Shanise Paris-Goff, plunges 17 floors her death after police enter her flat

18-year-old Shanise fell from a bedroom window at a flat in Hastings House, Mulgrave Road, shortly after two plain clothes police officers entered the home. A witness described hearing "blood-curdling" screams as the teenager plunged 17 floors to her death.

Shanise had been sentenced to three years behind bars for robbery and assault in May 2009. She was released in April last year and her parole licence was revoked three months later because she had failed to register with her probation officer, which was part of her early release conditions and why the police were at the house with the intention of arresting her and returning her to prison for breach of licence. Officers said the woman was alone in a bedroom (you can believe that if you want!), with the door half open, when she fell.

Guantanamo Bay war crimes tribunals 'irrational and invidious'

The Guantanamo Bay war crimes tribunals are "irrational and invidious" and fail to follow the basic tenets of the law, defence lawyers for the alleged al Qaeda mastermind behind the USS Cole bombing has argued. Launching an attack on the unique military tribunals that will also try the five men accused of the September 11 attacks, lawyers said the Guantanamo court system was founded not on constitutional or legal principles but on "political self-interest".

Four prisoners in four days go missing from HMP Sudbury

David Blood, Tony Bennett, Jamie Hill and Scott Prince are all missing from HMP Sudbury. They went missing from HMP Sudbury an open prison over a four-day period, it has emerged. Two of the men walked out of HMP Sudbury on the same day and two failed to return after being granted temporary release. Their offences include wounding with intent and conspiracy to rob, and one was serving a life sentence.

Met reopens investigation into bus driver's death after racism claims

Scotland Yard said last night it would reinvestigate the suspicious death of Kester David, 53, almost two years after his charred remains were found under a railway arch. An initial investigation concluded that Mr David, from Wood Green, north London, had taken his own life. Post-mortem examinations gave Mr David's cause of death in July 2010 as burns and "inhalation of fumes" before Enfield police concluded the death was non-suspicious. But a coroner recorded a verdict of open death and a forensic expert said he could not rule out the possibility that a third party was involved. Relatives campaigned for an independent inquiry after officers were accused of a catalogue of errors.

Hostages: Stephen Marsh, Graham Coutts, Royston Moore, Duane King, Leon Chapman, Tony Marshall, Anthony Jackson, David Kent, Norman Grant, Ricardo Morrison, Alex Silva,Terry Smith, Hyrone Hart, Glen Cameron,Warren Slaney, Melvyn 'Adie' McLellan, Lyndon Coles, Robert Bradley, Sam Hallam, John Twomey, Thomas G. Bourke, David E. Ferguson, Lee Mockble, George Romero Coleman, Gary Critchley, Neil Hurley, Jaslyn Ricardo Smith, James Dowsett, Kevan Thakrar, Miran 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, Jeremy Bamber, Kevin Lane, Michael Brown, Robert Knapp, William Kenealy, Glyn Razzell, Willie Gage, Kate Keaveney, Michael Stone, Michael Attwooll, John Roden, Nick Tucker, Karl Watson, Terry Allen, Richard Southern, Jamil Chowdhary, Jake Mawhinney, Peter Hannigan, Ihsan Ulhaque, Richard Roy Allan, Sam Cole, Carl Kenute Gowe, Eddie Hampton, Tony Hyland, Ray Gilbert, Ishtiaq Ahmed.

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MOJUK: Newsletter 'Inside Out' No 367 12/04/2012)

Potential Wrongful Convictions: Failed by the CCRC

The Innocence Network UK (INUK) has published a dossier of 45 cases of alleged innocent victims of wrongful conviction. All of these cases have been refused a referral back to the Court of Appeal at least once by the Criminal Cases Review Commission (CCRC) despite continuing doubts about the evidence that led to their convictions.

The cases included in the dossier comprise mainly of prisoners who are serving life or long-term sentences for serious offences, ranging from gangland murders, armed robbery, rape and other sexual offences. All of them continue to maintain that they have no involvement at all in the offences they were convicted of despite having failed in their appeal and refused a referral by the Criminal Cases Review Commission. They assert that they were wrongly convicted due to reasons including fabricated confessions, eyewitness misidentification, police misconduct, flawed expert evidence, false allegations and false witness testimonies.

INUK believes that there are continuing doubts and inconsistencies about each conviction. However, the Criminal Cases Review Commission, established to review alleged miscarriages of justice is unable to assist them because their cases are deemed to not fulfil the 'real possibility test'. Under the current statute, the CCRC can only refer cases back to the Court of Appeal if there is a 'real possibility' that the conviction would be overturned. The CCRC is also generally confined to reviewing fresh evidence not available at the time of trial.

Because evidence suggesting innocence in these cases is not fresh or the jury has decided to convict despite hearing conflicting evidence, the CCRC is unable to refer these cases back to the Court of Appeal. The dossier underlines the urgent need for reforms to the CCRC to ensure that such cases can be more adequately dealt with.

Dr Michael Naughton, Founder and Director of INUK, said, "The crimes that these men and women are convicted of are appalling but in every single case there are questions, conflicts and problems in the evidence that led to their conviction. If they are genuinely innocent, it means that the dangerous criminals who committed these crimes remain at liberty with the potential to commit further serious crimes." In several cases, prisoners were convicted mainly on the testimonies of prosecution witnesses who were either known criminals or suffer from serious mental or personality disorders. In other cases, convictions were obtained mainly on the basis of highly conflicting identity parade evidence. Many were also convicted despite evidence suggesting innocence such as alibi witnesses outweighing the alleged evidence of guilt.

David Jessel a former CCRC Commissioner now argues that rather than being tied to the 'real possibility test' 'the CCRC could refer because of its own independent concerns that justice has miscarried, while the Court of Appeal would have to answer that case and, if necessary, justify its conclusions that the conviction was safe.'

Gabe Tan Executive Director of INUK and deals with prisoners seeking assistance on a daily basis. "Many of the prisoners in the dossier have served two or even three decades in prison. They would have been released on parole much earlier had they admitted guilt to the crimes that they were convicted of. The CCRC is unable to help them despite strengths in their claims of innocence. Unless the existing arrangements are reformed, these cases are never going away."

