

### **£1.6million Damages for Eight Wrongful Convictions**

Mail Online

Eight people who were found guilty of being part of an IRA kidnapping gang have been awarded £1.6million by the Government after their convictions were quashed, it was reported last night. The convictions of the seven men and a woman were overturned because the role of a high-level British agent, codenamed Stakeknife, was hidden from the courts at the time of the trial. Stakeknife was exposed as agent Freddie Scappaticci in 2003. He is now in hiding. The defendants were on trial for the imprisonment of an informer, Alexander 'Sandy' Lynch, 25 years ago. The Northern Ireland Appeal Court quashed their convictions in 2009 after seeing secret intelligence files. A spokesperson for the Northern Ireland Office said: 'These payments had to be authorised as a result of legislation which had ceased to be fit for the purpose of defining a miscarriage of justice, following a decision by the Court of Appeal in 2008 and a Supreme Court judgment in 2011. 'We fully understand and share the public concern and anger there will be over this. That is why the Government acted decisively last year to tighten the law to make it more difficult for these cases to succeed in future. The law now makes very clear that only in cases where newly discovered facts show beyond reasonable doubt that the person did not commit the offence will an applicant be eligible for compensation.'

### **US: Police Impunity and the 'Crisis Of Racial Injustice'**

UN News Centre

The legacy of slavery, post-Reconstruction 'Jim Crow' laws and racial subordination in the United States remains a "serious challenge" as there has been no real commitment to recognition and reparations for people of African descent, a United Nations expert panel said today in Washington D.C., at the end of its second official visit to the country. "Despite substantial changes since the end of the enforcement of Jim Crow and the fight for civil rights, ideology ensuring the domination of one group over another continues to negatively impact the civil, political, economic, social, cultural and environmental rights of African Americans today," said human rights expert Mireille Fanon Mendes France, who currently heads the group of experts, who added that: "We understand these changes are part of a larger effort to pass criminal justice reforms now pending in Congress, and a lot more needs to be done." Indeed, the experts found that contemporary police killings and the trauma it creates are reminiscent of the "racial terror and lynching" of the past. Impunity for state violence has resulted in the current human rights crisis and must be addressed as a matter of urgency, they said.

From 9 to 29 January, a delegation of the UN Working Group of experts on people of African descent visited Washington D.C., Baltimore, the town of Jackson, Mississippi, Chicago, and New York City, to address current concerns, and assess progress made in the fight against racial discrimination, 'Afro-phobia,' xenophobia, and protecting and promoting the human rights of African- Americans. The Working Group of Experts on People of African Descent, visiting delegation, which also included human rights experts Sabelo Gumedze and Ricardo A. Sunga III, welcomed various efforts undertaken by the Government to address the issue, like a ban on solitary confinement for juveniles in the federal prison system announced this week. The Group noted that the US has a growing human rights movement which has successfully advocated for

social change. Following the epidemic of racial violence by the police, civil society networks calling for justice together with other activists are strongly advocating for legal and policy reforms and community control over policing and other areas which directly affect African Americans.

However, the experts expressed serious concerns about the police killings, the presence of police in schools, and violence targeting the African American community with impunity, and racial bias in the criminal justice system, mass incarceration and the criminalization of poverty which disproportionately affects African Americans. During its 11-day mission, the Working Group's delegation heard from civil society, researchers and families of victims of police killings about racial discrimination and Afro-phobia. "The persistent gap in almost all the human development indicators, such as life expectancy, income and wealth, level of education, housing, employment and labour, and even food security, among African Americans and the rest of the US population, reflects the level of structural discrimination that creates de facto barriers for people of African descent to fully exercise their human rights," Ms. Mendes France stressed.

The human rights experts met representatives of the Government at the federal and the state levels, and the US Congress and Senate, as well as hundreds of civil society organization representatives, lawyers and human rights activists from more than 20 states who had gathered in the different cities. The Working Group regretted however that it did not receive access according to the terms of reference for special procedure mandate holders to visit Mississippi State Penitentiary Parchman. It also regretted that it was not possible to meet with all of the high-level state and local-level authorities requested. Among other activities, they also promoted the International Decade for People of African Descent, which runs from 2015 to 2024 and aims both to highlight the contribution of people of African descent to societies and strengthen national, regional and international cooperation to ensure the human rights of people of African descent are respected, promoted and fulfilled. The Working group will present a report containing its findings and recommendations to the Geneva-based UN Human Rights Council in September 2016. Independent experts or special rapporteurs are appointed by the Council to examine and report back on a country situation or a specific human rights theme. The positions are honorary and the experts are not UN staff, nor are they paid for their work.

### **UK: Racial Bias and BAME Representation In Criminal Justice System**

The Prime Minister has asked David Lammy MP to lead a review of the Criminal Justice System in England and Wales to investigate evidence of possible bias against black defendants and other ethnic minorities. With significant overrepresentation of Black and Minority Ethnic (BAME) individuals in the Criminal Justice System, the review will consider their treatment and outcomes to identify and help tackle potential bias or prejudice. David Cameron said: If you're black, you're more likely to be in a prison cell than studying at a top university. And if you're black, it seems you're more likely to be sentenced to custody for a crime than if you're white. We should investigate why this is and how we can end this possible discrimination. That's why I have asked David Lammy MP to lead a review of the over-representation of defendants from black and ethnic minority backgrounds in the criminal justice system. And this will include examining possible sentencing and prosecutorial disparity.

The Rt Hon David Lammy MP said: I've been working in this area for almost two decades and am very pleased to accept the Prime Minister's invitation to lead this comprehensive, independent review across our criminal justice system. With over a quarter of the prison population coming from a BAME background the urgency here is clear. I look forward to leading a team that will evaluate what

works in the UK, draw on lessons from abroad and listen to a broad range of voices from the justice system and our BAME communities. At present, BAME individuals currently make up over a quarter of prisoners - compared to 14 per cent of the wider population of England and Wales.

Latest figures also show that BAME people make up a disproportionate amount of Crown Court defendants (24%), and those who are found guilty are more likely to receive custodial sentences than white offenders (61% compared to 56%). The review will address issues arising from the point of arrest onwards, including through the court system, in prisons and during rehabilitation in the wider community, in order to identify areas for reform and examples of good practice from the UK and beyond. Reporting back in Spring 2017, David Lammy has been asked for recommendations to ultimately reduce the proportion of BAME individuals in the Criminal Justice System and make sure that all suspects and offenders are treated equally, whatever their ethnicity.

Commenting on the review the Lord Chancellor and Justice Secretary, the Rt Hon Michael Gove MP, said: An effective justice system depends on procedural fairness. Equality of treatment at every stage in the criminal justice process is essential. I am very pleased that David, a politician whose intellectual honesty I have long admired, and who is not afraid to confront uncomfortable truths, is pursuing this important work. David Lammy will be supported by a secretariat from the Ministry of Justice and a panel of expert advisers. They will meet regularly and are expected to submit a final report to Ministers by spring 2017. David Lammy is MP for Tottenham and has served as chair of the All Party Parliamentary Group on Race and Community since 2010. A former Minister of State, he qualified as a barrister in 1995. Lammy received cross-party praise for his work on the 2011 London Riots and authored the book "Out of the Ashes: Britain after the Riots in 2011".

#### **News From Safari – Support Group for Those Falsely Accused**

*Richard Carr* (56) Has Been Cleared of 41 fraud and theft charges after TWO trials collapsed. It was alleged that Mr Carr and others had committed a host of offences, including mortgage fraud, theft of corporate funds, concealment of bankruptcy assets and breaches of a Bankruptcy Restrictions Undertaking, involving the operation of nightclubs and other businesses. A spokesperson from Dorset Police said that: "No evidence was offered in both trials as disclosure issues were raised, and the prosecution therefore considered it appropriate to discontinue with the cases." SAFARI sees a lot of cases either collapse at trial or go on to win appeal as a result of "disclosure issues", such as the prosecution's failure to disclose all evidence to the defence before trial, so it's worth checking in your own case whether the withholding of key evidence helped to achieve a wrongful conviction against you, and then bring this to the attention of your appeal solicitor. The prosecution are required by law to provide the defence with any evidence of which they are aware which might undermine the prosecution. Failure to provide this is a serious matter.

