– indeed learn to function in life – by masking those difficulties. Does the quick booking in procedure at the custody desk in an open plan space make it easy for even an assiduous sergeant do a proper job? I would say not. It needs to change.

But the problem does not just lie with the ability to spot difficulties. There is also unfortunately a widespread lack of understanding (some might say cynicism) on the part of the police about mental health issues, learning difficulties and autism. In saying that I am not singling out the police – the problem runs throughout the criminal justice system – but what happens at the police station is crucial and any defence lawyer will tell you that it can dictate the whole course of a case. This lack of understanding means that even when the police are made aware of an issue, they often still do not get an appropriate adult. Shockingly, I have heard all sorts: 'He seems alright to me'; 'He's at college, why does he need one?' etc. I have often made forceful representations to a sergeant that one must be arranged, and if there is no one available to act as an AA, that the person must be released until a later date.

Then there are the cases that I often deal with after the police station arrest and interview stage – when the client has been interviewed without an appropriate adult or a solicitor, or perhaps with just the latter (and the solicitor is not specialised in dealing with ASD either). In those cases, it can be very important to challenge the evidence the police may have obtained in those interviews by arguing that they were unfair to the client. Their autism or learning difficulties will be at the crux of that.

The report commissioned by Theresa May has outlined the problems. Ms May herself has stated that the situation is 'not acceptable' and has promised a review of its recommendations. These recommendations need to be implemented fast. The data obtained by the National Appropriate Adult Network has shown that those police forces that used an organised AA scheme were five times more likely to identify vulnerable suspects. With odds like that, what excuses can there be for forces not to address this? So forces need to get on with setting up proper AA schemes. Mental health nurses ought to be based at police stations.

They need to be autism trained – as do the appropriate adults on the schemes. Forces also need to change the booking in procedure, to make it more detailed and therefore easier for their officers to spot the difficulties of those they are arresting and detaining. This will be a thankless task unless police staff and civilian staff are also properly trained. In an era of tightly squeezed police budgets, that training needs to be given priority. Let us not forget why the right to an appropriate adult was introduced by law in the first place: to lessen the risk of miscarriages of justice. Surely no one wants those. Not even a Ministry of Justice or Home Office under the treasury's cosh.

Hostages: Mark Alexander, 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
Tele: 0121- 507 0844 Email: mojuk@mojuk.org.uk Web: www.mojuk.org.uk

MOJUK: Newsletter 'Inside Out' No 546 (10/09/2015) - Cost £1

Crime Would Fall if Jail Population was Halved

Billions of pounds would be saved and crime would fall if the prison population were slashed by more than half, a penal reform charity claims. More than 86,000 people are imprisoned today, up from fewer than 45,000 in 1990. But if the number is cut back to the level when Margaret Thatcher was Prime Minister, government spending could decrease with no detrimental effects, according to the Howard League. The group argues that reducing the numbers incarcerated would mean improved conditions and a more sustainable system, which would in turn reduce reoffending. The group suggested that numbers could be cut by prohibiting the use of sentences shorter than 12 months, limiting the use of remand, reducing recalls to custody, using community centres for most female convicts rather than prisons, improving the effectiveness of the parole system, reducing the number of criminal offences, and tackling sentence inflation.

Hatton Garden Heist: Four Men Plead Guilty

John Collins, 74, Daniel Jones, 58, Terry Perkins, 67, and Brian Reader, 76, pleaded guilty to conspiracy to burgle at Woolwich Crown Court in connection with the Hatton Garden Safe Deposit raid over Easter. The men, all from London and Kent, were supported by their friends and family in the court and will be sentenced at a later date. They were also charged with conspiracy to convert or transfer criminal property, namely a quantity of jewellery and other items taken from the vault, but in light of their guilty pleas prosecutors dropped the charge.

Three other defendants - Hugh Doyle, 48, of Enfield, William Lincoln, 60, of Bethnal Green and taxi driver John Harbinson, 42, of Benfleet - denied conspiracy charges. They also pleaded not guilty to a laundering offence and are due to stand trial later this year. Paul Reader, 50, of Dartford, and Carl Wood, 58, of Cheshunt, are yet to enter pleas to charges of conspiring to burgle and money laundering. All nine men appeared in court and were accompanied in the dock by 13 security guards.

Police believe several thieves broke into the building housing Hatton Garden Safe Deposit Ltd through a communal entrance, before disabling the lift so they could climb down the shaft to the basement. They then used a heavy duty drill to bore huge holes through a vault's concrete wall to ransack more than 70 safety deposit boxes inside. The Metropolitan Police was heavily criticised for its handling of the case after it emerged that an alert sent to Scotland Yard after an intruder alarm sounded was ignored. An internal review continues.

US Police Officer Indicted for First-Degree Murder in Death of Unarmed Teenager

A police officer was in custody on Thursday evening 03/09/2015 after being indicted with first-degree murder for the fatal shooting of an unarmed black 18-year-old in Virginia earlier this year. The grand jury in the city of Portsmouth charged officer Stephen Rankin with murder and the illegal use of a firearm for fatally shooting William Chapman, according to court filings. Portsmouth's police chief later said Rankin had also been fired from his job. "After a methodical deliberation of a thorough investigation by the Virginia state police, the commonwealth's attorney determined that William Chapman was murdered by a police officer," said Jon Michael Babineau, an attorney for Chapman's family. "Today, the citizens of Portsmouth agreed."

Rankin shot Chapman in the head and chest outside a Walmart superstore on the morning of 22 April. The pair had engaged in a physical struggle after Rankin tried to arrest the 18-year-old on suspicion of shoplifting, according to police. Authorities have declined to say whether Chapman was found to have stolen anything. Witnesses said Chapman broke free and then stepped back towards the officer aggressively before being shot twice. The 18-year-old was the second unarmed man shot dead by Rankin in Portsmouth. An autopsy indicated Chapman was not shot at close range. Detective Misty Holley, a spokeswoman for Portsmouth police department, said on Thursday evening that Rankin had turned himself in and was in custody. Nicole Belote, an attorney for the officer, said in an email following the grand jury's decision that he denied wrongdoing.

