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# MOJUK: Newsletter 'Inside Out' No 724 (16/01/2019) - Cost £1

## Most Police Forces Fail to Meet Fingerprint Evidence Standards

Hannah Devlin, Guardian: Less than 10% of police forces have met basic quality standards for fingerprint evidence, the government's forensic science regulator has warned. All UK forces were ordered three years ago to ensure their laboratories met international standards for analysing prints found at crime scenes. But only three forces have complied, with almost every force missing a deadline set by the regulator to gain accreditation by November. Police forces that have failed to obtain accreditation, which include the Metropolitan police and Greater Manchester police, will have to declare this in court, prompting concerns that cases could collapse as a result of unreliable evidence.

Gillian Tully, the government's forensic regulator, said: "The shortcomings identified do not mean that all fingerprint evidence is of poor quality, but they do highlight risks to the quality of evidence. "The risks are greatest in situations where the comparison is complex, for example because the fingermark is partial or distorted." The National Police Chiefs' Council lead for forensics, Ch Const James Vaughan, said: "We are treating delays in in gaining accreditation as a critical incident, with a chief officer overseeing forces' progress and assisting them in gaining accreditation as soon as possible." In her submission to the same inquiry, Tully said there had been a resistance in fingerprint evidence to move away from the traditional approach of an expert declaring an identification towards a more transparent, scientific approach, with objective measures and an acknowledgement of the possibility of false matches. Vaughan said forces that had failed to meet official standards had been asked to consider outsourcing work to existing accredited labs, and that they would be open in providing declarations to court if analysis was carried out at unaccredited facilities. "It is then for the court to test the veracity and admissibility of the evidence and, to date, no concerns raised have been raised by courts," he said.

The failures are the latest problems to have affected forensics in the past year. Alleged data tampering at Randox Laboratories in Manchester led to dozens of criminal convictions being overturned and required thousands of samples to be reanalysed. Problems in digital forensics caused the collapse of a number of rape trials and police were criticised for outsourcing digital work to unaccredited private labs that are subject to no regulatory oversight.

In a recent submission to a House of Lords inquiry, the Leverhulme Research Centre for Forensic Science raised broader concerns about the way fingerprints, tool marks, footwear, tyre marks and ballistics evidence were being used in courts. Prof Niamh Nic Daéid, the centre's director, said: "The majority, if not all of those techniques, are not robustly researched. In a lot of cases, the comparative process is left to the subjective opinion of the person doing the comparison. It often could be described as no better than spot the difference." She said more rigorous research was needed on error rates associated with this type of evidence.

## Husband for Sale No Offer Refused

A woman who listed her "used husband" on eBay for less than £20 says she received "a lot of positive feedback" but no concrete offers. The advert, addressed to "women who may be interested", read: "Over the first two days of Christmas I have realised that we simply don't belong together any more. I would like to give up my husband." She added: "I am happy to negotiate the price. But won't exchange. Please send me inquiries email, only."

## Firm 'Not Professionally Embarrassed' to Represent Fugitive Killer at Appeal

Criminal defence firm Tuckers Solicitors has insisted it is 'duty bound' to continue to represent a convicted killer who went on the run before his trial and sentencing. Fugitive Jack Shepherd was sentenced to six years in prison for the manslaughter of Charlotte Brown, killed when his speedboat capsized on the River Thames in December 2015. It was revealed that Shepherd will receive legal aid for an appeal against his conviction and sentence, despite his continued absence, after permission to appeal was granted by the Court of Appeal. Media attention has focused on the 31-year-old's legal representative Tuckers, which continues to act for the Londoner and which says it has received around £30,000 fees in connection with the trial.

In a statement posted on the firm's website, senior partner Richard Egan said he was not aware of Shepherd's whereabouts but that it would be 'negligent and in breach of professional duties' if the firm opted not to proceed because of his absence. He noted that case law confirms that an absent defendant has the right to appeal against legal errors at a trial that took place without him. 'We represent our clients without prejudice and to the best of our ability,' said Egan. 'That professionalism and duty does not go away because of the perceived morally dubious actions of any particular client (and in the context of a criminal lawyer that would be absurd).' He explained that the Crown Prosecution Service was notified about Shepherd's absence (along with the court and police) and had an option to either adjourn the trial or proceed in Shepherd's absence. Egan added: 'They chose the latter and applied to the judge to proceed. The judge granted their application and the trial went ahead. The court were fully aware that we would act in his absence as we had a professional duty to do so. We are not professionally embarrassed because the client has not attended his hearing.'

Brown's family have told of their shock at learning that Shepherd's appeal will be heard, with her father Graham telling the Clacton Gazette the fugitive is 'making a mockery of justice'. In a statement, the Ministry of Justice has said: 'It is a vital principle of our criminal justice system that a conviction can be appealed and it is only right that legal professionals are paid.' Sir Christopher Chope MP, a member of the Commons home affairs committee, told the Telegraph: 'If he [Shepherd] is seeking the help of the taxpayer to fund his defence, then he should be disclosing his whereabouts and surrendering to custody.'

## Scotland: Police Too Late in Referring Hundreds of Cases to Prosecutors

Scottish Legal News: Police Scotland is failing to refer suspects to prosecutors timeously, according to figures obtained by Scottish Labour. Between 2015/16 and 2017/18 there has been around a 20 per cent increase in the number of cases that are not prosecuted because they are time barred, data supplied by the Crown Office and Procurator Fiscal Service shows. This means that while police officers believe they know who committed a crime, they cannot arrest and charge suspects because too much time has elapsed since the crime took place. Freedom of Information requests from Scottish Labour show hundreds of time barred crimes have been recorded.

The party is calling for a review of time barring and is demanding the Scottish government use its upcoming budget to better resource police so they can investigate and charge those they believe guilty more swiftly. Scottish Labour's justice spokesperson Daniel Johnson MSP said: "These are shocking figures. "Criminals, some of whom could have committed serious crimes, are not being charged because investigations have dragged on too long. That is simply unacceptable. Of course, criminal investigations can often be complex and time consuming, but to have criminals potentially being let off the hook points to much deeper issues. We need to see a review of time barring to ensure criminals are not wrongly slipping through the cracks."

**Prisoners' Release: Homelessness**

Jim Shannon: To ask the Secretary of State for Justice, if his Department will hold discussions with the Department for Housing, Communities and Local Government on tackling reoffending rates amongst recently-released prisoners who are made homeless immediately on release.

