

PRI e-newsletter June 2015

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E-newsletter

June 2015

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: PRI's Annual Report 2014

We have published our [Annual Report for 2014](#), which highlights our achievements at both an international and country level in our 25th anniversary year.



1989-2014:
25 years of promoting fair and
effective criminal justice worldwide

Annual report 2014



REGIONAL FOCUS: CENTRAL ASIA

Each month, we will be focusing on developments of interest from our regional or country programmes – this month it's Central Asia!

Training for staff of children's detention centres and children's homes: Monitoring by official and civil society bodies in Tajikistan suggests that there is a high rate of violence against children in the care of the state. In May, PRI Central Asia held a three-day training workshop in Tajikistan for staff of closed facilities for children. It was led by the Vice President of the [UN Committee on the Rights of the Child](#), Renate Winter, together with international and local experts. The objective of the training was to build the capacity of relevant agencies to reduce the number of cases of violence against children. [Read more.](#)

National Preventive Mechanism of Kazakhstan launches its first annual report: In May, the National Preventive Mechanism (NPM) of Kazakhstan and the Ombudsman's Office launched their first consolidated annual report for 2014. The NPM was established in 2013 under the [Optional Protocol to the Convention Against Torture](#). The launch was attended by Arman Danielyan, member of the [UN Subcommittee for the Prevention of Torture \(SPT\)](#), who encouraged the NPM to use its mandate to also develop reports on thematic issues of concern, such as health in prisons and children's and women's facilities. [Read more.](#)

Kazakhstan and Tajikistan: prioritising employment and reintegration: In order to tackle the high rate of unemployment amongst former prisoners in Kazakhstan and Tajikistan, PRI Central Asia is working with the governments and prison authorities to improve rehabilitation and reintegration of prisoners, with a focus on providing more marketable employment opportunities in prison. [Read more.](#)

GLOBAL ADVOCACY

PRI at the UN Human Rights Council

In June, PRI attended the [29th session of the UN Human Rights Council](#) in Geneva, where we co-organised two side-events...

Girls in detention: This event was co-hosted by PRI, the Permanent Mission of Switzerland, the United Nations OHCHR and Defence for Children International. An expert panel addressed some of the obstacles and challenges impeding the full realisation of girls' rights in justice systems, and shared ideas on how to better protect girls in detention.

Corruption and human rights in detention: This event was co-organised by PRI and Transparency International, and co-sponsored by two member states of the core group, Morocco and Austria. It looked at the impact of corruption on the human rights of detainees, the interrelation of corruption and rights abuses, in particular torture, and also discussed how human rights mechanisms should integrate the issue of corruption in their mandates. [Read an overview of the panel.](#)



The Expert Panel on 'Corruption and human rights in detention' at the Human Rights Council's 29th Session

A resolution on the impact of corruption on the enjoyment of human rights was tabled at the Council by Morocco. If adopted, it asks UN human rights experts to consider the issue of corruption in their mandates, and will lead to a report on 'best practice' in fighting corruption compiled by the [Office of the High Commissioner for Human Rights \(OHCHR\)](#).

Other resolutions that have been tabled at the Council cover discrimination against women in law and practice, and eliminating violence against women, particularly domestic violence. See the [website](#) of ISHR for further details and analysis of the Council's 29th Session which closed on 3 July.

Standard Minimum Rules for the Treatment of Prisoners: Introducing the Mandela Rules

In a [new podcast](#), PRI's policy director Andrea Huber introduces the new revised Standard Minimum Rules for the Treatment of Prisoners (The Mandela Rules). She explains why the Rules needed to be revised and what the changes could mean for prisoners, prison staff and for prison management.

See also our [latest blog post](#), in which Doreen Namyalo Kyazze from the Foundation for Human Rights Initiative in Uganda relays how the new Mandela Rules present an opportunity to reform and improve prison policy and practice in Uganda, and highlights some of the challenges facing the Ugandan criminal justice system.

For more information on the revision process see our [website](#), [a joint NGO briefing](#) on the process, or a [previous blog post](#) for PRI by Sir Nigel Rodley on why the updated revisions are so significant.

CONDITIONS OF DETENTION

Strasbourg Court rules prison regime allowing only short-term family visits twice a year over ten-year period violated prisoner's right to family life

In the [Khoroshenko v. Russia Grand Chamber judgment](#), the European Court of Human Rights found that restricting family visitations to twice a year over a 10 year period is a violation of the right to respect for private and family life (Article 8) of the European Convention on Human Rights (ECHR). During the first 10 years of his stay at a prison in the Perm region, Mr Khoroshenko, a Russian national who was convicted of murder, was only allowed to receive one visit from relatives every 6 months, lasting no more than four hours. According to Mr Khoroshenko, this permanently damaged some of his relationships. [Listen to a webcast](#) of the hearing, or [read the full judgment](#).

