

PRI e-newsletter December 2016

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E-newsletter

December 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.

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In the spotlight

[Community service and probation for women: Lessons and recommendations based on a study in Kenya](#)

This new [briefing](#) outlines lessons and recommendations on



designing and implementing community service and probation for women, in line with the [UN Bangkok Rules](#). It draws on draws on research from Kenya and other studies on women in the criminal justice system and is published within a project funded by the [Thailand Institute of Justice](#).

Also read the [research report](#) on alternatives for women in Kenya or watch a [short documentary](#).

New blog



Does the placement of the accused at court undermine the presumption of innocence?

In this [expert blog](#) for PRI, [Meredith Rossner](#), from the London School of Economics, reports on an experiment conducted together with researchers in Australia, using a simulated trial in a real courtroom to test the effect of different docks on the presumption of innocence. The research found that both open docks and secure docks were equally prejudicial, and she therefore argues that docks should no longer be used at trial.

Tweet of the month

This month from the [United Nations Office for Project Services](#) @UNOPS

Sharing knowledge w/ [#Brazil](#) Govt: Better prison [#infrastructure](#) [#design](#) helps protect prisoners' [#human](#) rights! [#NelsonMandelaRules](#)

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Death penalty abolition

Greater number of states support General Assembly resolution calling for moratorium on death penalty

This sixth resolution calling for a moratorium on the death penalty, was passed by a overwhelming majority, with 104 states voting in favour (54 against and 29 abstentions). It calls on all States that still allow capital punishment to “progressively restrict the use of the death penalty and reduce the number of offences for which it may be imposed. Those countries were also called on to provide the Secretary-General with information on their use of capital punishment and to respect international standards that safeguard the rights of condemned inmates. Read [Amnesty International's press release on the adoption](#).

Record decline in death penalty in the United States

The [Death Penalty Information Center year end report](#) shows that, in 2016, US states handed down fewer death sentences than at anytime since capital punishment was reinstated in 1972, and for the first time in four decades, opinion polls showed that fewer than half of Americans supported capital punishment.

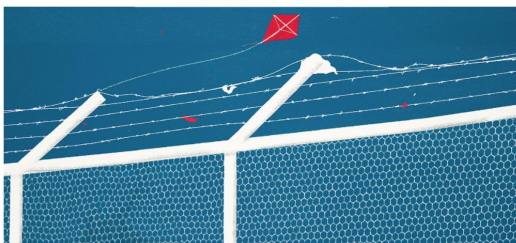
Other news:

Cayman Islands: [A group of men serving life sentences are expected to mount a legal challenge to the introduction of a minimum tariff for prisoners serving life sentences under the Conditional Release Law](#)

Saudi Arabia: [Amnesty International condemns the sentencing to death of 15 people by the Specialized Criminal Court after a grossly unfair trial as a travesty of justice and a serious violation of human rights](#)

Singapore: [Survey shows support for death penalty remains high, but 'nuanced'](#)

Torture prevention



Putting prevention into practice

10 years on: the Optional Protocol to the
UN Convention against Torture

Putting prevention into practice - OPCAT 10th anniversary booklet

This [booklet](#) published by the [Association for the Prevention of Torture](#) offers a snapshot of the positive changes brought about by the Optional Protocol to the Convention against Torture which establishes a system of unannounced and unrestricted visits to all places where

persons are deprived of their liberty by independent monitoring bodies.

It provides an insight into what the prevention of torture and ill-treatment means in practice, from the perspective of those directly involved: state authorities, the UN, national preventive mechanisms, civil society and persons deprived of liberty.

NGO Human Rights Forum in Brussels focuses on torture prevention

This year's EU NGO Forum, held on 1-2 December 2016 in Brussels, focused on torture and other ill-treatment and how to address challenges related to preventing, prohibiting and redressing torture globally. The Forum's debates are to feed into the current revision process by the EU of its [Guidelines on torture and other cruel, inhuman or degrading treatment or punishment](#). The main conclusions and recommendations of the Forum will also be summarised in a report to be published by the [Human Rights and Democracy Network \(HRDN\)](#) in early 2017.

Other news:

APT: [EU NGO Human Rights Forum addresses global fight against torture](#)

UN Committee against Torture: [Publishes findings on Ecuador, Finland, Monaco, Sri Lanka, Namibia, Turkmenistan, Armenia, Cabo Verde](#)

Conditions in detention and Nelson Mandela Rules



Short guide on the Nelson Mandela Rules in French and Amharic

PRI's [Short Guide on the UN Nelson Mandela Rules](#) is now available in [French](#) and [Amharic](#), the latter thanks to the International Committee of the Red Cross (ICRC). It is also available in English, Swahili and Georgian.

