

PRI e-newsletter October 2015

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# E-newsletter

October 2015



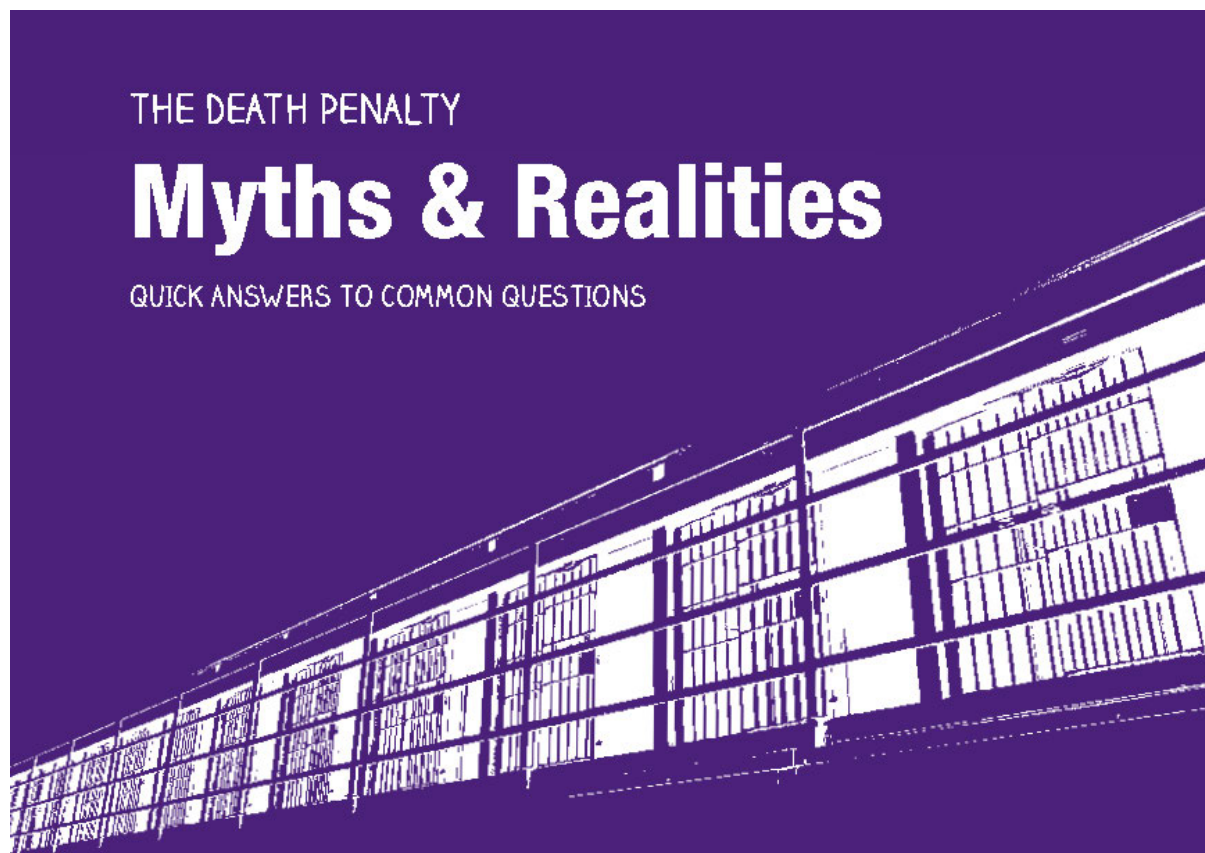
**Welcome to Penal Reform International's monthly e-newsletter, a round-up of PRI and other penal reform news from around the world and a variety of criminal justice and human rights resources.**

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

## In this month's edition

- [In the spotlight](#): Death Penalty: what's the reality? New PRI resource
- [Global advocacy](#)
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## IN THE SPOTLIGHT



### **New PRI publication: Death Penalty: Myths and Realities**

PRI has published a [new short guide](#) giving ‘quick answers to common questions’ about the death penalty. Published as part of PRI’s EU-funded death penalty project, the guide provides the facts behind frequently heard ‘myths’ such as: ‘The death penalty keeps societies safer’, ‘the death penalty is applied fairly’, ‘there is nothing in international law to stop countries using the death penalty’, and ‘victims and relatives are in favour’.