A number of these cases were highlighted at a Joseph Rowntree Reform Trust Limited (JRRT) funded symposium held at Norton Rose LLP on Friday, 30 March 2012.

Speaking at the symposium were alleged victims of wrongful conviction Susan May and Eddie Gilfoyle, both of whom are widely believed to be innocent of the murders that they were convicted of. Paddy Hill of the Birmingham Six case that led to the setting up of the CCRC spoke of his dismay with how the organisation is failing innocent victims of wrongful conviction. Other speakers were criminal appeal barristers and solicitors, investigative journalists, academics and a former Commissioners of the CCRC.

Selection of cases from the dossier that have not appeared in 'Inside Out'

Christina Button was convicted in December 2003 of the murder of her husband, George Button. George Button was found on the side of a country lane in West Rainton, County Durham, with multiple injuries to his head. The prosecution alleged that Christina Button had persuaded her besotted nephew, Simon Tannahill, to kill her husband in an attempt to claim £450,000 from his life insurance policies. At trial, it was claimed that after bludgeoning George Button to death, Tannahill had left his body at the side of the road to make it look like he was a victim of a hit and run. Although there were eyewitness identification and DNA evidence linking Tannahill to the crime, the evidence against Christina Button was highly circumstantial. It consisted mainly of her large amount of debt to support the alleged financial motive for instigating her husband?s murder. In addition, the prosecution claimed that her behaviour after George Button?s death was inconsistent with the behaviour of a grieving widow. However, initial post-mortem analysis concluded that George Button was killed as a result of a collision with a vehicle. Green paint found on George Button?s body and pieces of debris found at the scene also supported the suggestion that he had died from a road traffic accident. In 2008, Christina Button made an application to the CCRC for her case to be reviewed. The CCRC refused to refer her case back to the Court of Appeal. No further analysis was undertaken on the pathology evidence, paint evidence and other forensic evidence which might support Christina Button?s claim of innocence. The CCRC had refused to undertake these further investigations on the basis that because Tannahill who protested his innocence at trial had since confessed to the murder whilst serving his sentence in prison, these lines of enquiry can have no bearing on Christina Button?s conviction. Her case is currently being investigated by the Sheffield Hallam University Innocence Project.

Waseem Mirza was convicted of murdering his pregnant ex-girlfriend Christine Askey at her home in Nevett Street, on the Callon Estate, Preston, in January 2001. On the face of it, the prosecution?s case against Mr Mirza appeared to be strong. His semen was found on her top and on a piece of rag in the victim?s house. His saliva was found also found on a cigarette butt. Mr Mirza?s claim is that he visited the victim?s house upon her invitation on the day of the incident, where he shared a cigarette with her and received oral sex; this would explain and semen and saliva found. In addition, there was overwhelming evidence of other men having been in the victim?s house, including male hairs were found in the bath, male saliva found on a glass and unidentified semen found on a shirt. The victim?s injuries had in all probability been caused by a right-handed person. This is significant as Mr Mirza is naturally left-handed and has previously sustained injuries to his right hand which would have made it difficult for him to inflict the injuries found on the victim. Furthermore, woollen fibres were found on the victim?s face and nails and Mr Mirza has taken

Riots may be controlled with chemicals Ben Quinn, guardian.co.uk, 09/04/12

Future riots could be quelled by projectiles containing chemical irritants fired by police using new weapons that are now in the final stages of development. The Discriminating Irritant Projectile (Dip) has been under development by the Home Office's centre for applied science and technology (Cast) as a potential replacement for plastic bullets. Documents obtained by the Guardian reveal that last summer's riots in England provided a major impetus to Home Office research into new-generation riot control technology, ranging from the Dip to even more curious weaponry described by Cast technicians as "skunk oil".

CIA wins fight to keep MPs in dark on rendition

American intelligence agencies including the CIA and the FBI have won a court ruling allowing them to withhold evidence from British MPs about suspected UK involvement in "extraordinary rendition" – the secret arrests and alleged torture of terror suspects. A judge in Washington DC granted permission for key US intelligence bodies, including the highly sensitive National Security Agency, to exploit a loophole in US freedom of information legislation which bars the release of documentation to any body representing a foreign government.

Downing Street underlined the gravity of the torture claims yesterday when it urged police to interview former Labour ministers as part of an investigation into the alleged rendition and torture of a Libyan critic of Muammar Gaddafi. Jack Straw, who was Foreign Secretary at the time and is expected to be interviewed by detectives, denies any complicity in rendition – as have his successors at the Foreign Office. Whitehall officials have made clear that the intelligence services believe their operations "were in line with ministerially authorised government policy". Independent 11/04/12

Frail cancer patient died in handcuffs after nurses called police

A grieving family has demanded to know why their frail dad died in handcuffs on a cancer ward. Philmore Mills, 57, who was on round-the-clock oxygen and had a tumour on his lung, died as he lay face down on the floor. He had been restrained by two hospital guards and two police officers after becoming agitated, and stopped breathing with his hands still cuffed behind his back. Mr Mills is believed to have suffered a heart attack and was pronounced dead at Wexham Park Hospital in Slough, Berkshire.

And his family say they are still seeking answers three months later. Eldest daughter Rachel Gumbs, 38, of Harlow, Essex, said: “We do not know why force was used against a frail gentleman who could barely stand up. "When I saw Dad a few hours before, he was still on oxygen. Without it, he was struggling for breath.” Mr Mills, a father of four daughters, had been rushed to hospital after collapsing at home near Slough. He was treated for pneumonia before being moved to a respiratory ward. He was fitted with a urinary catheter and asked to see a doctor because of the discomfort in the early hours of December 27.

According to the Independent Police Complaints Commission, nurses were unable to raise a duty junior doctor. They then called security and two guards arrived. Soon after, two police officers already in the hospital were summoned by the guards and all four ended up restraining him. Relatives claim that Mr Mills, who also leaves partner Donna, was distressed but not violent.

The family’s lawyer Kate Maynard, of Hickman and Rose, said: “There is no dispute that he was restrained and handcuffed by the police. "We also know the guards were involved in that restraint. We find it hard to believe that the force used can be justified.”

