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Welcome again to **PAP News**. The Penal Affairs Panel of the Unitarians brings you news of issues in the field of criminal justice, Human Rights, police and prisons.

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1 Amendment to Immigration Rules "Colossal Interference" The Rules were amended in 2008 to raise the minimum age a UK citizen might bring a spouse into the UK from 18 to 21 for both . The Court of Appeal said it was "an unjustified interference" with Human Rights. The judges doubted the Home Secretary's argument that the amendment would really deter forced marriages. See <http://www.bailii.org/uk/cases/UKSC/2011/45.html>

2 American Declaration means Right to Personal Protection The Human Rights Bulletin reports a "landmark decision" on the US Declaration of Rights. The US Government argued the Declaration did not impose an obligation to protect individuals against domestic violence. The Commission found it did when a police department failed to protect a mother and daughters against a known violent father saying there is "growing recognition of violence against women as a human rights problem requiring State action". See *Gonzales and Others v. United States of America, Merits*, 21 July 2011, Inter-American Commission on Human Rights, Report No. 80/11

3 Police should not keep children under 14 in cells overnight The Howard League argues it is a "dangerous and frightening practice" which does more harm than good. The number in 2008-9 of children under 14 kept in cells overnight was more than 11,500, even excluding the Metropolitan Police area. See <http://www.bbc.co.uk/news/uk-16155706>

4 Custody of children being 'privatised' wrongly Frances Crook of the Howard League accuses the Government of misusing financial information when using private secure training centres rather than local authority secure children's homes to save money. The Youth Justice Board must pay VAT to use commercial children's prisons whereas the local authority secure homes are VAT-free. The real difference in costs is very small. Moreover, the homes are "expertly staffed and safe" whereas two children have died in the commercial secure training centres. See <http://www.howardleague.org/francescrookblog/the-government-forgets-about-vat>

5 Long delay in deportation is breach of Right to Family Life The European Court of Human Rights decided the UK could not delay deportation for years and ignore major changes in a person's life. The applicant had

joined his mother in UK from Nigeria at 13 years of age and at 15 had been convicted of rape. He was served with notice of deportation whilst serving his sentence but after release and a failed appeal to the Asylum and Immigration Tribunal had started degree courses and gained employment with a local authority. The European Court ruled that the circumstances for deportation must be judged at the time of the of the court hearing. The UK could not contend he could now reasonably be expected to commit an offence such as to make his deportation necessary in a democratic country. See AA v United Kingdom at

<http://www.bailii.org/eu/cases/ECHR/2011/1829.html>

6 7 years detention without trial "so exceptional" The defendant has been held in custody for 7 years and is now in HMP Long Lartin awaiting the outcome of his appeal to the ECHR against his extradition to USA. The BBC wished to interview him but were refused. The High Court considered the BBC had no right to interview him but the case "was so exceptional" the interview should be allowed. The defendant has spent more time in custody without trial than any person in the UK in recent years. See

<http://www.guardian.co.uk/uk/2012/jan/11/bbc-interview-terror-suspect-babar-ahmed>

7 Court will only hear individual deportation appeals The Independent reports that the UKBA chartered a flight to take 55 failed asylum-seekers to Sri Lanka in December despite claims by Tamils Against Genocide that they faced threats of torture. But the High Court rejected a last minute "general" challenge. The Court will hear challenges only for individuals. See <http://www.independent.co.uk/news/uk/home-news/failed-asylum-seekers-flown-home-6278067.html>

8 Businesses can help break the cycle of deprivation and offending The senior judge in Norfolk has congratulated businesses in the Castle Mall shopping centre, Norwich, on their success in recruiting ex-offenders. Since 2009 some 74 men from HMP Norwich have completed the training course and 84 per cent have been given jobs in the shopping centre. Just 8 per cent have reoffended, compared with average national reoffending rates of more than 50 per cent within two years. The success of the project is encouraging more Norfolk businesses to join the scheme or to set up similar rehabilitation through employment projects of their own. See http://www.eveningnews24.co.uk/news/norwich_s_top_judge_in_plea_to_businesses_to_help_break_the_cycle_of_crime_1_1181583

9 Bessels Green Unitarians raising funds for literacy in prisons The Unitarians at Bessels Green, Sevenoaks, are holding a lunch on Sunday, 5.2.12 to raise funds for the Shannon Trust which operates a mentoring programme for prisoners who can read to help those with reading difficulties. If you would like to attend and to give an idea of the numbers to cater for, please email the Bessels Green secretary on carolinestarling@gmail.com

10 Do send your news... to bruce_chilton@hotmail.com