suggested they felt unsafe. The prison was working on some good initiatives to improve this situation, including some useful joint work with police to tackle gang culture.

Security measures were proportionate, although nearly half of the prisoners thought it was easy to get drugs in the prison and random testing suggested that illicit drug usage was comparatively high. There was also emergent evidence of the increased use of new psychoactive substances. Disciplinary procedures were applied proportionately but, of concern, use of force was nearly double that seen at similar prisons. Oversight and accountability for the use of force was weak and managers were unaware of some questionable practice. We were not assured that individual instances where force was used were always justified. Staff working in the segregation unit had managed some very challenging behaviour well, but the environment and regime were very poor.

A particular concern was the number of deaths over the previous 14 months - lOin total, followed by another shortly after our departure. Three of these deaths had been confirmed as self-inflicted. We were assured that the prison was addressing the recommendations of the Prisons and Probation Ombudsman who had investigated the deaths; and the number of self-harmers and those at risk subject to case management was slightly reduced. The quality of case management was inconsistent and often weak, however, which was not good enough bearing in mind the evident risks faced.

The prison's daily routine was chaotic and unpredictable and too many prisoners spent too long locked in cell - 44% during the working day. There was sufficient work or education to provide all prisoners with a part-time or full-time place but not all places were fully utilised and activity was often interrupted. The range and quality of education was good but there was insufficient vocational training. The quality of teaching was good and although too few prisoners completed their courses, success rates were high among those who did. Success rates among those in vocational training was also high. Both the library and physical education required improvement. As well as being a local prison, Liverpool had also been designated a resettlement prison and yet the management of resettlement and reducing reoffending work had deteriorated and was weak. Coordination between offender management work and the new community rehabilitation company was very new and half of eligible prisoners did not have an offender supervisor. Those that did had limited contact. We were not assured that all public protection measures were applied with sufficient rigour. Demand for resettlement services was high and good use was made of peer supporters to aid others in their resettlement. Outcomes across the various resettlement pathways - notably accommodation and support for children and families - were reasonable. Throughout this report we have noted a series of backward steps. The prison has many longstanding problems to deal with and we acknowledge that urgent issues concerning health and, to an extent, the numbers of deaths in custody, were being addressed. *Nick Hardwick, HM Chief Inspector of Prisons, September 2015*

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.

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MOJUK: Newsletter 'Inside Out' No 553 (29/10/2015) - Cost £1

Hands Off John Bowden *Source: Scotland Branches, FRFI, 16/10/2015*

We reproduce below a letter sent to Glasgow Fight Racism! Fight Imperialism! from long term prisoner John Bowden. John has been regular writer for FRFI and organiser for prisoners' rights over the last 30 years. The backlash against him by the prison authorities continues. We ask you to join us in mobilising for the following dates at Greenock Sheriff Court where he is being put on a show trial for defending himself and others against Scottish prison service brutality.:"

"Thank you so much for your very welcome letter that raised my spirits considerably, especially at a time when the constant transfers around the prison system and overtly more repressive treatment have increased the feeling of extreme isolation; your support and solidarity at such a time is deeply appreciated. I was very sorry to have missed you and your comrades at Greenock court last month but am sure when the actual trial goes ahead on the 17th November (the hearing on the 27th October will be just a brief one to enter a plea of not guilty) it will hopefully extend throughout the day. That is certainly my intention anyway and I will seek constantly to use the trial as a platform to highlight and speak out against prison system brutality, especially as it's manifested at Greenock prison. Your presence therefore outside the court will assist me greatly. My message to you and your comrades is that your solidarity with prisoners who resist and fight back is absolutely vital as a means both of highlighting the struggle of those prisoners and showing those who repress and brutalise them that they are not alone. My own treatment at the moment is fairly typical of the abuse inflicted on difficult and subversive prisoners, and the total isolation of such prisoners is an absolutely central part of that abuse – which is why solidarity organised by comrades on the outside is the most effective means of challenging that abuse and isolation.

"In my own case so determined now are the prison authorities to psychologically destroy me that they've resorted to blatantly unlawful methods, such as categorising me as an extreme Escape Risk 20 years after an escape from custody in 1992; in July of this year, following a recommendation from a senior probation officer in London that regardless of my difficult relationship with the prison system I represented no danger whatsoever to the community and should therefore be transferred to a low-security jail in preparation for release, managers at Whitemoor maximum-security prison suddenly decided that an escape from custody in 1992 retrospectively justified recategorising me as a high risk prisoner. So now apart from being constantly transferred around eight different prisons in the last three months alone, I'm also forced to wear distinct yellowing clothing with 'Escapee' emblazoned on it and am woken every hour throughout the night apparently to ensure that I haven't escaped from my cell. This is of course straightforward mental torture.

"I'm informed that following the trial at Greenock in November the intention is to return me to Whitemoor prison in England; if so then I shall embark on a total non-cooperation protest forcing them to place me in the prison's segregation-unit (the site of considerable brutality) where I will try to organise collective resistance – your continuing solidarity will therefore be greatly appreciated. Again I am deeply grateful for your support and solidarity. Yes of course I will stay strong – we have a revolution to fight and a world to win!!!

In solidarity:John Bowden – 6729, HMP Barlinnie, 81 Lee Avenue, Glasgow, G33 2QX

Creating Hope in a Women's Prison *Kim Evans, Justice Gap*

Latest figures released by the Ministry of Justice (October 2015) show that 3,891 women are currently serving custodial sentences in England and Wales. According to the Prison Reform Trust, a large proportion of those women, many of whom are mothers, have received short sentences for non-violent crimes, and often for their first offence. A briefing released by the Trust in July recognised that women offenders differ significantly from their male counterparts and that they often exhibit more complex needs. More than half of women prisoners report having experienced emotional, physical or sexual abuse as a child, compared to 27% of men, and women in prison are more than three times as likely to be identified as suffering from depression as women in the general population. On release, fewer than one in 10 women leave custody with a job to go to, with most facing mounting debt and difficulties in finding safe housing. It is a sobering thought that women recently released from prison are 36 times more likely than the general population to kill themselves.

The report adds that, whilst custody will be the only option for a small number of women who offend, a series of inquiries have all concluded that prison is rarely a necessary, appropriate or proportionate response to women who get caught up in the criminal justice system. The effects of those sentences are also felt by their children – with women prisoners far more likely to be primary carers of children. In 2010, more than 17,000 children were separated from their mothers by imprisonment, with the difficulties in maintaining relationships increased by serving sentences in establishments far from their homes.

A approach to supporting women in prison is described by Clare McGregor in her recently published book Coaching Behind Bars – facing challenges and creating hope in a women's prison. The book challenges many misconceptions about women who become prisoners, and provides a real insight into the complex reasons why women offend, and just how brave they have to be to change theirs and their children's lives for the better on release. A charity established by McGregor – Coaching Inside and Out (CIAO) uses coaching techniques of the type more commonly employed in business, to challenge and support offenders to change their lives for the better, with the aim of unlocking their 'extraordinary potential'.

McGregor's book tells the stories of women coached by the charity in HMP Styal, home to 460 of the country's 'most damaged and damaging women', and described by the Chief Inspector of Prisons as 'one of the most complex and demanding of institutions'. After eight years of working with leaders and partnerships to reduce inequality, McGregor asked Styal's Governor if she could coach some of the inmates. Her view is that crime and how we react to it should be everyone's concern – the majority of offenders have grown up in the same communities as their victims and the cost of their offending are borne by those communities – and that prison is an opportunity for a new start.

CIAO has since coached over 300 clients, and been described by the Centre for Social Justice as 'ground breaking' and 'outstanding', with an independent evaluation establishing that 94% of those interviewed reported their coaching as having a positive impact. Unlike other agencies accessible to those in custody, CIAO aims to enable people to reach their potential, rather than look at where they may have been going wrong – a simple and yet radical shift in thought. The coaches build clients' belief and resilience by going with them into areas they might not be willing or feel able to explore on their own, enabling them to discover resources, strengths and abilities which they would not previously have considered themselves to possess.

