we have recently inspected. Priorities for the future should include a focus on tackling violence, improving support for prisoners with protected characteristics, keeping men fully occupied and doing more to reduce the risks that they will reoffend after release."

HMYOI Wetherby Keppel Unit Unannounced Inspection

Staff deserve credit for what they have achieved with boys at the Keppel Unit, said Nick Hardwick, Chief Inspector of Prisons. Today he published the report of an unannounced inspection of the special unit at the young offender institution in West Yorkshire. HMYOI Wetherby's Keppel unit holds just over 40 boys aged between 15 and 18. It opened in 2008 and is a national resource designed to provide more developed support for some of the most challenging and vulnerable young people in custody. Previous inspections found Keppel to be a place that always ensured very good outcomes for young people and inspectors have described it as a model of how a specialist unit should be run. Findings on this more recent inspection were similarly encouraging, with Keppel achieving inspectors' highest grading across all four healthy prison tests: safety, respect, purposeful activity and resettlement.

Inspectors were pleased to find that: • good arrangements were in place to receive and induct new boys, although these were often undermined by long journeys and late arrivals;

• the attentiveness and care of the whole staff group underpinned good safeguarding and child protection arrangements; • the vulnerability of many of the boys in the unit meant the risk of self-harm was ever present, but the vigilance of staff combined with sound case management arrangements assured inspectors that the unit was working well to protect those at risk; • staff were alert to the complex problems of bullying and victimisation; • interventions and target-setting to promote positive behaviour seemed to be effective; • very few boys had been segregated and evidence suggested there was little or no drug abuse; • the general environment was excellent, the atmosphere relaxed and supportive and staff engagement was consistent and useful; • there was some particularly good support for boys with learning difficulties from the mental health team and education staff; • boys were unlocked for around 10 hours a day and expectations concerning the personal, educational and social development of boys were high; • boys were able to make progress and develop some outstanding life skills; • work to support resettlement was properly founded on an analysis of need and boys received good support from caseworkers; • there were good systems to identify those with 'looked after' status; and• public protection systems were well managed. However, inspectors found that more could have been done to promote family relationships, especially as many boys were a long way from their families.

Hostages: Anis Sardar, 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 Coleman, Neil Hurley, Jaslyn Ricardo Smith, James Dowsett, Kevan Thakrar, Jordan Towers, Patrick Docherty, Brendan Dixon, Paul Bush, Alex Black, Nicholas Rose, Kevin Nunn, Peter Carine, Paul Higginson, Thomas Petch, Vincent and Sean Bradish, John Allen, Jeremy Bamber, Kevin Lane, Michael Brown, Robert Knapp, William Kenealy, Glyn Razzell, Willie Gage, Kate Keaveney, Michael Stone, Michael Attwooll, John Roden, Nick Tucker, Karl Watson, Terry Allen, Richard Southern, Jamil Chowdhary, Jake Mawhinney, Peter Hannigan, Ihsan Ulhaque, Richard Allan, Carl Kenute Gowe, Eddie Hampton, Tony Hyland, Ray Gilbert, Ishtiaq Ahmed.

Miscarriages of JusticeUK (MOJUK)
22 Berners St, Birmingham B19 2DR
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MOJUK: Newsletter 'Inside Out' No 544 (27/08/2015) - Cost £1

United Against Injustice (UAI) – National Meeting

Saturday 10th October 2015 John Foster Building 80-98 Mount Pleasant. Liverpool. L3 5UZ
UAI is the National Federation of 'Miscarriage of Justice Organizations'
Our 14th Conference Doors open: 10:00 am Morning Workshops begin 10:30 am
Main Meeting 2:00 pm to 5:00 pm - Speakers:
Victor Nealon – Wronfully Jailed for 17 Years – Refused Compensation
Mick Geen Father of Ben Geen Wronfully jailed in 2006, for crimes that never took place
James Cairns Miscarriages of Justice Review Centre Sheffield
Prof Allan Jamieson (Director of The Forensic Institute, Glasgow)
Arie Zeelenburg (Fingerprints) - More information/updates to follow

Modern Forensics vs. Good Old-Fashioned Texas Justice: The Trials of Ed Graf

Jeremy Stahl, Slate.com: Ed Graf was a bad employee. While working at Community Bank in Texas in the 1980s, he allegedly embezzled from his employer, eventually paying the bank more than $75,000 to avoid prosecution. Ed Graf was a bad husband. His ex-wife, Clare, would call him "the most possessive person I've ever known." Clare's best friend, Carol Schafer, said her husband, Earl, saw Graf having sex with another woman the night of Graf's bachelor party. Ed Graf was, according to Clare and her family, a bad father. Two of Clare's family members accused him of beating his adopted stepsons, Joby and Jason, with a board and belt.

In 1988, a Texas jury found that Ed Graf was also a murderer. Prosecutors argued that two years earlier, on Aug. 26, 1986, Graf had knocked out Joby, 9, and Jason, 8, and placed the boys in the back of their family shed. Graf had then spread gasoline, locked the shed, and set the boys ablaze. The two inseparable, athletic, blond-haired brothers died of smoke inhalation and severe burns in the backyard of their home. The address was 505 Angel Fire Drive.

On the day of the fire, Graf broke the news to his wife, telling Clare that both boys had been lost in the blaze. But Graf had been informed that the body of one child had been found, not both. It was one of many pieces of circumstantial evidence that prosecutors would pile up to present Graf as a calculating, greedy, and callous monster who murdered the children in a desperate attempt to keep his troubled marriage together.

Other small clues seemed to point to Graf's guilt. Multiple witnesses say they saw a gasoline container on the porch, not far from the kids' bikes. Graf also acted strangely after the fire. He suggested the boys be buried in one coffin, according to multiple witnesses. He didn't offer his wife consolation, or apologize that they died in his care. A few weeks after the fire, Graf returned about $50 worth of Joby and Jason's new school clothes that he had previously insisted they keep the tags on. There was more of what others saw as signs of foreknowledge. The normally meticulous Graf, who was said to keep lists for everything, neglected to buy the boys' cereal or fill Jason's Dimetapp prescription the week of their deaths.

In addition to the circumstantial evidence, prosecutors were able to present motive. Weeks before the fire, Graf had taken out $100,000 worth of combined life insurance on the boys if they were to die in an accident. The policies had been mailed out the day before the fire.