**And our new expert blog this month:**



### **Preventing infectious diseases in prisons: a public health and human rights imperative**

In this blog, Gen Sander, Human Rights Research Analyst at [Harm Reduction International](#), says that states have both a public health duty and a human rights obligation to tackle the spread of infectious diseases in prison.



## GLOBAL ADVOCACY

### PRI at the 70th session of the UN General Assembly

At the ongoing [70th session of the UN General Assembly](#), PRI has been engaging on various issues from raising awareness of the revised Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules) to preparations for the [UNGA Special Session on Drugs](#) due to take place in April next year.

### The revised Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules)

On 19 October, [PRI co-hosted a side-event](#) on the implementation of the revised Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules) – focusing on provisions related to the prevention of torture and ill-treatment. [Watch the recorded webcast.](#)

Earlier in October, PRI's Executive Director, Alison Hannah joined a panel at the UN Office on Drugs and Crime's high level launch of the Mandela Rules, providing an [overview](#) of three areas – complaints, inspection and legal aid – where the revised Rules provide new guidance for prison managers.

[Read more about the Mandela Rules.](#)

### Side-event highlights reasons for keeping women out of prison

Together with the [Thailand Institute of Justice](#) and with the support of Thailand's Permanent Representation to the UN, PRI's side-event on 20 October focused on the reduction of women's imprisonment.

Olivia Rope PRI's Programme Officer, spoke to [UN Radio about the issue. Listen here.](#)

## Protection of girls in the criminal justice system

On 16 October, the Office of the Special Representative of the UN Secretary General on Violence against Children (SRSG-VAC) and UNODC organised a [high-level panel](#) to discuss strategies and promising practices to improve protection of girls from violence in the criminal justice system.

PRI's Policy Director, Andrea Huber, participated on the panel, which was moderated by the SRSG-VAC, Marta Santos Pais. The Special Representative's new thematic report, [Safeguarding the rights of girls in the criminal justice system - Preventing violence, stigmatization and deprivation of liberty](#) was launched at the event.

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## DRUG POLICIES

### Over 6,000 drug offenders released in the USA

The release over the weekend of 2-3 November, of over 6,000 prisoners in the USA who had their long sentences for drugs offences reduced by months and in some cases years as a result of revision of sentencing guidelines last year, prompted widespread coverage and speculation that America's war on drugs is finally in retreat.

[US broadcaster NPR has provided a useful FAQ on the releases.](#)

UK broadcaster, Channel 4, in a 5-minute video, reports on [the history of the war on drugs in the US](#): the introduction of mandatory sentences, including life without parole, for drug offences, including non-violent ones, and the dramatic explosion in the prison population in the 1990s.

Several reports emphasise the barriers former prisoners will face to re-entry, a shortage of capacity in halfway houses, and the importance of offering proper support.

['Out here, I still don't know how to live': 6.000 drug convicts brace for release' \(The Guardian UK\)](#)

[Business Insider Australia](#) notes that prisoners given mandatory life sentences for drug offences under the 'three strikes law' will not be eligible for release.

These developments in the USA reflect the increasingly vocal debate about the failure of prohibition and are one of a number of recent examples of countries seeking to shift their response to drug use away from the criminal justice. See, for example, the new report by the [Centre for Legal and Social Studies \(CELS\) in Argentina on the impact of drug policy and human rights](#) in Latin America, and [a blog for PRI by Luciana Pol of CELS on the](#)

[same](#). The UN Special Session next year in April will focus on drugs and is a key opportunity for the international community to shift their policies. [See more on the UNGASS here](#).

And in news just in, the [Mexican Supreme Court ruling which could set in motion the legalisation of marijuana for personal use](#).

## **Civil Society Hearing on the UN General Assembly Special Session on the World Drug Problem (UNGASS)**

On 21 October, the Civil Society Task Force (CSTF) on the UNGASS on drugs held a [hearing](#) in New York to update delegates attending the General Assembly on the views of civil society and its work in preparation for the UNGASS in April next year. PRI's Policy Director, Andrea Huber shared the outcome of a NGO consultation held in Geneva in September with organisations working in the criminal justice sector.

