

PRI E-newsletter April 2014

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# E-newsletter

April 2014



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**Welcome to Penal Reform International's 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](#)
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## IN THE SPOTLIGHT

### [Support the Call for a Global Study on Children Deprived of their Liberty](#)

Last month in Geneva, Defence for Children International (DCI), with the support and collaboration of over 25 civil society organisations, including PRI, officially launched the **Call for a Global Study on Children Deprived of Liberty**. The Call also had the high-level support of the UN Committee on the Rights of the Child, the

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Special Representative of the Secretary General on Violence against Children and the Permanent Missions of Austria, Ethiopia, Qatar and Uruguay.

These organisations and agencies are concerned about the clear lack of qualitative and quantitative data, research and verified information on the situation of children deprived of their liberty worldwide and is advocating for a Global Study to address this.

Children deprived of their liberty are at increased risks of abuse, violence, acute social discrimination and denial of their civil, political, economic, social and cultural rights; and society suffers as deprivation of liberty tends to increase social exclusion, recidivism and public expenditure. It is vital to know how existing international laws and standards aiming to protect children in these situations are being implemented on the ground (including the extent to which detention is disaggregated by gender, age and other disparities, and whether prevention measures and alternative measures to deprivation of liberty are being applied effectively) and to formulate recommendations and provide examples of good practice to implement standards.

**PRI strongly encourages all interested NGOs - national, regional and international - to sign on and support the Call alongside us. You can find out more information and pledge your organisation's support at [www.childrendeprivedofliberty.info](http://www.childrendeprivedofliberty.info)**

## NEW FROM PRI

### [Fighting for clients' lives: the impact of the death penalty on defence lawyers](#)

The first of two new Briefing Papers produced under PRI's death penalty project, this paper highlights the emotional and physical impact of capital defence on those who practice it. It examines the challenging conditions in which they work and the weight of responsibility they feel when losing a case means losing a client's life. How do they deal with final conversations, the execution and its aftermath? How do they continue to fight and to teach against the death penalty?



## Death penalty, terrorism and international law



The second Briefing Paper looks at the ongoing lack of international agreement on a definition of terrorism, and the impact that this has on how individual countries prosecute 'terrorism-related offences', particularly in relation to the death penalty. It also considers rights to due process and fair trial in this context, concluding that use of the death penalty is never an appropriate or legitimate response, even in the face of terrorist threats or actions.

## Who are women prisoners? Survey results from Kazakhstan and Kyrgyzstan

### Женщины в тюрьмах – кто они?

On International Women's Day (8 March) PRI launched a new report based on research carried out in September 2013 on the profiles and backgrounds of women in prison in Kazakhstan and Kyrgyzstan. [In this blog](#), PRI's Programme Officer, Olivia Rope, outlined the importance of this research. You can also read the blog in Russian [here](#).

Key findings from the research include:

- 40 per cent of women said treatment for health problems was their biggest need while in prison
- Half of the women surveyed in Kazakhstan experienced depression in prison
- 75 per cent of the women surveyed are mothers, and the vast majority of women are either single, divorced, separated or widowed.

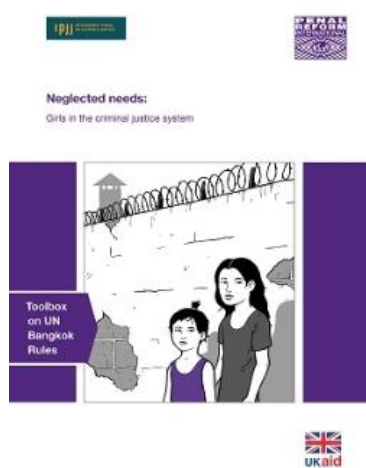
Who are women prisoners?  
Survey results from Kazakhstan  
and Kyrgyzstan



Towards a gender-sensitive penal policy

This is the second report in a series of three, from PRI's [multi-regional research project](#) inspired by the Bangkok Rules. The project aims to improve the evidence-base on the characteristics of women offenders and highlight priority areas where women would most benefit from changes in law, policies and practice. The first report (published in 2013) profiled women in prison in [Armenia and Georgia](#). A third report on Jordan and Tunisia will be published in the next couple of months.

## Neglected Needs: Girls in the Criminal Justice System



Published jointly with the [Inter-agency Panel on Juvenile Justice](#) (IPJJ), this briefing paper examines the specific challenges faced by girls in criminal justice systems and recommends strengthening protections in relation to violence, access to adequate healthcare, rehabilitation and reintegration services and access to an effective remedy.

This paper concludes PRI's [series of briefings](#) on justice for children and also forms part of PRI's [Toolbox for Implementation](#) of the UN Bangkok Rules.