Mr David Gauke: Nobody should be released from prison without a roof over their head. We know that individuals are less likely to reoffend if they have a stable home to go to upon release. The Ministry of Justice is already working very closely with the Ministry of Housing, Communities and Local Government to improve the accommodation opportunities for those with a history of offending. The two departments are also working together through their membership of the cross-government Reducing Reoffending Board and the cross-government Rough Sleeping and Homelessness Taskforce. This includes supporting the delivery of the Rough Sleeping Strategy, which was published in August 2018. As part of this Strategy, the Government is investing £6.4M in a joint pilot to support individuals who have served 12 months or less in custody, and who are at risk of being released as homeless, to secure and maintain accommodation. Since 1 October, Prisons and Probation providers have been subject to a legal 'Duty to Refer' anyone who is homeless or at risk of becoming homeless to the Local Authority. This change means that offenders will receive meaningful housing assistance at an earlier stage, irrespective of their priority need.

**HMP Lowdham Grange – More Violent - 'Very Poor' Work to Train Prisoners**

HMP Lowdham Grange, a training prison in Nottinghamshire holding many men serving very long sentences, was found by inspectors to be a "mostly respectful" jail with reasonably good rehabilitation work. However, the prison had become more violent since it was last inspected three years ago and there had been a "quite marked deterioration in the provision of education, skills and work." This area of 'purposeful activity' was assessed as poor, the lowest assessment. The report noted that "the number of violent incidents was high and some were serious." Much of the violence related to the trade in illicit drugs in the prison.

Peter Clarke, HM Chief Inspector of Prisons, said the prison had an encouraging new violence reduction strategy with a prisoners' 'violence hotline', which was commended as good practice. However, Mr Clarke added: "While much of what we saw was good and seemed to us a good foundation for progress, it was too early to say if the approach was working. Levels of violence remained high. "In keeping with the amount of violence evident, use of force had doubled and the use of segregation was also high. Oversight and accountability for the use of force and segregation required significant improvement." However, the use of technology to scan mail as a potential source of drugs was "a useful initiative" and the availability of drugs had reduced in recent months. 38 recommendation from the last inspection had not been achieved. Inspectors made 72 new recommendations.

The amount of self-harm in the prison had increased significantly and, since 2015, two prisoners had taken their own lives. Most prisoners had "quite good" time out of cell but outcomes in education, skills and work had deteriorated. Mr Clarke said: "The range of provision was diminished and quality assurance arrangements were lacking. Teaching, learning and assessment outcomes were poor and too few completed their courses."

On a more positive note, the prison environment was reasonable, although internal areas could have been cleaner. Access to services was generally very good and included a well-used internal advice line. Outcomes for minority groups were reasonable but some negative perceptions among these groups required further exploration. Health services were good



but delays in access to some important elements of health care were excessive. Prisoners could wait up to 64 days for a routine GP appointment. Mr Clarke added that, in view of the risk posed by many of the 920 men held at Lowdham Grange, "it was reassuring that work to support risk reduction and rehabilitation was reasonably good."

Overall, Mr Clarke said: "Our findings at Lowdham Grange were adequate if inconsistent. There had been some progress but there was very much the sense that the prison was doing just enough. For example, the prison's level of attention to our 2015 recommendations was very disappointing and a missed opportunity. We did see some innovative practice, and recent improvements needed to be embedded. There was much more to do, however, to enhance the prison's very poor training offer."

HMP Lowdham Grange: Regulations not met for the treatment of disease, disorder, or injury

How the regulation was not being met: There were limited systems or processes that enabled the registered person to assess, monitor and improve the quality and safety of the services being provided. In particular with regards to medicine management. Medicines were being collected from a sheltered area outside the prison gates and the pharmacy technician was not always accompanied. Security arrangements were therefore not safe. Although the risk had been identified at a previous inspection no action had been taken to mitigate the risks. (read more page 71 of full report)

Medicines were not always stored securely and at an appropriate temperature. The medicines room within healthcare was accessible to staff who held a healthcare key. This meant medicines were unnecessarily accessible to some healthcare staff. The temperature of the room within healthcare was monitored daily and was consistently greater than 25 degrees. Although the trust's policy gave a calculation for reduced expiry dates, the medicines stored within the medicines room in healthcare had not been adjusted as it was felt turnover was sufficiently frequent. This however could not be confirmed as there was no robust system for monitoring the stock held within this room. There was no robust system to record and track medicines removed from this room so we could not be assured that medicines were being managed appropriately. On wings and in the medicines room in the healthcare area medicines were disposed of in large disposal bins which were not tamper proof increasing the risk of mismanagement of medicines. Medicines for minor ailments were available during out of hours; however, the logs used to track their use did not match with stock on the shelves. When levels were identified as incorrect the records were amended but no investigation was carried out to identify where the medicines had gone.

In summary there was high risk of medicine mismanagement and due to a lack of monitoring of stock levels and use we could not be assured that some medicines were fit for purpose. Governance arrangements surrounding the use of medicines had not been reviewed. Policies and procedures required updating, and governance meetings were not structured nor held regularly. Eleven of the Standard operating procedures relating to the use of medicines were past their review date. Medicines governance meetings had not taken place recently due to a difficulty with scheduling. Without contemporary guidance and oversight by senior managers there was the risk that medicines management was not being monitored effectively.

The GP waiting list was not managed effectively to enable staff to assess, monitor and mitigate the risks relating to the health, safety and welfare of service users. At the time of the inspection 122 prisoners were waiting up to 9 weeks to see a GP for a routine appointment. Some prisoners told us that these waits had led to them experiencing an increase in symptoms, pain and discomfort. A prisoner with Crohn's disease had been waiting four weeks to see the GP at the time of the inspection, he described being in pain. He had spoken to a nurse but had not been prioritized. Access to the GP was also the subject of 10% of the complaints we viewed.

## 15 Years Gone by and Nothing's Changed

Following on from 'Systemic Bias Against Prisoners Who Maintain Innocence' Have re-produceed an article by Michael Naughton, though 15 years old could have been written this week.

