Georgia Executes Inmate Warren Hill After Supreme Court Refuses Stay

After four years of relentless legal effort, the state of Georgia has finally achieved its aim: it has executed an intellectually disabled prisoner in an apparent flagrant violation of the US constitution. Warren Hill, who was aged 54 but who had the cognitive ability of a young boy, was pronounced dead at 7.55pm on Tuesday, having been administered a lethal injection. It was the culmination of an aggressive push by state authorities to kill him that has seen him served four death warrants in the past four years.

Hill had a lifelong recognised condition of intellectual disability, with his first recording of an abnormally low IQ made at the age of seven. All seven medical experts who saw him – including three appointed by the state itself – concluded that he was mentally impaired by a "preponderance of the evidence". Georgia, however, was not satisfied by that unanimous body of opinion, and required Hill to prove he was disabled "beyond a reasonable doubt" – a standard no other state in the union requires and which experts say is almost impossible to match.

Hill was put on death row for the murder of a fellow prison inmate, Joseph Handspike. He was originally sentenced to life for murdering his girlfriend Myra Wright in 1985. Hill's execution appears to be a clear breach of the US constitution. In 2002, the US supreme court ruled that it was unlawful to judicially kill an intellectually disabled person, under the Eighth Amendment prohibition of cruel and unusual punishment. Then last year, in Hall v Florida, the high court made clear that death penalty states could not arbitrarily impose their own definitions of what constituted intellectual disability. Yet earlier on Tuesday, the same supreme court refused to stay Hill's execution. It did not explain its decision, with only the justices Sonia Sotomayor and Stephen Breyer dissenting.

Hill's lawyer, Brian Kammer, who fought doggedly over many years to save his life, called the execution "a grostesque miscarriage of justice" and an "abomination". He said:"Georgia has been allowed to execute an unquestionably intellectually disabled man, in direct contravention of the supreme court's clear precedent prohibiting such cruelty." He added: "The memory of Mr Hill's illegal execution will live on as a moral stain on the people of this state and on the courts that allowed this to happen." *Ed Pilkington, Guardian*

2014 was Record-breaking with 125 Exonerations in U.S.

For the first time, more than 100 exonerations were recorded in the United States in one year. According to The National Registry of Exonerations Report for 2014, 125 exonerations of innocent criminal defendants mark an increase of 34 over the prior record of 91 in 2012 and 91 again in 2013. The report notes the work of Conviction Integrity Units in the increase. More prosecutors are working hard to identify and investigate claims of innocence. And many more innocent defendants were exonerated after pleading guilty to crimes they did not commit.

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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MOJUK: Newsletter 'Inside Out' No 514 (29/01/2015) - Cost £1

The Flaws in the 'Innocence Test' *Sasha Barton, Justice Gap*

It may come as a surprise to learn that someone who is convicted and jailed for a crime they did not commit, and is then acquitted based on evidence which comes to light years later, which shows that they could not and should not have been convicted of the offence will most likely get no compensation whatsoever and have no legal remedy. Yet this is the case as a result of a raft of recent court decisions, followed by the introduction of new legislation.

The test for who can get compensation for a miscarriage of justice under the Criminal Justice Act 1988 has always been a restrictive one. Firstly, an applicant has to have successfully appealed out of time, so not within the normal appeals process. Secondly, their acquittal has to be based on a new or newly discovered fact that was not known at the time of the original conviction. Finally, an applicant has to establish to the satisfaction of the Secretary of State for Justice, that they have suffered a "miscarriage of justice".

Before March 2014, when section 175 of the Anti-social Behaviour, Crime and Policing Act 2014 came into force, there was no statutory definition of what constituted a 'miscarriage of justice'. From 2008, the test was applied more and more restrictively, with an increasing focus on whether or not an applicant could prove their innocence. In 2011 the Supreme Court rejected the way in which the Secretary of State for Justice had been applying the test, holding in R (Adams) v Secretary of State for Justice that the Minister's interpretation had been too narrow. The Court reformulated the test, imposing a hurdle high enough to ensure that people could not claim compensation based on any kind of technicality, but broader than just those applicants who could conclusively demonstrate their innocence. The Supreme Court stated that 'miscarriage of justice' for this purpose should be extended to cases where a new or newly discovered fact 'so undermines the evidence against the defendant that no conviction could possibly be based upon it'.

Many of those whose applications had previously been rejected by the Secretary of State, applying a flawed pre-Adams definition, reapplied and asked the Minister to reconsider his earlier decision. Some 17 of those applicants, their requests having been refused, sought to JR the Minister and five were selected as lead cases to be litigated (others being effectively put on hold). In October 2012 the High Court rejected the challenges brought by four out of the five, but further reformulated the test in a way that was more readily applicable to the legal system in England and Wales, stating that a useful formulation of the question to be asked is: 'has the claimant established, beyond reasonable doubt, that no reasonable jury (or magistrates) properly directed as to the law, could convict on the evidence now to be considered'. Three of the Claimants were granted permission to appeal and in February 2013, the Court of Appeal gave judgement in in R (Ali, Dennis and Tunbridge)v Secretary of State for Justice. The appeals were not upheld.

Just a few weeks ago, the Supreme Court refused permission to Kevin Dennis to appeal further. Mr Dennis' argument was that it is was only fair that the Secretary of State should consider his application applying the right test; and that if he did so and applied the correct definition properly to the facts, he would have to grant him compensation in the circumstances. Mr Dennis was the final one of the five applicants whose claims had been litigated through the courts; the Supreme Court decision effectively puts an end to the litigation.

Section 175 of the Anti-social Behaviour, Crime and Policing Act 2014 now in force has the express intention of ensuring that claimants do not succeed in such legal proceedings. States that for the purpose of compensation, there will have been a miscarriage of justice 'if and only if the new/newly discovered fact shows beyond reasonable doubt that the person did not commit the offence'. The new definition applies to the determination of any application for compensation made on or after 13 March 2014 force, and to applications made before that date but which had not finally been determined by the Secretary of State by March 2014. This new legislation in effect reverses the Adams decision and the fairer and more inclusive definition test that introduced and – despite elaborate attempts byMinisters during parliamentary debates to draw a distinction between showing you did not commit the offence and showing you are innocent of the offence – requires a person to prove their innocence. There are a number of considerable flaws in the so-called 'Innocence Test', concerns which have been voiced repeatedly by the legal profession and campaign groups.