## GLOBAL ADVOCACY

### [Report of the Third IEGM on the revision of the SMR](#)

The Third Intergovernmental Expert Group Meeting (IEGM) on the revision of the Standard Minimum Rules for the Treatment of Prisoners (SMR) took place in Vienna from 25-28 March. Ahead of the meeting, PRI together with Essex University submitted a [Second Report](#) of the 'Essex Expert Group' on the review. This report is the outcome of a second meeting of a group of independent experts, 'the Essex Expert Group', which aimed to identify current international norms and standards in the areas proposed for revision and any outdated language or gaps in the SMR as a result of the international legal developments that have taken place since their adoption in 1955. The report supplements the Experts' first report, '[the Essex paper](#)' (2012).

PRI was represented at the IEGM by Andrea Huber, Policy Director, and Olivia Rope, Programme Officer. Read their reflections on the negotiations [here](#). An [advanced copy of the IEGM report](#) is also available ahead of the 23rd session of the Crime Commission next month, setting out agreed text for specific Rules, as well as those discussed but not agreed. It affirms the 'crucial importance' of the revision and recommends that the Crime Commission extend the mandate of the Expert Group so that it can continue its work. For more information on revising the SMR and PRI's engagement in the process, [click here](#).

### [PRI at the UN Human Rights Council in Geneva](#)

The 25th Regular Session of the Human Rights Council took place in Geneva from 3-28 March 2014. PRI was [active on a number of issues](#). In particular, we:

- submitted a [statement on the conditions on death row](#) and the impact these conditions have on the rights and well-being of prisoners and their families;
- co-hosted a side event with the Special Rapporteur on Torture (SRT), Mr Juan

Mendéz, and the [American Civil Liberties Union](#) (ACLU), on the review of the SMR. The event briefed delegates on the process so far and the SRT presented his [report on the torture aspects of the review](#). Read more about the review [here](#);

- Programme Development Director, Nikhil Roy, sat on the afternoon panel at the Annual Day on the Rights of the Child to address 'Challenges and good practices in children's access to justice' with a focus on children in institutional care. Becky Randel, Research Assistant, reflects on the day [in this blog](#).

#### Other news and resources:

- [How to Follow Up on United Nations Human Rights Recommendations - A Practical Guide for Civil Society](#) is now available in all six UN languages
- [United Nations Human Rights Council - A Practical Guide for NGO Participants](#) has been updated and is also available in all six languages of the UN

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## JUSTICE FOR CHILDREN

### **"Access to justice is not an additional right - it is a pre-requisite for the protection and enjoyment of all other rights"**

Becky Randel, PRI's Research Assistant, was part of the PRI delegate that travelled to Geneva for the 25th session of the Human Rights Council in March. In this blog, she reflects on the Annual Day on the Rights of the Child, which this year focused on children's access to justice. Discussion centred on international norms and standards and practical challenges for children in accessing justice. Read the full blog [here](#).

### **The Third Optional Protocol to the CRC: a step forward in improving access to justice for children**

In this blog, Becky Randel, PRI's Research Assistant, welcomes the Third Optional Protocol to the CRC into force and discusses the possibilities and limitations of the Protocol, warning that as we celebrate this important step forward in ensuring children's access to justice at the international level, we must remember that it is a starting point for State accountability to child rights, and not an end in itself.

### **Как помочь детям в заключении?**

#### **How can we help children in prison?**

Azamat Shambilov, Project Coordinator from PRI's Central Asia Office, was interviewed by the Kyrgyz human rights publication [Voice of Freedom](#) last week about PRI's Violence against Children project. The project aims to ensure separation of children from adults in detention, as well as girls from boys, and to end solitary confinement of minors in Kazakhstan, Kyrgyzstan and Tajikistan. The full interview is available in Russian [here](#).

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### حماية حقوق الطفل في إطار أنظمة العدالة الجنائية

### Защита прав ребенка в системах уголовного правосудия

PRI's recent resource, *Protecting children's rights in criminal justice systems: a training manual and reference point for professionals and policy makers*, is now available in [Russian](#) and [Arabic](#). Designed to strengthen the capacity of those working with children involved in justice systems, the manual provides a practical approach to issues that arise in this context, based on international and regional standards.

#### Other news and resources:

- [Juvenile Justice Information Exchange](#) (JJIE) have launched a new [Racial-Ethnic Fairness section](#) in their resources hub
- New report from Human Rights Watch: [Branded for Life: Florida's Prosecution of Children as Adults under its 'Direct File' Statute](#)
- UK: [High Court rules that children formerly involved in court proceedings can be named by the media once they turn 18](#)

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## WOMEN IN THE CRIMINAL JUSTICE SYSTEM

### 'Why don't they chat as they work?' A visit to Lo Wu Correctional Institution

PRI's Policy Director, Andrea Huber, visited Lo Wu Correctional Institution in Hong Kong last month. In this blog, she describes the visit to the newly built women's prison near the border with the Chinese mainland and considers the challenges of moving from punitive to rehabilitative penitentiary systems.