*Joshua Longbottom* (26) & *Peter Simpson* (30) have been acquitted of violent disorder and assault occasioning actual bodily harm as the judge at trial said the evidence could no longer sustain the allegation. Longbottom was accused of assaulting a police officer and Simpson was accused of trying to prevent Longbottom's arrest. They both denied the charges against them and argued they were "acting instinctively" to protect themselves. They were part of a peaceful protest. Longbottom claimed he was shoved by a police officer and then thrown to the floor. Simpson said he saw Longbottom on the floor and believed he was being attacked. "I was concerned by the level or force being used by police officers." Simpson later said "I knew that we both weren't guilty. We were treated as guilty until proven innocent and that shouldn't be the way things work."

*Ross Hutchinson* (39) Is Considering taking legal action against the police after spending a year and £15,000 on legal costs proving that four sheep that he was accused of stealing actually belonged to him. The case against Ross Hutchinson, who farms at Egglestone, near Barnard Castle, was thrown out of Durham Crown Court after his defence team produced DNA evidence confirming the sheep were his own. He was originally arrested in front of TV cameras filming BBC show Countryside 999 and his arrest was aired on national television. Mr Hutchinson's solicitor, Simon Catterall, of Jacksons in Middlesbrough, said it was believed police were "seriously distracted" by filming the television show. "Certainly if as much attention was given to the evidence as to the cameras the case would have folded a long time ago," he said. "The DNA testing proves that these sheep were Mr Hutchinson's all along. The case should never have reached court. The DNA evidence proved he owned the father of the allegedly stolen sheep." This is another example of being considered "guilty until proved innocent".

*Jake Seaton* (22) Has Had His Conviction for stealing fuel quashed after an Appeal Court judge ruled that crucial identification evidence should have been "excluded" from the original trial. CCTV was available which showed the suspect, and a still from that footage was circulated around the police station in the hope that an officer might recognise the suspect. The prosecution claimed that Mr Seaton was the man depicted in the still and had been recognised by a police officer who had had previous dealings with him. The image, however, was of poor quality and there had been breaches of the Police and Criminal Evidence Act (PACE) code including a failure to take a contemporaneous note of the identification and to record the reasons for the recognition. It was ruled that the identification evidence should have been excluded and a defence application to throw out the charge should also have succeeded. Lawyers for the Crown later confirmed there would be no application for a retrial.

*Track Your Movements!* We received an Email from a SAFARI reader saying that they had been falsely accused of being in Hereford while their probation licence conditions forbid them being in that area. Luckily, they had actually been shopping in Bristol and could provide a purchase receipt proving this fact. CCTV also then confirmed this. In this case, a simple shop receipt avoided an extra 28-day prison sentence for breach of licence. Lesson: always keep proof of where you've been (and when) by keeping receipts and keeping track of your daily movements. If necessary, go out of your way to buy a pack of mints ... just to get the receipt.

*About to be Released from prison?* If so, study your licence conditions and note any that are 'vague'. Then write to your probation officer and ask for clarification in writing. If you are not allowed to enter a 'park', ask for a specific definition of the term 'park' (for example: Open area with play equipment? Open area with no play equipment? Car park? National Park? Country park? Industrial park?) If you can't visit a certain area, find out whether that also means you can't travel through the area on a journey elsewhere, for example if a railway line or motorway passes through it. A written answer from Probation helps you ensure you won't unwittingly breach your licence.

*Emma Burt of the University Of Oxford* is conducting doctoral research into the prison experience and coping mechanisms of those claiming wrongful conviction. She is looking for current prisoners who are seeking to overturn their conviction to take part in her study, and has asked SAFARI whether any of our readers might be interested in becoming involved. The research aims to understand the lives and experiences of prisoners claiming wrongful conviction, and appreciate the consequences that these claims can have. Participants will be asked to write an account of their experiences. A list of headings / questions will be provided to guide participants, although there will be plenty of space for them to tell their own story in their

own way. These questions will relate to attitudes, relationships, coping strategies and issues related to fairness and justice. A stamped addressed envelope for participants to send their accounts will also be provided. All information will be kept strictly confidential. In order to take part, participants must be current prisoners claiming wrongful conviction in England or Wales and must have applied, or be in the process of applying, to the Criminal Cases Review Commission (CCRC). This application must be in respect of the conviction they are currently imprisoned for, and not just a review about the length of sentence. Please remember that this is a research study and Emma will not be able to offer legal advice or represent participants in any way. If you would like to take part, or know of someone else who may be interested.

*Laura Tilt of the University of Oxford* is to conduct doctorate research into the post-release experience of the wrongfully convicted as part of the university's Doctor of Philosophy (DPhil) in Criminology and Criminal Justice. Laura has told 'Safari' that she received a rather overwhelming response from people both in and out of prison and that the project is going well. There is a lot of preliminary reading and research in these early stages but it's all starting to take shape. She is now in the latter stages of finalizing participants to interview; particularly exonerees and organisations/individuals who provide postexoneration support. If you feel you can assist Laura with this project in any way, write to her. Both Emma Burt and Laura Tilt can also be contacted by post at: Centre for Criminology, Oxford University, Manor Road Building, Manor Road, Oxford, OX1 3UQ. They know each other, so if you are happy for them to share your details with each other please mention that in any communication.

#### **Forensic Watchdog Exonerates Police - But Experts Question Its Findings**

Josh Loeb - Police Oracle: Investigation by regulator sparked after evidence submitted to murder trial was deemed inadmissible by judge. Police did not exert undue influence over forensic scientists examining samples later submitted to court as evidence in a gangland murder trial, a watchdog's investigation has found. But the conclusions of the Forensic Science Regulator's (FSR) report on the case have been questioned by some in the profession, who suggest the findings could undermine the gravitas of the watchdog. The FSR was asked to examine whether the Scottish Police Services Authority (SPSA) complied with its own procedures after evidence submitted in the trial of Ross Monaghan was deemed inadmissible by a judge. Andrew Rennison, who at the time was the chief FSR, was also asked to look at whether police officers inappropriately exerted influence over SPSA reports

In 2012 Mr Monaghan was acquitted of the murder of Kevin "Gerbil" Carroll, a gangland figure who was fatally shot in an Asda carpark in Glasgow in 2010. However, Mr Rennison's findings were not published until now because of the risk of prejudicing other legal proceedings. A catalogue of errors were alleged in terms of how evidence in the case was handled - including the claim there was likely contamination of a jacket which seized by firearms officers and later analysed by the SPSA for traces of gunshot residue. When a single particle of residue was found, police requested that work be done to see if this could be linked with firearm residue recovered from cartridges found at the scene of the shooting. In court an expert witness who had been asked to voice an opinion about similarities between the two residue samples said she had been requested to frame her conclusions in the way she had by a detective superintendent involved in the murder inquiry. She also said SPSA protocol required that when the finding was of a single piece of gunshot residue, no conclusion should be drawn.

Any such conclusion would, she disclosed, effectively be meaningless.