Not innocent enough: The test means that victims of miscarriages of justice need to prove that they are innocent to the criminal standard of proof, beyond reasonable doubt. Apart from the rare case where DNA evidence proves someone else committed the crime, an alleged victim admits to fabricating his/her account of the offence or the real perpetrator confesses this is a virtual impossibility. Any findings of the Court of Appeal Criminal Division do not help asthe Court of Appeal's function is to determine whether convictions are safe or not – they do not make findings of guilt or innocence.

The scheme has been reduced to nothing short of window-dressing. If you're going to have a scheme then it must be there to pay-out. Yet, we now have a situation where the State can wrongly imprison someone, potentially for decades and then deny them any form of redress, even though there would not now be enough evidence to mount a case against them, let alone secure a criminal conviction. The government's rationale for this is, of course, the desire to save taxpayers money and to reduce the number of judicial reviews challenging compensation decisions. This will, they say, save an estimated £100 million annually. Yet this overlooks the fact that the new criterion is open to further and costly challenge, namely whether the innocence test is compatible with human rights legislation and the presumption of innocence in Article 6 (2) of the ECHR. Legal challenges have already been mounted by Victor Nealon and Sam Hallam, and many more are likely to follow. There is also the fact that denying people compensation in fact increases the likelihood of them remaining on state benefits, potentially for life, at considerable cost to the tax payer.

Although not perfect, the 2011 decision in Adams was the most sensible test to date and should be used alongside a very clear steer for the Secretary of State as to how to apply it. A robust practical test needs to remove the onus from those not convicted by a court to then have to further prove their innocence. I've seen firsthand how those that have been imprisoned without conviction have lost everything through no fault of their own – many lose their partners and become estranged from their children, personal relationships irretrievably break down, they lose years of their working lives and struggle to gain the skills and confidence to obtain employment, they struggle to find accommodation, their health suffers; to add insult to injury their time in prison is significantly worsened by the fact that they don't get increased benefits and privileges during their sentence, and often miss out on early release, because they won't admit their guilt. And yet we refuse to compensate them because, it seems, the government does not want to be seen to be compensating individuals who have been tarnished by criminal charges, albeit unproven; unfortunately a 'no smoke without fire' argument carries weight.

If a court fails to find guilt, then the law says you are innocent and if you have served years in prison for a crime you did not commit, and can establish you could never have been convicted you should get compensation. Such people are victims too and should be fairly compensated for their loss of liberty.

gal drug use in prisons has gone down over the last 20 years, with the proportion of prisoners testing positive falling from 24% in 1996/97 to just over 7% in 2013/14. Seizures of substances such as Spice, however, have risen from 133 in 2012 to 430 in 2014.

Grayling said: "Go on to any prison wing and staff will tell you that whilst we've made good headway on drug misuse in prisons, there's a new phenomenon they are increasingly seeing in the form of so-called 'legal highs'. What we're also hearing is that these substances seem to be part of the problem around increasing violence in our prison estate. "No one should be under any illusion how dangerous the abuse of any drug is. We are determined to make sure governors have every power at their disposal to detect supply, punish those found using or dealing, and enforce a zero-tolerance approach."

HMP Northumberland - Sodexo Urgently Need to Improve Management

Formed from the amalgamation of Acklington prison and Castington young offender institution in 2011, is a large site holding over 1,300 adult male prisoners. The prison incorporates a vulnerable prisoner population, mainly convicted of sex offences, held separately. At its last inspection in 2012, inspectors described a reasonably safe and respectful prison which needed to provide more purposeful activity and improve its resettlement services. In late 2013 the establishment was taken over by the private sector provider, Sodexo, and was concluding the transition process at the time of this inspection. This inspection had similar findings to the 2012 inspection, though safety outcomes had deteriorated and there had been challenges following the transition process. HMP Northumberland is a relatively remote prison holding prisoners mainly from the North East, but almost a third of prisoners sent there were from the North West. Many did not want to be held that far from home and some behaved in a way that would result in segregation in an attempt to force a transfer. These undercurrents of discontent were an ongoing risk to the stability of the prison. Inspection took place 1st to 12th September 2014, inspectors made 82 recommendations.

Nick Hardwick said: "The prison now approaches its fourth year of ongoing change, most of it very significant. The new providers appeared to have established themselves in the prison and there seemed to be a renewed focus on actual service delivery. However, overall this is a fairly critical report. Safety outcomes have worsened and in most other respects it would be true to say the prison has yet to start improving. The prison lacked a clear sense of purpose: it was a training prison without enough activity; it held many prisoners far from home; and it was a resource for indeterminate prisoners and sex offenders without any particular attention to their needs. Better safety outcomes, high quality work and training opportunities and a clarification of role should be the prison's priorities."

Inspectors were concerned to find that: - not all prisoners received a thorough initial risk assessment or induction; - prisoners said they felt less safe at Northumberland than at comparable prisons; - recorded assaults were high and work to confront bullying and violence lacked rigour; - there had been three self-inflicted deaths since 2012 and although the prison had been monitoring implementation of recommendations from investigations into those tragedies, latterly scrutiny had lapsed; - too many prisoners felt it was easy to obtain illicit drugs or alcohol; - about a third of the population were locked in their cell during the working day; - there were sufficient activity places for only 75% of the population; - Northumberland was meant to be a designated national resource to manage sex offenders and indeterminate-sentenced prisoners, but there was no up-to-date assessment of need to plan resettlement work for them; and - case loads for offender supervisors were too great and the quality of sentence and risk management plans was often insufficient.

the rear door of the car and hit the front passenger seat.

Following a criminal complaint by Tihomir Kitanovski, on behalf of his son, against unidentified police officers on account of endangerment, torture and ill-treatment, the prosecutor eventually decided in January 2013 that there were no grounds for prosecution. Following a criminal complaint by the Ministry of the Interior against Aleksandar Kitanovski, the first-instance court found him guilty of an assault against a police officer in performance of his duties and sentenced him to a suspended prison term of a year and a half in December 2013. On appeal the case was remitted for fresh examination and the proceedings remain pending.