### Failure of the PS and PB to Acknowledge Wrongful Imprisonment is Untenable

Michael Naughton, 2004: Abstract: This article analyses key documents that were produced in collaboration between the Prison Service (PS) and the Prison Reform Trust. It identifies an organisational inability on the part of the Prison Service and the Parole Board (PB) to acknowledge that the courts can return incorrect verdicts and that wrongful imprisonment can, and does occur. It argues that this renders the ways in which the Prison Service and the Parole Board deal with life prisoners who maintain that they are innocent of the crimes for which they were convicted untenable. To demonstrate this, the article distinguishes two broad categories of wrongful imprisonment. It concludes that those charged with a duty of care for, and the possible release of, those given custodial sentences by the courts must, therefore, be prepared to 'think the unthinkable' and make adequate provision for the innocent victims of wrongful imprisonment that are sure to come their way.

Two key sources of information given to life prisoners about the structure of their sentences and the procedures through which they might possibly achieve release from prison are the Prisoners Information Booklets Life Sentenced Prisoners 'Lifers' (Prison Reform Trust and HM Prison Service 1998) (to be referred to as Lifers in subsequent references in this article) and Parole Information Booklet (Prison Reform Trust and HM Prison Service 2002). 'Possible release' because there is no certainty that a life prisoner will be released if they do not satisfy the release procedures (Prison Reform Trust and HM Prison Service 1998, p.2). The format of the booklets is a deliberate 'user-friendly' attempt to inform prisoners through a 'frequently asked questions and answers' guide written from a prisoners' 'voice' that is answered from the institutional 'voice' of the Prison Service and Parole Board.

***'Lifers'*** Perhaps, the two most important questions and answers contained in Lifers to this discussion are as follows. Firstly, the prisoner asks: What do I have to do to prepare for release? (Prison Reform Trust and HM Prison Service 1998, p.8) The answer from the Prison Service seems fairly straightforward and to give eminently practical advice about how to progress through the prison system: The first thing to do to prepare for your release is to work on any areas of concern which contributed to the offence or offences which you were convicted of (known as the 'index offence'). Prison staff will expect you to work with them to see what these areas are when they are preparing your life sentence plan. This may involve you taking part in offending behaviour programmes such as the Sex Offender Programme, or you may have to have drug or alcohol counselling. Working on the areas of concern should help to reduce the risk you present to the public. This is the most important factor taken into account when considering whether you are safe to be released or moved to an open prison. The way you behave in prison plays an important part in decisions about your progress. You need to try to show that you are likely to be able to steer clear of trouble on the outside. (Prison Reform Trust and HM Prison Service 1998, p.8)

It is at once apparent, however, that the answer from the Prison Service does not allow for the possibility that some life prisoners might be innocent of the crimes for which they were convicted. On the contrary, it assumes a particular kind of person as constituting the typical life prisoner. Such people are likely to need counselling for either sex offending, alcohol or drug problems; they need to be cured of these problems before they can be released from prison in order to protect the public; and, they need to be able to demonstrate the ability to stay out of trouble.

*Perhaps, even more significantly,* the prisoner then explicitly asks: What if I say I am innocent?



(Prison Reform Trust and HM Prison Service 1998, p.9) The answer from the Prison Service is unequivocal: Prison staff must accept the verdict of the court, even if you say that you did not commit the offence for which you are in prison. They need to be sure that areas of concern and offending behaviour are identified and that you work on them. Whether or not you are eventually released will depend on an assessment of the risk you might be in the future, rather than whether or not you have accepted the court's verdict. (Prison Reform Trust and HM Prison Service 1998, p.9)

There is a curious contradiction about this answer. By including the question in a frequently asked questions booklet that advises lifers about the terms and conditions of their sentences and release plans, the Prison Service is implicitly signalling that a significant number of life prisoners would be likely to ask such a question. The answer, however, betrays the organisational inability of the Prison Service to even consider that some life prisoners may be innocent. Instead, they completely side-step the question and merely reaffirm the Prison Service's official position – it does not matter what life prisoners may say, or whether or not they accept the verdict of the court, they are regarded as guilty of the offences for which they were convicted.

It is within this context that the recommendations of the Parole Board about whether or not life prisoners should be released need to be considered. On this matter, Lifers describes the organisational remit and purpose of the Parole Board. It outlines the differential procedures for the different types of 'lifer'. It spells out the time between reviews and the time taken by the Parole Board in reaching its decisions. But, most significantly, it emphasises the importance of the role of prison staff in preparing the dossiers that are considered by the Parole Board when making their decisions (Prison Reform Trust and HM Prison Service 1998, pp.12–15). This serves to undermine the official organisational independence of the Parole Board in terms of its formal relations with the Home Secretary and the Prison Service. Informally, there is little doubt that the parole process is entirely dependent upon the forms of discourse that are constructed by prison staff about whether or not all prisoners, including lifers, should progress through the stages of their sentences in their recommendations.

***Parole Information Booklet.*** The extent to which the Parole Board embodies the policy of the Prison Service is confirmed in the following question and answer exchange from the Parole Information Booklet. First the prisoner maintaining innocence enquires: What happens if I maintain my innocence? Can I still get parole?' (Prison Reform Trust and HM Prison Service 2002, p.8) The answer from the Parole Board corresponds almost exactly with the Prison Service's policy:

You do not have to admit your guilt prior to making an application for parole, nor is denial of guilt an automatic bar to release on parole licence. It is not the role of the Parole Board to decide on issues of guilt or innocence, and your case will be con¬sidered on the basis that you were rightly convicted. The Board will consider the likelihood of you reoffending by taking into account the nature of your offence, any previous convictions, your attitude and response to prison, reports from the prison and probation service and your own representations. (Prison Reform Trust and HM Prison Service 2002, p.8)

This emphasises the problem that is commonly referred to as the 'parole deal', which is very much akin to a 'plea bargain' for it attempts to make innocent prisoners acknowledge guilt for crimes that they did not, in fact, commit. For Peter Hill (2001), significantly, both offer the same essential 'deal' in an attempt to obtain judicial finality in cases: 'We say you are guilty. Admit it and you get something in return'. The rationale behind the parole deal is connected to a range of 'cognitive skills', 'thinking skills', 'reasoning and rehabilitation' and various other 'offending behaviour' programmes and courses that have come to dominate regimes within prisons in England and

Wales over the last decade. These courses are almost universally based on the work of psychologists in the correctional service of Canada and work from the premise that as offenders 'think' differently to law-abiding citizens, once their 'cognitive distortions' are corrected then they can be released with a reduced risk of reoffending (Wilson 2001). The effect is that whilst the Prison Service officially acknowledges that it is unlawful to refuse to recommend release solely on the ground that a prisoner continues to deny guilt, it tends to work under the simultaneous assumption that denial of offending is a good indicator of a prisoner's continuing risk.