[Watch the recorded webcast](#).

## **[New report by Harm Reduction International: The Death Penalty for Drug Offences: Global Overview 2015](#)**

As part of its 'Global Overview' series, Harm Reduction International (HRI) has [published a new report](#) on worldwide law and practices on the death penalty for drug offences. The [report](#) notes that, despite the high number of people executed for drug-related offences and the considerable number of countries where a death sentence is applicable to drug offences, only a few actually carry out executions for drug-related crimes.

### **Other news and resources**

Global: [Why the UN's Sustainable Development Goals Need Good Drug Policy](#)

Greece: [New Law in Greece Will Sentence Certain Drug Dealers to Life in Prison](#)

Ireland: [Injection rooms for addicts to open next year in drug law change, says Minister](#)

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## **ALTERNATIVES TO IMPRISONMENT**





### **[Blog: Jailed for watching daytime TV: the need for prison reform in Africa](#)**

In a [recent report on over-incarceration and overcrowding](#), the UN Commissioner for [Human Rights](#) argued that that custodial sentences should be imposed as measures of last resort and applied proportionately to meet a pressing societal need. A recent visit to East Africa by Rob Allen illustrated that much more needs to be done if that is to be achieved in the region.

PRI is working on a [programme across three countries in East Africa - Kenya, Uganda and Tanzania](#) - to scale up the use of community service as an alternative to imprisonment. Photo (above) a community service project run by the Department of Community Service in Uganda supported by PRI and funded by the UK Government (Photo: copyright Will Boase 2015).

### **[PRI expands work on alternatives to imprisonment in Morocco and Tunisia](#)**

New funding from the British Embassy in Morocco, the European Union and the US Government will support the development of non-custodial alternatives, as well as rehabilitation and the improvement of prison conditions. These projects will be implemented by [PRI's office in the Middle East and North Africa](#).

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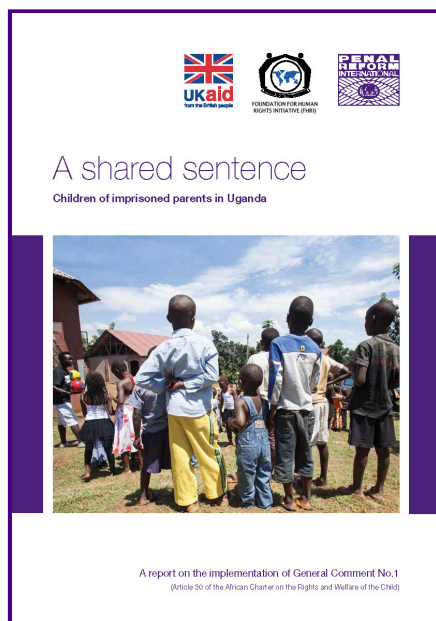
## **JUSTICE FOR CHILDREN**

### **[New report on life sentences for juvenile offenders in the United States](#)**

The [study](#) by US public interest law practice, the Philip Black Project, shows a dramatic decline over the past years in juvenile life without parole (JLWOP) sentences. Based on legislation and sentencing practices, the report concludes that there is a growing national consensus against JLWOP. The United States Supreme Court has been presented with two cases in which the constitutionality of life without parole sentences for juveniles is questioned.

## **Report: Parents Behind Bars – What Happens to Their Children?**

With more than 5 million children having experienced one parent serving time in the US, the organization, [Child Trends](#) conducted research into how children are affected by having a parent behind bars. The [report](#) shows that parental imprisonment can be linked with childhood health problems, behaviour problems and under-performance in school.



### **New report coming soon from PRI! A shared sentence: children of imprisoned parents in Uganda**

This year the African Charter on the Rights and Welfare of the Child (ACRWC) celebrates 25 years since its adoption. From 20-21 November a [conference](#) will be held in Ethiopia to assess the impact of the Charter so far and to develop an agenda for the future.

