

Mark Repin - Wrongfully Convicted of Murder and Arson

In 1989 (my name then was Mark Stoner) I was wrongly convicted of the Murder of Christina Bunning and Arson with intent. The offences allegedly took place at 5 East Grove Nottingham on 27 May 1988. In truth this case should never have been brought, it was built on a foundation of forgery and lies, rhetoric rather than reason, concealment not disclosure, a case poisoned from the start, by a corrupt police force who knew the truth but corrupted it, subverted it and destroyed it to convict an innocent man. There has always been a question mark surrounding the cause of the fire virtually from day one. Initially the fire brigade reported that an "electrical component fault" was the likely cause. The subsequent inquest heard evidence of that and recorded a verdict of accidental death. For months everyone thought that was the end of that. However sometime later an individual called Andrew White went to the police with the fantastic claim that I had confessed to him that I "threw or placed burning poppers on the body of Roseanna Bateman". This account is completely untrue; there isn't a grain of truth to it. Ms. Bateman who incidentally didn't corroborate the White account or for that matter claim that anything untoward occurred between us was found upstairs unconscious in the bath by fireman covered in wall paper that had fallen from the walls due to the intense heat. Her recollection was of "coming downstairs to a fire". All her clothing was found upstairs. In a statement to Pc. Newsome, Ms. Bateman also claimed to recall "letting the man out". Or Bridge, an electrical engineer, has recently identified a potential electrical fault as being a possible explanation for the cause of the fire. This in a nutshell is the case against me.

Earlier in the evening I visited the Tally Ho nightclub on Alfreton Road with Andrew White and his then common law wife Margaret Edwards. Whilst there I met three other people, Christina Bunning, Roseanna Bateman, and Samuel Bateman. I was invited to return with them to their house at East Grove for what I thought was a "party". We left at approximately 2.00 AM and stopped off at a kebab shop on the way. There I purchased kebabs and alcohol. It was my understanding that there would be other people there at 5 East Grove. When we arrived there, the four of us, went in. to the downstairs living room where we began to consume the kebabs and alcohol. There were no other people there. At that time I was on a curfew and was conscious of my vulnerability. Samuel Bateman put the stereo on quite loudly. I was concerned that the neighbours may call the police and report a rowdy disturbance. This wasn't what I anticipated when we left the Tally Ho, I genuinely thought that there would be a party. At about 3.00 AM I decided to leave 5 East Grove, the occupants had mentioned sniffing glue, which isn't really my cup of tea. I recall Roseanna letting me out of the house; I then had to negotiate a series of back streets before finally coming out on Radford Road near Gladstone Street. I phoned a taxi company for a taxi. However after waiting a seemingly inordinate length of time I flagged down a passing black and white taxi travelling along Radford Road towards the City Centre. I arrived at my mother's house at about 3.40 AM. The taxi driver who I called has in a statement admitted to have having been called to pick up someone called "Mark, who wanted to go to Arnold". At that time I was stopping at my

Mother's house in Arnold. The first 999 call to the fire brigade was at 4.51 AM. I returned to the Tally Ho the following week completely unaware of the fire. There I again met Samuel Bateman. Mr. Bateman told me about the fire and the condition of the girls. In a statement he claimed that I appeared "shocked by the news", I gave Samuel Bateman my details should the police need to speak to me. The subsequent inquest heard evidence from the fire brigade who concluded that an electrical fault in a stereo known to be faulty was the cause. The Coroner acquiesced and ruled the death as accidental: "this is yet a further example of the importance of smoke detectors. Had the house been fitted with them I am in no doubt that the occupants would have got out alive. I am further satisfied that this was an accidental death and record the verdict as such".

And that everybody thought was the end of that. Some-time later however Andrew White went to the police with the fantastic claim that I had confessed to him. To support the White account the police initially approached their preferred expert Dr. Wingad, a Home Office forensic scientist. He agreed that it was more likely that Ms. Bateman was injured in the bath having attempted to escape through the bathroom window and falling in to the bath, where she was discovered by fireman. This approach was never disclosed, and has only recently seen the light of day. The police then went to Professor Jones a Home Office pathologist, and local police expert, who agreed with the White account and gave evidence of such.

My case has now been to the CCRC on two separate occasions now. The first time followed the Bridge evidence becoming available and also evidence from Dr. Isaac, a psychiatrist, after White was convicted of indecent assault against his two nieces. Following their rejection a judicial review led to a consent order and a new investigation, with the same decision not to refer. My current solicitor believes both these investigations were flawed.

This case has been allowed to fester for a long time. What I feel I need is to import some new energy in to it, possibly a publicity campaign to bring people's awareness to this situation and pressure to bear on CCRC and others. I have a solicitor who has an almost encyclopaedic understanding of the case, who can provide more information.

