

PAP NEWS ISSUE 22 2016

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1 Prime Minister's Address on Prison Reform In the first address devoted to prison reform since that of John Major in 1992 when the prison population was 41,000, David Cameron has made a statement now the population, including non-criminal migrants held in detention, has reached 90,000. Mr Cameron proposes to see prisoners as "assets rather than liabilities". His proposed reforms are hardly new but are encouraging for those who consider reform is long overdue. For the transcript, see www.gov.uk/government/speeches/prison-reform-prime-ministers-speech

2 Supreme Court Overturns Joint Enterprise Principles For many years, joint enterprise has often meant guilt by association. The Supreme Court has decided the test of joint enterprise has been wrongly applied for 30 years. The associate's foresight should only be one issue in the whole evidence for the jury to decide upon. There may be many appeals. See www.theguardian.com/law/2016/feb/18/joint-enterprise-law-wrongly-interpreted-for-30-years-court-rules

3 What If Police Bail Was Abolished? This pamphlet by Prof. Ed Cape of LSE's Mannheim Centre for Criminology was written at the request of the Howard League. "Police" bail can mean several things. "Street" bail is granted by a police officer away from a police station and "pre-charge" bail requires an uncharged detainee to return to a police station. Bail to surrender to a court may also be granted following a criminal charge. The pamphlet examines the first types and explores the problems, especially when police officers attach conditions to pre-charge bail. Often persons granted bail are required to return to a police station several times. Prof. Cape concludes both types of bail are beyond reform, including those reforms proposed by the Home Office, and should be abolished. See https://d19ylpo4aovc7m.cloudfront.net/fileadmin/howard_league/user/pdf/Publications/What_if_police_bail_was_abolished.pdf

4 Legal Privilege Now in Investigatory Powers Bill A revised Bill has been introduced to the House of Commons following the High Court's finding that the Data Retention and Investigatory Powers Act 2014 is incompatible with EU law. After a barrage of objections, the revised bill contains statutory legal privilege and suggests journalists may not be obliged to reveal their sources. However the legal privilege is not extensive and both the solicitors' and the barristers' professional bodies continue to object. The Investigatory Powers Bill will be the subject of a motion to the Unitarian General Assembly in 2016 by FOY and the Penal Affairs Panel.

For the lawyers' arguments, see www.lawgazette.co.uk/law/protection-for-legal-privilege-promised-in-new-snoopers-charter/5053940.article?utm_source

5 Courts to Close – 86 of 91 Selected Civil and criminal lawyers are also cross that more than one fifth of all courts in England and Wales are to close. This is notwithstanding delays of weeks for a hearing to last minutes is not unusual in family cases. While the Government states the closures will maintain “access to justice”, a major cost will transfer to the police as defendants in criminal courts unable to get to court by public transport simply wait at home to be collected and deny guilt to bail offences accordingly. See www.lawgazette.co.uk/news/moj-confirms-86-out-of-91-threatened-courts-will-close/1/5053586.article?PageNo=2

6 Deaths in Prisons Rising Quickly There were 257 deaths among prisoners in 2015, a rise from 153 in 2006. Natural deaths are rising with the average age of prisoners but more worrying is the rise in violent deaths and suicides. In 2015 89 prisoners took their own lives. The Government announced “an urgent inquiry into prison suicides” in 2014, yet to report. The alarming rise in deaths has caused The Howard League and the Centre for Mental Health to start a joint investigation. See www.theguardian.com/society/2016/jan/28/prison-deaths-self-harm-figures-rise

7 BBC’s Panorama Exposes Serious Abuse at Medway On 15 January was broadcast an investigation into physical abuse of children inmates at Medway Secure Training Centre by employees of the privately-run prison, G4S. The Howard League has called for the Centre to be closed and the prison contract to be rescinded. Use the BBC i-player to see the Panorama programme on www.bbc.co.uk/bbctwo

8 UK to Build Prison in Jamaica In September 2015, David Cameron announced a proposal to build a prison in Jamaica at a cost of £25m to take up to 600 prisoners born in the West Indies from UK prisons . Starting in 2020 such a move would make space for more prisoners and save money for the UK prison system. In later local objections, it was revealed that Jamaica had rejected a similar offer in 2008. See www.independent.co.uk/news/uk/uk-to-build-prison-in-jamaica-for-foreign-criminals-a6672981.html

9 Howard League Celebrates 150 years The Howard League for Penal Reform was founded in 1866 and named after John Howard (1726 – 1790), the penal reformer. John Howard was a strong non-conformist and attended many Presbyterian chapels which, when it became legal, declared for Unitarianism. Despite his non-conformism and Unitarian friends, he was appointed Sheriff of Bedfordshire. The Howard League is the oldest prison reform organisation and now has the largest membership ever. See www.howardleague.org

10 Human Rights from UKUnitarianTV Matthew Smith, the minister of Framlingham and Bury St. Edmunds Unitarians, has interviewed Ian Speed of Amnesty and Bruce Chilton of the Penal Affairs Panel on the Human Rights Act and the proposed Bill of Rights. See it on www.sundaynightlive.tv at about 1930 on Sunday 3.4.16 or later on UKUnitarianTV's Facebook site at www.youtube.com/user/ukunitarians

11 Please Send Your News for PAP News to bruce_chilton@hotmail.com