"While I am quite surprised that a charge of first degree murder was presented to the grand jury and returned as a true bill because the facts do not support such a charge, it does not change our defence," said Belote. "We will continue to prepare for trial and zealously defend Officer Rankin." Interim police chief Dennis Mook said in a statement that Rankin's "employment is being terminated" and that the police department would carry out an internal inquiry into the shooting. Commonwealth's attorney Stephanie Morales, the state prosecutor overseeing the case, said she would not be releasing any of the evidence against Rankin and that he would be tried "not in the court of the public opinion or through the media" but in the Virginia courts. "I submit to you that it is paramount for everyone to respect the judicial process," she said at a press conference.

Earl Lewis, a cousin of Chapman who has acted as a family spokesman, said following the grand jury's decision: "Justice has been served, and it has been shown that black lives matter in Portsmouth, Virginia." Chapman's mother, Sallie, described the news as "wonderful" in a brief message to the Guardian. "I am so thankful," she said. "Justice. Justice. Justice."

The shooting was investigated by the Virginia state police, which passed its findings to Morales earlier this month. The prosecutor also commissioned her own investigative work and tests by the state department of forensic science. In his statement Mook offered his condolences to Chapman's family and urged people to allow the prosecution to take its course. "I am confident that the Grand Jury impartially weighed all the evidence presented before rendering their final decision," he said.

Rankin, 36, is a veteran of the US navy. In 2011, he fatally shot Kirill Denyakin, a Kazakh cook, while responding to a 911 call about Denyakin aggressively banging at the door of a building where he was staying. A grand jury declined to indict the officer. Lewis, a former police officer, said: "We would also like to give our condolences to the Denyakin family. If he had stopped then, William would still be alive today. We lost a very valuable young man in our family."

Drug Deaths in England and Wales Reach Record Levels

More than 3,300 people died from drug poisoning in 2014 in England and Wales, the highest figure since modern records began in 1993, the Office for National Statistics says. According to its latest report, two thirds involved illegal drugs. Cocaine-related deaths rose to 247 - up from 169 in 2013, while deaths from heroin and/or morphine increased by 579 to 952 between 2012 and 2014. The Department of Health said any drug-related death was a tragedy.

But while in England there was a 17% rise in the drug misuse mortality rate in 2014, up to 39.7 per million head of population, in Wales the rate fell by 16% to 39 deaths per million, the lowest since 2006. The number of people dying from drugs misuse in Wales fell by 20% to 168 last year, down from 208 recorded deaths in 2013. Legal drugs which were misused and associated with deaths during this period include Tramadol, linked to 240 cases, codeine, which was associated with 136, and Diazepam, linked to 258. Of the 3,346 drug poisoning deaths registered in 2014, illegal drugs

added that the only crime of which Knox was guilty was the false accusation she made to police days after her roommate was killed, in which she blamed her boss, Diya "Patrick" Lumumba, a bar owner, for the crime. Lumumba spent two weeks in jail before he was exonerated. Although the charge carried a three-year sentence, it was deemed moot because of the time Knox had already spent in prison.

On Monday 07/09/2015 Carlo Dalla Vedova, one of Knox's lawyers, said the judges' explanation was tantamount to a "great censure, a note of solemn censure of all the investigators". Speaking about his client, the lawyer told AP: "She is very satisfied and happy to read this decision. At the same time, it's a very sad story. It's a sad story because Meredith Kercher is no longer with us, and this is a tragedy nobody can forget," he added. The Knox case became a media circus in Italy and was the subject of intense attention in the world press, which nicknamed the young American "Foxy Knoxy". A native of Washington state, she was portrayed both as a harmless innocent and a sex-crazed killer.

The case began on 2 November 2007, when the body of Kercher, a 21-year-old Leeds University student from Surrey, was found in the bedroom of the flat she shared with Knox in Perugia, central Italy, where both were studying. Her throat had been cut and she had been sexually assaulted. Kercher's family expressed profound dismay when Knox and Sollecito were acquitted in March. At the time, the family's lawyer, Francesco Maresca, called the decision a "defeat for the Italian justice system". Today, the case itself – and the fact that Knox and Sollecito were found guilty, not guilty and then guilty again before finally seeing their case thrown out – is seen by many as an indictment of the Italian court system. The case continues to captivate people's interest, but the court said there was no possibility that Kercher's murder would be investigated again. It would be impossible to offer, at this late stage, any more "answers of certainty".

Appropriate Adult System Failing the Vulnerable *Alex Preston, Justice Gap*

News that as many as a quarter of a million adults with mental illnesses, learning difficulties and autism are being detained by the police without the support of an appropriate adult does not come as a surprise to me. Under the Police and Criminal Evidence Act 1984, which provides the rules for the police to follow when they interview suspects, officers are meant to get an appropriate adult (AA) when they think that a suspect has a mental health difficulty or another mental vulnerability. However, a report out published by the National Appropriate Adult Network (called There to help) outlines real problems with the current arrangements that are in place. Many vulnerable adults do not receive the help they need, undermining their welfare, increasing the risk of self harm and suicide, lengthening custody times, lessening their chances of having a solicitor and increasing the risk of miscarriages of justice.

I am a criminal defence solicitor who specialises in representing those with learning difficulties and autistic spectrum disorders. For 20 years I have attended police stations across the country to assist adults and young people who are amongst the most vulnerable that the police ever have to deal with. Yet time and time again I have had to tell custody sergeants in charge of suspects' welfare that their needs and rights are being overlooked; that they need an appropriate adult to be there too to assist with communication, check understanding and to intervene if the police are not following the rules. It is not always an easy task for custody sergeants. Police station custody suites are amongst the most pressured work places you can imagine. Staff are extremely pressured for time, with many competing demands. And added to that is the problem that many people with learning difficulties and autism go through life

back into the public. As a nation we do not have the resource available to us now that the FSS had in 2008 – even if we were able to combine all the resources from all the FSPs together. We are one serial violent offender away from a huge miscarriage of justice, and a couple of retirements away from a complete and utter collapse of fibre skills in England and Wales.