Yours Sincerely, Mark Repin, HMP Warren Hill, Grove Road, Wood Bridge, IP12 3BF

Bob Woffinden Obituary

Duncan Campbell: No one did more to highlight issues of miscarriage of justice over the past three decades than the journalist and author Bob Woffinden, who has died of mesothelioma, aged 70. He was a tireless campaigner on behalf of those who he believed had been wrongly convicted, and adept at spotting the key details that might lead to their cases being referred back to the court of appeal. His books *Miscarriages of Justice* (1987) and *The Nicholas Cases: Casualties of Justice* (2016) are essential reading for anyone interested in the subject. In the tradition of Ludovic Kennedy and Paul Foot, he investigated dozens of cases on behalf of the unfairly jailed.

Born in Birmingham, the son of Joan (nee Wright), a school head cook, and Ray Woffinden, a laboratory foreman in a plastics factory, Bob was educated at King Edward VI school in Lichfield, Staffordshire, and studied politics at Sheffield University. His initial work in journalism was at the *New Musical Express*, and this led to his earliest books, *The Beatles Apart* (1981) and *The Illustrated Encyclopaedia of Rock* (1982), co-written with Nick Logan. He also wrote for the *Listener* magazine.

But already his interest was in miscarriages of justice, which were just starting to be recognised as a major problem in the criminal justice system, as a result of the cases of the

Birmingham Six and the Guildford Four. He compiled what would be the first – and remains the best – comprehensive examination of the subject, *Miscarriages of Justice*. “I wish I had written it myself,” was Kennedy’s response at the time of its publication.

Meanwhile he had moved from print journalism to television, with Yorkshire TV. As a producer of its current affairs programme *First Tuesday*, he specialised in cases involving the law and the environment. One of his films, on the 1981 Spanish “cooking oil scandal” that led to 1,000 deaths, won prizes at international television festivals. The programme exposed evidence that the real cause of the deaths was not imported cooking oils, as the authorities wanted to suggest, but pesticides used on tomatoes.

He also produced, for Channel 4, the 1992 film *Hanratty: The Mystery of Deadman’s Hill*, about the case of James Hanratty, who was executed in 1962 for the murder of Michael Gregsten in what was known as the A6 murder. He later wrote *Hanratty: The Final Verdict* (1997) and his work led to the retesting of exhibits for DNA and an unsuccessful appeal in 2002 as the results indicated that Hanratty was indeed guilty; Bob continued to believe in his innocence, arguing that, after so many years, the DNA could have been contaminated.

He was involved in many other high-profile cases. One notable success was the overturning of the conviction of a 15-year-old boy, Philip English, for the murder of a policeman in Gateshead in a “joint enterprise” case. With a colleague, Richard Webster, he helped to establish the innocence of two young nursery nurses from Newcastle, Dawn Reed and Chris Lillie, who had been wrongly condemned as child abusers in a widely publicised social services report.

Bob tried to meet the people who contacted him from prison about their cases, and he won a landmark legal victory when the House of Lords gave prisoners proclaiming their innocence the right to receive visits from journalists – something that had become, and remains, difficult. His last book, *The Nicholas Cases*, was an analysis of 10 wrongful convictions, the title coming from St Nicholas, who in Byzantine times halted the execution of three innocent men and could thus claim to be the patron saint of the wrongfully convicted. “He was a good storyteller,” said Richard Ingrams, author of *Ludo and the Power of the Book*, the recent biography of Kennedy. “I read Bob’s book and realised that things are probably worse now than they were.”

One of Bob’s characteristics was a willingness to explore controversial cases, and the book includes that of Gordon Park, convicted of the murder of his wife, Carol, who disappeared in 1976 and whose body was found in Coniston Water in 1997, giving the case its title of the “Lady in the Lake”. Park, convicted in 2005, hanged himself in prison in 2010. Bob also took on the case of Sion Jenkins, the deputy headmaster convicted of murdering his foster daughter, Billie-Jo, whose conviction was quashed in 2004.

His book *Bad Show* (2015) written with James Plaskett, suggested that Major Charles Ingram, famously accused of winning the *Who Wants to Be a Millionaire?* quiz show through the strategic coughs of an ally in the audience, was innocent. The play *Quiz*, by James Graham, which premiered last year and is currently playing in the West End, was partly based on this book.

