Naked Rambler Believed to be Back in Custody

Friends of Stephen Gough – also known as the Naked Rambler – are concerned for his welfare after he failed to make a planned rendezvous with a supporter at a rural location on Friday11th September instead texting the single word 'arrested'. Police confirmed that Stephen Gough had been arrested for breach of Asbo.and brought before Aldershot Magistrates. They fear he now faces another stretch behind bars for breaking an Anti Social Behaviour Order that bans him from appearing in public naked. Eastleigh man Gough was walking towards his hometown following his release from Winchester prison four weeks ago having served a year of a 30-month sentence for a previous breach of his ASBO.

The 56 year-old former Royal Marine has spent almost a decade behind bars for convictions related to his naked rambling and while it is not illegal to appear naked in public, the ASBO brought against him by Hampshire Constabulary – in consultation with Eastleigh Borough Council – means it is a criminal offence for Gough to go about unclothed regardless of whether or not any offence is caused. Gough had been walking back to Eastleigh from the Cotswolds when he met up with a supporter, Augustus Stephens, in a glade near the village of Morestead and said he planned to ramble via bridleways to Twyford then down the Itchen Navigation to Eastleigh. Stephens says he spent some talking to Gough and arranged to meet him again in nearby Twyford in order to accompany him for the final leg of his journey but Gough failed to show up and sent the 'arrested' text instead. Since then Gough's phone has been switched off.

We have asked Hampshire the Police to confirm whether or not he has been arrested or charged – first on Saturday and today but they have so far declined. The treatment of Gough's ASBO by Hampshire Constabulary contrasts sharply with their attitude toward mass naked bike ride events in the county. This year Hampshire police stewarded a mass naked cycle event through Portsmouth despite objections from a city councilor and members of the public who claimed it would cause offence. Speaking to the BBC recently, Lord MacDonald, the former Director of Public Prosecutions described Gough as a 'harmless eccentric' who posed no danger to the public and whose prosecution was not in the public interest. At his last trial at Winchester Crown Court in October 2014, Gough was prevented from defending himself as he refused appear dressed. The subsequent appeal against the conviction in which Gough appeared naked in court – but via a video link – failed. Earlier this year, an appeal to the European Court of Human Rights was also rejected The BBC has reported that so far, the cost of his prosecution, imprisonment and legal appeals is estimated to be in the region of £1million. Stephen has spent more than 10 years over the years for walking naked in public, even

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 547 (17/09/2015) - Cost £1

Branded: the Prisoners' Mark of Cain *Alex Cavendish, Justice Gap*

For those who haven't any personal experience of our criminal justice system it might be imagined that the day an ex-prisoner walks out of the jail gate they are free. In fact, as almost every former con will confirm, that is the moment that the real consequences of imprisonment start to kick in – and these are many and varied. Most newly released prisoners face a period under Community Rehabilitation Company (CRC) or National Probation Service supervision ranging from a matter of weeks or months right up to the rest of their lives, depending on the length and type of sentence. The usual determinate sentence is now a 50/50 custodial term, meaning that half of the total will be served in prison, followed by the same period on licence in the community.

While the licence is in force, the ex-prisoner is liable to recall to custody at any time if the risk of reoffending is perceived to have risen or if he or she has failed to keep to the terms of their licence conditions (or have committed a new criminal offence). Lifers released on life licence face the risk of recall until their deaths. There is a range of variations, including extended sentences, but the idea that a released prisoner is therefore 'free' is in many cases a myth. Whilst on licence you will be told where you can live, where and when you are permitted to travel, with whom you can associate and what work you may be allowed to do. Although there are so-called 'standard conditions' that apply to everyone released on licence, some ex-prisoners have a vast range of extra conditions that can require them to report frequently to their supervising officer, as well as severely circumscribing their movements and activities. These conditions are linked to specific risks and most are imposed to protect the public or reduce the likelihood of reoffending. However, even once an individual's licence period has expired, the impacts of imprisonment can continue throughout his or her life, often in ways that are unseen. We still speak of a person being 'branded a criminal' – usually in the context of an innocent person having been falsely accused of committing an offence. Historically, branding (or tattooing) was used in many penal situations to provide a permanent mark of a person's criminal past.

Tsarist Russia was particularly punitive and prior to 1846 a convict sentenced to hard labour would be – literally – branded with the initials VOR ('thief'), with the V and R burned into the cheeks, while the O was placed on the forehead. This form of physical mutilation ensured that, like the Biblical 'mark of Cain', the person would be instantly recognisable to the rest of society as a condemned criminal until their dying day. In 1846, the new Russian criminal code replaced the initials VOR with KAT (from the Russian term 'Katorzhnik' signifying a criminal condemned to hard labour). This punishment continued to be applied until 1863. The branded criminal was thus made into a permanent outcast from normal society, even if eventually released from custody.

Physical branding and tattooing, which were once also used in the English penal system, as well as the armed forces, gradually fell out of use, although like judicial ear-cropping and tongue-boring with red-hot irons they enjoyed considerable popularity during the 17th century. In the UK prison tattoos are now exclusively applied by prisoners to each other's bodies, usually in return for payment, even if this is a violation of the rules. Russian prison tattoos are now so complex that there is even a three-volume encyclopaedia documenting the designs and their specific meanings within criminal society.

Anyone familiar with Victor Hugo's masterpiece Les Misérables will be aware that the whole story is based on the idea of an ex-convict – Jean Valjean – trying to put his criminal past behind him after 19 years of hard labour in the galleys for stealing bread to feed his starving sister and then repeatedly trying to escape. He disappears and manages reinvent himself as a successful and respected businessman. Even though he eventually becomes town mayor under his assumed identity, Valjean remains the target of a relentless pursuit by Javert, a former prison officer who has become a local police inspector. Javert is absolutely convinced that no former convict is capable of reform or redemption. Anyone who has done time will no doubt recognise a certain type of prison officer in Hugo's description of Javert. Every prison wing probably harbours at least one. By breaking his parole licence and destroying his documents shortly after his release from prison, Valjean is liable to be returned to penal servitude for the rest of his life. No matter how he has changed and regardless of the good he has done in his adopted home town, the ex-convict remains vulnerable to his secret being exposed. He bears the indelible mark of Cain, even if the physical brand isn't visible.