In my opinion, the answer does not lie in turning the clock backwards to a large generalist public sector laboratory like the Forensic Science Service, nor in turning to private laboratories attempting and generally failing to operate the same model. It lies somewhere else. The solution requires political courage and innovation, but first and foremost with the acknowledgement that the current system is broken and in need of immediate reform.

The UK was once a world leader in forensic fibre examinations. As a nation we deserve better. It is not too late to return fibres to the forensic armoury and regain our world class reputation in forensic fibre examination, the criminal justice system demands that we do.

Amanda Knox Acquitted Because of 'Stunning Flaws' in Investigation

Italy's highest court acquitted Amanda Knox and her former boyfriend Raffaele Sollecito of the 2007 murder of the British university student Meredith Kercher, because there were "stunning flaws" in the investigation that led to their convictions, according to judges' legal reasoning. A panel of judges at the court of cassation in Rome found that the state's case against the pair, who were definitively cleared of murder in March, lacked enough evidence to prove their wrongdoing beyond reasonable doubt, and cited a complete lack of "biological traces" in connection to the crime. The 52-page legal motivazioni, published on Monday 7th September 2015, detailed the reasons for the acquittal of Knox, a US exchange student, and Sollecito, who each served four years in prison for Kercher's murder before they were released and then retried. Releasing the details involved in a court decision months after a verdict has been announced is common practice in Italy's highest court.

"The trial had oscillations which were the result of stunning flaws, or amnesia, in the investigation and omissions in the investigative activity," the judges wrote. They also said that the murder investigation was ultimately hindered by the fact that investigators were under pressure to come up with answers once the case was prominently covered in media around the world. "The international spotlight on the case in fact resulted in the investigation undergoing a sudden acceleration, that, in the frantic search for one or more guilty parties to consign to international public opinion, certainly didn't help the search for substantial truth," the judges wrote. They also criticised prosecutors and lower court judges for failing to establish a clear theory on what would have prompted Knox, who is now 28, and Sollecito, 31, to commit the murder, and that they instead had bought into a "theory of complicity" – suggesting, for instance, that Knox had been resentful of her flatmate – with few facts to back them up. The judges denounced the prosecutors' argument that there was not more physical evidence linking Knox and Sollecito to the crime because they had selectively cleaned the crime scene as illogical. Such an act would have been impossible, they said.

Instead of being wary of the lack of evidence, the judges said the lower court in Perugia that initially found Knox and Sollecito guilty in 2009 had ignored experts who had "clearly demonstrated possible contamination". The lower court had also misinterpreted evidence about the knife that prosecutors argued was the murder weapon. They said evidence pointed to the guilt of one man – Rudy Guede, a drifter from Ivory Coast, who received a 16-year prison sentence for Kercher's murder following a fast-track trial in 2008. At the time of his conviction, it was stated that he did not act alone. In their decision, the judges said Guede may have had accomplices but that prosecutors had not proven them to have been Knox or Sollecito. The judges

were involved with 2,248 cases. Males were more than 2.5 times more likely to die from drug misuse than females, the report says. People aged 40 to 49 had the highest mortality rate from drug misuse - 88.4 deaths per million population - followed by people aged 30 to 39 - 87.9 deaths per million. As in previous years, the majority were males, with 2,246 deaths compared with 1,100 female deaths.

A DoH spokeswoman said: "Although we are seeing fewer people year on year using heroin, in particular young people, any death related to drugs is a tragedy. Our drugs strategy is about helping people get off drugs and stay off them for good, and we will continue to help local authorities give tailored treatment to users." Rosanna O'Connor, director of Alcohol, Drugs and Tobacco at Public Health England said the latest rise in deaths caused by heroin use was of "great concern". She added: "The increased global availability and purity of heroin is clearly having an impact in England. Fewer people are using heroin but the harms are increasingly concentrated among older, more vulnerable users and those not recently in touch with their local drug treatment services. Reassuringly, overall drug use has also declined and treatment services have helped many people to recover but these figures show theneed for an enhanced effort." BBC correspondent, Danny Shaw, says that while there is plenty of coverage of the use of nitrous oxide, known as laughing gas, the number of deaths from the use of that drug remains in single figures and is dwarfed by heroin and cocaine deaths. The news comes after it was revealed last month that the number of drug-related deaths in Scotland has risen to its highest level since records began. National Records of Scotland said 613 people died as a result of drugs in 2014.

Mistaking Prejudice for Bravery *Justice Gap*

Peter Garsden is a lawyer at the height of his powers. He has recovered a great deal of compensation for those who have been abused as children. But his attack on Harvey Proctor published on The Justice Gap was ill-judged, injudicious and unfair. It boils down to this: Mr Proctor was wrong to attempt to use the media to defend himself. He should have left his defence to a police interview and – should there ever be one – a criminal trial. That would be a strong argument, were it not for the fact that Mr Proctor has had to endure month after month of smear, and its inseparable buddy innuendo, suggesting that he is guilty of the most appalling crimes that it is possible to imagine: child rape and child murder. Why should it be acceptable to accuse and smear him yet unacceptable for him to defend himself? How long would he have to put up with attacks on his character before it would be acceptable for him to defend himself?

The undisputed smear leader, not even mentioned by Mr Garsden, has been Exaro News, an online news outlet that Mr Proctor very charitably described as "odd". Exaro has been gleefully assisted by a selection of internet prosecutors, mainly obsessive tweeters and seedy conspiratorial websites, but also the Russian propaganda channel Sputnik, which has somehow managed to find time, when it is not disseminating unreprentant Stalinism, to interview Exaro's Editor in Chief Mark Watts at inordinate length about what its presenter George Galloway described as "Britain's biggest ever scandal." "We never named Mr Proctor until his name was in the public domain," is Exaro's defence. It is hogwash. First it encouraged speculation – some of which took place in the comments published on its own website – with hints about "still living ex-MPs" being involved. Then it revealed in March that Proctor's home had been raided by police, on the very day that the raid took place thereby catapulting Proctor's name into the headlines.

