs into HMP Birmingham. The claim is brought by the mother of Andrew Carr who died in HMP Birmingham on 29 March 2018 having consumed a synthetic cannabinoid. His death came during a period in which healthcare services at HMP Birmingham, then operated by G4S, had been called to 311 incidents over six months involving prisoners in difficulty having consumed drugs. In August 2018 the MoJ took over the running of the prison after the HM Inspector of Prisons issued an 'urgent notification' having reported that: Our own observations confirmed to us that the use and trafficking of illegal substances was blatant. I have inspected many prisons where drugs are a problem, but nowhere else have I felt physically affected by the drugs in the atmosphere - an atmosphere in which it is clearly unsafe for prison staff to live and work. In light of this, it was shocking that many staff did not seem to be prepared to tackle the drugs misuse. When inspectors at one point raised the fact that drugs were clearly being smoked on the wing, the response from staff was to shrug. G4S had argued that the alleged breaches of the general duty to have adequate systems in place for the preservation of the life of prisoners was the responsibility of the state rather than it as a private contractor. Hill J accepted the Claimant's argument that the responsibilities for complying with the general duty would inevitably be shared between the Secretary of State and the contractor: the former would likely remain responsible for matters of law, policy, and funding, with the latter responsible for many aspects of the implementation of general measures, under contractual arrangements. However where an aspect of the general duty has been contracted to the private contractor, there is no reason why a claim in respect of the violation should only be aimed at the state, and not at the private contractor: that is the effect of s.6(3)(b) of the Human Rights Act 1998 which places the obligations of the Act upon any body whose functions are of a public nature.

### **What's it Like Being On Probation? - 'Helping, Hurting, Holding and Hands Off'**

There's a fascinating article in the latest edition of the Irish Probation Journal. 'Helping, Hurting, Holding and Hands Off': Preliminary Findings from an Oral History of Probation Client Experiences of Supervision in Ireland presents the first findings from the 'Histories of Probation in Ireland' project which aims to provide an extensive, detailed account of Irish probation practice from the 1960s onwards. The core objective of the paper is to highlight patterns emerging from client participants' lived reality of probation, which is achieved through the application of an oral history methodology. Findings are presented from interviews with current and former probation clients who experienced probation in the 1980s up to the present day. The study is based on semi-structured oral history interviews conducted with twenty-five men who experienced probation from the 1980s to the present day, some of whom had been several experiences of being on probation supervision both on community orders and post custody licence. The findings are structured following four themes, some of which were developed by the criminologist Fergus McNeill in his earlier work: helping, hurting; holding and hands off.

**Helping** - Helping experiences were described by many of interviewees who tended to characterise supervision in positive terms if officers offered advice and practical support, attempted to build rapport, put a clear supervision plan in place, and actively sought out rehabilitation opportunities.

Probationers also valued officers who demonstrated empathy, were caring but assertive, were willing to advocate on their behalf, and communicated a belief in their ability to change. They appreciated officers who listened, took the time to get to know them, and communicated clearly.

**Hurting** - By contrast, probation supervision was also characterised by some interviewees as hurtful when perceived as intrusive, inflexible, and focused on monitoring and punishment, rather than support. Hurtful experiences often arose from relational issues; for instance, some participants described their encounters as disrespectful, while others found it difficult to build trust with Probation Officers because of personality clashes. Frustration also emerged when participants felt that officers did not listen to them or failed to recognise attempts to change.

**Holding** - 'Holding', as characterised by McNeill, describes a sense of being monitored and restricted or, more positively, a kind of harm-minimisation strategy where a chaotic life is safely contained, albeit temporarily, within the confines of a probation order. For this theme, findings were often more complex and tended to overlap with the helping or hurting themes. Some people experienced the structure of probation supervision as helpful, particularly in changing routines, exposing people to law-abiding lifestyles and generating a sense of calm and security. Others experienced both positives – reassured by probation attempts to keep them out of prison – and negatives – frustrated by the knowledge that post-release supervision would tie them to a criminal past they wanted to leave behind.

