

PRISONERS' ADVICE SERVICE

THE INDEPENDENT LEGAL CHARITY PROVIDING INFORMATION AND REPRESENTATION TO PRISONERS

JUSTICE BEHIND BARS

PAS Newsletter September 2018

Welcome to PAS' September newsletter. As the temperatures drop after a summer of sunshine and warmth, [The Independent](#) reports on three deaths of women in prison in the last month. To read about PAS' crucial work with women prisoners, you can visit our website [here](#). If you would like to make a donation towards this work, please do so [here](#). Thank you - your support is always welcome.

News Staff

It's been all-change at PAS over the last few months. PAS linchpin and stalwart, Joint Director, Deborah Russo, left the charity to pursue a Master's Degree in Scotland, where her family have now relocated. Deborah's last day at PAS was 19th July, when her colleague and job-share, Lubia Begum-Rob, became sole Director of the charity.

In June 2018, PAS appointed a dedicated Advice Line Caseworker after receiving funding from Julian Richer's Persula Foundation specifically to address the volume of calls to our advice line that go unanswered. We are delighted to welcome Harry Wade, who is now responsible for dispensing advice and support to adult prisoners solely via the Advice Line, meaning that PAS now provides a five day equivalent telephone service. Harry previously worked as a paralegal in the Human Rights Department at Leigh Day. Prior to this, he worked as a support worker to adults with autism.

On 30th July, PAS was thrilled to welcome another new member of staff, trainee solicitor, Taher Gulamhussein.

Seconded to PAS from [Birnberg Peirce Solicitors](#), Taher will spend 6 months with PAS completing the last seat of his training contract. Taher had volunteered with PAS some years ago and has also worked in youth and community projects. We are extremely grateful to Birnberg Peirce for the opportunity to host Taher.



From left to right: Deborah Russo, Harry Wade and Taher Gulamhussein

PAS' Justice First Fellowship Starts Jan 2019

In a further, exciting, staff development, from January 2019, PAS will host a Justice First Fellowship from [The Legal Education Foundation](#) (TLEF). The Fellow will undertake a two year training contract with PAS in order to qualify as a solicitor.

Now into its fifth year, TLEF's ground-breaking Justice First Fellowship programme aims to create future leaders of the

legal profession. Alongside their legal training, Fellows will also complete a project aimed at increasing access to justice, and receive additional training in skills such as communications, fundraising and business planning.

The scheme closed to applicants on 17 September and interviews will be held at PAS during November/December 2018. We are hugely grateful to all at TLEF for making this wonderful opportunity possible.

PAS Annual Lecture 2018

Keep us in mind...

Our annual lecture will take place, this year, on 22 or 29 November (we will send out an e-mail confirming the details closer to the time). It will be delivered by Marcia Willis Stewart QC (Hon). Marcia Willis Stewart is a Managing Partner at Birnberg Peirce & Partners Solicitors. She is a well-respected practitioner who has spent her career fighting to uphold the civil liberties of individuals and families in actions against the police and state, inquests, extraditions and more. Amongst those she has represented are the families of Jean Charles de Menezes, Mark Duggan, and 77 of the victims of the Hillsborough Disaster; she is currently representing many of the victims of the Grenfell fire. In 2016, Marcia was voted [Black Solicitors Network](#) (BSN) Outstanding Lawyer of the Year at the UK Diversity Legal Awards. She was made Honorary Queens Counsel in 2017, a rank awarded to lawyers and legal academics who have made a major contribution to the law of England and Wales outside practice in the courts, which has not been recognised through other forms of honours.



Marcia Willis Stewart QC (Hon).

Success Stories

Male Prisoner able to Receive Regular Visits from Autistic Son

Having already introduced Family Law advice as a part of our work with women prisoners, a recent case highlighted the need for a similar service to be available in the male estate.

PAS heard from Prisoner A, from Pentonville in London, who was being prevented from seeing his six-year old son. The boy was autistic and finding the public transport required to visit his father overstimulating and highly distressing. It became simply too challenging for Prisoner A's wife to travel into central London with their son to see his dad. As a result, Prisoner A only saw his son once a month, despite having earned enhanced prisoner status, which ordinarily would entitle him to more, and potentially longer, visits from his family.

PAS wrote a letter to the Head of the Offender Management Unit at Pentonville to request that Prisoner A be transferred to an institution closer to the family home as a reasonable adjustment under section 20 of the Equality Act, which states that, "where a provision, criterion or practice... puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, [then the organisation on whom the duty is imposed should] take such steps as it is reasonable to have to take to avoid the disadvantage."

As a result of our intervention, Prisoner A was transferred to the prison closer to his family home, where – as the journey to do so was now shorter and less daunting for them – his son and wife could now visit him far more frequently.

PAS Helps Prisoner Gain Contact with Children

Prisoner B, had been convicted of killing her mother-in-law, receiving a life sentence with a minimum term of 11 years.

The starting point for the minimum tariff for murder is 15 years; Prisoner B's lower tariff reflected the fact that the judge accepted she had been provoked to a certain degree by her relative's abusive behaviour for approximately six months before the incident.

Prisoner B was housed on a Therapeutic Community in prison, having been sent there as she was suffering from poor mental health and the effects of trauma. Being of South Asian origin, she had limited use of the English language.

Prisoner B had not seen her two sons for over two years. She had received visits from them (brought by their father) when she was first in prison but the frequency gradually reduced until the visits stopped completely. She only had one telephone call with her children in the two year period.

PAS' Women Prisoners' Caseworker advised the prisoner that she could apply for a Child Arrangements Order for contact with her children in the family courts. PAS completed her application; communicated with the court to ensure a Production Order was granted for her to attend the first hearing; wrote to the court to highlight her vulnerabilities and drafted a Position Statement for her, setting out her request for the court before the hearing. This was particularly important as her English was limited.

The court made an interim order for contact, allowing her to see her youngest child (the eldest was over 16 and the court only grants orders for children between 16 and 18 in exceptional circumstances). The court also ordered indirect contact through letters and phone calls, and letters to the eldest son. At the time of publishing, PAS is hopeful that the court will order contact to continue at the final hearing.



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