ever that parliament and the public can be awkward about having liberties taken away. So the work-around, is to cut justice. 'Liberties without justice were like music without instruments'. And so it is – cut justice and liberties become unenforceable.

The continuing noise and bluster about scrapping the Human Rights Act is serious but possibly just a distraction technique and this government is a master of the sleight of hand. Do you remember how not so long ago we fretted over our privacy and the Communications Data Bill, dubbed the 'snoopers charter'. It was only after the bill was finally defeated that we realised that the government didn't need it anyway because they had been spying on us all along via GCHQ and NSA. And so while we rally to defend human rights in the UK, the justice system is being quietly dismantled behind our backs. We are left holding the title deeds to a property that has been bulldozed. What is the position now for the majority of people in the UK if the police raid your home on a whim, without bothering to apply to court to get a warrant and subject you and your family to the ordeal of having your home turned upside down? Or what if you're pulled off the street for no statutory reason or lawful excuse and detained in a police cell overnight before being released. These are fundamental breaches of your human rights, but if you are one of Westminster's favoured and ubiquitous 'hard working families' you won't be able get legal help to deal with these breaches. You won't qualify for legal aid, the government has made 'no win, no fee' unusable for human rights cases, and you wont be able to afford the calibre of legal help you need to take on the police lawyers. The majority of us now have unenforceable rights.

Next year the UK will host a Global Law Summit to coincide with the 800th anniversary of Magna Carta. It is intended to showcase the UK as an international legal centre and celebrate the rule of law and our proud legal history. But our proud legal history is coming to an end. If the public do not unite to defeat these justice cuts then we will lose justice, the government will lose the £3.5 billion it makes from selling our legal services to overseas clients and the Global Law Summit next year will be little more than a 'justice' branded junket, offering Runnymede mugs and Magna Carta mouse mats to the in-house lawyers of multi national corporations.

Under Their Noses? 52kg of Cocaine Nicked From French Police HQ!

A French police officer is facing preliminary charges relating to the disappearance of 116lb (52.6kg) of cocaine from Paris police headquarters' evidence room. Prosecutor's office said the unidentified anti-narcotics officer faces charges including transport, possession and sale of narcotics and covering up a drug ring. The cocaine has not been found. It had been held in a locked room at the Paris police headquarters, close to Notre Dame Cathedral, and was reported missing on July 31.The suspect has denied the charges, according to French press reports. They said the cocaine has an estimated street value of 2 million euros (£1.6 million).

Hostages: Jamie Green, Dan Payne, Zoran Dresic, Scott Birtwistle, Jon Beere, Chedwyn Evans, Darren Waterhouse, David Norris, Brendan McConville, John Paul Wooton, John Keelan, Mohammed Niaz Khan, Abid Ashiq Hussain, Sharaz Yaqub, David Ferguson, Anthony Parsons, James Cullinene, Stephen Marsh, Graham Coutts, Royston Moore, Duane King, Leon Chapman, Tony Marshall, Anthony Jackson, David Kent, Norman Grant, Ricardo Morrison, Alex Silva,Terry Smith, Hyrone Hart, Glen Cameron,Warren Slaney, Melvyn 'Adie' McLellan, Lyndon Coles, Robert Bradley, John Twomey, Thomas G. Bourke, David E. Ferguson, Lee Mockble, George Romero Coleman, Neil Hurley, Jaslyn Ricardo Smith, James Dowsett, Kevan Thakrar, Miran Thakrar, Jordan Towers, Patrick Docherty, Brendan Dixon, Paul Bush, Frank Wilkinson, Alex Black, Nicholas Rose, Kevin Nunn, Peter Carine, Paul Higginson, Thomas Petch, 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, Carl Kenute Gowe, Eddie Hampton, Tony Hyland, Ray Gilbert, Ishtiaq Ahmed.

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UK Innocence Projects: A Brighter Future? *Andrew Green for Justice Gap*

Convicted of serious crimes but still claiming to be innocent, prisoners who cannot succeed in having their convictions overturned by the Court of Appeal Criminal Division (CACD) are desperate to find help. Their only recourse is to apply to the Criminal Cases Review Commission (CCRC), but legal aid is very limited for lawyers preparing applications, and the few good solicitors willing to do the extra, often unpaid work to achieve referrals by the CCRC to the CACD are snowed under with demands for their services.

To fill this gap in provision of a much needed service, pro bono university based organisations, now numbering more than 30, have sprung up across the UK. Following the example of American innocence projects, these are run voluntarily by students under the direction of academic staff and with the support of local lawyers. The first of these was established by Dr Michael Naughton at the University of Bristol. In 2004, Dr Naughton realised that innocence projects would benefit from resources provided centrally, and he set up the Innocence Network UK (INUK). Michael Naughton proved to be an energetic and effective organiser, and an inspiring speaker who filled many students with an enthusiastic desire to investigate the cases of innocent prisoners, in the hope of overturning their convictions. Ably assisted by Dr Gabe Tan, he organised two training conferences each year. Naughton and Tan published a useful booklet, Claims of Innocence, which was distributed free to prisoners and students working in innocence projects.

INUK issued 'protocols' and other guidance, designed to ensure that the work of its member projects followed INUK's guiding principles and was of high quality. It acted as a clearing house for applications from prisoners and supplied cases to member projects. For each case INUK assembled files and assessed whether the case fulfilled the criteria making it eligible for review by a member innocence project. Projects agreed to take only cases assigned to them by INUK. Many projects, including the one at which I work at Sheffield University, subscribed fully to INUK's principles and valued the services provided by INUK, and so we were saddened to receive Michael Naughton's recent announcement that INUK had decided to cease acting as a network. But the announcement was not unexpected. Almost since its inception, INUK had been prepared to expel members who were thought not to be following its approved ways of working or who presented arguments considered not to be consistent with its principles. Competent, experienced individuals who wished to establish innocence projects in their own institutions were, if they were deemed to hold principles believed to be inconsistent with INUK's, or undermining of its authority, were declared personae non gratae. Some formed projects that were not connected to INUK.