By increasing self awareness, in order to understand how they think and interact, clients are helped to reconsider the way they may have looked at problems and options previously, and to take that questioning approach with them on release – a vital resource if they are to resist the factors

material provided by Sweden was lawfully supplied and the authorities in this country had a legal obligation to make appropriate use of it if it revealed criminal activity [28]. Whether the material would have been treated differently if it had originated in the United Kingdom did not affect the manner in which the trial judge was required to approach his decision under section 76 PACE. The judge was plainly right to refuse the application [29]. Further, the absence of compulsion in the case of an application for asylum renders comparisons with situations involving compulsion (such as the requirement to answer questions under section 98 of the Children Act 1989) inapt. The rule against self-incrimination does not require a prohibition on the use of evidence obtained through a non-compulsive procedure such as an application for asylum [30].

Report on an Unannounced Inspection of HMP Liverpool

33 Recommendations from the last inspection - had not been achieved and 13 only partly achieved. Inspectors made 106 recommendation. HMP Liverpool is an old, traditional, local prison, holding nearly 1,400 adult male prisoners. We last inspected Liverpool in late 2013 when we described a well-led prison that was doing a reasonable job despite the very great challenges of working in a 19th century infrastructure and managing in an inner-city context, where the prison population presented considerable complexities and risk. Liverpool was, and remains, a tough prison to run successfully. We returned early to follow up that inspection because of emerging concerns regarding the very poor state of health provision - concerns that were confirmed and are addressed in this report.

Overall this is a disappointing report with outcomes not sufficiently good across all four of our healthy prison tests. This, in particular, reflects a deterioration in outcomes that determine the quality of respect in the prison and in the prison's approach to resettlement. The very poor quality of the environment at Liverpool remained a fundamental challenge. Outside areas were dirty with litter strewn on the ground and the accommodation was dirty, overcrowded and poorly equipped. Access to amenities such as showers, bedding and laundries was better, but staff were not attentive in answering cell call bells when needed, and prisoners had limited confidence in the application system that was meant to deal with simple requests. We describe relationships between staff and prisoners as benign - staff and prisoners rubbed along fine, but not with much purpose. Work to support equality was reasonable, well planned, and supported by useful community partnerships, but effectiveness was undermined by staff shortages. Peer supporters were a useful help but consultation with minority groups was limited and outcomes overall could be mixed. The chaplaincy provided a reasonable service despite currently having no full time staff.

The quality of health provision had deteriorated dramatically during 2014 and was now the subject of remedial interventions by the commissioners, the prison and a new primary care provider. Provision was inspected jointly with the Care Quality Commission and our overall assessment was that while decline had been arrested and though there were now discernable improvements, there was still a long way to go before outcomes were acceptable. We were assured that the prison and providers were clear about the main problems and were now working effectively to address them.

Liverpool also remained a prison that was not safe enough. Newly arrived prisoners were received well but overcrowding meant that some did not make it to the first night centre and could therefore miss out on vital assessments. Vulnerable prisoners (often sex offenders) who were located on the first night centre felt unsafe because of their proximity to mainstream prisoners. Induction arrangements were poor. Levels of violence were lower than at comparable prisons and had remained fairly static apart from a worrying three-fold increase in the number of assaults on staff. In our survey of prisoners, more than at comparable establishments

R v McGeough (Appellant) (Northern Ireland) [2015] UKSC 62 - Appeal Dismissed

Background to the appeal: In June 1981, Mr McGeough was implicated in the attempted murder of Samuel Brush, a postman and member of the Ulster Defence Regiment who was shot in County Tyrone. In the course of the attack, Mr Brush managed to fire a gun at his assailants, striking one of them. Mr McGeough subsequently presented at a nearby hospital with a gunshot wound from what was later determined to be Mr Brush's weapon. He received treatment there and at a hospital in Dublin and, despite being placed under police guard, he managed to escape and leave the country. In August 1983 Mr McGeough applied for asylum in Sweden. The application was supported by the appellant's account of his life, from which it appeared that he had been an operational member of the Irish Republican Army and had participated in the attack on Mr Brush. His application for asylum was dismissed, as was his subsequent appeal against the dismissal.

In November 2010, the appellant was tried at Belfast Crown Court for attempted murder and possession of a firearm. He was convicted of both offences and neither conviction is challenged in this appeal. At the same time, he was tried on two charges of membership of a proscribed organisation (the Irish Republican Army), those charges being based on the material contained in the Swedish asylum application. An application was made during the course of the trial that the Swedish material should not be admitted in evidence, either because it should be excluded under section 76 of the Police and Criminal Evidence Act 1984 (PACE) as having such an adverse effect on the fairness of the trial that it should not be admitted, or because the admission of the evidence would offend the rule against self-incrimination. Having heard evidence from a Swedish legal expert, the trial judge rejected the appellant's application on the basis that there was nothing in Swedish law, nor in Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures for granting and withdrawing refugee status (the Procedures Directive), nor in general public policy considerations which prevented the disclosure by Sweden of the material in the asylum application to UK prosecuting authorities. The appellant had been represented in Sweden by lawyers who must have told him of the Swedish rule that the papers in an asylum application were open public documents. The conditions necessary for exclusion of the material under section 76 PACE were therefore not present. Further, the appellant had not been under compulsion when providing the information in the asylum application so the privilege against self-incrimination was not engaged. The Swedish material was admitted in evidence and the appellant was convicted of the charges of membership of a proscribed organisation. The Court of Appeal dismissed the appellant's appeal against conviction. The Supreme Court unanimously dismisses the appeal. Lord Kerr gives the only judgment, with which the other Justices agree.

Reasons for the judgment: The need for candour in the completion of an asylum application is self-evident, but that should not be regarded as giving rise to an inevitable duty of confidence over material contained in them [22]. There is no explicit requirement in the Procedures Directive that material disclosed by an applicant for asylum should be preserved in confidence for all time and from all agencies, just that (per Article 22 of the Procedures Directive) it should not be disclosed to alleged persecutors or in the course of examining the individual case (neither of which applied here) [23]. Nor does the overall purpose of the Directive assist the appellant in establishing a general prohibition on disclosure: Article 22 is precisely worded and to read into it a general duty of confidence would unwarrantably enlarge its scope [24, 27].

Article 41 of the Directive requires member states implementing the Directive to abide by the confidentiality principle as defined in national law [25]. Swedish law does not contain a duty of confidentiality over information supplied in support of an asylum application where that application has been unsuccessful, but favours such applications entering the public domain [26]. The

which led to imprisonment in the first place. Whilst serving a sentence, previous 'positive psychology' options such as going for a walk or chatting with a friend are unavailable, and coaching helps to explore alternative methods. One client described in the book had suffered the death of all her immediate family, her father from cancer, her sister as the result of female circumcision, and her mother who died whilst helping her to flee from the same fate. It is difficult to imagine how she endured, and why it was necessary for her to be in prison in the first place. It is not too dramatic to say that it is also possible for the reader to go on a journey of self discovery, whilst reading and reflecting on the problems described by the participants in the book.

'Whenever her children's father was locked up in prison she earned what she needed to support them all by working on the streets, because "I'm shit at shoplifting". The two of us burst out laughing only to reflect on how she had thought carefully about her career options, weighed up where her skills lay and pursued a logical path.' McGregor says that CIAO wants to create lifelong change, with an aim which transcends desistance (stopping people offending) by enabling people to reach their potential. She says: 'It would weaken the power and possibilities if we only aimed to stop people offending. The whole point is that coaching both frees and challenges each individual to explore and prioritize what they really want to change in their lives.' It also shows the strength and will required to change when almost everything is stacked against you – a real testament to the results achieved by McGregor and her team.