The real motive, prosecutors argued, was to get the boys—a source of regular bickering between Graf and his wife—out of their lives. His wife testified that shortly before the fire, she had threatened to leave him over his strict discipline of Joby and Jason, sons from a previous marriage, and to take their newborn third son, Edward III, with her.

The case was still largely circumstantial, though. The thing that likely clinched Graf's conviction was the scientific testimony of a pair of forensic examiners. Joseph Porter, an investigator with the State Fire Marshal's Office, testified that, based on his analysis of photos of the remains of the scene, the door of the shed must have been locked from the outside at the time of the fire, which would indicate foul play. He also said there were obvious charring patterns on the floor of the shed left by an accelerant. "The fire was definitely incendiary," Porter declared. The prosecution's other expert, a top fire investigator from New York known for his report on the Osage Avenue fire, a notorious fire set by Philadelphia officials that destroyed a primarily black neighborhood, was brought in to testify that there was "no doubt" that this was arson. If the fire was intentionally set, then Graf was the only suspect with means, motives, and opportunity. Even if there was no direct evidence connecting him to the crime, the circumstantial evidence and the word of two arson experts was enough. The jury deliberated for four hours before pronouncing him guilty of capital murder.

The jurors then had to decide the punishment. The district attorney, Vic Feazell, said that the "facts of the case cry out" for the death penalty—two boys burned alive, murdered by a trusted parent. Defense attorney Charles McDonald gave an impassioned plea that the jurors had convicted an innocent man and would make the injustice irreversible if they chose execution over life in prison. "I'm asking for this man's life because if you did make a mistake there's going to be some folks, somewhere down the line, it may be years … but maybe the mistake can be corrected," McDonald argued. "If you take this man's life, there ain't no way to ever correct it." The jurors must have found this argument compelling, because they spared Ed Graf's life.

Twenty-five years later, the Texas Court of Criminal Appeals decided that a mistake had, in fact, been made. The investigators who testified the fire was arson used what in the years since has been discredited as junk science. A state review panel set up to examine bad forensic science in arson cases said that the evidence did not point to an incendiary fire. A top fire scientist in the field went one step further: The way the boys had died, from carbon monoxide inhalation rather than burns, proved the fire couldn't have been set by Graf spreading an accelerant, and was thus likely accidental. The defense's theory was that the boys, who multiple witnesses said had a history of playing with matches and cigarettes, had set the fire themselves, attempted to put it out, and been quickly overcome by carbon monoxide poisoning.

The reason Ed Graf's case was reviewed a quarter of a century after he barely escaped the death chamber was because of one man: Cameron Todd Willingham. He was convicted, based on similarly faulty scientific evidence and the testimony of a jailhouse informant who later recanted and said he was bribed, of murdering his three children by setting their home on fire two days before Christmas in 1991. Willingham was executed 11 years ago. Only after Willingham's death was it revealed publicly that the forensic evidence used to convict him was bunk. In 2009, the New Yorker's David Grann wrote a groundbreaking article describing Texas' flawed case against Willingham. The story sparked a national uproar over forensic science and the death penalty.

Then Texas did something surprising. While the state has not budged in its use of the death penalty—just last year topping 500 executions since the state brought back capital punishment in 1982—it has reinvented itself as a leader in arson science and investigation. A new fire marshal, Chris Connealy, revamped the state's training and investigative standards.

HMP The Mount – Unannounced Inspection

HMP The Mount was performing well and was better than many similar prisons, said Nick Hardwick, Chief Inspector of Prisons. As he published the report of an unannounced inspection of the training and resettlement prison in Hertfordshire. HMP The Mount had recently opened a new 250-bed resettlement wing which was being filled as the inspection took place. The Mount was achieving better outcomes for the men it held than most prisons inspected recently, despite facing similar challenges and despite the disruption caused by its expansion and the imminent transfer of much of its resettlement function to a new Community Rehabilitation Company. Outcomes for prisoners were reasonably good in all the main areas inspected and there were credible plans for further improvement.

Inspectors were concerned to find that: • care for men at risk of suicide or self-harm was generally adequate but some lessons from previous deaths in custody had not been fully embedded; • the lack of telephone interpreting for new arrivals who did not speak English created significant risks; • too many victims of bullying sought sanctuary in the segregation unit and most were then moved out to prisons with insufficient effort to resolve their concerns; • prisoners said drugs and alcohol were easily available despite determined efforts by the prison to prevent this; • existing practical resettlement services were reasonably good but new resettlement arrangements were due to start two weeks after the inspection ended and a new community resettlement company (CRC) would take over most of the prison's resettlement services. There was still uncertainty about how they would work; and • family work, which played a crucial role in resettlement, was weak.

Nick Hardwick said: "There is room for improvement at The Mount and we are confident the prison has the capacity to make it, but even now the prison is doing better than comparable prisons. There are some key reasons for this: the prison is very well led with a stable senior management team, the regime and staff are consistent – prisoners know what to expect; and there is excellent use made of peer workers. There is much that other prisons can learn from The Mount."

HMP/YOI STOKE HEATH – Unannounced Inspection

Was managing reasonably well, but could do more to reduce the risk that prisoners reoffend, said Nick Hardwick, Chief Inspector of Prisons. Stoke Heath held both adults and young adults and had a small remand function serving the courts of mid-Wales. There was a small category D unit outside the prison walls. The prison was, at the time of its inspection, making the transition to a resettlement prison for Wales. practical resettlement work was good and the open unit outside the prison walls was an excellent facility to prepare prisoners for final release.

However, inspectors were concerned to find that: - levels of violence were high and there had been some concerning finds of weapons, but most incidents were low level; - the prison was responding to the supply of illegal substances, but needed to do more to understand and address the causes of violence; - health care screening of new arrivals was inconsistent and this created significant risks; - support for prisoners with protected characteristics varied; - many prisoners were under-occupied and although the amount of work, training and education had increased, it was still insufficient to meet the needs of the population; - offender management processes needed to focus more on reducing prisoners' risk of reoffending after release; and - a high proportion of prisoners had been involved in domestic violence offences, but there was no work done to address this behaviour.

Nick Hardwick said: "HMP/YOI Stoke Heath has weathered the pressures on the prison system better than most, and outcomes for the prisoners held were better than in many prisons

trades people who are likely to be around at that time of the day.