Bob was very critical of the fact that much of the media had lost interest in investigating such time-consuming cases or even covering trials properly. “In the realm of criminal justice, the media betrays us all on a daily basis,” he wrote in an article for the *Justice Gap* last year. He continued to report prodigiously for the *Guardian*, the *Times*, the *Sunday Telegraph* and the *Daily Mail*. Behind an open and genial manner lay a steely determination which endeared him to many. To the end, he remained the most collegiate of journalists, always willing to assist, advise and share. • *Robert Woffinden, writer/campaigner, born 31/01/1948; died 01/05*

2018

Investigation Launched Into Potential Mishandling of Forensic Evidence

‘The Justice Gap’: Scotland Yard has launched an urgent review into 33 criminal investigations following allegations that a forensic scientist within the Metropolitan Police mishandled evidence. The unnamed scientist in question was suspended from her duties in March of this year for failing to ‘complete the requisite forensic examinations and in some case[s] wrongly informed investigators about the progress of forensic examinations’. It is believed that the cases in question, handled by the suspended scientist, had resulted in convictions.

A Metropolitan Police spokesperson explained: ‘We are urgently conducting a review to understand whether there is any risk to the criminal justice process and to take remedial action where necessary.’ An internal review found that, out of the 33 criminal investigations potentially affected, 21 relate to rape and sexual offences, whilst the remaining 12 relate to burglary, violence and drug offences. All these cases occurred within the period of 2012 to 2017. The spokesperson added that ‘[a]ll victims in the affected cases have been contacted, where it has been deemed appropriate to do so. In the case of the investigations into rape and sexual assaults, victims have been contacted by a Sexual Offences Investigative Techniques officer’. ‘In order to be reassured that this issue is not more far-reaching, we have completed a full audit of scientists’ workloads within the department, and are satisfied that there are no other instances of undeclared casework.’

The review has plunged forensic services into an even deeper crisis following the decision to close the publicly owned Forensic Science Service (FSS) in 2012. That decision meant police forces had to employ private services or set up in-house forensics, with the Met selecting the latter option. Since that closure, another investigation was launched into the alleged manipulation of data by the private forensics firm, Randox. In that case, it is thought that some 10,000 cases were affected nationwide. In addition, Key Forensics Services, another private forensics service provider, collapsed earlier this year potentially affecting thousands of cases.

Earlier this year, Dr Gillian Tully, the government’s Forensic Science Regulator, published a critical report into the effects of legal aid and policing cuts on the quality of forensics services (read about this here). This latest case has been referred to the Forensic Science Regulator.

Met’s Gang List ‘Chaotic’ and ‘Racially Discriminatory’, Says Amnesty

Charlotte Hughes, ‘The Justice Gap’: Police are labelling people – almost exclusively black – as potential gang members, based on vague definitions and little evidence. Amnesty International has published a damning report, called *Trapped in the Matrix*, into the little-known database of suspected gang members used by the Metropolitan police.

The report presents much evidence challenging the assumed relationship between youth violence and policing of gangs. It also reveals how the labelling of those, almost exclusively from the black community, as ‘gang nominals’ is often based on hunches and has left Britain breaking its human rights obligations. The stigma can lead to criminalisation, imprisonment, exclusion from school, eviction from home, removal of children and deportation.

The Metropolitan Police Service’s gang-mapping database, known as the *Gangs Matrix*, was launched in 2012 as part of a response to the London riots. It lists individuals with each given an automated violence ranking of green, amber or red. Some 3,806 people were on the matrix, with 5% in the red category, assessed as having the highest risk of committing violence, and 64% in the green, the lowest. The youngest person on the Matrix is 12 years old; 99% of those listed are male; and 1,500 people are on the list who police had assessed as

posing no danger of committing violence.

The findings showed that of those on the matrix, 78% were black and 9% from other ethnic minorities. This compared with the police figures stating that only 27% of those behind violence in London were black. About 13% of London's population is black. The Mayor's Office for Policing and Crime found that more than 80% of all knife-crime incidents resulting in injury to a victim aged under 25 in London were deemed to be non-gang-related.

The Met Police has said the matrix helped 'prevent young lives being lost'. Police in Greater Manchester, Nottingham and the West Midlands are understood to use similar lists.

Patrick Williams and Becky Clarke, senior lecturers at Manchester Metropolitan University, were asked by Manchester city council to profile those in gangs alongside those who had committed serious youth violence. They found that while serious youth violence occurs in all communities, the approach to policing gangs targets the black community almost exclusively. Three-quarters of those convicted of youth violence were white; nine out of 10 individuals on the Manchester gangs list were black or minority ethnic. Clarke argues in an article for the Guardian that the current practice of identifying and flagging young black men as potential gang members is a result of the the government's Ending Gang and Youth Violence policy. Therefore, there could be as many as 52 local authorities implementing such policies.

