Melvyn "Adie" McLellan turns to art and proves to be a trophy catch

Back in the news – for winning an art award Grimsby Telegraph, 08/10/11

Former heroin dealer Melvyn "Adie" McLellan – known as the Codfather for his hold on Grimsby's drug scene – was jailed in 1997 for ordering the murder of Greg Dalton. McLellan, now serving time at HMP Wayland, has turned his hand to art since his imprisonment and one of his most recent pieces – a 3ft shark's head, called Great White Shark and made of matchsticks, is being displayed in the South Bank Centre, London.

The piece highly commended by the Koestler Trust, which promotes and exhibits art by offenders and detainees, and picked for their Art By Offenders exhibition. It is understood that the killer has been offered £1,000 for the shark head. It is also thought he has been approached by an Australian angling company to make a trophy for a competition to catch big fish.

McLellan's mother, Barbara Wakefield and her partner, Nick Riley, who has been like a father to McClellan, insist that art has rehabilitated him, so that he will not have to return to a life of crime when he has served his time. Barbara said: "Twenty years is a long time and he wants to turn his life around when he comes out.Art has given someone in his position an opportunity to do something else. He doesn't want to come back to Grimsby and live that life again – he just wants to get a studio out of town and get on with his art."

Adie McLellan, A0543AG, HMP Wayland, Griston, Thetford, IP25 6RL

Crimestoppers Initiative (Prisons) House of Commons / 17 Oct 2011 : Column 56WS

The Parliamentary Under-Secretary of State for Justice (Mr Crispin Blunt): Today, I am advising the House that on 22 September, we announced the launch of an enhanced Crimestoppers initiative in prisons. Crimestoppers will now report direct to the National Offender Management Service (NOMS) all prison-related matters, enabling a faster response. The launch was accompanied by a poster and leaflet campaign advertising the new arrangements and this will be followed by other campaigns on key issues that effect security in prisons. All printing is being undertaken through a contract with prison industries, providing useful employment for prisoners.

NOMS is determined to disrupt the criminal behaviour of prisoners. A key element is the ability to gather good quality intelligence and act quickly on information received. The Crimestoppers initiative provides a valuable source of intelligence with a particular focus on drugs and mobile phones. This will enhance NOMS' ability to address these threats.

This initiative is a very good example of the invaluable work that the third sector can undertake in prisons.

Hostages: Terry Smith, Hyrone Hart, Glen Cameron,Warren Slaney, Melvyn 'Adie' McLellan, Lyndon Coles, Robert Bradley, Sam Hallam, John Twomey, Thomas G. Bourke, David E. Ferguson, Lee Mockble, Talha Ahsan, George Romero Coleman, Gary Critchley, Neil Hurley, Jaslyn Ricardo Smith, James Dowsett, Kevan Thakrar, Jordan Towers, Peter Hakala, Patrick Docherty, Brendan Dixon, Paul Bush, Frank Wilkinson, Alex Black, Nicholas Rose, Kevin Nunn, Peter Carine, Simon Hall, Paul Higginson, Thomas Petch, Vincent and Sean Bradish, John Allen, Frank Wilkinson, Stephen A Young, 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 & Keith Mawhinney, Peter Hannigan, Ihsan Ulhaque, Richard Roy Allan, Sam Cole, Carl Kenute Gowe, Eddie Hampton, Tony Hyland, Timothy Caines, Ray Gilbert, Ishtiaq Ahmed.

Miscarriages of JusticeUK (MOJUK)
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MOJUK: Newsletter 'Inside Out' No 342 (23/10/2011)

The Abuse Of Mentally Ill Prisoners Held In Close Supervision Centres

Prison doctors, psychiatrists and psychologists are currently complicit in the abuse and psychological torture of mentally ill prisoners held in a brutal jail control-unit at Woodhill Prison in Milton Keynes.

In 1998 the then labour government introduced the so-called Close Supervision Centres (CSC) as a method of punishing and controlling "difficult" and "unmanageable" prisoners, and explicitly defined both the purpose of the CSC and the type of prisoners it was created to hold. The CSC was designed as an overt weapon of punishment based behaviour modification against prisoners motivated to cause unrest and disruption in mainstream prison regimes; essentially the type of prisoners targeted were "subversives" and violent troublemakers. It was never openly said that within this group of control-problem prisoners earmarked for the CSC would be included prisoners suffering with mental illness or suicide tendencies. Never was it admitted that within a control unit characterised by endemic staff violence and brutality would mentally disturbed and damaged prisoners be subjected to the same degree of abuse and ill-treatment. Yet in August of this year Claire Hodson, operational manager of the CSC at Woodhill Prison, openly stated that a significant number of the prisoners held in the CSC suffered with what she described as a "mental disorder". Information provided by prisoners within the Woodhill CSC describes such mentally damaged prisoners being driven beyond the limits of psychological endurance by a regime characterised by solitary confinement, sensory deprivation and brutality. The involvement of prison hired doctors and psychiatrists in either mitigating the increased mental trauma and damage caused to such prisoners by the CSC regime or vetting out completely such mentally ill and vulnerable prisoners from the CSC appears minimal or non-existent, which amounts to obvious collusion in the ill-treatment of such prisoners.

Historically of course the collusion and collaboration of the prison doctors, psychiatrists and psychologists in the ill-treatment and repression of prisoners has a long and infamous tradition. In the 1960s and 1970s compliant prison employed psychiatrists frequently and unlawfully assisted prison staff to control and subdue "unmanageable" prisoners by forcefully and unlawfully administering psychotropic drugs in a practice that became known as the "liquid cosh". Jail psychiatrists also provided their authority to medicate the resistance of rebellious prisoners by facilitating their removal to high-security mental hospitals such as Broadmoor and Rampton in a form of punishment that was known as "Nutting off". During the 1980s the removal of "difficult" prisoners to jail psychiatric units such as the notorious "F.2." unit at Parkhurst Maximum-Security jail represented the ultimate punishment for those prisoners too "unmanageable" to be handled in ordinary prison segregation units; few prisoners emerged from places like "F.2." seriously undamaged psychologically or punch-drunk from the constant "sedation" of mind-destroying drugs administered by completely amoral prison hired psychiatrists. In the totalitarian society of prison such psychiatrists freed from any accountability or legal sanction align themselves completely with the institutional interests of prison regimes and often gladly participated in the institutional abuse of prisoners.

