and it is a fear shared by prison systems the world over. Jailers do not distinguish between the activities of a prisoners' union committed to seeing prisoner workers afforded the same rights as workers often employed by the same companies outside, and what are considered more gratuitous acts of protest by prisoners; it is the spectre of prisoner collective empowerment that unnerves those operating an institution and system intrinsically designed to completely disempower prisoners. In fact, the struggle of prisoners at Tegal prison to form a prisoners' union transcends the prison walls and finds common cause with an increasing number of people now struggling to exists in a society increasingly polarised between the obscenely rich and the desperately poor, and where security of employment and a living wage are myths of the past.

The trade union movement, or what remains of it, should recognize that prisoners have a legitimate right to form unions and stop their exploitation as a source of cheap, forced labour; indeed the trade union movement should recognize a strong mutual interest with prisoners' unions in stopping the use of cheap convict labour as an alternative to providing secure and reasonably paid employment. Whilst the formation of the prisoner's union in Tegal prison is perceived by the prison's management as a potential threat to it's “good order and discipline”, the positive empowerment it has created in the lives of the prisoners involved will more than anything eradicate the sense of alienation and social exclusion that originally drove their “offending behaviour” and replace it with a strong feeling of solidarity with the lives and struggles of ordinary working class people everywhere.

Articulated in the language of the liberal middle class, Frances Crook, chief executive of the UK's Howard League For Penal Reform praised the Berlin initiative: “We want prisoners to develop civic responsibilities, learning that work pays is a key stepping stone towards that goal. Why shouldn't they form a union to help them on that path?” What is truly inspiring about the creation of the prisoners' union at Tegal prison is that in an institution and place that so symbolises the complete exclusion of the “other” or that portion of the population so existentially removed from ordinary society, a movement exists that seeks common cause with the struggle of ordinary people as well as a common humanity.

Terry Laverty - Conviction Quashed

Convicted of rioting during events in west Belfast in 1971, Mr Laverty has had his conviction quashed. A judge was told the Public Prosecution Service was not opposing Terry Laverty's appeal. His brother John was among 10 people shot dead by the Parachute Regiment during an operation in west Belfast's Ballymurphy area. The killings took place over a three-day period in August 1971. His case was referred back to Belfast County Court by the Criminal Cases Review Commission. CCRC took the decision based on new evidence that the sole evidence against Mr Laverty conviction had since been retracted by the witness.

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 516 (12/02/2015) - Cost £1

Chris Grayling - Joint Enterprise - There Will be no Change on my Watch

I am writing in response to the report on joint enterprise that you published on 10 December 2014 in which you recommended that:·The Ministry of Justice, in co-operation with the Crown Prosecution Service and Her Majesty's Courts and Tribunals Service as necessary, establish a system which records homicide cases brought under the joint enterprise doctrine. Information recorded should enable regular statistics on joint enterprise to be produced which would include: the number of cases in which any joint enterprise prosecutions are brought for murder and manslaughter; the number of defendants in each case charged as primary and secondary participants; the number charged with each offence and with lesser offences; the number of prosecutions which result in convictions for each offence as a primary or secondary offender; the number of appeals brought against conviction and/or sentence and the number of those which are successful; and a breakdown by age, ethnicity and gender of those prosecuted. We also recommend that the Ministry of Justice commission research to produce this information retrospectively from case management files for the last five years, although we recognize that there will be greater cost implications in this course of action.

That the Government should request the Law Commission to undertake an urgent review of the law of joint enterprise in murder cases. This review should consider the appropriateness of the threshold of foresight in the establishment of culpability of secondary participants in joint enterprise cases. It should also consider the proposition that in joint enterprise murder cases it should not be possible to charge with murder secondary participants who did not encourage or assist the perpetration of the murder, who should instead be charged with manslaughter or another lesser offence. The Law Commission should be asked to present proposals for the codification in statute of the law of joint enterprise, together with any proposed changes arising from its review. We consider that the Law Commission should be asked to report on these matters by the end of 2015.

The Minister of State for Policing, Criminal Justice and Victims, Mike Penning, explained during oral evidence that he would explore the possibility of collecting data in joint enterprise cases relating to homicide on a routine basis. I am grateful to the CPS for the work they did in collating data on homicide prosecutions in 2012 and 2013 involving two or more defendants. In a proportion of those cases, of course, the defendants may have been acting as joint principals so the aspect of the joint enterprise doctrine which is of greatest concern to the Committee, namely the operation of the so-called Chan Wing-siu (or "foresight") principle, would not have been a relevant factor in the prosecution.

As the Committee identifies, any new system would ideally be capable of discerning which cases relied on the use of the foresight principle. These cases would have to be identified by prosecutors so that officials in Her Majesty's Courts and Tribunals Service (HMCTS) could record them accurately on the Court Proceedings Database. Some joint enterprise cases involve many defendants, for example the murder of Sofyen Belamouadden in Victoria Station, and it may take several months or even years for all the defendants to be tried and sentenced. This makes data collection and subsequent analysis more difficult and further discussions between my officials and the Crown Prosecution Service are needed before any new system can be

put in place. I have asked my officials to progress this work and we will revert to you once those discussions are complete. We cannot, however, commit resources to reviewing historic case files and I am not convinced that such an exercise would have any real practical benefit.

Turning to your recommendation on the law itself, I have carefully considered the evidence that has been submitted to the Committee. It is worth emphasising that the law on joint enterprise only applies when a group of people are already engaged in criminal activity (sometimes very serious criminal activity) and in the course of that activity another offence is committed. The law means that all those who foresaw that the 'collateral' offence might be committed in the course of the original criminal activity can be prosecuted for that offence. The law certainly does not criminalise innocent bystanders as has been portrayed in some sections of the media.

I recognise that families of convicted offenders and academics believe that the 'foresight' principle is too harsh, particularly where the conviction is for murder and a mandatory life sentence is imposed. However, there are many law-abiding citizens and families of victims who disagree and who may be concerned if the changes suggested by academics meant that certain offenders could no longer be prosecuted for murder. The question of whether the law should be reviewed and clarified in statute will need to be considered carefully by Ministers in the next Parliament. It would not be appropriate for me to ask the Law Commission to launch a review prior to the General Election, as this would effectively tie incoming Ministers to a particular course of action. The scope of any review and who should lead it are issues that should rightly be left to new Ministers. *Chris Grayling, placed in Public Domain, 05/02/15*

'We're Never Going to Give up Fighting' *Justice Gap*

Gloria Morrison, Comments on Grayling's Deafness to Joint Enterprise reform!