The Court's judgment in [Varga and Others v. Hungary](#), from March of this year, became final in June after no appeal was lodged by Hungary. The Court found that overcrowding and poor prison conditions in Hungary constituted a violation of the prohibition of inhuman or degrading treatment (Article 3) of the ECHR.

[See a factsheet of all the recent European Court of Human Rights cases concerning detention conditions and treatment of prisoners.](#)

UN body urges the Philippines to tackle prison overcrowding

The UN Subcommittee on the Prevention of Torture (SPT), which recently concluded a fact-finding mission in Filipino prisons, [made a statement](#) in Geneva calling on the Filipino government to comply with its recommendations to improve prison overcrowding and to establish independent monitoring mechanisms to better protect detainees from torture and cruel, inhuman or degrading treatment. The Subcommittee called the overcrowding of detention facilities 'chronic'. (According to the [World Prison Brief](#) by [ICPS](#), the level of occupancy in Filipino prisons is currently 316%.) The Subcommittee recommended that the government establish a National Preventive Mechanism as soon as possible in order to comply with its international treaty obligations.

New resource: The United Nations Office for Project Services (UNOPS) has published its [technical guidance](#) for prison planning on technical and operational considerations based on the Standard Minimum Rules for the Treatment of Prisoners.

New resource in Russian: [Prisons and Health](#) by the World Health Organisation has

been translated into Russian by [UNODC](#). This resource outlines important suggestions by international experts to improve the health of people in prison and to reduce the risks posed by imprisonment to both health and society.

Other news and resources:

Australia: [Prisoner numbers hit record highs](#)
Brazil: [Prison population up 74% in 7 years](#)
Brazil: [Prison population rockets to world's 4th largest](#)
Costa Rica: [Prison overcrowding jumps 50 percent in 10 years](#)
Cayman Islands: [Prisons still 'squalid' says UK inspector](#)
Ireland: [Pop-up restaurant is feeding bellies and young minds in a radical new project](#)
Japan: [Inmates in Hokkaido raise beef cattle to learn about value of life](#)
Lebanon: [Rioters list wifi in their demands for improved conditions](#)
New Zealand: [Prison guards to wear body cameras in world first](#)
Thailand: [Overhaul set for prison family services](#)
Turkey: [LGBT inmates tell stories of maltreatment in prisons](#)
UK: [Prison overcrowding reaches new seven-year high](#)

DEATH PENALTY ABOLITION

Submission to UN Human Rights Committee on the right to life

PRI has [made a submission](#) in preparation for the UN Human Rights Committee General Comment No. 36 on Article 6 of the International Covenant on Civil and Political Rights- the right to life. The submission explains how the right to life is violated by the death penalty, as well as describing international legal obligations that should limit state use of the death penalty. It draws on insights from PRI's publication [Strengthening death penalty standards](#).

For an overview of the fundamental issues and arguments linked to the abolition of the death penalty, take a look at our [death penalty information pack](#).

Other news and resources:

Gambia: [Gambia's Jammeh Wants To Expand Death Penalty](#)
Japan: [First death-row inmate hung in 2015](#)
Malaysia: [MP wants death penalty rethink](#)
Pakistan: [Moratorium imposed on executions during Ramadan](#)
Vietnam: [National Assembly amends death penalty](#)

JUSTICE FOR CHILDREN

PRI discusses the age of adult criminal responsibility on Radio France Internationale

PRI's Programme Development Director Nikhil Roy was interviewed by Radio France Internationale about a proposal in Brazilian Congress to lower the age at which you can be tried as an adult from 18 to 16 years. PRI has signed a letter to the Brazilian government urging them not to lower the age. [Listen to the interview in Portuguese](#).

Earlier in June, Brazil's justice minister Jose Eduardo Cardozo spoke out on the issue, [calling Brazilian prisons 'crime schools'](#), and claiming that a large part of violence in Brazil is ordered from within prisons. He explained that trying to prevent juvenile crime by placing children and teenagers in adult prisons with criminal gangs is a paradox. He also warned that lowering the age of criminal responsibility would [further deteriorate overcrowding and prison conditions in the country](#).

Update! At the end of June, the Lower House of the Brazilian Congress narrowly rejected the bill by just 5 votes; however on 2 July a newly amended bill was passed that lowers the age a person can be tried as an adult in Brazil from 18 to 16 years for fewer crimes than the previous proposal.