For most of us working in or with innocence projects, any differences of opinion or approach between those that were or were not members of INUK did not appear to impact on the quality of their work. Naughton suggested that there was a fundamental difference between projects which conducted only 'paper' or 'desk top' reviews of cases, but the truth is that most of the work carried out by projects consists detailed examination of case files, rather than activities like scene of crime visits or interviewing witnesses. The examination of the voluminous records which comprise any post appeal case is most likely to result in attempts to obtain disclosure of yet more paper, in the hope of obtaining records of evidence undisclosed previously, which might hold the (technically)

fresh evidence needed for an appeal against conviction to succeed. Any project whose findings pointed to the need for other forms of fresh evidence – DNA retesting of exhibits or expert opinions on some other issue previously unconsidered, for example – would undoubtedly follow up such leads as best they could. Naughton's distinction cannot be sustained.

Projects were simply reviewing cases and trying to help those who they believed to be innocent as a consequence of their review. They did so with enthusiasm but also with varying degrees of competence. This is not surprising. The concept of innocence projects was new in the UK. No one knew how much staff time was required for management of projects, what difficulties students would encounter and how competent they would prove to be, or what facilities and finance projects would need. Carried forward by forward by the intoxication of the idea that bright young students could use their talents to give real help to individuals suffering from terrible misfortunes, problems were perhaps ignored: who would want to dampen such enthusiasm?

Of course, student commitment is not enough. Students have little or no prior knowledge of the criminal justice system. Confronted by boxes full of papers, they cannot recognise what these records mean or how they fit into the case. Even when they have catalogued, summarised and indexed everything, they have work out how they relate to police investigations, defence case preparation, and the appeal system. Throughout they need guidance from individuals who have enough experience of what is really quite an odd corner of the criminal justice system. Those of us directing innocence projects are still working out how to enable students to review cases thoroughly and efficiently, exploiting the students' commitment and enabling them to bring fresh views and intelligence to bear on solving problems, and come up with the new idea which just might lead to the fresh evidence needed for a possible success in the CACD.

But so far cases are not flooding from innocence projects into the CACD (only from Bristol and Cardiff Innocence Projects so far). This is hard work. Cases are, by definition, difficult ones. But students bring to these cases resources not available elsewhere in the criminal justice system. No one working under the restrictions of legal aid funding or the budgetary constraints of institutions such as the CCRC is likely to do the detailed work that students are prepared to do. But with improved systems in place for investigations and guidance and training of students, innocence projects across the UK can have a useful, productive future.

At this stage, INUK has reported a problem which I and many others find difficult to understand: The eligible cases are drying up. In the last year only a few of the couple of hundred applications that we have assessed have been deemed eligible. As a result, INUK is unable to provide a key part of services it previously offered – the supply of cases to projects. There appears to be no shortage of alleged miscarriages of justice. Inside Justice reports it has been asked to investigate 816 cases since 2010. Campaigning and support organisations which are members of United Against Injustice know of many cases which need assistance. Joint Enterprise Not Guilty by Association claims to be in contact with nearly 500 people claiming to be wrongly convicted.

So the problem must be with INUK's assessment of eligibility. Cases are deemed eligible for possible assignment to an Innocent Project if the applicant claims to be completely innocent and not involved in the crime of which they were convicted. Someone who claimed to be innocent of murder, for example, would not be eligible if they admitted manslaughter (or even some form of encouragement, in a joint enterprise case). But recently the following addition (dated August 2014) was made. Please note fulfilling the above eligibility criteria does not guarantee that your case will be accepted by INUK. We will also consider the merits of the case, overall strength of the evidence that led to the conviction, and whether there are viable lines of

manually. As a result, the data lost was unprotected, and could be accessed by the finder of the hard drive. The ICO head of enforcement, Stephen Eckersley, said: "The fact that a government department with security oversight for prisons can supply equipment to 75 prisons throughout England and Wales without properly understanding, let alone telling them, how to use it, beggars belief. The result was that highly sensitive information about prisoners and vulnerable members of the public, including victims, was insecurely handled for over a year."

Liberties without justice *Jules Carey for Bindmans Solicitors*

The assault on justice began when Tony Blair promised to improve the image of the justice system and re-balance it in favour of the 'decent law-abiding majority'. •New Labour meddled with the process of justice – by ending the ban on double jeopardy, introducing tougher sentences and cutting back on jury trials. •New Labour messed with the meaning of justice by blurring the distinction between criminal offences and 'civil wrongs'. They gave us ASBOs, Dispersal Orders, Control Orders, Terrorism Asset Freezing Orders, and huge expansion in the use of Fixed Penalty Notices. New Labour were the architects of pre-crime justice •New Labour buried justice under a welter of ill-conceived reactionary legislation that was relied upon to give the illusion of action. This law making frenzy included the invention of 3600 new criminal offences. If New Labour's assault on justice resulted from a lack of ideology; and I believe it did; then this government's assault on justice is because of its ideology.

The coalition has repeatedly demonstrated that it does not believe that we should 'all' have access to court or legal advice, or that we should be treated equally before a court, or have our cases heard in public. •This government has removed public funding for the majority of non-criminal legal problems. Entire areas of law have been excluded from public funding including the majority of family, immigration, employment, debt, prison and education cases. Citizens have lost legal assistance in 600,000 cases a year. Their legal problems do not disappear they are merely dumped on other bodies •In the areas of law that funding is still available, the government has introduced even more stringent eligibility tests. When legal aid was introduced 60 years ago, 80% of population was eligible, now less than 25% are eligible. •The government has expanded the use of secret courts into civil proceedings and thereby eroded the fundamental principle of open justice. Government can now present its arguments to the court in a closed session, with the citizen, his lawyer and the public excluded. •The government has cut legal aid rates. By doing so it is driving down professional standards and the quality of lawyers available to legal aid clients. •The government is imposing a residency test. This test will deny justice to some of the most vulnerable in society including those who allege the government is implicated in rendition and torture. •The government is cutting back judicial review – the principal way for citizens to challenge the excesses and abuses of public authorities and government.

It's worth noting that the government is not scaling down its own use of lawyers. Corporations, high net worth individuals and the government continue to turn to lawyers as soon as they are in trouble and want to defend their positions. The justice cuts result in the most vulnerable being deprived of legal advice and the protection of the courts while the government insulates itself from challenge. A couple of years ago Lady Hale quipped that "in England justice is open to all… just like the Ritz" – this remark is even more painfully true today.