In 2010 not long after JENGbA started our campaign, Lord Herman Ouseley asked the question in the House of Lords regarding statistics on joint enterprise convictions. Lord Ouseley was concerned then that the law of joint enterprise was discriminatory, especially towards young black men. Lord McNally's response was this: 'We are aware that some concerns have been raised about joint enterprise law. The majority of these appear to be based on a misunderstanding of the law and have expressed concern that innocent bystanders may be convicted unfairly. A small number have been raised by the friends or families of gang members who consider that their involvement in the gang's criminal activities was not significant enough to warrant conviction for the offences in question. Ultimately, it is for the jury to decide on the scope of the joint enterprise and the mind of the parties to it in each case, taking account of all the evidence heard at the trial.' Since then this small number of friends or families gang members (of which JENGbA families most certainly number) have reached over 500 prisoners and rising.

Chris Grayling released his response to the report Thursday 5th February (discreetly so as to avoid the press). He stated: 'It is worth emphasising that the law on joint enterprise only applies when a group of people are already engaged in criminal activity (sometimes very serious activity) and in the course of that activity another offence is committed. The law means that all those who foresaw that the 'collateral' offence might be committed in the course of the original criminal activity can be prosecuted for that offence. The law certainly does not criminalise innocent bystanders as has been portrayed in certain sections of the media.'

Sound familiar? This is the government line and has been for several years; many of the JENGbA families who have written Mr Grayling, desperate to know why their loved one is serving a life sentence for a murder they did not commit or foresee, all get the standard response. JENGbA

Germany and the Prison Industrial Complex

The growth of what some have described as the "prison industrial complex" and the unleashing of economic free market forces upon the prison system by a government ideologically-driven to sell off or "out source" virtually every state function has created the spectre of a prison population utilised as essentially a source of cheap, forced labour for an increasingly avaricious neo-liberal capitalism. There is no starker example of organised modern slavery.

In the US, the epicentre of the prison industrial complex, the exploitation of cheap convict labour takes place on an industrial scale and in poor urban areas, especially districts with a majority poor Afro-American population, prisons are increasingly replacing factories as places where the criminalised poor are confined and exploited by multi-national security corporations.

In Britain, whose criminal justice system is becoming almost a mirror-image of it's American counterpart, the exploitation of cheap convict labour by private companies is increasingly as is the ownership of entire chunks of the prison system. More and more prisoners are dealt with and treated not as offenders to be rehabilitated but as a source of considerable profit for an economic elite not hamstrung by wishy-washy concepts such as public service or moral conscience in the treatment of prisoners.

Paradoxically, however, the creation and exploitation of a working class behind bars might also create the potential for the collective organisation and self-empowerment of prisoners as a group and a movement capable of radically reforming the prison system itself. A possible example exists in Tegal prison in Berlin where prisoners have formed the first union for prisoners that is campaigning for the introduction of a minimum wage and a pension scheme for prisoners. Prisoners at Tegal jail work regular shifts in workshops, which their union says makes them "de facto employees, just like their colleagues outside the prison gates". Oliver Rast, a spokesman for the union, said "Prisoners have never had a lobby working for them. With the prisoners' union we've decided to create one ourselves". In Germany, as in Britain, prisoners are excluded from the national minimum wage and national pension schemes. Prisoners at Tegal jail earn between €9 and €15 per day, in Britain prisoners are paid considerably less than that. The Tegal prisoners union is registered as an association without legal status but claims to have the mass support of prisoners within the jail who signed a petition in support of union.

There have been attempts in the past to organise union-like structures amongst prisoners, but they were usually short-lived and ceased to exist once "ringleaders" were segregated or transferred to other prisons. In Britain in the early 1970s an organisation called Preservation Of The Rights Of Prisoners (PROP) was created by a group of ex-prisoners and radical criminologists who coordinated with prisoners inside long-term jails a series of protests and days of action that established PROP as an authentic voice of prisoners. The response of the prison authorities was predictable and took the usual form of straightforward repression – the "ghosting", or transfer, of "ringleaders" to other jails or their long-term segregation in punishment units "in the interests of good order and discipline". Unfortunately the repression succeeded and PROP faded away. Still a very young organisation PROP's presence in prisons was confined to a relatively small group of individual activists; once they were removed from the mainstream population PROP's presence was also removed.

The administration at Tegal prison in Berlin have adopted a similar punitive approach towards the prisoners' union and Oliver Rast, who was sentenced to prison in 2009 for his involvement in the revolutionary organisation Militante Gruppe, has been targeted as a "ringleader" and his cell repeatedly searched and documents relating to the union confiscated. Sven Lindemann, a lawyer representing the prisoners union, described the searches of Rast's cell as attempts to intimidate his client.

It is of course the fear of self-organisation and collective empowerment amongst prisoners that motivates the response of management and staff at Tegal prison towards the prisoners' union,

Intervention in Civil Wars 'Far More Likely in Oil-Rich Nations' *Tom Bawden, Indpendent*

Conspiracy theorists have long insisted that modern wars revolve around oil. Now research suggests hydrocarbons play an even bigger role in conflicts than they had suspected. According to academics from the Universities of Portsmouth, Warwick and Essex, foreign intervention in a civil war is 100 times more likely when the afflicted country has high oil reserves than if it has none. The research is the first to confirm the role of oil as a dominant motivating factor in conflict, suggesting hydrocarbons were a major reason for the military intervention in Libya, by a coalition which included the UK, and the current US campaign against Isis in northern Iraq.

It suggests we are set for a period of low intervention because the falling oil price makes it a less valuable asset to protect. "We found clear evidence that countries with potential for oil production are more likely to be targeted by foreign intervention if civil wars erupt," said one of the report authors, Dr Petros Sekeris, of the University of Portsmouth. "Military intervention is expensive and risky. No country joins another country's civil war without balancing the cost against their own strategic interests."