In a similar vein, David Wilson (2001), conceptualised the situation as one which political philosophers would describe as a throffer – the combination of an offer or promise of a reward if a course of action is pursued, with a threat or penalty if this course of action is refused. This plays out with the prisoner being offered an enormous range of incentives including more out-of-cell time, more visits and a speedy progress through the system, to follow the course of action desired by the prison regime – to go on an offending behaviour course to ensure that the prison's performance target is met. This is made to appear as an entirely rational and subjective choice, especially as it will be the basis for ensuring early release through parole. At the same time, if the prisoner does not go on a course and accept guilt for criminal offences that they did not commit, the threat of continued imprisonment remains, as the prisoner will be deemed too much of a 'risk' for release at all (Berlins 2002; Hill 2002a, 2002b; Woffinden 2000, 2001). An often cited example is the case of Stephen Downing whose conviction was quashed in January 2002 after he had spent 27 years of incarceration for an offence for which he might normally have served twelve years had he not been classified 'IDOM' – in denial of murder (see Editorial 2002). To emphasise the problem of the parole deal, it was reported when Stephen Downing's conviction was quashed by the Court of Appeal (Criminal Division) (CACD) that: 'All the prison officers knew Stephen was innocent. They were begging him to say he had done it [murdered Wendy Sewell] so they could release him' (Hill 2002c).

***The Parole Board's Reply.*** In response to the publicity of Stephen Downing's successful appeal and the public's concern with the parole deal, the Parole Board (2004) responded that: There was a considerable misunderstanding about the position of those maintaining innocence in prison and how this affects their eligibility for parole.

In fact, they argued: A myth has grown up that unless a prisoner admits and expresses remorse for the crime that they have been sentenced for, they will not get parole. This is not true. In support of their argument, the Parole Board lists five points that they say disprove the existence of the parole deal. Despite this, this section considers each of the Parole Board's points in turn and shows that they do not disprove the parole deal, they actually prove that prisoners who maintain their innocence are less likely to be recommended for parole. Moreover, it appears that life prisoners who maintain their innocence who refuse to go on offending behaviour programmes, on the grounds that they have no offending behaviour to confront, may be deemed too much of a risk to ever be recommended for release.

***First, the Parole Board*** (2004) acknowledges that it would be unlawful to refuse parole solely on the grounds of denial of guilt or not being able to take part in offending behaviour programmes which focus on the crime committed. In the same breath, (same paragraph) however, they state that despite this: The Board is bound to take account not only of the offence, and the circumstances in which it was committed, but the circumstances and behaviour of the individual prisoner before and during the sentence. This entirely undermines any notion that



the Parole Board takes seriously the existence of innocent prisoners. It gives hope to prisoners maintaining innocence that they have an equal chance in law of achieving freedom with prisoners who were guilty of the offences for which they were convicted. It, then, demolishes that hope by insisting that they must take account not only of the offence for which they were wrongly convicted, but also their behaviour during their sentence.

***Second, the Parole Board*** (2004) argues that: It is important to understand that the Board is not entitled to 'go behind' the conviction and overrule the decision of a judge or jury . . . The Board's remit extends only to the assessment of risk, and the bottom line is always the safety of the public. I do not know of anyone who expects the Parole Board to overrule the decisions of the courts; that would be a truly bizarre situation. But, the way in which they hide behind their organisational remit and refuse to acknowledge the reality of innocent prisoners cannot be justified. As I will show in more detail below, the courts are not infallible. Wrongful imprisonment can, and does, occur, not only for crimes that innocent men and women did not, in fact, commit, but, also, for crimes that did not, even, occur. This fact has been proven in dozens of high-profile cases that have been overturned in the Court of Appeal.

***Third, the Parole Board*** (2004) reports that: The figures for 2003 show that in 24% of cases where prisoners maintained their innocence, parole was granted. This compares with 51% of all applications granted. This shows, according to the Parole Board, that the belief that 'if you don't admit the crime, you don't get parole' is patently untrue. The statistics presented do, indeed, show that some innocent prisoners achieve a parole licence. At the same time, however, they actually emphasise that prisoners who maintain their innocence are less likely to achieve parole against prisoners who are guilty or acknowledge their guilt on pragmatic grounds in the hope of achieving release. They have half as much chance. This does not dispel the 'parole deal' it proves it!

Moreover, the figures just cited by the Parole Board do not only relate to life prisoners, they, also, include all 'long-term prisoners' who receive a custodial sentence in excess of four years (Prison Reform Trust and HM Prison Service 2002, p.1). As such, they can very much be conceived as a 'red herring' to the charge of the parole deal, as there is no way of knowing how many of the 24% were life prisoners who maintained their innocence and did not go on offending behaviour courses and, yet, were still recommended for release.

***Fourth, the Parole Board*** (2004) employs a particularly perverse logic. They say that their: Core task of assessing the risk of future harm to the public is often made more difficult when dealing with those who deny guilt. This is because there may simply be less information to go on, particularly where the prisoner has not been able to undertake any relevant offending behaviour work. Detailed reports of a wide range of offending behaviour programmes are a key source of information for Board members in working out how a prisoner operates and copes with life and therefore what the risk to the public of a future offence might be.

This shifts the focus of why prisoners who maintain their innocence are less likely to be recommended for parole to the victims of wrongful imprisonment themselves. It blames them for their own failure to comply with the needs of the Board and undertake relevant offending behaviour courses and provide the detailed information to assist Board members in their deliberations. This brings the parole deal into clear view and puts life prisoners who maintain their innocence in an impossible catch-22 position. The only realistic way of achieving release is to acknowledge that they are guilty of the criminal offences for which they were wrongly convicted, murder, rape or sex abuse, and work with prison staff on that aspect of their behaviour, even if they have never behaved in such a way.