But why is justice facing such a ferocious attack now? The answer is simple. If you cut justice, then you have succeeded in cutting liberties, and this government is no friend of liberty – and it is particularly hostile to the HRA. Theresa May told the Conservative conference last year that their next manifesto will pledge to scrap the HRA. The government knows how-

pass an appeal against a costs order. It is possible to judicially review a decision to award costs against a defendant but practically this may be difficult given the tight timeframes involved. The court dismissed Skraba's substantive appeal and confirmed his extradition but ultimately held that there was indeed a residual power for the court to review costs awarded at first instance having dismissed an appeal. In his case the order for £500 was reduced to one of £100.

From a practical standpoint the case of Skraba simply confirms that the High Court has a residual power to review costs orders imposed at first instance if the substantive statutory appeal is unsuccessful. However, the judgment left a number of issues open- not least the question of what would happen if the High Court were to allow the substantive appeal. In those circumstances the court would have no power to interfere with any costs order imposed below although there is a strong argument to say that the order should fall away with the appealed extradition order. In addition no guidance has been given as to whether costs should simply follow the event or whether they should be reserved for cases where defendants have pursued 'hopeless' defences. However, given the increasing frequency of costs orders in extradition proceedings it is likely that there will be further challenges in the future.

Martin Conmey, Manslaughter Conviction Ruled Miscarriage of Justice

42 Years after he was jailed for killing civil servant Una Lynskey the Court of Criminal Appeal has found Martin Conmey's manslaughter conviction was a miscarriage of justice. The 62-year-old won his case after it emerged key evidence had been suppressed by the state. 19 year old Una Lynskey was last seen getting off a bus about half-a-mile from her home on Porterstown Lane in Ratoath, Co Meath on the evening of October 12, 1971. The following year Martin Conmey, then aged 20 and his friend Dick Donnelly were convicted of her manslaughter. Donnelly's conviction was overturned on appeal. In Conmey's case the prosecution relied on the testimony of 3 witnesses that placed the accused and his friends in a car near the scene but in 2010 it emerged that these same witnesses had initially given quite different statements to gardaí. No explanation has ever been given by the state for suppressing important evidence but one of the relevant witnesses Sean Reilly now says he was physically assaulted and pressurised by gardaí into changing his statement.

£25,000 Compensation for Wrongfully Detained Under Age Asylum Seeker

UKBA detained the male youth in Dover IRC for 25 days, after he was found in the back of a lorry in 2012. When he was interviewed, he told immigration officers he was 16 and they correctly referred the case to social services in Kent. He even handed over his birth certificate, national identity card and school certificate, which showed he was 16. But social workers decided he was not telling the truth and classed him as an adult. In court, Judge Simon Picken QC ruled that he was entitled to compensation. "I am satisfied the claimant was unlawfully detained after completion of the booking-in process." UKBA invited to comment, refused!

MoJ Fined £189,00 Over Prison Data Loss

The Information Commissioner's Office (ICO) said the penalty was related to the loss of a hard drive containing the details of almost 3,000 prisoners at Erlestoke prison in Wiltshire, the disk was not encrypted. The records included information on organised crime, prisoners' health and drug misuse, and material about inmates' victims and visitors. After a similar incident in 2011, the Ministry of Justice issued the Prison Service with new back-up hard drives that can be encrypted, but failed to explain that the encryption option had to be switched on

enquiry an innocence project can investigate during the eligibility assessment process.

This to me appears to be a commitment to the prejudgement of cases. In his introduction to The Criminal Cases Review Commission: hope for the innocent?, Naughton criticised the CCRC for conducting 'reviews' of cases rather than investigating them. The distinction was between reviewing existing case files and actively seeking new lines of inquiry and following them up. At the time, I agreed with his criticism in my contribution to the same book, although I no longer believe this to be generally true of the CCRC. But it now appears that INUK is, and has been, prejudging cases in the same way. Hence the 'drying up' of eligible cases.

This causes a specific problem for universities which run assessed modules which are part of undergraduate courses and attached to innocence projects. Students who have chosen these modules need cases to work on, otherwise they cannot submit work for assessment and will receive lower grades as a result. They would have legitimate cause for complaint if that happened. Projects at Sheffield Hallam University and the University of Sheffield both face this problem. The directors of these projects agree that there is no need for prior assessment of cases in the way described by INUK. Each project can assess its own cases.

This approach is part of a vision for the future of innocence projects in the UK, in which they are no longer asked to submit to the rules of a central organisation over which they have no control. Whatever networking system or organisation develops, it will be inclusive rather than exclusive, democratic rather than subject to charismatic leadership, co-operative and mutually supportive rather than centralised. Cases will be supplied by existing organisations or through direct applications to projects, checked in a clearing system to avoid duplication of work. Training conferences will be organised by different institutions and materials will be shared freely. New or floundering projects will be able to seek advice and support.

The future shape of the movement is yet to be decided. We expect to take advantage of the CCRC's welcome recognition of the potential for projects to submit well investigated cases, and willingness to collaborate. The most practical co-operative organisation may be a regional one, to reduce travel and expense. Projects may specialise, perhaps by types of case such as joint enterprise, or historic sexual abuse. The future looks bright and full of possibility.

Prison Lights-Out Policy Could Worsen Mental Health Crisis

Plans to impose a strict 10.30pm lights out policy in prisons could worsen the mental health crisis in Britain's jails as vulnerable young inmates are forced into darkness, campaigners have claimed. Frances Crook, the chief executive of the Howard League for Penal Reform, warned of the "terrifying" rate of suicides in prisons and called on the government to rethink its plan, saying it will leave young prisoners in isolation for too many hours. Chris Grayling, the justice secretary, issued orders earlier this year to turn out lights and televisions in the cells of young offenders at 10.30pm sharp to enforce earlier bed times. The restriction, affecting those aged 15 to 17, is aimed at imposing stricter discipline and to prevent inmates from staying up all night.