Like any other area of investigation, a degree of initiative and skill is required. One of the core competencies of an investigator is the ability to communicate with different sorts of people and diverse communities in order to root out facts and information and win their trust—at crime scenes, while on general enquiries, during visits to houses, shops and premises, over the phone, on social media sites, during overt activities; basically at every opportunity.

Each case is different, but the principles are the same; investigators must be encouraged to remain proactive and vigilant in looking for opportunities to obtain evidence from witnesses. Scientific methods to highlight witness opportunities might include analysing association charts to indicate people and places linked to victims and suspects, suggesting where witnesses might be found. Anonymous reports from people who have contacted the police with information must be examined closely—listening closely to 999/101 calls for background clues that may provide likely identities or places of origin. Some people contact the police and withhold information until they gain sufficient trust and confidence, eg stating they have 'heard about something' when they have actually witnessed it.

Essex Police Silent Over Allegations It Is Hiding Important Files on Jeremy Bamber

Charles Thomson, Yellow Advertiser: Police have refused to answer allegations that they are withholding important documents about their investigation into convicted murderer Jeremy Bamber. The force twice failed to answer questions by the YA about claims made in a new online petition. Campaigners have launched the petition claiming Essex Police has refused to release 'thousands of pages' of information. Signatories are asked to call on justice minister Michael Gove to intervene. Heidi Hawkins, 53, from Jersey, a member of the Jeremy Bamber Official Campaign, said the group believes the files exist because they are referenced in documents which have been made public. She claimed many of the unseen papers detailed the early stages of the investigation, when police believed the deaths were the result of a murder-suicide killing by Bamber's adoptive sister Sheila. Ms Hawkins claimed the documents were never released because the subsequent investigation into Mr Bamber was dealt with as a separate case.

The petition, launched two weeks ago, has attracted more than 400 signatures. Campaigners have also released a 99p e-book on Amazon detailing their case that Mr Bamber was wrongly convicted. The petition states that Essex Police is refusing to release documents by citing 'public interest immunity', meaning it claims there is no public interest in publishing them. However, campaigners strongly disagree, saying even people who believe Mr Bamber is guilty have signed the petition, posting messages saying the information should still be made public. Ms Hawkins said: "If they have nothing to hide then let's see all of the information. We just want justice for Jeremy Bamber. Nobody gets a fair trial if you don't hear half of the information."

When the YA asked Essex Police to confirm or deny whether it was refusing to release documents, a spokesman said: "Essex Police has no comment to make on this matter, given that Jeremy Bamber's conviction has been the subject of several appeals and reviews by the Criminal Cases Review Commission and there has never been anything to suggest that he was wrongly convicted." The YA again asked the force to confirm or deny the claims but the spokesman replied: "No further comment beyond our statement." The YA asked the Police Commissioner's office, which has a duty to scrutinise Essex Police's decisions, whether it would investigate the campaigners' claims. Deputy Commissioner Lindsay Whitehouse said: "I am aware that a petition is being circulated asking for the disclosure of documents relating to the Bamber case. We are considering the implications of the matter and are unable to comment further at this time."

He also set up a panel comprised of some of the top fire scientists in the country to reconsider old cases that had been improperly handled by the original investigators.

Graf's case was one of the first up for review, and it was determined that the original investigators had made critical mistakes. The Texas Court of Criminal Appeals agreed, overturning the original conviction. Graf's successful appeal proved that Texas was serious about correcting past forensic errors, but his story was far from over. Prosecutors in Waco were not convinced of his innocence. They felt that they had enough evidence to reconvict. Just because the forensic science was flawed didn't change the fact that, in the eyes of prosecutors, Ed Graf was a bad employee, a bad husband, and a bad father—a man capable of murdering his adopted children.

So there was a new trial, and Graf became the first man in Texas to be retried for an arson murder that had been overturned thanks to advances in fire science. His new trial set up a clash between modern forensics and the old way of pursuing criminal justice in Texas, a state where prosecutors have often gone to questionable lengths to win convictions against high profile murder defendants—including multiple men later proved innocent. Prosecutors in Graf's retrial spared no effort to win a second conviction in a strange and dramatic retrial last October. The trial's surreal and unforeseeable conclusion would have a profound impact not just on the fate of Ed Graf, but on the lives of other prisoners who in the wake of the Willingham case held out new hope that their convictions might be overturned and their innocence acknowledged.

Number of Most Dangerous Prisoners in Special Units Doubles *Alan Travis*

The first thematic inspection report of the system of close supervision centres in high-security prisons since 2006 also found more than half of those held in special conditions are Muslim and about a third are from black and minority ethnic (BME) groups. The report, published on Tuesday 25th August by the chief inspector of prisons, Nick Hardwick, says about 60 of the most dangerous and most disruptive men in the English prison system are held in close supervision. This is twice the number seen in August 2005, when the inspectors last looked at the system as a whole. A further 14 men who do not quite meet the threshold for close supervision are held in individually designated cells in similar but slightly less restrictive conditions of "extreme custody". Many of those designated as the most dangerous have not only been imprisoned for the gravest offences but have often gone on to commit very serious crimes while behind bars, and are regarded as too difficult to manage in ordinary prisons.

They are not named in the report but have previously included prisoners such as the serial killer Robert Maudsley, who has killed three men while in jail. Those deemed to be the most dangerous are held in small units in highly restrictive conditions with limited human contact, often for many years. Hardwick said he found the system to be basically well run, founded on sound security and psychological principles and seeking to contain men safely and decently. But he said there remained a number of important issues that had to be addressed, including the need for some form of external oversight of operational decisions and tackling the concern that such a disproportionate number of Muslim and BME prisoners are being held within the system.

In the introduction to the report, Hardwick said: "We were encouraged that the central management team had assessed key processes to identify inbuilt bias and commissioned research to look at the underlying reasons for the imbalances. Once the results of this review are known we would expect immediate action to address any issues leading to an adverse impact on any of the groups held." He also called for greater control over the use of individually designated cells. This has led to some prisoners being held for months or even years with poor regimes and little emphasis on

being able to progress, contrary to prison rule 46, under which they are held.