Kate Allen, Amnesty International UK's Director, said: 'It's part of an unhelpful and racialised focus on the concept of gangs. Put simply, it's the wrong tool for the wrong problem... The entire system is racially discriminatory, stigmatising young black men for the type of music they listen to or their social media behaviour, and perpetuating racial bias with potential impacts in all sorts of areas of their lives.' Allen said Amnesty had stumbled on to the problems during discussions with officers about the increasing role technology was playing in law enforcement. She said Met officers had alerted Amnesty International by expressing their own concerns over the tactic. One Met Police officer told them: 'Gangs are, for the most part, a complete red herring... fixation with the term is unhelpful at every level.'

The charity's report found a 'chaotic and inconsistent' approach to adding individuals to the matrix between London boroughs. Police gather various intelligence including history of violent crime, entries on social media and information from bodies including local councils. They then use a secret algorithm to calculate a risk of harm score. Amnesty claimed the Met was putting people on the matrix in some cases because it mistook cultural preferences, such as the music people listened to or shared, for criminality. It also claimed officers were using social media networks without a warrant to gather intelligence from those under suspicion.

The report warned that there is a very low threshold for getting added to the Matrix, with only two pieces of 'verifiable intelligence' without a clear guidance or criteria being needed. There is a very wide discretion given to both police and various other partner agencies – including housing associations, job centres and youth services – resulting in people who have never been involved with violent crime being registered.

Haphazard: The concept of a gang member is vague and based on racialised notions, Amnesty's report finds. This means that the gang label is haphazardly used. Even being a victim of a crime can mean that the individual is placed on the matrix. If the police link the crime to a gang it is viewed by the Metropolitan Police as an indicator of a likelihood of 'subsequently becoming drawn in to involvement in serious crime'.

These uncorroborated assumptions and the stigma of suspicion or guilt related to inclu-

sion on the Matrix then stay, appearing as 'flags', on the systems of a range of partner agencies with a wide range of local services. The practice of issuing of eviction notices has been described as a routine tactic used to put pressure on a 'nominal'. In Manchester, there has also been an increased use of 'threat to life' notices; one consequence of these can be the removal of children from the family home.

Officials reported to Amnesty a general pressure from the police in the Gangs Units to 'keep people on' the Matrix in case they later went on to commit a violent offence. The report found the processes surrounding review of inclusion on the Matrix inadequate given the sensitivity of the data held. James Dipple-Johnstone from the Information Commissioner's Office said: 'We are in contact with the Metropolitan Police Service as part of an investigation into their use of a gangs database.' In practice, the label is disproportionately assigned to black men and boys, even where an individual's offending profile is otherwise the same as a white individual who is not so labelled. Amnesty claims this reflects a historic pattern of over-policing of Black, Asian and minority ethnic (BAME) communities. Stafford Scott, from The Monitoring Group, a campaigning organisation which challenges racism in policing, argues that the Gangs Matrix is counterproductive and further erodes trust in and the legitimacy of the police. He argued: 'It doesn't work, it just further marginalises this group of kids.'

Facial Recognition is Not Just Useless. In Police Hands, it is Dangerous

Martha Spurrier director of Liberty: Science fiction is often a precursor to science fact. Some of the best dystopian novels and films are set in a nightmarish world where the state can follow you everywhere you go, as your face flashes up a match on a population-level database. Now facial recognition is here for real. The police are scanning thousands of our faces – at protests, football matches, music festivals and even Remembrance Day commemorations – and comparing them against secret databases. The only difference is that in the books and the films it always worked. Yesterday, Big Brother Watch published the results of its investigation into police use of facial recognition software. It revealed that the Met's technology is 98% inaccurate. This hasn't come as a big surprise to us at Liberty. When we were invited to witness the Met's trial of the technology at Notting Hill carnival last summer, we saw a young woman being matched with a balding man on the police database. Across the Atlantic, the FBI's facial recognition algorithm regularly misidentifies women and people of colour. This technology heralds a grave risk of injustice by misidentification, and puts each and every one of us in a perpetual police lineup.

Facial recognition exists in a regulatory vacuum. It doesn't come under the same regulatory framework as camera surveillance and other biometric data such as fingerprints and DNA. Parliament hasn't ever debated it. And automated facial recognition technology isn't passive, like CCTV. It loads surveillance cameras with biometric software to create maps of people's unique facial characteristics in real time. These are then measured and matched to images stored elsewhere. Although it is talked up as being needed to keep us safe from crime, the database against which thousands of people's faces were compared at Remembrance Day commemorations at the Cenotaph last November was compiled of people who had shown obsessive behaviour towards particular public figures – none of whom were wanted for arrest, and all of whom were engaging in lawful behaviour.