***Finally, the Parole Board*** relies on further statistical evidence in the form of a breakdown of 50 release cases recommended by the Board. 'The fifty were all serving mandatory life sentences for murder. Of these, nine had maintained their innocence in whole or in part throughout their sentence' (Parole Board 2004). Again, this reference to statistics only serves to further strengthen the concern that prisoners who maintain their innocence are at a disadvantage in terms of Parole Board decisions. This is because the survey cited decreases the statistical average from 24% of successful applicants to the Parole Board in 2003 who maintained their innocence to a maximum of 18% of the mandatory life prisoners surveyed. This figure is decreased still further when it is taken into account that an unknown of the 18% referred to did not maintain their innocence for the whole of their sentences, but only part of it. This leaves us none the wiser and raises the crucial question: How many of the nine mandatory lifers who the Parole Board recommended should be released did maintain their innocence for the whole of their sentences and did not attend offending behaviour programmes? As a final insight into the mind-set of the Parole Board, it is interesting to note that the 'majority' of the mandatory lifers who were recommended for parole, whether or not they maintained their innocence, had 'also undertaken a variety of offending behaviour work such as anger manage¬ment, assertiveness, thinking skills, all of which helped the Board' (Parole Board 2004).

Whatever the Parole Board might say, then, they have not provided any evidence to support their claim that the parole deal is a 'myth'. On the contrary, the evidence that they put forward actually proves that the parole deal does exist. Prisoners who maintain their innocence and are unable to take part in offending behaviour programmes because they have no offending behaviour to confront are less likely to be considered for parole than offenders who admit their guilt and comply with the requirements of the prison and parole regimes.

***Critique:*** As integrated institutions of the criminal justice system, it is, perhaps, not surprising and, to some extent, highly understandable that they work from a premise that the other parts of the system are functioning correctly, and that, therefore, the verdicts of the courts, for instance, are accepted as correct. The fundamental flaw in such a logic is that it contradicts common sense: no human system is infallible. As such, the courts, inevitably, convict the innocent; some prisoners who maintain their innocence are innocent and innocent victims of wrongful imprisonment are certain to go before the Parole Board.

This was not only openly acknowledged by the most recent overhaul of the criminal justice system, the Royal Commission on Criminal Justice (1993), it was the working premise: All law-abiding citizens have a common interest in a system of criminal justice in which the risks of the innocent being convicted and the guilty being acquitted are as low as human fallibility allows . . . mistaken verdicts can and do sometimes occur and our task [when such occasions arise] is to recommend changes to our system of criminal justice which will make them less likely in the future. (pp.2–3).

Contrary to this, the failure of the Prison Service and the Parole Board to acknowledge that the courts are fallible and put in place strategies to provide for the needs of innocent life prisoners can not only be conceived to be disingenuous, it borders on the illegal. These could take the form of more appropriate cognitive skills courses that inform life prisoners about the possible avenues open to them to overturn their wrongful convictions. They could take the form of workshops that assist life prisoners who maintain their innocence to deal with the loss of liberty, frustration and anxiety of wrongful imprisonment and the impacts upon family relations (Keirle and Naughton 2003).

Instead, the Prison Service and the Parole Board ratchet-up the difficulties faced by prisoners who maintain their innocence and apply a policy that is blind to the history of wrongful



criminal convictions since the creation of the Court of Criminal Appeal almost a century ago, as evidenced by successful appeals against criminal conviction. This includes the 118 cases of wrongful criminal conviction that have been overturned by the Court of Appeal (Criminal Division) (CACD) following a referral by the Criminal Cases Review Commission (CCRC) since it started handling casework in 1997 and March 2004 (Criminal Cases Review Commission 2004). It includes the 8,000 or so cases of wrongful criminal conviction that have been quashed by the CACD through routine appeals over the last decade. It also includes over 85,000 cases of wrongful criminal conviction that have been overturned by routine appeal procedures in the Crown Court against convictions given in the magistrates' courts over the last two decades (Naughton 2003b). Indeed, from such a perspective, miscarriages of justice can be conceived as a routine feature of the criminal justice process (Naughton 2003a).

As this specifically relates to the problem of wrongful imprisonment, an analysis of previous cases of successful appeal against criminal convictions reveals two broad categories of wrongful imprisonment: • Victims of wrongful imprisonment for crimes they did not, in fact, commit; and, • Victims of wrongful imprisonment for crimes that did not occur.

***Crimes They Did Not Commit:*** Wrongful imprisonment for crimes that they did not commit, relates to the conventional view of a miscarriage of justice victim where a criminal offence has been committed but the wrong person or persons are convicted (Naughton 2004). In an attempt to reduce the occurrence of such victims of wrongful imprisonment, this category has been the main focus of all existing research into miscarriages of justice (see, for example, Woffinden 1987; JUSTICE 1989, 1994; Huff, Rattner and Sagarin 1996). In reward for their efforts, researches have uncovered a variety of causes of wrongful imprisonment including: the perennial problem of prosecution non¬disclosure as, for example, in the case of John Kamara who spent 20 years of wrongful imprisonment for the murder of Liverpool bookmaker John Suffield because the prosecution failed to disclose over 200 witness statements taken by Merseyside police to the defence lawyers at the original trial (Carter and Bowers 2000; Liverpool Echo 2000); police misconduct as in the case of Robert Brown who spent 25 years of wrongful imprisonment for the murder of Annie Walsh as a result of police corruption, bullying and non-disclosure of vital evidence (Hopkins 2002); problems with identifica¬tion, for example, the cases of Reg Dudley and Robert Maynard who each served over 20 years of wrongful imprisonment as a consequence of a 'bargain' between the police and an informant who received a reduced sentence for his part in a robbery (Dudley 2002; Campbell 2002; Campbell and Hartley-Brewer 2000; Woffinden 1987, p.343); and, false confessions, for example, the case of Andrew Evans, who spent 25 years in prison following his false confession for the murder of Judith Roberts (Duce 1997; Randall 1997).

***Crimes That Did Not Occur:*** In addition to victims of wrongful imprisonment for crimes that they did not commit, there are victims who have been, and continue to be, convicted and given life sentences for crimes that did not even occur (Naughton 2003c). This might appear far-fetched, but recent cases of successful appeal have documented well the problem that juries have, for instance, in adjudicating between competing and conflicting expert forensic scientific evidence. For example, Sally Clark overturned a mandatory life sentence for the murder of two of her children when conflicting forensic evidence suggested that the chances were they died of natural causes (Sweeney and Law 2001); Angela Canning was given a double life sentence for the murder of her two children who were, probably, the tragic victims of 'cot death' (Frith 2003); Sheila Bowler was cleared of the murder of her aunt, Florence Jackson, after she had served four

years of a life sentence, when new forensic evidence showed that she most probably died of accidental drowning (Jessel 1994, ch.11); Patrick Nichols spent 23 years in prison for the murder of Gladys Heath, a family friend, until competing forensic science compellingly argued that she had probably suffered a heart attack and accidentally fallen down a flight of stairs (Tendler 1998); and, Kevin Callan served three years for the murder of his four-year-old step¬daughter, Amanda Allman, until he, himself, became an expert in neurology and was able to counter the convicting evidence and offer the more plausible explanation that she died as a result of a fall from a playground slide (Bunyan 1995). These are just a small sample of such cases that have been overturned following new forensic evidence.

