

## **PAP News Issue 9 2011**

Hello again from **PAP News**. Here are current news and issues in the criminal justice system brought to you by the Penal Affairs Panel of the Unitarians.

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**1 Freedom of Religion must be upheld even in Prisons** A devout Muslim prisoner in HMP Ryehill was directed by his imam to fast. When a mandatory drugs test was carried out, he refused to break his fast by drinking and so failed to produce sufficient urine for the test. He was charged with "failing to obey a lawful order" and later convicted by an Independent Adjudicator. The High Court found Article 9 of the Human Right Convention to have been "intervened". The Adjudicator's decision was not "proportionate". The urine sample could have been demanded after the fasting had ended. Most importantly, the decision did not take the genuine religious belief of the prisoner into account. See *The Queen (for Imran Bashir) v The Independent Adjudicator, HMP Reyhill and the Secretary of State for Justice intervening* (2011) on <http://www.bailii.org/ew/cases/EWHC/Admin/2011/1108.html>

**2 HMP Wandsworth "demeaning, unsafe and indecent"** These are words from the report in June by the HM Inspector of Prisons. You may remember that a previous inspection of HMP Wandsworth was "marred" by the moving of "difficult" prisoners. This unannounced visit by the inspectors found shocking conditions. In the course of the previous 12 months there had been a monthly average of 32 self-harm incidents and 11 self-inflicted deaths. See the Report on <http://www.justice.gov.uk/downloads/publications/inspectorate-reports/hmipris/wandsworth-2011.pdf>

**3 Reshaping the criminal justice system after the riots** Here is an interesting discussion by a criminologist, Jon Burnett, on the impact of the recent riots in British cities and, in particular, the Government's use of "underclass" theories when making its response. See it on <http://www.irr.org.uk/2011/august/bj000014.html>

**4 Mental Health Review Tribunals can be open** A patient held in custody in Broadmoor and other secure mental hospitals for almost 25 years has become the first successful applicant for his hearing before the Mental Health Review Tribunal to be opened to the press and the public. Concern has been growing about the increasing number of patients made subject to detention by Mental Health Orders. See [www.independent.co.uk/news/uk/crime/broadmoor-man-gains-public-appeal-2361714.html](http://www.independent.co.uk/news/uk/crime/broadmoor-man-gains-public-appeal-2361714.html)

**5 Cutting down Human Rights for Immigrants** The threats to Human Rights in British society are starting to have effects, according to an article by Human Rights lawyer, Frances Webber. He argues that the Human Rights Convention, drafted by British lawyers and strongly supported by Winston Churchill, is now under real attack. Leading politicians are arguing that Article 8, the right to family life and privacy, should be watered down. In particular, Frances Webber suggests that the passing of the EU chair to the UK in the near future will provide the opportunity to reduce the powers of the European Court of Human Rights so affecting the rights of all in the UK. See <http://www.irr.org.uk/2011/september/ha000008.html>

**And... if you want to understand the difference** between Human Rights and Civil Liberties see the **PAP's presentation to the 2011 GA at Swansea** on <http://go.podia.net/lobby.aspx?c=1734>

**6 Reports of 'Hate Crimes' fall** The number of 'hate crimes' reported to the police fell from 51,920 in 2009 to 48,127 in 2010. But such crimes are still under-reported and the number of crimes against disabled or transgender victims rose, accordingly to the Association of Chief Police Officers. See [www.bbc.co.uk/news/uk-14833252](http://www.bbc.co.uk/news/uk-14833252)

**7 Good news... Cuts in ESOL funding partly restored** The Skills Funding Agency has announced new guidelines for financing the teaching of 'English to speakers of other languages'. Although it will not rescue the ESOL training provisions which closed last year upon the announcements, the effects are to make good cuts due to start in September at least for those persons receiving benefits and seeking employment. See [www.irr.org.uk/2011/september/ha000018.html](http://www.irr.org.uk/2011/september/ha000018.html)

**8 Control Orders replacement Bill now before Parliament** The Government undertook to remove Control Orders earlier this year when the Courts were very critical. The remaining nine persons subject to Control Orders will be allowed to return to their homes by January 2012. The Government proposes 'enhanced' Terrorism Prevention and Investigation Measures (Tpims) which could be bought into use in cases of emergency and restore the power to direct persons not charged with any crime to live where they are ordered. See [www.bbc.co.uk/news/uk-14751670](http://www.bbc.co.uk/news/uk-14751670)

**9 Unitarian Peace Fellowship Conference "Refugees"** Come to Norwich on Saturday 22.10.11 for this free conference. More information on <http://unitarian.org.uk/info/events.shtml#oct11>

**10 Finally...please** send your news to [bruce\\_chilton@hotmail.com](mailto:bruce_chilton@hotmail.com)