Punishing mentally ill prisoners for behaviour associated with their illness is both morally reprehensible and a unarguable abuse of basic human rights, and all those involved in administering the regime in the CSCs under which mentally ill prisoners are effectively being tortured

should be held legally accountable.

During the 1980s a then Tory government with a ruthless antipathy towards state financed and administered health care closed most of the large psychiatric hospitals and caste it's inmates and patients effectively onto the streets under the heading and illusion of “care in the community”. Many of those patients then found their way into the prison system, somewhere hopelessly ill-equipped and disinclined to deal with them in a medically appropriate and therapeutic way. Some of that same group, because of their more “confrontational behaviour” towards prison authority, as defined and interpreted by guards trained only in how to control and lock people up, will find their way into punishment orientated prison segregation-units where further and more deeper brutalisation will take place and greater damage inflicted. Those who respond to that with a more resilient streak of resistance or “inappropriate behaviour” will at some point find themselves consigned to a CSC, where the prison system will really go to work on their minds and spirits. Self-mutilation will then usually manifest itself, and within the Woodhill jail CSC levels of self-harm are disproportionately high (earlier this year a mentally ill prisoner in the Woodhill CSC completely severed both his ears whilst in the showers and in possession of a razor blade), something it's operational manager Claire Hodson knowledgeably describes as a “coping mechanism or as a maladaptive coping strategy, as well as diagnosis of one or more personality disorders”. And yet she is responsible for enforcing a regime deliberately intended to inflict the worst possible psychological damage upon this particular category of “difficult” prisoners.

The psychological torture and abuse of the mentally ill anywhere in society is a crime and the CSCs are therefore responsible for operating regimes that are intrinsically unlawful and should be closed and shut down.

In 1984 a prisoner, Michael Williams, instigated a high profile legal action against the prison system and Home Office, one supported by the then National Council for Civil Liberties, that challenged the lawfulness of the Wakefield Prison “Special Control Unit” on the grounds that it's regime breached the basic human rights of the prisoners held there. Although his legal action failed it raised the public profile of the Control Unit experiment (originally used on suspected Irish Republican combatants and outlawed by the European Court of Human Rights) and Wakefield closed the control unit. The regime operating in the CSCs, especially in terms of it's treatment of mentally ill prisoners, needs to be similarly challenged and exposed, and the behaviour of those trying to legitimize the abuse inherent in that regime and paid to oversee it held fully and publicly accountable.

John Bowden, 6729 HMP Shotts, Cantrell Road, Shotts, ML7 4LE

Justice for Kevin Lane

Mystery files cast doubt over verdict on Robert Magill gangland killing

Kevin Lane has been in jail for 16 years after being found guilty of murder. But did police pervert the course of justice? Jamie Doward, guardian.co.uk, Saturday 8 October 2011

Duncan Campbell outlines the compelling reasons to reopen the Kevin Lane case. It was a notorious killing carried out one morning in a Hertfordshire backwater. Two men had approached Robert Magill as he walked his dog close to his home in Chorleywood on 13 October 1994. One of them was seen by several witnesses to pull out a shotgun and shoot Magill five times at point blank range. The final shot was delivered to the head as Magill lay prostrate.

As of today, Kevin Lane will have served 16 years and 255 days of a minimum 18-year

has the potential to generate satellite litigation”

* The United States/United Kingdom Treaty, which campaigners for Gary McKinnon amongst others have argued is unbalanced against the UK, “does not operate in an unbalanced manner” and there is “no significant difference between the probable cause [US] test and the reasonable suspicion [UK] test“.

* The prima facie case requiring the requesting State should be required to provide evidence establishing a prima facie (at first sight) case against the accused person should not be re-introduced (it was first recommended in 1868) .

* The Secretary of State’s discretions relating to competing extradition requests and national security should “remain as they are” and should not be increased. However, her discretion in human rights matters should be removed as “they are more appropriately the concern of the judiciary.”

* As to extradition claims in cases where asylum claims have been made before they have begun, the Extradition Act 2003 should be amended so that extradition cannot take place until an asylum claim has been finally determined. This is in order for the UK to comply with the Refugee Convention.

* Means testing for legal aid is too slow for those facing extradition. The Government should look into removing the means testing requirement or giving the courts discretion to grant legal aid in some cases.

* There are a number of extradition cases pending before the European Court of Human Rights (such as this one by cleric and terrorist suspect Abu Hamza). Some have been before the court for over three years, and this delay should be taken up by the government.

Sir Scott’s 486-page review is certainly thorough, but those who were hoping for radical recommendations will be disappointed. The human rights organisation Liberty have said they are “completely baffled” by it and campaigners for Gary McKinnon have called the recommendations “pathetic”. The Home Secretary, however, has said that she is “very grateful“; it may be that the Home Office is relieved that significant and complicated extradition agreements with other states will not have to be renegotiated.

Report on an unannounced short follow up inspection of HMYOI Aylesbury, 3 – 6 May 2011 by HMCIP. Report compiled July 2011, published Thursday 20th October 2011

Inspectors were concerned to find that:

- although the number of violent incidents and assaults appeared to be declining, they often involved the use of weapons;
- batons had been drawn by staff on nearly 40 occasions over the last two years and, although used on only a few occasions, this use was much more than inspectors had seen elsewhere;
- staff-prisoner relationships appeared distant;
- there was no drug therapy system in place, and suspicion drug tests were not always carried out;
- accommodation was poor, with dirty cells and insufficient encouragement to prisoners to keep them clean;
- there was far too little for prisoners to do, and 44% of prisoners were locked behind their cell doors during the working part of the day; and
- the quantity and range of work, training and education had decreased.
- rules, such as the complete prohibition on property being posted or handed in were very restrictive and rigidly enforced

a unique, joined-up approach to rehabilitation.