This is just the tip of the iceberg of what can happen when invasive technology exists with no law governing it and no oversight of its use. It's policing without constraint, not policing by consent. The police say Tony Porter, the surveillance camera commissioner, is tasked with keeping an eye on them – but he's not. In fact, the commissioner has just said that Home Office delays in setting out a strategy for facial recognition have left the police to their own devices. With no legislation, guidance, policy or oversight,

facial recognition technology should have no place on our streets. It has chilling implications for our freedom. Every single person who walks by these cameras will have their face – their most identifiable feature – scanned and stored on a police database. There is no escaping it – especially when you don't know it's happening. And if you are one of the unlucky ones who is falsely identified as a match, you might be forced to prove your identity to the police – or be arrested for a crime you didn't commit. It's not hard to imagine the chilling effect its unrestricted use will have. Constant surveillance leads to people self-censoring lawful behaviour. Stealthily, these measures curb our right to protest, speak freely and dissent. They shape our behaviours in ways that corrode the heart of our democratic freedoms.

And even more perniciously, this technology is most dangerous for the people who need it the most. Technology that misidentifies women and people from ethnic minority communities disenfranchises people who already face inequality. If the history of the civil rights movement teaches us anything, it's that protest can bring about social change. The people most likely to be wronged by the facial recognition technology being rolled out in our public spaces are the people who need public protest the most. The government's defence is that the technology is "evolving". But that doesn't wash when it is having a real and unjust impact on people in the here and now. There is an increasing pattern of British police "trailing" new tools and tech – such as fingerprint scanning and spit hoods – that suddenly become the norm without so much as a robust assessment of the trial or a public debate. This must stop now. On Monday the information commissioner, Elizabeth Denham, said that if the Home Office and the police forces do not address her concerns about the use of facial recognition technology, she will consider taking legal action to ensure the public is protected. Liberty will be right behind her.

Extradition Case to be Referred to CJEU Over Possible Impact of Brexit

Daniel Hickey, Irish Legal News: A High Court judge will refer the case of a man wanted in Northern Ireland on a murder charge to the Court of Justice of the European Union (CJEU) for determination on the impact of Brexit on extraditions to the UK. The man is facing charges of murder and rape in Northern Ireland and was arrested in Dublin over two years ago. Last Thursday 12/05/2018, counsel for the Justice Minister, Robert Barron SC, requested that Ms Justice Aileen Donnelly refer the case to the CJEU and that the case be dealt with urgently.

Eight other cases of men wanted by authorities in the UK were also being dealt with under the application yesterday. Ms Justice Donnelly said that having carefully considered the matter she would refer the man's case to the CJEU. She said that the issue of Brexit was "bound up with issues of mutual trust" and asked counsel to prepare a draft reference by Wednesday. In February, the Supreme Court had referred another extradition case, that of 51-year-old Thomas Joseph O'Connor, who is wanted in the UK in connection with a £5 million tax fraud, to the CJEU.

Man Convicted of Historical Rape Wins Appeal Against 'Excessive' Nine-Year Sentence

Scottish Legal News: A man who was sentenced to nine years' imprisonment after being found guilty of historical sex offences which included the rape of his younger sister and a cousin when he was a teenager has had his custodial term reduced following an appeal. The High Court of Justiciary Appeal Court quashed the original sentence and imposed one of six years after ruling that the trial judge's disposal was "excessive", having regard to the appellant's age at the time of the offences, the 40-year period since without re-offending and the "low risk" to the public. Lord Menzies and Lord Turnbull heard that the appellant "HM" was convicted after trial at Glasgow High Court of three serious charges, which were committed when he was aged between 13 and 17. The first was of lewd, indecent and libidinous practices and behaviour towards his younger sister between May 1971 and May 1975 at a time when she was aged between four and about seven or almost eight; second,

of rape of the same younger sister on one occasion between the same dates; and third, rape of a younger cousin of his on various occasions between November 1973 and November 1976 when she was aged between three and six. The trial judge, having obtained a criminal justice social work report and having heard mitigation on behalf of the 59-year-old, stated that if the charges had been sentenced individually the sentences would have been four years for the first charge and six years imprisonment for each of the second and third charges but that taken together this would have resulted in a total sentence of 16 years which he considered would be an "excessive penalty".

He therefore imposed a cumulo sentence of nine years' imprisonment in respect of the three charges. 'Excessive penalty' But the appellant challenged the total sentence imposed, arguing that it was "excessive". In his sentencing statement the trial judge observed that the sexual abuse of children was "abhorrent" and that rape was at the most serious end of the scale of sexual offences. He went on to say that anyone who committed such an offence had to expect to receive a "significant custodial penalty" whenever they were brought to justice. The appeal judges agreed with those views, and also agreed that a cumulative total of 16 years would have been an "excessive penalty" and that he was correct to impose a lower cumulo sentence. However, what the trial judge did not do in the course of his sentencing statement, nor in his report to the appeal court, was to make any reference to the case of Paul Greig v HM Advocate 2013 JC 115, in which the court gave authoritative guidance as to how a judge should approach sentencing an adult for an offence committed whilst a child, what weight should be given to the appellant's age at the time of the offence, the appellant's behaviour in the intervening period and also what weight should be given to the need for future protection of the public - matters that had already been covered by the court in the case of L v HM Advocate 2003 SCCR 120.