The report's starkest finding is that a third party is 100 times more likely to intervene when the country at war is a big producer and exporter of oil than when it has no reserves. "After a rigorous and systematic analysis, we found that the role of economic incentives emerges as a key factor in intervention," said co-author Dr Vincenzo Bove, University of Warwick. "Before the Isis forces approached the oil-rich Kurdish north of Iraq, Isis was barely mentioned in the news. But once Isis got near oil fields, the siege of Kobani in Syria became a headline and the US sent drones to strike Isis targets."

The study, analysed 69 civil wars between 1945 and 1999, but did not examine foreign invasions. It noted that civil wars have made up more than 90 per cent of all armed conflicts since the Second World War and that two-thirds of these have seen a third-party intervention. The researchers drew their conclusions after modelling the decision-making process of the third-parties' interventions. This assessed a wide range of factors such as their military power and the strength of the rebel army, as well as their demand for oil and the level of supplies in the target country. It found that the decision to intervene was dominated by the third-party's need for oil, far more than historical, geographic or ethnic ties. The US maintains troops in Persian Gulf oil producers and has a history of supporting conservative autocratic states in spite of the emphasis on democratic reform elsewhere. However, the recent surge in US oil production suggests the country will be intervening less in the future – with China potentially taking up the role as lead intervener, the report suggests.

Well defended: Britain's military interventions - Britain intervened in the Nigerian Civil War, also known as the Biafran War, between 1967 and 1970. During this period the UK was one of the biggest importers of oil in the world, with North Sea oil production only starting in 1975. BP's presence in the oil-rich eastern region of the country meant stability in the area was of critical importance. The invasion of Iraq in 2003, led by the US and the UK, wasn't covered in the research because it wasn't a civil war. However, the report notes previous claims that a thirst for oil was "the alleged 'true' motivation of the US invasion of Iraq".David Cameron was instrumental in setting up the coalition that intervened in Muammar Gaddafi's Libya in 2011, a country with sizeable oil reserves. UK did not intervene: As Sierra Leone's Revolutionary United Front, with support from Charles Taylor's National Patriotic Front of Liberia, attempted to overthrow Joseph Momoh's government. The resulting civil war lasted 11 years and enveloped the country, leaving more than 50,000 dead. UK also opted not to intervene in the Rhodesian Bush War between 1964 & 1979 – between the Rhodesian government, the military wing of Robert Mugabe's Zimbabwe African National Union and the Zimbabwe People's Revolutionary Army. More recently, the UK failed to take action in Syria, another country suffering at the hands of a dictator – but with little in the way of oil reserves.

knows because they send them to us. It is inconceivable that the minister for justice cannot understand how much academic research has now gone into the issue of joint enterprise charging. Our campaigning has brought this issue into the academic and legal arena. There were serious concerns raised by the House of Commons' justice select committee. He can't possibly believe they are unfounded. Of course if is easier to charge 'groups' with serious crimes such as murder because it lowers the evidential bar to virtually non-existent. The idea that each individual has to 'contemplate' that a real risk might occur in an incident they did not instigate (the 'possible foresight' test) may as well be based on voodoo. It is about being psychic.

It is also notable that Mr Grayling is now having a go at the press for misrepresenting joint enterprise when it was those very same journalists who sensationalised cases making out that every member involved was guilty of murder. Take Laura Mitchell's case, cited by many uncomfortable with how joint enterprise has been interpreted. She was simply in a car park after a minor altercation looking for her shoes, when someone else on the other side of the car park kicked a man twice resulting in his fatality. The Express headline was 'Gang of animals, led by a girl killed man with a flail'. None of it was true.

And now after years of JENGbA campaigning, the mainstream press are starting to recognise that all is not what it seems. We have been saying for years joint enterprise does not ensure justice for victims. The doctrine makes further victims by incarcerating innocent people. Which brings us to another point. Mr Grayling keeps referring to joint enterprise as 'law' (and Mike Penning MP in his evidence to the justice committee called it important 'legislation'). It is neither. That is why the justice committee recommended that urgent reform to the common law.

JENGbA are disappointed that the Minister did not take this opportunity to refer the matter to the Law Commission for further consideration. However we do understand that might be difficult for Ministers for constituency reasons with a general election looming (see General Election Guidance, G2 p20). We have no doubts that the next Government will act on the justice committee report which Mr Grayling suggested will need to be considered.

It still leaves JENGbA with the biggest challenge of our campaign: how to get justice for those already convicted and serving mandatory life sentences. Only 10 years ago the average sentence we were seeing people receive was 15 years and now that figure is on average 25 years. The shameful situation of people being in prison serving massive sentences for a crime they have not actually committed is why JENGbA will continue to fight for our loved ones. It is why Jimmy McGovern after meeting our families wrote the excellent drama 'Common' screened on BBC 1 to 4.4million viewers. Last night Jimmy McGovern won another award for 'Common'. It strikes a chord with the public, the ordinary people who know that joint enterprise makes no common sense. We would have been surprised if Mr Grayling had admitted that a terrible travesty in our law system was occurring. JENGbA families will never give up fighting.

Prisoner Right to Legal Visits Reinstated

Christy O'Kane's legal challenge reached court amid allegations that he has been denied access to his solicitor for three days running. Emergency judicial review proceedings were put on hold after O'Kane's solicitor was told visits to HMP Maghaberry are to resume. With medical treatment also said to have been re-established, the case was adjourned to be monitored again later this month. O'Kane, a 41-year-old from Derry, is on remand charged with IRA membership and taking part in mortar attacks between 1992 and 1994. He is being held in the dissident republican Roe House wing where tensions have remained high since last week.

The Trouble With Privatising Probation *Rob Allen, Guardian*

When the chief inspector of probation Paul McDowell's links with Sodexo became public last October, it was obvious he would have to resign sooner or later. The Guardian's home affairs editor, Alan Travis, revealed that McDowell's wife's private justice company had won the largest number of contracts to run probation services in England and Wales.

How could he possibly be seen as an "independent and authoritative source of fair comment" on probation when his household income might depend in part on his judgments? When ministers made it clear that it was to him they looked for any warnings that the rehabilitation reforms might be in trouble, his number was up. These reforms, known as Transforming Rehabilitation, have seen 70% of probation service work transferred to private companies – among which Sodexo is the largest player.