As well as an IPCC probe, the hospital said an internal investigation was ongoing.

might say that the security and intelligence services had initially asked for much broader powers than they needed in order to concede gracefully. I doubt it. Listening to Clarke, he seemed to think that the green paper he'd signed off dealt only with material whose disclosure would harm national security.

It was not, but the JCHR was right to recognise that Clarke's oral evidence reflected a change of position - and one it now seeks to hold the government to.

The committee also took a properly sceptical approach to late evidence from David Anderson QC, the independent reviewer of terrorism legislation, on cases that could not be decided without the use of CMPs. Such questions should be decided by judges, it said, using PII procedures.

The JCHR was also right to resist the introduction of CMPs into inquests. Only one inquest has been delayed because it involved intercept evidence, the disclosure of which ministers still refuse to permit. But, I learn from the JCHR report, the Azelle Rodney inquest is to go ahead in September as a public inquiry. So there's a way round that problem too.

The JCHR has only two high-powered lawyer/politicians among its members: Lord Lester QC and Dominic Raab MP. How, then, has it produced such a clear, well-argued, forensic dissection of an ill-considered, vague and confusing green paper?

The answer, of course, is the committee's officials; and, above all its long-serving legal adviser. If anyone deserves the credit for trying to preserve the rule of law against the government's superficially attractive but deeply damaging proposals, it is Murray Hunt.

Anthony Grainger shooting: Officer could face murder charge

A police firearms officer who shot an unarmed man dead in Cheshire has been warned he could face a murder charge. The Greater Manchester Police officer has been interviewed under criminal caution over Anthony Grainger's death. The Independent Police Complaints Commission (IPCC) said the officer had been interviewed on suspicion of committing a criminal offence. It said potential offences he could be charged with include manslaughter and murder.

The police watchdog served a formal notice of investigation on the officer on 2 April. In a statement, it said: "The IPCC remains in close liaison with the Crown Prosecution Service and at this stage a range of potential offences are under consideration, including unlawful act manslaughter and murder."It confirmed no firearms or weapons were found on Mr Grainger when he was shot in a village car park. It said the red Audi that he was in had been stolen and had false registration plates on it. Greater Manchester Police officers shot the car's tyres twice and threw a CS canister into the vehicle.

Mr Grainger, 36, was shot in the chest after the car he was in was stopped in Culcheth, Cheshire, last month. Mr Grainger, an "odd job man", was originally from Salford and lived in Deane Church Lane, Bolton.

Ray Gilbert on the Move

Now 17 years over tariff Ray has been moved to HMP Wymott, no nearer the gate and prison service, seem to be making sure he never will. Ray has again been failed on a Controlling Anger and Learning to Manage it (CALM) assessment. Ray speaking from HMP Wymott at the weekend said the psychologist who made the assessment only spent five minutes with him. Ray has now obtained the services of an independent psychologist to assess whether he is competent to do CALM.

Ray Gilbert: A6806AJ, HMP Wymott, Ulnes Walton Lane, Preston, PR26 8LW

tests which prove he is allergic to wool, which could potentially suggest his lack of involvement in the crime. Finally, Mr Mirza claims that he has an alibi for the time the murder was committed as he was at home with his mother, sister and girlfriend. Since Mr Mirza?s conviction, an unsigned letter was sent from India to a local newspaper where the anonymous writer had confessed to the murder. Mirza?s application to the CCRC was refused in 2005. His case is currently investigated by the University of Gloucestershire Innocence Project.

Christopher Clark was convicted in May 1997 for an indecent assault that took place in Bath, for which he received a life sentence. Clark was convicted on the basis of D.N.A. and fibre evidence as well as testimonies taken from a number of people acquainted with him and the victim herself. At trial, Clark‟s defence team postulated that despite living in the area, he was elsewhere at the time the crime occurred. The description of the aggressor given by the victim has extremely limited similarities with the appearance of Clark. His defence claimed that the evidence submitted by the prosecution had been tampered with, including a blood phial from which some of the DNA evidence was taken. A request for further testing, ordered by the Judge, failed to be carried out. The fibre evidence taken from the victim‟s clothes resembled the t-shirt that was wearing at the time when the crime occurred. However, further fibre analyses suggest the fibre evidence given at court was of limited evidential value. Since Clark‟s conviction, 4 police officers believed to have been involved in the investigation were charged (although not convicted) with perverting the course of justice. Assaults of a similar nature also continued to occur in the area after Clark‟s conviction. Clark is still seeking disclosure of CCTV evidence which might prove that he was elsewhere at the time of the crime and therefore could not have been the attacker. In 2001, Clark submitted an application to the CCRC. All 72 grounds submitted by Clark to the CCRC were rejected, mainly on the basis that they were either „irrelevant‟ to his conviction or could have been available at the time of the trial. Clark‟s case is currently being investigated by the BPP Law School Innocence Project.

David Morris was convicted on 29 June 2001 for the murders of three generations of a family, two children, Katie Power (10), Emily Power (8), their mother, Mandy Power (34), and the children?s grandmother, Doris Dawson (80) who were discovered battered to death in their own home in Clydach, South Wales, on 27 June 1999. The crux of the prosecution case was that he was witnessed to have had an argument with one of the victims, Mandy Power, with whom he was having an affair, in a pub earlier in the evening. It was claimed that he later went to her address and murdered all 4 victims, before setting the house alight in an attempt to destroy any incriminating evidence. The evidence against Morris was circumstantial, comprising witnesses who gave bad character evidence and a gold bracelet that belonged to Morris which was discovered at the scene of crime covered in blood. His previous criminal record of violent offences was also deemed admissible by the trial judge. His original conviction was quashed at The Court of Appeal in 2005, however he was found guilty again on a retrial in 2006. Three other suspects were arrested in connection with the Clydach murders, including Mandy Power?s lesbian lover, her husband, and his brother, both of whom were serving officers of South Wales Police. David Morris, who is currently 7 years into his 32-year sentence continues to protest his innocence, and is hoping new forensic evidence can be uncovered, which will exonerate him. His solicitor, assisted by the University of Winchester Innocence Project, is currently putting together a case to take to the CCRC.