Crook said: "They are plunged into darkness alone and with no one to talk to until the next morning. You don't need to be a psychologist to realise that this is very dangerous. The very experience of prison is damaging to your mental health but imagine if you have had bouts of depression in the past or any kind of mental health problem and are then locked up in a cell for 22 hours a day with stinking ventilation and really a rather grotty diet for weeks on end. That is the prison experience today and so even people who have not had mental health problems and are quite robust will be badly damaged by the prison experience." Her comments

came as Grayling on Tuesday denied that there was a crisis in the prison system. He admitted that there were staff shortages in certain facilities and that there had been an unexpected increase in the number of inmates convicted of sex offences after the Jimmy Savile scandal. But he maintained the government was "meeting those challenges".

As many as 90% of inmates have at least one diagnosed mental health disorder, while one in 10 has serious mental health problems at any one time. Twenty percent of prisoners have four of the five major mental health disorders (depression, bipolar disorder, ADHD, schizophrenia and autism). Between 2013 and 2014, 88 inmates in English and Welsh prisons took their own lives – up from 52 in 2012-13. Nick Hardwick, the chief inspector of prisons, warned earlier this year that overcrowding and staff shortages in England were leading to an increase in the number of inmates killing themselves.

In Grayling's first comments on prisons since a recent run of stories highlighting overcrowding, violence and suicides, the justice secretary told Radio 4's the Today programme: "We are looking to make sure that we can continue to deliver a safe and appropriate prison regime in a world where budgets are much lower than they were in the past. We've actually got a prison estate where violence today is at a lower level than it was five years ago.

We've got challenges from an increased population that was not expected in the last 12 months. We are meeting those challenges, we are recruiting more staff – but I'm absolutely clear there is not a crisis in our prisons. There are pressures, which we are facing, but there is not a crisis." The shadow justice secretary, Sadiq Khan, accused Grayling of "burying his head in the sand about the crisis in our prisons". He said: "Under David Cameron and Chris Grayling there has been a complete leadership gap in the criminal justice system, which has led to deteriorating jails, increasing violence in prisons and less and less being done to rehabilitate offenders and treat those with poor mental health."

On Tuesday, concerns about the impact of staff shortages and restricted emergency regimes on prisoner mental health were also brought into sharp focus once again with a report by Hardwick's office, which expressed concerns about one of the country's newest prisons. The inspection of three-year-old Isis young offenders institution in south-west London highlighted how limited resources had led to a cut in routines, limited access to facilities and a "negative impact on the life of the prison". Juliet Lyon, the director of Prison Reform Trust, said: "There is a mental health crisis in prisons and I think it's fair to say that on the basis of the rise in suicides and rates of self harm. It's common sense that staff shortages and overcrowding as well as the fact prisoners are being locked up for longer periods of time will have an impact on the mental health of those in cells." The Prison Governors Association president, Eoin McLennan Murray, said that a lack of staff means "we have to lock prisoners up for more time than we would want to" and "many prisons are having to run restricted regimes". *Ben Quinn/Nicholas Watt, Guardian*

Inmates at Notorious Rikers Island Prison Riot After Bedtime Curfew

Officials at the jail introduced the new 9:00pm bedtime in a bid to reduce violence in the evening, it was reported earlier this month. But more than 60 inmates at the George R. Vierno Center (GRVC) refused to abide by the new rule and return to their cells at the correct time on Monday. Inmates were previously allowed to remain out of their cells until 11pm, which allowed them to watch popular television shows. A Department of Corrections source has now told the New York Post that guards were forced to use pepper spray as dozens of the prisoners protested against the earlier bedtime. The source said: 'They went nuts because they are being locked up at 9pm and missing all of their favourite TV shows.'

case -- there is no evidence that it is false, let alone knowingly so. Under both international and Egyptian law, a fair trial means independent judges, the need for evidence of guilt beyond a reasonable doubt, and due process. But all of this was ignored in the journalists' case.

In June 2013, I headed a delegation from the International Bar Association -- the largest association of lawyers worldwide -- to advise on reforming Egypt's judicial system and constitution. Our report criticized attempts by President Morsi's government to silence critics by having them locked up and recommended reforms to the country's judiciary. By the time we were to launch the report, a new government had come in under interim President Adly Mansour, but apparently nothing had changed. We were told to launch the report in London or risk arrest if we did it in Cairo.

The Al Jazeera trial took place during Sisi's presidency -- the fourth administration to come into power since Mubarak. It must be a devastating blow to those who took to the streets in 2011, hoping to usher in a new era that would protect their dignity and human rights. What they have seen is that since 2011, each successive regime that has come into power has allowed police and army chiefs to escape prosecution while critics of the government have been enthusiastically pursued through the courts. Under the military's rule, more civilians were prosecuted for the crime of "insulting the military" than ever under Mubarak. Then during Morsi's reign, journalists were routinely targeted for "insulting the Presidency" and "'insulting Islam," including "Egypt's Jon Stewart" -- Bassem Youssef. Now the courts are used to kill or silence those who are members of the Brotherhood or who simply work for a news network that gives it coverage.

This vicious cycle exists because the country's laws are anachronistic and fall foul of international obligations. But also because there are people within the Egyptian legal system who feel it is their patriotic duty to operate according to the system. It is ironic that the main charge against the Al Jazeera journalists is that they sought to tarnish Egypt's image -- there is little that could tarnish it more than allowing such injustices to persist. This case will set a precedent for press freedom and nascent democracies in the region, and presents President Sisi with an opportunity to show that this administration is a true new beginning. He can restore justice and hope by granting these journalists the pardon they deserve

Skraba v Regional Court in Nowy Sacz Poland [2014] EWHC 2193 (Admin)

On 3 July 2014 the High Court issued an important ruling regarding costs in extradition proceedings. In recent years, changes to the costs regulations have meant that those funding their extradition case privately have been extremely limited in terms of what costs they can subsequently recover in the event of a successful extradition defence. In January 2014 the Crown Prosecution Service, who act for Requesting Judicial Authorities in extradition proceedings, issued a new policy on claiming costs in extradition cases. The policy states that an application for the costs of bringing the extradition proceedings will normally be made in every case in which the court has ordered extradition or sent the case to the Secretary of State for decision unless the requested person is in such dire financial circumstances that the court would consider the award of costs as oppressive. As a result, costs applications against unsuccessful defendants have become the norm - thus further increasing the financial risk to those facing extradition.

In the case of Skraba v Poland the High Court considered to what extent it had jurisdiction to review a costs order imposed against an unsuccessful defendant at first instance. Skraba lost his extradition hearing and the District Judge imposed £500 costs. He appealed his extradition and as part of the appeal asked the High Court to review the decision to impose costs.