All our offenders are now allocated a dedicated Case Manager to support them for the duration of their sentence and crucially, on release. They will offer advice and help on a range of practical matters such as employment options, housing and benefits through regular meetings at the prison and via phone calls and visits on discharge. Offenders will also have access to a 24-hour helpline for support and guidance at any time.

We'll also ensure offenders continue to access the wide range of programmes already on offer at the prison to reduce recidivism. These aim to provide transferable skills and qualifications that offenders can use after they leave. For example, courses can be taken in computing, manufacturing, printing, catering and bricklaying, while drama workshops and sports aim to build confidence and a sense of self-worth. We also run a successful Families First programme which supports fathers to develop and maintain ties with their families, something which has a proven affect on the likelihood of prisoners reoffending.

I truly believe what we're doing here at Doncaster works and that we can achieve our targets. It will be challenging, but if we hit 5% then it's estimated that more than 15,000 further offences a year could be avoided. When you take into account the time and money spent on each offender by the police, the courts, probation, and the NHS if they are abusing drugs, not to mention the support services required to help victims of crime, this will deliver significant cost savings to the Government, as well as much wider social benefit in terms of a reduction in crime. John Biggin is Director of HMP & YOI Doncaster which is operated by contractor Serco

Extradition review backs status quo, leaves some completely baffled

Adam Wagner, UK Human Rights Blog, October 19th 2011

A review of the UK's extradition laws by a former Court of Appeal judge has found that existing arrangements between the UK and USA are balanced but the Home Secretary's discretion to intervene in human rights cases should be removed.

The review by Sir Scott Baker was commissioned shortly after the Coalition Government came to power, fulfilling the pledge in its programme for government to "review the operation of the Extradition Act – and the US/UK extradition treaty – to make sure it is even-handed". In my September 2010 post I said that the review marked a victory for campaigners against certain extradition agreements, most notably the supporters of alleged Pentagon hacker Gary McKinnon.

Extradition is the name given to the formal legal process by which persons accused or convicted of crime are surrendered from one State to another for trial or punishment. Extradition law constitutes a system of agreements between states which make it easier to extradite, for example, criminal suspects if a certain level of evidence is provided and procedures complied with.

The campaigners who prompted the review have been less than enthused by its result, which mostly backed the status quo. In summary, Sir Scott found:

* The European Arrest Warrant (in the news most recently in relation to the attempted extradition of Wikileaks founder Julian Assange to Sweden) "has improved the scheme of surrender between Member States of the European Union and that broadly speaking it operates satisfactorily". However, some member states are issuing too many warrants, a problem which is being addressed by the European Union and Commission.

* A "forum bar" rule, whereby suspects would be tried in the country where the bulk of their offences had been committed, should not be implemented as it would "create delay and

sentence for carrying out what was seen as a classic contract killing. Lane was raised in the criminal underworld, but has always claimed he was innocent of this crime. Many aspects of the case remain troubling and new evidence now threatens to blow apart not just Lane's conviction but the way in which it was achieved.

The Observer understands that a specialist team reporting to the Crown Prosecution Service is examining whether a clutch of confidential internal police files, apparently relating to the case and sent anonymously to Lane's lawyer, Maslen Merchant, are genuine.

The files, which have been seen by the Observer, appear to be copies of secret memos sent between a number of police officers involved in the case. For legal reasons, the evidence cannot be reproduced at the moment. But, if genuine, Lane's lawyers believe it would have a material effect on their client's appeal. In their submission filed before the Court of Appeal, the lawyers claim the documents, "if genuine, demonstrate the most blatant, deliberate and… shocking, plot by police to pervert the course of justice and ensure the applicant's conviction for murder". They would also illuminate the shadowy way in which the judicial system prosecuted contract killings, often having to go to great lengths to protect police sources who helped to secure convictions but were themselves closely connected to the criminal underworld.

Central to the prosecution case against Lane was his palm print, found on a plastic bin liner in which the murder weapon was said to have been carried. The liner was found in the boot of a car Lane admitted driving. Another article in the car's boot was tested and found to have traces of nitroglycerine on it, indicating the presence of a weapon.

Lane, who had travelled from Spain two weeks before the killing under a false name, claims he was at home at the time of the crime, but accepted he had borrowed the car about a week before the murder. His son's fingerprint was also found in the car, reinforcing Lane's claim that he had used it to ferry his family around.

A defence expert suggested the apparent presence of nitroglycerine could have come from an industrial nail gun. Lane said he had entered the country under a false name because the Department for Social Security had been after him in connection with a benefit claim.

But for Lane's supporters, the most troubling aspects of his case centre on the secrecy that has characterised it. Some evidence disclosed at Lane's retrial in 1996 was subjected to a public immunity interest order, meaning it was not shared with his legal team. For years, Lane's lawyers sought to establish the full contents of the suppressed material, who had authorised it, and why.

The new material, if genuine, answers many of their questions. Lane first stood trial in October 1995 with Roger Vincent, who was found not guilty of participating in Magill's murder by direction of the judge. A hung jury was unable to return a verdict on Lane.

Since Lane's conviction at his second trial, evidence has emerged showing Vincent had lengthy discussions with police officers shortly after his arrest. Statements shared with Lane's legal team by a detective sergeant, Christopher Spackman, also confirmed that Spackman had visited Vincent while he was on remand in HMP Woodhill. Spackman was later jailed for conspiring with others to steal £160,000 from Hertfordshire police, money the married father of three paid into his lover's account.

The prosecutor at Spackman's trial claimed: "The lengths he went to, the lies he told and the documents that were forged would have been worthy of a seasoned fraudster." Spackman's name also surfaced in a 2005 court of appeal case that quashed the conviction of two men, Nazeem Khan and Cameron Bashir, in a case involving credit card fraud. The court had heard Spackman had displayed "an ability to conduct complicated deceptions within a police environment".

On his website, Lane makes the extraordinary claim that before his first trial had finished, Spackman had visited Vincent's mother and told her that her son was coming home, but "Lane" would be found guilty. Spackman had also visited Vincent's mother's home twice after her son had been released.