A difficulty that arises in trying to calculate the possible scale of the problem of victims of wrongful imprisonment for crimes that did not occur is that none of the above cases was officially attributed or recorded as such. On the contrary, they were all put down to the failures of individual expert forensic scientists, who either through error, or deceit, corrupted the course of justice. This, effectively, individualises the problem and all sight is lost of the likely scale of the problem. At the same time, it renders invisible the victims in the many similar cases that might never be successfully overturned.

As this relates to convicted prisoners who are currently serving life sentences who continue to maintain their innocence, Nick Tucker is currently serving a life sentence for the murder of his wife who, more than likely, died following a tragic road traffic accident. This case is particularly pertinent as five separate pathologist reports into the case all agree that Carol Tucker died of accidental causes (Woffinden 2002). Similarly, Jong Rhee is also maintaining his innocence following the death of his wife in what contesting forensic science evidence holds to have been an accidental guest house fire (Woffinden 1999). And, following fresh evidence that was found by a BBC programme that challenged the testimony of expert witness Professor Roy Meadow, Donna Anthony, who is currently serving two life sentences for the murder of her two children who it is believed died of ‘cot death’, is in the process of making a second appeal (BBC News Online 2003). In addition, in direct response to Angela Cannings’s successful appeal, 258 parents who were convicted for killing a child under two years old are to have their cases reviewed and, if they relied on expert evidence, they will be fast tracked to the court of appeal (BBC News Online 2004a).

**Conclusion:** This article has considered two key sources of information available to life prisoners about the structure of their sentences and the criteria that they must satisfy to achieve release. It has, also, considered the Parole Board’s reply to the public’s concern that life prisoners who maintain their innocence were being denied parole because they would not accept the verdicts of the courts. In so doing, the main conclusion to be drawn is that the or¬ganisational inability on the part of the Prison Service and the Parole Board to acknowledge the fallibility of the courts is untenable. As no human system can be perfect, and wrongful criminal convictions are a routine feature of the criminal justice process, it is inevitable that innocent people will be the victims of wrongful imprisonment. This needs to be acknowledged by the Prison Service and the Parole Board and more adequate and appropriate mechanisms for dealing with prisoners who maintain their innocence need to be devised. A failure to do so exacerbates the harm caused to the victims of wrongful imprisonment and their families. It entails significant expenditure in terms of retaining the innocent in prison indefinitely, which the Prison Service can ill afford (Naughton 2001). It calls the penal and parole systems into disrepute and undermines one of the primary aims of the criminal justice system: ‘to dispense justice fairly and efficiently and to promote confidence in the rule of law’.



## Alex Salmond Wins Sexual Harassment Inquiry Case Against Scottish Government

The Scottish government acted unlawfully while investigating sexual harassment claims against Alex Salmond, a judge has ruled. Allegations against the former first minister, which he denies, were made to the Scottish government a year ago. The government has now admitted it breached its guidelines by appointing an investigating officer who had "prior involvement" in the case. As a result, it conceded defeat in its legal fight with Mr Salmond. Mr Salmond's case focused entirely on the fairness of the government's procedures and will have no bearing on a separate police inquiry into the allegations, which is still ongoing.

*'Sad it was necessary'* - Speaking outside the Court of Session in Edinburgh, Mr Salmond said: "The last time I was in that court was to be sworn in as first minister of Scotland. I never thought it possible that at any point I would be taking the Scottish government to court. "Therefore while I am glad about the victory which has been achieved today, I am sad that it was necessary to take this action." He also repeated his calls for the Scottish government's most senior civil servant, Leslie Evans, to consider her position. With the government now agreeing to pay his legal costs the money will go to good causes in Scotland and elsewhere, he said. The former first minister raised more than £100,000 for his case through a crowdfunding appeal

The government's admission that it had not followed the correct procedures came during a hearing at the Court of Session on Tuesday morning. Judge Lord Pentland subsequently ruled that the government's actions had been "unlawful in the respect that they were procedurally unfair" and had been "tainted with apparent bias". The Scottish government's admission centred on an official it appointed to investigate the complaints against Mr Salmond, which were made by two women. Its lawyer, Roddy Dunlop QC, told the court that the investigating officer was a "dedicated HR professional" who acted in good faith, but did have some contact with the complainers before being appointed to the case.

*'Serious complaints'* - Mr Dunlop said this had led the government to accept there had been a "failure" in one aspect of the investigation, which could have given the impression that they were not acting impartially. However, he said the government did not accept a claim by Mr Salmond's legal team that the investigating officer had effectively been "assisting the complainers" and "giving them encouragement". He also said there was "no question of an individual being held up as a sacrifice", and that the government had a "duty to investigate the serious complaints" that had been made.

The Scottish government's permanent secretary, Leslie Evans, apologised for the failure to properly apply the procedures In a statement released after the case was resolved, Ms Evans - the Scottish government's permanent secretary - said she wanted to "apologise to all involved for the failure in the proper application of this one particular part of the procedure". However, she insisted: "There is nothing to suggest that the investigating officer did not impartially conduct their duties. "Unfortunately, the interactions with the complainants in advance of the complaints being made meant that the process was flawed, however impartially and fairly the investigating officer conducted the investigation."

*'Procedural flaw'* - Ms Evans stressed that it was "right and proper that these complaints were investigated", and that the "procedural flaw in the investigation does not have implications, one way or the other, for the substance of the complaints or the credibility of the complainers". Moreover, she said it was open to the Scottish government to re-investigate the complaints, adding that "subject to the views of the complainants, it would be our intention to consider this". However, Ms Evans said this would "only be once ongoing police inquiries have concluded". A four-day hearing on the case had been due to begin at the Court of Session in Edinburgh, but that will now not go ahead. The allegations against Mr Salmond date back to 2013 when he was still first minister. He has described the claims as "patently ridiculous". The former MSP and MP, who lost his Westminster seat in the 2017 general election, resigned from the SNP in August.