It's a disaster that he delayed until Monday his decision to go. Had he departed three months ago, progress could have been made in recruiting a replacement. As things stand, probation is undergoing the most fundamental and most controversial changes in its history with a much weaker level of scrutiny than is needed.

To its credit, the McDowell inspectorate called some major risks and challenges in its report on the early implementation of Transforming Rehabilitation in December. It concluded that "what happens in this next period of implementation, and particularly the way it is led and managed, is crucial to ensuring the longer-term development of quality and innovation in probation that the public expects".

There are widespread concerns that both the government's National Probation Service (which continues to write reports for courts and supervise the most serious cases) and the newly privatised community rehabilitation companies (CRCs), which do the rest of the work, are under-prepared and under-funded for the changes that came into force on Sunday. These see the overall workload of the probation sector increase by a quarter with no new resources. The lack of a high-profile independent monitor for the community supervision of offenders could not have come at a worse time.

Although the justice secretary, Chris Grayling, said on Monday that the appropriate pre-appointment processes were followed when McDowell got the chief inspector job, something went badly wrong. The justice committee claims it was not told about his conflict of interest when it interviewed him in 2013. But did it ask? We need more robust scrutiny in future.

McDowell is a former chief executive of the criminal justice charity Nacro. Arguably, this provides an additional conflict of interest, since the charity will henceforth play a major role in the probation landscape alongside, as it happens, Sodexo. While the success of the Sodexo/Nacro partnership in winning CRC contracts could not have been foreseen when McDowell was appointed, their interest in bidding was well known.

There is a strong case that in future the probation inspector should be drawn from outside the fields they inspect. This has always been the case with the chief inspector of prisons, a post for which the Ministry of Justice is currently seeking a successor to Nick Hardwick. After a scathing series of reports about the impact of cuts on the state of prisons, Hardwick declined to reapply for his job when his term was not automatically extended.

The advertisement for the chief inspector of prisons post makes it clear that the MoJ "would particularly welcome applications from those currently working in, or with experience of, the private sector, and those who have not previously held public appointments". That's fine – as long as there are much more rigorous checks in place to ensure that candidates and their families for these and similar posts are independent not only from the services they inspect, but from the companies that increasingly provide them.

Cameron – 'compliance with human rights and other legal obligations' enjoying 'a fundamental place at the centre of activities'. Presumably Cameron was unaware of the Craigavon 2 and McKenna case when he made these comments. The answer to why there has not been an investigation into the McKenna and Craigavon 2 cases may lie in all of the above- it may conversely lie in none of the above. Who knows? What can be said for certain, however, is that if interference with evidence by the 'intelligence services' in 1982 spawned a miscarriage of justice there is no viable argument as to why it cannot have done the same in 2009.

HMP Nottingham - Significant Concerns - Not Safe - Conditions Poor

Nick Hardwick HMCIP said:"At the time of our inspection, Nottingham prison was in a very difficult place. The prison faced challenges common to many other prisons, but was failing in most of its core responsibilities. The prison was not safe enough; conditions were not good enough; prisoners were not sufficiently active; and not enough was done to manage risks and reduce the likelihood of reoffending. Since our inspection, the National Offender Management Service (NOMS) has taken action to try to stabilise the prison. A new interim governor is in place, but at the time this report was written, it was too early to judge whether the prison's new leadership was making improvements. We will return to the prison much more quickly than usual to assess progress."

HMP Nottingham holds just over 1,000 adult and young adult prisoners. Dating back to the 19th century, the prison was largely rebuilt between 2008 and 2010 and all accommodation is now modern. The prison was last fully inspected in 2010, when inspectors reported positively. This more recent inspection raises significant concerns. Outcomes for prisoners were rated "poor", the worst assessment inspectors can give, across three of the four tests of a healthy prison. Inspectors were concerned to find that: - almost 40% of prisoners reported victimisation by other prisoners; - levels of violence, including assaults on staff and prisoners, were very high and tensions in the prison were clearly evident with several barricade incidents, a hostage-taking and many incidents at height recorded in the months before inspectors arrived; - the amount of self-harm was similar to other prisons, as was the number of those in crisis requiring case management interventions and support, but the quality of case management was poor; - the prison grounds were bleak and littered and cells routinely overcrowded; - relationships between prisoners and staff were adequate but deteriorating; - the amount of time prisoners had out of cell was limited and unpredictable; - staff shortages had caused the imposition of a general restricted routine and during the working day about half of the prisoners were locked up in their cells doing nothing; - purposeful activity places were underused and access to vocational training was very limited; and - offender management was very weak, most offender supervisors were overwhelmed and unable to support and motivate prisoners, and the risks posed by some potentially dangerous offenders were not properly managed. - Inspectors made 87 recommendations

Michael Spurr, Chief Executive Officer of the National Offender Management Service, said: "This inspection took place during a very difficult period at Nottingham where performance had fallen below acceptable standards. Immediately before the unannounced visit we had deployed additional managers and staff to the prison to support the Governor to improve conditions, and we took swift action in response to the inspection findings to further address safety issues and to provide a more purposeful and consistent regime for prisoners. As a result the prison is now cleaner, calmer and safer. A permanent Governor has now been appointed and staffing numbers have increased and I'm confident that the action we have taken will deliver the rapid improvement that Nottingham requires." I*nspection 8/19th September 2014, published 10/02/15*

policing remains a live issue in the North of Ireland post-Patten) and just as the Prevention of Terrorism Act was not designed to detain Iraqi and Palestinians in Britain during the first Gulf War. Empirical evidence, of course, tells a different story. The recent recommendations for strengthening 'anti-terror' provisions to include forcing people into internal exile (a modern permutation of the 'exclusion order' process debarring Irish republicans from the British mainland) and targeting air lines carrying returning Jihadis is another slip towards the post-9/11 'big brother' state under the auspices of counter-terrorism- your civil liberties and human rights are being taken from you bit by bit but for God's sake at least be thankful as we are saving you from the omnipresent 'terrorist' threat!