Despite the judge saying the apparent disregarding of this protocol and intervention by the detective superintendent were "disturbing", Mr Rennison concluded that there was "nothing inherently wrong" in police requesting the comparison. He also said the SPSA's performance of the comparison was "not prohibited". However, Professor Allan Jamieson, of the Forensic Institute in Glasgow, told PoliceOracle.com this finding did not chime with the content of the report. "The issue here is that the authoritative voice of forensic science in the UK is supposed to be the FSR, but the fact of this report and what's within it undermines the credibility of that claim," he added. Others went further still, with one legal source, who did want to be named, telling the Herald the report was "whitewash". The judge's ruling about possible contamination of the jacket has sparked discussion among experts about whether chemically marked ammunition should be used by UK police to distinguish it from that which is used by criminals. Last year Angela Shaw from the Forensic Firearms Consultancy told delegates at the Forensics Europe Expo: "The largest single factor with interpretive gunshot residue is the possibility of cross contamination."

#### **Former Top IRA Official Questioned Over Birmingham Pub Bombings**

*Henry McDonald, Guardian:* Detectives investigating the IRA murder of 21 people in the 1974 Birmingham pub bombings have interviewed the Provisionals' director of intelligence at the time of the atrocity, who admitted he was debriefed after the attack. Kieran Conway confirmed he was questioned by officers from the West Midlands police counterterrorism unit in Dublin on Friday. The interview took place at Pearse Street Garda station in central Dublin under the terms of the mutual legal assistance treaties, which allow foreign police forces to question Irish citizens in the republic about crimes committed in other countries. Conway said he "again repeated his personal shame and regret over the bombings, which he described as murderous and amongst the worst atrocities committed by the IRA". Now a solicitor in Dublin specialising in criminal defence, Conway voluntarily spoke to detectives in connection with his memoir of life inside the IRA, called South Side Provisional. In the book, Conway revealed certain details about the Birmingham pub bombings to which the IRA has never officially admitted.

No one has ever been convicted in relation to the atrocity in England's second city, although six people served long sentences after being wrongly charged and found guilty of the bombings. They became known as the Birmingham six and, after a long campaign to prove their innocence, were freed by the court of appeal in 1991, having spent 16 years in prison. Conway said the Birmingham bombs were a "total disaster". He said the IRA unit responsible could not find a functioning telephone box to issue a warning in time to clear the bars in the city's Bullring area, that could have prevented the mass loss of life. For decades the IRA never publicly admitted responsibility for the atrocity but Conway said not only did the organisation bomb Birmingham but it knew the six jailed men were innocent "from the get go, from the very start".

A statement issued by Conway's publisher to the Guardian after his police interview said: "he had nothing to add to the few lines in his book and that the names of the bombers, and those who directed them, had been long in the public domain due to the work of Chris Mullin and other journalists. "He said the only additional information he could give the police was the name of the man who debriefed the then O/C and adjutant of the IRA's England command in the immediate aftermath of the bombings together with Dave O'Connell, but that he would not be prepared to do that. "Mr Conway confirmed he was present in the house where the men were debriefed for other reasons and was later told by Dave O'Connell that the bombers were unable to locate a working phone box in time to ring in a warning. During the interview, which

was attended by a British detective and which was recorded, Mr Conway also admitted he had been a member of the IRA from 1970 to 1975 and again from 1981 to 1993, when he left in protest at the IRA's acceptance of the Downing Street declaration." It added that Conway "has no fear of being prosecuted for IRA membership more than two decades ago".

Some relatives of those killed in the bombing have been campaigning through the Justice for the 21 pressure group for a fresh inquest into the murders and the reopening of one of the biggest cases of mass murder in British criminal history. Two hundred people were seriously injured, many for life, by the blasts at the Tavern in the Town and the Mulberry Bush. Those in the IRA unit responsible were sent over from Dublin and were named in a World in Action television investigation entitled *Who Bombed Birmingham?*, which set out to prove that the six imprisoned men were innocent. One of the Birmingham six, Paddy Hill, has become a strong supporter of the Justice for the 21 campaign.

Conway, who was the head of the IRA's intelligence-gathering department for a period in the 1970s, has claimed in his book that members of the Dublin establishment, including a top banker, a stockbroker, a leading journalist and several mainstream politicians, helped the Provisionals in their armed campaign. Elite figures ferried IRA weapons around in luxury cars and hid wanted activists in houses in some of the wealthiest areas of Dublin, such as Killiney, he alleged.

### **Chris Grayling Tried to Interfere With Prison Report**

*Rajeev Syal, Simon Hattenstone and Eric Allison:* The outgoing chief inspector of prisons has accused the former justice secretary Chris Grayling of attempting to remove criticisms of government policies from an independent report before its publication. Nick Hardwick said that Grayling did not want him to publish documents suggesting changes introduced by his department had contributed to poor outcomes in prisons. The claims are the strongest yet that Grayling attempted to interfere with the independence of the prison inspectorate, which has often been highly critical of conditions inside Britain's prisons. Grayling was the secretary of state for justice for three years until the 2015 general election.

In an interview with the Guardian, Hardwick said: "He [Grayling] was telling me the points he hoped I would make that were positive, and I didn't think it was his place to say that. His general concern was that I had said the lack of staff, overcrowding and some of the policy changes that he had introduced had contributed to poor outcomes in prisons. I was very clear about that, and he disagreed very strongly with that conclusion." Hardwick told the House of Commons justice select committee last week that senior MoJ officials told him they needed to sign off all specialist personnel hired to take part in prison inspections. The situation became so serious that Hardwick wrote to senior civil servants warning that he would suspend all prison inspections unless the restrictions were lifted.

The ministry has now agreed to allow the inspectorate financial independence until April, but has made no guarantees that Hardwick's successor, the former police chief Peter Clarke, will have the same freedoms. In a wide-ranging interview, Hardwick also said that asylum seekers should no longer be locked away in detention centres. "These people haven't been convicted of anything and they're detained on the say-so of a relatively junior civil servant. If you lock someone up in a detention centre you are punishing them. Even if you're trying not to run it like a prison. Even if you have the best staff in the world, it's still a prison. It should be very exceptional that you lock someone up without going before a court, and at the moment it's simply not exceptional enough," he said.

Hardwick said he has come to dislike visiting prisons and will be glad to step down from the job

in April. "If you ask me how my view has changed, and this may be another reason why I'm not sad to leave the job, I'm surprised by how much I don't like being in prison. Although I have keys and can get out at any time – and I regard myself as pretty resilient – it's the noise, the echo, the clanging, the claustrophobia, the sense that even if you've got keys you're shut in, and the unhappiness. I didn't understand the degree to which once you lock someone up, even in the best prisons for a short period of time, that is a very severe punishment indeed." He dismissed claims from some critics that prison is a soft punishment. "It's as bad as you could possibly imagine, and possibly more so. And don't think a little flatscreen telly in the corner is going to alleviate it, because it doesn't," he said.

### **Heterosexual Civil Partnership Refusal Not A Human Rights Breach**

*Adam Wagner, UK Human Rights Blog:* The High Court has ruled in the case of *Steinfeld and Keidan v Secretary of State for Education*, a human rights challenge to the law of Civil Partnerships. Mrs Justice Andrews ruled that the current law does not breach the human rights of opposite-sex couples who cannot obtain a Civil Partnership. The case arises from the odd state the law was left in after same-sex couples were given the legal right to marry in 2014. Since 2005, same-sex couples had been allowed to form "Civil Partnerships" which give them essentially the same legal rights and protections as marriage without being able to actually marry. Only same-sex couples can have a civil partnership. Civil Partnerships were a kind of half-way house; the message they sent was that the (New Labour) government wanted to give same-sex couples legal protection akin to marriage but didn't feel that society was quite ready for full marriage equality. Once same-sex couples were given the right to marry in 2014, the law was left in a bit of a mess. Same-sex couples have dual means of recognising their partnerships (Civil Partnerships and Marriage) whereas opposite-sex couples could only marry. This is clearly an unintended consequence of the winding route to marriage equality rather than any well-thought out plan. In 2014, it would have been open to the government to abolish civil partnerships altogether or permit everyone to enter into them. Instead, a "wait and see" approach was adopted.