Historic Sex Offence Cases *Charlotte Rowles, Investigative Journalist*

For the last 4 years, I have worked with Inside Justice, a charity that investigates potential cases of miscarriages of justice. We are seeing a sharp increase of letters from prisoners convicted of historic sex abuses and protesting their innocence – and there is good reason to think this situation will only get worse. In recognition of the challenge these extremely serious cases represent, I wanted to find out more about a rare thing in the miscarriage of justice world: a success in overturning a conviction of a historic sex abuse case. Chris Saltrese, a solicitor who has specialised in false abuse allegations for 18 years, points out some of the problems in making an appeal. "Convictions for abuse cases are mainly based on one thing: oral testimony of the victim…. In the absence of other supporting evidence like eyewitnesses or forensic evidence, it can be very difficult to get fresh evidence necessary for an appeal. Over the last 10 years, I imagine there have been several thousands of wrongful convictions. Since [notorious DJ Jimmy] Savile, it has gone off the scale."

Prisoners who say they are innocent will often turn to a campaign group or an organisation like Inside Justice when they hit a legal brick wall. But as Louise Shorter, who runs Inside Justice, explains, these cases prove uniquely difficult for us too: "if a murder case comes into the Unit it is usually rich with possibilities for new investigations, be they forensic or otherwise. With any sex offence case the paucity of evidence, the very thing most people will point to as a reason for believing in innocence, is our enemy. Scant evidence equals scant opportunities to test if the conviction is safe."

To make sense of the current situation, it's relevant to consider current practices in policing and prosecuting these sensitive cases. The former Director of Public Prosecutions, Keir Starmer has said of people who contact the police claiming to be victims: "These complainants must be believed". Talking to the BBC's Today Programme, Chief Constable Simon Bailey, who oversees child abuse investigations for the National Police Chiefs Council, said: "We are now dealing with an unprecedented number of victims who are having the confidence and courage to come forward and report non-recent sexual abuse. "I am predicting an 88% increase this year - the police service will investigate approximately 70,000 allegations of child abuse."

So if overturning a wrongful conviction in this category of crime is so difficult, are there successes we can learn from? In America in 1984, John Stoll was found guilty of 17 counts of child molestation. Six children gave evidence to court that Stoll had molested them. Alex Simpson was the Associate Director of the Innocence Project based at California University when they were contacted by John Stoll asking for help to appeal his conviction. Alex was informed the victims in the Stoll case might be willing to talk to them. Despite the apparent willingness, Alex approached the victims with caution, aware of how difficult it can be. "How do you have that conversation?" Alex explains. "Kids tend to be vulnerable, eager to please and pick up on the answer you want." In the course of the investigation, it appeared that the victims were coerced by law enforcement officials into making false allegations of abuse against Stoll when they were boys.

The case took five years of work and the focus of five attorneys. The accusers took the stand in a Kern County Superior Court room and said that the stories of sexual abuse they told as children were lies, and recanted their testimony. After 20 years in prison, John's conviction was overturned and he adjusted to life as a free man. Reflecting on the case, Alex said: "The thing that drove us with the Stoll case was that the whole thing was made up".

In 2013, Inside Justice was contacted by a man accused by family members of having sexually abused them years earlier. We joined forces with a miscarriage of justice initiative at the University of East Anglia called justiceproject@uea to see if there were any grounds to believe what he'd been saying since the allegations first emerged: that he is completely innocent. The judge allowed the testimony of each of the victims to be cross admissible, effectively allowing them to corroborate each other's evidence. In the course of a painstaking review of the evidence, court statements, police interviews - the unused material gathered by the police during their extensive investigation - justiceproject@uea uncovered a number of important issues:

The accounts of the abuse given in evidence at trial differed significantly when the victims retold others a year later. They found evidence in the unused material of previous false allegations made by one of the victims. The jury was never given this important piece of information before deciding whose testimony to believe. Finally it was established that an element of one of the victim's account of the abuse was patently untrue. The Criminal Cases Review Commission, the organisation which investigates cases and has the power to refer to the Court of Appeal, has accepted the case submission and will begin a full review in January 2016.

Steve Heaton, the leader of justiceproject@uea says: "This case was enormously tough for students, the odds are stacked against us in making an appeal. After months of work, we believe we have presented some compelling reasons to cast doubts on this conviction." There are current concerns about the investigation of forensic elements of sex offences. Recently, the Forensic Science Regulator announced a review of poor forensic practice in sex abuse cases. Gill Tully, the government's watchdog on forensic matters, told the Guardian that the review, which will last until summer 2016, was prompted when she was told about cases where "the scientific opportunities don't appear to have been maximised". In some cases, no scientific analysis was carried out at all.

The review focus is on sex abuse cases because they are complex and often not well resourced. £20 million cuts in funding for forensic examination have added to concerns about criminal justice being compromised. These concerns translate to historic abuse investigations. The recent BBC Panorama film, The VIP Paedophile Ring: What's the truth? raised questions about victims' testimony being largely uncorroborated. Peter Spindler is a former police commander who investigated the victims' claims of abuse by Savile. Talking about victims coming forward, Spindler told Panorama: "The thousands of people who have come forward… cannot all be making it up". With his years

Instead of providing any personal conclusion, I would refer to the detailed content of the domestic judicial decision (see paragraphs 75-82 of the Court's judgment), in which the judge reached this final conclusion, as rephrased in paragraph 82: "... if, contrary to his [the judge's] view, judicial review proceedings against the police were appropriate, he would refuse permission as the claim was not arguable on the material provided. He accepted that the question whether the decisions of the City of Westminster Magistrates' Court to issue warrants of further detention were unlawful because inadequate information had been provided to the applicants about the reasons for their continued detention was potentially a matter of public law."

In today's Europe there is a growing need to fight against all forms of religious radicalism, including aggressive nationalism, but this fight requires minimum guarantees against arbitrariness on the part of agents of the State and against the possible misuse of the powers vested in various State agencies. Finally, it should be pointed out that the applicants in this case had been released without charge and had immediately been served with deportation orders.

Inquest Into death of Carl Foot at HMP Pentonville Begins

33-year-old Carl died on 9th December 2014 in the Royal London Hospital having been found hanging in his cell in HMP Pentonville on 5th of December. Carl had a long history of alcohol and substance misuse and had served a number of prison sentences for crimes related to his substance misuse problems. He had attempted suicide more than once outside prison and had spent time in a psychiatric hospital. Carl arrived at HMP Pentonville on 21 November to await sentencing for burglary. He was due to attend court again on 5th December. The Inquest will hear that during his initial health assessment he told the nurse that he had no history of mental health problems and no history of attempted suicide or self-harm. The nurse had not read Carl's medical records from previous sentences. Carl was housed in a double cell on A wing, the prison induction unit. The inquest will hear he appeared to settle and was working towards a community sentence with a drug rehabilitation requirement. He received warnings for negative behaviour on 1 and 3 December. He told his brother in law, who was also a prisoner in HMP Pentonville at the time, on 4th December that he hoped to be released from the court the following day and intended to spend time with his family.

The inquest will hear that Carl was not called to attend Court on 5th December. He was given a further negative behaviour warning and placed on the basic regime. Three officers attended his cell to remove his television as prisoners on the basic regime are not permitted to have a television. Carl did not react well. The inquest will hear from a prisoner who was in a cell opposite that Carl repeatedly pressed his cell bell. Sometimes the bell was immediately cancelled by an officer, sometimes it was left ringing for longer than the target time of 5 minutes. Carl last rang his bell at 2.54pm. When it was answered 24 minutes later by a passing officer Carl was found hanging from a sheet tied to the window bars. He was taken to the Royal London Hospital where he died 4 days later. Carl's family hope that the inquest will be able to address the serious questions and concerns they have about the care and treatment Carl received from officers at HMP Pentonville on 5th December and in particular why his concerns were not dealt with and his cell bell was not answered as it should have been. The family is represented at the hearing by INQUEST Lawyers Group members Jo Eggleton from Deighton Pierce Glynn solicitors and barrister Jesse Nicholls of Doughty Street chambers.