So when Mr Garsden sniffily complains that Proctor's news conference was a "one sided debate clearly designed to influence the media in his favour" one is entitled to ask: where were you when the only side in the debate was Exaro and their internet cronies? Did you complain, or raise so much as an eyebrow at their attempts to manipulate the media against Mr

Proctor? If you did, then I apologise, but I certainly did not notice it. Mr Garsden seems to think it is perfectly acceptable for Mr Proctor's accusers to make their case through Exaro and its social media friends, but wrong for Mr Proctor to defend himself, months later, at a news conference. Nor does Mr Garsden have a word of criticism for the behaviour of the police. Nobody is suggesting that the senior investigating police officer should resign merely for investigating someone who turns out to be innocent. That would be absurd.

The reason Mr Proctor has called for his resignation is that Supt Kenny MacDonald announced almost as soon as he started the investigation that he found "Nick's" allegations "credible and true." It might have been just about defensible, though still very unwise, to describe them as "credible," but to say that they were "true" was disgraceful. The only possible construction of the officer's remarks was that he had made up his mind without gathering, let alone listening to, the evidence. That is a very good definition of prejudice. A police officer who is demonstrably prejudiced against the main suspect is unfit to lead a murder investigation.

So what does Mr Garsden have to say about police prejudice? Because of the independence and power of the CPS, it would not be possible for the police to charge someone on the basis of bias even if he (sic) wanted to do so." In other words, it doesn't matter if the investigating officer is biased because the CPS isn't; an argument which is as absurd as it is complacent. Of course the overwhelming majority of CPS prosecutors are fair-minded; but their charging decisions are dependent on the evidence produced by the police. No matter how good the CPS are, a prejudiced investigation will produce a prejudiced charging decision. In any case, influencing the charging decision is only one part, and a relatively small part, of the job of the police in a murder investigation. A prejudiced police officer running the show is poisonous to its integrity. Mr Garsden doesn't like the use of the term "witch hunt" to describe Mr Proctor's investigation. The Salem Witch Hunts of many years ago involved Witches being hunted down and put to death by the authorities for simply being witches without any evidence of wrong doing …. If there was no evidence to investigate then the Witch Hunt analogy would hold more water. In a civilised society, with all the rules of evidence there are, then a Witch Hunt by the Police could clearly not happen." It may be that he is uncomfortable with the analogy because, as he explains on his firm's website, he himself actually believes in the widespread existence of witches who sacrifice children. If you believe in the existence of evil witches a witch hunt is not necessarily a bad thing: My own belief is that there are several hidden societies in England and Wales which practise ritualistic abuse to the present day, which includes the sacrifice of children described graphically in Dennis Wheatley novels. The Wicker Man film is obviously fictional, but not far away from the truth, I believe. A similar attitude would have been adopted to child abuse 70 years ago, I would imagine. Although Witchcraft was commonplace in this country in medieval times, there are many who alleged they have been a victim of it today. The point is that not enough people are brave enough to believe that it is true."

I don't know whether Mr Proctor is distantly related to the famous Goody Proctor who was imprisoned in Salem, but his analogy is surely that a bizarre denunciation, accepted without question by the police, has been enough to ruin his life, almost as though he were her. He probably also had in mind that outbreaks of witch hunting were often accompanied by a sort of mass hysteria in which anyone disputing the need for a hunt would be mocked and ridiculed. Nobody familiar with Twitter could deny the dangers of a similar hysteria today. The central allegation – that Mr Proctor is guilty of sexual serial killing – seems to have been accepted by the police as true not because of the strength of the evidence but because, as Mr Garsden might put it, the investigating officer has been "brave enough to believe it is true."

Unfortunately Mr Garsden mistakes prejudice for bravery. It is a dangerous confusion.

moved taping of clothing (a process where fibres are recovered from surfaces using clear sticky tape) from a compulsory part of the examination process to an optional requirement. This happened during a period where Forensic Science Providers were quick to lay the blame for increasing costs of examinations and poor turn round times on the time it takes to recover fibres from an item of clothing. This was done without any recognition of the significance of the recovery and the impact such a move would have on criminal investigations.

To allay fears, some Forensic Science Providers introduced a process where the forensic scientist had to determine whether or not it was appropriate to recover fibres from an item of clothing. Initially most scientists took a conservative approach and recovered fibres regardless, however that process did not last and the default position became one of not recovering fibres unless instructed to do so by the customer. This allowed Forensic Science Providers to abrogate their responsibility for fibre recovery to the police. But even when instructed by police to perform fibre tapings, the instruction is not always followed through by laboratories. In one instance in an offence of gang rape, a laboratory did not tape clothing because it was noted on the laboratory form that there was CCTV 'in the area'. Whilst there was CCTV of the area, there was no CCTV of the actual incident which occurred outside the coverage of the cameras.

The failure to tape clothing makes it very difficult to return to it and attempt fibre recovery later. Fibre evidence will have been lost through the vigorous activity and movement of the exhibit whilst it is searched for blood and other body fluids. Any fibre recovery attempted later will certainly be open to assertions of contamination by the defence. The net effect of choosing not to tape exhibits on fibre demand is considerable. If the opportunity to do fibre examinations is removed from an exhibit, by means of a lack of due diligence, it obviously reduces the demand for fibre cases.

We have seen a growth in the last three years of requests from the defence side of the criminal justice system, seeking to explore fibre links in cases where no fibre evidence has been used previously by the prosecution. More often than not the prosecution laboratory has not recovered fibres. I know of one case where the defence considered exploring an abuse of process argument over the failure of the prosecution Forensic Science Provider to recover fibres by taping. The failure of the prosecution laboratory to tape the exhibits certainly prevented the defence from properly exploring fibre links which may have supported their client's account of his activities at the scene. The argument was never tested in court for reasons unrelated to forensic science; however the argument itself was not without merit and in the right circumstances could perhaps have succeeded. It would be utterly humiliating for all concerned if a crown court case costing tens (if not hundreds) of thousands of pounds could be lost all for the sake of saving less than £50 off the budget of a police force on the taping of an item of clothing.