Rebecca Steinfeld and Charles Keidan wanted to enter into a civil partnership but were prevented because they were not of the same sex. They brought a human rights case against the government saying they were being discriminated against by the current law. Mrs Justice Andrews rejected their case in strong terms. You can read the full judgment here. I recommend doing so – it is tightly argued and very clear. In cases involving the right to family and private life, there are two basic stages a judge needs to consider. First, is there an interference with the right – in other words, does the thing that is being complained about interfere with family or private life as it is defined in the European Convention and court judgments. Let's call that Gate 1. If you get through Gate 1, you then have to get through Gate 2, which is to show that the interference was not justified with reference to proportionality (did the end justify the means?) and other balancing factors which are the text of the right itself. The claimants here didn't get through the first gate. Mrs Justice Andrews accepted the government's argument that Article 8 of the European Convention on Human Rights (the right to family and private life) was not even engaged, let alone breached. Here's a key bit of the judgment explaining why:

The only obstacle to the Claimants obtaining the equivalent legal recognition of their status and the same rights and benefits as a same-sex couple is their conscience. That was the case both before and after the enactment of the 2013 Act. Whilst their views are of course to be afforded respect, it is their choice not to avail themselves of the means of state recognition that is open to them. The state has fulfilled its obligations under the Convention by mak-



ing a means of formal recognition of their relationship available. The denial of a further means of formal recognition which is open to same-sex couples, does not amount to unlawful state interference with the Claimants' right to family life or private life, any more than the denial of marriage to same-sex couples did prior to the enactment of the 2013 [Same-Sex Marriage] Act. There is no lack of respect afforded to any specific aspect of the Claimants' private or family life on account of their orientation as a heterosexual couple. Thus the statutory restrictions complained of do not impinge upon the core values under either limb of Art 8 to the degree necessary to entitle the Claimants to rely upon Art 14. The link between the measures complained of, and their right to enjoy their family and private life, is a tenuous one.

As judges usually do, Mrs Justice Andrews went on to consider "Gate 2" anyway, in case she was wrong about Gate 1. She accepted the government's argument that their approach to the issue ("wait and see") had been perfectly reasonable. Where next? Potentially an appeal. The BBC reports the couple were given permission to appeal which means they can appeal to the Court of Appeal if they choose to do so. If they do appeal, they will have to convince the Court of Appeal that there has been an interference with the right to family life (Gate 1 – certainly arguable) but also that the interference was not justified. Gate 2 will be harder. As things stand, the law is in a mess. Even if it is not a breach of human rights to refuse opposite sex couples the right to have civil partnerships, that doesn't mean it is fair or right.

#### **Does Britain Deserve its Top 10 Ranking in the Corruption Perceptions Index?**

It's an important question. On the one hand, the Prime Minister's personal commitments on corruption, the introduction of a national Anti-Corruption Plan and an improved record at the Serious Fraud Office are positive steps. These have likely contributed to the fact that UK has scored a top 10 place in Transparency International's Corruption Perceptions Index for the first time in more than a decade. But there are good reasons why people are sceptical about whether Britain really merits a top-ten ranking: overseas bribery by UK companies, the laundering of corrupt money through the City, the lax regulation and lack of transparency in British-controlled tax havens, to say nothing of corruption scandals here in the UK. And it is important to remember what this index actually measures – just perceptions, and only of corruption within the public sector.

Corruption is a global phenomenon, and no country is immune to its effect. In today's world corruption taking place in the UK will often have its biggest impact on people overseas. Money laundered through the UK means less money for schools, hospitals and infrastructure for millions of people elsewhere in the world. Corruption also damages the UK, often operating in invisible ways that tilt the system in favour of those who already have power. A steady stream of political scandals has exposed a worrying complacency at the heart of British politics. In fact, many of the recent lobbying scandals have fallen within the rules, demonstrating that the current regulatory regime is woefully inadequate.

Transparency International has identified 39 lobbying loopholes across UK political institutions that open the door to corrupt activity. The gaps need to be closed. The Prime Minister has, quite rightly, spoken out about the need to combat corruption and gained credentials on the international stage by promoting the idea that good governance should be included in the new Sustainable Development Goals. But in order to be credible, the UK must get its own house in order. In particular, the Government needs to clean up British politics and stop the UK being a safe haven for the corrupt. The Prime Minister has announced that he will host

a global anti-corruption summit this year. Many will be looking towards this event to deliver results. 2016 will be the year when we find out if the promising rhetoric turns into action.

#### **Sarah Reed - Police Brutality Victim Found Dead in HMP Holloway**

*Damien Gayle, Guardian:* A woman whose assault at the hands of police was caught on camera and led to a constable losing his job was found dead last month in her prison cell, it has emerged. Sarah Reed, 32, was on remand at Holloway prison in London awaiting trial for assault. She was arrested after an altercation while detained in a hospital in south London. The family say she was acting in self-defence. Her family are raising questions over why a woman who suffered from severe mental health problems was removed from hospital and transferred to prison where, they claim, she was denied treatment for her condition.

Four years ago Reed was at the centre of a police brutality storm after she was thrown to the ground, grabbed by the hair and punched three times in the head by PC James Kiddie as he arrested her on suspicion of shoplifting. The attack was so brutal that fellow officers who had viewed the CCTV footage of the incident reported Kiddie to the Metropolitan police's directorate of professional standards. In 2014 he was found guilty of assault over the incident, sentenced to 150 hours community service and suspended. Reed, who was convicted of shoplifting over the incident, had suffered from mental health issues since the sudden death of her newborn baby in September 2003. After her child died at Beckton children's hospice, she and the child's father were forced to carry the body in their own car to an undertakers, an ordeal she never recovered from, according to her family. Over the following 12 years, Reed suffered from bouts of severe mental illness. Relatives told Lee Jasper, a former director of policing and equalities for London, that it was while she was detained under section 3 of the Mental Health Act in October that the altercation occurred that led to her arrest.

Prison staff found Reed dead on 11 January and informed her family the same day, reportedly telling them she had strangled herself while lying on her bed. Relatives have claimed that officials asked them to identify Reed, but when they arrived they were treated with hostility and their requests to see her body were refused. Jasper, who is acting as a liaison for the family until they are ready to speak to the press, wrote in a blog about the case: "The obvious fact that Sarah was ill meant that placing her in the criminal justice system without recourse to the medical help she clearly needed was an unforgivable act of brutality and cruelty. I am told that throughout her time on remand Sarah never received any medication. This would have constituted a living hell for someone whose life had been marred with personal tragedy, mental ill health and police brutality." A prison service spokesperson said: "HMP Holloway prisoner Sarah Reed was found unresponsive in her cell at 8am on 11 January. Prison staff attempted CPR, but she was pronounced dead shortly after. "As with all deaths in custody, the independent prisons and probation ombudsman will conduct an investigation."

#### **Oldest Prisoner on Georgia's Death Row is Executed**

A 72-year-old man convicted of murdering a convenience store manager in a 1979 robbery has been executed in Georgia, officials have said. Brandon Astor Jones, the oldest inmate on the state's death row, died by lethal injection at 12.46am (0546 GMT) on Wednesday at Georgia Diagnostic and Classification prison in Jackson. He accepted a final prayer and recorded a final statement, the Georgia Department of Corrections said in a statement. Jones's death was delayed for nearly six hours following a flurry of appeals by his lawyers. The US supreme court denied a request to stay the execution late on Tuesday. It was the fifth execution this year in the US, and the first of two scheduled this month in Georgia, according to

the Death Penalty Information Center, which monitors capital punishment. Texas, Alabama and Florida executed inmates last month, the centre said.