Vincent sued Hertfordshire police for false imprisonment after his acquittal for the Magill killing. He alleged Spackman had offered him a deal to drop the case against him and pay him a reward if he turned Queen's Evidence. Spackman later insisted it was Vincent who had approached him to "do a deal". It was not to be Vincent's last brush with the law. In August 2005 he and his friend David Smith were convicted of the 2003 killing of David King, who was shot 26 times with a Kalashnikov outside his gym in Hoddesdon, Herts.

Logs later released by the police showed that during the original Magill murder inquiry they had received more than 20 tip-offs claiming Vincent and Smith had been responsible. They were well known in the criminal world and were suspected of having carried out several killings.

Lane's lawyers believe that charting the relationship between Vincent and Spackman is crucial to the success of his appeal. The relationship certainly pre-dated the Magill murder. In 1992, it was Spackman who had liaised with Vincent when he gave evidence in the case of a man convicted of attempted murder and false imprisonment. Vincent received a commendation from the judge for his bravery in testifying.

Today Vincent is behind bars and refusing to shed light on the extent of his relationship with Spackman. Lane continues to protest his innocence from a category B prison, potentially putting his release date in jeopardy.

His hopes now rest on whether the internal police files mysteriously posted to his lawyers are real or sophisticated forgeries. Given the bewildering twists and turns in Lane's case, either conclusion is possible.

Letters of support/Solidarity to: Kevin Lane,
A5636AE, HMP Rye Hill, Onley Park.Willoughby. CV23 8SZ

Ex-policeman in line for £1m damages at Leeds hearing Yorkshire Post, 11/10/11

A former police officer could win £1 million in damages after he was wrongfully sent to prison as a result of a malicious prosecution brought by colleagues. Cleveland Police has admitted liability after it was sued by ex-Pc Sultan Alam, who has battled to win justice for 17 years after his life was destroyed.

He was wrongly prosecuted and convicted of handling stolen goods in 1996, two years after first being accused of “car ringing”. He served half his 18-month sentence behind bars and, once free, began the long battle to clear his name while working as a taxi driver. That culminated in 2007 with him being cleared by the Court of Appeal.

In 2003, four fellow officers involved in Mr Alam’s original prosecution were charged with conspiracy to pervert the course of justice and other offences, but were acquitted. Mr Alam’s Court of Appeal judgment said: “This is a very serious case of misconduct on the part of the police.”

Mr Alam’s legal team argue he is entitled to exemplary damages as “the officers responsible for the wholly unlawful conduct in this case were never punished - the full extent of the criminal and disciplinary sanctions applied were that one of them suffered the loss of three days’ pay”. Mr Alam’s jail sentence was an ordeal for a police officer who knew he was innocent, and he had to be moved three times after inmates became aware of who he was.

Mr Alam, a father of two girls who were eight and six when he was convicted, separated from his

around her name. OK, it’s not up there with Gussie Fink-Nottle at the Market Snodsbury Grammar School prizegiving, but it was pretty good for a judge and an immigration judge at that. They are people who deal with the horrors of the world, with the pain of exile and the memory of torture, and making jokes at all shows a resilience of spirit which one can only applaud. But the joke got reported – and misreported – and the whole case fell into that dangerous swampy hinterland of factoids and myth where the untrained mind seeks truth.

I did not make this up . . . . And then it emerges like some misbegotten creature of the deep into a speech by the home secretary at a Tory party conference. Truly dear reader I did not make this up... which is what Mrs May said before she used it as an example of how the Human Rights Act was all a nasty mistake.

Words now fail me. There are at least a quarter of a million words in the English language, not counting tenses, and they all fail me. One needs maths here: stupid to the power of 100 million? Ignorant to a factor of 29 zillion? I make no claims to mathematical certainty, nor even to advanced legal research which is best left to our clever pupils – but even the least worthy of our publically funded criminal defence barristers can find a bleeding law report! The case was law-reported. Let me say this again – the case was in the law reports.

This was a speech by the home secretary. About a case which was reported. It was wrong. It was not just wrong: it was laughably, cat-shakingly, career tremblingly, government-shatteringly wrong. Whoever put the joke in is not the villain here: stupid yes, untrained yes, probably some poor bloody intern whose daddy knows someone – but the home secretary did not query it. Did Mrs May believe it when she read the draft? Or did she simply not care whether it was true or not? How deep is her contempt for us all that she said it without having the wit to check it out? Apparently stroking cats soothes one. Puss-puss? Puss... come here.....

Innovative rehabilitation - payment by results at Doncaster prison

Ministry of Justice, 13 October 2011

As a new 'payment by results' pilot is launched at Doncaster Prison the prison’s director, John Biggin explains how the four-year scheme will provide innovative rehabilitation services both within the prison and 'through the gate' in the community.

We know that ex-offenders are most vulnerable in the first three months after release – they may have lost their homes and jobs and have little to return to. This is when they are most likely to reoffend, and why the support we can provide them with is so important. Most offenders at Doncaster are serving sentences of 12 months or less, which means that they aren't entitled to statutory support. The new pilot scheme that we're delivering on behalf of the Ministry of Justice aims to address this and offer offenders seamless support both within the prison and, importantly, after their release.

For the duration of the pilot 10% of our annual revenue is contractually dependent on us making this work and achieving a five percentage point reduction in reoffending rates. If former prisoners end up back in court and are convicted – on any charge within a 12-month period – then our revenue is affected.

In alliance with our long-term voluntary sector and social enterprise partners - Turning Point and Catch22 - we have designed a scheme that can be adapted to meet the specific needs of individual offenders. To do this, the Ministry of Justice has given us the flexibility to make decisions at a local level and truly innovate to reduce reoffending. For example, we have already integrated resettlement and the offender management unit within the prison to provide

to look like me, but also attributed a limp to the suspect, which was factually incorrect and not evidence in the original CCTV footage nor the two trials.

All in all, it is inconceivable that I am caged in a top security prison serving a de facto, indeterminate Life prison sentence for a crime that 'Could Not' and 'does Not Exist'.

Moreover, that I was misidentified by an eyewitness that could not recall facial features of the suspect, yet somehow, managed to identify someone of a different height, colour, race and and physical capablility over one year later.