The Extradition Act does not provide for any freestanding appeal against a costs order, furthermore none of the statutory appeals provided for under the Act can be interpreted to encom-

devoted to listing seized equipment showing the allegedly terrorist nature of the plot -- the offending items being nothing more than Mac laptops, Sony cameras, memory sticks and standard video-editing software. At trial, prosecutors proceeded with what can only be described as a surreal presentation of video footage painstakingly played for hours to the court. Most of the videos predated the timeframe on the indictment, came from unrelated TV channels and covered ordinary events. This included holiday snaps, horses galloping in a yard, a BBC program about the Westgate Mall terror attack and a report for CNN on Gaddafi's palaces.

Not a single digital or hard copy piece of evidence showed the journalists were in any way linked to the Brotherhood. Not a shred of evidence showed that any of the journalists gave the Brotherhood money or other material support. There was not even an allegation by the prosecution that any particular video played by Al Jazeera had been doctored, let alone proof that it was so.

The judgment makes it sound like there was relevant evidence through witness testimony -- eight prosecution witnesses in total. But on a closer reading, it becomes clear that only one witness is even relevant to the case against the journalists (the others only giving evidence about the search that was carried out or testifying about other defendants). And who is this witness? An intelligence officer named Ahmed Hussein who -- according to the judgment -- confirmed the prosecution's version of events through "serious investigations that he personally carried out and using his confidential sources." How convenient: the "investigations" and "confidential sources" are never revealed.

Of course, no real subversion of justice would be complete without a wholesale denial of due process for the defense. Here, the judge denied bail for no good reason and then told the defense to pay $170,000 to view the video evidence that would be presented against them. Mr. Greste was denied an interpreter for part of the proceedings. The presumption of innocence was compromised even before the trial, when the authorities videotaped the journalists' arrest and replayed it on TV against sinister background music from the soundtrack of "Thor: The Dark World." It is available on YouTube and has to be seen to be believed. The journalists were then paraded in prison uniforms in a cage during the course of the trial.

A final key ingredient in this show trial was the use of religious references to demonize the defendants. The prosecutors used verses from the Quran to describe the activities of the journalists and, in due course, the judges followed their lead in the final judgment, finding that "Satan joined [the journalists] in the exploitation of this media activity to direct it against this country."

In truth, the Egyptian government did not really try to hide its intent in initiating this prosecution. The questioning by investigators focused on blatantly political questions including such queries as: "What's your opinion of the Muslim Brotherhood?" "What do you think of ex-president Mohamed Morsi?" "What do you think of the June 30th revolution [and] the new constitution?" Ironically, the answers criticized Morsi and showed respect for the current regime -- Fahmy had even taken part in the mass march against Morsi that put President Sisi in power! But the answers did not matter much. This was a battle for Egypt's identity, and Al Jazeera and Qatar would be taught a lesson for supporting the Brotherhood in Egypt. One prosecutor even admitted as much to Fahmy in a cigarette break during questioning, telling him: "It's just bad timing, this is all about Qatar and Al Jazeera, nothing to do with you."

Egypt has signed up to the International Covenant on Civil and Political Rights, a human rights treaty that functions as a "bill of rights" at the international level. Like Egypt's own constitution, this protects freedom of speech and guarantees the right to a fair trial. Free speech means that reporting that harms a country's image should not be criminal, especially when -- as in this

Detained Children Need Secure Facilities, Not Police Stations *Fiona Bawdon, Guardian*

Budget cuts mean more children are being kept overnight in inappropriate locations, with tragic consequences: Although still only 17, Kesia Leatherbarrow had a long history of self-harming and mental health problems when she was arrested by police in December 2013 for having a small amount of cannabis. She was kept in the cells all weekend, where she became distraught, banging her head and pulling out her hair, before being sent to court on Monday morning. The court bailed her to come back the next day but a few hours later she was found dead in a friend's garden.

Dr Sarah Wollaston MP highlighted earlier this week the "scandal" of vulnerable children and young people being given mental health assessments in police cells for want of anywhere more suitable to take them. "It would be unthinkable for someone who had a broken leg, for whom there was no place to assess them in casualty, to be taken to a police cell. It should be unthinkable for someone who is having an acute mental health crisis to be seen in a police cell," said Wollaston, a former GP and chair of the Commons health select committee.

Under section 136 of the Mental Health Act, anyone who appears to be mentally disturbed in a public place can be detained to a "place of safety" to be properly assessed. The lack of specialist facilities nationwide means that, too often, rather than being taken to a mental health hospital, children and young people suffering mental breakdown are being assessed in police cells. There are only 161 places of safety in England and a third of these don't take under-16s. Figures from the Care Quality Commission show that 7,761 people, both children and adults, had their section 136 assessment conducted in a police cell last year – around a third of the total assessments that were done. According to the Association of Chief Police Officers, nearly half of all under-18s had their section 136 assessments carried out in a cell.

In Kesia's case, she was in police custody following arrest rather than being detained under the Mental Health Act, but her story shows just how desperately ill-equipped the police are to deal with children who are mentally fragile. Her mother, Martha Brincat Baines, tells how Kesia changed from being "fun-loving and adventurous" soon after starting secondary school, becoming increasingly depressed and suicidal. At one point she spent five weeks in a hospital mental health ward. There were still flashes of the old Kesia, however. "She could still really make us laugh," her mother says.

The weekend before her death was not Kesia's first run-in with the police. A few weeks earlier they were called after she had threatened suicide on the street. By the time the police arrived her family had got her back home but she was arrested for breach of the peace anyway, according to her mother. The incident is now the subject of a complaint to the Independent Police Complaints Commission, but Brincat Baines says: "They came and took her from her bedroom – dragging her down the stairs, kicking and screaming. This was despite me begging them not to."

Kesia was kept in the cells overnight and although her mental state was assessed, the doctor concluded she was safe to be released. Her mother remains distraught at the memory and says the police intervention only made a bad situation worse. "It was absolutely terrible. Having insisted on arresting her, they then had the opportunity to identify there was something seriously wrong but they just didn't. They didn't do a thing. They just released her the next day."