### **Prisons and Probation – Extensive Debate in Parliament**

Andy Slaughter (Hammersmith) (Lab): That this House believes UK prisons are in crisis; notes the increasingly high rates of violence, self-harm and drug use in prisons, and the resulting pressure on the NHS; further notes that the last report by the outgoing Chief Inspector of Prisons warned that outcomes across the prison estate were the worst for ten years; believes that no prison staff should have to go to work facing a threat to their safety; notes with concern the decision of the Scottish Government, announced in its recent draft Scottish Budget for 2016-17, to reduce funding for the Scottish Prison Service by almost £40 million in cash terms; is appalled by the disturbing allegations of violence at Medway Secure Training Centre; regrets the Government's inadequate response to the Harris Review and to mental health in prisons; is concerned that re-offending rates are so high; believes the Government lets down victims of crime by failing to enshrine their rights in law; regrets the Government's reckless privatisation of the probation service and the job losses in community rehabilitation companies; and calls on the Government to put all G4S-run prisons, STCs and detention centres into special measures, to immediately review the implementation of Transforming Rehabilitation and to publish the Memorandum of Understanding on Judicial Cooperation with Saudi Arabia.

Prison and probation staff have some of the toughest jobs in our country. With few exceptions, they work with industry, compassion and resolution to protect the public and to help to change lives through rehabilitation. All of us in this House owe them our gratitude. Over six years in the shadow Justice team, but also as MP for one of Britain's most iconic prisons, HMP Wormwood Scrubs, and, in the past, as a criminal barrister, I have visited many prisons and spoken to both prisoners and staff, and to their representatives in the Prisoner Learning Alliance and Napo, to which I also pay tribute.

The inescapable conclusion is that the prison system in this country—I use the term to include both the adult and youth estates—is not working, contrary to the famous pronouncement of the noble Lord Howard. From the Lord Chancellor's statements and speeches so far, I think he may agree. The question for today is: what are he and his Government going to do about it? It is certainly the view of many in his party that prison is not working. We have waited some time for a parliamentary debate on the crisis in our prisons. This will be the fourth in a week. I hope that is a reflection of the new priority that parliamentarians in both Houses are giving to this issue.

I should make a special mention of the debate on prison reform in the other place on 21 January in the name of the noble Lord Fowler. Lest the Lord Chancellor take exception to the wording of today's motion - "That this House believes UK prisons are in crisis" the noble Lord ended his excellent speech with these words: "In 1970, we faced a prisons crisis; today, we face a prisons scandal." Every speech in that debate was superb, and I hope this House can live up to those high standards today. Lord Fowler set out five proposals. In concluding the debate, the Minister, Lord Faulks, said he "had no difficulty in supporting any of them".— [Official Report, House of Lords, 21 January 2016; Vol. 768, c. 910-940.]

I assume the same can be said for the Lord Chancellor. To remind him, the five proposals are: deprivation of liberty, but not to make life as uncomfortable as possible; end overcrowding; reduce the number of people sent to prison; do so by re-examining sentences; and pass responsibility to the governor and staff. The Lord Chancellor has spoken approvingly of the last of those points, but does he agree with Lord Fowler and his Minister on the other four

points? More importantly, if he does, how will he set out to accomplish them? That is not a trick question. I do not know whether the Lord Chancellor is in muesli mode or Shipley mode today. He has made some fine rhetorical flourishes on the subject of prison reform and set reviews in progress, but what action do his Government intend to take?

I am happy to give the Lord Chancellor a platform today to add some substance to the rhetoric—it is a platform rather than a scaffold—but I will do so by setting out the scale of the task before him. Let me begin with the basic issue of safety. In the 12 months to September 2015, there were 267 deaths in prison custody—95 suicides, up from 60 in the same period in 2010; 153 deaths from natural causes, up from 123; and seven homicides. There have been the same number of homicides in prison in the past two years as there were in the preceding eight. In the 12 months to June 2015, there were 28,881 reported incidents of self-harm, up by 21% in just a year; 4,156 assaults on staff, a 20% rise from the year before; and 578 serious assaults on staff, a rise of 42% from the year before. Tragically, a prison officer, Lorraine Barwell—it was the first such incident of its type in a quarter of a century—died in July last year after being the victim of an attack in the line of duty one month earlier. We owe it to her and her family to ensure that her colleagues are as safe as possible.

The prison riot squad was called out 343 times last year—once a day on average—compared with 223 times the year before and 118 times in 2010. Alcohol finds have nearly trebled since 2010. From mobile phones to drugs and legal highs, the list of what people can smuggle into prison at the moment is elastic. According to one prisoner at HMP Oakwood, a prison that the previous Lord Chancellor called "an excellent model for the future"—[Official Report, 5 February 2013; Vol. 558, c. 114.] it was easier to get drugs than soap, so there are some restrictions. Earlier this month, seven officers reported suffering ill effects from inadvertently inhaling legal highs. You couldn't make that up. In the past 25 years, the prison population has almost doubled, from under 45,000 in 1990 to over 85,000 now. It is projected to increase to 90,000 by 2020. Staff are already struggling, following cuts on an unprecedented scale. There are 9,760 fewer operational prison staff than in 2010, and nearly 5,000 fewer prison officers since 2010. Some 250 prison governors resigned or moved jobs in the past five years.

On education, the Prisoners' Education Trust reports that prisoners tell them they have to choose between going to the library and having a shower, because of the lack of staff to escort them. Nearly half of prisoners report having no qualifications and 42% of people in prison say they had been expelled or permanently excluded from school. The Lord Chancellor appointed Dame Sally Coates, the distinguished former head of Burlington Danes Academy, to review prisoner education. Perhaps he will let us know what progress she has made.

On mental health, according to an answer given to my hon. Friend the Member for Liverpool, Wavertree (Luciana Berger), 60% of prisoners who took their own life last year were not receiving assistance under the assessment, care in custody and teamwork process, which is supposed to identify prisoners at a heightened risk of suicide or self-harm.

The cuts in staff lie at the root many of the problems I am identifying. The fact that in many cases prisoners now spend 22 or 23 hours in their cell, and have restrictions on work, education and association, is leading to increased violence and poor behaviour in prisons. That is a very short-sighted development. I think the Government realise that, but perhaps too late.

Turning to probation and reoffending, figures I obtained last month revealed that almost one in 10 offenders are convicted of an offence within 18 days of release. HM inspectorate of probation's fourth report on the implementation of Transforming Rehabilitation was published on 15 January. It highlighted the disparity in performance between the national probation service,

which is still part of the National Offender Management Service, and the 21 community rehabilitation companies managed by private providers. For CRCs, one quarter of the offenders sampled had been convicted of a further offence, whereas for the NPS the figure was less than one fifth. On child protection and safeguarding on home visits, the NPS again outperformed CRCs. Earlier this month, the Lord Chancellor's Department stopped publishing figures relating to staffing figures at CRCs. Why was this, except to conceal the hundreds of experienced probation staff being laid off across the country to promote the bottom line for the CRCs' owners?

Let me turn to the youth estate, and in particular the role of G4S. We welcome the measures announced yesterday by the Lord Chancellor to effectively put Medway secure training centre into special measures. This is unsurprising, as they are exactly what I called for in an urgent question two weeks ago. I also welcome the decision by the director of Medway to stand down. However, individuals should not bear the entirety of the blame for what looks like corporate failure by G4S. I have now written to the Serious Fraud Office to ask that it investigates the allegations, made in the BBC "Panorama" programme on Medway, that instances of disorder were concealed to avoid G4S incurring fines under its contract. This is in addition to the ongoing SFO investigation into G4S and Serco's manipulation of the tagging contracts for financial gain. G4S has a truly dismal record of managing public contracts here and abroad. At Rainsbrook STC, six staff were dismissed and the contract was terminated last September, following an inspection report that said some staff were on drugs while on duty, colluded with detainees and behaved extremely inappropriately with young people.