Justin Plummer was convicted of the murder of Janice Cartwright-Gilbert in Bedfordshire, on 16 December 1998,. Plummer was also convicted of six counts of burglary on 17 December 1998. The deceased was found in her caravan with multiple stab wounds to her chest and neck. Her face had been stamped on repeatedly, leaving a visible shoeprint. Two months later, Plummer was apprehended for a series of burglaries, to which he confessed. The police matched a pattern of shoeprint evidence from the burglaries to the murder scene. The prosecution expert witnesses determined that the sole of Plummer's trainer matched marks and indentations found on the victim's face. However, defence expert contradicted these findings. In addition, Mr Plummer also had an alibi at the time of the murder. There were no signs of forced entry in the caravan, which suggests that the deceased knew her assailant. The panic alarm had not been triggered and the dogs in the premises did not sound off. An eyewitness also claimed to have seen a “dark olive-skinned man” at the murder scene, who does not match the description of Plummer. Plummer appealed against his conviction on the basis that the judge had unfairly disclosed his confession to the burglaries, allowing the jury to infer that the murder was a burglary gone wrong. Following his unsuccessful appeal in 2000, Plummer applied to the CCRC which was also unsuccessful.

Roy Swinscoe was convicted of armed robbery in Banbury, Oxfordshire, in October 2003, for which he received a life sentence with a tariff of seven years. The prosecution"s case relied on identification by those working at the bank that was robbed, witnesses at a nearby car park, as well as by the police. There was also CCTV image of the armed robber, which the prosecution"s facial mapping expert claimed, is Swinscoe. The defendant"s appeal in April 2005 was on the grounds that the identification evidence is not him and should not have been used in the trial, but this was refused by the judge as it was deemed that the evidence was safe. His application to the CCRC in August 2005 was similarly unsuccessful. Swinscoe"s case is currently investigated by the University of Portsmouth Innocence Project.

Philip Speck was convicted of the murder of his neighbour, 82-year-old Rosie Smith, in Dagenham, Essex, in December 2001. He was sentenced to life imprisonment with a tariff of 14 years. On the day the victim died, the defendant admitted to being in the victim?s flat to use her telephone at 10.47am, during which the victim spoke to Speck?s grandmother. CCTV evidence then showed Speck leaving the block of flats at 10.54am, where he proceeded to run errands and go to several public houses where he was seen by a number of witnesses. At 2.15pm Speck had a meeting with his solicitor regarding a child custody battle with his former wife. Upon arriving at the solicitors he was told that his solicitor had been called away on urgent business and could not see him. Upon returning to the block of flats, Speck came across two neighbours worried about the victim as they had not seen her, and then gained admittance to her flat to find her dead. The police initially held that the victim?s death was not suspicious. As a result, the crime scene was not sealed, no exhibits were taken and her possessions were destroyed. Speck came to the police?s attention due to his nervous and sweaty demeanour and his disposal of a piece of garment shortly after the victim?s death. At trial, the prosecution adduced a witness – the secretary in the solicitors? office – who claimed that Speck said to her “I could kill a little old lady”. Speck, however, maintains that he in fact stated, “I could kill my old lady” in reference to his wife over the custody battle. In addition, his sweatiness was due to his mental condition and secondly, the garment was disposed of due to an iron mark and

Toulson said that "open justice lets in the light and allows the public to scrutinise the workings of the law, for better or for worse".

And here I must declare an interest. I gave oral evidence to the JCHR alongside Ian Cobain, one of the Guardian's investigative reporters. So, too, did Jan Clements, one of the Guardian's in-house lawyers. Our evidence is reflected in the committee's recommendation that the principle of open justice should be taken into account in deciding whether or not evidence should attract what is known as public interest immunity (PII).

This takes us to the heart of the committee's disagreement with the government. The green paper proposes to extend the availability of so-called closed material procedures (CMP) in all civil cases to any evidence whose disclosure might harm the public interest. But the JCHR is not persuaded that there is a strong enough case to justify abandoning the existing PII system.

That system was developed by the courts to deal with the problem of evidence that may be too sensitive for one side in litigation to disclose in the normal way to the other. A judge looks at the material and conducts a balancing exercise, weighing up the public interest in non-disclosure against the public interest in open justice. If the former outweighs the latter, neither side can rely on the excluded evidence and the judge makes no use of it.

By contrast, there is no balancing exercise in a CMP. One party - effectively, the government - decides that evidence is too sensitive to be disclosed to the other side. If the court agrees that disclosure would harm the public interest, the judge can rely on the "closed" evidence while the non-government party can not. That party's interests are represented by a "special advocate", a lawyer who is not allowed to tell him what the evidence says.

In some circumstances, the special advocate may be able to give the party whose interests he represents a gist of the evidence, allowing that party to give effective instructions to the special advocate (such as "I was abroad that week"). Under the government's proposals, even that safeguard would not apply in certain categories of case. The JCHR rightly recommends judges should always conduct a balancing exercise, even with CMPs, and that the government should always have to disclose sufficient evidence in CMPs to allow effective instructions to be given to the special advocate.

Ultimately, CMPs are unfair. And they are not even welcomed by the judges, at least as far as the JCHR was able to find out. As Lord Kerr famously said in the supreme court, "evidence which has been insulated from challenge may positively mislead."

As the JCHR recognises, the green paper was designed to reassure the Americans that their intelligence would not be shared against the British government's wishes. But an absolute ban would be against the rule of law, and it's something that not even the US intelligence services can guarantee. The JCHR's measured, proportionate solution is to increase certainty in the kind of cases that caused the US government such concern. The so-called Norwich Pharmacal jurisdiction, which applies where one party becomes "mixed up" in the wrongdoing of another, should be put onto a statutory footing as the government itself had proposed.

Persuasive though the committee's conclusions are, the government is under no obligation to take account of them. But it has already got the government on the run.

First, the committee complained that the government was not publishing responses to its own green paper as they were received, contrary to normal practice. The justice secretary, Ken Clarke, prevaricated, saying he'd have to ask each of nearly 100 people who'd replied whether they minded. Eventually, he did so and all but six of the 90 responses were published.