**Don't Let the Jack Shepherd Stories on Legal Aid Distract You From Government's Cynical Agenda**

The Secret Barrister: Jack Shepherd is a coward. A pathetic, mewling quisling of a man. He is also a convicted killer, having been found guilty of gross negligence manslaughter. He caused the death of 24-year-old Charlotte Brown by taking her out on the Thames in his defective speedboat – bought, he boasted, to "pull women" – and, fuelled by alcohol, allowing it to be driven at high speed until it fatefully struck a submerged object and capsized. The breath-taking self-regard displayed by Shepherd in the moments that followed – calling for help for himself alone, not the stricken Charlotte Brown – was matched only by his decision to abscond while on bail, meaning that the trial, conviction and imposition of a 6-year custodial sentence all took place in his absence. The police have not yet located him; Shepherd has not yet served a single day of the 6-year sentence. He is refusing to take a scintilla of responsibility for what he has done; the very least, one might have thought, he could do to begin to atone for the unbearable, irrevocable grief he has inflicted on Charlotte's family.

In a final twist of the knife, as has been reported, while on-the-run – presumably abroad – Shepherd has, through his lawyers, applied for permission to appeal against his conviction and sentence. Moreover, the Court of Appeal has granted permission, concerning the conviction at least. As Mr Shepherd qualifies for legal aid, which the Court has now granted for the appeal hearing, it means that, in the words of the Daily Mail, Shepherd can "milk taxpayers for cash while on the run". MPs and tabloids have since lined up to condemn this state of affairs; a fugitive is flipping the finger at justice while still benefitting from the largesse of the country whose laws he brazenly flouts. "If the legal aid rules permit a man on the run, who did not even attend his trial, to receive legal aid…then the rules need to be changed," declared Lord Garnier QC, a former Solicitor General. Eager to soothe the Mail's wrath, the Ministry of Justice has "ordered an urgent review" to see what can be done to close this "loophole".

I can perhaps help. To begin, I would urge anyone with interest in this case to read this response by Tuckers Solicitors, the firm instructed by Jack Shepherd, which was published in reply to the Mail's article. It sets out a few essentials that you may not have gleaned from the breathless reporting. For one, the claim that Tuckers Solicitors received "nearly £100,000" in legal aid to represent Shepherd is untrue – it was less than £30,000, which for a complex 4-week trial involving a homicide and, no doubt, technical expert evidence (experts who are paid out of that gross, VAT-inclusive figure), is not an unusual gross fee. I emphasise "gross" because, as with all legal aid expenditure "gotchas", the headline figures (where accurate) always represent gross payments, inclusive of VAT, and represent months of work in advance of the trial by numerous legal and medical professionals, as well as the trial itself.

However, the Tuckers response also helpfully sets out the duties of defence lawyers in situations where defendants abscond. It is not as uncommon as you may think. The first thing to note is that a defendant failing to attend court on bail does not automatically forfeit his right to legal representation. Sometimes, where a defendant fails to engage entirely with his lawyers and disappears, the solicitors and barrister will have insufficient instructions to act, and so will have to withdraw before the trial. However, where a defendant has given instructions as to what his case is, and then refuses to attend court, his solicitors and barrister are under a professional duty to represent his interests as effectively as they can. They cannot merely assume guilt and walk away in disgust at the cowardice of their client – to do so would fly in the face of the role of defence lawyers. We do not judge our clients; that is the court's job. In Shepherd's case, Tuckers had prepared "95%" of the case for trial before Shepherd absconded, and so they, and the instructed barrister, were able to continue to act.

Where a defendant on bail does not attend his trial, the court has two options. It can either



adjourn so that he can be arrested and brought to court. Alternatively, it can proceed in his absence. All defendants are warned at their first hearing before the Crown Court that this can happen if they fail to attend. There is case law to guide judges on the situations where it will be appropriate to have a trial in absence, but in general terms, deliberately absconding will be viewed as you forego your right to attend your trial. The consequences of that are dangerous: you surrender your right to give evidence in your defence or to hear any of the evidence against you. Moreover, of course, because failing to surrender to bail is a criminal offence in its own right, you will be arrested and subsequently dealt with for that. This is a crucial point absent from most of the media commentary – whatever happens in this case, even if Shepherd wins his appeal, he still faces a custodial sentence for fleeing.

However, underpinning all of this is the right to a fair trial. The Mail attributes this right, with typical misplaced hostility, to the European Convention on Human Rights, but while the Convention in Article 6 indeed guarantees the right to a fair trial, it has been ingrained in English and Welsh law for centuries. It is the foundation of our criminal justice system. It is not a privilege, but a right. Moreover, rights are not something that we only give to people we like. Justice is not earned, it is not dependent on a person being "deserving"; the core of our civilisation is the notion that we deal with everybody, however reprehensible, by the same fair standards. Even the most despicable criminals have the right not to be wrongly convicted.

So it is that even if a defendant flees before his trial – even if he is a repeat offender who has previously committed the most odious crimes against us – the justice system ensures that his right to a fair trial is upheld. It does not merely tell a jury to convict him on the basis that he has done a runner; the usual rules of procedure and evidence, carefully designed over centuries to ensure, as best we can, that the guilty are convicted and the innocent acquitted, still apply.

What then, of appeals? Surely, the question is posed by the reporting; if you flee the country, you should not be allowed to appeal? Certainly not with taxpayers' money? At face value, I agree – this looks like a shocking and baffling state of affairs. However, stripping it down to its principles, it makes a little more sense. A vital element of the right to a fair trial – to not be wrongly convicted – is a mechanism to appeal where the trial court gets things wrong. This, when you think about it, stands to reason. The right to a fair trial is meaningless if there is no way to enforce it. That is what an appeals system offers – a check on the safety of a conviction. Because even people who are convicted of appalling offences and abscond are still entitled not to be wrongly convicted. Moreover, the duties of defence lawyers to ensure that their clients – even horrid clients who have absconded – are not unfairly convicted, still apply.

The right to appeal can mean different things in different jurisdictions. Some countries give an automatic right to a full retrial; others, like England and Wales, impose strict criteria. You firstly have to successfully obtain permission (or "leave") to appeal against a Crown Court conviction or sentence. This is done by a written application by the lawyers, which sets out the grounds of appeal and argues why the conviction is unsafe. On the legal aid point – the barrister and solicitors do not receive a penny extra for advising on appeal or drafting the application and grounds. It is all done for free. In practical terms, it provides a disincentive to the lawyers to positively advise on appeal unless they really believe it has merit. For a conviction to be found "unsafe" is a very high threshold. If a High Court judge reading the application considers that you have a good argument that deserves a full hearing before the Court of Appeal, they will grant permission. To put this in context, 90% of all applications for permission to appeal are refused.