Wollaston rightly highlights the problem of holding mentally unwell children in police cells but experience suggests it is not just young people with a history of mental health problems who are vulnerable. Kesia was the third 17-year-old from the Manchester area in three years to die soon after being arrested on minor charges. Neither of the previous two, Eddie Thornber who died in 2011, or Joe Lawton who died in 2012, had any history of mental vulnerability. Both boys had

been popular and high achieving. Like Kesia, Joe was kept overnight in the cells before being released, Eddie was held for a shorter period – but both boys' parents believe their sons killed themselves because they were traumatised by their arrests and thought their futures were ruined.

All three sets of bereaved parents, who have become friends, recently wrote to the home secretary urging her to change the law so that arrested 17-year-olds have the full range of welfare protections given to younger children, including the right to be transferred to local authority accommodation if they are detained overnight. They all believe that if their children had been recognised as such and given proper support after being arrested, they might not have died.

There is more that should also be done. Half of all police forces, including the Metropolitan police, don't have any separate, designated custody facilities for holding children; budget cuts are forcing local authorities to close the secure beds used to accommodate children detained overnight, meaning that more of them are spending the night in police cells – some as young as 10; and more child-friendly places of safety are needed as a matter or urgency. What is needed is greater investment in this area and a fundamental shift in thinking that recognises that whether they have been arrested or detained because of mental health concerns, in the words of Brincat Baines: "The police station is no place for any child."

Alleged 'Metal Thief' Died After Police Chase

Robert Grimsley, 34, from Rugby, was pronounced dead at Walsgrave Hospital at 8:17 pm on Sunday 20 July 2014. Earlier in the evening he had become unwell during his detention by officers from Warwickshire Police in the Pennington Mews area of the town. IPCC are appealing for witnesses to assist its investigation into the death of Mr. Grimsley

U**nited Against Injustice - Miscarriage of Justice Day 2014**

The 13th National Miscarriage of Justice Day returns to it's roots in Liverpool. Saturday 11th October 2014. Liverpool John Moores University have kindly agreed to host the event in their: John Foster Building, 80-90 Mount Pleasant, Liverpool, L3 5UZ. All workshops and meetings are free and open to everyone opposed to miscarriages of justice. Donations to UAI welcome, to help cover costs. The following details will be updated as further confirmations become available, so please check back frequently and help raise awareness of the event in any way you can. A printable flyer will be available shortly when details are finalised. 10:00 Doors open 10:30 Morning Workshops begin: Starting an New Group - Documents and Disclosure - CCRC applications CCRC representatives will attend.

Han Tak Lee Imprisoned for 24 years Freed After Judge Overturns Murder Conviction

A former New York businessman whose arson-murder conviction was overturned in the death of his daughter was freed from prison Friday after 24 years behind bars, following a judge's ruling that the case against him had been based on now-debunked arson science. Han Tak Lee, 79, was released from the maximum-security state prison at Houtzdale, Pennsylvania, and was en route to a federal court hearing to determine the conditions of his release. "It is great news for everybody," said Kyung Sohn, a longtime supporter who went with a pastor to pick him up and take him to court, under arrangements approved by a federal magistrate. Several dozen friends, family members and supporters were expected to greet him at the federal courthouse in Harrisburg, the state capital.

US district judge William Nealon threw out Lee's state conviction and sentence of life

Anatomy of an Unfair Trial *Amal Alamuddin for World Post*

Sentencing a political opponent to death after a show trial is no different to taking him out on the street and shooting him. In fact, it is worse because using the court system as a tool of state repression makes a mockery of the rule of law. Egypt's constitution guarantees the right to be presumed innocent. And yet in a recent case, an Egyptian judge -- after a "trial" lasting 100 minutes -- sentenced 529 Muslim Brotherhood supporters to death. Egypt's constitution also guarantees freedom of speech, yet many journalists languish behind bars.

Three journalists working for the Al Jazeera English news network -- Canadian Mohamed Fahmy, Australian Peter Greste and Egyptian Baher Mohamed -- are among them. Mr. Fahmy used to work for CNN and the New York Times. Mr. Greste worked for the BBC and had only been in Egypt for a few days before his arrest. I am Mr. Fahmy's lawyer and have had contact with him in Egypt. I have studied the case file, read the reports of trial observers who were at each court session, and read the judgment that sentences the journalists to lengthy prison terms of seven years or more. It is clear beyond doubt that their trial was unfair, and their conviction a travesty of justice.

What does the Egyptian state, through its prosecutors and judges, charge? That these three men promoted and gave material support to the Muslim Brotherhood group that they are members of; and that they produced false news that harms Egypt's reputation and its national security. The judgment convicts them on all counts and finds that "through their actions, [they] had compiled audiovisual film material and falsified untrue events to be broadcast by a satellite channel in order to stir conflict within the Egyptian State." More specifically, the judges condemn them for betraying "the noble profession of journalism" by "portraying the Country -- untruthfully -- to be in a state of chaos ... internal strife and disarray." This sinister plot was apparently orchestrated "upon the instructions of the ... terrorist Muslim Brotherhood Group" headquartered at a Marriott hotel suite off Tahrir Square.

The story is completely fabricated. There was no Marriott "cell" -- the journalists simply worked from a hotel room. There was no plot -- the journalists had never even met the 14 alleged Brotherhood members they were charged with until they saw them in court on the first day of trial. There was no false reporting about chaos in Egypt -- there was plenty of chaos to report. But how, in the modern age, can a state put on such sham proceedings, open to the world, and get away with it? What logistics are involved in establishing a kangaroo court to silence critics? This trial provides a guide to how it's done.

The first lesson in how to pull off a show trial is that it helps to have antiquated laws that criminalize ordinary (and necessary) speech. In Egypt, it is a crime to "insult" the state's institutions or spread "rumors" that harm the country's reputation. A broad interpretation of terrorism allows plenty of other speech to be captured as well.

Next, you need the right judge. No government intent on persecuting its critics will want to leave the outcome of a trial to chance. In the Al Jazeera case, a panel of three judges presided over the trial, with the chief judge wearing black sunglasses throughout the proceedings. The case should have been assigned to a judicial panel by a group of judges that form the court's "general assembly." But in this case, a special order was made to select the judges. Even the prosecutor was a personal pick. Egypt's chief prosecutor -- Hisham Barakat -- was selected by the last President, and he put his son in charge of the case.