Sadly, the prospect of reform, if there is any, is too late for my company, Contact Traces. We leave behind us less than half a dozen scientists in England and Wales who are deemed competent by their organisations to work on fibre cases. The point I'm making is that since 2010 I estimate that we have lost 85% of our skills base in this vital forensic evidence type, and the volume of fibre cases has decreased by as much as 90%. I have no doubt that of the 71% of crimes that were undetected in 2012/13, a significant proportion of those were undetected because of a failure by police to choose the forensic tools most likely to deliver.

This matters because when catching the Suffolk Strangler Steve Wright, the FSS had six scientists work full time on that one case for 18 months. Without fibre evidence, the culprit would not have been linked forensically to the killings of some of his victims. Without fibre evidence, James Campbell, a violent and serial sexual offender would have been released

whether it is of value to the criminal justice system are two entirely different assessments.

Crime rates are falling. Police forces use that fact as an excuse as to why they are spending less on forensic science, at least those services done by those other than the police themselves. By drawing such a correlation the police are implying that they don't need to spend as much on forensic science because there are fewer crimes. However, detection rates for offences (i.e solved cases) were 27% 10 years ago in 2005/06 and were only 29% in 2012/13.

Against the background of fewer crimes you might expect the police to be doing far better on their key metric if it is to support an argument for spending less on the tools they use to help them do their job. In fact when crime is falling there is as much an argument for spending more on forensic science than less, particularly when their record in certain areas (e.g. sexual offences) is so poor.

The police will say that times are tough and they have to make difficult decisions on costs. They are right. However whilst they use that argument to justify dropping a spend externally in forensic science from nearly £200 million per year to £60 million over the last decade, it is an argument that is completely undermined by the increased spend on forensic science internally and the grant funding many police forces have received from the government to build laboratories and recruit staff.

The House of Commons Science and Technology Committee couldn't get to the bottom of police spending on forensic science and neither could the National Audit Office. It is clear that when it comes to determining value for money in forensic science, there are simply no reliable figures on which to draw a proper assessment. All that can be said for certain is that the police are spending far more on internal forensic science than ever and far less on forensic science performed independently of them in laboratories accredited to international standards.

What was the source of demand for fibre cases in the past? Historically, the demand for fibre cases was driven largely by the scientists working independently of the police. Seeking the most effective way that science can be applied; they sought to answer the questions they understood the court would consider to be significant. They were not merely concerned with identifying potential suspects. The lines were very clearly drawn between police officers and scientists in terms of key strategic decisions relating to forensic science. Without doubt the advent of DNA changed the landscape, for both police forces and forensic scientists. In the mid 90s, huge resources were ploughed into DNA, scientists previously concerned with fibre examinations and body fluids, found themselves having to adapt to the demands of an increasing DNA caseload. Senior scientists from the pre-DNA era continued to value fibres as an evidence type and promote its use; however changes in their role meant that their skills were employed more as managers of complex enquiries and cold cases, than directly on the laboratory bench. Over time their influence diminished, through retirement and a lack of succession planning by forensic science providers.

The consequence of losing fibres as a necessary skill for new forensic scientists was that now the bulk of those advising police forces in casework had little or no knowledge of fibres. It is impossible to advocate an evidence type if the advocate knows little about it. As a result police forces seeking a strategy from scientists were often told that fibres were of little value and took too long to do, instead being offered very expensive low template DNA services as the only viable option. Police forces felt obliged to take this advice, because more often than not the investigation was so close to trial that there was little time to do anything else.

Considerable sums were spent on low template DNA with little real return, one police force quoted that only 6% of low template DNA analyses returned a full profile. Over a few years, forensic strategies narrowed to a simple strategy of DNA first, and if DNA fails, do DNA again.

Recovery of evidence becomes optional:Over the years laboratories have gradually

Senior Investigating Officer Corner: Offering Rewards to the Publice

Consideration of offering a reward to the public for information, either by the police or following a request from a third party, e.g. a news agency, can occasionally be considered. This is only likely to apply in the most serious and grave cases, particularly when they have remained unresolved for some time. Whilst every case has to be considered on its own merit, before embarking on such a tactic the SIO must fully appreciate the potential pitfalls. The main issue to be considered before publicly advertising a reward for information is the impact it could have on the credibility of a witness arising from the appeal. Any evidence gained from motivation of a financial reward would be heavily scrutinised and challenged at a later trial and could have an adverse effect on the integrity of the prosecution case.

The CPS should therefore be promptly informed in every case where a reward has been offered and evidence gained, clearly outlining the criteria stipulated for payment and the full outline of how the witness came forward to the police. This also applies to any payment made to informants for information should they later become prosecution witnesses. A further significant risk is how the offer of a reward may affect the offender's behaviour in terms of inflating their own opinion of themselves or their notoriety within a community. All policy decisions must be clear and transparent, recognising the above issues and made to the highest professional and ethical standards. Clear instructions need to be given as to what point in the investigation a reward will be paid, i.e. making payment for information leading to the arrest and conviction or information that has a significant impact on the progress of the case. It is normally recommended that no payment is made until the conclusion of all court proceedings, including any appeal.

There are significant considerations in offering a reward and therefore any potential benefits gained should be balanced against the risk of damage to the integrity of the investigation. Care must also be taken that the police act in a fair and equal manner toward all victims. Offering a reward in one case and not another could have a negative effect on the relationship with a victim's family. Whenever this tactic is used, the motives of the witness are always questionable, as well as their honesty and credibility. Whenever a reward is offered to or claimed by any witness, this fact must always be disclosed to the CPS who will make a decision about how it is to be accounted for and disclosed to a trial judge.

Key Point: This proactive tactic can often be used to trawl for information as well as witness testimony leading to the arrest and prosecution of offenders. It also has the potential for motivating some to provide inaccurate, misleading or false information that may undermine an investigation and prosecution case. Proceeding with caution when using this tactic is the best advice.

Blackstone's third edition of the Senior Investigating Officers' Handbook

Police in Ferguson Gave a Lesson in How Not to Respond to Protests *Guardian*

The police response to unrest in Ferguson, Missouri, last summer offers lessons in how not to handle mass demonstrations, according to a Justice Department report that warns such problems could happen in other places roiled by mistrust between law enforcement and the community. The report fleshes out a draft version made public in June, creating a portrait of poor community-police relations, ineffective communication among the more than 50 law enforcement agencies that responded, police orders that infringed first amendment rights, and military-style tactics that antagonized demonstrators. One year ago, the world turned to Ferguson. From mourning emerged a coalition of activists proclaiming that black lives matter and fighting for life and love. The Guardian spoke to 18 leaders about what has changed and what has not.