Next, the JCHR persuaded the government to narrow the scope of its proposals. Cynics

in a massive increase in incidents on the CSC.

[There is now an independent NGO, that deals with complaints from prisoners about their medical treatment. Independent Complaints Advocacy Service (ICAS) Tel: 0330 440 9000, provides advocacy support to people who wish to make a complaint about the service - or lack of it - that they have received from the NHS in prison]

Considering the stated aims of the CSC are to stabilize prisoners behaviour for a return to normal location, it is evident the aims are mere rhetoric, lacking any substance what so ever.

So as well as living in a hospital that brutalizes it's inhabitants, I now have to deal with living alongside victims who are not being medicated appropriately.

It has long been the policy of HMP Woodhill Close Supervision Centre (CSC) to refuse access to healthcare for it's victims of brutality. As well as causing long term injuries and pain, it seems the real reason for this is to cover up violence being inflicted by prison staff.

Any complaint about any assault sustained results in the inevitable response, "No evidence of any injury can be found". For this reason it is extremely important that after each attack, prisoners have their solicitors informed as well as a police report filed.

Although neither the police or prison will ever take action against it's criminals in uniform, at least an avenue for compensation exists for those willing to work for it.

So I proved my innocence against the slanderous allegations from corrupt prison staff at HMP Frankland in November 2011, yet I still remain at HMP Woodhill Close Supervision Centre (CSC). It seems Her Majesty's Prison Service only accept the court verdicts which they like.

The current trap set for me is to say I must remain on the CSC until I complete treatment for the Post Traumatic Stress Disorder (PTSD), caused by prison staff assaulting me in the past. However, I am also told that whilst on CSC I will not be getting any treatment for PTSD as they refuse to permit me access to a clinical psychologist.

So, for the time being I remain on the CSC until I complete a Judicial Review, but will the prison listen to the court this time?

Kevan Thakrar: A4907AE, Close Supervision Centre, HMP Woodhill, Tattenhoe Street, Milton Keynes, MK4 4DA - www.justiceforkevan.com

Damning verdict on ill-thought-out secret justice proposals

The joint committee on human rights, helped by a tenacious legal adviser, has done a fine job of dissecting the green paper on justice and security

Joshua Rozenberg, guardian.co.uk, Wednesday 4 April 2012

Parliament's joint committee on human rights (JCHR) has produced a unanimous report on the government's justice and security green paper that is as precise and persuasive as the green paper itself is unfocussed and unconvincing. The JCHR has narrowed down the government's objectives to those it regards as necessary for the protection of national security and come up with a proportionate way of meeting them.

It has also identified a "serious omission" from the discussion document launched by the government last October - the impact of its proposals on the freedom of the media to report on matters of public interest and concern. "The role of the media in holding the government to account and upholding the rule of law is a vital aspect of the principle of open justice," the JCHR says.

That principle was reflected in yesterday's 03/04/12) victory for the Guardian in the Court of Appeal, delivered after the JCHR report was completed. In allowing reporters access to documents referred to in court unless there are reasons not to, Lord Justice

no DNA belonging to the victim was found on it. CCTV evidence also showed Speck walking around at the approximate time of murder. Most significantly, there are major disputes over how the victim had actually died. Two pathologists had substantially different accounts of how the victim?s neck injuries were sustained. One argued that they were caused by a fall over furniture and another held they were caused by throttling from behind. Speck?s application to the CCRC in January 2007 was unsuccessful due to lack of substantial fresh evidence. His case is currently investigated by the Nottingham Trent University Innocence Project.

John McAfee was convicted of the murder of 76 year old Benjamin Jones in Tipton, West Midlands, on 3rd November 2005. His co-accused Graham Ellis was also found guilty. The prosecution alleged that on the 7 April 2004, McAfee and Ellis burgled the home of Benjamin Jones and murdered him in the course of the burglary. They were alleged to have taken some property, including two televisions. At around 3 am, the prosecution case was that one of them returned and set fire to Jones‟s body and his house. McAfee admits that he had handled one of the televisions from the premises a few days after the murder. He maintains, however, that he received the television from Ellis and his younger brother and did not know, at that point, that the television was obtained from Jones‟ premises until Ellis confessed to him about the burglary some time after, following which McAfee reported the confession to the police. The prosecution also relied on the identification evidence given by four children who identified McAfee as the man who was walking through a cut at the rear of Jones‟ house carrying bin liners full of items. In addition, Ellis‟ then partner gave evidence that she overheard McAfee saying to Ellis on the morning after the murder that a man had been stabbed. However, of the four eyewitnesses, three admitted at trial that they either had reservations that the man they saw was McAfee or were unable to give a firm description of the man they saw. Whilst the fourth witness was certain that she saw McAfee, her descriptions were inconsistent. Moreover, although Ellis claimed attrial that it was McAfee who committed the murder, evidence strongly points to Ellis having committed the murder either with his brother or someone else. Ellis admitted to hiding the murder weapon, which was subsequently discovered by the police. He had washed his clothing, burned his training shoes, and cleaned a soot-covered television which he subsequently sold on to someone else. Hair and DNA of an estranged friend of the deceased were also found on a paraffin container cap and from another discarded paraffin container found in a cupboard amongst many others. This estranged friend was the police‟s primary suspect until McAfee went to the police on the 18 August 2004 to report on Ellis‟ admission. In addition, two prisoners were purported to have overheard a conversation whereby Ellis asserted that he was claiming that McAfee was involved in the killing because he had put his (Ellis) name forward to the police and was therefore going to bring him down for that reason. Following his failed appeal, McAfee submitted an application to the CCRC who refused his application on the basis that the grounds put forward had already been dismissed on his appeal. His case is currently investigated by the University of Portsmouth Innocence Project.

