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Concerns Raised Over Safety of Lucy Letby Conviction

Samantha Dulieu, Justice Gap: The case against Lucy Letby has been questioned by experts as reporting restrictions on the case have been lifted. A significant group of medical experts who were involved in this, or similar cases, as well as those involved in miscarriages of justice, have raised concerns about the safety of the conviction. Speaking now without facing danger of being in contempt of court, experts in the fields of medicine, pathology and statistics have questioned the safety of the conviction. Letby is currently serving life in prison and her application to appeal the initial 14 convictions has been rejected. As her sentence was being handed down during a retrial for one of the cases last week, she shouted to the court that she was innocent.

Speaking to the Guardian, the neonatologist, Dr Mike Hall said he did not think Letby had a fair trial. He said 'no medical expert witness was called for the defence to challenge the prosecution expert medical evidence'. He said he was deeply troubled by this, and believed the prosecution did not prove her guilty beyond reasonable doubt. Other experts told the Guardian that the medical evidence advanced – that which was said to prove the babies were murdered by Letby by various means – was 'implausible'. An article published in The Telegraph recounts in detail concerns over the deaths of many of the babies. All were variously premature, underweight, seriously ill, or facing other complications. The aforementioned Dr Hall was instructed as a witness for the defence but was never called. He has said he was troubled by the prosecution's 'exaggeration' of the health of the babies. He told the Telegraph: 'It's my opinion, the prosecution medical expert witnesses exaggerated the degree of wellness of those babies to a significant extent… I would have thought it would have had a significant influence on the jury.'

Concerns have also been raised about the use of statistics in Letby's conviction. A key piece of evidence was a shift chart that purports to show that Letby was the only nurse who was on duty at the time of each of the babies' deaths. However, she was not on duty at times when other babies, not in the realm of this case, died. The chart excludes these cases, as Letby was not investigated in relation to them either because she was not there, or there was no suspicion that she was implicated. Between June 2015 and June 2016 there was an unusual cluster of deaths, with Letby investigated and convicted for being involved in seven of these. A criminology professor at Birmingham City University, David Wilson, has gravely criticised this use of data. He said: 'You don't need a PhD in statistics or maths to know that this is dreadful. This illustrates what you can do with cherry-picked data.'

Other medical experts have come forward to question the plausibility of Letby's murdering the babies through injecting air into their stomachs or bloodstreams, as the symptoms these babies displayed could have had other causes. The testing done to establish the fact that Letby poisoned other babies with insulin has also been questioned. Practitioners working within the NHS have raised concerns about the staffing of the neonatal unit in Chester at that time alongside the multiple other problems facing the ward. The fact that the elevated level of deaths stopped when Letby was suspended from her role can also be explained by the fact that at the same time the ward was downgraded, meaning it was no longer permitted to care for the sickest and most at-risk babies. Media scrutiny of the case increased with the publication of an article in the New Yorker while reporting restrictions were in place in the UK. With the lifting of these restrictions, people with doubts about the safety of the conviction may continue to come forward.

Court of Appeal Allows Appeal Against Sentence

Farrhat Arshad KC was assigned by the Registrar as fresh counsel to represent the applicant, SSJ, after he applied unrepresented for leave to appeal against his sentence. Following guilty pleas to a series of sexual offences, he had been sentenced to consecutive extended sentences expressed as an 18 year extended sentence. The Court of Appeal accepted Farrhat's argument that the sentence handed down and recorded by the warrants of imprisonment was not the sentence the judge had intended to impose and was in fact unlawful. The Court also accepted Farrhat's argument that the way the sentence had been pronounced in Court made a material difference to the length of time the applicant would have to serve before he was eligible for release. The sentence was quashed and replaced with a reduced sentence.

REX - v - A.B.R. Conviction Quashed

1) Lord Justice Edis: On 24 October 2022 in the Crown Court at Merthyr Tydfil, this applicant pleaded guilty to a single count of producing a controlled drug of class B, namely cannabis. On a later date also in 2022 he was sentenced to eight months' detention in a young offender institution. All of that, as will appear, is highly unsatisfactory in the circumstances which prevailed at the time when these events took place. Mr Andrew Johnson, who appears before us for the prosecution, has informed us that the Crown wishes to apologise for what happened in this case and that there are lessons which can be learned and will be learned from it.

2)The applicant (as he currently is) applies for an extension of time of some 396 days for leave to appeal against conviction. The Registrar has referred that application to the full court. He also seeks leave pursuant to section 23 of the Criminal Appeal Act 1968 to introduce fresh psychiatric evidence and evidence concerning his status as a victim of trafficking.