**Hands Off** - Some interviewees said that probation meetings were rare and/or brief, or that their officers seemed detached and laissez-faire in their approaches to supervision. Others admitted that they themselves were disengaged from the supervision process. Many of these supervision experiences, particularly if they took place many years earlier, were only half-remembered. Some appreciated the hands-off approach, largely because they preferred not to engage with the Service. Such experiences generated little emotional response in those subjected to probation supervision. However, there was another side to this "hands-off" approach described by other interviewees. Several of this group wanted and needed assistance, and even asked for help on multiple occasions, but found that none was forthcoming. In such cases, strong emotions were provoked, including resentment, feelings of helplessness, and anger. The polarities of "holding" and "hands off" might be compared to Jane Dominey's description of "thick" and "thin" models of probation supervision in England: 'thick' supervision refers to a productive relationship with the person on probation, embedded within the community, 'thin' supervision is predominantly office-based, with poor links to the community.

**Conclusion** - The voices of people on probation are rarely heard and these interviews provide a vivid account of the many, often contradictory, ways in which probation supervision is experienced by those who enjoy and/or endure it.

### **"Tis But a Scratch" – Bravado, Policing and Assaults**

*Fionnuala Ratcliffe, Transform Justice's*: "I don't let them assault me, I'd hit them first". (Serving Police Officer) - How do police officers talk about the violence and abuse meted out on them? Dr Lee Johnson, a serving police sergeant, sought to answer this question through research in his home police force of Lincolnshire. He interviewed police colleagues and observed dozens of discussions between officers back at the station. Dr Lee Johnson found that officers love discussing any violent run-ins at the end of shifts. Some related incidents dramatically: Whilst he is saying this, he is striding around the parade room, acting it out. Suddenly he turns and says 'AND THEN' with his two hands stretched out in front of him. He makes a pushing motion in a big grand action. As he does this he shouts the word 'WHAM!' (observation report).

Most people who assault police don't plan to. Assaults usually resulted from what Lee called "aggressive non-compliance", for example from members of the public who felt they were being unfairly treated: "A lot of the time they were just pushing me away so it was more of a resist and I can understand why some people would resist arrest. They get their liberty taken and they don't always agree with why that is happening" (police officer).

How an officer approaches a situation has a big impact on whether things escalate to violence: "I think that some people go into situations and incidents far too aggressively...where that's not warranted or not needed" (male police officer). Some officers recognised that a calmer approach could be more effective in de-escalating situations. But the "bravado" culture, fuelled by discussions amongst officers back at the station, teaches new officers that the "quintessential frontline police officer" is someone who is ok with confrontation, makes a lot of arrests and resolves incidents by use of force rather than communication skills; a "hands on cop".

Not everyone conformed to the bravado culture. Female officers in Lincolnshire talked about assaults very differently. They tended to be "more subdued and conservative", speaking more "factually" and "calmly" about incidents. Some male officers admired this calmer approach: "As a [older] man, I have been doing the job for eight years and I often look at some of the female officers who are able to calm the situation before it becomes violent...and I admire them" (police officer). But this doesn't translate into police decision-making. Earlier research by Professor Nicole Westmarland found "a highly gendered division of labour": sergeants and control rooms were more likely to deploy male officers to deal with people or incidents seen as likely to be violent, with female officers sent to support the victim. Dr Lee Johnson observed domestic call-outs where male officers often chose to approach the man, leaving the female officer to speak with the woman at the address. This despite officers in interview saying that female officers are equally capable (perhaps more capable) of making arrests and dealing with alleged aggressors.

The bravado culture, according to Lee Johnson, also taught officers to "repress pain and the immediate impact of lower level assaults" – like the knight in Monty Python's Holy Grail who said "tis but a scratch". Many officers saw public complaints, violent interactions and assaults as part of the job: "I think it's just the nature of the role we're dealing with. If you're dealing with violent people for a living, we get paid to put ourselves in those situations. I think if you're not prepared to put yourself in that situation then you're probably in the wrong job" (male police officer). Dr Lee Johnson described officers putting up a "mask of toughness" – downplaying the impact of a violent incident or assault. Some officers were even challenged by their colleagues if they decided to arrest someone who had just assaulted them.