[Read a PRI briefing paper on age of criminal responsibility issues](#).

UN Special Rapporteur calls on states to implement child-sensitive approaches to justice

The UN Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul, presented [her latest report](#) to the UN Human Rights Council in Geneva in June. The report notes that children are one of the most vulnerable groups in the criminal justice system, and are prone to victimisation and human rights violations. She called on states to develop criminal justice systems that are child-sensitive, and highlighted the need for judges, prosecutors and lawyers to receive specialised education and training in international human rights and in particular children's rights.

For more information on minors in prison, see the ['Children and Young Persons in Prison' section of our Global Prison Trends 2015 report](#). Or to find out more about PRI's work on Justice for Children and Children's Rights, see our [website](#).

Georgian parliament adopts new Juvenile Justice Code

A new bill has been passed by Georgian parliament prohibiting life sentences for juveniles. The new code replaces life sentences with house arrest, and limits imprisonment of minors only to when it is strictly necessary. The new regulations also stipulate that criminal cases involving minors must only be handled by police officers, investigators, prosecutors and judges who specialise in juvenile offending.

[UNICEF](#) has [released a statement](#) outlining their contribution to the new Juvenile Justice Code and explaining state obligations in juvenile justice under international law.

Other news and resources:

Brazil: [Law lowering criminal responsibility age barely avoided](#)

Japan: [U.S. rights report slams Japan on child abuse and prison conditions](#)

Scotland: [Reform call on Scottish age of criminal responsibility](#)

Scotland: [Justice Secretary announces youth offender strategy](#)

UK: [Michael Gove may axe plans for teenage super prison](#)

UK: [Study finds half of young offenders are themselves victims](#)

UK: [Report uncovers degrading treatment and racist abuse at secure training centre](#)

WOMEN IN THE CRIMINAL JUSTICE SYSTEM

[Oral statement to the UN Human Rights Council on eliminating and preventing domestic violence against women and girls](#)

PRI and the Friends World Committee for Consultation (Quakers) made [a joint oral statement](#) on the Annual Day on Women's Rights at the UN Human Rights Council. The statement noted the extremely high proportion of women deprived of their liberty who have suffered domestic violence, and says that this plays a significant role in the lives of women and pathways to prison. Furthermore, the statement explained that many criminal justice systems do not meet the complex needs of women who have experienced such violence, and sometimes do not protect women from further violence in prison. The statement stresses the importance of implementing the UN Bangkok Rules as a useful tool for gender-sensitive approaches to justice.



Who are women prisoners?

Survey results from Uganda



Towards a gender-sensitive penal policy

[Launching next week! Who are women prisoners? Survey results from Uganda](#)

This will be the fourth publication in PRI's 'Who are women prisoners?' series, and it analyses survey results from women prisoners in Uganda. Co-published with [Foundation for Human Rights Initiative](#), this report seeks to provide information on the characteristics of women prisoners, illustrating the need for gender-sensitive policies in the criminal justice system and identifying key areas to be addressed. The report will be launched on 9 July at a roundtable session in Kampala, Uganda. The report will be available to download from our [website](#) from 9 July.

Check out [a blog post](#) written for PRI last year by Diva Mukisa and Denis Angeri, from our NGO partner [Foundation for Human Rights Initiative \(FHRI\)](#), who carried out the survey in Uganda.

See also [the other publications in our 'Who are women prisoners?' series](#), or for more information on international standards and gender sensitive approaches to justice, see PRI's [UN Bangkok Rules toolbox](#).

New resources:

China: [Female prison population soars](#) - this article by [the Dui Hua Foundation](#) estimates that the female prison population in China is set to overtake that of the US within 5 years. It highlights the effect this increase has on overcrowding in female prisons, and says that the government's approach of building more women's prisons does not tackle the root causes of women in conflict with the law.

Read a related [BBC blog](#) which discusses the article and describes some of the challenges that female detainees face in China.

USA: [Women shackled during childbirth](#) - [the Correctional Association of New York \(CANY\)](#) has released a [video](#) as part of their #stopshackling campaign, to raise awareness of the shackling of female detainees in New York State during childbirth. The practice has been outlawed in the state since 2009, but a recent report by CANY on [Reproductive Injustice: The State of Reproductive Health Care for Women in New York State](#) reveals that the practice still continues in New York State prisons.

Other news:

Kyrgyzstan: [Life on the Outside for Kyrgyzstan's Female Ex-Cons](#)

Scotland: [New women's prison to replace Cornton Vale](#)

Scotland: [Government to fund projects to tackle problems of women in custody](#)

Thailand: [For women prisoners, jail often no solution](#)

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