Jack Shepherd has been granted permission to appeal against his conviction (but not, contrary to the Mail's claim on its front page today, his sentence). The reasons are not yet publicly known;

Tuckers refer in their statement to "legal errors made during the trial", but the full picture will become clear when the appeal is heard. However, the numbers alone tell you that, in order for permission to have been granted, there will be merit in these arguments. There is a genuine concern that something at his trial went seriously wrong. This is not some speculative attempt by lawyers to drum up funds by launching spurious appeals; if there were no merit, the application would be in the bin with the other 90% of applications and no legal aid would be authorised at all.

Where permission to appeal is granted – as in this case – the Court of Appeal will issue a representation order (legal aid), usually for a barrister only, to prepare and present the appeal at a full hearing. If the solicitor is required to do work for a criminal appeal, most of the time it is expected that they do it for free. So the implicit suggestion that Tuckers will receive some 5-figure windfall from the appeal is a fantasy. They will in all likelihood receive nothing. The cost to the legal aid budget of this appeal will be minimal – the gross fee for a junior barrister defending an appeal at the Court of Appeal will usually run to a few hundred pounds. For a QC, the rate will be higher. So if this case is not actually about money, what is it about? I would suggest it is about two things.

Firstly, there's unarguably a jarring feeling caused by this case. I understand the rage. It is raw and primal and exacerbated by frustration. We cannot get Shepherd – the police have so far proved unable to track him down – but we can lash out at the fallible system which gives rights to people who do not deserve them; who offend and re-offend and then offend again. However, we have to temper these urges with a sober reminder of our first principles: justice is not dependent on good behaviour. Equality before the law does not mean equality for people we like. Absconding to avoid prison is dreadful, pusillanimous behaviour, but it is not the worst we see in the courts. What about those who perjure themselves? Alternatively, those who, after being convicted, take revenge against witnesses? Alternatively, commit contempt of court by shouting out? Or who breach prison rules by smuggling in contraband? All of these and many more offences demonstrate a complete disrespect for the legal system and an arrogant lack of remorse. Do we remove the right of appeal to these people too? Alternatively, do we remove the few hundred quid in legal aid payable to the lawyers, meaning that only absconders with the means to pay privately are able to appeal?

Secondly, in this case, and the way it has been presented, fits with an accessible narrative about legal aid. It is for people who do not deserve it. It is a gravy train, cash cow or whatever culinary or zoological metaphor the chief sub-editor prefers. Moreover, this, again, fails utterly to understand why we have legal aid in the first place. Legal aid – modest sums far below the market rate paid to lawyers acting for the public – is central to access to justice. If you do not have legal advice and representation, you cannot meaningfully enforce your legal rights. If the state comes to take your child, or wrongly accuse you of a criminal offence, or if your landlord unlawfully evicts you, or your boss sexually harasses you, you want to be able to assert your rights. If you can afford to pay privately for lawyers, good for you, if you cannot, then, like the NHS, legal aid offers the safety net. Without it, we have a two-tier justice system: those who can afford to pay represented by lawyers, and you, who can't be left by yourself standing in court fighting the legal professionals instructed by the state or corporate behemoths. To revert to the health analogy, you would be left to operate on yourself. This is why legal aid matters.

The problem is that, for successive governments, legal aid has provided a giant political football, to be kicked and slashed at in the name of sport, political distraction and saving a tiny amount of money. The cost of the criminal legal aid budget, following 40% cuts to the criminal justice system, is £850m per year – around 0.1% of total public spending. Yet we are encouraged at every turn to believe it is an extortionate burden, filling the pockets of greedy lawyers (many of whom in reality often work on legal aid cases for hourly rates below minimum wage). It is a lie.

Moreover, the effects of the lie are devastating. In 2012, the Legal Aid, Sentencing and Punishment of Offenders Act removed legal aid entirely from swathes of the country's most vulnerable. The results have been catastrophic. Their abusers have cross-examined victims of sexual and domestic violence in family proceedings; penniless victims of rogue landlords and employers have been denied legal representation; people wrongly refused benefits by DWP cock-up have been left destitute and unable to challenge the decisions; and innocent people have been forced to pay privately for criminal defence lawyers and, upon being acquitted, have been unable to claim their costs back, effectively bankrupting them. All of this was predicated on lies told by the Ministry of Justice about our spending on legal aid ("we have the most expensive legal aid system in the world" being the headline whopper), and dutifully trumpeted by the tabloids. The MoJ promised to publish a full review of the devastating impact of LASPO by the end of 2018. They broke their promise. Six years after implementation, we are still waiting. Within 24 hours of the Mail calling for legal aid to be stripped from unpopular criminals like Jack Shepherd, the Ministry pledged to hold an "urgent review". This is the real agenda of this flurry of media reporting. Calculated, cynical and dishonest fearmongering of what legal aid is, how much it costs and what it is for, with a clanging silence when it comes to explaining to confused readers why legal aid exists. If I were equally cynical, I'd suggest that this antagonising of the public against legal aid is a precursor the publication of the overdue LASPO report which will be damning of the damage done to people's lives, in the hope that public rage will be diverted onto the Jack Shepherds and their lawyers, instead of the real villains in the legal aid scandal – the government.

**Prisoners China: Organ Harvesting**

Lord Alton: To ask Her Majesty's Government what assessment they have made of the preliminary findings of the Independent Tribunal Into Forced Organ Harvesting from Prisoners Of Conscience in China on allegations of forced organ harvesting from prisoners in China.

Lord Ahmad: We are aware of reports that allege that a process of involuntary organ removal may be taking place in China, including suggestions that minority and religious groups are being specifically targeted. The British Government fully supports the Declaration of Istanbul (May 2008), which encourages all countries to draw up legal and professional frameworks to govern organ donation and transplantation activities. The World Health Organisation (WHO) collates global data on organ donations and works with China. The WHO view is that China is implementing an ethical, voluntary organ transplant system in accordance with international standards, although the WHO does have concerns about overall transparency. We will continue to review available evidence on this issue, including the preliminary findings of the Independent Tribunal Into Forced Organ Harvesting.

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.