3) We grant leave and the extension of time which is necessary in order to pursue the appeal. We have been supplied with extensive information which explains how it was that the potential relevance of the appellant's status as a victim of trafficking was appreciated and established over the year or more since sentence was imposed.

4) It is unnecessary to say anything very much at all about the offence to which the appellant pleaded guilty. He was present at a cannabis farm in Porth when it was entered by the police and its plants seized. When he was interviewed he explained that he had entered the United Kingdom unlawfully from Albania. He had been promised work here by which he would be able to pay the debt of £24,000 which he had incurred in paying for his passage. He had in fact instead been pressurised by violent threats against him and his family to undertake gardening duties at the cannabis farm.

5) That was all set out in a basis of plea which was subsequently served on his behalf after a period of time during which there had been some enquiries about his status as a victim of trafficking. None of that prevented circumstances arising where he entered his guilty plea and was sentenced to detention.

6) Mr Fitzgibbon KC, who has presented this appeal before us on paper and briefly orally, argues that the Crown Prosecution Service failed to apply its published policy in dealing with these cases. He submits, first, that it was an abuse of process to prosecute him while a referral to the National Referral Mechanism was in progress and had not been resolved. He submits that it is an abuse of process because no reasonable prosecutor in possession of the facts and following policy should have allowed the prosecution to continue. Secondly, he submits that given the undiagnosed mental health problems from which the appellant suffers, his plea may have been the result of a failure by him to understand the advice that he received about his defence.

For those two different reasons, Mr Fitzgibbon submits, the conviction is unsafe.

7) In support of those grounds, the fresh evidence on which he seeks to rely is the post-conviction confirmation of his status as a victim of trafficking, there now being a Conclusive Grounds Decision in his favour on that question. Secondly, the fresh evidence is contained in a psychiatric report which diagnoses depression, anxiety and PTSD rendering him vulnerable to exploitation.

8) The prosecution have considered carefully the merits of this appeal and although by their concession they accept that the conduct of the prosecution was in error, they are in our judgment to be commended for approaching the appeal in the way that they have in the recent past. They accept that the published policy of the CPS was not properly followed in this case and we are told that the review of the case has concluded that it would not be in the public interest to prosecute this appellant for that reason. In those circumstances they also accept that the fresh evidence suggests that the guilty plea could have been equivocal, may have resulted from a defective understanding of the position and that in that regard it may be that the appellant has been deprived of a defence which would quite probably have succeeded had it been advanced at trial. Therefore, the prosecution does not oppose this application and appeal.

9) We have not heard full argument in this case for the reasons which we have just summarised. We therefore do not propose to examine the two different routes to the quashing of this conviction to identify which of them should lead to that result. The question of whether prosecutions initiated in these circumstances are capable of constituting an abuse of process was dealt with and authoritatively resolved by this court in R v AAD, AAH and AAI [2022] EWCA Crim 106, [2022] 1 CrAppR 19. The position was further considered by this court in R v AFU [2023] EWCA Crim 23, [2023] 1 CrAppR 16 and R v BKR [2023] EWCA Crim 903, [2023] 2 CrAppR 20. It is clear that conduct of a prosecution in the way in which it is conceded that this prosecution was conducted is capable of amounting to an abuse of process. It is also clear in our judgment that in the circumstances which prevailed at the time when this appellant entered his guilty plea, there is good reason to suppose that this is a case where the guilty plea deprived the appellant of a defence which would quite probably have succeeded and that this is one of those cases where an appeal can succeed notwithstanding the entry of a guilty plea. Whichever of those two routes to the ultimate destination is adopted, the ultimate destination is not in our judgment in doubt. This conviction is unsafe and therefore quashed.

10) In the circumstances we do not anticipate that the prosecution will seek a retrial and if that anticipation is correct proceedings will end here. Mr Johnson?

11) Lord Johnson: Given the basis upon which the conviction is quashed then quite plainly no proper application for a retrial would follow. 12) Lord Edis: We do not order a retrial and that therefore concludes the proceedings against this appellant.

Law Commission Consultation Paper on Reforming Law of Contempt of Court

Local Government Lawyer: The Law Commission has published a consultation paper on proposed reforms to the law of contempt of court, saying that uncertainty had arisen in practice "as a result of the disorganised, often unclear and occasionally incoherent legal landscape".

"Contempt of court" in its current form refers to a wide variety of conduct that may impede or interfere with the administration of justice and, while not a criminal offence, carries sanctions that may include imprisonment for up to two years and unlimited fines. On average, each year at least 100 people receive an immediate or suspended prison sentence.

The Law Commission said it is seeking views on a wide range of issues with the aim of clarifying and improving the fairness, consistency, coherence, and effectiveness of contempt laws. The law reform advisory board has proposed eliminating the distinctions between "criminal contempt" and "civil contempt", which have been in place for centuries, in favour of a modern, streamlined set of contempt laws. It proposes that there should be three forms of contempt of court.