### PRI to hold side event on the Bangkok Rules at the Crime Commission in Vienna

The twenty-third session of the UN Commission on Crime Prevention and Criminal Justice will place in Vienna from 12-16 May. PRI will hold a side event at the Commission, in conjunction with [UNODC](#), [Thailand Institute of Justice](#) (TIJ) and the Permanent Mission of Thailand to the UN. The event, *The Bangkok Rules on women offenders and prisoners: towards implementation*, aims to equip delegates with the facts, resources and inspiration to put the Rules into practice. Look out for the invite to the event, coming soon.

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### **Women in Prison: The Bangkok Rules and Beyond**

PRI's Policy Director Andrea Huber attended a colloquium in Bangkok last month, organised by the [International Penal and Penitentiary Foundation](#) (IPPF) and [Thailand Institute of Justice](#) (TIJ). The main emerging themes included violence against women, legal representation for women and the role of the judiciary in implementing the Bangkok Rules. Look out for a book due to be published shortly on the colloquium and its outcomes!

### **Best practice example: HMIP 'Expectations' for women in prison**

In March PRI attended a consultation organised by HM Inspectorate of Prisons (an independent inspectorate body in the UK) on a new 'Expectations' document which is specifically to be used for appraising and inspecting women's prisons. Expectations already exist for adult prisons generally, but the HMIP are developing this new criteria to take into account the specific needs and unique characteristics of women prisons, based on the Bangkok Rules.

### **PRI's Toolbox on the UN Bangkok Rules**

#### **Бангкокские правила ООН: материалы по практическому применению**

The Guidance Document and Index of Implementation on the UN Bangkok Rules, published by PRI together with [Thailand Institute of Justice](#) (TIJ) as part of PRI's [Toolbox for Implementation of the Rules](#), are now available in [Russian](#)!

*Read more about developments and issues affecting women in the criminal justice system in the [latest edition of PRI's quarterly e-bulletin](#) on women in detention and the Bangkok Rules. To sign up email [info@penalreform.org](mailto:info@penalreform.org)*

### **Other news and resources:**

- [UNODC Handbook on Women and Imprisonment](#) has been updated to include the Bangkok Rules
  - [UN Special Rapporteur on Violence against Women highlights the need for gender-specific sentencing alternatives in the UK](#)
  - New resource from UK-based PRT and The Pilgrim Trust: [International Good Practice: Alternatives to Imprisonment for Women Offenders](#)
  - New report from the Howard League for Penal Reform: [Mitigating Motherhood: A study of the impact of motherhood on sentencing decisions in England and Wales](#)
  - [The Prison Alphabet: An Educational Colouring Book for Children of Incarcerated Parents](#) aims to help children understand parental imprisonment
  - [Bonding Through Bars](#): video from Samantha Sarra depicts the struggle of separation for imprisoned mothers and their children
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## ALTERNATIVES AND IMPROVEMENTS

### [Development of prison legislation in Central Asia: trends and challenges](#)

PRI's Executive Director, Alison Hannah, reports from a regional conference in Kazakhstan where the mood is optimistic - recognising the many challenges in developing prison legislation, she sensed an openness to admit uncertainty and a willingness to share and learn from others' experiences. Read the full blog [here](#).

### [Development and Use of the Probation System in Bangladesh](#)

This new report is based on research carried out last year by PRI and our partner organisation [Bangladesh Legal Aid and Services Trust](#) (BLAST), examining gaps between the law and practice of probation in Bangladesh and proposing recommendations for implementing alternatives to custodial sentences, with a particular focus on probation.

### [Positive impact of PRI's work on alternatives to custody in East Africa](#)

Last year, PRI and the Kenyan Probation and After Care Service provided training to supervisors and trainers of trainers to promote increased use and effectiveness of Community Service Orders (CSOs) as an alternative to imprisonment.

In March, PRI sought feedback on the workshops and any progress that had been made since. The response was encouraging: 100 per cent of respondents feel more confident and knowledgeable about their role (either as a supervisor or trainer) and 100 per cent of supervisors have changed the way they supervise offenders (with 75 per cent changing how they support offenders).

One respondent told of how his attitude towards offenders had been influenced by the training so that he no longer assumed they were bad people, while another reported changing attitudes among Police Officers: "They have come to realise they are just like any other human being who is prone to mistakes which can be corrected positively to bring about change."