Relying in substance in particular on Article 2 (right to life) and Article 3 (prohibition of inhuman or degrading treatment) of the Convention, the applicants complained that Aleksandar Kitanovski's life had been put at risk; that he had been ill-treated by police officers; and that there had been no effective investigation into the allegations.

Violation of Article 2 (right to life) – in respect of Aleksandar Kitanovski, on account of unjustified use of potentially lethal force against him: Violation of Article 2 (investigation) – in respect of Aleksandar Kitanovski: Violation of Article 3 (degrading treatment) – in respect of Aleksandar Kitanovski: Violation of Article 3 (investigation) – in respect of Aleksandar Kitanovski:Just satisfaction: 9,000 euros (EUR) (non-pecuniary damage) and EUR 950 (costs and expenses) to Aleksandar Kitanovski.

Legal Highs and Prescription Drugs Face Ban in UK Prisons *Alan Travis, Guardian*

The justice secretary will be able to ban any legal drug inside prisons, including prescription drugs and "legal highs", under a crackdown to start this week. Chris Grayling linked the rising use of "legal highs" behind bars to more cases of assault and self-harm in jails in England and Wales. In a speech at the Centre for Social Justice thinktank on Monday, he said: "We will take a zero-tolerance approach to stamping out their use."

The move came as Home Office minister Lynne Featherstone asked MPs on Monday to back the banning of two new psychoactive substances used as legal highs. They are the drug 4,4'-DMAR, known as Serotoni – which has been linked to 37 deaths in the UK, mostly in Northern Ireland – and MT-45, a synthetic opioid not currently available in Britain but linked to deaths in Europe and the US.

The Ministry of Justice is to send guidance to prison governors on Tuesday, requiring them to extend their mandatory drug testing to uncontrolled substances. Those who fail the drug tests can face a range of penalties, including prosecution, up to 42 days added on to their sentence, segregation in their cells for up to 21 days, strictly no contact with visitors – known as "closed visits" – and forfeiting their weekly prison earnings for up to 12 weeks.

The power to order an extension of mandatory drug testing is contained in the criminal justice and courts bill, which is shortly to reach the statute book. This allows the justice secretary to specify "any substance or product" in the prison rules which is not already banned the 1971 Misuse of Drugs Act. Prison governors and the prison inspectors have warned of the increasing use of legal highs and abuse of prescription drugs in jails across England and Wales.

Nick Hardwick, the chief inspector of prisons, has said that synthetic imitation cannabis substances, such as the now illegal Black Mamba and Spice, have become the "drugs of choice" among inmates. Other new psychoactive substances which have not yet been banned are regularly found within prison. Hardwick has also warned of the rising use of prescription painkillers, in particular Gabapentin and Pregabalin. Mandatory drug testing has shown ille-

Joseph Sledge, Wrongly Imprisoned for Three Decades, Now Free *CNN News*

A man who spent more than half his life in a North Carolina prison for two murders he didn't commit walked out a free man Friday, holding his belongings in two white plastic bags. Joseph Sledge, who was wrongfully convicted in 1978, said he feels wonderful about his freedom. He is now 70-years old. Sledge was exonerated by a three-judge panel who reviewed post-conviction DNA evidence from the victims. The panel said that evidence excluded Sledge as a suspect. A witness who testified that Sledge had admitted to the murders recanted his testimony in 2013.

Josephine Davis and her daughter Aileen Davis were discovered in September 1976 inside their home in Elizabethtown, North Carolina. The women had been beaten and stabbed multiple times; Aileen Davis had been sexually assaulted. The day before the women's bodies were found, Sledge had escaped from White Lake Prison Camp, approximately 4 miles from the victims' home. He had been serving a four-year sentence for larceny. Sledge was picked up after he was spotted in Dillon, South Carolina, driving a stolen car, arrested and brought back to North Carolina, where he was charged with two counts of first-degree murder in the deaths of the Davises.

At trial, the state presented forensic evidence linking Sledge to the crime. Two inmates also testified against Sledge, saying he had admitted to the crimes behind bars. He was convicted and sentence to life in prison. During the more than three decades Sledge was in prison, he maintained his innocence, filing numerous post-conviction motions on various grounds. All were denied without hearing. In 2003, however, his request for new DNA testing was granted; testing began five years later.

The North Carolina Innocence Inquiry Commission took on investigating Sledge's case. It in December found "sufficient evidence of factual innocence to merit judicial review." Speaking to reporters outside the Columbus County jail, Sledge said, "When you're conscious of something you didn't do, you can live with yourself. It's between you and your maker." The commission, which began operating in 2007, is the first of its kind in the country, and is separate from the appeals process, according to the organization's website. A person exonerated by the commission process is declared innocent and cannot be retried for the same crime.

The family of Josephine and Aileen Davis expressed their disapproval with the panel's decision. Catherine Brown, Josephine Davis' granddaughter, reading from a prepared statement, said, "We, the family, are heartbroken by this decision." Sledge, who was wrongly incarcerated for 37 years, addressed the Davis family directly, saying, "I'm very, very sorry for your loss. I hope you get closure in this matter."

Policeman Cleared After Leaving Women with 40 Injuries *Diane Taylor, Guardian*

A police officer who kicked and hit a mother as she sat by the hospital bed of her sick child, leaving her with more than 40 injuries, has been cleared of actual bodily harm. Warren Luke, 38, a Metropolitan police officer, was accused of repeatedly kicking and punching the 41-year-old woman, who, hospital staff had said to him, was refusing to leave. But a jury at Wood Green crown court on Thursday cleared Luke of committing any crime.

The mother, who cannot be named for legal reasons, was caring for her seven-year-old daughter, who suffers from cerebral palsy, when the incident happened at a London hospital in December 2013. The court heard how an argument ensued when the mother refused to leave the hospital room at the request of staff and Luke was one of four police officers called to the hospital to resolve the incident. The woman told the Guardian she needed plastic surgery following the incident and has been off work for more than a year recovering from her injuries. In a video interview played to the jury, the mother said Luke had told her: "'You've

got to leave, you've got to leave'. I kept playing with my daughter and then I saw him moving towards me. He was kicking me and kicking me. He had one hand on my head. When I fell on the bed he grabbed my hair and banged my head. I was screaming. I couldn't defend myself. My ex-husband ran in and shouted, 'why are you kicking my wife?'"