These days, poor old Valjean wouldn't stand a chance of reinventing himself, especially if on a long licence. Criminal records checks, DNA samples, fingerprints, facial recognition technology and his police mugshot would all conspire to ensure that he would be back in the slammer within hours or perhaps a few days. There is no escape. Indeed, forcible micro-chipping of convicts has occasionally been proposed by politicians chasing the law and order vote, as well as discussed enthusiastically in the tabloid media. Never say never.

Today, a released ex-prisoner will continue to experience the consequences of imprisonment. Any criminal record, even for relatively minor offences, can still have a profound impact on employability, access to rented accommodation, insurance and many financial services. However, having served a prison sentence, no matter how short, raises the stakes to a new level. Most custodial terms are an effective and permanent bar from many professions or occupations. Although there is provision for the rehabilitation of some offenders after a specified crime-free period which varies depending on the original sentence, no-one over 18 who has been sentenced to over four years in prison can ever be legally free of their criminal record. As things stand, they are deemed to be 'non-rehabilitatable', even if they manage to live a completely blameless and law-abiding life.

Gaps in a CV need to be explained. There are requirements for disclosure of criminal records to potential employers, as well as some insurers who will increase premiums in many cases. Failure to disclose can in itself constitute deception or fraud. Although certain employers will consider ex-prisoners, opportunities are usually limited even for those who have decent qualifications and vocational skills. Many ex-cons leave jail facing the grim prospect of spending the rest of their lives on state benefits.

Finding affordable accommodation can be a major barrier to resettlement upon release from jail. Individuals who are labelled 'high risk' will often be placed in approved accommodation (hostels or managed bedsits), but the majority of prisoners aren't in that category, so those who don't have family or friends willing to put them up, at least until they get back on their feet, can end up on the streets or on park benches. Add in the problems of untreated addictions and dependencies, as well as a high level of ex-prisoners struggling with mental health conditions, and the barriers can appear to be all but insurmountable. Based upon my own observations of fellow prisoners, those of us fortunate enough to have none of these challenges, as well as a family home to return to are very definitely in the minority.

I've written repeatedly about the issue of rehabilitation in our prisons – or more accurately,

restricted the scope of Article 8 extradition appeals, it is not impervious to challenge.

Republican Political Prisoners HMP Maghaberry - Still Refusig Prison Meals

For 3 weeks Republican Political Prisoners, Roe 4, have been refusing jail meals. This protest action was commenced because of the further enclosing of our already restrictive living space when a steel hatch to allow food and proper ventilation was closed. The decision to further attack our limited regime was taken by Security Governors. This morning (11/09/2015), at around 10.30am, two such Governors came to Roe 4 landing and were challenged on the closing of the hatch and other issues. The two Governors, David Savage and Andrew Tosh, refused to engage and hit the alarm bell so as the Riot Squad would be brought on to Roe 4. Later that afternoon, Governor Brian Armour arrived onto the landing and he too was challenged and likewise refused to engage with the prisoners. All such actions by Governors in Maghaberry are in sharp contrast to those attempting to bring about a conflict free environment. David Savage, Andrew Tosh, Brian Armour and all the other bigots will be challenged by Roe 4 Republican Political Prisoners regardless of Riot Squads or threats of charges.

Prisoner Holds Tense Rooftop Protest at HMP Manchester *Manchester Evening News*

A gunman jailed for the brutal execution of his uncle has staged a dramatic rooftop protest at Strangeways - just months after it is believed he tried to escape from another prison. Stuart Horner, now 35, was at the centre of a major all-day drama at the top-security city centre jail on Sunday 13th September after managing to climb onto a fence. From 5.30pm until after darkness fell Horner held prison officers at bay, despite precariously clambering across wire netting, up a ladder and then pulling himself on to the top of a pole. At 10.30pm despite attempts at negotiation by officers on a ladder nearby he managed to climb onto a rooftop with his hands aloft 50ft off the ground.

Prisoners inside the Victorian jail yelled support to the murderer - who said he was protesting against prison conditions. Members of the public gathered in the nearby streets - many shouting messages of sympathy - as other inmates echoed Horner's complaints. Horner, originally from Benchill, had been sentenced to 27 years at Manchester Crown Court in May 2012. His uncle Ian Taylor, 44, was shot in the chest with a sawn-off shotgun as he sat in a car at Floatshall Road, Baguley, on the evening in June 2011. His death was the climax of a family feud and Horner even came to the MEN to protest his innocence at the time of the shooting.

It is believed that Horner had only recently been moved to Strangeways from the Category B HMP Garth, in Leyland, after damage was found in his cell. It was thought that Horner had been trying to escape and he was switched to Category A Strangeways. Sources have told the MEN that Horner was regarded as an escape risk. A top-level investigation will today be under way to discover how the convicted murderer was able to get to relative freedom and stage his very public protest. It was 25 years ago this April that the infamous Strangeways riots took place - a 25 day protest against conditions which became the longest in British penal history.

The riot and rooftop protest ended when the final five prisoners were removed from the rooftop. One prisoner was killed during the riot, and one prison officer died from a heart attack. More than 140 prison officers and 47 prisoners were injured. Sunday's protest was also allegedly about the conditions the male inmates face. It began with a topless Horner scaling a fence and removing his trousers. He paraded around in a pair of Manchester United boxer shorts before putting leggings and brightly coloured over-trousers back on. It is thought the brightly coloured trousers are an indication that a prisoner is a potential escape risk. To chants from the inmates inside of "go on, Stuart" he shouted:"There's only one Stuart Horner."

ferent impression. That bias toward believing that the suspect is making statements willingly is gone.

