

PRI e-newsletter March 2016

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# E-newsletter

March 2016



## Welcome to Penal Reform

International's monthly e-newsletter, a round-up of PRI and other penal reform news from around the world and a variety of criminal justice and human rights resources.

*The views expressed in the news items below are not necessarily those of PRI.*

## In this month's edition

- [In the spotlight](#): Looking ahead to UNGASS
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## IN THE SPOTLIGHT



**THE EXPERT PANEL WILL EXPLORE ISSUES INCLUDING:**

- Right to health, including healthcare in prison.
- Arbitrary arrest (including compulsory detention treatment centres) and disproportionate sentences.
- Particular impacts of the 'war on drugs' on women.

**Date** Monday 18 April 2016

**Time** 8.30-9.30 am

**Venue** Conference Room B, UN Headquarters, New York

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**PANEL**

**Ruth Dreifuss**

Global Commission on Drug Policy

**Robert Husbands**

Office of the United Nations  
High Commissioner for Human Rights

**Monique Middelhoff**

UNAIDS

**Marie Nougier**

International Drug Policy Consortium

**MODERATED BY**

**Andrea Huber**

Penal Reform International

## Looking ahead to UNGASS

Next month the UN General Assembly Special Session (UNGASS) on the world drug problem will take place in New York. [Read more about what UNGASS is about.](#)

PRI will be holding a **side-event** together with the Office of the UN High Commissioner for Human Rights on 18 April on the **human rights impacts of drug policies**. [Find out more here.](#)

## UN Commission on Narcotic Drugs (CND)

The [59<sup>th</sup> regular session](#) of the UN [Commission on Narcotic Drugs \(CND\)](#) in Vienna focused on the upcoming [UNGASS](#). Negotiations continued on the UNGASS 'outcome document', with attitudes ranging from support for the existing 'war on drugs' to calls for a health-based, harm reduction approach to drug use. The Outcome Document was agreed on the last day of the CND, but there was widespread criticism of the process by which it was reached, including in [a sharply worded letter](#) from nearly 200 NGOs. Oliver Robertson attended the CND meeting on behalf of PRI and reflects on what this document means for prospects of a shift in international drug policy

[in this blog.](#)

At the CND, PRI delivered a [statement on the use of the death penalty for drugs](#) and spoke in side events on 'Alternatives to imprisonment and proportionate responses to drug offences' and on 'Ensuring more proportionate, humane and effective approaches to drug policy'. Comprehensive accounts of the CND public discussions are available at <http://cndblog.org/>.

Attention now moves to New York, where the UNGASS will take place on 19-21 April. At UNGASS, PRI is co-organising a side-event on Human Rights Impacts of Drugs, together with the UN Office of the High Commissioner for Human Rights. It will be held on Monday 18 April at 8.30am in Conference Room B, UNHQ New York.

## Other news and resources ahead of UNGASS

### IDPC produces Drug Policy Guide

The [International Drug Policy Consortium](#) (IDPC), of which PRI is a member, has produced the third edition of its [drug policy guide](#), which brings together global evidence, best practice and experiences to provide expert analysis across the spectrum of drug policy. Chapter 3 offers guidance on the criminal justice system – including alternatives to incarceration, proportionate sentencing, regulated markets and decriminalisation, as well as policies in prisons.

Armenia: [Drug control policies endanger cancer patients](#)

Canada: [Prisoners seek addiction treatment](#)

India: [A push for balanced drug policy is transforming pain relief in India](#)

Tunisia: [Criminal drug law and human rights abuses](#)

Uruguay: [Legal marijuana police en route to next phase of regulation](#)

Global: ['The UN's war on drugs is a failure. Is it time for a different approach', blog by Jamie Doward \(IDPC\)](#)

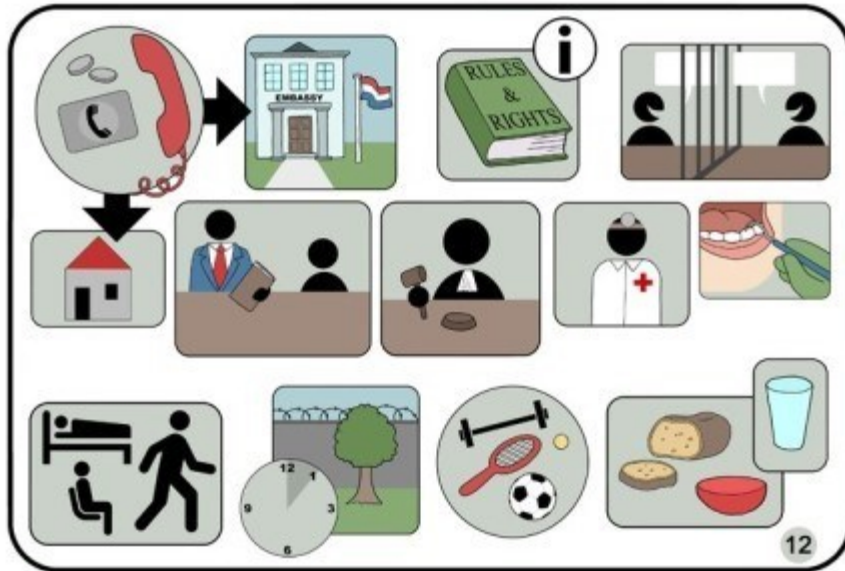
Global: [UNODC Chief: disproportionate responses to drug related offences do not serve justice, or uphold rule of law](#)