Luke, who has been a police officer for six years, told the court that the mother's behaviour had been "escalating" and he felt the child was at risk of injury. He said he had contemplated using a baton or CS gas but decided that that was not an option. Instead, he told the court, he struck the mother repeatedly on her left bicep and then decided to try a different approach which he described as a "distraction strike" on the left side of the mother's face, using his booted foot. Luke told the court: "I did kick out at the left side of her face as trained to do. My footwear was a boot but it's light." When asked how he had caused so many different injuries to the mother he said: "I can't say exactly where and how her injuries were sustained, I can only say what I did." Luke accused the mother of grabbing his groin during the attack, which she denied. He said he had acted to protect the child and was concerned that the mother had grabbed her arm and that the child was in danger of falling off the bed and becoming disconnected from the hospital machines. When asked in court if he had used full force on a mother refusing to leave the hospital, he said: "I wouldn't say that I used full force but I do remember hitting harder because it had no effect. I used police tactics with good reason that were absolutely necessary. I didn't go too far. Whenever a police officer uses force you need to be accountable for it."

Security staff at the hospital who witnessed the incident told the court they were appalled by it. Two police constables who also attended the incident gave evidence for the prosecution. Laura Riley, one of the officers, wept as she described the scene, and the officer Mary Clark described the incident as "just horrific". The mother told the Guardian that her daughter had been sick since she was a newborn and she had fought hard ever since to keep her alive; at one point the baby had been on a life-support machine; she had pleaded with doctors not to switch it off. A Metropolitan police service spokesman confirmed that Luke had been cleared of actual bodily harm and said that a misconduct review would take place.

Julian Cole Family Hit Out at IPCC Over Police Brutality Allegations *Vikram Dodd, Guardian*

The family of a 21-year-old athlete left with a broken neck after he was detained by police 20 months ago have spoken publicly for the first time, complaining they are no clearer about what happened. Julian Cole is in a vegetative state following his arrest outside a nightclub in Bedford in May 2013. His brother Claudius has condemned the lack of progress by the Independent Police Complaints Commission in its investigation into the incident, and said he has been inspired by US campaigners to speak out.

Six Bedfordshire police officers are under criminal investigation and have been questioned over potential offences of grievous bodily harm and misconduct in public office. They are believed to deny wrongdoing and have not been suspended from duty. Two door staff from the club have also been questioned over potential GBH.

Cole's family say the IPCC has told them it believes at this stage that the police were responsible. Claudius Cole said: When the IPCC took over the investigation we hoped that we would learn the truth. Twenty months on, we feel that the IPCC investigation has ground to a halt, the police officers are not being held to account and we are left without answers while we care for Julian whose life has been destroyed.

Cole, a sports science student at Bedfordshire University, had a so-called hangman s

4) The issues at the heart of this appeal relate to the conditions in which the appellants would or would be reasonably likely to be held for up to twelve days on arrival in Algeria. The controversial period is known as garde à vue detention. It is now the subject of more specific evidence than was available at the previous SIAC hearings. The evidence includes the protected material to which I have referred.

5)These are essentially the grounds of appeal: i) SIAC reached a legally unsustainable conclusion when holding that the treatment to which the appellants may be subjected would not violate Article 3 of the European Convention on Human Rights and Fundamental Freedoms (ECHR); ii) SIAC erred in law by finding that there are adequate safeguards to enable verification of observance by the Algerian authorities of the assurances which have been given by the Algerian government. iii) SIAC erred in law in referring to the fact that DRS officers were present during discussions about the assurances and have subscribed to them, there being no open evidence to support such a conclusion. I shall refer to these three grounds as (1) the Article 3 issue; (2) the verification issue; and (3) the closed evidence issue.

53) Individual Appellants: Thus far I have been addressing the generic grounds of appeal relied upon by all the appellants. In addition, three of the appellants – W, Y & Z – advance a further ground of appeal to the effect that, in their individual cases, the Article 3 case should have succeeded by reason of the detailed evidence relating to their particular vulnerabilities. Submissions on their behalf were made by Ms Stephanie Harrison QC. Mr Robert Palmer responded on behalf of the Home Secretary. It is common ground that what may not amount to an Article 3 violation in relation to one person may nevertheless do so in relation to another, more vulnerable person. SIAC was mindful of that. Having listened to Ms Harrison's submissions, I am of the view that, absent success on one or more of the generic grounds of approval, there would be no basis for interference with SIAC's decisions on any of the individual cases. They are not inherently perverse. The important thing is that the circumstances of all the appellants should be reconsidered on the basis of a correct understanding of what Article 3 requires and of the verification issue.

54) Conclusion It follows from what I have said that I would allow these appeals by reference to the Article 3 and verification issues but not otherwise. The cases should be remitted to SIAC for rehearing and redetermination. *http://www.bailii.org/ew/cases/EWCA/Civ/2015/9.html*

Police Use of Potentially Lethal Force Unjustified

Kitanovski v. 'The former Yugoslav Republic of Macedonia' (no. 15191/12): Tihomir and Aleksandar Kitanovski, father and son, are Macedonian nationals. Aleksandar Kitanovski was born in 1988. Both applicants live in Skopje. The case concerned their allegation that Aleksandar Kitanovski's life had been put at risk when police officers opened fire on his father's car during a car chase through the streets of Skopje. According to the applicants, Aleksandar Kitanovski, who was driving his father's car at about 2 a.m. on 10 June 2009, drove backwards in order to reach a fast-food restaurant. Police officers started chasing him in a police car. After he had driven around a roadblock set up to stop him, police officers started firing at the car with a pistol and an automatic rifle. When the officers subsequently arrested him, they allegedly beat him with truncheons, punched and kicked him in the face, head, stomach and back.

According to the Government's submissions, Aleksandar Kitanovski attempted to go around a second roadblock by driving on the sidewalk, where a police officer was standing, who then lost his balance and fired at the car's tyre while falling. One of the bullets passed through

scheduled to take place after the inquest but this is also subject to the verdict that is given.

In the four years since the first inquest and this one, the case has featured on BBC Panorama, in Private Eye and in print and social media. We have had revelations about the IPCC and their role in the investigation and the role of the Police Federation. It has been a difficult and torturous time for the family.