The report focuses on the regional police response in the 17 days that followed the 9 August 2014 shooting of Michael Brown, an unarmed black 18-year-old, by a white police officer. In a detailed chronology, it tracks missteps that began almost immediately after the shooting when police wrongly assumed that crowds would quickly dissipate, withheld information from the public and were slow to grasp community angst over the hours-long presence of Brown's body beneath white sheets in the street. It details more flaws over the next two weeks, including the improper use of police dogs, armored vehicles and snipers to monitor the crowds; the decision by some officers to remove their nameplates; arbitrary orders to demonstrators to keep moving after five seconds; and poor communication among agencies about which policy to follow and who was in change.

Several law enforcement agencies whose actions were studied said they have learned from the events. Police officers interviewed for the report complained of inconsistent orders from commanders, with some saying "there was no plan in place for arresting people" or that they "were unclear who they could arrest". Community members, meanwhile, described poor relationships with the police that long predated – and were made worse by – the shooting. Having effective relations and communications with the community, recognizing that endemic problems were at the base of the demonstrations, and understanding how the character of the mass gatherings was evolving and spreading beyond the initial officer-involved shooting would have all aided in incident management decisions," the report states. It also makes clear that the situation in Ferguson was not unique, particularly in a year of heightened tensions between police and minority communities nationwide.

The Justice Department cautioned in its report that while much of the world sees the St Louis suburb "as a community of division and violence", the protests and unrest that occurred there could happen in other places "in which fostering positive police-community relationships and building trust are not a priority". Federal officials hope the report will be instructive to other police departments confronting mass demonstrations. In many ways, the demonstrations that followed the shooting death of Michael Brown were more than a moment of discord in one small community; they have become part of a national movement to reform our criminal justice system and represent a new civil rights movement," Ronald Davis, director of the Justice Department's Community Oriented Policing Services office, wrote in an introduction to the report.

The Ferguson shooting, along with other deaths of blacks at the hands of white police officers, sparked a national dialogue about police-community relations and the role of race in policing. Several recent fatal shootings of on-duty police officers – including those in Illinois and Texas – have focused attention on violent crime and officer safety. "We have seen violence strike at all segments of our community," the attorney general, Loretta Lynch, said at a housing conference on Wednesday. "It is a sad fact now that no one is safe."

The Justice Department began its review of the regional police response in September 2014 following a request from the St Louis County police chief. Its report is separate from a Justice Department report from March that was critical of Ferguson police practices and the city's profit-driven municipal court system. A grand jury and the Justice Department both declined to prosecute white officer Darren Wilson, who later resigned. The report focuses in particular on the responses of police in Ferguson, St Louis city and county and the Missouri highway patrol.

The Ferguson police department had no immediate comment on the report, while the Missouri highway patrol said it has implemented "lessons learned from its own review of events in Ferguson". A spokesman for the St Louis city police department, Schron Jackson, said the agency had made multiple changes since last summer, including hiring more minority offi-

In the evidential stage, fibre evidence provides links between surfaces. The value of these links largely depends on the context of the case. In a rape case where the issue is one of consent, the suspect's and victim's accounts may differ – for example, one party may state that sexual activity occurred in the bedroom and was consensual, the other party may say the activity occurred in an alleyway and was rape. DNA won't help in these situations, whereas the presence or absence of fibres from the bedclothes on the victim's clothing could be used to support the account of one party over another.

There is clearly more to securing convictions than DNA, fingerprints or footwear marks. In cases where there is no clothing available, fibre populations can be used to link vehicles, bombs and suspects to the scene or each other. IEDs were linked to the same bomb-maker through fibres found on the tape used to bind each device, the laboratory's view was that it was likely that the fibres arose from the same prayer mat used by the bomb maker as he moved from one location to another.

In the case of Stephen Lawrence, a jacket seized at the house of one of the suspects had been examined six times by six scientists from four different Forensic Science Providers (FSPs) over a period of 14 years, the last time as recently as 2007. All tests determined that there was no blood on the jacket. It took the finding of a single red cotton fibre on tapings taken from the jacket (which bore indications of blood during instrumental analysis) to prompt a re–examination of the jacket for blood under the microscope. It is arguable that without a fibre examination that famous blood stain would have remained undiscovered to this day. It is obvious that simply placing all of our forensic eggs in the baskets of DNA, fingerprints, footwear marks and mobile phones is a recipe for failure in significant proportion of cases.

From an economic perspective there has clearly been a reduction in demand for fibre cases since the police took control over the private market in 2008. To the external observer this may be seen as a natural consequence of market forces, consumers (police forces) not buying a product because either they are buying something else that delivers better value for money or that the product has become obsolete as a result of some technological change.

The microscopic comparison of hair is a good example of a process which has been overtaken by a cheaper, more effective technology – DNA analysis of hair provides a cheaper and more definitive answer to the question of identity of the source of the hair. Handwriting comparisons on the other hand, have seen a reduction in demand because fewer people use handwriting to communicate, directly correlating with the surge in demand for digital forensics.

But the reduction in demand for fibre cases cannot easily be explained by the existence of either a better alternative in the market or by a change in behaviour of the general public. DNA, fingerprints and footwear marks, the staple evidence types in use by police are tools used to address identity; they do little to address activity. Fibre evidence tends to answer questions directly relating to activity. It is common sense but it is worth restating, that in order for a jury to make a judgement they need to know who the offender is and what he is doing. The police seem overly focussed on spending resources on identifying potential offenders, neglecting funding of services necessary to build a robust case against the suspect once they have been identified.

The reduction in demand for fibre cases is not driven by external factors, but wholly internally within police forces. The plunging price of DNA in the UK has had the effect of devaluing all other forensic evidence types, most of whom do not lend themselves to automation or high volume-low cost unit pricing models.