The inspectors said the level violence against staff and prisoners was generally low in each of the units, but there had been one serious prisoner-on-prisoner assault in the past six months resulting in a “life-changing injury”. The conditions inside the small units vary greatly but are regarded as cramped in Wakefield, Full Sutton and Manchester prisons. One prisoner described them as “submarine-like”, with exercise yards often just austere cages. Hardwick said: “The closed supervision system provides a means of managing the most challenging men in the prison system in a way that minimised the risks to others and offered men the basic conditions to lead a decent and safe life.”

'Was Leo Barnes Segregated' Before Prison Suicide *Express & Star*

The man accused of bludgeoning a Black Country pensioner to death with a saucepan may have been segregated from other inmates before being found dead in his prison cell. Leo Barnes was discovered hanging in his cell by prison officers at HMP Hewell in Redditch in January. He was accused of battering 80-year-old grandmother Cynthia Beamond to death at her Halesowen home before killing another pensioner, Philip Silverstone, in London the next day. He had been on trial over the deaths at Wolverhampton Crown Court a week before being found dead. A pre-inquest review into Barnes' death at Worcestershire Coroner's Court in Stourport raised questions about how he was managed at HMP Hewell prior to his death.

Coroner Geraint Williams said: "I need to know more about the management of Mr Barnes before the turn of the year, from when he was incarcerated, dealing with his time in the segregation unit. "There are issues there that need to be explored." Mr Williams said by putting Barnes in a segregation unit staff may have 'acted against prison service regulations'. Whether it had any bearing on what happened is not clear to me," he added. Prison bosses will be questioned at a full inquest hearing in January, which is likely to last for six days. The prison's head of security will also be questioned. Mr Williams asked for medical records and prisoner escort records to be presented to him before the full inquest.

Barnes, 33, from Balsall Heath, Birmingham, had given evidence in court just days before he died. He had denied two counts of murder. Before his death, the court heard how Barnes knew Mrs Beamond growing up as she lived on the same road as his grandparents. He was alleged to have killed her in her home. The pensioner was found dead in her garage after her family grew concerned that they could not contact her and reported her missing. He was then said to have travelled to London and killed Mr Silverstone, who was 67 and a former next door neighbour. Following Barnes' death, Mrs Beamond's daughter Beverley Hadley said: "We are devastated the man we believe is responsible for the brutal murder of my beloved mum is not going to face justice for this horrendous crime." Mr Williams adjourned the hearing ahead of a full inquest to take place, starting on January 11.

Court Fight for May as Alleged Al Qaeda Courier Re-enters UK

An Afghan granted British nationality just four years ago has been stripped of his citizenship by Theresa May over alleged links to al Qaeda, the Bureau has discovered. The man, known only in court as M2, had his passport cancelled and his citizenship annulled while he was in Afghanistan in May last year. He was declared a national security risk but embarrassingly for the Government he has since managed to return to the UK and now lives under strict bail conditions in London. The Government, which now has a lengthy and costly legal fight on its hands to remove him, claims he was to act as a courier for Islamist extremists in Afghanistan – allegations he strongly denies. He was awarded British citizenship in 2011 having arrived in the UK in several years earlier as a minor. After being served

end dates are definitively determined by the court, and thus fall with Article 5(1)(a). In an indeterminate sentence, however, it is only the Parole Board who can order the offender’s release.

Considering eventual release is guaranteed regardless of the offender’s rehabilitation, and provided of course that there is no evidence that rehabilitation has been actively or negligently withheld from the prisoner to the point where release would be made impossible, it is difficult to see how the implied ancillary duty under Article 5 could be extended and breached here. Such an issue is, in fact, being challenged as we speak in the case of Quinn, Re Judicial Review [2015] CSOH 110. In that case, the petitioner, serving a life sentence, alleges that prioritisation of rehabilitation programmes functionally left him no opportunity to rehabilitate himself before the end of his tariff date (the point where the prisoner can be considered for release). While the Outer House did strike out a number of the petitioner’s claims – in particular those of a more general nature concerning prison policy towards all offenders serving life sentences – it left open the opportunity for a second hearing if “the orders sought by the petitioner could be framed in satisfactory terms”. Perhaps this case will further clarify the scope of the duty, in particular where it is acknowledged that there is insufficient time left for the prisoner to seek effective rehabilitation.In general, however, when one considers the issues of resource allocation inherent in these rehabilitation programmes, the current system would seem to fall well within the UK’s margin of appreciation.

Witness Management - *Blackstone's third edition of the Senior Investigating Officers' Handbook*

A look at the importance of witnesses and how imperative it is to identify them early on in a case when it comes to an inquiry into a crime. Witnesses are one of the most important lines of enquiry. When traced and interviewed, their evidence can play a significant part in the outcome of an investigation. They need to be managed professionally as the way they perceive the police and legal system may influence their willingness to support a prosecution case. The term witness includes anybody, except a suspected offender, who is likely to give evidence at court. This definition is not restricted to direct eye or ear witnesses and includes those who can provide circumstantial evidence to implicate offenders and also professional and expert witnesses. Surviving victims can also be witnesses who may provide valuable information about crimes committed against them.

A person reporting a crime should also be treated as a potential witness and includes initial responders who are first on the scene who may see, hear and receive vital evidence at an early stage in the investigation process (ie ‘golden hour’). When devising a witness strategy as part of the investigation, an SIO must consider relevant legislation, policies, procedures, codes of practice, doctrines and guidance concerning the conduct of interviews. This is an area that has seen great changes and is constantly evolving. Encouraging members of the public to come forward is not always straightforward. Fear and mistrust are difficult barriers and perceptions to overcome, particularly if there is little or no chance of finding evidence from other sources such as forensics. Any assistance an enquiry team can get from willing witnesses must therefore be managed carefully. This chapter takes a look at some of those important processes.

Witness Identification: One of the main lines of enquiry is usually to capitalise on opportunities to trace, interview and take statements (TI/TST) as part of an overarching witness strategy. Initial considerations are likely to be the circumstances, location, timing of the incident and type of victim, offender and community. This information can give an indication as to the type of witnesses likely to be available and where they might come from. For example, offences that occur in the early hours of the morning may point towards delivery staff, night workers, party-goers, taxi drivers and

First, the fact that the prisoner would be released at the end of his sentence "even if the prisoner is considered to be a serious threat to public safety" suggested the extension was more akin to a determinate sentence.