'We are approaching another inquest into my brother's death. It's very disturbing that the first inquest was abandoned due to the police changing their statements and committing perjury yet still to date no one has been charged. We feel that the CPS has not worked with integrity and made the officers accountable for their actions in July 2008 and also in December 2010. We are ashamed of this system where an inquest is being repeated due to police cover-ups. But we will not give up no matter how many years pass. No justice No peace!' Nasrit Mahmood, sister of Habib

"It seems incongruous that we have to wait this long for an inquest process to finish and a verdict to be given. The circumstances surrounding the abandonment of the inquest and the CPS decision not to put the officers on trial makes it feel that we are back to square one in this process. We hope that this inquest will provide us a verdict that vindicates how we feel and gives us some closure." Zia Ullah, Cousin of Habib The Justice for Habib 'Paps' Ullah/Justice4Paps campaign was set up in July 2008 after the death of Habib during a routine stop and search in a car park in High Wycombe.

BB, PP, W, U & Ors v SSHD [2015] EWCA Civ 9 (23 January 2015)

1)The appellants are Algerian nationals who have been found by the Special Immigration Appeals Commission (SIAC) to constitute a threat to the national security of the United Kingdom. For some years, successive Home Secretaries have been endeavouring to deport them to Algeria. This has given rise to protracted litigation. Although appeals to SIAC have failed on the ground that deportation to Algeria would not infringe the human rights of the appellants because of assurances given by the Algerian government about safety and treatment on return, the appellants have had some success in appeals against the decisions of SIAC. Briefly, SIAC dismissed the original appeals in a series of decisions between September 2006 and May 2007. Y, U and BB appealed successfully to the Court of Appeal which remitted their cases to SIAC: MT (Algeria) –v- Secretary of State for the Home Department [2007] EWCA Civ 808 – MT in that appeal is the same person as Y in the present appeal. In November 2007, SIAC dismissed the remitted appeals. At the same time, U and BB appealed to the House of Lords on grounds which had been rejected by the Court of appeal. The House of Lords dismissed those appeals in RB (Algeria) v SSHD [2010] 2 AC 110 (RB is the same person as BB in the present appeal).

2) The decisions of SIAC in the remitted cases were again appealed to the Court of Appeal, where their appeals were consolidated with those of W, Z, G and PP (who were appealing initial adverse decisions of SIAC in their cases). The Court of Appeal dismissed all the appeals in W (Algeria) v SSHD [2010] EWCA Civ 898. However, the appellants' further appeal to the Supreme Court succeeded in W (Algeria) –v- SSHD [2012] UKSC 8. The cases were remitted to SIAC for a second and third hearing. On 25 January 2013, SIAC again dismissed the appeals of all appellants except for G whose appeal was allowed on suicide risk and mental health grounds. His case is not before us.

3)On 25 January 2013, SIAC produced three judgments: an open judgment BAILII: [2013] UKSIAC 39/2005; a confidential judgment dealing with protected material to which both parties had access but the public did not; and a closed judgment of the kind familiar in SIAC cases. Permission for a further appeal to this Court was granted by Maurice Kay LJ and Sullivan LJ following an oral hearing on 15 January, 2014.

fracture, with experts saying considerable force was used on his neck while his head was pulled back. Investigators are considering if officers were responsible for breaking his neck and, if so, whether it amounts to an act of misconduct or criminality.

The family claim police initially tried to mislead them in the immediate aftermath. They say one officer told them Cole was talking after his arrest, but that this would be impossible with a severed spinal cord. Another allegedly said Cole was drunk. He had consumed alcohol but tests show he was not drunk and was under the drink-drive limit. Bedfordshire police tried to cover up what their officers did to Julian by alleging that Julian was conscious and chatty in the back of the police van, Claudius Cole added.

The Coles, who are black, say they have been inspired to campaign by black families in the US who complain of excessive police force. Claudius Cole said: I think the police may have behaved the same here as in the US it is the same type of behaviour, it hasn t been as well publicised. Julian did not need six officers to pin him down he is only 5ft 5in and was unarmed excessive force used is just the same. There are questions to ask about whether there may be a racial element to how they treated Julian.

Julian Cole was arrested on suspicion of a public order offence. The case was dropped because of his condition. The incident happened when Cole returned to Elements nightclub to ask for a refund after he and friends were asked to leave. Door staff seized him before police took hold of him. CCTV captures some of the incident but not the part where Cole apparently lost consciousness. He reappears on CCTV handcuffed and being carried by officers into a police van. Cole is now in a care home and his family are devastated. Claudius Cole said he had wanted Julian to be his best man last summer. Instead, pictures of his younger brother were projected at the wedding and family and friends went to visit him at the home.

The IPCC said: Our investigators updated the Cole family just before Christmas, apologised for the length of time taken and gave reassurances over the latest timescales. Additional IPCC staff have now been allocated to this investigation to ensure it is completed as soon as possible. Six officers have been interviewed under criminal caution for misconduct in public office and grievous bodily harm. The IPCC also took over the criminal investigation into two door staff who were also interviewed under criminal caution for grievous bodily harm. A decision on whether to refer the case to the CPS will be taken upon completion of the report.

In a statement, Bedfordshire police said: We continue to follow a national syllabus and standards of training, all which are approved by the College of Policing; this includes the safe restraint and control of detainees. It said it was awaiting the IPCC s findings. This was a complex set of circumstances involving a number of people. It would be inappropriate to apportion blame to any individual while there is an ongoing investigation.

Greater Awareness Needed To Prevent Traveller Deaths In UK Jails

"Gypsies and Irish Travellers are among the most marginalised groups in society and there is research evidence that both physical ill health and suicide are more prevalent among this group than in the wider community. Research also suggests that Travellers may receive poor treatment in the criminal justice system and in prison. Only a relatively small number of my office's fatal incident investigations identify the prisoner who died as a Traveller. However, it is evident that poor recording of ethnicity in prisons makes it difficult to know how accurate this is and how widespread the problems identified are. Not all the issues identified are unique to Travellers. Nonetheless, a number of learning points emerge for the Prison Service which

I hope can contribute to keeping members of these groups safe in prison." Nigel Newcomen, Prisons and Probation Ombudsman (PPO)

PPO investigations into Traveller deaths in custody have found that: - all prisoners can be affected by separation from families, but this can be particularly acute for Travellers for whom family life is central. Lifestyle can also make family contact difficult and costly; - there are high levels of mental illness in the Traveller population and Travellers have been found to be nearly three times more likely to suffer from anxiety and over twice as likely to be depressed compared to the rest of the population. The mental health support Travellers received in prison was variable; - not being able to read and write is a barrier to accessing information and taking part in prison life and while literacy among prisoners is generally low, it is even lower for Travellers, which can impact on safety; and - bullying in prison has been identified as increasing the risk of suicide and self-harm. Discrimination towards Travellers is still commonly experienced in the community and can manifest itself in prison as threatening behaviour, intimidation or bullying.