The research has big implications for criminal justice, Lassiter says. Biased viewing of interrogation videos and false confessions made under coercion can lead to wrongful convictions. According to numbers from the Innocence Project cited by Lassiter, one in every four people convicted, but later exonerated by DNA evidence, made a false confession or incriminating statement. Wrongful convictions aren't just bad for defendants--they mean that the guilty parties are still free and could still be dangerous to society. Lassiter has worked with prosecutors and state agencies to turn his research into best practices that can help the justice system. Among them: Record interrogations in their entirety, position cameras so they focus equally on interrogator and suspect and when the only available interrogation videos focus on suspects, present audio or transcripts to fact-finders at trial instead.

Prisoners Should Be Paid Living Wage *Professor David Wilson*

A leading Birmingham criminologist is calling for prisoners to be paid the living wage for jobs they do behind bars. Professor David Wilson, a former jail governor, says paying the inmates will help slash reoffending by 'reducing their exclusion from society'. The Birmingham City University academic made the wage plea in a blog about reforms to the Prison Service. The voluntary national living wage rate is currently £7.85 an hour outside of London and £9.15 an hour inside London. The Chancellor announced in his budget a new compulsory National Living Wage that will reach £9 an hour by 2020. The first increase will be introduced in April 2016, when workers aged over 25 will receive £7.20 an hour instead of the current minimum wage, which is £6.50 for anyone over 21.

In his 'Ten things to do now to improve HM Prison Service' document, Prof Wilson also argues that A-D prison security classifications are outdated and should be ditched. "Prisoners should be paid a living wage which they should pay income tax on," he said. This would keep them as part of civil society and encourage them to save for their eventual release. It's about time we also scrapped the current security classifications of A to D which were originally introduced in 1966. They might have been fit for purpose when England won the World Cup and The Beatles topped the charts, but the classifications just serve to confuse staff now about how they should manage prisoners."

Prof Wilson also called for smaller prisons, more opportunities for the public to visit jails and for governors to be encouraged to speak to the media. Increased officer training is vital too, he argues, to bring the UK up to speed with more effective prison systems across Europe. Basic prison officer training should be increased from 7 weeks to 12 months, ensuring that training leads to a social work qualification, something which would bring us in line with the Norwegian prison service. The UK should reduce its prison population to the European average and never allow a prison to hold more than 500 prisoners. Evidence from Europe and North America shows that smaller prisons are more effectively managed."

Extradition Appeal Allowed – Judicial Errors led to Unjustified Conclusion

An appeal against a Polish woman's extradition was allowed by Mr. Justice Supperstone on the grounds of Article 8 and delay. The judge accepted submissions that the district judge, despite performing the 'balancing sheet' exercise, fell into error in so doing, which included failing to take delay into account in the Article 8 exercise at all. The Appellant argued that a combination of the financial nature of the offence, the fact she was not a fugitive and was therefore unaware of the activation of her suspended sentence, meant it would be disproportionate to extradite her back to Poland. This judgment demonstrates that, while the case of Poland v Celinski has greatly

the absence of resources and any serious focus on trying to prepare inmates for release. As things stand the prison system is all too often providing costly human warehousing prior to opening the gates for those who are being discharged back on to our streets. Of course, institutionalisation is more likely for those men and women who have served longer sentences, but it can affect anyone who has been inside. I regularly advise people who are experiencing problems with a family member who has recently been released, but is finding it hard to cope on the outside.

Adjusting to freedom – even when limited by licence conditions – and having to deal with responsibilities and everyday issues can prove an uphill task for many ex-cons. The struggles and heartaches that their families and friends often have to face are rarely acknowledged, but are very real nonetheless. It's sad to have to admit it, but I'm actually more surprised when I hear about someone I know from my years inside remaining crime free in the weeks and months following their release, than I am when I'm told that so-and-so has been recalled to prison or else sent down for some new offence. We ex-prisoners are all still branded in various ways. We may no longer have our faces or bodies burned or marked with tattoos signifying our fallen state, but in many different ways we are now a class apart, most of us for the rest of our lives, whether guilty or innocent, reformed or unrepentant.

State-Sanctioned Killings Without Trial: Are These Cameron's British Values?

[Simple answer is yes – *A Shoot-to-kill Policy in Northern Ireland has been in operation since the 70's] Three months ago David Cameron celebrated the 800th anniversary of Magna Carta. Flanked by the Queen and the archbishop of Canterbury he genuflected before the pillars of Britain's legal system. "Magna Carta is something every person in Britain should be proud of," he said. "Its remaining copies may be faded, but its principles shine as brightly as ever, in every courtroom and every classroom, from palace to parliament to parish church. "Liberty, justice, democracy, the rule of law – we hold these things dear, and we should hold them even dearer for the fact that they took shape right here, on the banks of the Thames."

On Monday 7th September 2015 he confirmed that he had executed two British citizens without trial. Reyaad Khan and Ruhul Amin were jihadis, from Cardiff and Aberdeen respectively, fighting for Isis in Syria. They were not killed in the heat of battle but with cold calculation. Their assassination was the result of "meticulous planning", claims Cameron. Khan and Amin apparently made a choice to declare war on both the west and other Muslims and have died in it. It should worry us all when young British men opt for that path. Intelligence agencies claim that Khan and Junaid Hussain, a Briton killed in a separate airstrike last month, were planning to attack two major events this year: VE commemorations at Westminster Abbey in May and an Armed Forces Day ceremony in June. Such attacks would have been heinous.

But that doesn't justify state-sanctioned killing, for three reasons. First, and most important, we are a country ostensibly governed by the rule of law. People are supposed to be innocent until proven guilty by a court. These were the very principles Cameron claimed to "hold dear" just months ago. We know, most recently from Iraq, not to put too much faith in intelligence agencies. But if they are capable of pinpointing the whereabouts of these men in Syria and killing them, then they should be capable of preventing an attack they "know" is coming and arresting and apprehending those they "know" are going to do it. Any number of vile crimes are committed by Britons every year – the state's response is never execution, If they had a case they should have made it not to the military but to the courts. This is not an example of justice being done, but of justice being avoided. Even if it were found to be legal, morally it would still be wrong.

Second, even if they are guilty Britain does not practise capital punishment. Fred West murdered at least 12 women and tortured and raped many others. He went on trial and died in prison. Peter Sutcliffe, the Yorkshire Ripper, murdered 13 women and tried to murder seven others. He went on trial and remains in jail. Any number of vile crimes are committed by Britons every year – the state's response is never killing.