'Low risk' of re-offending. The appeal judges reiterated that the offences of which the appellant was convicted were "abhorrent and serious crimes", but held that the cumulo sentence imposed was "excessive". Delivering the opinion of the court, Lord Menzies said: "In the present case, the criminal justice social work report adopted three methods of risk assessment to assess the risk presented by the appellant. These resulted in an assessment of a minimum risk in one of them and of low risk in each of the other two methods of assessment. "It does not appear that the trial judge in reaching the cumulo sentence of nine years imprisonment has had sufficient regard to the period of over 40 years during which the appellant has not re-offended or come to the attention of the authorities and in which he appears to have led a pro-social life, being fully employed and forming part of the community in which he lived. The cases of Greig and L in which the original sentence in each case was reduced from eight years imprisonment to five years imprisonment can be distinguished from the appellant's circumstances in the present case because it does appear that the appellant continued to offend in relation to his young cousin in relation to the third of these offences when he was a rather older teenager until the age of 16 or 17 whereas for example in Greig the offences were committed when the appellant was aged 14 and 15. Having regard to all of the circumstances in this case, including the guidance given in Greig, the fact of the long intervening period of responsible adulthood and the assessment that there is a low need for the public protection, we consider that the cumulo sentence imposed by the trial judge was indeed excessive. We shall accordingly quash that sentence." However," he added, "we reiterate that these were abhorrent and serious crimes and that has to be reflected in the sentence of this court. We shall accordingly impose a cumulo sentence in respect of all three charges of six years imprisonment to date from the same date as the sentence imposed by the trial judge."

'Tragic and Appalling' Levels of Self-Inflicted Deaths and Self-Harm HMP Nottingham

The Chief Inspector of Prisons, Peter Clarke, has published an inspection report of HMP and YOI Nottingham. The inspection, which was announced in advance, was carried out between 8-11 January 2018. This report follows the first 'Urgent Notification' issued by the Chief Inspector in January 2018, which brought serious concerns about the prison directly to the attention of the Secretary of State. Within the report, the Chief Inspector notes that the levels of self-inflicted deaths and self-harm at the prison were both 'tragic and appalling'.

The report also raises the following concerns: Only two out of 13 recommendations made in 2016 in the area of safety had been fully achieved: Levels of violence remained very high and not enough had been done to address the causes: The use of force against prisoners had increased considerably: There had been eight self-inflicted deaths in the previous two years, which had drawn significant external criticisms of the care provided to some of these prisoners. Repeated criticisms related to these deaths made by the Prisons and Probation Ombudsman (PPO) had not been adequately addressed. In a damning observation, the Chief Inspector said 'The record of failure, as set out in this report, cannot be allowed to continue. For too long prisoners have been held in a dangerous, disrespectful, drug-ridden jail. My fear, which may prove to be unfounded, is that some could face it no longer and took their own lives'.

Deborah Coles, Executive Director of INQUEST said: "The fact that this is the third consecutive report to be raising serious safety concerns begs questions about the accountability of the prison service, ministers and government. If this was any other institutional setting it would be closed down. Warnings from coroners, inspection and monitoring bodies about the lamentable failings in care have been systematically ignored. Far too many recommendations from the previous Inspectorate report have still not been implemented, which for a prison in crisis is a disgrace. The cost paid by this inaction is a system that is breaking prisoners to the point where they are taking their own lives. This is a broken prison within a broken system. Deaths will continue until there is a drastic reduction in the use of prison."

HMP & YOI Nottingham, a local prison holding just over 1,000 adult and young adult prisoners, was inspected in early January 2018, our third such inspection since 2014. In contrast to our usual practice of arriving unannounced, this inspection and indeed the previous one in 2016 were both announced well in advance. Notice of an impending inspection provides a useful opportunity for a prison to focus on improvement or the completion of earlier recommendations. It was, therefore, extraordinary that over the course of these three inspections the prison had consistently failed to achieve standards that were sufficient in any of our four tests of a healthy prison. Most concerning of all was that at all three inspections we judged outcomes in safety to be poor, our lowest assessment, and at this inspection we found that only two out of 13 recommendations made in 2016 in the area of safety had been fully achieved. We can recall only one other occasion when we have judged safety in a prison to be poor following three consecutive inspections.