Christopher Moody was convicted in June 1998 of the murder of Maureen Comfort who was found dead in her flat in Leeds in January 1996. As a friend of the Maureen Comfort, Moody had the key to her flat. He voluntarily went to the police station after hearing the news of her death. However, he was not charged with the murder until more than two years later when he was in prison for a separate offence. There was no physical evidence linking him

to the murder. He was convicted mainly on two alleged confessions. The first was to a close family friend of the deceased who was 14 years old at the time of trial. She claimed that Mr Moody had confessed to her in the summer of 1996 when she was 12 years old. However, she did not tell anyone about the confession until over a year after it allegedly took place. The second was to a fellow cell mate whose testimony was admitted in court despite his mental instability and contradictions in his evidence. To date, Mr Moody continues to protest his innocence of the murder and maintains that none of the confessions ever took place. The CCRC refused Mr Moody"s application on two occasions after minimal investigations. No attempt was made to re-interview the witnesses despite the apparent inconsistencies in their evidence. The CCRC also failed to look at the police files, stating that “it seems that they may have accidentally been destroyed in a flood”. In 2010, in what is thought to be an unprecedented move, the Parole Board acknowledged that they are “in no doubt that Mr Moody has solid grounds for maintaining his denial of involvement in this offence”. His case is currently being investigated by the University of Bristol Innocence Project.

John Cutts was convicted of murder in May 2001, and sentenced to life imprisonment with a fourteen year tariff. It was alleged that Cutts killed his partner, Dawn Berntsen, by striking her to the head with a wine bottle. While Cutts admits his presence at the time of the incident, he denies carrying out this act, claiming it to instead have been done by his friend, James Murphy, whose Nottingham home the deceased was found in. Dawn Berntsen was an insulin dependent diabetic, yet had not been taking insulin for several months prior to the incident. The prosecution argued that although the injuries inflicted would not have caused death usually, they accelerated the onset of ketoacidosis – a condition known to cause death in insulin deprived diabetics. The evidence used at trial to convict Cutts included the testimony of Murphy, blood stains on his clothing and finger prints on the wine bottle. However, Murphy had his charge reduced in return for his testimony against Cutts. The blood stains and fingerprints matched Cutts" account of trying to wrestle the wine bottle for Murphy. Most importantly, Bernsten"s cause of death been disputed by three leading experts, who unanimously stated that the physical assault would not have caused the death although for different reasons. Professor Tattersall denounced the Crown"s hypothesis as incapable of scientific verification, arguing that the injuries would not have caused the fatal ketoacidosis. Another expert Al-Sarraj claimed that the deceased could have suffered from viral encephalitis, and Dr Cary proposed that the cause of death may have in fact been the presence of active tuberculosis. Indeed, police officers who called upon Dawn Berntsen on the week of her death advised her to seek medical assistance when they saw her condition. Despite adducing expert evidence concurring that Bernsten did not die from the assault, John Cutts application to the CCRC was rejected in February 2002. Mr Cutt"s case is being investigated by the University of Plymouth Innocence Project.

John Bowden: Update About Lies In A Report By Prison Hired Social Worker

Brendon Barnett, a criminal justice social worker in Edinburgh, has so compromised himself by writing blatant lies in a report to the parole board to try and sabotage my release that his employers should seriously consider his suitability as a social work professional.

Social Work Advice and Complaints Service in Edinburgh are currently investigating my complaint that in a report submitted to the parole board in February Barnett wrote what he knew to be total lies and did so without any concern that his lies would inevitably be found out. This suggests either a serious personality disorder on Barnett's part or a belief that whatever he wrote the sys-

transfer to a normal prison. Lastly, as concerned mental health problems, the Court noted that this had not prevented Mr Ahmad, Mr Ahsan and Mr Bary from being detained in high-security prisons in the United Kingdom and, in any case, psychiatric services would be available to treat them at ADX.

Accordingly, the Court found that there would be no violation of Article 3 as concerned the possible detention at ADX supermax prison of Mr Ahmad, Mr Ahsan, Mr Bary and Mr Al-Fawwaz.

The Court also refused Abu Hamza's request for reconsideration of its decision to declare his complaint concerning ADX inadmissible. The Court observed that the United States authorities would consider Abu Hamza's detention at ADX impossible because of his disabilities (particularly the amputation of his forearms).

Length of sentences: Mr Bary faces 269 mandatory sentences of life imprisonment without the possibility of parole. Mr Ahmad, Mr Ahsan, Abu Hamza and Mr Al Fawwaz face discretionary life sentences.

Having regard to the seriousness of the offences in question, the Court did not consider that these sentences were grossly disproportionate or amounted to inhuman or degrading treatment. There would therefore be no violation of Article 3 in the case of any of these five applicants if they were extradited, convicted and given life sentences.

Future procedure concerning Aswat v. the United Kingdom (no. 17299/12)

The Court decided to adjourn examination of Mr Aswat's complaints, which it will consider under a new application number (no. 17299/12). It invited the parties to submit further written observations on the three questions below.

1. What relevance is there, if any, of Mr Aswat's transfer from HMP Long Lartin to Broadmoor Hospital on account of his mental health?

2. Prior to Mr Aswat's surrender to the USA, would details of his mental health condition be provided to the US' authorities?

3. After surrender, what steps would be taken by the US authorities: to assess whether Mr Aswat would be fit to stand trial; and, to ensure that, if convicted, his mental health condition would properly be taken into account in determining where he would be detained?

The British Government have been asked to submit their observations on these questions by 9 May 2012. The applicant will then be given four weeks to respond to those observations after which the Government will be invited to submit its final observations in reply within two weeks. The Court will then give its judgment in Mr Aswat's case as soon as practicably possible.

Mesagges of Support/Solidarity:

Talha Ahsan: A9438AG, HMP Long Lartin, Evesham, WR11 8TZ

Babar Ahmad: A9385AG, HMP Long Lartin, Evesham, WR11 8TZ

Prison Writings - Kevan Thakrar

It has been publicised already about the large number of seriously mentally ill prisoners being held under the tortuous conditions of HMP Woodhill's Close Supervision Unit (CSC). Knowing how ill many of the prisoners are, HMP Woodhill has now implemented a policy whereby medication which is used to manage these illnesses are all administered as crushed powder, rather than the tablet form which they are made.