Also see:

- [The Nelson Mandela Rules: An animated introduction](#) available in English, Arabic, Armenian, German, Portuguese, Russian and Spanish
- [Initial guidance on interpreting the Nelson Mandela Rules by the Essex group](#)

Prisoner-lawyer confidentiality ruling at European Court of Human Rights

The [European Court of Human Rights](#) (ECHR) has [ruled](#) that Turkey breached a prisoner's right to respect for private and family life after prison authorities failed to secure the confidentiality of a letter sent to her lawyer. The Court found that the systematic physical checking by the prison authorities of her correspondence with her lawyer, in the absence of appropriate guarantees against abuse in the domestic legislation, had not been proportionate to the legitimate aim (preventing disorder or crime) pursued by the interference with the applicant's right to respect for her correspondence.

[Addressing dementia and alzheimer's in prison](#)

This [webinar](#) from the US [National Institute of Corrections](#) describes how symptoms and behaviors can be misconstrued as maladaptive behaviour; identifies environmental risk factors that can contribute to costly accidents and injury for inmates with dementia; and gives examples of tools to develop a method to reduce risk factors, promote effective programming and provide cost effective care.



[Family Connections](#)

Published by the UK organisation, [Prison Reform Trust](#), this briefing highlights that maintaining family ties during a term in prison is not just important for the prisoner but also for the prisoner's children and other family members.

Justice for children

[Scotland set to increase the age of criminal responsibility to 12](#)

The Scottish Government is set to increase the age of criminal responsibility to 12, after calls from opposition parties for increased protections for vulnerable children. The current age of criminal responsibility, when a child is deemed capable of committing a crime and old enough to face any subsequent trial and conviction, is eight in Scotland, the lowest in

Europe.

See also ['Alarm over proposed Philippine law to jail 9-year-olds'](#).

Read more about the age of criminal responsibility in PRI's [Justice for children briefing no. 4: the minimum age of criminal responsibility](#)

Other news:

Australia: [Detaining children in adult prison ruled unlawful, but court agrees to delay moving them](#)

New Zealand: [Youth justice age to be raised to 18, ensuring offenders 17 and under will be dealt with in the youth court](#)

UK: [Ministry of Justice faces calls to scrap and rewrite the policy on restraining minors after it emerged that a report it commissioned found some authorised techniques could kill children or leave them disabled](#)

UK: [Review recommends child offenders should be granted lifetime anonymity to stop reoffending](#)

Drug policy

[Georgia's Constitutional Court decides prison is too harsh a punishment for marijuana use](#)

Being charged with possession and consumption of marijuana will no longer result in a prison sentence in Georgia, after the Constitutional Court ruled it unconstitutional to use sanctions prescribed by the law for consumption, purchase, possession and cultivation of the plant for individual purposes.

[2016: Historic victories and devastating setbacks in the fight against failed drug war in the USA](#)

In this end-of-year piece, Tony Newman of the US-based organisation, [Drug Policy Alliance \(DPA\)](#), discusses the victories and setbacks in the work to reform drug policies over 2016.

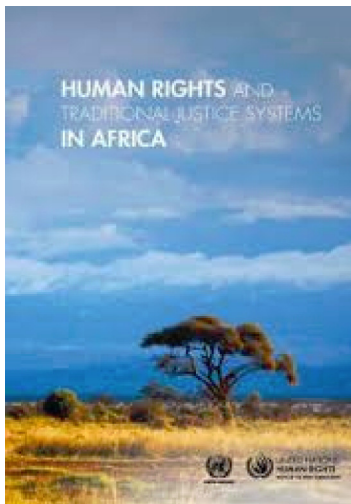
Other news:

Colombia: [President Juan Manuel Santos, has used his Nobel Peace Prize acceptance speech to call for the world to "rethink" the war on drugs](#)

Mexico: [Mexico's war on drugs: what has it achieved and how is the US involved?](#)

UN/Philippines: [UN expert rejects Philippines conditions for fact-finding mission on drugs war](#)

Global advocacy



New publications from the UN

A new OHCHR [publication](#) examines traditional justice systems in sub-Saharan Africa from a human rights perspective. The objective of the publication is to analyse the human rights concerns that traditional justice systems may present.

The OHCHR have also published a [Handbook](#) for Parliamentarians as part of a joint initiative with the [Inter-Parliamentary Union](#). The Handbook looks at how parliaments can contribute to greater human rights protection.

Women in the criminal justice system

[Body scans replace invasive searches in Thailand's women's prisons](#)

Thailand is introducing full-body scanning technology for searching female inmates following complaints over human rights violations during physical body searches. This new practice is in line with Rule 20 of the [Bangkok Rules](#), which encourages alternative screening methods, such as scans, to replace strip searches and invasive body searches, in order to avoid the harmful psychological and possible physical impact of invasive body searches.

See PRI's Toolbox on the UN [Bangkok Rules](#) for resources.

Other news:

Cyprus: [New women's wing opens at central prison](#)

USA: [Lawsuit filed challenging county jail's practice of placing pregnant women in solitary confinement](#)

Alternatives to imprisonment

[How to Develop a Community Paralegal Program](#)

[Namati](#) have published a [toolkit](#) for people who are designing or improving community-based paralegal programs. It draws lessons from both grassroots experience and research.