What else does the Al Jazeera case teach us is needed for show trials? You must present some sort of evidence so that it looks like a real case, and if you do not fabricate it then at least make it secret or irrelevant. Here there were many hundreds of pages in the case file

if you go out to Syria or Iraq without a good reason," he wrote. "At present the police are finding it very difficult to stop people from simply flying out via Germany, crossing the border, doing their ghastly jihadi tourism, and coming back." The mayor said that while Britain's recent military interventions had left the nation reluctant to wade into overseas conflicts, "doing nothing is surely the worst of all" and warned that the Isis "wackos" must be tackled. "What is the point of having a defence budget, if we don't at least try to prevent the establishment of a terrorist 'caliphate' that is profoundly hostile to civilised values?" he wrote.

Report on an Unannounced Inspection of HMP/YOI Isis

Inspection 17/28 February 2014 by HMCIP, Published 19/08/14: HMP/YOI Isis is just over three years old. It is adjacent to Belmarsh and Thameside prisons and is operated by the public sector. It holds young men aged 18 to 30. This was its second inspection. Its first took place in 2011 when inspectors described a prison that had made some progress since opening but was dealing with significant challenges. This inspection found outcomes were not sufficiently good against any of HMI Prisons' four healthy prison tests: safety, respect, purposeful activity or resettlement. In late 2013, staff shortages had led to a restricted emergency regime which, although intended to be temporary, was still in place at the time of the inspection. This had led to the curtailment of routines, more limited access to facilities and a negative impact on the life of the prison.

Inspectors were concerned to find that: - Prisoners from black and minority ethnic backgrounds, despite accounting for approximately 70% of the population, were often over-represented in negative aspects of the prison regime, and these issues were inadequately investigated. Services for, and consultation with, most minority groups were limited.- it was concerning that complaints about staff were not investigated adequately- nearly a third of prisoners said they felt unsafe and many were concerned about victimisation;- incidents of violence remained high and too many were serious, concerted or involved weapons; - Arrangements to support violence reduction were unsophisticated, and based almost exclusively on punishment or sanction- the restricted regime had facilitated a temporary strategy to keep gangs apart but it did not offer a long-term solution and limited opportunities for staff and prisoner to engage with each other; - work to promote diversity was disappointing and a number of minority groups reported negative perceptions of their experiences; - the restricted regime limited prisoners' access to time out of cell and there were insufficient training and work places to fully occupy the population; - offender management and sentence planning and work to support resettlement were not well coordinated; - emerging evidence to suggest that new psychoactive substances were becoming more of a concern - just 51% of prisoners thought staff treated them with respect and less than half thought there was a member of staff they could turn to for help. These were concerning findings. - Inspectors made 98 recommendations

Nick Hardwick said: "This is a critical report but we recognise the challenge of delivering an effective prison at Isis is considerable. Few prisons hold a more challenging population than HMP/YOI Isis. The location of the prison, the volatile population it holds and continuing staff shortages mean the risks and challenges it faces are significant. Opening any new prison is complicated and although Isis has now been open for three years it is still in a settling phase. The prison is generally better than when we last inspected and we believe managers and staff care about improving the prison further. That said some key challenges - notably ensuring safety among the prisoner population, improving relationships between staff and prisoners, and being prepared to run a training regime for young people with confidence and creativity - need to be addressed with greater sophistication, assurance and determination."

without parole earlier this month and gave prosecutors 120 days to decide whether they want to retry him in the 1989 death of his daughter, 20-year-old Ji Yun Lee. Prosecutors have said they probably will appeal Nealon's decision. They have conceded the arson science used to convict Lee was faulty but insist that other evidence points to his guilt.

Though he's spent nearly a third of his life behind bars, Lee – a native of South Korea who became a US citizen about 30 years ago – has never expressed any bitterness toward his adopted country, his attorney said Thursday. "He doesn't hold this against the United States of America," said Peter Goldberger, who has worked on Lee's case for about 15 years. Goldberger also said Lee has no plans to return to South Korea. "He's an American," Goldberger said. "He said this is his home."

Lee is expected to live in an apartment for senior citizens in Queens, New York, where he once lived and owned a clothing store, while prosecutors decide their next move. Lee has long argued that the 1989 fire that killed his mentally ill daughter at a religious retreat in the Pocono Mountains was accidental. In 2012, the third US circuit court of appeals granted his request for an independent examination of evidence. That review, completed in June by a magistrate judge, concluded that "much of what was presented to Lee's jury as science is now conceded to be little more than superstition."

At the time of his trial, investigators were taught that unusually hot and intense fires indicated the use of an accelerant and that arson could be confirmed by the presence of deep charring or shiny blistering of wood as well as "crazed glass", tiny fractures in windows. Research has since debunked these and other notions about arson. Lee's case is one of dozens around the country to come under scrutiny because of outdated beliefs about how arson can be detected.

Goldberger said Thursday he would oppose any appeal of the judge's ruling to throw out the conviction and "seek to have it declared frivolous and dismissed". Monroe County district attorney E David Christine Jr, who prosecuted Lee in 1990, did not return a phone message seeking comment. If he loses an appeal, Christine could seek to prosecute Lee again, but he has acknowledged it would be very difficult given the passage of time. Lee's supporters expect he will live out his remaining years in freedom.

G4S/Serco Using Detained Immigrants as Cheap Labour *Guardian, 22/08/14*

Ralph Ojotu, who works as a cleaner in Harmondsworth detention centre, said that it was hypocritical of the British government to ban him from working to support his two children in the outside world, but to allow him to be employed on around £1 an hour in a detention centre run by its contractor GEO.

Campaigners have criticised private firms for using immigration detainees as cheap labour inside detention centres after research suggested this saves them millions of pounds. Some detainees said they were being paid as little as £1 an hour to cook and clean. Home Office figures showed that in May this year, detainees in centres run by Serco, G4S and other contractors did nearly 45,000 hours of work for a total of nearly £45,500 in pay. Had they been paid at the national minimum wage, the cost would have been more than £280,000.