Finally, these short cuts do not bolster the fight against terrorism but undermine it, because they violate the very principles of a liberal democratic state that Cameron claims he's trying to protect. Britain can now add extrajudicial killings to torture, rendition and occupation as tools in defence of "Enlightenment values". Cameron insists that these men were "seeking to orchestrate specific and barbaric attacks against the west". We'll have to take his word. They will never be found guilty; they will only be found dead.

*[Shoot-to-kill Policy in Northern Ireland: During the period known as "the Troubles" in Northern Ireland, the British Army and Royal Ulster Constabulary (RUC) were accused of operating a "shoot-to-kill" policy, under which suspects were alleged to have been deliberately killed without any attempt to arrest them. Such a policy was alleged to have been directed almost exclusively at suspected or actual members of Irish republican paramilitary groups. The Special Air Service (SAS) is the most high-profile of the agencies that were accused of employing this policy, as well as other British Army regiments, and the RUC. Notable incidents alleging the use of the shoot-to-kill policy include the Loughgall ambush, Operation Flavius in Gibraltar, and an incident in Strabane. The SAS killed a total of 14 Provisional Irish Republican Army (IRA) and Irish National Liberation Army (INLA) members at these locations. Other high-profile incidents involving alleged shoot-to-kill incidents occurred in Belfast, Derry, East Tyrone and South Armagh. The killing of Ulster Volunteer Force (UVF) member Brian Robinson by undercover soldiers is notable for being the most prominent of the very few alleged "shoot-to-kill" incidents where the victim was a loyalist.]

Review of Education in Adult Prisons – Statement From Michael Gove

We have more than 80,000 adults in our custody. One of the most important things we can do once they are inside the prison walls is to make sure that they get the literacy and numeracy skills they need to make them employable and positive contributors to society once released. For those serving longer sentences, education and training is a key part of their rehabilitation. We must have the right incentives for prisoners to learn and for prison staff to make sure that education is properly prioritised. I want to see prisoners motivated to engage in their own learning and Governors with the right tools to be more demanding and creative about the education provided in the prisons they run. I have seen some excellent examples of innovation and visionary organisations providing prisoners with education opportunities and qualifications they actually need to help secure a job on release. But I want to see more. That is why I have asked Dame Sally Coates to lead a review of the provision of education in prisons.

Dame Sally has a wealth of experience in working with pupils in inner-city schools and in taking decisive action to improve schools' performance. She took charge of Burlington Danes Academy when it became an ARK school, leading it from special measures to outstanding in all areas. In her current role as Director of Academies South for United Learning she oversees the provision of education in 16 academies and 7 independent schools. She recently carried out a review of teaching standards for the Department for Education and I know she will inject fresh thinking into the neglected area of prison education so that many more offenders' lives can be turned around. Dame Sally

three times the number of asylum applications we do, detained just 2,893, and Germany detained just over 4,300. The Home Office policy states clearly that detention must be used sparingly.

The UK is alone in the EU in not having a maximum time limit on detention. That lack of a time limit was a constant theme in the evidence we received during our inquiry and one on which we received some striking testimony. Time and again we were told that detention was worse than prison, because in prison people know when they will get out. As one former detainee said: "The uncertainty is hard to bear. Your life is in limbo. No one tells you anything about how long you will stay or if you are going to get deported." A team leader from the prisons inspectorate told us that the lack of a time limit also encourages poor working.

Although they are called immigration removal centres, we found that most people who leave detention do so for reasons other than being removed from the UK. That is an important point. According to the latest immigration statistics, more than half the detainees released are released back into the country, so this is not just about the impact on those detained; it is also about cost and the good use of public money. It costs some £36,000 a year to detain somebody for 12 months, so a huge amount of taxpayers' money is being spent on detaining people who we will eventually release into the UK anyway.

Our central recommendation is for a maximum time limit set in statute, not simply to right the wrong of indefinite definition, but to change the culture endemic in the system. We settled on 28 days, not only because it reflects best practice from other countries, but because it is workable for the Home Office, given that in the first three quarters of 2014 only 37% of people were detained for longer. It also reflects the evidence of the mental health impact on those detained for more than a month. We also recommended that decisions to detain should meet the aims of the Home Office's own guidance—that is, taken more sparingly and only genuinely as a last resort to effect removal. Deprivation of liberty should not be a decision taken lightly, nor should it be taken arbitrarily. Currently, decisions are taken by relatively junior Home Office officials, with no automatic judicial oversight. With no time limit, it has become too easy for people to be detained for months on end, with no meaningful way of challenging their continued detention.

Resolved: That this House supports the recommendations of the report of the Joint Inquiry by the All Party Parliamentary Group on Refugees and the All Party Parliamentary Group on Migration, The Use of Immigration Detention in the United Kingdom; has considered the case for reform of immigration detention; and calls on the Government to respond positively to those recommendations.

A New Perspective on Police Interrogations *National Science Foundation*

What if it were possible to present a video of a police interrogation in a way that would influence a jury to believe a suspect's confession is voluntary, even if there's evidence that suspect was threatened or coerced? Actually, it's very possible--and it comes down to something as simple as the camera angle. Research by Ohio University psychology professor G. Daniel Lassiter, supported by the National Science Foundation's (NSF) Social, Behavioral and Economic Sciences directorate, shows that camera placement can play a significant role in creating bias among viewers about how willing a suspect is when making self-incriminating statements.

Lassiter told NSF that when the camera is focused squarely on a suspect--the interrogator either is nowhere in sight, or only his back is visible--viewers are more likely to believe that any self-incriminating statement is voluntary. That perception persists even if the interrogator seems to be coercing the suspect. But take the simple step of moving the camera--positioning it so that both the interrogator and suspect can be seen in profile--and the exact same interview can leave viewers with a much dif-

against Mumia's health, and would steep him and his family in greater fear and uncertainty.

Review Into Youth Justice.