Anyone with any knowledge of medication will be able to tell you how harmful it can be to crush tablets rather than taking them whole as prescribed. The undoubted result of this illegal policy which HMP Woodhill security have forced Milton Keynes PCT to follow has resulted

extradition from the United Kingdom. As a result, all six applicants were arrested in the UK and placed in detention pending extradition. They then contested their extradition in separate proceedings in the English courts, without success, their requests for leave to appeal to the House of Lords and the Supreme Court ultimately being rejected between 2007 and 2009.

Procedure, complaints and composition of the Court

The present cases concern applications lodged by the six applicants between 2007 and 2009. The Court decided to deal with the applications together since they raised similar issues.

On 6 July 2010 the Court delivered its decision on the admissibility of the complaints lodged by the first four applicants (Mr Ahmad, Mr Aswat, Mr Ahsan and Abu Hamza). The Court found that, given assurances provided by the United States, there was no real risk that these four applicants, if extradited to the USA, would either be designated as enemy combatants (with the consequences that that entailed, such as the death penalty) or subjected to extraordinary rendition. Nor did it consider that any of the applicants' claims in respect of their trials in the US Federal Courts would amount to a flagrant denial of justice. Therefore those parts of the applicants' complaints were declared inadmissible.

Following the admissibility decision, the Court put further questions to the parties and, after several extensions of the time-limit to allow for information to be obtained from the United States, the applicants submitted their final observations on 31 May 2011 and the Government on 24 October 2011.

The remaining part of the first four applicants' complaints concerning conditions of detention at ADX Florence and the length of their possible sentences, if extradited and convicted in the USA, was declared admissible and is the subject of the judgment delivery today. The judgment also concerns the identical complaints brought by the fifth and sixth applicants, Mr Bary and Mr Al Fawwaz.

Third-party comments were received from the non-governmental organisations the American Civil Liberties Union, the National Litigation Project at Yale Law School, Interights and Reprieve.

Decision of the Court - Conditions of detention

Having fully considered all the evidence from both parties, including specifically prepared statements by officials at ADX Florence as well as letters provided by the US Department of Justice, the Court held that conditions at ADX would not amount to ill-treatment.

In particular, not all inmates convicted of international terrorism were housed at ADX and, even if they were, sufficient procedural safeguards were in place, such as holding a hearing before deciding on such a transfer. Furthermore, if the transfer process had been unsatisfactory, there was the possibility of bringing a claim to both the Federal Bureau of Prisons' administrative remedy programme and the US federal courts.

As concerned ADX's restrictive conditions and lack of human contact, the Court found that, if the applicants were convicted as charged, the US authorities would be justified in considering them a significant security risk and in imposing strict limitations on their ability to communicate with the outside world. Besides, ADX inmates - although confined to their cells for the vast majority of the time - were provided with services and activities (television, radio, newspapers, books, hobby and craft items, telephone calls, social visits, correspondence with families, group prayer) which went beyond what was provided in most prisons in Europe. Furthermore, according to the US Department of Justice in one of its letters, out of the 252 inmates in ADX, 89 were in the prison's "step¬down programme". This showed that the applicants, if convicted and transferred to ADX, would have a real possibility under such a programme of moving through different levels of contact with others until being suitable for

tem would support him and never hold him properly accountable. It will therefore be interesting to see how my complaint is treated by the social work complaints service and how the system deals with someone who thinks it's completely acceptable to use their position to destroy the lives of people considered too marginalised, powerless and stigmatised to defend themselves.

In response to an article that I wrote exposing the lies in Barnett's report, Barnett submitted a second report to the parole board obviously motivated by a determination to inflict greater punishment for my having the temerity to speak out. In his second report submitted on the 22nd March he accuses me of being 'very selective' in my use of quotes from his first report and 'manipulative' in my 'editing' of them. He claimed that I wrote and distributed the article as a 'crude attempt to intimidate and cow' him. He also made reference to a warning or threat in his first report that my continuing to use the internet as a means of exposing dishonest reporting by social workers should be considered by the parole board as sufficient reason to deny my release.

In terms of my reason for writing and distributing the article about the lies in Barnett's first report, my actual motive was to try and highlight a pattern of behaviour on the part of prison-based psychologists and social workers that compromises their professional integrity by blurring the boundaries between an often vindictive prison system and the supposed professional independence of 'criminal justice workers' like Barnett. Although not formally employed by the prison system Barnett clearly had contact with and was influenced by senior prison staff whilst writing his first report and obviously believed he now shared with them such total power over me that I would be completely defenceless to his lies; in fact what he actually succeeded in doing was undermining the basic integrity of his report and illustrating how so-called criminal justice professionals like social workers and probation officers are often used by prison staff to legitimise the otherwise blatant victimization of prisoners. Either way, my essential motive in writing and distributing my article was to bring attention to a clear abuse of power by Barnett and also to an obvious and repetitive pattern of lies in social work reports written on me for the parole board. In fact, Barnett's lies, although uniquely unbelievable, fit a consistent pattern of dishonesty and lies in reports submitted to the parole board since at least 2007. The motive is clear: to prevent my release by any means necessary.

Barnett claims that in my article exposing his lies I was selective in my choice of quotes from his first report and manipulative in my editing of them. In fact, I lifted the quotes verbatim from his report and selected those that were obviously untrue in the extreme, such as the claim that I was convicted of hate crimes against ethnic minorities and gay people. In a typical example of this he wrote, "Bowden has not only used a political analysis of his own history but also those of his victims suggesting they were individuals easily discriminated against on the basis of race or sexuality". This is EXACTLY what Barnett wrote free of any manipulation or editing by me. He also wrote, "Bowden has suggested that his victims were easily discriminated against on the basis or race or sexuality" and "There has been no investigation of the values and beliefs that informed Bowden's targeting of individuals, i.e. what particular characteristics deemed a person worthy of attack: ethnic background, deviant sexuality". Despite a mountain of official reports and evidence relating to my life before prison and the circumstances of my 'offending behaviour', which Barnett would have been familiar with, he decided to introduce a racist and homophobic dimension to my case that has absolutely no basis in fact or reality. The question therefore has to be asked why?