This persistent and fundamental lack of safety, taken together with an overall lack of improvement from previous poor inspections, caused me on 17 January 2018 to write to the Secretary of State for Justice (see Appendix IV) and for the first time invoke the new urgent notification protocol. In this letter set out, publicly, our significant concerns regarding the treatment and conditions for prisoners in Nottingham. The protocol requires the Secretary of State to respond publicly within 28 days, setting out how outcomes will be improved in both the immediate and longer term. The Secretary of State wrote to me on 12 February 2018 and his action plan was published on the same day (see Appendix IV).

As I set out in my letter of 17 January, our findings at Nottingham in recent years tell a story of dramatic decline. I also referred to the seeming intractability of problems at this prison. A concern, and sadly no surprise to me, was the very poor response by the prison to the recommendations we made in 2016. The details and consequences of this failing are referred to and evidenced throughout this report. This prison will not become fit for purpose until it is made safe. It was clear from our evidence that many prisoners at Nottingham did not feel safe. In our survey, 40% told us they felt unsafe on their first night, 67% that they had felt unsafe at some point during their stay in Nottingham and 35% told us they felt unsafe at the time we asked them, during the inspection itself. Well over half of respondents reported bullying or victimisation in one form or another. Reported violence had not reduced since our last visit and remained high; there had, for example, been 103 assaults against staff in the preceding six months and there were numerous further reported acts of violence and poor behaviour, all of which contributed to what we considered to be an atmosphere of tension and unpredictability around the prison. Use of force had increased considerably since 2016 with, for example, nearly 500 incidents in the six months before we inspected, yet governance and supervision of such interventions were weak. The prison had been supplied with body-worn video cameras, which should have been a great support to staff, and yet because of a series of practical and administrative reasons that needed to be gripped and dealt with by managers, they were not being used.

We do not claim that the prison had been completely inactive in the face of these challenges. A new violence reduction strategy had been prepared in late 2017, there was some improved information gathering and the introduction of a key worker arrangement on E wing was showing some encouraging early signs. However, this work was fitful and had yet to have an impact. The urgent notification protocol with the Ministry of Justice states that if, during the inspection of prisons, young offender institutions and secure training centres, HM Chief Inspector of Prisons (HMCIP) identifies significant concerns regarding the treatment and conditions of those detained, HMCIP will write to the Secretary of State within seven calendar days of the end of the inspection, providing notification of and reasons for those concerns. The Secretary of State must then publish an action plan within 28 days. The prison needed to do much more to tackle the problem of drugs which, as always, was inextricably linked to violence. Again, the prison had not been completely inactive and had a drug supply reduction policy, but it was not embedded and was not effective. Well over half of prisoners told us drugs were easily available and 15% indicated they had acquired a drug problem since entering the prison. Drug-testing data showed a level of positive testing at 14.2% of those tested, rising to nearly 33% when new psychoactive substances (NPS) were included. However, testing procedures were, in our view, ineffective, which could have masked an even worse problem.

Not surprisingly, in a prison which could be defined by the prevalence of drugs and violence, the level of suicide and self-harm was both tragic and appalling. Since our previous visit, eight prisoners had taken their own lives, with four of these tragedies occurring over a four-week period during the autumn of 2017. Just a few short weeks after this inspection, a ninth prisoner was believed to have taken his own life. We were concerned that some repeated criticisms related to these deaths made by the Prisons and Probation Ombudsman (PPO) had not been adequately addressed. For example, cell call bells were still not being answered promptly. Levels of self-harm were far too high with 344 occurrences recorded in the six months leading up to this inspection. Almost a third of prisoners told us they had been the subject of assessment, care in custody and teamwork (ACCT) case management at the prison, but only 38% of these felt cared for by staff. We encourage and support the initiatives that had been started by the prison to try to drive improvement, but it was clear that any such improvement was yet to take hold.

Throughout this report, we have acknowledged where positive work was taking place. The increase in staff numbers, as was the fact that health care was reasonably good, and plans to improve mental health provision. There had been some useful work to bring more predictability to daily routines and increase the amount of activity on offer. There were also some creditable efforts to prepare men for release, which were being delivered by an effective community rehabilitation company. This progress is fully recognised but, at the same time, our colleagues in Ofsted judged that the overall effectiveness of learning and skills provision 'requires improvement', and there were significant weakness in offender management and sentence planning.

Underpinning several of the problems within the prison was the inexperience of many staff and middle managers. Our findings suggested prisoners held little animosity toward the staff body and we observed officers trying to be helpful and doing their best. However, too many staff were passive, lacked confidence in dealing with issues or in confronting poor behaviour, and prisoners did not yet see them as reliable or able to deal with the many daily frustrations they faced. It was clear to us that an urgent priority should be the creation of structures and initiatives that would ensure staff had the support and mentoring they needed to develop their effectiveness.