In recent years we have seen a significant and welcome reduction in the number of young people entering the youth justice system. However, little progress has been made in reducing reoffending, with 67 per cent of young people leaving custody reoffending within a year. The time is right to examine our approach to tackling youth offending. We need to consider whether the current system, which was created in 2000, remains able to meet the challenges we face in 2015. It is vital that we seize the opportunity to rehabilitate young people who have offended, to steer them away from a life of crime, and to set them on a more positive course which will benefit both them and society.

For this reason Charlie Taylor will lead a departmental review of the youth justice system. Charlie is the former Chief Executive of the National College of Teaching and Leadership, the former head teacher of an outstanding school for children with complex behavioural, emotional and social difficulties, and an expert in managing young people's behaviour. His experience and expertise in working with children with severe behavioural difficulties gives him a real understanding of the wider challenges in preventing youth offending, and I am confident he will bring a fresh perspective and energy to the task. As part of the review Charlie will look at the evidence and current practice in preventing youth crime and rehabilitating young offenders; he will explore how the youth justice system can most effectively interact with wider services for children and young people; and he will consider whether the current arrangements are fit for purpose. The review will report in the summer of next year. The terms of reference for the review will be placed in the Libraries of both Houses.

Early Day Motion 413: Release Of Shaker Aamer From Guantanamo

That this House calls on the US administration to release Shaker Aamer from his imprisonment in Guantanamo Bay; notes that he has now been incarcerated for 13 years without charge; further notes that he has twice been cleared for release and transfer, under President Bush in 2007 and President Obama in 2009; supports the call made by the Prime Minister for his release and return to the UK; notes the unanimous resolution of the House of 17 March 2015 that Shaker Aamer be released; and asserts that the defeat of terrorism will only be achieved by upholding the principle of the rule of law - to the protection of which Mr Shaker Aamer is entitled. Sponsors: Corbyn, Jeremy Salmond, Alex Farron, Tim Davis, David Slaughter, Andy

House of Commons Debate on 'Immigration Detention' *10 Sep 2015 : Column 559*

"In prison, you count your days down, but in immigration detention you count your days up."

£76 million a year is wasted on the long-term detention of migrants who are subsequently released, and, between 2011 and 2013, £10 million was spent on compensation for unlawful detention. The problems have been well documented, but Parliament has never taken a systematic and comprehensive look at how we use detention, so we thought there was a need for that wider piece of work. We held three oral evidence sessions and received nearly 200 written submissions, and I pay tribute to all those who submitted evidence, particularly those who shared their often painful and harrowing experiences as detainees themselves. I am delighted that some are in the Gallery today.

As the use of detention has expanded rapidly over the last two decades, so has the size of the estate. In 1993, there were just 250 detention places; by 2009, that had risen to 2,665; at the beginning of this year, it was 3,915. The number of people entering detention in the year to June 2015 was just over 32,000—up 10% on the previous year. By contrast, in 2013, Sweden, despite receiving

will be supported by a panel of people who have delivered outstanding secondary education, experts in further and higher education, employers, representatives from Ofsted, senior officials from the Ministry of Justice, the National Offender Management Service and the Department of Business, Innovation and Skills as well as experienced frontline prison staff. Together they will work with Dame Sally to explore how we can significantly improve education for all prisoners.

They will also investigate how the quality and methods of prison teaching can be improved including in classrooms and workshops, how prisoners can be encouraged to positively engage with learning and the potential for employers to advise on the curriculum to ensure that prisons offer the right courses and qualifications to enable prisoners to secure jobs on release. I want this review to happen at pace so I have asked Dame Sally to make recommendations by spring next year. Scopeof the review, quality and effectiveness of current education provision in prisons and Young Offender Institutions (YOIs) holding young adults. In particular the review will consider how provision supports learner progression and the successful rehabilitation of different segments of prison learners; domestic and international evidence of what works well in prison education which demonstrably supports rehabilitation of different segments of prison learners options for future models of education services in prisons which emphasise effective rehabilitation of different segments of prison learners

HMP Winchester Four Death in Two Months

Mohamed Emamy-Foroushani, 40, was due to appear at Southampton Crown Court on Monday but died on 2 September. His death followed those of Haydn Burton, 42, on 15 July, Daryl Hargrave, 22, on 19 July, and Jason Payne, 30, on 17 August. A Prison Service spokesman said the circumstances of each death would now be reviewed. He said: "Any death in prison is a tragedy and reducing the number of self-inflicted deaths is a priority. "All deaths in custody are fully investigated by the independent Prisons and Probation Ombudsman. This is something we take incredibly seriously and we are reviewing the circumstances of each death." He said it was believed Mr Payne died of natural causes. Following an unannounced visit in 2014, inspectors described HMP Winchester as "insufficiently safe" with ineffective anti-bullying measures. Juliet Lyon, director of the Prison Reform Trust, said last year the UK saw a record number of deaths in custody, and more than a third were self-inflicted. "Massive cuts in staffing, increased violence and the use of psychoactive drugs have all taken their toll," she said.

More Deaths In Prison From Natural Causes Still Too Many Suicides

The challenges facing the prison system have not gone away. The prison population remains proportionally the highest in Western Europe, while efficiencies and recruitment and retention issues have significantly reduced the number of available staff. As a result, prison regimes have had to be curtailed and crowding is commonplace. A rapidly ageing prison population was largely behind the 15% increase in deaths of prisoners from natural causes in 2014-15. This has meant that prisons designed for fit young men must increasingly adjust to the roles of care home and even hospice, said Prisons and Probation Ombudsman Nigel Newcomen, as he published his annual report. He added that, while suicides reduced by 16%, the number remained unacceptably high. The Prisons and Probation Ombudsman (PPO) independently investigates the circumstances of each death in custody and identifies lessons that need to be learned to improve safety. In 2014-15: ⬥there were 250 deaths in 2014-

15, 11 (5%) more than the year before;•the PPO began 15% more investigations into deaths from natural causes (155 deaths), largely as a consequence of rising numbers of older prisoners; •the average age of those who died of natural causes was 58 compared to 37 for all other deaths; •there were 76 self-inflicted deaths, a welcome 16% decrease from the previous year, but high relative to recent years; •there were four apparent homicides, the same number as the previous year; •a further seven deaths were classified as 'other non-natural' and eight await classification.