Prison-based social workers often exaggerate, distort and misrepresent facts when writing reports for the parole board, but rarely are naked lies written in reports that are examined

by a judicial body like the parole board. In 2007 a prison-based social worker, Matthew Stillman, wrote a report for the parole board preparing to consider my release in which he described a prisoner support group, Anarchist Black Cross, as a 'terrorist organisation' and my connection with it as sufficient reason to deny my release. Stillman, a right-wing American, claimed that ABC's politics were 'Terroristic' in his opinion, though would subsequently also claim that he was encouraged by senior prison staff to use the term 'terrorist' in his report to the parole board. Political definitions, no matter how distorted, are however completely different to blatant lies, there are only two explanations for Barnett writing such outrageous lies in his report to the parole board, either plain incompetence [difficult to believe when one considers his otherwise forensic eye for detail in the report] or straight forward malevolence. Either explanation is almost secondary to the imperative that he should be sacked or removed from a job where he is able to inflict serious damage on people's live.

John Bowden: HMP Shotts, Canthill Road, Shotts, Lanarkshire, Scotland, ML7 4LE

You've suffered 'care', so you lose your child *Christopher Booker,Telegraph, 07/04/12*

Our 'child protection' system is tearing many families apart. A baby has been taken into care, because Social workers judged that because the mother was brought up in care it made her unfit to be a parent.

Critics of the Government's plans to extend the secrecy of Britain's court system are still insisting that, where courts operate behind closed doors, this is likely to allow justice to be horribly abused. They are, of course, quite right. But they do not point out that a perfect illustration of their case is what goes on daily in many of our family courts.

Last week, I learned of the case of a sensible but desperately unhappy 17-year-old, who has just lost her child forever. She herself has spent most of her life in local authority care, although she maintains that she was quite rightly taken away when young from her mother, who was a drug addict and an alcoholic. The girl nevertheless seems to have triumphed over such adversity and, having found a boyfriend, she last year had a baby. The couple would have been only too happy to bring up the child together.

The boyfriend is said to be "a brilliant dad". But social workers, as is their wont, told her that if she wanted to keep the baby, she must stop seeing him, and sent her for a six month "assessment".

She apparently passed this test with flying colours and was found to be a "competent mother". But the social workers were still not satisfied. They tried in vain to establish whether, because of her background, she might have problems with drugs or alcohol. So they then paid thousands of pounds to have her assessed by a psychological "expert".

He could find nothing wrong with her, but he was prepared to agree with those paying his fees that, because she had been brought up in care, she might have difficulty bringing up a child. Her daughter might therefore be exposed, in that vague term beloved by social workers, to a "risk of emotional harm".

After a great deal of public expense on three groups of lawyers, a court found, I gather, that, the young mother having been brought up in care, her daughter must now in her turn be put into care. No testimony from the mother was heard.

What does it tell us about our system of "care" when, as it seems, social workers and the judiciary are in agreement that the system is not capable of bringing up a person who is fit to look after her own child?

Serious Knockback for Talha Ahsan and Babar Ahmad

European Court of Humand Rights: Babar Ahmad and Others v. the United Kingdom

Detention conditions and length of sentences of five alleged terrorists would not amount to ill-treatment if they were extradited to the USA The case Babar Ahmad and Others v. the UK (Application nos. 24027/07, 11949/08, 36742/08, 66911/09 and 67354/09) concerned six alleged international terrorists - Babar Ahmad, Haroon Rashid Aswat, Syed Tahla Ahsan, Mustafa Kamal Mustafa (known more commonly as Abu Hamza), Adel Abdul Bary and Khaled Al-Fawwaz - who have been detained in the United Kingdom pending extradition to the United States of America.

In today's Chamber judgment in the case, which is not final", the European Court of Human Rights held, unanimously, that there would be: no violation of Article 3 (prohibition of inhuman and degrading treatment) of the European Convention on Human Rights as a result of conditions of detention at ADX Florence (a "supermax" prison in the United States) - if Mr Ahmad, Mr Ahsan, Mr Abu Hamza, Mr Bary and Mr Al-Fawwaz were extradited to the USA; and, no violation of Article 3 of the Convention as a result of the length of their possible sentences if Mr Ahmad, Mr Ahsan, Abu Hamza, Mr Bary and Mr Al-Fawwaz were extrad ited.

The Court adjourned its examination of Mr Aswat's application as it required further submissions from the parties, on the relevance of his schizophrenia and detention at Broadmoor Hospital to his complaint concerning detention at ADX (see below "future procedure").

Continuation of interim measures: The Court also, decided to continue its indication to the United Kingdom Government (made under Rule 39 of the Rules of Court) that the applicants should not be extradited until this judgment became final or until the case was referred to the Grand Chamber at the request of one or both of the parties".

Principal facts: Between 1999 and 2006 all six applicants were indicted on various terrorism charges in the United States of America. Mr Ahmad and Mr Ahsan are accused of various felonies including providing support to terrorists and conspiracy to kill, kidnap, maim or injure persons or damage property in a foreign country. Abu Hamza has been charged with 11 different counts of criminal conduct related to the taking of 16 hostages in Yemen in

1 Under Articles 43 and 44 of the Convention, this Chamber judgment is not final. During the three-month period following its delivery, any party may request that the case be referred to the Grand Chamber of the Court. If such a request is made, a panel of five judges considers whether the case deserves further examination. In that event, the Grand Chamber will hear the case and deliver a final judgment. If the referral request is refused, the Chamber judgment will become final on that day.

Once a judgment becomes final, it is transmitted to the Committee of Ministers of the Council of Europe for supervision of its execution. Further information about the execution process can be found here: www.coe.int/t/dghl/monitoring/execution

2 In which case the President of the Grand Chamber would decide whether interim measures should continue to remain in force.

1998, advocating violent jihad in Afghanistan in 2001 and conspiring to establish a jihad training camp in Bly, Oregon (the USA) between June 2000 and December 2001. Mr Aswat was indicted as Abu Hamza's co-conspirator in respect of the latter charges. Mr Bary and Mr Al-Fawwaz were indicted, along with Osama bin Laden and 20 others, for their alleged involvement in, or support for, the bombing of US embassies in Nairobi and Dar es Salaam in 1998. Mr Al-Fawwaz has notably been charged with more than 269 counts of murder.

On the basis of those indictments, the US Government requested each applicant's