The steps that should be taken are: - prisons should ensure they identify and record Travellers at reception and update their records for those in prison before it was included on the prisoner record system (P-NOMIS) in 2011; - prisons should be aware that Travellers are at an increased risk of suicide in the community; - prison equality groups should have both a prisoner and staff member representing the needs of Travellers; - prisons should ensure that information and support to maintain family ties is given to prisoners and families; - prisons should consider the risk of suicide and self-harm for apparent victims of bullying; and - prisons should provide healthcare compacts and agreements in forms other than written for illiterate prisoners.

'Gypsy or Irish Traveller' was first included as an ethnic group in the Census in 2011, and accounted for 0.1% of the population of England and Wales. It is difficult to know the actual size of the Traveller population in prison as it has only been possible to record ethnicity as "Gypsy or Irish Traveller" since 2011 when it was introduced on the prison record system. A survey by HM Inspectorate of Prisons found that 5% of prisoners identified themselves as Gypsy, Romany or Traveller, suggesting that this group is considerably over-represented in prison. Travellers have lower life expectancy than the general population and conditions such as bronchitis, asthma and angina are much more prevalent. There are no official statistics to show the suicide rate for Travellers in the community in the UK, but studies have shown the rate to be higher than the general population. *Learning lessons Fatal incident investigations issue 7*

Sweeping Efficiency Reforms Proposed for Justice System *Owen Bowcott, Guardian*

Private security firms that delay delivering prisoners to court should be subject to stiff financial penalties, according to a judge-led review of the justice system. Sir Brian Leveson's recommendations for improving efficiency of the country's outdated criminal proceedings include proposals for extending the hours of magistrates' courts, expanding the use of video technology and providing more body cameras for police officers. Parliament, it is suggested, may also want to consider when defendants should have the right to opt for more expensive jury trials.

The report, commissioned by the lord chief justice, Lord Thomas of Cwmgiedd, will be a challenge for the Ministry of Justice given that it calls for transitional funds for transferring to new systems of working at a time of austerity. Leveson, who chaired the inquiry into press standards, said the review's purpose was to streamline criminal cases "thereby reducing the cost of criminal proceedings for all public bodies". It is also aimed at ensuring "proposed reductions in criminal legal aid can be justified on the basis that … less work will be required to be put into each case because consid-

vented the atrocity, but that Special Branch had acted "cautiously". Further opposition to the challenge was based on the date of the bombing - two years before human rights legislation was incorporated into UK law in 2000. But granting leave to seek a judicial review, Mr Justice Treacy held that Article 2 duties were at least arguably engaged. He also decided an arguable case had been established that the state was in breach of its obligation to conduct such an investigation into claims the attack could have been prevented. He listed the case for a substantive two-day hearing on April 29-30.

Outside court, Mr Gallagher expressed delight at the outcome. He said: "This is but a step on our continued fight for justice. Today the courts have agreed at the very least that the secretary of state's decision was questionable. We will now move on to prepare for a full hearing to show the state has yet to properly investigate the circumstances of the Omagh bomb." The decision was also welcomed by Amnesty International. "What the families, and Northern Ireland more broadly, deserve is the fullest account possible of what happened in Omagh,"

Terry Laverty Ballymurphy Conviction to be Reviewed *BBC News*

A man convicted of rioting during events in west Belfast in 1971, in which soldiers shot dead his brother and nine other people, is to have his conviction reviewed. The killings took place in Ballymurphy over a three-day period in August 1971. The Parachute Regiment was involved in an arrest operation in at the time. Terry Laverty, whose brother was one of those killed, was convicted of riotous behaviour. The case has now been referred to the Criminal Case Review Commission (CCRC). In a statement, the CCRC said: "Following a lengthy and detailed investigation, the commission has decided to refer this conviction to the county court. "The referral is based on new evidence that the sole evidence upon which Mr Laverty's conviction rests has been retracted by the witness and that, as a result, there is a real possibility that the court will set aside Mr Laverty's conviction and find him not guilty on a rehearing. "

The Ballymurphy shootings took place hours after the government introduced a policy of internment - the detention of paramilitary suspects without charge or trial. A priest and a mother of eight were among the civilians shot dead by the Parachute Regiment. The troops said they opened fire after they were shot at by republicans. Families of the victims have been campaigning for a full public inquiry into the shootings. Commenting on the referral of his conviction, Mr Laverty said: "My parents went to their grave without the truth being officially acknowledged and told. They had to live with the loss of their son John, and the official lies." He added: "This is a significant step towards righting a terrible injustice and setting the record straight. There remains a distance to go but this is a good first step."

Second Inquest Into the Death Of Habib 'Paps' Ullah

The Justice4Paps family campaign is looking forward to the second inquest into the death of Habib 'Paps' Ullaht; taking place between 2nd and the 27th of February 2015 at Beaconsfield Coroners Court, with a sense of caution and apprehension. Since the last inquest being abandoned in December 2010 there has been a subsequent reinvestigation by the IPCC and in February 2014 a referral was finally made to the Crown Prosecution Service, they in turn made a decision on the 8th of August last year that there was insufficient evidence to provide a realistic prospect of securing a conviction. On the same day the IPCC issued a statement that they had found a case to answer for gross misconduct against five Thames Valley officers in relation to events prior to the death of Habib Ullah in July 2008. The officer's misconduct hearings are

rienced staff, in every prison. The government has chosen to allow the prison population to increase whilst it cuts staff, and that has led to an increase in people dying by suicide," said Crook.