Nigel Newcomen said: "It is remarkable that the fastest growing segment of the prison population is prisoners over 60 and the second fastest is prisoners over 50. Longer sentences and more late in life prosecutions for historic sex offences mean that this ageing prisoner profile – and rising numbers of associated natural cause deaths – will become an ever more typical feature of our prison system. My investigations into deaths from natural causes have identified some lessons which have not previously been of such widespread importance. For example, the need for improved health and social care for infirm prisoners; the obligation to adjust accommodation and regimes to the requirements of the retired and immobile; the demand for more dedicated palliative care suites for those reaching the end of their lives; and the call for better training and support for staff who must now routinely manage death itself."

On suicides, he said: "The number of self-inflicted deaths in custody remains unacceptably high and, in 2014-15, there were still 38% more than in 2012-13. I am, therefore, pleased that the review of the Prison Service's suicide and self-harm prevention (ACCT) procedures, which I called for in last year's annual report, has begun. I am also pleased that Lord Harris' important review of self-inflicted deaths among 18 to 24-year-olds in prison has been published. Together, these reviews should put suicide prevention in prisons centre stage and ensure that ACCT procedures – now over a decade old – are fit for purpose in a prison system with many more prisoners and fewer staff."

The other principal part of the PPO's remit is the independent investigation of complaints. In 2014-15, a substantial backlog of complaints was eradicated, and: •the total number of complaints received increased slightly to 4,964, a 2% increase on the previous year; •however, the number of cases accepted for investigation rose by 13%; •2,380 investigations were started, compared to 2,111 the year before; • overall, 2,159 investigations were completed, an 11% improvement compared to 2013-14; • 39% of complaints were upheld, compared to 34% the previous year; and •the largest category of complaints was about lost, damaged and confiscated property, making up 28% of investigations.

Nigel Newcomen said: "The types of complaint I am called upon to investigate vary year to year, although property complaints consistently predominate. Last year, there were more complaints about regime issues and transfers, which was predictable at a time of cutbacks and crowding. Perhaps of greatest concern was the 23% increase in complaints about staff behaviour, including allegations of assault and bullying. My staff have responded well to the increasing demands. Not only were almost all draft fatal incident reports on time (97%), we also eradicated a substantial historic backlog of complaints which has enabled a gradual improvement in complaint timeliness. These improvements have been achieved by changing the way we work, for example by being more proportionate and declining to investigate more minor complaints so we can focus on more serious cases and – of course – by the sheer hard work of my staff. There is much more to do, but we are well placed to deliver on our vision of supporting improvement in safety and fairness in prisons, immigration detention and probation, even at this particularly challenging time."

Medical Crisis of Mumia Abu-Jamal

The following is a summary of the medical issues currently confronting Mumia Abu-Jamal, now a prisoner at SCI Mahanoy in Pennsylvania. Mumia Abu Jamal is suffering from "active" hepatitis C, a serious liver disease. Tests performed over the last several months show that Mr. Abu-Jamal's liver likely has "significant fibrosis" (scarring) and deteriorated function. The disease has also manifested itself in other ways. He has a persistent, painful skin rash over most of his body. Our consulting physician, who visited Mr. Abu-Jamal has concluded that it is likely a disease known as necrolytic acral erythma, a condition that is almost always associated with an untreated hepatitis C infection. Mr. Abu-Jamal has been diagnosed with "anemia of chronic disease", another common consequence of hepatitis C. He has sudden-onset adult diabetes, a complication that led to an episode of diabetic shock on March 30, 2015. Most recently, he has begun to lose weight again.

Mr. Abu Jamal's hepatitis C can be cured – and the painful and dangerous consequences alleviated– if the Pennsylvania Department of Corrections (DOC) would administer the direct acting anti-viral medication that has now become the standard for treatment for hepatitis C infections. According to the American Association for the Study of Liver Disease (AASLD), this hepatitis C treatment "results in sustained virologic response (SVR) which is tantamount to virologic cure". The AASLD protocol has been adopted by the United States Bureau of Prisons. Under that protocol, Mr. Abu-Jamal is a candidate for immediate treatment.

The DOC has known of Mr. Abu-Jamal's hepatitis C infection since 2012- but never conducted a complete hepatitis C workup until recently. His skin condition, which had been intermittent for several years, worsened and became constant in August 2014. His health had deteriorated to such an extent that he was admitted to the hospital in May 2015. Over those eight days numerous tests were conducted that ruled out many conditions, including some cancers. Those tests led the doctors to conclude that the symptoms were likely caused by the hepatitis C. In June 2015, after Mr. Abu-Jamal's release from the hospital, his attorneys demanded that a complete hepatitis C workup be conducted and treatment administered. But it took several weeks for those simple blood tests to be taken. They concluded that Mr. Abu-Jamal does, in fact, have an active hepatitis C infection. Notwithstanding that determination, and Mr. Abu-Jamal's continued suffering and deteriorated health, he has not been given the anti-viral drugs.

As our consulting expert had concluded, "failure to treat Mr. Abu-Jamal's hepatitis C will result in serious harm to his health, as his current-hepatic symptoms will not be cured, and he faces an increasingly serious risk of suffering from fibrosis and cirrhosis, liver cancer, complications of his diabetes, and eventual death." A motion for an injunction seeking treatment is pending in federal court. However, the treatment, as our medical expert has stated, should begin "immediately". Given the overwhelming and undisputed evidence that Mr. Abu-Jamal is suffering from an active infection, treatment should not await a determination by the court. It must begin now.