Second, while acknowledging similarities between the types of release provisions which apply to prisoners serving a determinate sentence after the date of mandatory release and those serving an indeterminate sentence, the Court highlighted that there is a different decision-maker in the two situations. In the case of extended sentences, it is the court which has determined the end term as the maximum length of the sentence which must be served and a convicted person knows, at the date of sentence, the last possible date when he must be released. Where an indeterminate sentence is imposed, the court does not fix any final date for release, and release cannot be obtained without the prisoner satisfying someone, other than the court, that he no longer presents a danger to the public. As such, Mr Brown's sentence could be distinguished from the indeterminate sentence in Haney.

However, the question remained whether the ancillary duty should still apply in relation to such determinate sentences. The Court, relying on the admissibility decision of Brown v The UK (Application 968/04), stated that Strasbourg caselaw clearly demonstrated a distinction in the application of Article 5. That case concerned a UK national, sentenced to an eight-year determinate sentence for supplying heroin. He argued that his return to prison following a breach of his licence conditions was unlawful and disproportionate and that there was insufficient causal connection between his recall and the his original detention. His submission that his situation was analogous to those on life sentence and restricted patients on release from hospital was rejected by the Court, which held: The lawfulness of…detention does not depend, in Convention law terms, on whether or not he ceases to be at risk of re-offending. The fact that the applicant before the end of the sentence may expect to be released on licence does not affect this analysis. When such a prisoner is recalled his detention is again governed by the fixed term imposed by the judge conforming with the objectives of that sentence and thus within scope of article 5(1)(a) of the Convention. The Inner House held that the same fundamental reasoning is clear in James and Haney and thus there was no breach of Article 5.

Comment: Of particular interest in this case was the reliance by the reclaimer on the dissenting judgment of Lady Hale in R (On the application of Whiston) v Secretary of State for Justice (2015) AC 176, which at paragraph 55 reads: while I entirely accept that there is no analogy between a determinate and an indeterminate sentence, so as to require a review while the prisoner is still in prison, the analogy between the recall of a determinate sentence prisoner who was entitled to be released and the recall of an indeterminate sentence prisoner is much closer. As the old adage goes, "yesterday's dissent is tomorrow's majority opinion". Yet the decision of the Inner Session seems convincing.

First, the Parole Board was in control of the prisoner's release as soon as he was recalled following his automatic release, and thus there is little qualitative difference between him serving the remainder of his custodial sentence and the further extended portion. The comparison with Brown v UK is illustrative here (and is, in fact, what the Inner House relied upon to deal with Lady Hale's argument). The court, when dealing with a determinate sentence, sets a date beyond which the offender must be released, and the prisoner is automatically released two-thirds of the way through his sentence. If he offends again, he is recalled to serve the remainder of his sentence or released at the discretion of the Parole Board. In an extended sentence, the end date is extended by the court due to the potential risk to the public posed by the offender. In both cases these

with a deprivation order annulling his British nationality in May last year, he used his Afghan passport to return to London to try and overturn the Home Secretary's decision. He is the first individual stripped of British citizenship known to have returned to the UK. His case emerged last month at a four-day hearing of the Special Immigration Appeals Commission (Siac), where he is appealing Theresa May's decision. Throughout the hearing, he sat freely in the public gallery. M2's ability to return to Britain raises questions about a key but controversial pillar of the Government's counter-extremism policies. Home Office minister James Brokenshire told Parliament in March that 28 people have been deprived of their citizenship since 2010 on the grounds they are "not conducive" to the public good.

The Bureau has been tracking the use of deprivation orders by the Government as part of an investigation into citizenship stripping. This is a process that allows the Home Secretary to remove UK citizenship and passport rights from foreign-born, naturalised individuals on national security grounds, even if it renders them stateless. Dual nationals who were born in Britain can also have their citizenship revoked. Much of the evidence underlying the deprivation orders is only disclosed in closed sessions of Siac hearings, meaning not only is the public unable to examine the entire case but also the defendants themselves. M2's ability to sit and watch his appeal is highly unusual. There are two known cases where people have been in the UK at the time their citizenship has been stripped on national security grounds, but had been remanded in Belmarsh throughout the process. In many other cases, the Home Secretary also issued orders banning ex-citizens from returning to the UK at the same time as revoking their nationality. On at least one occasion she deliberately waited until the individual, a Sudanese-born man, had left the UK on holiday before revoking his citizenship and preventing him from returning.

At last month's Siac hearing, Mr Justice Irwin was told that M2 arrived in the UK as a minor. He was was given indefinite leave to remain before securing citizenship in 2011. The Home Secretary now alleges he has links with extremists in Afghanistan – although he has never been charged, let alone convicted of any offence. Much of the evidence against him has only been heard in secret due to national security reasons. Neither he nor his own barrister have even been allowed to hear it. During the open sessions, M2's relationship to one of his cousins in Afghanistan emerged as a key issue in the case. The court was told that in 2011, the cousin's house was raided by Afghan and Allied forces. The cousin was not there but several of his brothers were arrested, one of whom was then detained in military custody for two years. M2 claims he did not learn about this raid until 2013. In that year, the court heard, M2 made what the Home Office believes was the first of two suspicious trips to Afghanistan. According to M2's witness statement, M2 fell ill in Afghanistan and needed the help of a doctor in a city in Pakistan. He stayed in the city with another relative for between two and four days. M2 said while he was there, he discovered that his cousin was also living there and went to meet him.

Tim Eicke QC, for the Home Secretary, said this account went to the heart of M2's credibility. He said it was "incredible" M2 had not known his cousin there and that he had clearly planned to see him. Due to the secret nature of some of the court hearings, it is not clear whether Britain's security services regard M2's cousin as an extremist.

Hugh Southey QC, for M2, told the tribunal there was nothing in the open evidence to suggest his client had anything other than a normal family relationship with his cousin. Evidence of anything else was "fairly flimsy", he said. M2 also says it was only after his visit to Pakistan that he learned about the 2011 raid. In early 2014, M2 made plans for a second visit to Afghanistan, the court heard. Southey told Mr Justice Irwin that in January 2014 M2 learned his mother was ill and immediately applied for a visa for Afghanistan. He travelled to the country and took with him a laptop and an iPhone. Southey said M2 gave the laptop to a local

doctor in his home town and the phone to his brother as a gift. The barrister said because such technology was hard to find in Afghanistan M2 thought it made sense to give them away.