1) "General contempt". Examples include abusing court staff or witnesses, disrupting a hearing, or making unauthorised recordings of proceedings. Proceedings may be commenced by the court itself or by the Attorney General, who has a constitutional role as guardian of the public interest in the administration of justice.

2) "Contempt by breach of court order or undertaking". Examples include litigants in high value commercial disputes taking assets out of the country in contravention of a "freezing order" requiring them not to do so, or protesters entering on land when an injunction prohibits it, or people subject to Anti-Social Behaviour Injunctions (ASBIs) breaching the terms of those injunctions. Proceedings may be commenced by, for instance, the litigant in a commercial dispute who obtained the freezing order, the landowner that took out an injunction to prevent protesters causing disruption, or a local authority who obtained the ASBI. Proceedings can only be commenced with permission of the court.

3) "Contempt by publication when proceedings are active". Examples include media reporting or social media posts that create a substantial risk that the course of justice in active proceedings will be seriously impeded or prejudiced. For instance, when a publication reveals information that may not be admissible in evidence then it may carry a risk of influencing a jury in a criminal trial. Proceedings can only be commenced with the permission of the Attorney General or, more commonly, the Attorney General takes action by commencing proceedings.

Among the specific proposals for reform are several relating to:

4) Community sentences: "Currently, courts are very limited in the sanctions they can impose; mostly, prison or a fine are the only options. These are not always suitable. Where vulnerable people have breached the conditions of an ASBI then prison may not be appropriate, and they may have no money to pay a fine." The Law Commission proposes expanding sentencing options to include community orders, which may include unpaid work, drug or alcohol treatment, and restrictions on places that a person may go or where they must live.

5) Imprisonment: The maximum sentence for contempt is two years' imprisonment. The Law Commission proposes to retain that. However, as there is a strong public interest in knowing about proceedings that are before the courts, the Commission is seeking views on whether the option of imprisonment should be removed when freedom of expression is engaged and a defendant's culpability is lower, for example because the defendant did not intend to interfere with the administration of justice.

6) Tribunals: extending contempt protection and powers to tribunals. Currently, the law of contempt does not apply in many tribunals "and that is a significant constraint on their ability to address conduct that disrupts proceedings or breaches orders made to protect the parties. Contempt powers will help tribunals to ensure proceedings are fair, effective and efficient."

7) Criminal records: ensuring that a contempt finding is not entered on the Police National Computer and does not appear on a criminal records check, as contempt is not a criminal offence. There is evidence that contempt sometimes does appear on criminal records.

Professor Penney Lewis, Commissioner for Criminal Law, said: "It is important that the laws governing contempt are both fair and clear to provide justice for all those involved in court proceedings. This includes not only the parties involved, but those observing or reporting on proceedings." For some matters, the Law Commission has not made any proposals but seeking views on:

8) Whether criminal proceedings should continue to be considered "active" from the point at which a person has been arrested, or whether they should not be considered "active" until a person has been charged. A change would expand what the media may report during criminal investigations.

9) Where a politician has potentially committed a contempt by publishing material that may prejudice active proceedings, whether the Attorney General should retain the power to grant or withhold consent to commencing contempt proceedings. A change would remove that power from the Attorney General and place it with the courts.

10) Whether the courts should be able to review decisions by the Attorney General to grant or refuse consent to commence proceedings for contempt by publication while proceedings are active. Currently these decisions cannot be reviewed by the courts.

Sahraoui and Others v. France The applicants, Samira Sahraoui and Akram and Kamar Taifour, are French nationals. The application concerns the death in Nevers prison of the applicants' husband and father of a drug overdose. Born in 1966, he had been sent to Varennes-le-Grand prison on 8 January 2009 and was then transferred to Nevers prison on 17 March 2009 to serve three sentences. He was found dead in his cell on 30 April 2009. Relying on Article 2 (right to life) of the European Convention on Human Rights, the applicants maintain that their husband and father should have been more closely monitored and that the relevant authorities failed to take the measures that could reasonably be expected of them to protect his life. No violation of Article 2

W.W. v. Poland (The applicant, Ms W.W., is a Polish national who was born in 1992.