Two cases are instructive in showing that the 'intelligence services' continue to engage in questionable practices in the North of Ireland. Ironically both of them centre on the same geographical area as the Tighe case. In October of last year Lurgan man Ryan McKenna was acquitted of charges relating to an attempted mortar attack on the PSNI in Lurgan in 2007. He was acquitted after the state offered no evidence against him. In light of the collapse of the McKenna trial there have been claims that the 'intelligence services' had interfered with evidence from a covert surveillance operation relevant to the alleged mortar plot. According to McKenna's solicitor SAS debriefing notes, radio logs and notebooks had been destroyed as well as a soldier statement having parts of it deleted. In the case of the Craigavon 2 a conviction was secured against John Paul Wooton (and Brendan McConville) despite similar interference with evidence by the 'intelligence services'. During a recent appeal by John Paul Wooton and Brendan McConville it emerged that the 'intelligence services' had deliberately deleted evidence from a tracking device attached to John Paul Wootons car. As the claim that John Paul Wooton was a 'get away' driver in the Continuity IRA attack that killed PSNI constable Stephen Carroll is central to the case against him questions must be asked in relation to what data was deleted from the device and why? One can assume that if the evidence corroborated the apparent guilt of Wooton it would be produced in court rather than deleted.

Given that the director of the PPS has outlined his views on the destruction of evidence by the 'intelligence services' one may expect that an investigation was ordered into the case. Surely, on the basis of McGrory's own statement, those involved in the deliberate destruction of data from the tracking device on Wooton's car have been investigated and identified. This has yet to happen and rather than pursuing the 'intelligent services' on this matter the PPS actually went to court to have Wooton's sentence increased. What was unacceptable conduct by the 'intelligence services' in 1982, one may deduct from this course of action, is therefore not necessarily unacceptable in 2009. It is hard to identify the logic that underpins such a conclusion. Some questions do however spring to mind.

Is it perhaps that one happened during 'the war' rather than in a post-Patten context? The implication of this being that it can now be addressed in an environment where, while causing mild discomfort and the odd red face, it will not limit the current approach of the 'intelligence services' in tackling VDR. Could it be that there is a belief that in a post-Patten environment where policing oversight bodies have been set up such a thing is deemed unlikely to happen? CAJ have comprehensively dismissed such a notion in their benchmark research on 'the policing you don't see', while any informed observer would be aware that the remit of accountability bodies in the North of Ireland do not include the activities of the 'intelligence services'. Might there be a political element to the decision, whereby in a post-9/11 'war on terror' context 'dissident republicans' are game for the misdeeds of the 'intelligence services'? Could it just be possible that, as David Cameron told parliament recently in relation to the Finnucane killing, the mistakes of the past have been learnt as the 'intelligence services' now have – to quote

Police Using 'Domestic Extremist' Database to Monitor Journalists *Frank Magennis*

The British state used a secretive police confidential intelligence unit, whose existence it denied, and a database of 'domestic extremists' to systematically monitor journalists engaged in documenting progressive protest and dissent, according to speakers at a public talk. The history of the last 10-15 years of protest in Britain had been 'a story of the steady erosion of the historically sacrosanct democratic freedom of the press to document public events without impediment', said Jess Hurd. The three-speaker panel comprising journalists Jason Parkinson and Jess Hurd, and human rights lawyer Shamik Dutta, discussed how the term 'domestic extremist' was effectively giving legal cover to Government attempts to blur the distinction between 'terrorists' and 'protestors'. The 'domestic extremism database' is reportedly rife with the shorthand 'XLW', inaccurately labelling as 'Extreme Left Wing' a wide array of journalists from diverse political backgrounds and persuasions.

Jason Parkinson, a freelance video journalist who has covered the Egyptian Revolution and the London Riots, pointed out that the English Defence League were not generally being labelled 'domestic extremists' by the British security services. This was particular shocking, he suggested, in view of high profile incidents such as the soldier member of the EDL sentenced to prison for making a nailbomb that he intended to use on 'immigrants'. Another, teenage member of the far-right, fascist organisation was arrested for possession of manuals about recreating the Columbine massacre, a crime that was apparently insufficient to have him labelled a 'domestic extremist', let alone a 'terrorist'.

Parkinson further recounted his personal experience of receiving a copy of the extensive records that had been kept on him following a subject access request he made. Extending to 12 pages and containing 141 separate logs, the secretively obtained information included minute details about what he was wearing and the people with whom he interacted at protests. The records focussed on his dealings with legal observers. Parkinson recalled his traumatic experience of having a police officer casually mention the then recent death of Parkinson's mother, information the officer had obtained through the surveillance regime.

Jess Hurd, a photojournalist and co-founder of I'm a Photographer, not A Terrorist, used her personal experience to demonstrate the chilling effect that draconian policing and surveillance of protest is having on both protest and journalism. Hurd recounted how, while documenting a UKUNCUT protest against high street chain Top Shop's lawful tax avoidance, she was grabbed by a police officer, sexually assaulted, dragged to the back of the shop, arrested, de-arrested, and then summarily banned from going into the store. Not concerned about the ban, Hurd did question her future involvement in covering other protests. 'The high-level apology I received from Top Shop and [the retailer's parent group] Arcadia doesn't change the fact that I did hesitate.' Hurd said. 'It takes up my time as a professional, and causes me hassle. That, to a large extent, is what it's all about – limiting your freedom.'

Shamik Dutta, a lawyer at Bhatt Murphy, representing the other two speakers, described the case of veteran protestor John Catt, who along with his daughter, was being monitored long before either of them had even realised the unit existed. Catt won a legal battle to have his details removed from the 'extremism' database. He took his case to the Court of Appeal claiming the retention of data was unlawful. Dutta stated that it was only because of the efforts of journalists and politicians who apply pressure to the police, through press and litigation, that the Government had admitted the existence and scope of the 'Domestic Extremism' Database, and had finally succumbed to challenges. 'With this groundswell of litigation, hopefully change will be in the offing,' Dutta said.

Exception Remains Exceptional in Medical Treatment Article 3 Cases *Hanna Hnoyc*

The Court of Appeal has confirmed that foreign nationals may be removed from the UK even where their lives will be drastically shortened due to a lack of healthcare in their home states. Removal in those circumstances does not breach Articles 3 or 8 ECHR except in the most exceptional cases. The appellants were foreign nationals suffering from very serious medical conditions (five from end-stage kidney disease (ESKD) and one from an advanced stage of HIV infection). They were all receiving effective treatment here in the UK. All were at a high risk of very early death if returned to their home states, where the treatment they needed was unaffordable or simply unavailable. The Secretary of State nevertheless decided to remove them, and the Upper Tribunal dismissed their appeals. They appealed to the Court of Appeal on the grounds that removal would breach their rights under Articles 3 and 8 of the ECHR. Laws LJ began by identifying the "paradigm case" of a breach of each Article, and then considered whether the present situations were sufficiently close to the paradigm to justify extending those Articles to cover them. None of them were.