Mumia May Face Retaliatory Transfer - September 7, 2015. Two days ago, prison staff boxed-up all Mumia's personal effects from his cell while he was in the prison infirmary trying to recover from the prison's medical malfeasance and neglect that nearly killed him. The handling of prison property in the absence of a prisoner is a violation of prison procedures. After signing the forms required when prisoner property is placed in storage, Mumia asked if he was about to be moved to a different facility, since the boxing up of a prisoner's property usually precedes a transfer. An officer assured him that he would not be transferred; but this all seemed really strange to Mumia. A retaliatory transfer to some other prison would be a new blow

the appellant's medical condition and in particular about the assessment of any residual responsibility for the offence beyond the medical diagnosis, a decision which would be left to the Tribunal. The Lord Chief Justice said the evidence in the case made it plain that there is a compelling need for the appellant to receive appropriate psychotherapy either in the Shannon Clinic or some other suitable location and that to conclude that it was not expedient to provide such treatment would require very weighty countervailing considerations even in the context of limited availability:

"In those circumstances we have concluded that we should not impose a hospital order but that this case requires the Department to urgently consider the making of a prison transfer order. Both psychiatrists who gave evidence before us were critical of the failure to provide this appellant with any treatment to date."

The Lord Chief Justice noted that all parties were agreed that the only appropriate custodial sentences were a life sentence or an indeterminate custodial sentence. In both cases the subsequent release of the prisoner on licence is dependent upon an assessment of dangerousness by the Parole Commissioners. The distinctions between the two are that the Parole Commission has a power to direct the expiry of the licence where the prisoner has been released on licence for a period of at least 10 years and a whole life sentence cannot be imposed by way of an indeterminate custodial sentence.

The Lord Chief Justice commented: "This was a truly shocking offence but the medical evidence that we have accepted shed considerable light upon the circumstances. We do not accept that the appellant's culpability was particularly high and although we have acknowledged the shocking nature of the offence we do not consider that it can be said to be an offence of utmost gravity having regard to the circumstances. Accordingly, we consider that the appropriate disposal is an indeterminate custodial sentence."

The Court considered that the new medical evidence indicates that the culpability of the appellant was not as high as assessed by the trial judge on the evidence before him and substituted a period of seven years before the appellant can be considered for release on licence for the period of 10 years imposed by the trial judge. The Court confirmed the tariffs of four years imposed on the firearms offences.

Fresh Moves to Decriminalise Prostitution in Scotland *David Millward, Telegraph*

Jean Urquhart, an independent member of the Scottish parliament representing the Highlands and Islands, has unveiled a range or measures intended to improve the safety of those working in the sex industry. Under existing Scottish law prostitutes face prosecution for brothel keeping if they work in pairs. Ms Urquhart's measure would allow them to operate in groups of four to make sure they are less at risk. Her proposals would also scrap laws on soliciting and kerb crawling .Workers in the sex industry would also be allowed to have joint finances with family members of flatmates. This is the latest attempt to reform the laws surrounding prostitution in Scotland.

In 2002 Margo MacDonald, a Scottish nationalist proposed allowing towns and cities to establish "tolerance zones" where prostitution would be permitted. Then in 2012 there was a move to tighten the law by making it a criminal offence to buy sex. Ms Urquhart said she had received a lot of backing for her proposals. "A lot of sex workers came to see me and emailed me. I think they were quite pleased to have somebody listening to them," she told the Independent. I have never met anybody who says there will be a day when no one is selling sexual services for money. You will never stop it. If we're never going to stop it, let's manage it better and look at the health and welfare of people in that profession."

The recommendations made as a result of PPO investigations are key to making improvements in safety and fairness in custody. The past year also saw the publication of a range of learning lessons publications which build on the analysis and recommendations in individual investigations to look thematically and more broadly at areas for improvement. Five of this year's seven publications focused on self-inflicted deaths. Other publications explored learning from complaints about prisoners' difficulties in maintaining family ties and why some groups of prisoners, such as women and children, rarely make complaints at all.

Prison Guards Dump Body of Deceased Inmate

Police are investigating the death of a seriously-ill prison inmate after guards were caught on CCTV dragging him from his cell and dumping his limp body into a van. Security camera footage showed the officers stripping the man and re-dressing him for a court appearance while ignoring his cries of pain, according to a prison ombudsman's report. Healthcare and other staff at the prison missed a series of opportunities to spot the man's illness even after he had asked for medication three times in the night before he died. He had spent four days in hospital after his arrest and continued to complain about his health after he was taken to prison. A nurse assessed him as being fit to attend court without even examining him. It was only discovered that he was dead after an escort officer with the van demanded that a nurse examined him because he was not moving. A post-mortem showed that he had died from the effects of a burst ulcer, according to the prisons and probation ombudsman Nigel Newcomen which outlined the case in his annual report. Officials said that they were unable to name the man or the prison because an inquest was yet to be held into the case but confirmed it was subject to a police investigation.

Mr Newcomen said that the report showed that the treatment of seriously ill inmates was still "shockingly poor". He said it was "a reminder of the capacity of prisons, particularly when under pressure and faced with an increasingly ailing and ageing population, to slip into inhumane treatment". "What's so shocking about the cases in this report is that too many of them raise concerns about inhumane and degrading treatment of vulnerable people," said Deborah Coles, of the charity INQUEST which works with the families of those who have died in custody. "It's a deeply depressing report and really shames the whole justice system. It's indicative of a system in crisis that can't properly look after people."

National Memorial Family Fund for Those Affected by Deaths in Custody

The Memorial Family Fund has been set up in remembrance of Mikey Powell and acknowledges the work and campaigning of the late Pauline Campbell. It was launched on the twelfth anniversary of the death of Mikey Powell, who died on 7 September 2003 after being arrested by police in Birmingham. The Fund also aims to remember the tireless campaigning work of Pauline Campbell, who began campaigning after her daughter Sarah's death in Styal prison in January 2003. She was one of a number of bereaved parents who turned her personal loss into sustained campaign action and protest. In May 2008, Pauline was found dead near the grave of her daughter.

The Fund has been developed in conjunction with the Friends of Mikey Powell Campaign, the United Families and Friends Campaign and Migrant Media. It will be the first permanent national resource of its kind for those affected by deaths in custody, making small grants available for families and their campaign groups across the UK to provide practical domestic assistance, to further the work of their own campaigns or to assist them in engaging in other local, regional or national campaigns, events and initiatives. Funds would be available for pro-

motional materials (banners, t-shirts, badges, business cards, etc); help with stationery, postal and related items or equipment; help towards travel costs to events, inquests or conferences; assistance towards the costs of counselling or therapy services or support with essential household provisions and bills.