At the time of lodging the application, Ms W.W. was legally recognised as male and was detained in Siedlce Prison. The case concerns the authorities' refusal to allow Ms W.W. to continue hormone therapy while in prison. Ms W.W. received legal gender recognition as female on 19 March 2023. Relying on Article 3 (prohibition of inhuman or degrading treatment), Article 8 (right to respect for private life), Article 2 (right to life), Article 13 (right to an effective remedy) and Article 14 (prohibition of discrimination) of the European Convention, Ms W.W. complains, in particular, of the refusal to allow her to continue her hormone treatment while detained. Violation of Article 8. Just satisfaction:

Court Rejects 'Intrusive' Request in Negligence Claim

Charlie Moloney, Law Gazette: An 'intrusive' request for an Irwin Mitchell partner's personal phone has been rejected by a judge in disclosure talks ahead of a negligence claim. Jeremy Gordeno is claiming the firm gave him incorrect advice on the sale of his £3.8 million home, failed to protect his property right and caused him to sell it for far less than he could have done. Gordeno, a former nightclub boss then bankrupt, launched a claim against Irwin Mitchell in the Rolls Building in September 2022. The firm denies the allegations. At a costs management conference today before Master Kaye, a number of issues in the case were argued.

Part of Irwin Mitchell's defence is it believed it was advising 'an experienced businessman and property entrepreneur' and Gordeno was in a bad financial state - including being sued in separate litigation - and would have sold the house to raise funds whatever advice he had received. One of the issues was whether the head of Irwin Mitchell's real estate team Ben Acheson should have to submit his personal phone or devices for disclosure. David Reuben Schmitz, for Gordeno, pointed to an email which Acheson was said to have sent to Gordeno and suggested there could conceivably be text messages on his phone. But the application was resisted by Jack Steer, for the firm, who pointed out it would be unusual for a fee earner to correspond with their clients by text from their

personal phone. 'The claimant has not given any examples of there being correspondence by text', Steer said. 'There is no reason to suspect that would even produce any relevant documentation. It is highly intrusive. 'There is no actual evidence in support of the contention that it is likely to produce relevant documents. It is a fish and nothing more.'

Schmitz began to suggest that the process of checking the phone would be relatively simple, and would just involve opening the phone and searching 'Gordeno' in the texts. Master Kaye interrupted to say: 'I can tell you from bitter experience that is not how it works, because I used to be a solicitor, so that is not going to work. That is not how it works, it is not that simple.' Schmitz pursued the point, quipping: 'Mr Acheson is a solicitor - and therefore is a member of a venerable profession - and therefore I would say would not be expecting the defendant's solicitors to be taking his phone off him and his laptop off him and sending off to IT experts.' But the judge informed Schmitz 'these days that is not how it works' and said there had to be some evidence to support an application to search Acheson's phone. After taking instructions, Schmitz informed the remote hearing: 'I do not have any particular facts which would be persuasive that these documents would be available in his personal mobile.'

Those Who Use Hate Speech Need Education Not Court Fines

Transform Justice: If you had made one racist remark (eg "go back to your own country") to someone who annoyed you when you were drunk, would you say or admit that you "demonstrated hostility to the victim based upon their race" and were "motivated (wholly or partly) by hostility towards persons of a particular race"? Probably not. Lots of people say racist things without seeing themselves as racist. Any racist speech is clearly wrong and needs to be addressed, but how do we get those who make racist remarks to understand the harm they cause and change their behaviour?

Most people from minoritised communities have been subject to at least some racist remarks in their life. Most don't report them to the police most of the time. They may not know that the racist remarks constitute a crime, or not want to criminalise the person who made them. But if the remarks cause or are likely to cause harassment, alarm or distress then they are crimes, and if they are "motivated by hostility" to a particular group (race/faith/LBGTQ+/disability) they are hate crimes. And thousands of people are convicted for hate crimes over things they've said. You can also be accused of hate crime if you physically attack someone because of your hostility to their identity.

Ever since the murder of Stephen Lawrence, victims' groups have been focussed on getting the police and the courts to take hate crime seriously. They have succeeded in getting it treated in some ways more seriously than any other crime. Racist speech causes great harm, so victims groups' focus on prosecution is understandable. But does it achieve what victims want?

Someone who commits a one-off hate crime which is about something they said may well be convicted in court, and for this type of crime their sanction will be to pay a fine and compensation. They will also get a criminal record. Nothing will be done to address their attitudes or behaviour, and the need to pay a fine may just make the defendant angrier. However much the police may wish to, it is very difficult for them to resolve the case out of court using a sanction like a community resolution or a conditional caution because it's against guidance. Hate crime is the only type of crime where the police do not have discretion to use a conditional caution – a sanction meted out by the police out of court. They can opt to use a conditional caution for a serious sexual assault but not for racial abuse. (In reality, they would only use a conditional caution for serious sexual assault if the victim were adamant they would not give evidence in court).

The police and some others have long advocated that some instances of hate crime, like racist

remarks, would be more effectively dealt with out of court, whether by rehabilitative programmes or by restorative justice (where the person who commits the crime apologises to the victim and offers to make amends). And the CPS agreed to allow three forces to pilot a hate crime conditional caution. The evaluation of the pilot has just been released…a year late, but better late than never.