No longer are services viewed on their merit, instead they are viewed on how much more they cost than DNA. Assessing a service based on whether it is of value to the police and

the IPCC across the country to support the roll-out of the guidelines.

Dame Anne Owers, Chair of the IPCC, said: "It is crucial for public confidence in the police and the police complaints system that allegations of discrimination are handled properly. Fairness is a core principle underpinning the concept of policing by consent, and unfair or unlawful discrimination fundamentally undermines this principle. In drawing up this guidance, we have listened to people who have experienced discrimination firsthand and to groups who have supported people to make complaints about discrimination. We have also consulted the Equality and Human Rights Commission, the College of Policing and police forces. This has given us a valuable insight into how to improve the way complaints involving discrimination are handled. This clear, practical guidance sets the standards that complainants, families and communities should expect when allegations of discrimination are made."

Alongside the discrimination guidelines, the IPCC has also published a set of key principles to help police forces improve accessibility to the complaints system. The IPCC reviewed information on force websites and other sources of information to see how well forces made this information available to the public, and how they support complainants with specific needs. The review found a lack of consistent good practice. Some of the information online and in police stations was inaccurate, difficult to understand or inaccessible, and there was little use of social media. Some forces did not accept complaints from people in police custody.

Unannounced Inspection HMP Lancaster Farms

Inspectors were concerned to find that: · the needs of some disabled prisoners were not being met and work with foreign nationals was poor ·there were too few relevant work places and not all the available activity places were being used, though there were plans to increase the amount of work and training offered; · offender management arrangements were in transition, too few assessments were being completed to an adequate standard and contact between prisoners and offender supervisors was too infrequent; and · public protection arrangements were seriously flawed and needed urgent attention. 24 Recommendations from the last inspection had not been achieved.

Forensics in Crisis: Why are Vital Skills Being Allowed to Die Out? *Tiernan Coyle*

Forensic fibre examination is one of the most established forensic evidence types. It has played a significant role in many of this country's most high profile and complex cases across a wide range of evidence types, from burglary and car thefts to sexual offences, murder and terrorism. According to the 2009 website of the now defunct government Forensic Science Service textile fibre examination is the 'second most utilised evidence type after body fluids and DNA, often providing compelling evidence in a variety of cases'. It is one of the most researched and respected of all evidence types amongst the global forensic science community. So why is it that the use of fibres as tool in forensic investigations has declined so much that I have had to close our specialist forensic fibre laboratory, Contact Traces? A fibre examination can provide information to an investigation at any stage. In the investigative stage fibres can provide valuable information such as the type of clothing likely to be worn by a suspect, whether a victim has been smothered, whether a weapon is the murder weapon, the type of vehicle used to transport a body or the textile environment where bombs are being manufactured. The investigative leads provided have the potential to steer an investigation into lines of enquiry that would not otherwise have been discovered by DNA, fingerprints of footwear marks.

cers and launching a community engagement division. What our officers encountered during those first 17 days of unrest has forever changed policing," Jackson said. "We acknowledge such change by the progressive steps our department has taken to build better community relationships." The St Louis County police chief, Jon Belmar, said demonstrations like the ones that occurred in Ferguson are "unwieldy and difficult to manage by any precise measure" and that law enforcement nationwide could learn from "our successes and lessons learned". But he said the report provided only a limited snapshot, ignoring more recent police responses seen as improvements, such as during the first anniversary last month of Brown's shooting.

Jailed Muslim Extremists Should be Segregated in Their own Prison Wings

This would prevent fanatics spreading their hate to moderate inmates, the Quilliam Foundation think tank says. They believe segregation is needed to prevent non-jihadi inmates among Britain's growing Muslim prisoner population from becoming radicalised. The group, which battles extremism, wants a trial run at top-security Whitemoor jail, Cambs, where 51 per cent of prisoners are Muslim, before the units are introduced elsewhere.

[Editors note: Segregation of prioners with strong political beliefs, has been in operation in HMP Maghaberry, for 12 years Republcan prisoner and UDA prisoners have sperate wings. Her Majesty's Prison (HMP) Maghaberry is situated near Lisburn in County Antrim. It opened in 1986. Following the closure of HMP Belfast in 1996 and HMP Maze in 2000, Maghaberry was required to absorb and accommodate a number of different prisoner groups including remand prisoners and those paramilitaries who were not released from prison early under the Belfast Agreement. HMP Maghaberry has historically functioned as an integrated establishment, in which prisoners of all persuasions and backgrounds are required to live and work together. The management of an institution dealing with such varied groups is a considerable operational challenge. In the summer of 2003 a number of protests were mounted by prisoners claiming that the integrationist policy was putting individuals' safety at risk. A series of events within and outside the prison, in which individuals from both sides of the community divide participated, culminated in a dirty protest conducted specifically by prisoners affiliated to dissident republican organisations. The publicity generated by these incidents prompted community leaders and organisations to place considerable pressure on the Government to address the safety concerns raised.

In response the Government commissioned a short review of conditions in the prison which was led by John Steele, a former head of the Northern Ireland Prison Service. The Steele Review concluded that a degree of separation was required within HMP Maghaberry, to protect paramilitaries of opposing factions from each other, and to protect the 'ordinary' prisoners from the paramilitaries as a group. This recommendation was accepted by the Secretary of State in September 2003. Loyalist and Republican paramilitaries were swiftly transferred into a temporary special regime while two of the six prison wings, Bush House and Roe House, were physically adapted for use as a separate, highly-controlled, prison within the prison.

The Government's decision to implement separation, which we believe to have been taken for political reasons, was largely unwelcome to staff within the Prison Service. It was not believed that separation would result in greater safety either for prisoners or staff. It was feared that the paramilitaries would seek to take control of the separated areas as they had previously done at HMP Maze. Within the temporary arrangements which have preceded establishment of the permanent regime, there has been significant evidence of prisoners continuing to resist and challenge the management of their wings. Outside the prison, attacks on the homes of prison officers—primarily by Loyalist organisations—have continued at a high level.]