Over 12 months, the figures suggest that the firms – which also include Mitie and GEO – could have saved more than £2.8m, according to research group Corporate Watch, which obtained the data, and said firms were "exploiting their captive migrant workforce". The Home Office insisted, however, that detainees had a choice whether or not to work and that inspectors had praised the practice of allowing them to work while they await removal from the

UK. One female detainee, who spent months in the Yarl's Wood centre in Bedfordshire, where she was employed as a cleaner, said she believed the detainees were being used to do essential work in place of staff paid the minimum wage. "We are not allowed to work out there, but in here, they are handing out jobs like pieces of cake," he said.

The figures relate to seven centres: Yarl's Wood and Colnbrook, which are operated by Serco; Brook House and Tinsley House, which are run by G4s; and Harmondsworth and Dungavel, which are managed by American firm GEO. The seventh centre, Campsfield, is run by Mitie. Two government-run centres, Dover and Morton Hall, also employ detainees on £1 per hour, potentially saving more than £1.4m per year. Serco/G4S manage 13 HMPs.

Phil Miller, a researcher at Corporate Watch, said: "These companies are potentially saving millions of pounds by exploiting their captive migrant workforce on a grand scale. Our research has shown that the detention centres would grind to a halt without the amount of essential work done by detainees on a daily basis – cooking and cleaning." The status of immigration detainees held in centres while their cases are decided is distinct from that of convicted prisoners. Yet, like prison inmates, they do not qualify for the national minimum wage. They are also barred from any other form of work, yet must pay for essential goods such as toiletries. The latest financial figures from G4S in the UK and Ireland show that the company made £122m in pre-tax profit in 2013, while Serco made £106m in the same period. Mitie's accounts show it made £127.5m in the 12 months to June 2014, while GEO's US-based parent, GEO Group Inc, reported £184m in pre-tax profit.

On behalf of the firms, a Home Office spokesman said: "The long-standing practice of offering paid work to detainees has been praised by Her Majesty's inspectorate of prisons as it helps to keep them occupied whilst their removal is being arranged. Whether or not they wish to participate is entirely up to the detainees themselves. This practice is not intended to substitute the work of trained staff." Wyn Jones, of Serco, said the paid work was voluntary and in accordance with Home Office rules. He added: "It is offered to residents alongside other constructive activities to help reduce boredom and improve mental health and, if not conducted, would have no effect on the running of the [centres]. Serco refutes any implication that we use residents to conduct work in place of officers or staff at any of the IRCs that we manage and thereby increase profits."

Investigative Mindset - Focus on Situational Awareness & Decision-Making

Blackstone's third edition of the Senior Investigating Officers' Handbook. This book provides invaluable insight about the essential skills and responsibilities that a senior investigating officer needs to manage serious crime investigations, from the initial response through to crime scene examination and investigative strategies.

Situational awareness typically refers to being aware of what is going on all around you. It is a term often referred to in police circles (and other professions such as the military and aviation industry, eg pilots and air traffic controllers). The concept is linked to perceptions of time and environmental information (temporal and spatial elements) that are critical and influential in complex and dynamic circumstances. Situational awareness (SA) involves being aware of what is happening in and around the vicinity of an incident in order to understand what information, location, events and actions are helpful to decision making. Having a good sense of situational awareness provides an innate feel for situations, people and events and helps prevent errors in decision making. This is particularly important when there is a high level of information flow and decisions rely upon the recognition of SA factors. There are a number of

definitions available for SA, including the following:

• 'The perception of elements in the environment within a volume of time and space, the comprehension of their meaning, and the projection of their status in the near future.'

• 'Knowing what is going on so you can work out what to do.'

• 'Accessibility of a comprehensive and coherent situation representation which is continuously being updated in accordance with the results of recurrent situation assessments.'

• 'Keeping track of what is going on around you in a complex, dynamic environment.'

SA indicates how decision making and problem solving are more than one dimensional and must take into account what is happening in dynamic environments; which is of great value to serious crime investigation. Key decisions often have to take into account information and 'situational' factors within complex circumstances that might have to be quickly assimilated, interpreted and incorporated into effective decisions. Being dynamically aware of events that are occurring, surroundings and available information is a preferred state to adopt when making key decisions.

The investigative mindset: Good decision making relies upon what is termed an 'investigative, mindset'. This effectively means keeping an open mind and remaining receptive to alternative suggestions, looking for other explanations and not becoming too focused on one or two theories or hypotheses.This is the appliance of an investigative mindset. It is aimed at allowing a more logical and methodical approach to good decision making and has become a very important doctrine in UK crime investigation.

National Decision Model: The Association of Chief Police Officers (ACPO) has approved the adoption of a single National Decision Model (NDM) for the Police Service. The ACPO Ethics Portfolio and the National Risk Coordination Group developed this tool to provide a simple, logical and evidence-based approach to making policing decisions. Understanding the NDM will help SIOs develop an appreciation of the professional judgement expected when making effective decisions. The NDM is intended to be suitable for all decisions and can be applied to spontaneous incidents or planned operations, by an individual or teams of people, and to both operational and non-operational situations. *Source: Police Oracle, 31/07/1*

Boris Johnson Calls for 'Guilty Until Proven Innocent' for Suspected Terrorists

The Mayor of London Boris Johnson has called for the presumption of innocence to be reversed in cases where Britons travel to Iraq or Syria and said he wants the jihadist who beheaded an American journalist to be killed in a bomb attack. He who has overall responsibility for the Metropolitan Police, said legislation should be introduced so that anyone visiting those countries would be automatically presumed to be terrorists unless they had notified the authorities in advance, and joined growing calls for Britons fighting abroad to be stripped of their citizenship. Johnson said Britain must take on the Islamic State (Isis) and "try to close it down now", warning that doing nothing would mean a "tide of terror will eventually lap at our own front door".

British intelligence agencies are close to identifying the killer of US journalist James Foley who has been dubbed "jihadi John", according to the UK's ambassador to the US, Sir Peter Westmacott. Writing in his Daily Telegraph column, Johnson said most Britons wanted "someone to come along with a bunker buster" and kill the man, reported to be British, "as fast as possible". Johnson said those who "continue to give allegiance to a terrorist state" should lose their British citizenship and called for a "swift and minor change" to the law so there was a "rebuttable presumption" that those visiting war areas without notifying the authorities had done so for a terrorist purpose. "We need to make it crystal clear that you will be arrested