The company taking over the contract is MTCNovo. It is a name not well known in this country because, in origin, it is a US prison firm. As such, it presided over a riot in an Arizona state prison and ran a youth facility in Mississippi that a judge described as "struggling with disorder, periodic mayhem, and staff ineptitude which leads to perpetual danger to the inmates and staff." It probably left that reference out of its application, along with the fact that its directors helped to set up Abu Ghraib prison in Baghdad. The problems of the youth estate go way beyond G4S, however, which is why the chief inspector of prisons has called for an inquiry into the failings at Medway and the implications for the wider youth justice system.

If the Lord Chancellor is a prison reformer, as he is now billed, we are prepared to work with him. He could start with the Prison Reform Trust report, "Correction or care? the use of custody for children in trouble", published last year, which looked at successful models around the world. Successful prisons are becoming smaller, more focused and more rooted locally, which is why he is right to abandon his predecessor's plans for a new borstal. Although he is also to be commended for wishing to close unsuitable prisons, if, as a consequence, prisons are built a long way from friends and family or we move from local to titan prisons, that will have its own drawbacks.

We need prison watchdogs with real teeth and independence. The outgoing inspector, Nick Hardwick, has done a great job in spite of, not because of the Government. This brings me to the point made by my hon. Friend the Member for Ealing Central and Acton (Dr Huq). The reports last week that the MOJ had tried to control or muzzle him were outrageous. I welcome the Lord Chancellor's announcement yesterday that he will retain Mr Hardwick's expertise as head of the Parole Board, but let us use this opportunity to shake things up. We need a stronger, more independent inspectorate that is able to produce reports with total independence from the MOJ and to conduct more frequent and unannounced inspections.

I am painting a realistic picture, as the necessary starting point for the improvements that Members on both sides of the House wish to see. There have been improvements. The decline in the number of people in youth custody, from more than 3,000 to less than 1,000, is extremely impressive. It

has happened under successive Governments. We are concerned, however, about the condition and treatment of the young people still in custody and the type of facility they are in. The incidents at Medway and elsewhere are examples of how things are failing in that sector as much as elsewhere.

My hon. Friend the Member for Darlington (Jenny Chapman) wrote in response to a prison report: "Too often we see the response to a poor inspection report centre on the appointment of a new governor or the assertion that things have improved dramatically since the poor inspection took place." It is time we put much greater effort into preventing people from getting involved in crime in the first place. We need a renewed focus on education and stepping in to divert young people from a life of crime. We must do better for trans people in our prison system. The "Dying for Justice" report, by the Institute of Race Relations, and the Harris review both revealed that black, Asian and minority ethnic people were over-represented at every stage of the criminal justice process. Yesterday, I spoke at a meeting here on the discriminatory effects of joint enterprise charging decisions on BAME individuals and groups, and asked the Lord Chancellor to examine that area of law, which his predecessor failed to do.

**Michael Gove:** Coming as I do from Aberdeen, I know that porridge is not necessarily something that we consider to be unattractive. My hon. Friend the Member for Shipley (Philip Davies) might be relieved to hear that. Let me first congratulate the hon. Member for Hammersmith (Andy Slaughter) on securing this debate. I thank him for the serious way in which he laid out the scale of the challenge that my Department faces—and, indeed, that faces all of us in this House. He rightly drew attention to the fact that this is the fourth debate on prisons and probation in the last week. He was absolutely right to draw attention in particular to the excellent debate conducted in the other place last week. It was a debate on a motion initiated by Lord Fowler, a former Conservative Cabinet Minister, and it is striking that so many Conservative colleagues are here today. It is important to recognise across the House that the cause of prison reform is one that is shared by people from every political party and should not be regarded as the province of any particular political organisation or caucus.

In tandem with the Under-Secretary of State for Justice, my hon. Friend the Member for South West Bedfordshire (Andrew Selous), who is the Prisons Minister, I had the opportunity last year to visit Manchester prison, or Strangeways as it used to be known. I spoke to a young man who works in the segregation unit and I asked him why he had chosen to work with some of the most challenging offenders. He explained movingly that he had come from a part of the city that was particularly affected by crime, and he wanted to do something in his own career and profession to help make his community safer.

He chose to work with those challenging prisoners in the segregation unit because he believed that the personal relationships he could form with individuals there might be able to change their lives for the better while making his community safer. I believe that sort of idealism is typical of those who work in our prisons, and it reinforces an essential point: the quality of the relationship between those who work in our prisons and those for whom they care is not soft or in any way a retreat from public safety, but critical to ensuring it.

I do not deny the scale of the problem revealed in the statistics that she and her hon. Friend the Member for Hammersmith deployed. The National Offender Management Service runs a violence reduction programme that involves studying precisely why there has been this upsurge in violence. Factors, which have been acknowledged by Members on both sides of the House, have contributed to that. One is the pattern of offenders. Prisons contain more who people who have been convicted of violent and other challenging offences. It is also the case that the

spread of new psychoactive substances—which have been misleadingly called “legal highs”, but which the Under-Secretary of State for Justice, my hon. Friend the Member for South West Bedfordshire (Andrew Selous), has more accurately termed “lethal highs”—has contributed to a lack of self-control and to psychosis, increased mental health problems and violence in our prison system. We must make some difficult choices to ensure that we can limit the currently widespread availability of those drugs, and also keep people safe in our prisons.

I shall talk about one or two of those choices shortly. I agree that we face a problem—let me emphasise that—but I do not wish to use the word “crisis”, for two reasons. First, I think that it has the potential to undermine the morale of the people who work in our prisons. Secondly, I think that it might draw attention away from the incremental changes that we need to make, which can add up to a significant programme of prison reform. If we allow ourselves to be panicked by headlines and scared into overreaction, we may not be able to take the solid incremental steps that we need to take if we are to improve the present situation.

I was struck by the concern expressed by the hon. Member for Liverpool, Walton (Steve Rotherham) about prison staff numbers. Those of us who care about not just the safety of staff but the effectiveness of the prison regime are understandably keen for our prisons to be staffed effectively, but let me make two points. First, the number of prison officers has increased by more than 500 in the last year. Secondly, there is no absolute correlation between the number of prison officers and the nature of the regime, and the number of violent incidents. I do not deny for a moment that we need to ensure that prisons are properly staffed and prison officers are safe, but the extent of the security that individuals enjoy in a prison is a consequence of a number of factors. If we are to deal with this problem, we must be vigilant in ensuring that we have not just staff but the training that is needed to support them.

The hon. Gentleman’s mention of the chief inspector of prisons gives me an opportunity to repeat what I had a chance to say only briefly yesterday, and again to express my gratitude to Nick Hardwick for the role that he has played. His latest annual report certainly does not make comfortable reading for someone in my job, but I would far rather have someone who told us the truth, and ensured that we performed our duties as elected representatives and as Ministers in the full knowledge of the truth, than someone who felt, for whatever reason, that they had to varnish or edit the truth. As I think most people would acknowledge, Nick Hardwick and I do not come from exactly the same point on the ideological spectrum, but because I am committed to using every talented voice and experienced pair of hands that I can find in order to improve our prison system, I am delighted that he accepted my invitation to chair the Parole Board.

It is understandable that, during an Opposition day debate, the hon. Member for Hammersmith should point the finger at failings that he alleges are unique to the Conservatives, and it is understandable that he should focus on the trends and statistics that appear to have worsened under a Conservative Government. However, it is also appropriate to recognise that, as was pointed out by my right hon. and learned Friend the Member for Harborough (Sir Edward Garnier), there were problems under Labour as well. For example, the incidence of reoffending—which I think provides a real index of the effectiveness of our prisons—is broadly unchanged. I do not say that because I want to make a partisan point; I say it merely because I want to emphasise the difficulties that we all face in improving our prison and probation service. In 2009, 46.9% of those who served custodial sentences went on to reoffend. The figure is now 45.1%. If I wanted to make a partisan point, I would say that the number of reoffenders had declined, but in fact the difference is statistically insignificant, and it is a reproach to all of us.