But Eicke said M2's evidence was "completely lacking in credibility" and that his trip was planned before his mother fell ill, noting his visa application was dated two days before she was admitted to hospital. Home Office lawyers do not dispute the doctor and the brother received the electronic items, but they allege the true intent of the visit was to courier them to Afghanistan from the UK on behalf of extremists. They said that after M2 was stopped and searched by police on his arrival in Afghanistan, he "repurposed" his intent for the items because he knew they would then be traceable. It was during this trip that the Home Office took action. While still in Afghanistan, the Home Secretary served M2 with a deprivation order. The tribunal heard that he was given a Home Office number to call and less than a month later he spoke to Philip Larkin, head of a unit within the Office for Security and Counter Terrorism.

Giving evidence at Siac, Larkin said M2 expressed during the phone call that he was keen was to return and contest the decision. But Larkin told him he could no longer travel on his British passport and if he wanted to return he would have to make a fresh visa application. However, M2 still had "indefinite leave to remain" stamped in his Afghan passport and flew back to Britain via Pakistan. The Home Office argued his indefinite leave was cancelled with the deprivation order and so he entered the UK illegally. On arriving in the UK, he was placed in a detention centre before being freed at a bail hearing last December. He has been living in London since.

When asked by Southey whether M2 was known to the security services before he went to Afghanistan in 2014, Larkin said: "I can't answer that question in open [court]." M2 has been living under demanding bail conditions since last December. He wears an electronic monitoring tag, is barred from speaking to anyone unless it is pre-approved by the Home Office, and is subject to a strict curfew. This, Southey said, showed how much M2 wished to regain his British citizenship, adding it also meant it was extremely likely he would want to avoid all links with extremism. Southey suggested that if the commission took the view that M2 was in fact a threat to national security, then another measure such as a TPIM or passport removal would be a better measure than depriving M2 of his citizenship. Southey said M2 did not want to live in Afghanistan because it is an "essentially chaotic society".

The Home Secretary's lawyers said that M2 had only been cooperative so far as "to let him get away with it". Eicke told the tribunal that a TPIM on M2 would not be sufficient because of the threat he poses. The tribunal also heard that M2's lawyers had concerns over some of the evidence which had come from Afghanistan. They suggested some of the human intelligence could have been obtained through torture. They also raised the concern that some of the allegations against M2's relatives could be false. Siac chair Mr Justice Irwin will make a judgment in the coming months but did not specify a date.

Prisoner Caught With Mobile Phone & Charger up His Arse *Martin Evans, Telegraph*

A prisoner was caught suggling a mobile phone and a charger in his bottom as he was beginning a jail sentence. Nehemiah Palmer was apprehended with both items inside his body as he was being checked into Cardiff Prison where he was completing a 16-month sentence for fraud. The bulky items were detected when the 30-year-old was subjected to an electronic bottom scan in a so called "electric chair". The authorities then had to wait for nature to take its course before he was charged in connection with the smuggling attempt. Ian Kolvin, prosecuting, said: "A phone and charger were recovered and he said he had been told by two men to take them

Wells and Lee v United Kingdom (2013) 56 EHRR 12, the Supreme Court held that failure to satisfy this duty does not affect the lawfulness of the detention, but that it does entitle the prisoner to damages. The Haney case has already been considered by the Scottish judiciary, in the case of Reid, Re Judicial Review, [2015] CSOH 84 (see Fraser Simpson's summary here). Reid concerned an offender indeterminately detained under the Mental Health (Scotland) Act 1960.

Factual Background: Mr Brown was convicted of culpable homicide on January 2006. He was given an extended sentence of 10 years under section 210A of the Criminal Procedure (Scotland) Act 1995. It provides for an extension to a sentence "for the purpose of protecting the public from serious harm from the offender". Mr Brown's sentence comprised a custodial term of 7 years and an extension of 3 years. During the extension, Mr Brown could be considered for release by the Parole Board. After serving two-thirds of his custodial term, Mr Brown was automatically released on license on 1 April 2010.

On 18 August 2010, Mr Brown stole a car while under the influence of alcohol, and on 28 September 2010 was recalled to prison under the terms of his sentence. On 30 September 2010 he was convicted and sentenced to 40 days' imprisonment, to run concurrently with the remainder of his sentence. He thus became eligible for release from 18 October 2010. Throughout the custodial and extended periods of Mr Brown's sentence he took part in a number of rehabilitation projects. While his case was repeatedly considered by the Extended Sentence Prisoner Tribunal, he was not released until 2 August 2015 when his extended sentence expired. In 2013, Mr Brown raised an action of judicial review against the Parole Board and the Scottish Ministers for refusing to order his release. In the present appeal it was accepted by both parties that the original submissions before the Lord Ordinary were now irrelevant following the development of the law by the Supreme Court in Haney. The question was whether the ancillary duty established in Haney applied in cases of extended sentences, and whether that duty had been breached in Mr Brown's case.

Mr Brown's submissions submitted that from 8 October 2010 (the date when the custodial portion of his sentence ended) he was entitled to rely on the implied duty to facilitate his progress towards release. The crux of Mr Brown's argument was that there was "no reason in policy or principle" to distinguish between the indeterminate sentences in Haney and the extended portion of Mr Brown's sentence – both were discretionary based on the threat posed to the public by the offender. Due to the alleged failure to meet this duty, Mr Brown argued he was entitled to damages.

The Scottish Government's submissions: The Parole Board did not make submissions to the Court, but the Scottish Ministers submitted that Mr Brown's sentence should be seen as determinate, considering that he would be released at its end regardless of his rehabilitation. The ancillary duty established in Haney applies only to life and indeterminate sentences in those cases release will only be considered if detention is no longer required for public protection. The respondent further continued that, should the Inner House feel the duty did apply, the case should either be decided or referred back to the Lord Ordinary, considering Haney was not before the first instance judge. In either case, it argued Mr Brown had been given access to "a substantial amount" of rehabilitative coursework both before and after his release on license, had exhibited problems in custody, and had made poor use of these rehabilitative opportunities. As such, any ancillary duty under Article 5 had not been breached.

Decision - The first question before the Court was how to classify the extended sentence. It agreed with the respondent that an extended sentence should be considered determinate, placing particular weight on two factors.