Those referred for this hate crime conditional caution first need to admit to the offence. They then complete a programme which included an interview with someone from RISE Mutual (the not-for profit company running the programme) and three online workshops with other people accused of the same crime. For an out of court programme this is pretty intensive and gets participants to confront the harm caused by their behaviour. To be honest, it would be much easier (finance permitting) for those accused to pay a court fine. But getting people to do the programme is far more effective than paying a court fine. The evaluation found that course participants had a pretty low rate of reoffending and most realised that their behaviour was unacceptable.

One of the problems the programme faced was getting the police to refer people and to get them to complete the course. It's not surprising the referral rate was low given the criteria set by the Crown Prosecution Service (CPS) – people admit to all kinds of crimes but it's a high bar to admit to being "motivated by hostility" to people who are black/disabled/Jewish etc. Those who don't admit they were motivated by hostility (who might most benefit from the course) had to be prosecuted. It's also quite an ask to get people to meet online with others to discuss their hate crime.

Despite the barriers, the course was successful for those who went on it and has the potential to do far more good in terms of reducing verbal abuse than a court fine. So why, more than a year after the evaluation report was finished, are there no signs that such conditional caution programmes will be extended throughout England and Wales? Maybe the CPS and victims' groups are concerned about the relatively low take up. Maybe they still feel only a court sanction represents taking racist/ableist/homophobic abuse seriously? But if victims knew that the person who abused them could either go to court and, probably, be fined but not have to do anything to address their behaviour, surely most victims would go for the option which is most likely to stop that crime happening again? Let's hope victims' views are properly canvassed.

Nearly 100 Prison Staff Sanctioned For 'Inappropriate' Relationships

Sian Norris, Open Democracy: Nearly 100 prison employees in England and Wales have faced disciplinary action, including 63 who were fired, for inappropriate relationships with inmates since 2017. Inappropriate relationships include those that are sexual or otherwise "blur" the lines between staff and prisoners, as well as those that violate boundaries – for example, by giving one inmate favourable treatment. 'Overcrowded jails and inexperienced guards' behind increase in relationships between staff and inmates, experts warn

An investigation by openDemocracy reveals that such relationships are increasing in English and Welsh prisons, with 92 prison staffers being sacked or sanctioned – such as with written warnings – between 2017 and 2023. The annual number of staff disciplinaries rose from 11 in 2017/18 to 17 in 2022/23, according to data we obtained through Freedom of Information requests. Our findings, experts have warned, are the result of the crisis in Britain's overcrowded and understaffed prisons – and the victims are twofold. Inexperienced and poorly vetted prison guards may fall prey to harassment and coercive controlling behaviour from inmates, while prisoners are at risk of inexperienced staff abusing their newfound power.

"We've got overcrowded jails, with very few experienced staff, where training is done on the job – new staff teaching new staff," said Vanessa Frake, a former prison governor who

worked in both men's and women's prisons in England for nearly 30 years. "We have poor vetting, with people being vetted online rather than face-to-face, and staff only having a few weeks of training and are therefore not developing the skills to identify corruption and manipulation. These are often young people being thrown in at the deep end."

More than half of prison officers have spent fewer than five years in the job – a decade ago that figure was just 11.3%. The impact of austerity measures means there are also fewer staff members in English and Welsh prisons today than in 2010, despite the prison population rising by 4,000 to 84,000 since then. Frake told openDemocracy that a lack of proper training and ongoing mentoring of staff means "vulnerable staff do not have someone to turn to if a prisoner is behaving inappropriately towards them, and they are not trained to deal with coercion and manipulation from prisoners".

Former prison guard Ruth Shmylo was acquitted of misconduct in public office last year, after being accused of having an inappropriate relationship with a prisoner. Shmylo told the court that inmate Harri Pullen had sexually harassed her but that she did not report his behaviour as she feared doing so would "come with repercussions" due to his organised crime links. Shmylo began working at HMP Parc in Bridgend, Wales, in August 2020. She was accused of beginning a relationship with Pullen in December of the same year, when she was still on her probation period. "This is about staff training, staff recruitment, and the management of staff when they are in prisons," said David Wilson, emeritus professor of criminology at the University of Birmingham. "It means you have colleagues who are inexperienced, and whose inexperience will lead them into situations where they make poor decisions. It allows prisoners to manipulate officers to do things that they would not be able to manipulate a more experienced officer to do."

Abuse of Power - Women working in men's prisons received 72% of the total sanctions handed out for inappropriate relationships with prisoners in the past five years, with 51 women fired, openDemocracy's investigation has found. Nine male employees working in men's prisons were also dismissed over such relationships. But the far lower population of women prisoners – 3,600, compared to 83,600 in the men's estate – means they are disproportionately at risk. Six male employees were sanctioned, including three who were dismissed, over an inappropriate relationship with a female inmate.