We were given assurances that the governor and his team had a grasp on the problems which they faced and I am hopeful that the urgent notification procedure I have invoked will galvanise Her HMPPS to provide the support the prison needs to make it an acceptable environment in which to hold prisoners. If this is to happen, there will need to be levels of supervision, support and accountability that have been absent in the past. The action plan drawn up in response to the urgent notification promises much that is welcome in terms of review, audit and analysis. However, this must all be translated into tangible action to improve the day-to-day experience, safety and well-being of prisoners. Unless this happens, I fear that progress will be neither substantial nor sustainable. In our report we have not sought to burden the prison with an excessive number of detailed recommendations, and would emphasise our eight main recommendations at the front of this report. These prioritise safety, including violence reduction, use of force, drugs and safeguarding issues. We look for improved support for inexperienced staff and managers, and better communication with prisoners, a far better regime and more attention to offender management.

To conclude, this was yet again a very poor inspection at Nottingham that left me with no alternative but to bring matters directly to the attention of the Secretary of State by invoking the urgent notification procedure. The record of failure, as set out in this report, cannot be allowed to continue. For too long prisoners have been held in a dangerous, disrespectful, drug-ridden jail.

Peter Clarke Chief Inspector of Prisons, March 2018

Early Day Motion 1278: PCS Union Report - An Alternative Vision For Prisons

That this House notes the new report, An Alternative Vision for Prisons, from the Public and Commercial Services union which draws on its members' experience of working in prisons; further notes the report's recommendations for strengthening the purpose of prisons as places of reform and rehabilitation to help offenders turn their lives around; believes that giving prisoners meaningful work and training plays an essential part in rehabilitation and reducing reoffending; further believes that HM Prison and Probation Service instructional officers are best placed to deliver training workshops that are tailored towards prisoners' individual needs; considers that, as part of a broader plan that addresses prison staff shortages and overcrowding, the report's recommendations will benefit both the prison system and society as a whole; and calls on the Government to adopt the proposals put forward in that report.

Wrongful Imprisonment Sheds Light On Slow Justice In Pakistan

Asma Nawab spent two decades in jail, wrongfully accused of murdering her family. Finally acquitted, she is seeking a new life, free from whispers and memories, as her plight draws fresh questions over Pakistan's woeful justice system. Nawab was just 16 years old when someone slit the throats of her parents and only brother during an attempted robbery at their home in Pakistan's chaotic port city of Karachi in 1998. With the killings dominating headlines, prosecutors pushed for swift justice in a 12-day trial that ended with a death sentence handed to Nawab and her then-fiance. The next 20 years were "very painful", Nawab, now 36, says tearfully. At first the other inmates were sceptical at her protests of innocence, but eventually she formed a new "family" of women -- some convicted of kidnappings, others of murders. They supported one another when progress on their cases was poor, or family neglected them. "We would cry on Eid and other festivals... It was very painful. I would feel it intensely" when relatives failed to visit, she said through sobs. "Only once my uncle came to see me." Though her trial was speedy, her appeal moved at a glacial speed through Pakistan's creaky justice system. It was not until 2015 that her lawyers petitioned the Supreme Court, which -- after a three-year hearing -- ordered Nawab released due to lack of evidence last month. The verdict of this case was given in 12 days but it took 19 and a half years to dispose of the appeals," her lawyer Javed Chatari told AFP. Nawab said the acquittal left her stunned. "I really couldn't believe it," she told AFP. The verdict left her "perplexed", she said, and she struggled to understand what would come next. "How would I face the world after living so long in jail?" Stories like Nawab's are common in Pakistan, where the judiciary lacks the capacity to cope with the country's surging population and an expanding case load, resulting in a mammoth backlog. In 2017 alone, there were more than 38,000 cases pending in Pakistan's Supreme Court in addition to hundreds of thousands awaiting trial across the judiciary, according to a Human Rights Commission Pakistan report released in April. Rampant corruption in Pakistan's police force also means the wealthy are able to bypass the law, while deep-seated patriarchy means women in particular face an uneven playing field in the justice system. "Unequal power structures allow for people with advantage -- money or power -- to rise above the law. For the poor, the system is sluggish and sometimes is so weak that it is safe to label it as almost non-existent," said lawyer Benazir Jaoti, who specialises in women's legal and political empowerment in Pakistan. "Within the system, women are one of the groups of people that are significantly disadvantaged, it being a patriarchal society and a patriarchal system." Even when the system finally comes through, as it did with Nawab's acquittal, that is usually as far as it goes, leaving those whose lives have been dismantled to repair the damage with little or no support.

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