Even more inconceivable, the Police are forever crowing about ANPR technology as being "a revolutionary tool in the detection and prevention of crime," but when it can be used immediately to resolve a genuinely hideous miscarriage of justice, it pulls up the drawbridge of public access until it can delete the information. This cannot be right at any level.

Finally, if you have any practical suggestions or solutions that may resolve this ANPR/ID fiasco, please contact either, myself Terry Smith, or Maslen Merchant @ Hadgkiss, Hughes & Beales Solicitors, 83 Alcester Road, Moseley, Birmingham, B13 8EB or MOJUK.

Terry Smith, A8672AQ, HMP Whitemoor, Long Hill Road, March, PE15 0PR

Behind Bars: Jeannie Mackie despairs over the home secretary's recent blunder

Well, it would make a cat laugh. Actually, it does make a cat laugh – all over the UK at this present moment cats are laughing, snorting with mirth, holding their sides with their furry little paws, heaving and gasping with unbridled hilarity. Rolling on the floor they are, positively beside themselves. They are in that wonderful and sadly forgotten state of painful rollicking agonising glorious giggles, remembered from the collective hysteria of school assemblies and other forbidden times when One Should Not Laugh, but must... must.

PussyGate – or CatFlap? – has a huge appeal for our furry friends whose lives hitherto, if not quite blameless in the matter of songbirds and being caught short in the guest bedroom, have been fairly apolitical. And now they are propelled, wonderfully, into high politics and what one sincerely hopes will be the permanent discomfiture of any politician who believes what they read without first engaging what passes, on a good day, for their mind. It was a cat wot done it – a cat wot punctured the monstrous nonsense that is hawked about by those with policies and no principles, sound bites and no sense, manifestos and no morals. If Mrs May, for it is she of whom we speak, has a feline companion then I strongly advise bribery: the very best butter and the most luscious liver should be offered to little Tiddles: anything less and that wise animal will not disguise her amusement nor cast down her mocking eyes.

The full story: The cat of which we speak – or perhaps more accurately the love which cannot speak its name because puss was anonymised in the careful judgment made by the senior immigration Judge Gleeson who heard the case – was owned by a Bolivian who wanted to stay in the UK, despite being neither an illegal entrant nor a criminal. He shared it with his girlfriend. It was a small piece of evidence among other more substantial indications that they had a life together. His claim to remain here was upheld largely on concessions made by the Home Office – they got the law wrong and had to admit it – and was based on previous regulations that meant that a settled relationship with a UK citizen for more than two years gave one certain rights to continue having that life.

The judge, seeing a joke on the horizon and grabbing it with both hands with a joie de vivre entirely admirable in someone who has to deal with the Home Office every day, made a crack about how kitty now did not have to adapt to catching Bolivian mice, and put brackets

wife in 2002 as a result of the turmoil the case brought to his family life. He remarried but his second marriage failed under the pressure of what had happened and his resulting psychiatric illness. After being cleared in 2007, he was reinstated to Cleveland Police but retired in 2009 on health grounds.

Mr Alam brought employment tribunal proceedings against a superior in 1993, claiming racial discrimination after he missed out on promotion despite passing his sergeant's exams. A relative of that superior officer was involved in the car-ringing investigation, which started in 1994.

At a hearing at Middlesbrough County Court, his barrister Hugh Tomlinson QC said: "This is an assessment of damages hearing in a case brought by Sultan Alam against the chief constable of Cleveland Police, a case in which, remarkably, malicious prosecution and misfeasance in public office have been admitted by the chief constable. "Misfeasance and malice which resulted in Mr Alam, who was at the relevant time a police officer, spending nine months in prison and his conviction only being quashed 11 years later." Mr Tomlinson said his client was entitled to substantial damages as he missed out possible promotions "because of the outrageous wrong-doing of fellow officers". The case was adjourned as two full days would be needed for the hearing, which will take place in Leeds at a later date. Mr Tomlinson said: "It is obviously important for everybody that this sorry matter be brought to a speedy end."

Mr Alam's legal team argue that he is entitled to general damages for malicious prosecution and misfeasance in public office, covering distress, loss of liberty and damage to reputation. They say he should also have aggravated damages, "to cover the fact that Mr Alam's sense of injury was justifiably heightened by the conduct of the police officers in this case". They further claim that the officer, whose father died before his name was cleared, should win exemplary damages because his treatment by the force he joined in 1984 was so bad. His team argued: "Mr Alam was the subject of appalling misconduct by police officers with the result that the Chief Constable has admitted liability for misfeasance in public office and malicious prosecution. "Mr Alam is plainly entitled to receive a very substantial award of damages.

"The quantum of his award of 'general, aggravated and exemplary' damages should, quite rightly in view of the misconduct involved, be one of the highest ever made by an English court in a case of this kind." They argue he should be awarded almost £847,000 on top of the £260,000 he has already received in lost back pay.

Predicting Dangerousness - The Flaws By Charles Hanson

With the so many and various type of risk assessments being used by probation officers and forensic psychologists and none more so than with offenders in the prison system one could be forgiven for thinking that here at last we have a scientifically reliable method of predicting future offending.

The Offender Group Reconviction Scale (OGRS) is a predictor of re-offending based only on static risks – age, gender and criminal history. It allows probation, prison and youth justice staff to produce predictions for individual offenders even when the use of dynamic risk assessment tools (e.g. The Offender Assessment System (OASys) or Asset) is not possible. It will form the basis of an improved static/dynamic predictor in OASys, and also assist researchers in controlling for expected levels of re-offending when comparing samples.

OASyS devised by academics working within the Home Office, is based on mathematical formula which measures the variables of previous and present offence details, social class, age, gender, age first convicted, social problems for example drugs or alcohol, employment history and time in last job, number of associates, previous breaches of parole, probation, supervision or bail, times

between each prison sentence, whether single married or divorced and even whether living alone or with parents etc. the variables appear to be unlimited.

It is calculated that against each factor a score can be applied that when measured overall can determine risk, but how accurate is the method for there does exist the critics who argue that the whole area of risk prediction is flawed and unreliable?