Note: There has been a highly critical inspection of HMP Pentonville carried out by the Chief Inspectorate of Prisons which stated that at the time of the inspection last September, Pentoville was seriously overcrowded with 1,236 inmates in cells designed to hold only 913. Almost half of inmates said they felt unsafe.

attack and national security considerations had justified restrictions on the applicants' right to adversarial proceedings concerning the warrants for their further detention. Similarly, the Court found that the fight against terrorism and the urgency of the situation had justified a search of the applicants' homes pursuant to a search warrant framed in relatively broad terms. Moreover, there had been sufficient safeguards against the risk of arbitrariness both in respect of the proceedings for warrants of further detention, in the form of a legal framework setting out clear and detailed procedural rules, as well as in respect of the search warrants, which had been issued by a judge, without the applicants suggesting that there had been no reasonable grounds for doing so.

Dissenting Opinion of Judge Faris Vehabović

I regret that I am unable to subscribe to the view of the majority that there has not been a violation of Article 5 § 4 of the Convention in the present case. The applicants were arrested under section 41 of the Terrorism Act 2000 on suspicion of being involved in the commission, preparation and instigation of acts of terrorism. Their detention was reviewed several times without the presence of a lawyer. They were even interviewed by the police without a lawyer being present. My opinion is that whenever there are such serious allegations against an applicant he must be able to have a representative who will provide him with proper legal assistance. I would not limit this obligation to initial questioning; it should extend to legal assistance in proceedings relating to an initial measure or extension of detention.

The following day the applicants were informed that an application would be made to the City of Westminster Magistrates' Court for a warrant of further detention of a period of seven days. A hearing took place on 10 April 2009. The applicants and their representatives were excluded from one part of the hearing. As explained in paragraph 41 of the judgment "[p]art of the hearing was closed to allow the District Judge to scrutinise and ask questions about the material ...". I share the view that it is of crucial importance that the judge dealing with the possible extension of detention should acquire knowledge of available evidence against the applicant, but I find it unjustified to exclude the applicant and his representative from part of the hearing when this discussion took place, thus removing the possibility that the applicant might dispute the relevance of evidence which was decisive for that extension of detention. The decision in the present case to exclude the applicants and their representatives from even one part of the hearing implies that the police did not provide the applicants with adequate information about the reasons for their continued detention.

My opinion is that when the applicants complained about the provision of information from the police as to the reasons for their arrest and detention, and when they insisted that judicial review was an appropriate remedy in respect of their complaints, they already used one of the available remedies. It is clear that they could have used a private-law remedy but I consider that in a situation where there are different effective remedies available to the applicant, he is obliged to exhaust not all of them but the one he finds to be more appropriate than another for the situation at hand. I cannot accept the reasoning given by the judge in these proceedings, to the effect that there was another – private law – remedy available, that these claims involved potentially complex disputes of fact or that there was no reason for these proceedings to take up the judicial resources of the Administrative Court, which were required for the numerous urgent and prospective judicial review proceedings issued in the High Court every week. At that time, the applicants were being held pursuant to deportation orders. In order to use the private-law action, as suggested by the judge, "the claimants would not have to return to the UK to give evidence in their private law action, which could instead be provided by way of video-link"! In the reasoning given, it was not suggested that the said court was not competent to deal with the matter but that judicial review proceedings against the police were inappropriate.

of experience representing people charged with historic abuse crimes Chris Saltrese sees things from a different perspective: "There have been hundreds of convictions [of historic sex abuse], they can't all be guilty." Between these polar opposite views, one thing is clear: no one is getting justice if more can't be done to corroborate historic abuse cases where doubts have been raised about the safety of the conviction.

Britain's Most Dangerous Prisoners to Get Meditation Lessons

Robert Booth, Guardian: Prison staff are to teach meditation to Britain's most dangerous criminals in an attempt to aid their rehabilitation and quell their violent impulses. About 60 of the most violent men held in segregation units in the country's eight highest-security prisons will have access to one-on-one training by psychologists and prison officers, the Guardian has learned. A prisoner in HMP Wakefield's close supervision centre (CSC), where the armed robber and hostage taker Charles Bronson is being held, is the first to undertake a mindfulness-based stress reduction course, derived from a 2,400-year-old Buddhist meditation tradition. The move represents an ambitious new frontier in the application of the technique, which is already prescribed on the NHS to treat depression and is gaining traction in schools to help pupils concentrate and to regulate their emotional responses.

CSC inmates have murdered, attempted to murder, taken hostages or committed other serious crimes while in jail and are taken into isolation for others' safety. They include double killer Mark Robinson, who last year hospitalised five prison officers after becoming upset about his bread ration, and Lee Foye, who killed his partner and was sent to a CSC after murdering a paedophile. Once inside he sliced off one of his own ears with a razor blade, and three months later cut off the other ear.

"The idea is to incorporate it as part of the day-to-day regime of our close supervision centres," said Mark Campion, the wellbeing strategy manager for the prison service's high-security prisons group. "There are eight high-security jails and mindfulness will be active in all those eight, making it one of the pathways of therapy for prisoners. Some won't engage. You can't force people to do mindfulness. It is on a need basis agreed by both prisoner and the prison psychologist."

Mindfulness courses are usually taught in groups but the hardened criminals in the prison-within-prison segregation units will receive one-on-one teaching. The courses will be available at HMP Woodhill near Milton Keynes, HMP Whitemoor in Cambridgeshire, HMP Manchester, HMP Full Sutton near York, and HMP Wakefield. There is no authoritative evidence the technique can work in such extreme contexts, but studies have shown it can prevent relapses of depression and anxiety in the wider population. Anecdotal evidence suggests it could help some convicts and people on probation handle thoughts that cause stress, anxiety and violent urges. The intiative emerged as a cross-party committee of MPs and peers on Tuesday calls for greater state support for mindfulness declaring it "an important innovation in mental health which warrants serious attention".

Following a year-long inquiry the all party group on mindfulness will tell the government it is "disappointed by the lack of provision across the country of this cost-effective treatment". It will also call on the National Offender Management Service, which runs prisons and probation, to make mindfulness courses available to offenders suffering from recurrent depression. The course at Wakefield's close supervision centre is being delivered by the prison psychologist and a prison officer who trained mindfulness teachers.

The chief inspector of prisons, Nick Hardwick, this summer said CSC inmates consider the units so claustrophobic and isolated they are "like a submarine". One prisoner told his inspectors: "All I see is concrete barriers, grey sky. Don't see no grass or anything." The move to intro-

duce meditation into such a tough environment follows the successful provision of eight week mindfulness courses for 15 men convicted of crimes related to drug and alcohol addiction at HMP Manchester. There have also been meditation pilot schemes at HMP Guys Marsh, HMP Dumfries and youth offender institutions at Cookham Wood in Kent and Polmont in Scotland.

The Ministry of Justice said it is watching the various initiatives with interest but said there was no national policy on mindfulness across the prison estate. Ruth Mann, the head of rehabilitation at the national offender management service, told the high-security prisons group: "Early evidence suggests that mindfulness could impact factors linked to reoffending, so we'd like to test whether it can improve outcomes for certain groups of offenders." The group concluded: "Mindfulness-based cognitive therapy has been shown to be most effective amongst individuals who have suffered childhood abuse. Given 41% of prisoners reported having observed violence in the home and 29% reported emotional, sexual or physical abuse as a child, mindfulness could have a significant impact and affect the higher one-year recidivism rates among these groups."