## NEW BLOGS

### Expert blog for PRI: [\*\*\*The Dutch experience: innovating practice to support foreign national prisoners\*\*\*](#)



March's expert blog is written by Femke Hofstee-van der Meulen, Director of [Prison Watch](#). It explores The Netherlands' unique practice of providing a volunteer visitation service of Dutch nationals to its citizens held in foreign prisons.



As part of the research, Prison Watch developed a universal picture dictionary for foreign detainees who don't speak the main language of a prison. The full dictionary can be accessed [here](#).

## Can a tiger change its stripes? Why we should consider what prisoners wear

This blog summarises practices surrounding the use of prison clothing around the world, and asks if penal policy-makers and prison administrations should consider more fully the impact of their clothing policies

### How can the Mandela Rules be put into practice in Uganda and in other African countries?

After the adoption of the revised Standard Minimum Rules for the Treatment of Prisoners by the UN General Assembly in December, the focus is now on supporting their implementation in practice. PRI has begun a series of consultations with prison administrations to support this process. The first of these was held on 10 March coordinated by our new Africa office. Omar Phoenix Khan reports on the discussions.

## Women in the criminal justice system

## PRI and FHRI run workshop with the judiciary in Uganda on reducing women's imprisonment



PRI and partner organisation, [Foundation for Human Rights Initiative](#) (FHRI) organised a workshop in Kampala in March with 23 Judges and members of the Judicial Studies Institute to discuss provisions regarding non-custodial measures in the UN [Bangkok Rules](#). Read a blog about the discussions [here](#).

The workshop followed PRI/FHRI's 2015 [report](#), *Who are women prisoners? Survey results from Uganda*.

### **UN Special Rapporteur on torture: international anti-torture framework must have gendered lens**

In a report of the Special Rapporteur delivered at the [31st regular session](#) of the [Human Rights Council](#), Juan E. Méndez advocated a gender-inclusive application of the [UN Convention Against Torture](#).

The Special Rapporteur noted many issues women face in prisons including violence from prison staff and illegal and degrading body searches. Notable recommendations of the report include the full application of the [Bangkok Rules](#) and the use of pre-trial detention as only a last resort in accordance with the [Tokyo Rules](#).

The report specifically noted the need to apply the Convention against Torture to members of the [LGBTI](#) community in prisons, recognising their vulnerability to violence from prison staff and prisoners alike.

PRI's Policy Director, Andrea Huber, moderated a [side-event panel](#) at the Human Rights Council where the report was presented and discussed, and hosted by the Special Rapporteur.

### **Other news and resources**

France: [He Abused Her for Years. She Shot Him. France Asks: Is It Self-Defense?](#)

Scotland: [Closure of only all-female prison to begin this summer](#)

US: [The Suffering of transgender women in US immigration detention](#)

Latin America and the Caribbean: [Women, drug policies, and incarceration – a guide for policy reform in Latin America and the Caribbean](#)

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## **Conditions in detention**

### **Rats used to diagnose Tuberculosis in Mozambique and Tanzanian Prisons**

In East Africa, rats used to detect landmines have been retrained to detect Tuberculosis (TB) to carry out mass screenings in prisons. The project may be expanded to other countries says the director of the organisation charged with the job, [Anti-Personnel Landmines Detection Product Development](#) (APOPO).

### **Poor training of officers blamed for prison issues in Indonesia**

The Law and Human Rights Ministry's Director General of correctional institutions, I Wayan Dusak, has stated that a lack of training programmes for prison guards has compounded issues in Indonesian prisons, in particular the proliferation of drugs. See PRI's [Short Guide on the Mandela Rules](#) to read about the provisions on staff training.

### **European Court on Human Rights issues two judgements on prisoners' rights**

The [ECHR has ruled that a man's right to privacy](#) was breached by the Northern Ireland Prison Service in the recording and retention of footage of a strip search in which consent was not given.

The Court also ruled that Switzerland were in line with the European Convention on Human Rights by [requiring a prisoner to work despite him being of retirement age](#). The Court found that the requirement to work in prison (without consent) did not constitute 'forced or compulsory labour'.