Prisons minister, Andrew Selous, responded saying: "Every death in custody is a terrible tragedy. We remain focused on doing all we can to prevent them." But he went on to accuse the Howard League of using the loss of lives for their own campaigning purposes: "They are deliberately misrepresenting the situation in our prison for their own ends. This helps no one – least of all the vulnerable individuals in prison whose wellbeing is the absolute priority of prisons staff and ministers alike," he said.

Ministers have repeatedly insisted that there is no evidence directly linking staff levels, type of prison or overcrowding to the number of prison suicides and the rate of self-inflicted deaths remains below the levels seen in 2005 and 2007. The justice secretary, Chris Grayling, has repeatedly said it has not so far proved possible to establish a pattern or any simple explanation for the factors that lie behind the rise. He set up an independent review into the deaths of young adult prisoners aged 18 to 24 which is due to report in March.

However the Prison Governors Association warned in October that prisons were facing a "toxic mix" of increasing prisoner numbers, chronic staff shortages and rising violence that was driving them towards instability. The prison governors reported that although the number of deaths in custody petered out "at the back end of last summer" they had since started to rise again. A Guardian investigation also identified distinct themes in many of the self-inflicted deaths, including failures in the assessment of risk in the face of obvious warning signs, a lack of training for prison staff, inadequate monitoring once risk was identified and insufficient communication with families.

Omagh Bombing Relative Wins Inquiry Refusal Challenge

The father of a young man killed in the Omagh bombing has won the legal right to challenge the government's refusal to hold a public inquiry into the atrocity. No-one has been found guilty of the Real IRA bomb attack in August 1998, in which 29 people were killed. A High Court judge ruled that Michael Gallagher has established an arguable case that the authorities are in breach of an investigative obligation. A full hearing will be held in April. It will explore claims that intelligence may exist to back Mr Gallagher's belief that the attack could have been prevented. Mr Gallagher's son Aidan was one of the victims of the atrocity.

In September 2013, Northern Ireland Secretary Theresa Villiers rejected calls for a public inquiry, saying an investigation by Police Ombudsman Michael Maguire was the best way to address any outstanding issues. Last October, Dr Maguire published a report where he found RUC Special Branch withheld some intelligence information from detectives hunting the bombers. No-one has ever been convicted of carrying out the attack, but Seamus Daly, a 44-year-old bricklayer from Cullaville, County Monaghan, is currently charged with the 29 murders which he denies. Central to the bid to have Ms Villiers' decision judicially reviewed was a contention that the government has a duty under Article 2 of the European Convention on Human Rights to protect lives and investigate the bombing.

Mr Gallagher was in court with his family and Stanley McComb, who lost his wife Ann in the blast, to hear his lawyers claim that the terrorist attack was at least arguably preventable. They argued that a range of intelligence from British security agents, MI5 and RUC officers could have been drawn together to stop the killers. Counsel for the secretary of state said that four separate Police Ombudsman examinations into Omagh had already been held.

In the latest report Dr Maguire concluded nothing had been identified which could have pre-

erable waste and inefficiency in the system … has been eliminated".

Renegotiating contracts for delivering prisoners to court is one of Leveson's most radical proposals. The prisoner escort custody service (Pecs) is costly and critical to the efficient functioning of the criminal courts, he noted. It is supplied by two contractors – Serco, which operates in London and the East of England, and GeoAmey, which covers the remainder of England and Wales. Pecs covers movements between prisons, police stations and courts. There are around 850,000 prisoner movements a year in England and Wales at an average cost of £161. "The present obligations on contractors to meet a 90% success rate, however, means that one in 10 prisoners may not be ready for court when they ought to be and yet the contractors will still be delivering to contract," Leveson observed. This has a huge knock-on effect on the business of the court in those cases, particularly where one or more prisoner concerned is significantly late. Furthermore, under the present contract for those travelling more than 45 miles, arrival at or after the time that the court is due to start is not a breach of the delivery time …The cost of lost time to the court system appears to be ignored. I would urge those responsible to reconsider the terms of any future contract with prisoner movement providers. They must demand greater efficiency and properly manage performance of the contract."

Remand inmates should be held closer to the courts where they are due to appear, Leveson said. More flexible opening hours for magistrates courts should be examined to accommodate those who cannot attend normal daytime hearings, Leveson's review suggests: "This must be one of the few public services which [has] failed to acknowledge the different ways that members of the public now live their lives." Enthusiasm for early morning, evening and weekend opening surfaced after the 2011 riots but has fallen into abeyance. "This possibility needs to be considered afresh," Leveson declared. "We ought to establish the extent to which victims and witnesses will benefit from a more flexible approach to the hours that our courts sit."

The review also supports greater use of video and conferencing technology to enable suspects to appear from prisons and police stations remotely, as well as video cameras mounted on police officers' bodies or helmets. In terms of jury trials, the review points out: "Jurors, required to give up their time to undertake that important civic duty not infrequently at considerable personal cost … are equally not infrequently concerned that their time is 'wasted' by what are perceived to be trivial cases."

The MoJ has already arranged for investment in new courtroom technology but Leveson advised that more transitional funding should be given to HM Courts and Tribunal Service "to provide additional sitting days and available judges to dispose of the legacy work while at the same time processing new cases earlier and with greater efficacy and efficiency". Leveson said: "The changes I have recommended are all designed to streamline the way the investigation and prosecution of crime is approached without ever losing sight of the interests of justice. Our conduct of criminal trials was designed in the 19th century with many changes and reforms bolted on, especially over the last 30 years. The result is that it has become inefficient, time consuming and, as a result, very expensive."

Absconder From HMP Leyhill 17 Years Ago - Recaptured

James Hennessey,appeared in Bristol Magistrates Court, Thursday 22/01/15 and charged with evading lawful custody from HMP Leyhill in 1998. Formerly known as Simon Dominic Hennessey, was charged after being arrested at Heathrow Airport following deportation from Australia. The charge relates to Hennessey's absconsion from HMP Leyhill in 1998. He was serving a life sentence for the manslaughter of his aunt in Plymouth in 1978. Hennessey was arrested on unrelated offences in the Queensland area of Australia in 2013.