This "mask of toughness" had another effect. Lee found that if a police officer had attended a traumatic incident earlier in the shift, this could increase the risk of the next incident they attended turning violent. Frontline officers have to deal with very distressing cases, for example, a child who has been badly neglected, or road traffic incidents where someone has been killed. Such incidents understandably impact the officers involved, who often go straight to another call out. Lee observed that officers can be "swifter to use force or raise their voice as they feel emotionally vulnerable and unappreciative when attending a new encounter in close proximity to an emotive occurrence. Oftentimes, officers' can feel that the second incident is unimportant when compared to the circumstances of the first encounter, and are dismissive of a person's arguments or actions, viewing them with disdain and unworthy of their proper attention or basic negotiation." A bravado culture discourages officers from taking time out and seeking support following difficult incidents – instead going straight to the next case with frayed patience and high emotion. Could assaults on police be reduced by encouraging

officers to take time to recover after traumatic experiences rather than getting straight back to work? When it comes to reducing risk of assaults on police, is there strength in numbers? Police officers we spoke to about our research on assaults sometimes blamed "single crewing" for a rise in assaults, i.e. officers attending incidents alone. This wasn't borne out in Lee's research, which found that in the majority of assault incidents, two or more officers were present. Some officers said that having another officer present can actually create problems – officers may feel safer in applying force if they have a colleague with them, rather than using "soft" communication skills: "single-crewed officers, in more rural locations, appeared to use discretion and other less confrontational tactics when attending violent encounters in an attempt to diffuse them". Lee concluded that the macho, bravado culture of the police was the greatest influence on assaults. And that a different culture might prevent police being attacked.

### **Supreme Court: Can Final 'Wide Injunctions' Bind Newcomers**

Local Government Lawyer: The Supreme Court has agreed to hear an appeal by groups representing Gypsies and Travellers over the use of 'wide injunctions'. In January this year the Court of Appeal ruled that Mr Justice Nicklin in the High Court was wrong to hold that the court cannot grant final injunctions against unauthorised encampment that prevent newcomers from occupying and trespassing on land. The case of London Borough of Barking and Dagenham & Anor v Persons Unknown & Ors [2022] EWCA Civ 13 arose in the context of a number of cases in which local authorities had sought interim and sometimes then final injunctions against unidentified and unknown persons who might in the future set up unauthorised encampments on local authority land. The Supreme Court last month granted permission to appeal to Friends, Families and Travellers (FFT), London Gypsies and Travellers (LGT) and Derbyshire Gypsy Liaison Group (DGLG). The Supreme Court ordered that there should be no costs award either for or against the appellants.

Marc Willers KC of Garden Court Chambers, who acts for the appellants, said: "We are delighted that permission and a protective costs award have been granted by the Supreme Court in this matter. "This is an extremely important challenge not only for Gypsies and Travellers who have to resort to staying on encampments through no fault of their own but also to others who are adversely affected by such wide Injunctions, such as environmental protesters." Abbie Kirkby, Policy and Public Affairs Manager at Friends, Families and Travellers said: "We are determined to continue challenging the discriminatory and disproportionate use of these injunctions. If local authorities do not identify suitable stopping places for nomadic communities, then they must not be allowed to use punitive measures to cover up their failings. There are common sense solutions to addressing the accommodation needs of Gypsies and Travellers, that work with families, not against them."

### **HMYOI Feltham Inspection - Decent Outcomes Sustained for Children**

Inspectors returning to Feltham A were pleased to find that decent outcomes for children had been maintained since the last full inspection earlier this year. At this independent review of progress, inspectors followed up nine recommendations, and judged that good or reasonable progress had been made against eight. Charlie Taylor, Chief Inspector of Prisons, said: "Since the inspection, a new governor had been appointed. The transition had been managed well by the Youth Custody Service (YCS) and progress had continued at the establishment. The governor and her team had started to address our recommendations at the earliest opportunity, placing leaders in a good position to demonstrate improvements at the time of this IRP.