### **Other news and resources**

Cyprus: [Report on poor conditions in Cypriot central prison](#)

France: [Government reforms prison system to combat jihadism](#)

Global: [LGBT detainees suffer higher rates of violence](#)

Russia: [Council of Europe study states Russia leads Europe in death of Prisoners](#)

Tunisia: [Tunisia's treatment of homosexual men in detention violates UNCAT](#)

UK: [Economic cost of prison suicide and the need for investment in suicide prevention measures](#)

US: [Prisoners grow own food](#)



### *On overcrowding*

Cambodia: [New prison for combat massive overcrowding](#)

Canada: [Overcrowding in jails such that prisoners are sleeping in showers](#)

Council of Europe survey: [European prisons make progress to reduce overcrowding](#)

Czech Republic: [Ombudsman calls for alternatives to imprisonment to reduce overcrowding](#)

Indonesia: [Dangerous overcapacity](#)

The Netherlands: [Five prisons to close as falling crime rate leaves cells empty](#)

Nigeria: ['Enugu prison built for 638 inmates but holds 1,800'](#)

Philippines: [Injustice and misery in PH jails](#)

South Africa: [Overcrowding in prisons and the bail system's 'prisoners of poverty'](#)

Uganda: [Uganda updates prison farms in face of rights concerns](#)

US: [Guam moves towards pre-trial release tools to reduce prison population](#)

### *On solitary confinement*

Canada: [Solitary confinement reform in Canadian jails hindered by secretive system](#)

France: [Policy to isolate prisoners assessed to be Islamic extremists](#)

Israel: [Solitary confinement doubled in Israeli jails 2012-2014](#)

Netherlands: [Doubling up in solitary confinement in Prisons](#)

US: [California debates banning long-term solitary confinement for minors shared cells in solitary confinement results in murder](#)

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## **Global advocacy**

### **Joint statement to UN Human Rights Council on HIV/AIDS in prisons by PRI and QUNO**

The [Human Rights Council](#) held a plenary session on 11 March which addressed human rights issues and the efforts to end the HIV/AIDS epidemic by 2030. PRI and QUNO issued an [oral statement](#) highlighting the specific challenges HIV/AIDS poses in prisons.

In related news, read [here](#) a report from [Human Rights Watch](#) on the failure of prisons in Louisiana to provide adequate testing and treatment for HIV.

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## **Torture prevention**

### **Amnesty International reports on large scale torture in Kazakhstan**

[Amnesty International](#) has published a [report](#) detailing the prevalence of torture in Kazakhstan's detention facilities, and the failure to register and prosecute the individuals and authorities that are responsible.

PRI's Central Asia office runs a number of programmes with the goal of reducing the ill-treatment and torture in the region's prisons. A [three-year project](#), funded by the European Commission, for example, aims to reduce violence against children in detention in Kazakhstan, Kyrgyzstan and Tajikistan.

### **Other news and resources**

[Association for the Prevention of Torture guide to anti-torture legislation](#)  
[UN Special Rapporteur on Torture requests again to visit US prisons](#)

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## **Justice for Children**

### **New laws in Australia, more home detention for young offenders**

A new [Youth Justice Administration Act](#) allows Australian courts the option to sentence young people to home detention for up to a year, up from a previous maximum of six months. The Youth Minister stressed that this would allow young people to maintain family and community connections and enhance the capacity of offenders to participate in education and training.

International law dictates that children should only be detained as a measure of last resort. Read [here](#) a report on a PRI project's success in diverting children away from the criminal justice system in Jordan.

### **Study on girls in criminal justice system in US**

The US-based NGO, Centre for the Study of Social Policy ([CSSP](#)) has released its first report in a series on girls in the justice system. The study aims to shift the narrative surrounding girls of colour and status offences from a focus on delinquency and misbehaviour to structural discrimination, trauma and youth well-being. The series promotes policies aimed at developing a trauma-informed approach to juvenile justice. Read also [this article](#) on the the importance of treating for trauma in juvenile justice-involved youth.

### **Other news and resources**

India: [Juvenile justice guidelines for tribes ready for comment](#)  
 Saudi Arabia: [Two juveniles sentenced to death for protesting](#)  
 Scotland: [Scottish Government launches consultation on raising age of criminal responsibility from eight to twelve](#)  
 UK: [Criminalisation of children in care homes](#)  
 US: [Children of prisoners less likely to become to come into contact with criminal justice](#)



[system than previously argued](#)

US: [Juvenile justice bill advances, includes children's right to attorney](#)

US: [Migrant children in US face deportation without Lawyers](#)

Vietnam: [Announcement of plan to set up first juvenile court](#)

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