Iain Cocks, who worked at the women's prison HMP New Hall, Yorkshire, was jailed for four years in 2018 after he was convicted of two counts of misconduct in public office and one count of sexual assault. Cocks engaged in an inappropriate relationship with one inmate, and sexually assaulted a second woman prisoner. During his trial, the court heard how the assault only stopped after the victim – who is anonymous for legal reasons – said: "Don't you think I am vulnerable?"

"Either way you look at it, whether it's inappropriate relationships between women prisoners and male officers, or male prisoners and female officers, it's an abuse of power," said Frake. "That said, men who are predatory outside of prison don't stop being predatory just because they have a prison sentence." Frake, who retired in 2013 and wrote The Governor about her experiences working in prisons, warned that "prison reflects society and the way we treat women in society. What goes on outside of jail goes on in jail. Unfortunately, women in uniform are looked on, by some men, as vulnerable outside and inside of prison."

A female prison officer was last month charged with misconduct in public office after a video emerged allegedly showing her having sex with an inmate in HMP Wandsworth, London. She will appear at Isleworth Crown Court on 29 July. Frake told openDemocracy she is concerned that the video's release "will put women staff in a more vulnerable position. I can imagine the comments that will have been made to many, many women staff by male prisoners since

the film was released," Frake said. "There are thousands of female staff who do an amazing job in very difficult circumstances on a daily basis. We need to make sure that the odd bad apple does not detract from their service, humanity and dedication." Last month, another prison officer, Kate Southern, was sentenced to 16 months in prison after pleading guilty to misconduct in public office. A second worker at Altcourse, Sarah Williams, was sentenced to 18 months in prison for three counts of misconduct in public office in 2023.

Dr Lucy Baldwin, a research fellow specialising in women in the criminal justice system at Durham University, told openDemocracy that staff shortages are having "an impact on how efficiently and safely prisons can run. A lack of staff can mean some activities are restricted, which can mean more time in cells, which drives more boredom and drug use, which can then lead to more anti-social behaviour of every kind in prison," Baldwin added. A Prison Service spokesperson said: "The overwhelming majority of our prison staff are hardworking and honest but thanks to the work of our Counter-Corruption Unit, we are catching more of the small minority who are not."

We Must Rethink Which Criminals We Incarcerate

Independent Editorial: As our jails near full capacity and the new government considers desperate – and unpopular – measures to deal with a crisis it has inherited, this is a good moment to pay some proper attention for once to the crumbling prison estate and the creaking criminal justice system that feeds it. Inmates will be released after serving some 40 per cent of their terms, rather than at the current 50 per cent mark, where the sentences are of less than four years. It would necessarily exclude those jailed for sexual, violent or terror-related offences.

The fact that a relatively high proportion of the female prison population will be covered by this measure reminds us of just how many women are locked away for offences that are too often the product of domestic abuse, poverty and desperation. The mania for incarceration that has gripped sentencing policy in recent years has created some grotesque injustices.

In that spirit, there is also a strong case to be made, irrespective of prison overcrowding, for winding down the terms of the remaining thousands of people on indefinite public protection sentences, often serving far longer than any relevant maximum sentence.

A change of government is as good a moment as any to pay some attention to Britain's creaking criminal justice system and crumbling prison estate. For the sake of clarity of thinking, it is also useful to recall that old slogan, "Tough on crime, tough on the causes of crime", the most successful of the New Labour soundbites. If, as ever, the British public demands that its government be "tough on crime", then it should be prepared to fund a functioning courts system, a probation service that can cope with its workload, and a prison estate that fulfils minimal standards of hygiene and safety, as well facilities that promote rehabilitation and prevent reoffending.

Of all the public services that suffered disproportionate cuts during the years of austerity, the courts, probation and prison services suffered the most, and with the most grievous effects on wider society. Prisons that are infested with drugs and vermin and function only as "academies of crime" do more harm than good. If the longer custodial sentences judges have been told to hand down are to act as any kind of deterrent, the necessary number of cells must be available to accommodate lengthier incarceration at His Majesty's pleasure.

Charlie Taylor, the chief inspector of prisons, is to be applauded for his commitment to alerting the previous administration about jail places not keeping pace with offender sentencing, and how such overcrowding was creating – in his typically colourful description – a "ticking timebomb". If a way cannot be found to expand the prison estate, then some hard choices, as now, will have to be confronted.