Article 3: The paradigm case of a breach of Article 3 is "an intentional act which constitutes torture or inhuman or degrading treatment or punishment". A risk of death caused by a naturally occurring illness, combined with a lack of sufficient resources to deal with it in the receiving country, does not fall within that paradigm. The European Court of Human Rights (ECtHR) has allowed a limited extension to Article 3 in exceptional circumstances. In D v UK (1997) 24 EHRR 423, the applicant suffered from AIDS which was already terminal, and was receiving end-of-life care in the UK. The Court held, in view of the exceptionally poor conditions which he would face if returned to his home state of St Kitts, and bearing in mind the critical stage of his illness, that to remove him would amount to a violation of Article 3.

However the House of Lords in N v SSHD [2005] UKHL 31 – affirmed by the ECtHR in N v UK (2008) 47 EHRR 39 – made clear that this exception is subject to a very high threshold. D's condition was already terminal; as Lord Nicholls put it, "there was no question of imposing any such obligation [to provide medical care] on the United Kingdom. D was dying, and beyond the reach of medical treatment then available" (paragraph 15). The key feature in D was not that removal would cause or accelerate his death – the right to life being the province of Article 2, not Article 3 – but that it would lead to him dying in inhuman and degrading conditions. None of the appellants fell within this category. Although they were likely to die quickly once treatment stopped – the five appellants suffering from ESKD would have only about 2-3 weeks to live without dialysis – they were not dying yet. Article 3, even in light of the D exception, did not impose an obligation on the UK to continue to provide medical treatment indefinitely.

That conclusion was not affected by any of the more recent cases relied on by the appellants. Each of those cases, said Laws LJ, had particular features justifying a departure from the Article 3 paradigm. In Sufi v UK (2012) 54 EHRR 9, the crisis in the applicant's home state of Somalia was predominantly due to the deliberate actions of the parties to the conflict. Similarly in MSS v Belgium and Greece (2011) 53 EHRR 2, Greece was found to be responsible for the inhuman conditions to which the applicant asylum seeker would be subjected if he was returned there by Belgium. Although that is not quite the paradigm case of an intentional act by the receiving state, the Court tends to attach particular importance to the treatment of asylum seekers; Tarakhel v Switzerland (Application No. 29217/12) was another example. The situations are therefore different and, as Laws LJ made clear at paragraph 62: "the fact that there are other exceptions unlike D or N does not touch cases – such as these – where the claimant's appeal is to the very considerations which D and N address".

Various further arguments about Article 3 did not help the appellants. Evidence of changed cir-

of events that they had opened fire on an armed man after issuing a warning. Moreover it also emerged that the then Deputy Head of RUC Special Branch ordered the destruction of tapes and monitor logs relating to the incident in case the disclosure that the RUC had acted outside the law caused 'deep embarrassment'.

Commenting on the recent revelations when ordering the new investigations McGrory noted "the actions of police and security service personnel in relation to the concealment and destruction of potential evidence requires further investigation as does the identification of all those involved in such actions". There is little reason to find fault or argument with McGrory's synopsis of the matter. This was by all accounts a deceitful course of action taken by the intelligence services and police force that involved perverting the course of justice to not only secure an unsafe conviction against one young man but to also ensure the exoneration of those involved in the unlawful killing of another young man. There is clearly a need for an investigation into the case, and that need feeds into a wider need to investigate state violence and wrongdoing during the conflict. The failure of the HET and the constant heel dragging by the British state and PSNI where inquests are concerned will not disguise nor diminish the need to comprehensively 'deal with the past'. Whether the recently established Historical Investigations Unit will deliver where the HET has thus far failed to, remains a matter of conjecture.

In accepting that the murky dealings of the 'intelligence services' in the past need inquiring into, however, one should not assume that such dealings are themselves a thing of the past. Regarding such activity as a product of a bygone area when 'spooks' were fighting the 'dirty war' may provide peace of mind but empirical evidence suggests it would be misguided and foolhardy. Recent revelations relating to the 'intelligence services' campaign against what is termed 'violent dissident republican' (VDR) activity points to the continued practice of evidence destruction by the 'intelligence services'. In an environment where the 'intelligence services' have increasingly thwarted whatever threat the residual elements of militant republicanism pose, there may be a prevailing opinion that they should be largely unencumbered to continue doing so. A wider 'war on terror' climate that has seen increasingly indiscriminate and bloody 'terrorist' attacks - whether in Paris, Belguim, Nigeria, Boston or London - strengthens such as argument. The end it seems may justify the means, even if that means involved perverting the course of 'justice' and curtailing human rights on a whim. What this argument fails to overlook is that the means that set out to tackle 'terrorism' can often become as dangerous as 'terrorism' itself. Where does the line between what is acceptable in an 'anti-terror' context and what is unacceptable in an 'anti-terror' context get drawn – Gulags? Internment camps? Mass deportation? Censorship of free speech? Denial of the freedom of political expression? Moreover is one type of 'terrorism' more dangerous or acceptable than another form? Does 'VDR' merit an equal, greater or lesser response than fundamental Jihadi 'terrorism'? Who decides the answers to these questions and who adjudicates on the fairness of such answers?

Take the use of Regulatory Investigative Powers Act (RIPA) for example. As an 'anti-terror' legislative provision, one could be forgiven for thinking its usage would be limited to combating militant Irish republican splinter groups engaged in VDR and against fundamentalist Jihadi groups. The reality is that RIPA has been used to target journalists in relation to tracing their sources (used almost half a million times for this purpose last year alone) and has been used to target those evading paying a TV license fee. RIPA was not enacted for these purposes, just as the Justice and Security Act 2007 was not enacted to target legitimate political opponents of the Good Friday Agreement in the North of Ireland (CAJ has shown that political

most severe being to my left wrist which I was unable to move. He said he would come back and examine me but when he returned later wearing body armour and with a gang of riot officers he was not allowed to do his job properly. To intimidate him officers barked threats and orders through their helmets, surrounding me with their shields and those not carrying one adopting aggressive poses with fists clenched forcing me to remain seated at the back of my bed where he was unable to reach me. The Doctor couldn't check my neck injury at all, which I was unable to see myself having not had access to a mirror but the shooting pain when I moved it told me something was definitely wrong. The Doctor prescribed deep heat rub then, along with the army, that included females this time to degrade me further, they all left but not before they stole my trousers.