Former Serbian General Awarded £50,000 Over Wakefield Prison Attack

Kevin Rawlinson, Guardian: A former Serbian general convicted of genocide for his part in the Srebrenica massacre has been awarded more than £50,000 in compensation from the Ministry of Justice after his throat was cut in a British prison. Radislav Krstić was attacked by "Islamic extremists" in his cell. The judge said the authorities were negligent of their duty to protect Krstić, who is serving a 35-year sentence imposed by the international criminal tribunal for the former Yugoslavia (ICTY) in The Hague in 2001. "This case shows the British legal system working at its best, providing justice to an unpopular and vulnerable prisoner who was owed a duty of care under our longheld traditions [the law of negligence)]" said Krstić's solicitor, Kate Maynard, after the judge's decision. Krstić was attacked in May 2010 while serving time in Wakefield prison. The judge, Antonio Bueno QC, sitting at Central London county court, said: "His involvement in the Srebrenica massacre had gained notoriety throughout the prison; his throat was cut by three murderous Muslim fellow prisoners. "He was fortunate to escape with his life. After this, there were other but less serious incidents at HMP Long Lartin and HMP Woodhill, to which institutions he was successively transferred, of which complaint is also made in these proceedings." Krstić's attackers – Indrit Krasniqi, Ilyas Khalid and Quam Ogumbiyi – were described as "very dangerous" and "known to be violent criminals with extremist views". They were housed in the same unit as Krstić. They were all convicted of causing grievous bodily harm with intent.

The former Serbian general said he had never fully got over the attacks. He was awarded a total of £52,500, with £35,000 for the trauma he suffered and £17,500 for his physical wounds. The Ministry of Justice (MoJ) was also ordered to pay the legal costs.

The judge said HMP Wakefield "lacked the appropriate facilities to ensure [Krstić's] care by preventing him from being brought into contact with very dangerous prisoners with obvious motives for harming him". He said the incident "caused HM government serious embarrassment because of its perceived failure to house Krstić to the standards required".

Krstić was captured in a joint operation by British and American forces in 2001 and brought to face trial before the ICTY. He was convicted of genocide, complicity to commit genocide, extermination and two counts of murder. He was initially sentenced to 46 years' imprisonment, but that was reduced on appeal and it was agreed that he would serve time in prison in Britain. He has since been transferred to a Polish facility and gave evidence via videolink. An MoJ spokeswoman said: "We robustly defend all compensation claims from prisoners as far as our evidence allows. We are disappointed with this judgment and will consider the next steps."

bill that mandates custody hearings throughout the country. Pernambuco also needs to take urgent steps to address the extreme overcrowding and inhumane conditions, stop delegating control of prison facilities to keyholders, and address severe delays in the judicial process that violate the rights of detainees and overcrowd the prison system. "By meeting its obligations to protect people from arbitrary incarceration, Pernambuco can at the same time ease the overcrowding that contributes to unsanitary, degrading, and unsafe conditions in its prisons," Canineu said.

Prison Warden Sacked for Wooing Inmates Partners *Scottish Daily Record*

A prison warden has been sacked for using his position to woo inmates' partners after they came to visit their men in jail. Cameron MacKie collected the personal contact details of pretty blondes through his job on visitor reception at HMP Grampian. The bodybuilder – whose own wife of just a few months is pregnant – then contacted the stunned girls via Facebook and text and pestered them with sleazy messages. MacKie was suspended after 21-year-old Vicky Irvine – who had been visiting her partner Liam Donald, 22 – turned him in to prison bosses and handed over messages and photos he had sent. A close friend of the young couple said she was aware that a prison guard had been pestering Vicky. The pal said: "She told me he had been sending her stuff on Facebook.

"One inmate at Grampian who contacted the Record told how MacKie's behaviour had caused tension between wardens and inmates at the £150million jail. The source said: "Word got out that a warden was contacting people's wives and girlfriends and it caused a major stink. "It's bad enough for the cons to think that their partners might be going out at the weekends and meeting other guys – but to think they are being preyed on by wardens in the jail is beyond the pale. This guy seemed to think they were fair game but he never thought it through because it was always on the cards that he would be reported to jail bosses."

Sher and Others v. the United Kingdom [No Violation - But Note Dissenting Opinion]

UK courts struck right balance between the fight against terrorism and suspects' procedural rights In Chamber judgment1 in the case of Sher and Others v. the United Kingdom (application no. 5201/11) the European Court of Human Rights held: by six votes to one, that there had been no violation of Article 5 § 4 (right to take proceedings to challenge lawfulness of detention) of the European Convention on Human Rights; and unanimously, that there had been no violation of Article 8 (right to respect for private and family life) of the Convention.

The case concerned the arrest and detention of three Pakistani nationals, the applicants, in the context of a counterterrorism operation. The applicants were detained for 13 days, before ultimately being released without charge. During that period they were brought twice before a court with warrants for their further detention being granted. They were then taken into immigration detention and have since voluntarily returned to Pakistan. In their complaints before the European Court, they alleged in particular that they had been denied an adversarial procedure during the hearings on requests for prolongation of their detention because certain evidence in favour of their continued detention had been withheld from them and that one such hearing had been held for a short period in closed session. They also complained about the search of their homes during their detention.

The Court accepted that the UK authorities had suspected an imminent terrorist attack and had launched an extremely complex investigation aimed at thwarting it. Reiterating that terrorism fell into a special category, it held that Article 5 § 4 could not be used to prevent the use of a closed hearing or to place disproportionate difficulties in the way of police authorities in taking effective measures to counter terrorism. In the applicants' case, the threat of an imminent terrorist

Pernambuco the lack of space is even direr, since the state houses almost 32,000 inmates in facilities with capacity for 10,500, according to official data. Fifty-nine percent of detainees are awaiting trial and are incarcerated with convicted prisoners, in violation of international and Brazilian law. During one of our visits, Human Rights Watch saw a cell with six cement bunks for 60 men where there was not enough space on the floor for all to lie down. Poor sanitation and ventilation, combined with overcrowding and lack of adequate medical care, allow the spread of disease. The prevalence of tuberculosis in Pernambuco's prisons is 100 times that of the general population. The Pernambuco prisons are severely short-staffed, with less than one guard for every 30 prisoners, the worst ratio in Brazil, according to the Justice Ministry. At one prison that holds 2,300 inmates – a "semi-open" facility where some inmates are allowed to come and go for work – only four guards are on duty per shift.

The extreme overcrowding and lack of sufficient staff make it impossible for prison authorities to exercise adequate control within the prison grounds. Instead they delegate authority to a single inmate within each pavilion – fenced-in areas within the prison walls that usually contain multiple cell blocks and more than 100 inmates. The chosen inmates are given the keys to the pavilion. The keyholders sell drugs, extort payments from fellow prisoners, and require them to pay for places to sleep. They deploy inmate "militias" to threaten and beat those who do not pay their debts. Prison officials either turn a blind eye or participate in the keyholders' illicit activities and receive kickbacks, several people, including a prison director, told Human Rights Watch. Extreme overcrowding also puts detainees at risk of sexual violence. Two detainees interviewed said they had been gang raped. Both reported the attacks to guards, who ignored the reports, the victims said.

Brazilian authorities are fully aware of the abuses in Curado, the largest prison complex in Pernambuco. In 2011, a coalition of nongovernmental organizations – Catholic Church Prison Ministry (Pastoral Carcerária), Global Justice (Justiça Global), Ecumenical Service of Advocacy in Prisons (Serviço Ecumênico de Militância nas Prisões), and Harvard Law School's International Human Rights Clinic – brought the matter before the Inter-American Human Rights System. In 2014, the Inter-American Court of Human Rights ordered Brazil to guarantee the security of detainees, prison personnel, and visitors at Curado. At a hearing in Costa Rica on September 28, 2015, the coalition asked the Court to issue a new resolution to require that the state protect lesbian, gay, bisexual, and transgender (LGBT) and other vulnerable detainees, and to have federal authorities investigate cases of violence and corruption, among other measures.

A major factor contributing to the overcrowding has been the failure to provide "custody hearings." These hearings, in which a detainee appears before a judge promptly after being arrested to determine the legality and necessity of the state's request to keep them in detention, are required under international law but have not – until recently – been provided to detainees in Pernambuco or most other Brazilian states. In addition to ruling on whether a detainee should be held or released pending trial, the hearings allow a judge to examine detainees for evidence of police brutality. Without custody hearings, detainees waiting to see a judge for the first time may spend many months in overcrowded prisons, and forensic evidence of any police abuse may also disappear during that time. Pernambuco had not previously held these hearings. But on August 14, it began providing custody hearings to detainees allegedly caught in the act of committing a crime in Recife, the state capital.