Tippa Naphtali (cousin of Mikey Powell) said: 'This fund will make a real difference for families and their campaign groups that need financial support during the often long and drawn out struggles for justice lasting for decades in many cases. The needs of affected families and children often get lost in the equally important work of campaigning and lobbying of state institutions. We want to change that with a permanent fund set up specifically for their needs.'

Sean Hackett Appeal Life Sentences Reduced to Indeterminate Custodial Sentences

The Court of Appeal today Monday 14th September 2015, varied the sentence imposed on Sean Hackett. It substituted an indeterminate custodial sentence for each of the life sentences imposed by the trial judge and specified a period of seven years instead of ten years as the period he has to serve before he can be considered for release by the Parole Commissioners in respect of the manslaughter conviction. The Court did not alter the tariff of four years imposed in respect of the firearms offences.

Sean Hackett ("the appellant") was found guilty by a jury on 6 March 2014 of the manslaughter of his father, Aloysius Hackett, on the ground of diminished responsibility . He was also found guilty of two counts of possession of a firearm and ammunition with intent. The trial judge considered that there was a significant risk that the appellant would commit further specified offences and a significant risk of serious harm to members of the public. He further considered that the appellant would constitute a danger to the public for an unpredictable time and that this was not a case where the appellant's responsibility for his actions was so grossly impaired that his degree of responsibility was minimal. He imposed concurrent life sentences for the manslaughter and firearms offences with a minimum term of 10 years imprisonment.

The appellant appealed against the sentence challenging: whether a life sentence was necessary; whether adequate consideration was given to the imposition of an indeterminate custodial sentence; whether a tariff of 10 years reflected the appellant's culpability; whether the learned trial judge was correct to consider that the appellant's overall responsibility was comparatively high; and whether he was correct to give weight to a number of the aggravating factors taking into account his diminished responsibility. Subsequent to the notice of appeal being lodged, the appellant obtained further medical reports which the Court agreed to introduce. These were in support of a diagnosis of delusional disorder and were directed to the nature and severity of the appellant's mental abnormality, the level of his residual culpability, the treatment of his condition, the predictability of the timeframe for such treatment and the appropriateness of a hospital order with restriction. It was also agreed that the prosecution could introduce evidence in rebuttal.

The thrust of the additional legal evidence from Dr Minne, a consultant psychiatrist and forensic psychotherapist, was that the appellant was suffering from a delusional disorder at the time of the killing, that he is still suffering from the disorder, would benefit from psychotherapy and possibly medication at a later stage and that his condition is treatable. She said this is a medical condition which is very difficult to recognise because the person appears to be completely normal. Dr Minne considered that the prognosis for the appellant could be good if treatment was provided in a secure psychiatric setting. Her opinion was that a hospital order with restriction was the appropriate disposal in this case. She felt that if the appellant remained in prison

untreated the psychotic part of his mind would remain unchallenged and he would emerge from prison at the same high risk of a recurrence of a violent outburst as he is today.

Dr Browne, giving evidence on behalf of the prosecution, was concerned that if a hospital order with restriction was imposed there was a significant risk that the appellant would be discharged from detention by the Mental Health Review Tribunal ("the Tribunal") on the basis that he did not suffer from a mental disorder. He noted that it was not safe to assume that all the available psychiatric medical evidence would be available to the Tribunal as the current arrangements are that some brief papers are provided to the members upon which to reach their determination. The Court of Appeal did not consider that this process would be sufficient for the Tribunal to take all relevant issues into account and directed that a copy of its judgment should be sent to the President of the Tribunal to consider whether any amendments to the process need to be incorporated.

The Lord Chief Justice, delivering the judgment of the Court of Appeal, said that in a complex case of this kind it is unsurprising that the medical evidence remains controversial. He noted that no case was advanced on behalf of the appellant at the trial justifying a hospital order with restriction but said the evidence of Dr Minne was "convincing and impressive". He said the Court had concluded on the balance of probabilities that the appellant suffered from a delusional disorder at the time of the offence and continues to suffer from that disorder. The Court also accepted that the appellant's ability to form a rational judgment about his culpability was significantly impaired and that his culpability was not as high as the evidence before the trial judge suggested.

The judgment went on to set out the statutory regime under which the court can impose a hospital order and the Tribunal's power to discharge a patient. The Court noted that where the Tribunal is not satisfied that a patient's discharge would create a substantial likelihood of serious physical harm to himself or to other persons, the Tribunal is required to make an evaluative judgement and assessment about future events. The Lord Chief Justice said that when considering this test the Tribunal should examine the nature and extent of the risk and the consequences if the event were to occur. It should then, as a matter of judgement, assess whether the likelihood of serious physical injury is substantial. The Lord Chief Justice said that likelihood is not to be interpreted as requiring a probability of serious physical injury but that in cases where the risk is of an injury that is very serious or life-threatening "a real possibility may well be sufficient to satisfy the test".

The Court of Appeal, having considered the medical evidence, was satisfied that there is a compelling need for the appellant to receive psychotherapy treatment in relation to his condition. The Lord Chief Justice said the treatment is likely to be prolonged and can effectively only be delivered within a secure hospital environment by an experienced psychotherapist. He noted that the only such available opportunity in Northern Ireland is the Shannon Clinic and said that, in the absence of such treatment, the possibilities are either that the appellant will be detained for an indefinite period on the basis that he constitutes a significant risk of serious harm or alternatively that he will be released in circumstances where he actually presents such a risk:

"The requirement to provide the appellant with the treatment that he needs can only be delivered either by a hospital order with restriction or by a prison transfer order. A prison transfer order can be made by the Department of Justice where it considers it expedient and where the Department is satisfied by written reports from two medical practitioners that the person suffers from mental illness of a nature or degree which warrants his detention in hospital for treatment. We conclude that the appellant's culpability was low but not minimal and that punishment is not inappropriate".

The Court of Appeal was concerned that there remains a strong degree of uncertainty about