Since this all happened seven days ago I have been repeatedly threatened, continued to be fed through the hatch, barred from accessing the complaints box, allowed to use the phone on only two occasions, given one shower, one change of clothes and underwear and only twice allowed into the open air. Almost twenty-four hours a day is spent in cell made worse by them taunting me as they go past and hearing them attach and abuse another prisoner named Sam Davis who is kept in worse conditions than mine. They are aware that I suffer from Post Traumatic Stress Disorder through being assaulted and abused by prison officers previously, so know the effect all this is having on me physically as well as mentally.

I remain here with no help forthcoming from anywhere, in fear of my life and wondering how long this will be allowed to continue. To make it worse they have had the cheek to issue me with a notice of report Officer Poole being the reporting officer "I gave you a direct order to comply with my instructions for the purpose of you attending a video link, you refused the order by ignoring me leading to you being placed under restraint."

Evidently Full Sutton have such hatred for Muslims that not only is it acceptable to attack someone who is praying but they then deem it to be the Muslims fault and charge him with a disciplinary offence. I would complain of religious discrimination but the head of equalities is also head of the segregation. I can confirm this statement as true and I am willing to give evidence in court for the purpose of criminal prosecution against the culprits if special measures are provided to ensure my safety and protection against repercussions.

Kevan Thakrar: A4207AE, HMP Full Sutton, Moor Lane, Stamford Bridge, YO41 1PS

'Intelligence Services' & Destruction of Evidence in Northern Ireland

'Means that set out to tackle 'terrorism' can often become as dangerous as 'terrorism' itself'

The attention of human rights observers and activists in the North of Ireland turned yet again this week to the legacy of the sordid activities of the 'intelligence services'. Following recent revelations that evidence relating to a notorious RUC 'shoot-to-kill' operation in Lurgan in 1982 was withheld and then deliberately destroyed, Director of Public Prosecutions Barra McGrory (Pictured Below) has ordered the PSNI and Police Ombudsman to launch investigations into the matter.

During the RUC operation in question 17 year old Michael Tighe was killed and Martin McAuley seriously wounded after being fired upon by RUC officers who alleged they had been confronted by an armed McAuley emerging from the hay shed. McAuley subsequently received a prison sentence in 1985 for possession of 3 rifles found in the hay shed at the centre of the undercover operation. The conviction was recently quashed on appeal following a successful appeal brought by the Criminal Case Review Commission. During the appeal it emerged that the 'security services' had first withheld and then destroyed an audio recording from a listening device in the shed that comprehensively contradicted the RUC's version

cumstances – a potential transplant for GM and evidence of increased risk to KK in the DRC – would have to be raised in fresh claims before the Secretary of State. The fact that KK had always been lawfully resident in the UK could not exempt him from the rigours of the D exception, and the Upper Tribunal's approach to the facts in his case disclosed no error of law.

Article 8: The failure of the Article 3 claims was not fatal to those under Article 8. Article 8 concerns different paradigms, the one identified as relevant in this case being the capacity to form and enjoy relationships. However, this also means that it is not enough to rely on the same facts as those which failed to bring the case within the Article 3 paradigm. Something more is needed.

In three of the cases, GS, EO and BA, the Court of Appeal refused even to consider the Article 8 claims because the appellants had not pursued them before the Upper Tribunal. Laws LJ took the view that the Court of Appeal lacked jurisdiction to consider a point which was not before the Upper Tribunal, except where it was obvious in the sense of having a strong prospect of success. That was not the case here. Underhill LJ, with whom Sullivan LJ agreed, preferred to exclude those arguments as a matter of discretion. He noted that all three appellants appeared to have made a considered decision not to rely on them before the Tribunal, even though Article 8 had been a live issue earlier in the proceedings. He might have considered allowing Article 8 points to be argued if any of the appellants had a strong case on that ground, but none of them did.

In GM's case, the Secretary of State accepted that it was arguable that the Upper Tribunal had not adequately considered the Article 8 claim and agreed that it should be remitted for reconsideration. As for KK and PL, neither could show any additional factual element sufficient to bring them within the Article 8 paradigm. KK's family life was "overwhelmingly in the DRC" and his Article 8 claim was, in reality, based solely on the medical treatment which he receives here. Underhill LJ added that the Upper Tribunal had found that he would receive proper treatment in the DRC, so his claim could not get off the ground in any event. KK challenged the Tribunal's approach to the facts, but the Court found no error of law. Laws LJ said simply that there were no factors in PL's case which might give rise to a claim under Article 8 when there was none under Article 3. Underhill LJ pointed out that PL had been in the UK illegally for almost all of his stay, had made friends knowing that he had no right to remain here, and had no family ties in the UK.

All of the appeals therefore failed, except for GM's Article 8 appeal which will go back to the Upper Tribunal. GM has always been in the UK lawfully and, although there is little information in the judgment about his private or family life here, the fact that he has a friend in the UK who is willing to give him a kidney may offer a glimmer of hope. Laws LJ also hinted that GM may wish to make a fresh Article 3 claim on the basis of that possible transplant. However, in the light of the restrictive approach taken by the Court of Appeal, it seems unlikely that that will be enough to bring him within the D exception. As for the other claims, permission to appeal was refused by the Court of Appeal but may now be sought from the Supreme Court.

Investigation Into Death In Police Custody In Haverfordwest

IPCC is investigating the death of a man in police custody. Meirion James, 53, was arrested following an incident at an address in Crymych, Pembrokeshire, on 31/01/15. He was taken to the custody suite at Haverfordwest Police Station. He was seen by a police medical examiner and was deemed fit to be detained. While in police custody an incident occurred at around 11 am during which Mr James became unresponsive and an ambulance was called. Resuscitation was attempted but Mr James was pronounced dead at 11.30 am at Withybush General Hospital in Haverfordwest.