A Human Rights Watch report of a similar program in the state of Maranhão found that custody hearings helped prevent the unlawful arbitrary imprisonment of suspected nonviolent offenders while they awaited trial. Pernambuco should implement custody hearings promptly in the whole state, Human Rights Watch said. In addition, Brazil´s Congress should approve a pending

Jailed For 22 Years – On The Fantasy Evidence Of A Single Hair

Ed Pilkinton, Guardian: Kirk Odom spent 31 years in prison and on parole after pseudoscientific analysis that has finally been discredited. Now the FBI admits it was wrong – in Odom's case, and many thousands like it On 3 April 1981 Kirk Odom was walking near his home in Washington DC when he was stopped by a police officer. It was just a random passing in the street. Odom had done nothing, been nowhere. He was an unexceptional 18-year-old trying to raise his infant daughter Katrice who was then less than a year old. The officer pulled a sketch of an unidentified black man out of his pocket and invited Odom to agree that the person in the drawing looked strikingly like him. "I said, 'No, it doesn't look like me,'" Odom recalls. Then the officer took the teenager's name and address, and allowed him to walk away thinking that was the end of that.

But that was not the end of that. A few days later, Odom was arrested and charged with a brutal crime. Two months previously a young woman had been attacked by a stranger who had broken into her apartment before dawn, held a gun to her head, blindfolded her and tied her up, then sodomised and raped her before making off with $400 in travellers' checks. The prosecution case against Odom was flimsy at best. The victim had seen her assailant only fleetingly and in the dark, and the composite drawing that had been based on her description – the one that the police officer had thought looked just like him – referred to a black male of "medium complexion" when Odom's skin is very dark. He also had a convincing alibi, having been asleep at his mother's house at the time of the attack. With such shaky evidence, Odom assumed that the authorities would soon realise their mistake and the whole nightmare would go away. "I didn't think anything was going to come of this, because I hadn't done anything," he says.

But when it came to trial, prosecution lawyers produced their ace card. They had a hair, they told the jury. A single strand of "negroid" hair found on the victim's nightgown that must have come from the rapist. Special Agent Myron T Scholberg of the Federal Bureau of Investigation stood before the jury and delivered the coup de grace. He worked at the FBI's grand-sounding microscopic analysis unit in Washington, he said, where he was a world-leading expert in the even grander-sounding science of "hair microscopy". Scholberg told the jury that he had analysed the rapist's hair found at the crime scene and compared it microscopically with a sample hair taken from Odom's head. The comparison had produced an exact match, which was significant because that was a "very rare phenomenon". Having performed thousands of similar hair examinations over the previous 10 years, the FBI agent told the court, there had been only eight or 10 times when hairs from two different people were so similar that he could not tell them apart – suggesting the firm probability that the rapist's hair and Odom's hair had come from the same scalp.

The testimony, proudly invoking the certainties of science, did its job: the verdict came in guilty. On the basis of that single hair Kirk Odom was to spend the next 22 years in prison and a further nine living the half-life of a paroled sex offender. The trouble was, Scholberg's testimony wasn't scientific, and it wasn't true. Fast forward to 2009, by which time Odom had spent 28 years in prison and on parole. In that year the National Research Council of the National Academy of Sciences released a landmark report into the practice of forensic analysis in the US. The report pointed out a basic problem with the idea that you can compare two hair samples and produce a positive match. No statistics exist, the council pointed out, that map the distribution of hair properties in the general population, and that renders it impossible to make any meaningful calculations about the probabilities of a particular hair type being found. As a result, "all analyst testimony … stating that a crime scene hair was 'highly likely' to have come, 'very probably' came, or did come from the defendant violates the basic scientific criterion that expressions of probability must be supported by data". To put that in plain English,

Scholberg's statement to the jury at the Odom trial – that the match he had found between the defendant's and the rapist's hair was a "very rare phenomenon" – was complete fantasy.

The FBI was warned about the dodgy science of microscopic hair analysis as early as 1985 Where did this pseudoscientific belief in the ability to match hairs come from? Chris Fabricant of the Innocence Project, which has led much of the work in DNA exonerations of innocent prisoners, and co-author William Carrington have traced it back to 1855 when prosecutors in Mississippi claimed they could identify the murderer of a cotton plantation owner by hairs found at the crime scene. The sophistication of the analysis – or lack of it – barely changed over the next century. But what did change after the second world war was that the FBI embraced the technique, embellishing it with the scientific seal of approval. Take the FBI's 1977 pamphlet Microscopy of Hair: A Practical Guide and Manual. Its text is peppered with scientific language – sebaceous gland, papilla, uniserial, vacuolated, cortex, cuticle. The assumption running through its 53 pages is that with the help of a microscope a skilled examiner can positively match two hairs to the same person with a high probability of accuracy, by comparing qualities such as colour, diameter, cuticle, scales, pigment and so on.

Clarence Kelley, then director of the FBI, wrote a starry-eyed foreword to the manual in which he expressed his hope that it would promote "maximum use of physical evidence in our criminal justice system of America". It certainly did that. At its peak, the microscopic analysis unit in Washington had 11 special agents devoted entirely to hair comparisons, working on up to 2,000 cases a year and testifying 250 times annually. Between 1972 and 1999, the unit produced at least 2,500 positive hair matches that were used in criminal cases, and tens of thousands more may have resulted from FBI "experts" training detectives to use the spurious technique in individual states across the country.

In April this year, as Spencer Hsu of the Washington Post first reported, the FBI and the justice department formally acknowledged that it had given flawed testimony in almost all the criminal trials in which its agents were involved. Those cases included 32 that put defendants on death row – nine of whom have already been executed. Perhaps the most remarkable part of this sorry saga is that it took the finest investigative minds in the US justice system until April 2015 to make that formal recognition. Yet the FBI was warned about the dodgy science at least as early as 1985, when the FBI Academy in Virginia held a three-day international symposium in which forensic experts from all over the world came together to consider hair analysis as an investigative tool. A senior manager from the FBI laboratory, Harold Deadman, told his global partners: "We are believers in hair comparisons." But panellists from other parts of the world were not so enamoured. The chief scientific officer for the London Metropolitan police told the gathering that "there is a basic reluctance among examiners in the United Kingdom to examine hairs because of the generally low to very low evidential value put on most hair matches by the average hair examiner in the UK."

Most tellingly, a criminologist from New York called Peter De Forest raised objections to the typical testimony that was then being given by FBI forensic examiners in umpteen US trials. He read out to the symposium the kind of statement that an FBI expert would commonly tell the jury: "These hairs were found to be similar and in my experience I have examined thousands of hairs and I have never found two hairs from different sources that were alike." Then De Forest told the gathering that in his opinion that testimony was "very misleading and it is not substantiated by any data". He was referring to the testimony that was given, almost verbatim, by Scholberg at Kirk Odom's trial four years earlier. In 2009 Donald Gates became the first man to be exonerated after being imprisoned on fantasy hair evidence. He had spent 28 years behind bars. Photograph: Washington Post/Getty Images

Why then did it take a further 27 years to declare Odom innocent? And why did the FBI's team

all over the city: police data obtained by the Guardian and mapped against the city grid show that 53% of disclosed arrestees come from more than 2.5 miles away from the warehouse. No contemporaneous public record of someone's presence at Homan Square is known to exist. Nor are any booking records generated at Homan Square, as confirmed by a sworn deposition of a police researcher in late September, further preventing relatives or attorneys from finding someone taken there. "The reality is, no one knows where that person is at Homan Square," said Craig Futterman, a professor at the University of Chicago Law School who studies policing. "They're disappeared at that point."