The critics argue that a dangerous person is not a psychological entity nor is dangerousness a scientific or medical concept, neither is it necessarily associated with mental illness.

The notion of a 'dangerous person' as one with a propensity to inflict harm is empty of meaning until it is given social content.

There are considerable difficulties in defining dangerousness satisfactorily for legal purposes. The greater problem is in selecting dangerous offenders although psychologists and indeed the probation service continually strive to do just that through the often use of dubious methods.

The literature on predicting dangerousness is amassing all the time and yet no one has come up with a valid and accurate method of assessment, models of past behaviour seem certain to continue to be the criteria in assessing future risk irrespective of the outcome of any behaviour or psychological programmes.

Professor Norval Morris states:- "Since we cannot make reliable predictions of dangerous behaviour, considerations of justice forbid us to confine people against their wishes in the name of public safety for longer periods than we can justify on other grounds."

What is a dangerous person? "No such entity exists in the nosology of psychiatry" remarks H.L. KOzol.

Cocozza and Steadman in a 1976 study reported that those evaluated by psychiatrists as being dangerous were no more so than those evaluated as safe.

Two first hand studies were undertaken at institutions for the diagnosis and treatment of dangerous offenders in the U.S.A. (Maryland) 1973.

A number of inmates were released against the advice of clinical staff and followed up for a period of five years in one case and three years in another.

The assessments were thorough involving psychiatrists, psychologists, social, workers, law enforcement agencies etc. Half to two thirds of the judgments of dangerousness that were put to the test were NOT borne out by subsequent harmful behaviour on the part of the offender concerned.

Monahan (1973 AND 1977) in referring to this states:-

"Even under favourable conditions, the risk of unnecessary detention is likely to be considerable, and on the evidence of Kozol it is likely to be at least 50% and may be as much as 66% even when the offenders concerned have had records of serious crime accompanied by violence and the assessments have been carefully made."

If most people do not commit serious crime it is far easier to be wrong than right if you predict that someone will do so however carefully you make the assessment of his character and circumstances.

The prevailing tendency for the courts and executive authorities (the Ministry of Justice) to defer to psychiatrists and indeed psychologists should be checked, given that each side will use 'expert testimony' to promote their case without the benefit of being objective. The adversarial system of justice in the U.K. virtually compels the expert to be partisan to the side that calls him or her.

Protection of the public is a function of the Criminal Justice System but the technique at its disposal is punishment justly related to Past Conduct.

Predictive judgments of future conduct are out of place in systems of natural justice.

They are highly inaccurate but even if they could be made as accurate as judgments of

The defence, however, had found a genuine ANPR site/camera on the route, A130 Rettendon By-pass, Essex. But after an urgent adjournment, this was declared to be an Essex County Council (ECC) ANPR camera which retains the data for a Journey Time Monitoring Systems for two hours and is archived off into an unrecoverable format.

A recent Freedom of Information Act request to ECC has confirmed that all ECC ANPR data is indeed used for the monitoring of journey times, but is simultaneously stored on the local Police. "Back Office Facility" ANPR database for Two Years, which dictates that it was available at the trial, and I suggest, deliberately suppressed under a cloak of secrecy and lies.

Presently, I am being legally represented by a new, specialist Appeal lawyer, Maslen Merchant, pro bono, in the public interest. Recent research has discovered that all local Police Force ANPR data is simultaneously stored on the National ANPR Data Centre (NADC) centralized database at Hendon, north London for five years.

Hence archive ANPR data of the new, "unlawfully switched" Loomis van is STILL AVAILABLE and if disclosed would completely exonerate me of this concocted crime. The NADC, however, state that they only "process" the ANPR data for the "owners", i.e. the 43 signatory police Forces and refuse disclose the data we seek.

Repeated written request to the "owners", Essex Police, have been summarily dismissed, disregarded and finally diverted to BTP, who I claim, were the venal architects of the outrageous fit-up.

More bizarrely, why would Essex Police pass on a legitimate ANPR disclosure request to an external police force (BTP) for them to re-contact the "owners" of the ANPR data (Essex Police) for the same information?

I will tell you why, because BTP have recently disclosed the ANPR data we seek has been "weeded," deleted from the local Essex Police ANPR database. This was in spite of specific instructions from my solicitor seven months earlier to retain the data.

More disturbingly, a formal complaint from me to the IPCC/Essex Police was "temporarily overlooked" until the deletion was complete and the IPCC/Essex Police are to conduct an investigation now that the ANPR data has been wiped clean from the Police database.

It seems from the very outset I urged the prosecution from the witness box to obtain the ANPR data on the vehicles of interest at trial that would clear me, there has been an illegal blockade of the ANPR system and now we have reached the stage where the local Police ANPR database has been wiped clean of the data we seek.

I have considered an approach to the CCRC in order to obtain the same data from the National ANPR centralized database at Hendon, but the more direct legal avenue of a Judicial Review appears to be the answer. But, I claim, if BTP disclosure officers have anything to do with this legal process, whose to say they won't mislead, distort and fabricate the ANPR disclosure replies as they have done before?

Moreover, as is often. the case, the subsequent police cover-up of the concocted crime, I propose, has become more important than the original fit-up. For if it were publicly exposed it would have far-reaching legal implications for the masterminds of the most gross and deliberate miscarriage of justice in recent British criminal history.

Not surprisingly, in an act of desperation to justify and legitimize the wrongful conviction, in September 2011, the BTP profiled the case on the BBC TV Crime Programme called: "Catch Me If You Can" (broadcast" 06/09/20) in relation to the criminal activities of alleged armed robbers.

In a master-class of misrepresentation and spin, the programme producer Reconstructed Actual CCTV footage of an unidentified and unidentifiable getaway driver at Rayleigh, not only

new, switched vehicle was not recorded in the Police contemporaneous observation logs.

Nor was there any alleged criminal activity captured on the police hand-held video and photographic equipment available and operational one hour prior to the alleged criminal behaviour.

Nor was there any urban, civic or Law Enforcement CCTV footage of the new, switched, Loomis van available. Not even the vehicle leaving the Loomis depot at 09:13 hours that day.