During the conference PRI and the [Foundation for Human Rights Initiative \(FHRI\)](#) will launch a research report on the situation of children of prisoners in

Uganda, which assesses the extent to which Uganda has so far implemented the recommendations of the first [General Comment on the African Charter \(Article 30\)](#) which was adopted in 2013 and provides member states with guidance on protection of children affected by parental imprisonment.

Watch out for the report in this newsletter and on our website at [www.penalreform.org/resources](http://www.penalreform.org/resources).

### **Other news and resources**

France: [France interested in Georgia's innovative Juvenile Justice Code](#)

Pakistan: [Juvenile prisoners sexually abused in peshawar jail, 'supplied' to inmates](#)

UK: [Youth remand continues to fall](#)

UK: [Replace child prisons with small units, report says](#)

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## **PRE-TRIAL JUSTICE**

## **New report: 70 per cent of inmates in Nigerian prisons awaiting trial**

A [new report](#) by Nigeria's National Human Rights Commission (NHRC) reveals serious delays in the criminal justice system with over 39,000 detainees awaiting trial and concludes that delays in the criminal justice system not only result in overcrowding and deplorable prison conditions, but also violate the constitutional right of Nigerians to remain 'innocent until proven guilty'.

## **New report: International Access to Justice**

The [Bingham Centre for the Rule of Law](#) has published a new [report](#) on access to justice for both offenders and victims of violent crime. The report covers the accessibility and effectiveness of legal aid and redress mechanisms for victims of violence, and gives general recommendations for overcoming barriers to access to justice.

### **Other news and resources**

Indonesia: [Amnesty points to 'endemic flaws' in Indonesia's justice system](#)

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## **WOMEN IN THE CRIMINAL JUSTICE SYSTEM**

### **PRI and FHRI deliver first East Africa training for women prison staff on the UN Bangkok Rules**

In October, PRI and the Ugandan NGO, [Foundation for Human Rights Initiative](#) (FHRI), delivered training to 23 prison officers and three members of the Community Service Department, covering topics such as responding to women who have experienced violence, providing gender-specific healthcare and vocational training for women.

This training is part of a global programme to implement the provisions of the UN Bangkok Rules. Find out more about [our work with women prisoners and the UN Bangkok Rules in East Africa](#).

### **Number of women in prison globally rises: new statistics**

The newest edition of the [World Female Imprisonment List](#) by the Institute for Criminal Policy Research reveals that currently more than 700,000 women and girls are held in penal institutions around the world, rising from the estimated 625,000 in 2012. The rate of women's imprisonment has grown much faster than male prison population levels since around the year 2000, with the number of women and girls in prison increasing by 50% in the past 15 years, compared to an approximately 20% increase in the general prison population in that period. The new statistics also show that the number of women and girls in prison has risen particularly sharply in Central and South America and in



## **UN Special Rapporteur report on minorities in the criminal justice system**

The [report](#) addresses discrimination faced by minorities throughout the criminal justice process; including increased likelihood of arrest and of being remanded in pre-trial detention, discriminatory sentencing and conditions in prison. The report will inform a [Forum](#) on this issue in Geneva on 24-25 November. PRI's [Regional Director from our Middle East North Africa Office](#), Taghreed Jaber, will speak about migrant workers in the criminal justice system and PRI's delegation will also be raising awareness of the issues faced by women prisoners from minority groups at a side event on 25 November.

### **Other news and resources**

UN: [CEDAW Committee issues general recommendation on women's access to justice](#)

USA: [Pregnant and behind bars: how the US prison system abuses mothers-to-be](#)

Tunisia: Report: [Gender in Tunisian prison reform](#)

Jordan: [DIGNITY: the Danish Institute against Torture publishes a new study on the situation of women in Jordanian prisons](#)

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## **TORTURE PREVENTION AND CONDITIONS IN DETENTION**

### **World Health Organization launches partnership for health in the criminal justice system**

The WHO Regional Office for Europe recently launched a first-of-its-kind [web-based platform](#) that assembles prison-health related resources provided by WHO/Europe and partner organisations. In this short [video](#) WHO highlights some of the platform's features.