The Maze housed some of Northern Ireland's most notorious paramilitary prisoners during the Troubles. Mr Kelly, now a senior member of Sinn Fein who represents North Belfast in the Stormont Assembly, had been jailed for life in 1973 for the Old Bailey and Scotland Yard bombings. He was among 38 IRA inmates who fled the Maze in Co Antrim in September 1983. They used smuggled guns and knives to overpower prison staff before hijacking a food lorry and driving to the main gate. Some were subsequently recaptured - Mr Kelly in Amsterdam - and returned for trial at Crumlin Road Courthouse in Belfast, which was connected to HMP Belfast (now Crumlin Road Gaol) by an underground tunnel.

Most of the inmates were returned to the Maze for detention during weekends amid the lengthy trial - extra security measures had been taken following the earlier escape. But Mr Kelly was not returned to the Maze during his trial for reasons surrounding his detention, the records said. Files from 1987 released by the Public Records Office Northern Ireland disclosed that the Army and RUC were asked to increase their patrols near the courthouse and Crumlin Road Gaol, while special vigilance was exercised by police inside the courthouse searching visitors. Inmates were strip-searched before appearing in court each day. The director wrote: "The Lord Chief Justice Lowry would not however consent to our proposal to handcuff the prisoners in the court as he considered that both the prison and police authorities would take adequate steps to ensure the safe custody of the prisoners without this being necessary."

Republican Political Prisoners, Roe 4, HMP Maghaberry, 20/08/2015

Republican Political Prisoners, Roe 4, wish to highlight the recent regressive and provocative actions of the Jail Administration; further tightening controlled movement and restricting our already limited space. A small hatch which Republican Political Prisoners were using as a means of receiving food and for ventilation has been closed, further confining us to a tiny space. The closure of the Roe 4 kitchen hatch has resulted in a situation where Roe 4 Republican Prisoners have not received meals since 3.30 pm on Wednesday 19th August. This can only been seen as a clear effort to provoke an escalation of conflict in Republican Roe House. This decision was preceded by a visit to the landing of the new Number One Governor, Phill Wragg, former Belmarsh Security Governor. He was accompanied by notorious Governor, Malcolm Swarbrick, who has consistently engaged in provocative actions and attacks on Republican Prisoners. We do not believe this to be a coincidence.

This is a clear affront to the ICRC and their efforts to find a resolution to the remaining core issues of Controlled Movement, Forced Strip Searching and Isolation of Republican Prisoners. This signals clearly that the Jail Administration has no intention to make progress in regards to the treatment of Republican Political Prisoners.

Does Article 5 Apply to Extended Sentences? *UK Human Rights Blog*

Brown v Parole Board for Scotland, [2015] CSIH 59: Scotland's civil appeal court, the Inner House of the Court of Session, has refused a prisoner's appeal for damages resulting from an alleged failure to afford him a reasonable opportunity to rehabilitate himself during his extended sentence. The case is the latest in the fallout from the Supreme Court's judgment last year in R (on the application Haney and Others) v. The Secretary of State for Justice, [2014] UKSC 66 (summarised here), affirming an implied ancillary duty under Article 5 of the ECHR to provide prisoners facing indeterminate sentences with a reasonable opportunity to rehabilitate themselves and show that they are no longer a danger to the public. Following the ECtHR's judgment in James

in with him." During Thursday's hearing at Cardiff Crown Court, Judge Thomas Crowther QC asked the prosecution: "Was this a standard charger?" Mr Kolvin replied: "I believe so." Palmer was jailed for an additional six months for his smuggling attempt.

Judge Crowther, detailing the recovery of the items, told Palmer: "You were put in a cell and nature took its course. You produced a mobile phone and its charger apparently from your rectum." In mitigation for Palmer, who is from south London, David Rees, his solicitor, said he had become "embroiled" with others in a fraud involving the cloning of bank cards in the autumn of 2014. He would have been due for release in four weeks' time - the half-way point of his 16-month term - if it had not been for the phone smuggling. "He wasn't acting under duress but pressure had been put on him," Mr Rees told the court. Jailing Palmer again, the judge said he had the possibility of a "bright future" in front of him with the offer of work with a charity caring for the homeless. But that future career will have to be delayed now," he said.

Arse Scanners to be Introduced In Prisons *Chris Irvine, Telegraph*

The £6,500 chairs are being put in 102 jails across Britain aimed to tackle a surge in phone smuggling. Prisoners will have to sit on the chairs, called Body Orifice Security Scanners (Boss), which bleep if they have a phone hidden inside them. They are then scanned in a non-intrusive manner and can also be used to detect drugs and weapons. The mobile Boss chairs have three sensitive sensors which can detect metal items as small as a pin. Resembling an electric chair, they have a metal detector on the seat and audio and visual alarms are activated when metal is carried into the magnetic field. The person being screened positions their chin near the oral sensor and then sits momentarily in the chair. The entire procedure takes a few seconds. So far two of the Boss devices have helped detect 21 mobile phones in just months at Woodhill prison, in Milton Keynes. Prisons Minister David Hanson said: "This is a valuable tool towards identifying mobile phones. We want to prevent mobile phones coming in, prevent contact with drug runners on the outside, prevent intimidation and prevent individuals running criminal activities from inside."

Blind Man Tasered by Police Wins Compensation

A blind man Tasered by a police officer who mistook his white stick for a samurai sword has been awarded compensation nearly three years after the bungled operation. Colin Farmer, registered blind after suffering strokes, was walking to a pub to meet friends when he was shot in the back for five seconds with a Taser in October 2012 The officer who fired the Taser was disciplined and told to apologise to Mr Farmer but was allowed to keep his job at Lancashire police. Armed police teams were scrambled after reports that a man, variously described, including as a skinhead in his twenties, had been spotted in Chorley, Lancashire, carrying a two-foot sword.

PC Stuart Wright jumped out of his patrol car when he spotted Mr Farmer, and ordered him to stop. When Mr Farmer, then aged 63, failed to respond, the officer Tasered him, then handcuffed him while he lay on the ground. When another colleague ran to join him, PC Wright said: "I think I've got the wrong person", according to a report into the incident issued by the Independent Police Complaints Commission (IPCC) last year. Lancashire police declined to comment. The case has highlighted campaigners' claims that Tasers have been used when less drastic methods could be just as effective. Some British forces have used the weapons since 2003. Last year the weapons were drawn more than 10,000 times, but fired in less than a fifth of the cases.