More bizarrely, nor was there any police archive Automatic Number Plate Recognition (ANPR) data of the new, switched, Loomis van travelling along the dedicated 98.9 mile route and road network throughout Essex that day.

Outraged, during my testimony, I called the new, switched, Loomis vehicle, "A Ghost Van!" As inexplicably, there were no human or technological sightings of the vehicle on the road network in 'Essex at all.

Even more astonishing, I suggest, the Data track records were at variance with the CPRTS documents, as at two specific locations --- Basildon and Brentwood --- it placed the crew inside the van, motoring along at 22 khp and 26 khp respectively while simultaneously in the ATM bunkers replenishing the cash machines.

In another glaring discrepancy, according to the same computerized documents, the alleged new Loomis van completed the 98.9 Mile specified route in 5 hours, 27 minutes, but when compared to the AA (2 hours, 43 minutes) and the RAC (2 hours, 28 minutes) travel time estimations, there is a massive comparative difference.

Other data taken from the same documents reveal the new Loomis van travelled from Brentwood to Colchester, Essex, (34 miles) in 89 minutes, average speed 23 mph. Similarly, Colchester back to Rayleigh, Essex, (39.5 miles) in 98 minutes, average speed 24 mph.

And lastly, the new Loomis van travelled the total route with an average speed of 18 mph. In short, I suggest, these fabricated DT and CPRTS documents are asking us to believe the unbelievable, that the alleged~ new Loomis van motored along fast-flowing, 50-70 mph, dual carriageways, i.e. A12, A130 and A127 at these dangerously low speeds. And no one saw it or recorded the vehicle??? Small wonder the jury in the first trial refused to believe this grade A bunkum and a retrial was ordered.

Not that the retrial was any different. This time the prosecution called my truthful testimony "A Whopper Lie" and erected evidential no-go-zones.

First of all, I suggest, there was an alleged Breach of Code D, in relation to VIPER Identification Procedures linked to the absurd "short Indian Man" identification by a female identification officer. Despite the Breach being captured on CCTV in the VIPER Suite, the female I.D. officer could not attend court to give evidence due to a pre-planned medical operation to remove a cyst from her mouth. This deprived the defence of the opportunity to cross-examine the witness who the prosecution had conceded had committed an earlier Breach during another suspicious "positive" identification which was dismissed by the trial judge.

Secondly, further documentary disclosure was sought from the Security Company in order to establish and confirm the true identity of the Loomis C-I-T van on the road that day, but the Security Personnel at Loomis --- believed to be ex-senior detectives --- refused to place the required documents in the public domain, whereas other documents that were disclosable in the previous trial were shredded during an untimely "weeding process".

And thirdly, a senior Essex ANPR Police Inspector was tendered who stated that there were no ANPR hits on the new Loomis van because there were no ANPR sites on the 98.9 mile route that the switched Loomis van had allegedly taken.

past conduct are required to be they would not be acceptable, for preventative confinement preempts a man's future course of actions.

Once preventative measures are permitted against dangerous offenders the way is open in principle to the extension of measures to non-offenders.

A difficulty in predicting dangerousness is that a man must forfeit his right to be presumed innocent before his right to be proved harmless can be brought into question.

The right to punish for past wrong-doing is a pre-condition of the right to prevent future wrong-doing.

Though all penal and other assessments rely on the distinction between serious and other harm, the concept of seriousness is necessarily ambiguous in this connection for it has a moral as well as a factual dimension referring as it does to the wrongfulness of acts as well as to the injuriousness of their consequences.

In 'Sentencing in a Rational Society' (1972) Professor N.D. Walker recommended cutting out the ambiguity by abandoning the concept.

There is agreement in many quarters that the cost in resources and human suffering of imprisonment for any purpose is high, there is more reluctance to use it for the purpose of punishment for the harms people have actually done, we must be even more reluctant to use it to prevent them causing harm in the future.

We have to distinguish between the persistent or nuisance offender and those deemed 'dangerous'. Persistence refers to the past, dangerousness to the future. Persistence in offending can undoubtedly provide some evidence of 'dangerousness', morally however to deny human change is to deny human existence.

None of the legislative attempts have provided any substantive criteria for establishing who is a 'dangerous' offender, certainly there is no such offence as being 'an enemy of society'

The concept of 'dangerousness' in English criminal justice is elusive. It is not used with any precision, and the nature of the risk to which it refers is never defined in terms to make it contestable.

Jean Floud (1981) proposed that any court or body who receives reports from psychiatrists, psychologists, probation officers or social workers should provide for the defence or applicant to call their own 'expert' witnesses to make an assessment contestable and for reasons to be given for the imposition of a sentence of imprisonment or the grounds of refusal to release.

The idea of 'dangerousness' is often taken for granted. It is so often defined so as to be unhelpfully imprecise, circular, misguided or irrelevant for practical penological purposes. Moreover it raises anxiety and is therefore particularly open to abuse.

Cocozz And Steadman (1976) claimed that psychiatrists and psychologists under pressure assume to be experts in diagnosing 'dangerousness' to meet the expectations of society. Psychiatrists they claim pose as scientists but practice magic in the sense that through claiming 'special knowledge and being granted 'expert' status in law they make assessments of dangerousness which rely on empirically untested beliefs and represent an effort at control of the 'potentially harmful'.

In any case they have been allowed to exceed their powers, they represent an excellent example of professionals who have exceeded their so called 'expertise' and for whom society's confidence in their ability is empirically unjustified.

There is a good deal of evidence to suggest that as matters stand, psychiatrists, psychologists, probation officers, the Parole Board and other bodies are on average at best as likely to be wrong as right in thinking that the offenders they report on and decide to detain as 'dangerous' would actually do further harm if left at large or released.

Charles Hanson <charles.hanson@live.co.uk>

Terry Smith - Convicted of a crime that does not exist

Sadly, it is no revelation to say that the Police often manufacture evidence during investigations. Nor that the Police often convince a jury to convict an innocent man. But what is at the extreme end of evil, is when the Police deliberately concoct an entire crime, denounce the defendant as "an absolute liar," deliberately suppress disclosure documents that confirms the suspect's innocence, and then present a distorted account of crime and evidence on a National Crime programme in order to justify and validate the bogus conviction. I know that this narrative sounds like something from the latest Dan Brown thriller, but its' true, as it happened to me.