A Chicago police spokesman did not respond to a list of questions for this article, including why the department had doubled its initial arrest disclosures without an explanation for the lag. "If lawyers have a client detained at Homan Square, just like any other facility, they are allowed to speak to and visit them," the police claimed in a February statement.

Numbers are 'hard to believe': Twenty-two people have told the Guardian that Chicago police kept them at Homan Square for hours and even days. They describe pressure from officers to become informants, and all but two – both white – have said the police denied them phone calls to alert relatives or attorneys of their whereabouts. Their accounts point to violations of police directives, which say police must "complete the booking process" regardless of their interest in interrogating a suspect and must also "allow the arrestee to make a reasonable number of telephone calls to an attorney, family member or friend", usually within "the first hour" of detention. The most recent disclosure of Homan Square data provides the scale behind those accounts: the demographic trends within the 7,185 disclosed arrests at the warehouse are now far more vast than what the Guardian reported in August after launching the transparency lawsuit – but are consistently disproportionate in terms of race and constitutional access to legal counsel. • 82.2% of people detained at Homan Square were black, compared with 32.9% of the Chicago population. • 11.8% of detainees in the Homan Square logs were Hispanic, compared with 28.9% of the population. • 5.5% of the detainees were white, compared with 31.7% of the population. • Of the 68 people who Chicago police claim had access to counsel at Homan Square, however, 45% were black, 26% were Hispanic and another 26% were white.

Brazil: Where Inmates Run the Show *Human Rights Watch*

The Brazilian state of Pernambuco has effectively turned over its vastly overcrowded prisons to hand-picked inmate "keyholders," Human Rights Watch said in a report released today. The Pernambuco prison system holds more than three times as many inmates as its official capacity in conditions that are dangerous, unhealthy, and violate regional and international standards. The 31-page report, "'The State Let Evil Take Over': The Prison Crisis in the Brazilian State of Pernambuco," documents how prison authorities have ceded control of detention facilities to the "keyholders," who sell drugs and sleeping space to fellow detainees, and deploy violent "militias" to enforce their rule, according to former detainees, family members, and two state officials interviewed by Human Rights Watch.

"Overcrowding is a major problem in Brazil´s prisons and nowhere else it is more severe than in Pernambuco," said Maria Laura Canineu, Brazil director at Human Rights Watch. "The state has packed tens of thousands of people into cellblocks designed for a third as many people, and turned over the keys to inmates who use violence and intimidation to run the prison grounds as personal fiefdoms." Human Rights Watch visited four prisons in Pernambuco earlier in 2015 and interviewed 40 inmates and former inmates, as well as their relatives, prison authorities, judges, prosecutors, public defenders, and police officers.

Brazil's prisons hold more than 607,000 people in facilities designed for about 377,000. In

inquest, the Trust continued to disclose new information, including the death of another patient in the same bath in 2006. Families should not have to fight for justice and accountability from the NHS. We would like to thank everyone who has supported the campaign for JusticeforLB, and hope that the spotlight that has been shone onto the careless and inhumane treatment of learning disabled people leads to actual (and not just relentlessly talked about) change. It is too late for our beautiful boy but the treatment of learning disabled people more widely should be a matter of national concern."

Inmate Cleared of Assault On Prison Officer

Dominic Davis has been cleared of assaulting a prison officer in HMP Lowdham Grange. Mr Davis allegedly hit Prison Officer Michael Sharman and broke his nose. But a jury cleared Davis, now of HMP Full Sutton, York, after a trial at Nottingham Crown Court. Mr Davis, 43, had said he was acting in self-defence. He had been in a queue in the servery, other prisoners were getting served, and he was told to wait by Mr Sharman, who he claimed then hit him. Mr Sharman told the court it was Davis who attacked him after he demanded food.

How Chicago Police 'Disappeared' 7,000 People *Spencer Ackerman, Guardain*

Guardian lawsuit exposes fullest scale yet of detentions at off-the-books interrogation warehouse, while attorneys describe find-your-client chase across Chicago as 'something from a Bond movie'Police "disappeared" more than 7,000 people at an off-the-books interrogation warehouse in Chicago, nearly twice as many detentions as previously disclosed, the Guardian can now reveal. From August 2004 to June 2015, nearly 6,000 of those held at the facility were black, which represents more than twice the proportion of the city's population. But only 68 of those held were allowed access to attorneys or a public notice of their whereabouts, internal police records show.

The new disclosures, the result of an ongoing Guardian transparency lawsuit and investigation, provide the most detailed, full-scale portrait yet of the truth about Homan Square, a secretive facility that Chicago police have described as little more than a low-level narcotics crime outpost where the mayor has said police "follow all the rules". The police portrayals contrast sharply with those of Homan Square detainees and their lawyers, who insist that "if this could happen to someone, it could happen to anyone". A 30-year-old man named Jose, for example, was one of the few detainees with an attorney present when he surrendered to police. He said officers at the warehouse questioned him even after his lawyer specifically told them he would not speak.

"The Fillmore and Homan boys," Jose said, referring to police and the facility's cross streets, "don't play by the rules." According to an analysis of data disclosed to the Guardian in late September, police allowed lawyers access to Homan Square for only 0.94% of the 7,185 arrests logged over nearly 11 years. That percentage aligns with Chicago police's broader practice of providing minimal access to attorneys during the crucial early interrogation stage, when an arrestee's constitutional rights against self-incrimination are most vulnerable. But Homan Square is unlike Chicago police precinct houses, according to lawyers who described a "find-your-client game" and experts who reviewed data from the latest tranche of arrestee records obtained by the Guardian.

That place was and is scary. There's nothing about it that resembles a police station",Attorney David Gaeger. "Not much shakes me in this business – baby murder, sex assault, I've done it all," said David Gaeger, an attorney whose client was taken to Homan Square in 2011 after being arrested for marijuana. "That place was and is scary. It's a scary place. There's nothing about it that resembles a police station. It comes from a Bond movie or something." The narcotics, vice and anti-gang units operating out of Homan Square, on Chicago's west side, take arrestees to the nondescript warehouse from

of highly trained, internationally connected specialists cling to the procedure, putting thousands more potentially innocent people behind bars? It seemed like a good idea to put those questions directly to Myron Scholberg. He's 82 and long retired from the FBI. When I reached him by phone at his home in Virginia he wasn't keen to reminisce on the subject. "I'm not going to discuss that any more," he said. The call ended with him slamming down the phone, but before he did so he shared a few choice words that revealed his opinion about the nationwide inquiry that is under way into the FBI's use of hair analysis: "It's all a bunch of baloney," he said. "It's all a bunch of poppycock."

There is another former FBI agent, a veteran of 16 years in the Washington forensic laboratory, who is happy to talk. Fred Whitehurst is the whistleblower who first sounded the alarm from inside the institution, setting the ball rolling that would lift the lid on the hair analysis disaster and eventually lead to the clearing of Odom's name. I asked Whitehurst why he thought the FBI had stuck with hair comparisons years after the scientific credibility of the technique had been called into question. "It got convictions," was his simple reply. Whitehurst began telling his superiors within the FBI that there were serious problems within the forensic lab as early as 1990, when he learned that one of his colleagues had given false testimony in a high-profile trial. Delving into the activities of that colleague, Whitehurst's inquiries led him in due course to the almighty mess caused by hair microscopy.

It wasn't a quick or easy process. Between 1992 and 1997 Whitehurst wrote 237 letters to his superiors alerting them to problems within the FBI lab. Their response? "It isn't a good idea being a whistleblower at the FBI," Whitehurst said. "They will crush you. They will send you to be psychiatrically evaluated, as they did to me, just like in the old Soviet Union." Whitehurst was sidelined and largely ignored. But his persistent blowing of the whistle did succeed after many years in attracting the attention of dogged and courageous public defence lawyers who began taking up the cases of long-term prisoners put behind bars by the pseudoscience of hair analysis. With the help of DNA testing that came on stream in the late 1980s offering truly scientific and definitive analyses of hair samples, they managed to obtain the first exoneration. On 15 December 2009, after spending 28 years behind bars for rape and murder, Donald Gates walked out a free and innocent man. For his wrongful conviction, the authorities gave him $75 and a bus ticket back to Ohio.