I think all of us would agree that prisons and probation cannot work effectively unless there is a close working relationship with the police service. However, I would caution against making a change at this point of the kind my hon. Friend suggests. It is a fascinating idea, and it has been put to me by others whom I respect, but we are just 12 months into the transforming rehabilitation programme initiated by my predecessor, and it is only appropriate that we acknowledge that that programme has already seen an increase in the number of frontline probation officers, again of more than 500. Yes, it has brought in commercial expertise, but it has also brought in the charitable and voluntary sector and, for the first time, there is a direct requirement to provide support for those prisoners who leave after serving sentences of 12 months or less.

I think that was a humane and wise decision on the part of my predecessor, because we know that people who serve shorter sentences are more likely to reoffend. We can debate the factors that drive that, but what is undeniable is that if someone has served a shorter sentence—if they are part of that cohort more likely to reoffend—they deserve the support of probation just as much as, if not more than, other offenders. The situation that used to prevail, where these offenders would be given £46 and left to their own devices as they went through prison gate, was replaced by my predecessor and it is only appropriate that this House, whatever other criticisms it directs at this Government, acknowledges that that was a step forward for which he was responsible.

There are more than 85,000 people in our prisons; 4,000 of them are female prisoners, and almost 10,000 are foreign national offenders, and we obviously want to try to reduce that number by having as many as possible serving sentences abroad. Of the remainder, some have made a conscious decision to do the wrong thing; they have crossed a moral line and society has to make it clear, with a serious punishment, that they should not be let out. It is not just that they are a danger to others; we have got to enforce the principle—the clear, bright line between right and wrong. But there are others in our prison system who will be suffering from mental health problems, and sometimes very serious personality disorders, and while they pose a danger to the public, they also pose a danger to themselves. We need to ensure we improve what is called diversion and liaison—the early detection of these problems and making sure there is an appropriate health solution—and if we do need to keep them safe, whether in a secure hospital or a prison, we also need to ensure that there is the right mental health provision for them.

One of the things I have been doing in the last two weeks is talking to the Secretary of State for Health and the Minister with responsibility for prisoners’ health, my hon. Friend the Member for Ipswich (Ben Gummer), and I am due to talk to Simon Stevens, the director of the NHS, in order to ensure we can develop a more sophisticated approach. I am also grateful for the work done in this area by Lord Bradley, whose report on offenders’ mental health under the last Government contains a number of powerful recommendations.

We already take seriously the position of veterans in the criminal justice system. At the behest of my predecessor, my hon. and learned Friend the Member for Sleaford and North Hykeham (Stephen Phillips) has produced a report on the care of those offenders, and the Minister for Policing, Crime and Criminal Justice, my right hon. Friend the Member for Hemel Hempstead (Mike Penning), is carrying forward that work. In particular, he is working with Care after Combat, a charity that supports offenders who have been in the military.

The hon. Gentleman’s point about problem-solving courts is also powerful. When I had the opportunity to visit the United States of America, I saw how veterans courts, drugs courts and problem-solving courts can make a real difference in keeping people out of jail and helping them to put their lives back together, so I would be more than happy to ensure that the Minister talks to the hon.



Gentleman. The hon. Gentleman's intervention brings me on to my next point. Yes, there are some people in our prisons who deserve to be there because they have done wrong. Yes, there are some people in our prisons who are there because of mental health or personality disorders. And then there are other people who have made profound mistakes, crossed the line and committed crimes, but whose actions deserve to be placed in context. I am not for a moment suggesting that the pain a victim feels is any less as a result of the difficult circumstances that some people have been brought up in, but if we want to ensure that there are fewer victims and less pain, we need to ask ourselves what led that young man or woman into criminal activity.

In many cases, the individual will have grown up in a home where violence was the norm. They might have witnessed domestic violence in their very early years. Their brain development might have been arrested by a failure to ensure that there was a loving and secure attachment to a parent or carer who put them first. There might have been an absence not only of love but of loving authority—perhaps no one cared enough about them to teach them the difference between right and wrong. Someone who grew up in such circumstances could go to primary school ill-equipped to benefit from good teaching and go on to secondary school still unable to read. Such people could find in the culture of gangs on the streets a warmth, a false camaraderie and a sense of self-esteem that they had never found anywhere else. That individual could then go on to commit crimes. Of course, once that individual has broken the law, justice must be done. However, as well as ensuring that justice is done in our courts, we must also ensure that social justice is done on our streets. That means looking at some of the root causes—family breakdown, substance abuse, domestic violence—that contribute to the difficulties that these young people grow up in.

The Minister for Policing has been closely involved in that pilot. So far as we can see, sobriety tags have made a significant contribution to reducing reoffending, and we hope that they will be able to form part of a significant extension of what is known as electronic monitoring, or tagging—in other words, ways in which individuals can be monitored to ensure that they stay on the straight and narrow, as far as possible, in a cheaper and more effective way that can often enable them to maintain their links with work, family or education, which are critical to improving their lives. That brings me to the hon. Member for Hammersmith's challenge: what are we going to do about these things?

I will be honest: I came into this job not expecting to be in it, but I have found it fascinating and challenging and I have found some of those with whom I have to work inspiring. In contrast to the time that I spent at the Department for Education—I had three years to shadow; when I came to office I had a clear plan that I wished to implement, although not one that necessarily recommended itself to all parts of the House—I have deliberately set out to listen and to learn. I have asked people whose idealism is not in doubt and whose ability is clear to explore the landscape for me. That is why I asked Sally Coates, who cares about the education of the disadvantaged, to look at education in our prison system. Her report will be published in the next couple of months.

It is already clear, as a result of a decision made at the time of the autumn statement, that money that was previously spent by the Department for Business, Innovation and Skills will now be spent by us in a way that suits prisoners and the needs of offenders and of wider society rather than the requirements of a further education framework that was not appropriate for all offenders. More will be said by Sally in due course and by Charlie Taylor, who has devoted most of his career to working with some of the most difficult young people and who, in his review of the youth estate, has drawn preliminary lessons similar to those highlighted by the hon. Member for Hammersmith.

Yes, it is the case that young offenders are, in many cases, better cared for in smaller

environments. Yes, it is the case that they need structure and discipline in their lives, but they also need a clear path towards educational attainment. One problem in our prisons is that, for many, educational attainment is capped by the way in which qualifications have been funded and educational providers have been procured. Prisoners have had diet after diet after diet of level 2 qualifications, which initially may give them a sense of purpose and renewed hope, but ultimately end up with them on a hamster wheel where they are not making the progress—in terms of education and of rehabilitation—that we would like to see.

I have addressed the issue of improving education. I have also asked the Under-Secretary of State for Justice, my hon. Friend the Member for South West Bedfordshire, to lead a programme to ensure that we can get more prisoners working fruitfully. That will mean: building on the success of organisations such as Halfords and Timpson that have done so much to recruit offenders; incarnating the lessons that the Mayor of London pointed out last week when he said that many employers found that ex-offenders are more honest and more reliable than many of those whom they hire; and providing new incentives for prison governors to give their inmates meaningful work. We must think hard about how we can expand the use of release on temporary licence.

We need to give governors more power to ensure that offenders, at a particular point in their sentence when the governor is as sure as he or she can be that that individual's risk to others is diminishing, have the opportunity to go out during the day to work or to acquire educational qualifications to prepare them for life on the outside. Almost every prisoner will be let out at some point; we cannot keep every criminal in jail forever. If we are to release prisoners at some point, it is far, far better that they have, by a process of acclimatisation and growth, learned what it is to work responsibly in an appropriate environment or to work hard to acquire the educational qualifications that will give them a new start.