Problem solving approaches to criminal justice

This [review of learning](#) from the [Winston Churchill Memorial Trust Prison Reform Fellowships](#) states that problem-solving approaches to criminal justice involve integrated, multi-disciplinary practices which target the environmental and psychosocial factors bound up with offending behaviour, as well as the behaviour itself.



Three types of problem-solving approach are examined: first, welfare-oriented and diversionary work with children and young people who have offended or are at risk of offending; second, some collaborative initiatives between the police and mental health services were examined; third, a range of problem-solving courts were also considered.

Other news:

Ireland: [The number of people imprisoned for failing to pay court fines has fallen by around 1,000 following the introduction of laws aimed at effectively eliminating the sanction](#)

Malaysia: [Rehabilitation programme hailed as the best in the world](#)

UK: [Justice Secretary calls for rapid completion of probation privatisation review](#)

UK: [Chief Inspector of Probation's report on probation in the north of London states that privatisation of probation service has left public at greater risk](#)

USA: [Researchers from the Brennan Center for Justice conclude that a quarter of inmates could have been spared prison without risk](#)

Career and study opportunities

New job openings at PRI's Head office

Penal Reform International is currently recruiting for three positions – a part-time Communications Officer, a Monitoring, Evaluation and Learning Officer and a Fundraising Manager. All based at the Head Office in London. See here for more details on what we are looking for and how to apply: <https://www.penalreform.org/jobs/>

Internship opportunity at the World Coalition against the Death Penalty

The World Coalition Against the Death Penalty is looking for an intern for 6 months, based in Paris Area, starting in March. An internship agreement with a university is compulsory and an allowance is offered. See: <http://www.worldcoalition.org/32559-Internship.html>

PhD/MLitt scholarships available at Trinity College Dublin

These scholarships are funded by the [European Research Council](#), to examine oversight and accountability in the prison system. The deadline for receipt of applications is 20 January 2017.

Other news from the press

Antigua: [Harsh conditions for prisoners faced in colonial-era prison](#)

Australia: [Plans to keep convicted 'high-risk' terrorists in prison indefinitely](#)

Canada: [Prison agency argues that its method for isolating inmates causes none of the health problems generally associated with prison segregation](#)

Canada: [Federally commissioned study suggests that a separate system for sentencing aboriginal offenders might be the key to dealing with the disproportionate number of indigenous in prison](#)

Canada: [Justice Department tracking over 100 court challenges to mandatory minimum penalties](#)

Canada: [One inmate dead, 8 injured after riot at the Saskatchewan Penitentiary](#)

Denmark: [Researchers developing board game that strengthens relationship between children and their imprisoned fathers](#)

France: [Conditions at Fresnes prison described as 'inhuman and degrading' in official report](#)

Guyana: [Government to invest \\$11M to expand jungle prison to ease overcrowding](#)

Indonesia: [Terror convicts to move to new deradicalisation centre in early 2017](#)

Ireland: [A private member's bill to ban the use of solitary confinement in Irish prisons for more than 15 consecutive days has been referred to the Oireachtas justice committee](#)

Kazakhstan: [Parliament's lower chamber has approved a bill on an amnesty for some 30,000 people in prison](#)

Nepal: [Elderly inmates pose burden for prison management](#)

Netherlands: [Prison population shrank by 8% in 2015 and is now 20% lower than 10 years ago](#)

New Zealand: [Increase in prison numbers has meant more double-bunking, longer daily lockdowns and re-employing redundant former staff](#)

New Zealand: [Crimes of Torture Act inspectors from the Ombudsman's Office report that New Zealand prisoners have been subjected to degrading treatment](#)

New Zealand: [Calls for independent reporting agency for prisons](#)

Pakistan: [Ombudsman's report calls for extensive prison reforms](#)

Russia: [Lawmakers are considering a bill that would allow inmates with young children to go home during school vacations](#)

Russia: [Chairman of Russia's Supreme Court summarises criminal justice trends](#)

St Kitts and Nevis: [Construction to begin on a new prison in 2017](#)

Scotland: [Former Justice Secretary suggests care homes could be converted for increasing numbers of elderly prisoners](#)

South Africa: [Pollsmoor Prison conditions declared unconstitutional](#)

Thailand: [Amnesty declared for approximately 30,000 prisoners to celebrate King Maha Vajiralongkorn's accession to the throne](#)

UK: [Corrupt prison officers are fuelling the explosion of prison violence](#)

UK: [Armley jail in Leeds is 'most overcrowded prison in the country'](#)

USA: [Guards punish black inmates more severely than whites inside New York State prisons, a Times investigation found](#)

USA: [At least 67,000 people placed in solitary confinement in 2015, with about 3,000 of](#)

[those held in solitary for six years or longer](#)

USA: [The Bureau of Justice Statistics says the number of suicide deaths in the country's state prisons rose by 30 percent in a one-year period between 2013 and 2014](#)



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