Had a lesser lawyer than Sandra Levick of the DC public defender service been on the Gates case, it might have ended there. But Levick's curiosity was piqued. If her client had been put away for almost three decades because of the fantasy of hair science, how many others were out there? She began asking around, and in 2010 her inquiries led to a knock on Odom's door. Did he want some help looking into his case, he was asked by one of Levick's investigators. Did he heck. By then he had completed his 22 years in prison and was seven years into parole as a sex offender – an existence that involved regular lie-detector tests. "They still felt I was lying when I said I didn't do it, when they were sure I did do it," he said. The hair – that single hair that had put him away for so long – told a different story. Levick managed to track down a box of crime scene materials from the Odom case which included the hair used to convict him, as well as the woman's robe stained with the rapist's semen. DNA tests proved beyond any doubt that Odom was not the man.

Odom was formally exonerated on 13 July 2012. It was his 50th birthday, a rare moment of serendipity after so many years of hurt. "That was a beautiful day," he says, recalling that when he got the phone call from Levick telling him his innocence had been affirmed he was on a plumbing job with his brother in a DC suburb. "I remember screaming out loud. People's house lights came on – I was in the wrong neighbourhood making a lot of noise, sharing my joy

with everybody. It was the first time in all those years I really felt free." Three men so far – Gates, Odom and Santae Tribble – have been exonerated as a result of the epic unravelling of the FBI's faith in hair analysis. Everyone now agrees they are just the tiniest tip of a massive iceberg. With 2,500 cases awaiting review, and possibly tens of thousands more as yet unidentified across the 50 states, it could be many more years before this tale is done. "We rely on fair trials at which the government has to prove guilt beyond all reasonable doubt," Levick said. "In perhaps tens of thousands of these cases, the defendant was denied a fair trial as the prosecution produced false or misleading testimony from hair analysts – we have to re-examine all of these cases, whether or not we can prove actual innocence."

Odom is married and has started a removals business with his wife called Harriet & Kirk Moving Company. He no longer has to go around wondering if people know he's a registered sex offender. He's rebuilt his relationship with his daughter Katrice whose childhood years had been untimely ripped from him. He worries that many hundreds or thousands more like him are still stuck wrongly in a cell somewhere. "I just want to keep on telling my story to whoever listens," he said, "in the hope it will help people still there." I ask him what he would say to Scholberg if he came face to face with him. He laughs and shakes his head. "I think I'd just ask for an apology. That's what I'd do." Really? There's been no apology? No he says. Not from Scholberg, not from Scholberg's bosses at the FBI lab, not from the director of the FBI, not from prosecutors, not from the judge at his trial, not from the justice department, not from President Obama. Nobody has said sorry. Would that be enough, I ask him. Would hearing someone in a position of responsibility say sorry be enough? "It would be a start," Odom says. "You know, it would really be a start."

Jury Found Neglect Contributed to the Death of 18 Year Old Connor Sparrowhawk

Oxfordshire Coroner, Oxford Before HM Senior Coroner for Oxford, Darren Salter

Connor was a much loved son, brother, family member and friend who loved buses, London, Eddie Stobart and speaking his mind. Connor had autism, a learning disability and like 1 in 4 people with learning disabilities he also had epilepsy. On 19 March 2013 he was admitted to the Short Term Assessment and Treatment Team Unit (STATT) run by Southern Health NHS Foundation Trust. 107 days later, on 4 July 2013 he drowned in the bath as a result of an epileptic seizure. After a wait of over two years, the inquest concluded today with the jury finding that Connor's death was contributed to by neglect.

The jury reaching their conclusion noted serious failures in his care, including: • Lack of clinical leadership on the STATT unit • Failure in the systems in place in relation to training and guidance • Failure to obtain a history and conduct a risk assessment • Inadequate communication with Connor's family and between staff in relation to Connor's epilepsy needs and risk • Epilepsy toolkit was not provided to staff on STATT despite being available • Too few staff were trained in epilepsy on the unit and the training was too limited and insufficient• There were errors and omissions made in Connor's care once admitted to the STATT unit in relation to bathing arrangements • There was a lack of communication with Connor's family whist he was in the unit and missed opportunities • Clinical team failed to identify the absence of an epilepsy risk assessment plan.

An independent investigation published in February 2014 found Connor's death was preventable and there were significant failings in epilepsy management and clinical leadership. Two months after Connor's death, an unannounced inspection by the regulator, the Care Quality Commission, found that the unit had failed to meet all of the 10 key safety and quality standards which were the subject of inspection, including respecting and involving people

who use services. The STATT unit was subsequently closed down. The family are still awaiting the final outcome of an independent review of all mental health and learning disability deaths at Southern Health NHS Foundation Trust, after they raised serious concerns as to the adequacy of the Trust's internal investigation system and responses to deaths.

Charlotte Haworth Hird, solicitor for the family said: "This outcome properly reflects how badly Connor was failed and the wholly inadequate care that he received. The jury's damning conclusion is testament to the commitment of his family, friends and the JusticeforLB campaign to obtaining the truth. They have been forced to fight for this and should not have had to have to. Connor should not have died. Southern Health and the NHS have a responsibility to ensure that this never happens again and that there are radical improvements in support and care provision provided to individuals with learning disabilities and their families."

Deborah Coles, Co-Director of INQUEST, who have supported the family throughout, says: "This inquest provided shocking insight into the neglect of a vulnerable teenager failed by those who should have been there to protect him. This was a death initially dismissed by the NHS Trust as 'natural causes' and not subject to independent investigation. Were it not for the determination and tenacity of the family and their legal representation the truth about this preventable death may not have emerged. The majority of similar deaths continue to be investigated by the very organisations which may have caused or contributed to the death. The lack of an automatic independent investigation is failing families and failing to protect those in state care. Faced with the damning jury finding NHS England must urgently review the way such deaths are investigated and the high number of deaths of people with learning disabilities. Connor and his family deserve nothing less so that future deaths and ill treatment are prevented."

Paul Scarrott of Oxfordshire self-advocacy organization My Life My Choice said: "I hope that Southern Health learn from the mistakes of what they have done." The Coroner will be issuing a Prevention of Future Deaths report.

INQUEST has been working with the family of Connor Sparrowhawk since July 2013.The family is represented by INQUEST Lawyers Group members Charlotte Haworth Hird of Bindmans Solicitors and barristers Caoilfhionn Gallagher of Doughty Street Chambers and Paul Bowen QC of Brick Court Chambers.

Statement of Connor Sparrowhawk's Family: "Two years and 7 months ago, our gentle, quirky, hilarious and beyond loved son (brother, grandson, nephew, cousin) was admitted to a short term assessment and treatment unit, STATT, run by Southern Health NHS Foundation Trust. Connor, also known as Laughing Boy or LB, loved buses, Eddie Stobart, watching the Mighty Boosh, lying in the sunshine and eating cake. He was 18 years old. The care Connor received in the STATT unit was of an unacceptable standard. The introduction of new medication led to increasing seizure activity on the unit, a fact denied by the consultant psychiatrist for reasons only known to her. Connor was allowed to bathe unsupervised and drowned, 107 days later.

Connor's death was fully preventable. Over the past two weeks we have heard some harrowing accounts of the care provided to Connor. We have also heard some heartfelt apologies and some staff taking responsibility for their actions for which we are grateful. During the inquest, eight legal teams (seven of whom we understand are publicly funded) have examined what happened in minute detail. We have had to fundraise for our legal representation.

Since Connor's death, Southern Health NHS Foundation Trust have consistently tried to duck responsibility, focusing more on their reputation than the intense pain and distress they caused (and continue to cause us). It has been a long and tortuous battle to get this far and even during the