The work of defusing the causes of crime needs to begin even earlier, though. No child is born with a predisposition to offending, but some are born into conditions that make it more probable. The old Sure Start schemes, dismembered by the Conservative-led coalition, made a significant contribution to improving life chances for children from deprived backgrounds, as have improvements in the state schools. It is no excuse, but the cost of living crisis has pushed too many parents into shoplifting and petty crime, and we live in a society that is so materialistic and so unequal that the pressure to acquire can feel irresistible. The causes of crime are amorphous and difficult to treat, but common sense and the present prison crisis should tell us that a constant drift to longer sentencing and cramming more criminals into the cells cannot constitute a complete and sustainable basis for building a safer society.

Crime and punishment present tough choices – and they cannot be ducked any longer.

Why I Will Not Submit to A Therapeutic Community,

Why does the probation service look to find connections from your childhood? This is the case for me, at least. From my experience, when a probation officer says they want to work with you, it's more of a 'Do as I say, or we don't support your release' kind of deal. I have been told for the last few years now that if I do not submit to a therapeutic community, I will never have my freedom. I informed my COM in front of a live parole board that I decline a therapeutic community, though I am agreeable to other suitable options of work. The feedback I received was silence I feel it is clear that there is a lack of interest in working with those that the probation service should be working with. The connections probation made with me were firstly my childhood trauma, and secondly the death of a parent. The worst part of committing my offences was that I was in a stable place, both mentally and emotionally. I cannot speak for others, but for me personally, a therapeutic community is only gonna do more harm than good by adding more trauma to the traumas I already have to manage. What makes the situation worse is that there's a lot of information out there telling us that these courses have no positive effects on those accessing them. I started with a question, so I'll finish with one. If we actually want to help prisoners to progress, then why are probation and our government still supporting these defective courses? - Mark C – HMP Moorland

Prison Officer-Turned-Policewoman Jailed Over Relationship With Prisoner

Inside Time: A woman who formed a relationship with a prisoner whilst working as a prison officer, and went on to join the police force, has been jailed over her links to an organised crime gang. The 32-year-old began working as an officer in 2018 at HMP Wymott, in Lancashire, where she began a relationship with a man serving a sentence for murder. In 2019 she left the Prison Service and joined Greater Manchester Police (GMP) as a Pc based in Bolton, without declaring any links to criminals or criminal activity. The force say she used deceit to get her job in the police, and had links to a crime gang associated with her prison lover – who she went on to marry. Criminal activities of the group included drug dealing and money laundering. Anti-corruption detectives became aware of her links to the prisoner later in 2019, and began an investigation. After joining the police she visited the man in prison, contacting him via illicit phones he had in his cell, and sharing sensitive police information with him. On one occasion while on duty, she failed to arrest a domestic abuse suspect due to their being an associate of her lover. She was arrested in January 2020, and weeks later resigned from the force. GMP, the Crown Prosecution Service and the Prison Service produced what they call a "compelling case", and she pleaded guilty to misconduct in a public office both as a police officer and as a prison officer, assisting the commission of an offence, conspiracy to commit burglary, and money laun-

dering. She has been sentenced to serve four years and three months in jail, and barred from policing. The man, now at HMP Berwyn, was sentenced to five 27 months, to run concurrently with his current sentence. Others involved were also sentenced for burglary and other crimes. Detective Chief Inspector Jennifer Adams, of GMP's Anti-Corruption Unit, said: "During our investigation, we were shocked by her brazen disregard for the standards required for both her roles in the police and the prison service." Alan Richardson, Senior Crown Prosecutor for CPS North West, said: "She was in a position of trust. She knew her actions created a serious conflict of interest and entirely compromised the trusted positions she held. "The CPS worked hard with GMP to build a strong case. She had no option but accepts her guilt and will now face the consequences of her actions."

Coroner Calls For Removal of Shower Rails in Prisons

Inside Time: Peter Nieto, Coroner for Derby and Derbyshire, made the recommendation in prevention of future deaths report following an inquest into the death of Yasmin Adams, who took her own life in Foston Hall in November 2016. Foston Hall has already removed such rails

The coroner's report was also critical of staff failures to carry out sufficient regular checks on the 25-year-old, who had been confined to her cell because of her behaviour, and who had a history of self-harm. He noted that she had already tried to take her own life on the morning of her death; criticised the lack of staff training on personality disorders; and said the cell in which she was confined was inappropriate. A Prison Service spokesperson said: "Our thoughts remain with the family and friends of Yasmin Adams. We will consider the Coroner's

After We Get Out What Chance Have We Got?