Lockerbie Bomber al-Megrahi Case Goes Back to Court *BBC News*

A High Court judge is to be asked if members of the families of some of the victims of the 1988 Lockerbie bombing can launch an appeal on behalf of the only man convicted of the atrocity. It is the latest attempt by the relatives to bring the case back to court. BBC Scotland Home Affairs Correspondent Reevel Alderson said it could be the start of a protracted legal battle. The families want the conviction of Abdelbaset Ali al-Megrahi overturned.

The Scottish Criminal Cases Review Commission (SCCRC) wants the court to rule whether it is allowed to investigate the Lockerbie case again, on behalf of members of victims' families. Al-Megrahi died three years ago, having abandoned his own second appeal brought by the SCCRC. The application will be contested by the Crown Office, and it is likely a formal hearing will be arranged later for full-scale legal arguments.

Wrongly Convicted Men Launch New Case Against Chris Grayling *Jon Robins and Paul Peachey*

Victims of two of Britain's most worrying miscarriages of justice of modern times are to take the Justice Secretary, Chris Grayling, to court over changes to the law stopping them from receiving compensation for the 24 years they wrongly spent behind bars. Victor Nealon, who spent 17 years in prison for attempted rape before his conviction was quashed, has begun legal action after being left penniless, suffering from post-traumatic stress and unable to work as a result of his wrongful imprisonment. He has been joined by one of Britain's youngest miscarriage of justice victims, Sam Hallam, who, aged 17, was convicted of murder after a trainee chef was stabbed during a fight in London. Mr Hallam's conviction was thrown out by the Court of Appeal in 2012 after he spent seven years in jail. Judges heard that crucial evidence supporting his alibi had been left undiscovered on his mobile phone for years.

The legal challenge is seen as a test case for a new stricter regime to compensate the victims of miscarriages introduced last year. Crucially, it changed eligibility for compensation which means it paid only when the new facts resulting in the quashing of a conviction shows "beyond reasonable doubt" they did not commit the offence. Barrister Baroness Helena Kennedy called the change "an affront to our system of law" when the Bill was debated. "When people have wasted long periods of their life in jail for crimes they didn't commit, the least society can do is provide some compensation," said Sadiq Khan, the shadow Justice Secretary. "This government was warned the changes would place too great a burden on the victim to prove their innocence, even after they'd been freed from jail. It's a mark of a civilised country that when mistakes of such a serious nature like this are made, the Government should pay compensation to make up for the error. The rules require review urgently."

Mr Nealon, a former postman, could have been released after seven years but was rejected for parole because he refused accept guilt or undergo rehabilitation to address his "crime". Mr Nealon, who already had a criminal record, was arrested because he resembled the victim's description of a man with a pock-marked face. The evidence used to secure his conviction was a disputed ID parade and a weakened alibi. Both Mr Hallam and Mr Nealon consistently protested their innocence. "Victor Nealon continues to suffer at the hands of the state," said his solicitor Mark Newby. "He now has to fight for the compensation he should be entitled to. It is wrong to deny a man his liberty for the best part of two decades and then to do everything possible to avoid compensating him. We are determined to see these legal challenges through to the end, whether that is in the UK or Europe."

The new legislation follows the previous Labour government's curtailment of compensation

paid out to the victims of miscarriages of justice. In 2007, the former Home Secretary Charles Clarke decided, without consultation, to scrap an ex gratia scheme. The move was attacked as "monstrous" by the Cambridge University law professor John Spencer QC . The human rights group Justice said the 2014 legislation was deeply concerning. "In our view, the change in law offends the right to the presumption of innocence and makes an award of compensation almost impossible to achieve," said Jodie Blackstock, director of criminal policy at Justice. "With no support available to released people, they continue to be wrongfully persecuted by the state."

In his written decision not to pay Mr Nealon, Mr Grayling accepted it was a "real possibility" that an unknown male was behind the attack and not the 54-year-old. But in the grounds for resisting the claim it was asserted that the DNA analysis "plainly did not show beyond reasonable doubt the claimant did not commit the offence". However, the minister went on to assert there was "nothing in that conclusion that affects the claimant's entitlement to be presumed innocent of the offence itself. Nor is there anything in the language of the Secretary of State's decision applying those criteria [of the new legislation] which infringes that presumption". A Justice Ministry spokesperson said: "There is no automatic entitlement to compensation but every application is considered on its merits. It would be inappropriate to comment on the details of any individual's case."

Nearly 19 years later and the euphoria of his own release long past, Victor Nealon's life is grim. His parents died while he was in jail and he lives alone. Prospective employers treat him with suspicion. He lives on benefits. He sees his doctor once or twice weekly and gets medication to help him through the nightmares. His medical problems stem from his treatment in prison. "It's one thing to lose your friends, family, freedom, money and job. It's quite another to be told that if you don't confess to the crime you'll never be released," he said. He maintained his innocence even though it cost him an extra seven years in prison. He had three hours' notice of his release, was given a train ticket and £46. He spent it on a room in a B&B. "If you don't co-operate with the prison system, you are a nonentity. It tries to force and compel you to do rehabilitation work. If I was to do it I would have to admit my guilt, and I wouldn't do that. My resolve was to clear my name. I don't want to let this affect me for the rest of my life. I'm living below the poverty line, but I have a degree of optimism because I have a case worth fighting and I'm not going to give up. I'll fight as long as it needs to be fought."

Prison Suicide Rate at Highest Level Since 2007 *Alan Travis, Guardian*

The number of self-inflicted prisoner deaths have risen to the highest level for seven years with 82 prisoners taking their own lives last year, according to new figures. The justice ministry notifications include the deaths of 14 people between the ages of 18 and 24. The figures show that the highest number of deaths occurred at two of the biggest jails. Four people took their own lives at Wandsworth prison, south London, last year. The jail currently holds 1,633 prisoners in accommodation designed for 943. Four people also took their own lives at Elmley, Kent, which holds 1,231 inmates in a jail also built for 943. In total there were 235 deaths inside prisons in 2014, with more than 120 dying from natural causes, and a further 24 deaths yet to be classified. There have been two alleged murders. The first happened in Cardiff prison last March and the second in Altcourse prison in November.

Frances Crook of the Howard League for Penal Reform said the figures hid the true extent of misery inside prisons and for families: "Hard-pressed prison staff have to save lives by cutting people down almost every day and without this the death toll would be even higher," she said. "It is evident that people are dying as a direct result of the cuts to the number of staff, particularly more expe-