As well as giving governors more power over release on temporary licence, we want to give them more autonomy overall. In offering governors more autonomy, I know that there will be some—perhaps it will be colleagues in the Prison Officers Association—who think that this is a Trojan horse for privatisation or for a bigger role for the private sector. Let me say two things. First, the private sector has had something to offer in prisons, and that is something that unites both Front-Bench teams. There was a growth in the number of private prisons under Labour, and private prisons such as G4S's Prison Parc in Bridgend do an exemplary job. That is underlined in every inspection.

I want to see governors who are currently in the system—people who joined the National Offender Management Service because of their idealism—given more freedom within the state sector to do what they do best. Baldly, my model is one of academy principals or of the chief executives and clinical directors of NHS foundation trusts who have shown that, with increased autonomy within a structure of clear accountability, they can achieve significant improvements.

I began by saying that I was grateful for the tone in which this debate was opened by the hon. Member for Hammersmith and I am looking forward to hearing and reading as many of the contributions as possible. Let me apologise to the House for the fact that I will have to leave the Chamber at 5.30, although I hope to return at 6.30. Every single contribution to this debate matters. All 85,000 of the prison population, which is so often out of sight and out of mind, are individuals whom we should see not as liabilities but as potential assets. Many of them have led broken lives and many of them have brought pain and misery into the lives of others, but we want to ensure that, in the future, they can contribute to our society rather than bring more pain and misery. We are tough on crime in the Conservative party, and we appreciate that really being tough on crime means being intellectually tough enough to wrestle with the problems of why

crime occurs and how to stop criminals from offending again. What is truly soft on crime is being intellectually soft and reaching for easy, simple soundbites instead of intellectually rigorous solutions, and that is why I commend the Government's prison reform programme to the House.

**Andrew Selous:** We have had an excellent debate, with 22 Members taking part. I want to start, as others have, by putting on record my thanks to the men and women of our probation and prison services. They are outstanding public servants. They are often not in the public eye and do not get the thanks and appreciation they deserve. Probation officers make difficult professional judgments every day, often to tight timescales for the courts and the parole service. Prison officers face unacceptable violence, which we do not tolerate and are determined to reduce.

The Government are not in denial about the problems we face. We are not rehabilitating or reducing reoffending enough in order to keep the public safe. That is why our reforms are so vital, to protect the public by better rehabilitating offenders.

That is why I am delighted that we have more support for prison reform from the top of Government than we have had for very many years. Reoffending has been too high for too long. That is why we have brought together the best of the voluntary, charitable and private sectors to join our excellent public service probation workers in bringing in our probation reforms. That has meant that we have extended probation supervision to some 40,000 short-sentence offenders who did not get it before. We have also introduced a through-the-gate service, joining up probation from prison into the community.

We have created the National Probation Service, and I should tell Members that 19 of the 22 CRCs are being run with a staff mutual or a voluntary, charitable or social enterprise sector body alongside their owners. We monitor their performance very carefully indeed, and the October 2015 performance figures showed that we are advancing in performance in almost all areas. South Yorkshire CRC has developed an action plan to deal with the issues it faces, but I can tell the House that no CRC is in a formal remedial plan. I can also tell the House that there are 560 more probation officers than there were 12 months ago. That is the largest intake of newly qualified probation officers for some considerable period.

In the Prison Service, we saw a net increase of 540 prison officers in the year to 30 September last year. We have appointed some 2,340 extra prison officers. As of last week, we have increased prison officer training to 10 weeks, to make sure they are able to deal with many of the serious issues that colleagues from around the House have mentioned. We are going to carry on recruiting at that rate to make sure that we run safe prisons. Many Members raised the very serious issue of self-inflicted deaths. I want to reassure the House that the Justice Secretary and I continue to take it very seriously indeed. We have acted on the vast majority of the recommendations of the prisons and probation ombudsman and will continue to do so. We have put more money into providing safer custody in prisons and at a regional level. We have also revised and improved our case management system for at-risk prisoners, which is being implemented.

We are reviewing early days care—sadly, prisoners often take their life in the first few days of their sentence. I draw the House's attention to our extensive use of the Samaritans-trained prisoner volunteer listener scheme. That is extremely worth while and very much appreciated by prison officers. I attend every single inter-ministerial group on deaths in custody and will continue to do so. We will carry on learning lessons around the system. I will mention the hon. Lady's points. I regularly meet victims and commit to keep on doing so, but she raises a good point. I will increase the amount of victims that I meet, specifically and particularly the families of those who have lost their life in

prison. However, as the prisons and probation ombudsman has said, there is no simple, well-evidenced answer as to why self-inflicted deaths have increased so sharply.

Many Members mentioned violence within our prisons. We are taking a lot of measures to equip prison officers better. We are trialling body-worn cameras in 23 prisons. That evaluation is progressing well, and both staff and prisoners see the benefits of it. We are ensuring that every conversation a prison officer has with prisoners is productive and supportive. We have better multidisciplinary case management involving psychologists and mental health workers to get on top of violence in prisons. For the first time, we have introduced a national protocol to ensure that the police and the Crown Prosecution Service work as closely as they should with the National Offender Management Service to ensure that cases are dealt with seriously. I will take up the specific case that the hon. Member for Lancaster and Fleetwood (Cat Smith) mentioned, when a victim impact assessment appears not to have been addressed in time. We have given clearer guidance to staff on defending themselves and will do everything to get on top of this issue, which is not acceptable. A positive, rehabilitative culture, with rigorous education, purposeful work and strengthened family links, is absolutely central to dealing with it.

Part of the reason why violence and assaults have gone up is that we have too many drugs within our prisons, specifically the new psychoactive substances. The good news is that this month, at last, we start to test for those new types of drugs, which we have not had the ability to do in the past. We will extend that testing to all prisons by 1 April this year. We are currently evaluating a full-body scanner in one of our prisons, which will give us the technology to help us to get on top of that problem. We have trained drug dogs and made it illegal to throw anything over the wall—it was not illegal in the past—and we are communicating in every possible way with prisoners about the dangers of those substances.

As many Members have said, there are too many mobile phones within prisons. We are acutely aware of that and are investing in new technology such as metal-detecting wands, body orifice scanning chairs, signal detectors and blockers, and dogs that can specifically find phones. However, we recognise that more needs to be done. We will carry on until we are on top of that issue. Many colleagues who have spoken today mentioned the prison estate. It is excellent news that the Chancellor committed to invest £1.3 billion to build nine new prisons in addition to the new prison that we are building in north Wales, which has not had a prison for well over 100 years. We will design out the features of the new prisons that facilitate bullying, drug taking and violence, so that we get on top of those problems. Many Members rightly said that it is not acceptable that people go into prison with educational qualifications and leave with none. We are determined to do better in this area. We want prisoners to have the literacy, numeracy and information communications technology skills they need to get on, get a job and sustain that job.

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 Cullinene, Stephen Marsh, Graham Coutts, Royston Moore, Duane King, Leon Chapman, Tony Marshall, Anthony Jackson, David Kent, Norman Grant, Ricardo Morrison, Alex Silva, Terry Smith, Hyrone Hart, Glen Cameron, Warren Slaney, Melvyn 'Adie' McLellan, Lyndon Coles, Robert Bradley, John Twomey, Thomas G. Bourke, David E. Ferguson, Lee Mockble, George Coleman, Neil Hurley, Jaslyn Ricardo Smith, James Dowsett, Kevan & Miran Thakrar, Jordan Towers, Patrick Docherty, Brendan Dixon, Paul Bush, Alex Black, Nicholas Rose, Kevin Nunn, Peter Carine, Paul Higginson, Robert Knapp, 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.