Quilliam political officer Jonathan Russell said: “It is essential to prevent radicalisation of other inmates.” The call comes as new figures show there are 12,328 Muslims in jail compared with just 3,681 in 1997 - a 234% increase.In March 2015, there were 42,075 Christians in jail. The largest Christian group, the Anglicans, has fallen to 16,435, compared to 25,752 in 2002. Mr Russell, speaking after the launch of a report on counter-extremism a decade after the 7/7 attacks in London, warned: “Our prisons are ripe to become recruiting grounds for extremists. "De-radicalisation and rehabilitation are essential to stop prisons becoming net exporters of terrorism. There is a history of prisons segregating groups, such as sex offenders

“In practice, this would mean having separate wings for Muslims’ convicted of terrorism or extremist offences. The Prison Estate has a duty of care for the physical and intellectual well being of all their inmates. It is essential to prevent the radicalisation of inmates - both Muslim and non-Muslim - inside jail. A pilot scheme would be a positive and Whitemoor is a strong possibility.” He also called for prison Imams to clamp down on radicals. He added: “They need to explain the difference between the religion of Islam and the ideology of political extremists.”

Quilliam believes 'a perfect storm' of factors are making prisons vulnerable to extremism. These include stretched resources and under-staffing at jails - and British born Jihadists returning from abroad. At least 700 are believed to have left the UK to fight in Syria, Iraq and other countries Mr Russell added: “The prison population in general is at risk. We need to do preventive work inside the prison with the general population and work to change the ideas of radicals.” Quilliam also called for more de-radicalisation programmes inside prison.

Currently, some jails run the Contest programme, the government’s counter-extremism scheme, designed to turn inmates away from violent ideology. However, most prisoners convicted of terrorist offences have rejected the scheme.

Prison Officers Association assistant secretary Glyn Travis said: “Radicalisation is a growing problem. There is clear evidence of an Islamic gang culture in some prisons - aimed at young men. There are also an increasing number of terrorist offenders, mainly in high security jails. This puts unique pressure on prisons at a time of cost cutting and overcrowding.”

A Ministry of Justice spokesman said: "The Secretary of State has asked the department to review its approach to dealing with Islamist extremism in prisons and probation. "This will be supported by external expertise and will sit alongside the cross government work currently underway on developing de-radicalisation programmes."

Ex-Prisoners With Mental Health Problems 'More Likely To Reoffend'

Ex-prisoners with common mental health problems, such as bipolar disorder, and who misuse drugs and alcohol are more likely to commit violent offences after their release than other former prisoners, according to research. The study from Oxford University treads on highly sensitive ground, raising concerns among some experts that it may lead to assumptions mentally ill people are more prone to violence than others. But the authors say that is the wrong interpretation. They call for better diagnosis and treatment of mental illness for offenders in prison and after release, with the aim of bringing down the reoffending rate. “One in seven prisoners has a psychotic illness or major depression and around one in five enters prison with clinically significant substance abuse disorders,” said Seena Fazel, lead author of the study and professor of forensic psychiatry at the University of Oxford. As these disorders are common and mostly treatable, better screening and mental health services before and after release are essential to prevent future violence and improve both public health and safety,” he said.

The study, published in the Lancet Psychiatry journal, suggests that diagnosed psychiatric disorders are responsible for 20% of violent offences committed by male ex-prisoners and 40% of those committed by female former inmates. Using the records of nearly 48,000 ex-prisoners in Sweden, the researchers were able to link common psychiatric disorders with convictions for violent offences such as assault, robbery, arson and sexual offences over a 10-year period from 1 January 2000. Fazel said the study broke new ground by comparing the mental health and reoffending record of siblings who had been jailed, which he said was a powerful way to ensure they were calculating the impact only of mental health, unaffected by people’s backgrounds. They found that 42% of male prisoners were diagnosed with at least one psychiatric disorder before release and 25% were convicted of violent crimes in the 3.2 years of average follow-up in the released individuals. Around 60% of female prisoners had a psychiatric disorder and 11% were convicted of violent crimes following release. “A lot of people have been very cautious in this area not to place too much emphasis on mental health problems linked with reoffending risk,” said Fazel. But small studies have shown that other adverse outcomes, including deaths and suicides, go up if ex-offenders are not treated. The study supported putting resources into prison health, he said. Not only do prisoners have a right to health, “but beyond that there are other consequences because we have to improve public safety as well,” he said.

In a linked commentary in the journal, Louis Appleby, national director for health and criminal justice and professor of psychiatry at the University of Manchester, and colleagues said nobody could disagree with the authors that better mental health care for prisoners and ex-offenders was needed. But in their view the study did not sufficiently take account of the other factors in ex-prisoners’ lives that lead to reoffending. Treatment of mental illness might only be effective “if the poor housing, substance misuse or absence of a job that are so common in released prisoners are also addressed,” they said. “Governments and some justice agencies might be tempted by the simple message that the answers to issues in the criminal justice system lie with mental health services. Meanwhile, the claim that mental illness is a direct cause of violence will make uncomfortable reading in mental health. The implication of this study lies between the two: treatment of psychiatric disorders in prisons and on release is crucial, but will not be enough to bring about a major reduction in violent crime. Comprehensive packages of treatment and social support are needed that hold a therapeutic mirror to the complexity and adversity of offenders’ lives,” they write.

Frances Crook, chief executive of the Howard League for Penal Reform, said a prisoner may get a few sessions of help but then the good was undone when they went back to their cell and were offered illegal drugs, or became suicidal. “You can treat people, but in the end a prison environment is so toxic and at the moment is so awful that having a few sessions of treatment is a sticking plaster on a major wound,” she said. “A prison is not an environment to treat people. You don’t send people to prison for treatment or education. You should offer them treatment they need, but people who are ill should not be in prison.”

IPCC Guidance Handling Discrimination Complaints

The publication of the Independent Police Complaints Commission (IPCC) revised Guidelines for handling allegations of discrimination follows a number of critical reports by the IPCC, which found significant failings in the way that four forces carried out such investigations and engaged with complainants. The guidelines will assist police to properly and effectively handle allegations of discrimination, including discrimination based on race, sexual orientation, religious belief, age, or disability.

A series of training workshops for police professional standards departments are being held by