Children were getting more time out of cell and better access to purposeful activity. In the weeks before the inspection, a new core day had been introduced which increased access to education and vocational training. Leaders had begun to implement a more rigorous approach to identifying weaknesses in teaching, and senior staff frequently visited classrooms to offer tailored support to teachers. Children had a personal learning plan which identified skills to develop, but the targets were not always specific enough. The collection of equality and diversity data had improved, meaning that managers were better able to identify unequal treatment of minority groups. Strategic meetings discussed equality and diversity outcomes and concerns were reviewed. Complaints of unequal treatment by children were now almost always answered within prescribed timescales. Children were involved in the investigation of their complaints and informed of the outcomes in person. Mr Taylor concluded: "This is the third positive report in succession about Feltham A. The governor and her team have worked well to consolidate previous improvements and build on them. This leaves the establishment well placed to address the challenges that remain."

### **Further Legal Challenge Against Authoritarian State Using Sinister Pegasus Spyware**

*Bindmans, Solicitors:* On Tuesday 22 November 2022, an additional human rights activist in the UK, represented by Bindmans LLP and Global Legal Action Network (GLAN), has taken the first step in starting legal action arising from the hacking of his phones by a foreign state using the spyware known as 'Pegasus'. He now joins the group who began their action earlier this year. The Claimant is Dr Azzam Tamimi, a British-Jordanian journalist, academic, and political activist of Palestinian heritage. He has lectured at many prominent universities and published several books on Middle Eastern and Islamic politics. He is the founder, chairman and editor-in-chief of a satellite TV channel, Al-Hiwar, which advocates for freedom and human rights in Middle Eastern countries. Dr Tamimi was also a long-standing friend of Jamal Khashoggi, the murdered Saudi journalist, who appeared as a guest on the Claimant's show on the Al-Hiwar channel (Hiwar London, or the 'London Discussion') just one month before the first verified example of the Claimant's phone being hacked. It is alleged that he was targeted by the Kingdom of Saudi Arabia using Pegasus spyware on several occasions between 2018 and 2021.

Dr Tamimi comments: I was hacked with Pegasus spyware while I was in touch with Mr Khashoggi, most likely with a view to silencing a brave and widely respected journalist. This deliberate and evil act shows that the regime will stop at nothing to crush free speech and the human rights of those who criticise it. We will bring these matters into the light and believe that justice will prevail in the end. Siobhan Allen, senior lawyer with GLAN and consultant solicitor at Bindmans LLP, said: Powerful spyware is being silently deployed across borders by authoritarian states targeting human rights defenders who expect to be able to conduct their important work safely in the UK. The English courts need to recognise that this should not have happened and cannot be allowed to continue with impunity. Tayab Ali, partner at Bindmans LLP, specialist in international human rights law, and one of the lawyers representing the Claimants, said: The use of spyware by states to unlawfully breach the privacy of human rights activists, journalists, and politicians is a new and developing threat to all our rights and freedoms. The fact that this spyware has been used by foreign states in the UK is such a serious breach of national security that it should be of major concern to the UK government and security services. Not only should the courts deal with this, but the government should hold a Public Inquiry to establish exactly how this could have been allowed to happen.

### **Abuse and Corruption Hotline to be launched by the Met**

Read more: Lauren Terrell, Justice Gap: The Met have faced a series of recent scandals involving the strip-searching of children, the murder of Sarah Everard, and pictures of Bibaa Henry and Nicole Smallman being shared after their murder. As a result, an anonymous abuse and corruption hotline is to be launched by the force. The line will be run by Crimestoppers, and will allow people to report officers for corruption, abuse and breaches of trust. Met Police officers have recently been convicted of sex crimes, theft, and assault. Racist and misogynistic messages being exchanged by police working at Charing Cross were discovered by a police watchdog, causing mass outrage earlier this year. The Met's previous anti-corruption system was found to be 'not fit for purpose', and on many occasions officers and staff walked free after committing offences or engaging in misconduct.

Head of the anti-corruption and abuse command, Commander James Harman, expressed concern that the hotline could 'further erode trust in the Met as more allegations come to light', but acknowledged that confronting the issues was the correct approach 'to improve and rebuild the public's trust rather than hide from it.' The hotline is intended to allow the public to report instances of corruption, abuse, or other breaches. These behaviours people are advised to report include the trading of police information or influence in exchange for money or favours; using police powers for sex and personal benefits; physical or emotional abuse or control of other people; and any racist, homophobic, or misogynistic behaviour.