Mr Farmer brought legal action against Lancashire police for false imprisonment, assault and battery, and breach of the Human Rights Act. The claim has been settled for an undisclosed

sum, said his lawyer Sophie Khan. Lancashire police admitted that the officer used unreasonable force and did not carry out a proper risk assessment before firing, said Ms Khan. “This should be a clear example of why Tasers have no place in policing,” said Ms Khan. “We just don’t need them. The experiment with Tasers has failed and they should be shelved now.”

One in 10 officers is now armed with a Taser. The Police Federation, which represents rank-and-file officers, voted earlier this year for all frontline officers to be given Tasers. A 2010 Home Office survey found that a sizeable majority of the public supported their use. But an inquest last month raised concerns about the weapons’ safety. A 23-year-old factory worker, Jordon Begley, died two hours after being struck by a Taser in July 2013, and a jury found that the electrical discharge from the gun – which reaches up to 50,000 volts – was in part responsible. Police responded to the verdict by calling for an independent review of the medical evidence. Home Secretary Theresa May last year ordered a review into who was being targeted with the weapons.

Danna Sonnex: Cleared A Second Time of Serious Assault on Prison Staff

Danno Sonnex, serving 40 years’ imprisonment, was cleared at Leeds Crown Court on the 18/08/15 of two serious charges of assault on prison officers at HMP Wakefield. The prosecution alleged that DS had carried out the attacks on prison officers to secure his transfer to Broadmoor Hospital, and relied heavily on video footage showing him stabbing one of the guards in the neck with a sharpened weapon. DS alleged he has been subject to a systematic two-year campaign of psychological abuse in the secretive close supervision unit (CSU) at HMP Wakefield culminating in a physical/sexual attack by 5 officers in the special accommodation cell (SAC).

The case required a proactive defence dealing with an application from the prison service to hold the whole trial on a prison video link (PVL) given the alleged dangerousness of the defendant (application denied). The defence adduced reverse similar fact evidence in the form of a "whistleblower" (CL) to prove prior prison officer misconduct at HMP Wakefield. L (an ex prison officer) had been awarded £477,000 in 2004 as part of a damning employment tribunal judgment against HMP Wakefield. Leading psychiatric experts were called to deal with complex issues on psychotic intent, amnesia and mens rea in the context of Asperger’s disorder. DS had previously been cleared at Reading Crown Court in 2012 on allegations of hostage taking and making threats to kill when he held a knife to the throat of a prison guard at HMP Long Lartin demanding his immediate release from that dispersal prison.

DS was represented by Joe Stone QC on both trials and in the present trial was leading Abigail Bright instructed by Correna Platt and Faye Dutson at Stephenson’s Solicitors.

Dano Sonnex: Has not been returned to HMP Wakefield, present location not known!

63 Sex Offenders Back in Jail After Lie Detector Tests *Tim Ross, Telegraph*

Scores of the country’s worst sex offenders have been sent back to prison after taking lie-detector tests while on early release. In the past year, 492 people convicted of serious sex offences such as rape and child abuse in England and Wales have been forced to take polygraph tests under the terms of their release from custody “on licence”. New figures showed 63 of these individuals – 13 per cent – were put back behind bars after the tests showed they had breached the conditions of their release. Officials said the tests had shown that some paedophiles who were released on licence before the end of their sentences posed an “immediate risk” to children. These individuals were then sent back to jail.

A succession of cases in recent years has shown offenders released early have offended

again and the tests, introduced last year, are designed to prevent re-offending by paedophiles and other sex attackers. In one case, a man convicted of sexual offences against a child was released into the community after a lengthy prison term. He then took a lie detector test to assess whether he had complied with the conditions of his early release – which included a ban on using the internet without approval. The offender, who has not been named, was found to have lied during the polygraph test but the results still revealed that he had been using the internet. When confronted with the findings and questioned again, he confessed that he had viewed indecent images of children online. Police then searched his home and found these images saved onto data storage devices hidden at the property. He was then was charged with further offences and sent back to prison.

Lyndsey Walker, a polygraph examiner, has carried out more than 60 tests under the new system, which came into operation last August. She said the test had proved to be “invaluable” in keeping the public safe. “My polygraph sessions have frequently resulted in serious sex offenders making disclosures which have shown they either aren't complying with the conditions of their release or that they pose an increased risk to the public,” she said. “I have seen sex offenders make admissions that prove they pose an imminent risk to children allowing authorities to take appropriate action to keep communities safe."

Offenders who take the lie-detector tests are twice as likely to confess to breaking the conditions of their release – and therefore ending up back in prison, the MoJ said. The MoJ said the tests are now available across the country, with a trained polygraph examiner in every region. More experienced probation officers will undergo the 12-week training programme later this year. Offenders convicted of the most serious sex crimes must undergo a test in their first three months after being released, and then again once every six months.

Andrew Selous, the Prisons and Probation Minister, said: “Lie detector tests play a vital part in supervising high risk sex offenders. Those who cannot comply with their licence conditions are being returned to prison which shows the success of the tests and helps us to keep the public safer." Last month, the National Crime Agency warned there could be as many as 750,000 men in Britain who have a sexual interest in children and police are now recording 85 new offences every day. Under changes designed to reduce the prison population more than a decade ago, offenders serving jail terms of fixed lengths can be released after doing half their time. They are released “on licence” – which means they are subject to certain conditions, which could include living at an approved address, not using the internet without approval, and not having unsupervised access to children.

Gerry Kelly and Fellow IRA Prisoners 'Planned Second Escape *Belfast Telegraph*

The IRA believed there were two options for the men escaping from a jail where they were being held during court proceedings in North Belfast, according to records from 1987 disclosed by the Northern Ireland Office. However, former Lord Chief Justice Sir Robert Lowry vetoed proposals to handcuff senior republican Gerry Kelly and 15 other IRA men during their 1987 trial for fleeing the high-security Maze Prison in Northern Ireland. One warder was killed and another seriously injured as dozens of inmates forced their way from the compound.

A director of prison security wrote: "As this is likely to be the final phase of the trial, the prisoners may well seek to make an escape attempt and there is some intelligence to that effect. Consequently I take the view that returning them (other than Mr Kelly and one other) to HMP Maze at weekends would be a sensible additional precaution, partly because Maze is inherently more secure than Belfast and partly to make the planning of an escape more difficult."