The nightmare ordeal started back in May 2008, when I was working as a high profile, crime writer and TV consultant. Armed Police stormed my idyllic family home in the backwaters of Essex and arrested me as a possible suspect for seven cash-in-transit (C-I-T) robberies in east London and south Essex between 2000- 2008. The principal offence being the callous shooting of a have-a-go-commuter during a cash-box robbery at Rayleigh Train Station, Essex, in May 2007.

Apparently, the robbers had left a wealth of evidence behind at the scene of the crimes, including DNA, fingerprints, CCTV, handwriting, telephone evidence, but not one iota of this incriminating evidence was directly linked to me.

At one stage during the protracted, media-driven, multi-million pound Police enquiry, my name was added to, then completely erased from a hot list of 148 suspects. (see CrimeWatchSolved 01/09/2010).

Evidently, upon arrest, however, an executive Police decision was taken to build a case around me based upon significant DNA evidence that implicated three others in the offences, one of them my elder brother (54) who was subsequently acquitted at trial.

Historically, there is no dispute that I possess all the necessary ingredients to generate a routine conviction. I was a former armed robber --- last conviction 24 years ago. I had dramatically escaped from a prison van --- 26 years ago. In the meantime I had published a string of true crime books with a central theme of armed robbery. I had wished the £53 million Tonbridge robbers every success on BBC Newsnight. I had even described myself as a "Robbologist" on business cards. So there were no prizes for novelty, when two retired Essex detectives repeatedly put forward the names of my blemish-free, undergraduate son and I for these repugnant and repellent crimes.

Bolt onto this, the recent controversial changes to the Law, it dictated I was a man of Bad Character, with an inherent propensity to lie, whereby it would take a brave jury to acquit me even without hearing any evidence.

But therein lies the difficulty, however, as there was no evidence to directly link me to the crimes, only evidence that there was no evidence. Naturally, this was not good enough for the police, as they had to construct and consolidate their case against me.

This is not surprising, considering I am not a 6 foot, 2 inch, ginger-haired man; a good-looking, blond-haired man with a goatee beard; nor a mixed raced getaway driver. Inevitably, by VIPER Parade number 20, the Police objective was achieved when an ultra-convinced and convincing male witness stated that he observed me torching a getaway vehicle at the end of a cul-de- sac in Rayleigh, Essex.

There were fundamental problems, however, as the male witness originally described the suspect as a short, "Black-haired, 5 foot, inch tall, Indian Man" which is substantively at variance with my description: a salt-and-peppered haired, 5 foot, 10 inch tall, white European male.

More absurdly, under cross-examination the witness stated that he could not recall the facial features of the suspect from a distance of 50 metres, best view for 5 seconds.

The putative identification was further undermined by the real possibly of "innocent contamination" as the convinced witness had agreed that he had seen National TV News programmes on which I had appeared as a crime consultant before the Viper Identification Parades.

In a desperate effort to bolster this highly controversial, possibly assisted identification, I suggest, the prosecution stated there was a similarity between the way the getaway driver entered the vehicle at Rayleigh Train Station and the way I entered a vehicle head first.

When in fact, poor quality CCTV footage of the scene indicated the getaway driver entered the vehicle head first out of necessity to open the front passenger door for the accomplice who was approaching the vehicle with a pistol in one hand and a cash-box in the other. As a result, I demanded that a Forensic Digital Imagery Expert examine this evidence and he concluded that it was "of very little value" and "meaningless".

More confusingly, there is no dispute that I possess a pronounced leg impediment obtained in a serious Road Traffic Accident in the 1980s. Yet the sole evidence of a suspect with limp in the seven robberies occurred at the Rayleigh offence when the gunman obtained a fresh leg injury after a violent impact with a commuter and was seen limping to the getaway vehicle. The Crown state that the gunman was not me! Absurdly, it was alleged I was the short "Indian Man" observed walking around normally at the cul-de-sac in Rayleigh. What utter nonsense!

Such low-grade, extremely circumspect evidence, was enough to keep me in custody-for two trials. But this was contrary to other resolute evidence where the alleged gunman --- not me --- was heard to shout to his accomplice at the cul-de-sac, "Come on, Jason, come on!" And other authentic, corroborative alibi evidence which placed me at the time of the offence, 10 miles away at home, looking after my seven-year-old son, during a Teacher's Training Day, while my wife went to work.

By any standard, I suggest, the detectives on the enquiy team were far from satisfied with this inconsistent and contradictory evidence and sought to artificially consolidate it in other unlawful ways. The opportunity came when many months after the Rayleigh offence. I was observed by a joint British Transport Police (BTP) and Essex SOCA surveillance team, consisting of 20-plus officers, looking at an old-type, Loomis C-I-T van in Basildon, Essex.

Indeed, I do not dispute this evidence, as I told the court that I was conducting lawful research work for a commissioned true crime book, entitled: Blagger's Inc: Britain's Biggest Armed Robberies, later published. The fourth chapter which focused upon C-I-T robberies.

The prosecution tried to claim that this was a 'carefully crafted defence', but not only was there no crime committed whilst under police observation the defence was corroborated bye Emails and more crucially a visit to a Reference Library to research an old-type, C-I-T van that was successfully attacked at Barking, Essex, in 1996.

The Police having got wind of this genuine, lawful explanation for seemingly criminal activity, I propose, prepared concocted evidence in rebuttal, whereby they unlawfully switched the old type, Loomis van for a newer Loomis model in order to denounce and denigrate my evidence as "a Big Fat lie" and also me as "an absolute liar". This was because the new, unlawfully switched Loomis van was not relevant to my lawful research work.

Despite the Crown producing official-looking Data Track (DT) and Computer Produced Route Time Sheet (CPRTS) documents from the Security Company which suggests the new Loomis van was present, the jury became increasingly sceptical when the index number of the