Anonymous reports can be made 24/7 to the free 0800 085 0000 number. Once the information is reported, it will be passed to a team for assessment and, if deemed necessary, will then be passed on further to detectives for an investigation into the incident.

### **Drugs & Alcohol Main Causes of Homeless People Dying**

*Russell Webster:* One of the saddest data sets is the Office of National Statistics bulletin on the deaths of homeless people. Released 24th November 2022 covered the 741 deaths of homeless people in England and Wales which were registered in 2021. This figure represents an increase of 7.7% (or 53 deaths) from 2020. The latest figure is more in line with pre-pandemic levels following a notable fall in 2020, although it's too early to say whether this is a resumption of an upward trend in homeless deaths. Before looking at the figures in more detail, I find it salutary to remind myself that every death of a homeless person is a tragedy with very many being preventable.

Main findings: As we have seen, there were an estimated 741 deaths of homeless people in England and Wales registered in 2021, with a 95% confidence interval of 658 to 824 estimated deaths. For those wondering how the ONS defines homelessness for these statistics, their definition does not align with other government definitions as the statisticians rely on death records. The records they identify as relevant are mainly people sleeping rough, or using emergency accommodation such as homeless shelters and direct access hostels, at or around the time of death. The main findings include: Almost two in five deaths of homeless people were related to drug poisoning in 2021 (259 estimated deaths; 35.0% of the total number), consistent with previous years. There were an estimated 99 suicide deaths and 71 alcohol-specific deaths, accounting for 13.4% and 9.6% of deaths respectively. There was estimated to have been 26 deaths (3.5% of the total) of homeless people involving coronavirus (COVID-19) registered in 2021; this was twice the number estimated in 2020 (13 deaths).

Most homeless deaths registered in 2021 were among men (647 estimated deaths; 87.3% of the total), consistent with previous years. London and the North West had the highest numbers of deaths registered in 2021, with 154 (20.8% of the total number) and 114 (15.4% of the total

number) estimated deaths of homeless people respectively. An estimated 259 deaths of homeless people registered in 2021 were related to drug poisoning, accounting for 35.0% of all estimated deaths. Alcohol-specific causes and suicide accounted for 9.6% (71 deaths) and 13.4% (99 deaths) of estimated deaths of homeless people registered in 2021 respectively. Together these three causes accounted for an estimated 57.9% of homeless deaths registered in 2021, a proportion that is consistent with previous years. Finding higher numbers of deaths among homeless people for these causes is, of course, consistent with academic studies of the health and mortality of homeless individuals. In comparison, the leading causes of death in the general population for all those aged 20 to 49 years were accidental poisoning (11.2% of deaths) and intentional self-harm and event of undetermined intent (11.8% of deaths); in those aged 50 to 64 years, the leading causes of deaths were ischaemic heart diseases (12.9%) and coronavirus (COVID-19) (12.4%). Conclusion: This is a particularly troubling set of statistics to read, in particular because we can already see the effects of removing the extra support which was put in place for homeless people during the height of the pandemic.

### **Public Opinion Against Criminalising Poverty**

New data published 30 November 2022 by Revolving Doors, the national charity working to break the cycle of crisis and crime, shows that 76% of UK adults think that rising levels of poverty will lead to an increase in crime. The majority (68%) think that rather than sending those who commit poverty-related crimes to prison, it would be better to address this financial hardship. Polling also found that the majority (65%) think that the reason why most people commit non-violent, low-level crimes is due to poverty, mental health issues, and problems with drugs and alcohol. The majority (58%) also believe that alternatives to prison should be found in these cases.

The Experience of Poverty and Prison - The report features an account by Paul (not his real name) who talks about his own experiences of ending up in prison because of a lack of enough money to live on and a lack of support with his mental health and alcohol problems: "I've been through poverty-related theft. I stole a £1.50 bottle of alcohol; I went to jail for 3 weeks. As soon as I came back out, it made me rebel even more, I wasn't in the right place. I was sent to prison three times for stealing booze when I was drunk, and my mental health was low. Did it help? Did it solve anything? No. What helped me was being diverted out of the criminal justice system and into mental health services. It was only then I found out that I had a mental health condition. My offending wasn't driven by me being mischievous, but by my unmet mental health needs. I was self-medicating because I wasn't aware of these needs, I didn't understand what was going on. Prison makes it ten times worse because you go back to even more problems. Now, with the cost-of-living crisis, it's going to be so much harder for people in that situation than it was for me back then. It will just create a vicious circle where you might end up losing your accommodation just for a £1.50 bottle of alcohol. Is it really worth it? And how much will it cost the public?"