#### **Other news and resources:**

- New resource from [ACAT France: \*Et si la prison n'était pas toujours la solution?\*](#)
- Italy: [Italian House passes penal reform into law](#)

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## DEATH PENALTY

### [New Briefing Papers from PRI](#)

PRI has published two new Briefing Papers as part of its death penalty and alternatives

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project, funded by the EU and the UK Government. [See above](#) for more information.

### **[Experts discuss Tajikistani approach towards abolition of death penalty](#)**

On 15 April 2014, PRI organised a Regional Conference *Towards a Complete Abolition of the Death Penalty in Tajikistan: Experience of Central Asian Countries*. [In this blog](#), PRI's Central Asia Death Penalty Project Co-ordinator, Dinara Dildabekova, outlines discussions from the Conference, which considered the experience of Tajikistan, Kazakhstan and Kyrgyzstan. Results of a public survey were also presented, which showed that over 67 per cent of people in Tajikistan are in favour of complete abolition.

### **[Conference for youth leaders on the reality of the death penalty](#)**

On 12 April, [Action on Societal Violence](#) (KAFA) held a conference for youth leaders in Jordan, under PRI's EU-funded project on the death penalty and alternatives. The conference focused on the reality of the death penalty, outlining legal and Islamic jurisprudence, in an effort to shift opinions on capital punishment among young people.

### **[Training for staff working with prisoners on death row](#)**

PRI conducted training for prison staff in Dar es Salaam from 2-3- April on 'Managing Prisoners on Death Row: International Human Rights Standards'. The training involved participants from prisons across the country, who learned about different ways of treating prisoners on death row that comply with international standards on the death penalty.

### **[Training for staff working with life-sentenced prisoners](#)**

On 26 March, PRI provided training for Russian prison staff from colonies for life-sentenced prisoners. The training allowed participants to meet their counterparts from other prison colonies, to share experiences and to hear about strategies for reintegrating life-sentenced prisoners into society. This is a very current issue for the staff as some Russian prisoners have begun to apply for parole after serving up to 25 years in prison.

### **[Deadline approaching for Investigative International Journalism Competition!](#)**

PRI is looking for the best journalism investigating the death penalty and life (or long-term) imprisonment with the winners receiving an expenses-paid two-day trip to London in October 2014, including a one-day visit to the offices of *The Guardian* newspaper. Entries can be submitted in English, Russian or Arabic by **30 April 2014** - good luck!

#### **Other news and resources:**

- [Tanzania: Death row inmates keep increasing](#)
  - [Turkey's Foreign Minister criticises Egypt's death penalty](#)
  - [US: What it means if the death penalty is dying](#)
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## PREVENTION OF TORTURE

### [PRI attends OSCE meeting on the prevention of torture](#)

The OSCE Supplementary Human Dimension Meeting (SHDM) on Prevention of Torture took place in Vienna from 10-11 April. The meeting provided an opportunity to reassess implementation of States' obligations in this area, since the last SHDM on torture prevention in 2003. PRI was represented at the meeting by Policy Director, Andrea Huber. Video statements from speakers can be viewed [here](#).

### Other news and resources:

- [Annual Report of the Subcommittee on the Prevention of Torture \(SPT\)](#)
- New report from the Anti-Torture Initiative: '[Torture in Healthcare Settings: Reflections on the Special Rapporteur on Torture's 2013 Thematic Report](#)'
- New resource from the Association for the Prevention of Torture (APT) available in English and Russian: '[Preventing Torture on the OSCE Region](#)'
- [APT launch the Arabic version of 'Monitoring Police Custody - A Practical Guide'](#)

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## OTHER NEWS

- To celebrate its anniversary, the [Dui Hua Foundation](#) (who work for clemency and better treatment of at-risk detainees in China and with whom PRI recently partnered on a [symposium on the Bangkok Rules in Hong Kong](#)) have launched a monthly news digest with updates on prisoners cases, events and publications. The inaugural issue is available to [read online](#) and you can sign up for the digest [here](#).
  - [The latest newsletter from PRI and Foundation for Human Rights Initiative \(FHRI\) for the East Africa Criminal Justice Civil Society Network is available online](#). For more information or to sign up to the newsletter, email [divamukisa@gmail.com](mailto:divamukisa@gmail.com).
  - [Human Rights Committee discusses draft General Comment on the right to liberty and security of person](#)
  - UN Economic and Social Council present [World crime trends and emerging issues and responses in the field of crime prevention and criminal justice](#) which, for the first, time include data on prisoners by offence
  - Tunisia: [Overcrowding is the biggest problem in prisons \(OHCHR\)](#)
  - Netherlands: [Lawyers, judges, legal experts hammer prisoner pay-for-jail plan](#)
  - Belgium: [Volunteers test new Belgian prison before it opens](#)
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Penal reform news and resources from PRI and around the world

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