

Welcome to the latest newsletter from PAS.

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**Welcome to our June 2015 update.**

**If you would like further information please go to our [website](#) or contact us at [admin@prisonersadvice.org.uk](mailto:admin@prisonersadvice.org.uk).**



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### **News**

#### **PAS makes strides at London Legal Walk**

In May seven PAS staff members and volunteers (pictured right) put their best foot forward to take part in the 10K London Legal Walk to help raise funds for vital legal services for vulnerable people in London and the South East. In total, 9,000 people took part in the walk and collectively covered the same distance as one person walking the Earth's circumference twice!

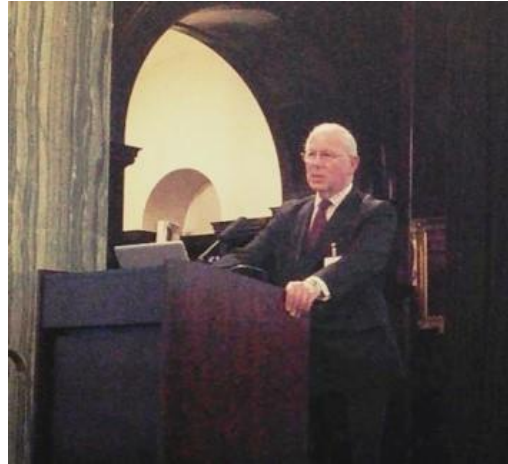


So far, by sponsoring us, you have kindly helped us to raise £412 towards our work! Mindful of your previous support, we ask you to consider donating to this sponsorship appeal by going to: <http://uk.virginmoneygiving.com/team/PAS2015>

After the legal aid cuts, we are increasingly reliant on donations to enable our much-needed services to continue. Thank you for your ongoing support of our work with prisoners.

### **New PAS Patron**

We are pleased to announce that His Hon John Samuels QC has kindly agreed to become PAS's newest Patron. John has long recognised the importance of PAS's work, for example when speaking at our debate event last year (pictured right). John has served as a Judicial Member of the Parole Board and as a former Circuit Judge and he is involved with a number of charities in the criminal justice sector. With his considerable experience, we believe that John is a fantastic new member of the PAS team! In his new role with PAS, he joins our existing Patrons: Lord David Ramsbotham and Edward Fitzgerald QC.



### **PAS panel discussion**



In May PAS held an enlightening and thought-provoking panel discussion (pictured below). About 100 guests attended this event.

Speaking on the topic "Does the European Convention on Human Rights provide adequate human rights protection to UK prisoners?" were:

- Nicola Padfield, Reader in Criminal and Penal Justice, University of Cambridge
- Eric Allison, prison correspondent for The Guardian
- Dirk van Zyl Smit, Professor of Comparative and International Penal Law, University of Nottingham
- Pete Weatherby QC, Garden Court North Chambers, Manchester

- Christopher McDonald, former PAS client

Paula Harriott gave a moving testimony about her experience of being a client of PAS in the past. Our former Managing Solicitor Matt Evans chaired the discussion.

We thank the Grosvenor Estate for their generous provision of the venue and the Clink Restaurant for supplying the catering.

[The Justice Gap wrote an article on the event which can be read here.](#)

### **Seminar on social exclusion and Islamophobia**

One of our Managing Solicitors recently participated in a seminar (pictured right) at the House of Lords on *'Radicalization of youth within the context of social exclusion and Islamophobia'* held by EMISCO – (European Muslim Initiative for Social Cohesion). We were invited to participate because of our long-standing experience in advising prisoners on issues of racial and religious discrimination.



### **Goodbye and Welcome: Women Prisoners Caseworker**

Our current Women Prisoners Caseworker, Naomi Lumsdaine, will be leaving PAS in mid-June to take up a new opportunity elsewhere. We thank Naomi for her many years of dedicated service to PAS and the prisoners whom we advise. We wish her well in her new job. Naomi will be succeeded by Kate Lill whom we welcome aboard as the new Women Prisoners Caseworker. Kate previously worked for the Death Penalty Project. She is a qualified barrister who has also worked for Prisoners Abroad. As an experienced prison lawyer, we believe that she will be a great addition to our team!

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### **Success stories**

#### **Absconder policy review**

Recently we successfully pursued a case with a potentially far-reaching impact. In a judgment with implications for a series of legal challenges brought by affected prisoners, the Court held that the Secretary of State for Justice's 'absconder policy' was unlawful.

The policy was introduced following high profile press reports of prisoners absconding whilst on Release on Temporary Licence from prison (ROTL). Whilst these 'absconder' cases were in fact isolated and rare incidents, the Secretary of State responded by introducing a policy that 'absconders' would no longer be eligible for transfer to open conditions and ROTL save in exceptional circumstances. The scope of the 'absconder' policy was so wide that it included our client (Mr Gilbert), who failed to return to prison from ROTL on a Sunday evening after missing his train. He handed himself into custody the following morning. In the judgment, the Court held the absconder policy to be unlawful, and described the inconsistency between the Secretary of State's Directions and his absconder policy as "irrational".

### **Facilitating a transfer to open prison**

Ms B was a life sentenced prisoner whom we recently represented pro bono. Legal aid is no longer available for these types of cases. Yet these are often the cases where prisoners require the most assistance to secure a transfer to open conditions prior to the expiry of their minimum term. Ms B had progressed as much as she possibly could throughout her nine years in custody and had the strongest possible case for consideration for a transfer to open conditions. She had made use of her time in prison as constructively as she could and remained deeply remorseful of the incident which had given rise to the index offence. The panel of the Parole Board that heard her case shared the same view and recommended her transfer to open conditions.

### **Ensuring a prisoner could take a degree**

The decision that we challenged in Mr C's recent case related to his ability to undertake a postgraduate degree (MA) in English following the implementation of a new Prison Service Instruction. Under this PSI, the maximum number of books allowed in a prisoner's possession has been reduced to 12. The set number of books required for Mr C's degree was 14 (plus a number of module guides). Mr C requested an exemption for the limit to be increased in his case. His request was denied on the basis that it was national policy. However, thanks to our intervention, the prison backed down and allowed him to exceed the limit of 12 books in order to undertake the degree course.

**PRISONERS' ADVICE SERVICE**

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THE INDEPENDENT LEGAL CHARITY PROVIDING INFORMATION AND REPRESENTATION TO PRISONERS

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