

Welcome to the latest newsletter from PAS.

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Welcome to our October 2015 update.

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

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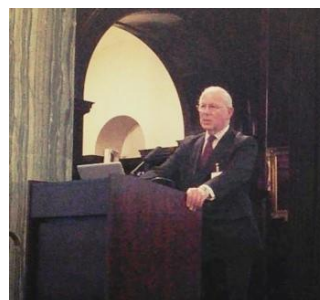
Upcoming events

Pub quiz – 4 November

During National Pro Bono Week, quizzes will be held all over the country to raise funds for Legal Support Trusts and local legal advice charities. The PAS quiz will take place in the upstairs room of [The Rugby Tavern](#) in Holborn on 4th November from 6:30pm. We are asking for keen lawyers, brain-boxes, trivia-gurus and loyal supporters of our work to participate. If you would like to take part, either as a team or as an individual, please contact events@prisonersadvice.org.uk (£5 entry per person – all proceeds will support our work with prisoners).

PAS annual lecture – 24 November

This year our newest patron, His Hon John Samuels QC, has kindly agreed to deliver our annual lecture on the evening of 24th November. We will provide further details of this special event very soon. In the meantime, please save the date in your diaries!



News

Judicial review of Legal Aid cuts

We are pleased to report that we recently won the right to challenge the legal aid cuts for prisoners. The Court of Appeal ruled there was a risk that the



system could be unfair and unlawful. A challenge by PAS and the Howard League for Penal Reform had been unsuccessful in the High Court in 2014. However, that decision was overturned in July 2015 by Court of Appeal judges Lord Justice Leveson, Lord Justice Tomlinson and Lady Justice Sharp. The Court's decision means that the case can now proceed to a full trial. Our press release about this development can be found on our [website](#).

Deborah Russo, our Joint Managing Solicitor and Laura Janes, the legal co-director at the Howard League, recently wrote an article about the legal aid cuts and our challenge to them, which can be read on [The Justice Gap](#) and the [Legal Voice](#) websites.

New Trustees and Caseworker

Welcome to PAS to our four new Trustees! Kassim Gaffar is a Chartered Accountant and a Director of a company that provides IT services to non-profit and social sector enterprises. Kassim will be taking on the role of Treasurer for PAS. Jeanne Harrison is a Chartered Management Accountant and an Analyst for Moody's Investors Service. Jeremy Harrison is a Director of a company that provides training and consultancy in impact planning and measurement. Rebecca Perlman

manages and co-ordinates Herbert Smith Freehills' pro bono practice in various regions. These four new Trustees join our six existing Trustees and deepen the Board's experience and diversity even further. We look forward to their involvement and contributions.

Also this month we said a temporary farewell to our Women Prisoners' Caseworker, Kate Lill, who has gone on maternity leave. Providing maternity cover is Jane Finnis. Previously Jane worked as a solicitor advocate at a South London firm specialising in criminal law and prison law.

National Independent Adjudicators' Conference

Lubia Begum-Rob, one of our Joint Managing Solicitors, was invited to speak at the National Conference of Independent Adjudicators held in Northamptonshire in September. Independent Adjudicators are specially trained Judges, who attend around 120 prisons in England & Wales to adjudicate on breaches of prison rules where an additional sentence of up to 42 days can be imposed. This was an opportunity for the Independent Adjudicators at the conference to hear about the work that PAS does, and to ask PAS questions they had about prisoners' experience of the adjudication process.

New outreach clinics in the South West

We are reaching further across the country and have begun running regular outreach advice clinics at HMP Leyhill in Gloucestershire. We also recently ran a clinic at HMP Eastwood Park (a women's prison in the same county) and are hoping to return there regularly. These two new clinics are particularly supporting and extending our work with older prisoners. In addition to these new clinics, we also run regular outreach clinics at a further eight prisons in London, Kent, Surrey and West Yorkshire: HMPs Belmarsh, East Sutton Park, Holloway, New Hall, Pentonville, Send, Thameside and Wandsworth.

PAS response to consultation

Our Community Care Caseworker recently submitted a Response, on behalf of PAS, to a Consultation by the Care Quality Commission. This Consultation was considering the process of regulating health and social care in prisons. Given our extensive experience in this field, we were invited by CLINKS (an umbrella organisation that supports voluntary organisations working with prisoners) to contribute to the discussion and to make suggestions on the draft proposals. Following the feedback received from us and other contributors, the Commission has now published its final handbook for providers of healthcare in prisons - which can be accessed [here](#).

Recent success stories

Protecting rights to practise religious observance

Muslim prisoners in a Category B prison recently complained that the policy of not allowing them to wear religious headgear was a breach of the national guidance for prisons, especially as another group of prisoners were allowed to wear headgear representative of their faith. We wrote to the prison asking them to review this policy, which they did quite promptly and changed their policy to reflect the national guidance. Following our intervention, Muslim prisoners in that prison, as well as prisoners of all other faiths there, can now wear religious headgear if they choose to.

Facilitating recategorisation and better treatment of terminally ill disabled prisoner

Our Community Care Caseworker recently assisted a disabled, terminally ill prisoner who was serving a short sentence. Although he was a Category C (lower security classification) prisoner, he was being held in a Category B (higher security) prison - as it was deemed better suited to deal with his health needs. Even so, the care was woefully inadequate. He was placed upstairs and therefore could not leave his

cell or even go outside for fresh air. He also required a special diet to avoid potentially choking, but the food provided was not appropriate for his condition. Our Caseworker sent a pre-action letter to Government Solicitors. This resulted in him being moved to a Category C prison. She then made categorisation representations which got him de-categorised to Category D (lowest security). However, the prison refused to transfer him, claiming that his medical needs needed him to be on medical hold. We eventually resolved this through correspondence and he is now finally in a Category D (open conditions) prison.

Resolving accommodation issue on release for elderly wheelchair user suffering from cancer

Our Community Care Caseworker acted for a prisoner in his eighties. The case had been referred to us by his parole solicitor. The parole panel had indicated that they wished to direct his release, but no suitable accommodation had been found. The second parole hearing date was approaching and still no suitable housing had been identified. The prisoner was a frail, elderly man with his left leg amputated above the knee; he was a wheelchair user. He had serious underlying health conditions including bowel and bladder cancer. His family had contacted the local authority, asking for him to be placed near them - so that they could provide support. The Probation Service had also made referrals, to no avail. This matter was resolved by our Caseworker through pre-action correspondence. Thanks to our involvement, an adequate community care assessment was conducted and a suitable address in a care home was found. The parole board then directed the prisoner's release.

Ensuring prison transfer and equality of treatment for transgender prisoner

We assisted a transgender prisoner in transferring to an open prison which had initially refused to accept her - on the basis that it would not have been able to address her complex needs. Other women in the same prison were submitting their transfer requests long after her, yet

being transferred quickly to open conditions. She wanted to be treated in the same way as the other women. We intervened, invoking the relevant terms of the Equality Act 2010, and the matter was swiftly resolved. Following our involvement, the prisoner has now been transferred to the open prison and is progressing towards her eventual release.

PRISONERS' ADVICE SERVICE

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THE INDEPENDENT LEGAL CHARITY PROVIDING INFORMATION AND REPRESENTATION TO PRISONERS

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