The cost of living crisis - Revolving Doors' findings coincide with predictions that living standards will drop by 7% as the cost-of-living crisis bites. This risks pushing even more people into poverty and therefore into contact with the criminal justice system – which the UK public do not believe should be punished with a prison sentence. Even though there is clear public opposition to criminalising people who are committing low-level, non-violent crimes because they have multiple unmet needs, and despite a tightening of the public purse strings in the Autumn Budget, the government are still pushing ahead with a multi-billion pound plan to

build 20,000 new prison places. Cheaper, more effective alternatives to prison exist – particularly for those who are serving short sentences. Community sentences cost, on average, just 10% of what it costs to imprison someone for a year and reoffending rates are significantly lower. Revolving Doors is therefore calling for a total Rethink & Reset of how we approach criminal justice in the UK, calling for a 'tough on the causes of crime' stance rather than taking an entirely punitive approach to crime with a disproportionate reliance on prison, arguing that this is what the UK public want and what the public purse needs.

Conclusion: Pavan Dhaliwal, Chief Executive of Revolving Doors highlighted the key concerns at the launch of the polling results: "As the cost-of-living crisis pushes more people into poverty and therefore into the revolving door of crisis and crime, we cannot continue to waste public money on short-term, ineffective solutions, as the root causes of low-level, non-violent crime go unaddressed. We can't arrest our way out of poverty when people need access to treatment services and support. If we want to avoid immense harm, we need to rethink our entire approach to criminal justice. We agree with the UK public – we need to be tough on the causes of crime instead of imprisoning people who have no business being there in the first place."

### **Jeremy Bamber: Forensic Image Suggests a Body Was Moved by Police Unlawfully**

A leading forensic scientist has added to doubts over the conviction of Jeremy Bamber in the notorious White House Farm murders, claiming that Essex Police altered the crime scene. Philip Boyce, who has 30 years' experience carrying out high-profile investigations, claims the force 'changed the evidence' in the case. Bamber is serving a whole-life tariff for the murders of his adoptive parents Nevill and June Bamber, both 61, his adoptive sister Sheila Caffell, 28, and her six-year-old twins, Daniel and Nicholas. All were shot at the Essex farmhouse on August 7, 1985. Bamber has always said he is innocent and that Sheila, a paranoid schizophrenic, carried out the murders before shooting herself.

Now Mr Boyce says new scientific tests reveal that police could have moved one of the bodies before their official photographs were taken at the scene. In pictures, shown to the trial jury at Chelmsford Crown Court in 1986, Nevill Bamber is seen slumped over an overturned chair in the kitchen, having been shot. Essex Police and the trial judge in his summing up said three burn marks on his back had been inflicted by the hot end of a rifle, suggesting Jeremy Bamber had tortured his family. But the tests led Mr Boyce to conclude that the body was left lying against an Aga after the shooting and its handles caused the burns. His report, which has been submitted to the Criminal Cases Review Commission, states: 'This could indicate that Nevill Bamber's body had been moved somehow to the position he was photographed in after he was burned by the Aga.'

The photographs of his body shown to the jury at trial... may have been misleading.' The tests were filmed by documentary-maker Matt Harris, who said one photo also reveals another key detail. 'The kitchen door is closed, with two chairs placed in front of it.. This is the only door leading into the kitchen from outside, and this is where Essex Police entered... [they] were the only people who went into White House Farm that day and could have closed that door and placed those chairs in that way.' In a phone call from HMP Wakefield, Bamber said: 'To restage the crime scene is a moral sin. These things should have been explored 37 years ago. It's not a case of me proving or getting out on a technicality. I would like to prove my innocence through facts.'

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