### **Human Rights Watch report: Brazil prison conditions 'Human Rights Disaster'**

This [new report](#) by Human Rights Watch highlights the problem of overcrowding in Brazil's prisons - blaming the high numbers of pre-trial detainees as a result of near-automatic pre-trial detention after arrest - and reveals serious health and safety issues which frequently result in violent prison riots.

### **New report on visitation in US state prisons**

[Separation by Bars and Miles: Visitation in state prisons](#) by US organisation, the Prison Policy Initiative, reports that less than one third of the prison population receive a visit in a typical month, and describes how long distances and complicated visiting processes discourage family visits.

### **Other news and resources**

Global: [Firms profiting from tools of torture face new EU crackdown](#)

Cambodia: [Prison Director Accused of Widespread Graft](#)

Cameroon: [Rights Groups: Cameroon Prisons Severely Overcrowded](#)

France: [French Pacific jail conditions decried](#)

India: [Overcrowded, under-staffed and rising number of undertrials - the sorry state of affairs continues in Indian jails](#)

Russia: [Russian Parliament Approves 'Sadistic' Prison Reform Law At First Reading](#)

UK: ['Dirty, overcrowded and unsafe': Walton prison blasted over catalogue of failings by inspectors](#)

India: [Prisoners' productivity: Trained inmates helped Jails to earn Rs 150 cr](#)

Kenya: [Bill to reduce prison stay for 'good' inmates](#)

Scotland: [Mosque twinned with Scotland's largest prison to reduce reoffending](#)

UK: [Voting ban on prisoners convicted of serious crimes is lawful, EU court rules](#)

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## DEATH PENALTY ABOLITION

### 10 October - World Day Against the Death Penalty

The thematic focus of World Day Against the Death Penalty 2015 was on the death penalty for drug-related offences, a sentence still available in 33 countries and territories worldwide, [mainly in Asia and the Middle East](#). Abolitionists across the world, including [UN Special Rapporteurs](#) on summary executions, Christof Heyns and on torture, Juan E. Méndez, as well as [18 Foreign Ministers](#), called for an end to the death penalty, especially for drug crimes. The call to remove the death penalty as a response to drug-related offending is especially relevant given the upcoming [UN General Assembly Special Session on the World Drug Problem](#) in April 2016.

In Kazakhstan, PRI organised [a student debate for World Day at Kazguu University in Astana](#), with the co-sponsorship of the European Union Delegation to Kazakhstan and the Embassies of the Holy See, Switzerland and France.

### **PRI's 'Sharia law and the death penalty' report discussed at the UK Foreign Office**

On 14 October, Alison Hannah, PRI's Executive Director, presented this new report at a discussion hosted by the UK Foreign and Commonwealth Office on the abolition of the death penalty and Sharia Law. The aim of the event was to explore the role of Sharia Law in the application of the death penalty and the criminal justice systems of Muslim countries in the Middle East.

PRI's report is based on research by Muslim scholars and provides, with non-experts in mind, the interpretation of the application of Sharia to various offences, emphasising the high value Islam places on mercy and forgiveness.

[Read the report.](#)

## Other news and resources

Global: [Human Rights Council approves Switzerland's resolution on the death penalty](#)

India: [Death Penalty Becomes Stumbling Block for India-Germany Mutual Legal Assistance Treaty](#)

Fiji: [EU welcomes Fiji's abolishment of death penalty](#)

Japan: [New justice minister backs capital punishment, but says careful approach required](#)

Japan: [Japanese Prisoner Dies after 43 Years on Death Row](#)

Saudi Arabia: [How the kingdom treats the people it is going to execute](#)

Trinidad & Tobago: [Attorney General: We will apply hanging law](#)

UK: [Fifty years on, the debate over what replaces the death penalty continues](#)

US: ['He should be treated as a human': death row conditions in Virginia improve](#)

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## OTHER NEWS

PRI staff were saddened to note the death of Al (Alvin) Bronstein last week, a dedicated prison reformer and a long-serving PRI Board Member. [Baroness Vivien Stern pays tribute to his work here](#). His life and work were also profiled in an [obituary in the New York Times](#).

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