Non Stop Cycle of Prison Officer Violence Against Kevan Thakrar

Without any prior notice I was ambushed with a transfer out of HMP Woodhill Close Supervision Centre (CSC) On Monday 19th January 2015 to the segregation unit at HMP Full Sutton. I was not told where I was going, simply instructed to pack all of my property, strip searched, metal detected, double handcuffed then locked into a cellular vehicle for a permanent move out of the prison. It was strange for this to occur since it goes against CSC Policy and normal procedure would have ensured that staff from the receiving establishment visited me prior to any transfer taking place. As I drove of cuffed in the cellular vehicle I saw Alan Parkins walking up to the unit with two members of Her Majesty's Chief Inspector of Prisons (HMCIP) inspection team and, the reason for my move became clear.

Stupidly HMCIP had sent all CSC prisoners at Woodhill letters informing us of their upcoming announced inspection. They told us they would be visiting us on the 19th January. If we wanted to speak with them about the extreme oppression the CSC Provides we should fill in a slip and submit it to Alan Parkins, which I duly did. Thanks to HMCIP everything that follows has been as a direct consequence, and a deliberate attempt to silence me from exposing the abuse.

Upon arrival at Full Sutton, having been kept unlawfully in handcuffs in excess of five hours I was taken directly to the segregation unit without being processed through reception, as I should have been. I was walked in a cell, greeted by a large gang of officers in riot gear, uncuffed then strip searched in front of them all in an attempt to intimidate and degrade me. The cell this took place in was filthy with blood stains splattered up the wall, racist graffiti etched into the window which did not open or fully close. The cell was also lacking in any real furniture. I noticed the lack of in-cell electricity. As the gang all left my cell, and after asking, I was told that this was to be my cell for the duration of my stay.

By the following Tuesday the tortuous regime I had been subjected to looked unlikely to change. I was shocked by the day's events. I was told my solicitor had booked a video link to speak with me but the solicitor had not informed me of this directly. Four officers came into my cell demanding to strip search me before I was allowed to sit in front of the screen to talk to my solicitor which I told them was ridiculous and wholly unnecessary since I had nothing in my cell and had been held in isolation. It was known this would not be productive; it was entirely disproportionate as well as being against their own policy. I asked for an explanation, they refused so I requested the governor be called; they left telling me they would be back.

Over an hour later a different officer came to my cell door telling me my solicitor was waiting for me. Then, after attempting to scare me with threats he stormed off after I persisted in my request to speak to a governor and was told the governor would be too busy to speak to me. Having come to see me mid way through all this the Imam who had waited near to this officer stepped in front of my door to speak. I explained the situation and told him I had fears for my safety in a place where I can be subjected to such threats, as he had been witness to. He told me he would go and speak to the segregation governor immediately to inform him of this and of my request for him to speak with me. Before the Imam left he told me it was now prayer time, since I did not have a clock in my cell I was grateful for the information.

After completing my ablutions I laid out my prayer mat and began to perform my prayers. While in a bowing position with my eyes closed my cell door slammed open and I was smashed in the head and face with two shields being wielded as weapons by men in full riot gear. After the immediate shock and daze cleared I was able to see a mass of bodies in my cell and the rest of the gang outside but with nobody filming the assault, as they should have been although I later discovered

he was hiding around the corner in a position to miss the action.

I was punched to the left cheekbone as I fell over my trainers, which had been removed prior to beginning my prayers. The officer on my left had taken immediate advantage having thrown his shield down to throw the first blow. Forced to the ground I saw they had trampled all over my prayer mat with one of them kicking it to one side so that my face could be pressed into the hard concrete. They then forcibly removed my clothes including cutting some of them from my body while I was held in painful wristlocks. I repeatedly questioned what was going on, why they believed it acceptable to attack me while I was praying or trample all over my prayer mat but they were too focused on their brutal actions and filled with too much contempt for a man they felt was less than human by virtue of being a prisoner to bother with any response.

All of this was going on for some fifteen minutes with them intermittently attempting to break my wrists, especially the left one and digging their fingers into the tender area beneath my right ear while telling each other to "use pain compliance." Then I was taken out of my cell, when I demanded to know what was going on before we went any further I was told that I was going to a video link. I told them I was going nowhere while being subjected to painful locks since I had by now been handcuffed it was inexcusable to continue to do so. I was allowed to stand and walk but they refused to let go of my upper arms insisting it was for my own safety as I was handcuffed behind my back but the bruising it caused my upper arms suggests otherwise.

Once we reached the video link I was forcibly held in my seat although I had made clear I wanted to sit there they couldn't help themselves. The link came on to a courtroom, I told what had happened and they were able to see a couple of the gang holding me to know it was true. The clerk of the court told them that the judge had given no order for me to be brought to the court, which is what they had told me, had happened after I exited my cell, only a solicitor had requested my attendance. This fact mean under no circumstances-could any of the force used been lawful, so no excuse could be made to attempt to blame me for their actions as is usual prison service policy.

Regardless of what was said they still refused to stop using force however, the governor responsible finally answered me. Told me his name was Barker and that he was in charge of "the seg." He then refused to answer any more questions about why he had authorised this assault, failed to speak to me as I had requested or why I was still being subjected to an unlawful use of force.

On return to my cell I was made to stand facing the back wall while the cuffs were removed then the cowards all still wearing full riot gear ran out and slammed the door behind them. I has asked to see the nurse before they ran off but they refused to answer my request instead calling her to look at me through a filthy and scratched observation panel about 2"X3" in the door. Only then did I realise I had no tee short or underwear on so I removed my clothing for her to examine my injuries.

These included swelling, bruising and pain to the following areas: left cheek bone, both wrists, below right ear, both upper arms, ribs, injury to my nose as well as cuts and grazing to both knees and the back of my right hand. Most of these injuries had yet to fully develop but the red markings were clearly evident. I had to send the nurse away after she claimed to not be able to see-anything and told me I should have complied if I did not want injuries.

I was not let out for the phone that night and was fed through a hatch in the door in a banned practice rather than being allowed to attend the servery. Left without underwear I should have been treated as being in special accommodation, the term given to prisoners deprived of clothing, furniture, bedding or sanitation and subject to extra safety measures but instead I was just beginning a new level of more intense torture and degrading treatment.

The next day the Doctor doing rounds asked me if I was ok and I explained my injuries the