Inside Time: The idea is that you get out, get a job, don't come back. But what chance of that is there when the prison doesn't offer you any relevant employability courses/kills? Prisons used to offer courses like bricklaying, painting and decorating, plastering, plumbing. At the moment there is huge demand for people who work in the construction industry. So what does the prison do? They cancel all these courses due to high costs. Brilliant. At the moment there aren't any real training or courses offered at HMP Northumberland that are aimed at getting us a job after jail. So, I repeat, what chance have we got? *Robert W – HMP Northumberland*

Wrongfully Executed by the Irish Sate 85 Years Ago - Pardoned Man's Family Bring Him Home

Rebekah Wilson, BBC News NI: Harry Gleeson wrongly convicted of murder 83 years ago has finally been brought home. Henry Harry Gleeson spent three months in Mountjoy Prison before he was executed or the murder of Moll McCarthy, who was shot dead in County Tipperary in November 1940. His family spent years trying to clear his name and, in 2015, Harry was the first recipient of a posthumous pardon from the Irish government. His body was exhumed from the grounds of Mountjoy Prison in Dublin in January 2024 and returned to his family.

An innocent man's life taken: A government review of the case was carried out following pressure from justice campaigners and Mr Gleeson's family. It found police and prosecutors withheld crucial evidence from the farm labourer's trial. Mr Gleeson was convicted and executed "as a result of a case based on unconvincing circumstantial evidence", the review found.

For the family, it was "amazing". Harry's grand-nephew, Kevin Gleeson, told BBC News NI that it was a long, emotional, but powerful day. "The feeling of the day—the many people that worked on this to get Harry's name exonerated—that day was brilliant. Harry was an innocent man; his life was taken," he added. The person who murdered Moll McCarthy has never

been brought to justice. It took eight years for Harry's body to be exhumed.

Kevin said having Harry's name cleared was a huge achievement, but it wasn't the final stage of his journey. "We have a good, big family; there were people we did this for, and we knew it was time to get Harry home," he said. It took eight years and many meetings with the Republic of Ireland's Department of Justice (DoJ) before the process of exhuming Harry's body began. We had little documentation, but there was a registration book at Mountjoy Prison; Harry's death record said where he was buried—the rear of an old hospital within the prison," Kevin added. He said the DoJ was "willing to leave no stone unturned".

An area on the grounds of Mountjoy was excavated in January to recover the remains of 29 prisoners executed between 1923 & 1954. A huge amount of work went in to open the area of the prison, and there was a lot of anxiety over whether anything would be found. The real work was happening; we weren't naive; the remains could have been someone else; it was only 1000 square metres, but you had gas, water, and electric services through the decades; we were worried," said Kevin. By March, about nine remains had been recovered, and the Gleeson family was told Harry could be one of them. "The DNA process took some time, but we were ecstatic—it was a weird, surreal time." After the remains of Harry were confirmed via DNA processing, the family were ready to give Harry his final journey home.

People travelled from all over the island of Ireland to pay their respects to Harry Gleeson Harry's family set out on the journey to bring him to his hometown of Galbertstown in County Tipperary at the start of July. It was a very emotional day, to bring him out of the gates of Mountjoy Prison - 83 years ago he went into that prison and was dead within three months. They had a guard of honour, the silence was immense - prison guards and prisoners came out too - it was just amazing," said Harry's grand-nephew.

Harry Gleeson's niece Kitty, at the age of 90, waited at Harry's family home to welcome her uncle back. "Bringing Harry back to Kitty - the silence and the tears was unbelievable. She lived through the hurt - she was so proud and delighted - he was home," said Kevin. Harry Gleeson's great grand-nephew, also Harry Gleeson, carried Mr Mr Gleeson's fiddle during the funeral service Kevin added that people from far and wide across the island of Ireland came to Galberstown. The amount that travelled and paid their respects - it was a special moment. We had chats and music - Harry's own fiddle was played all weekend."

A funeral was held at Holycross Abbey on 7 July and he was buried at St Mary's Cemetery, Holycross. It all happened 83 years after he was executed by the Irish state. The burial was - well I just can't describe it - hundreds of people walked him up - it was a sad but happy time - just to have him home," Kevin added. To be able to visit his grave, after Harry was behind the walls of Mountjoy - it's been a long journey - but this is closure, it's closure to Harry's story."

200th Death Row Exoneration Shows Capital Punishment 'Broken'

4WardEverU,https: The US has seen the 200th individual on death row exonerated since 1973. The exoneration earlier this week has led to further calls from a Catholic organisation that advocates against the death penalty for an end to the "broken system of capital punishment" to ensure innocent people aren't executed in the future. "Because of the tireless efforts of faithful advocates and committed lawyers, 200 people have now been saved from the threat of execution after being sentenced to death," Krisanne Valliancourt Murphy, the executive director of Catholic Mobilising Network, said in a 3 July statement. We also remember the many individuals – both innocent and guilty – who did not, and will not receive the same grace, whose lives are discarded by a system determined to throw them away,