

# PRISONERS' ADVICE SERVICE

THE INDEPENDENT LEGAL CHARITY PROVIDING INFORMATION AND REPRESENTATION TO PRISONERS

JUSTICE BEHIND BARS

## PAS Newsletter June 2019

Welcome to PAS' summertime newsletter. With the long - and hopefully hot - days of summer just around the corner, we hope that all of our friends and supporters have a wonderful season!

### News

#### Annual Panel Discussion

PAS' annual Panel Discussion took place on the evening of Tuesday 28th May at the London offices of [White & Case](#), whom we thank for their support and hospitality.

The event took as its topic, 'Brexit and Foreign National Prisoners: from hostile environment to unsettled future'.

Though not as busy as some of our recent events, the speakers were inspiring and turned what could have been a somewhat grim evening into something very interesting.

The event was introduced by The Guardian's prison correspondent and PAS trustee, Eric Allison, and chaired by Francesca Cooney, Head of Policy at [Prisoners' Education Trust](#). Panellists on the evening were:

- Sally Powell, Trainer Assessor for [St Giles Trust](#) at HMP Huntercombe;
- Kate Adams, [Kent Refugee Help](#);
- Nick Beales, Legal Manager, [Bail for Immigration Detainees](#) (BID).

PAS thanks everyone who was involved for making the evening a stimulating and enjoyable one.

#### Trainee Solicitor Runs Marathon for PAS

PAS is hugely grateful to – and admiring of – Monique

Marino, trainee solicitor at Fieldfisher, who ran the London Marathon this year in aid of PAS, raising a very healthy £3,041 for the charity.

Monique, who ran the race in a remarkable three hours 35 minutes, was stunned that she had run it so quickly – especially as she had never run competitively before the event. She assures us that she absolutely loved the day, and writes a little about her experience for us here.

- “Before the race started, everyone gathered at the little race pens – this was one of my favourite parts of the day as you meet loads of runners who are all running for amazing causes. It was also an opportunity to proudly say that I was running for PAS and sharing the work PAS does.
- “Mile 1 got off to a bit of a shaky start as I needed to use the portaloos twice – I think this was nervousness. At this point, I couldn't imagine ever finishing the marathon!
- “Mile 1 -16 passed relatively uneventfully and I enjoyed listening to the crowds and relaxing into the run.
- “Mile 16 - my technology sadly failed me so I had no music for the rest of the run – but this may have been a blessing in disguise as the crowd spurred me on.
- “Mile 19 – I did start to tire a little bit here - but I saw my family in the crowds, which gave me a big boost of energy and I knew I only had seven miles left to go.
- “Mile 23 – this is probably the best and worst bit of the race – happiness that it is nearly over but dread at having to run three additional miles uphill (whilst the hill is not a hill – more of a tiny upward slope – it feels like a huge hill when you have already run 23 miles!) Mile 23 was probably my lowest point.
- “Finish line – this is the best feeling – because you know you have something to be proud of forever and I was looking forward to going to see all of my family and having a drink at the end of the race!

“All in all, the day was amazing and I am very glad to have been given the opportunity to run!”

Congratulations Monique – from all of us at PAS. You deserved your post-race R&R!



## LLST Legal Walk 2019

In other fundraising news, PAS staff and volunteers took part in [London Legal Support Trust's](#) annual Legal Walk on Monday evening, 17 June, to raise funds in support of free legal advice charities.

As always there was a huge turnout, with 15,000 legal professionals, colleagues, clients and friends joining the walk. At the time of going to press, the event had raised an amazing £670,000. With donations still coming in, however, it is hoped that this year's walk will beat last year's total of £830,000!

PAS thanks all those who sponsored our walkers in support of our work.



## And finally...

...it's all change again at PAS, with staff leaving and a new edition to our team just started. We bid farewell to one of our Community Care Caseworkers, Anna Fairbank, trainee solicitor, Taher Gullamhussein and our Trust Fundraiser, Buffy Sharpe, who is leaving London to live in Paris for two years. (Our hearts bleed!)

In Buffy's stead, we welcome Sara McCallum, who is our new Fundraising and Communications Officer. Sara has over ten years' experience working in Research Funding in the Higher Education and Charity sectors, as well as experience as a volunteer for charities, Crisis and Reprieve. Sara holds a Bachelors degree in Contemporary History and a Master's degree in International Security Studies, both from the University of Leicester.

## Success Stories

### Hard of Hearing Prisoner able to Use Prison Phones

Prisoner A suffers from sensorineural hearing loss in both ears and a pronounced speech impediment. As a result, he has had repeated problems with communication – both listening and speaking – throughout his prison life; at HMPs Belmarsh, Littlehey and Highpoint and, now, at HMP Dartmoor, where he has consistently reported being unable to hear what is being said when using the prison payphones.

Prisoner A often takes time to process what others are trying to say to him and often speaks loudly in response, while moving closer to hear. As a result, his actions are often interpreted, by both Prison Officers and other inmates, as aggressive, leading to regular Incentive and Earned Privileges (IEP) warnings about his behaviour.

Further, Prisoner A felt that the perception that he was aggressive was compounded by the fact that he was a black man encountering predominantly white officers.



PAS made representations to the Prison Governor that reasonable adjustments needed to be put in place so as not to put Prisoner A at a disadvantage compared to other prisoners who were not disabled –in accordance with sections 18 and 20 of the Equality Act 2010.

Specifically, we requested that our client be allowed to make, or take, phone calls in the prison office at quiet times and not on the payphones. We also requested that a negative behaviour warning on our client's record, which may have been issued without due regard to disability, be rescinded.

The prison acceded to our requests and Prisoner A can now use the phone with relative ease.

## **Vulnerable Women Prisoner Moved to Open Conditions**

PAS helped Prisoner A, a woman in her late 50s, who had been convicted of two counts of manslaughter and one of arson and had received an Imprisonment for Public Protection (IPP) sentence with a minimum tariff of eight years. The prisoner had previously committed petty crimes in order to fund her drug addiction, which began at eight years old as a result of the abuse she suffered at the hands of her mother. She had no history of violence or arson offences, but had set fire to a chair in her flat, which then spread, killing two of her neighbours.

Prisoner A suffered from significant mental illness, which was undiagnosed at the time of the offence. She had previously been sectioned but was released without treatment or support. She also suffered from cognitive difficulties, functioning in the Extremely Low and Borderline Range. Illiterate when she entered prison eight years ago, she was then able to read and write only a little.

The psychiatrist who assessed the prisoner when she became eligible for parole concurred that she had been let down by mental health services and that she was not being appropriately treated at the time of her offence, going so far as to suggest that, had she been receiving treatment, it might not have occurred.

Due to the IPP nature of her sentence, it was unlikely that Prisoner A would have been granted parole, so PAS, representing the prisoner at her parole review, requested a transfer to open prison conditions instead, which would be required in order to convince the board to, ultimately, release her.

Because of the enduring mental illness and illiteracy, Prisoner A found it very difficult to understand, and remember, the parole process, which made taking instructions from her problematic. They meant that PAS could not communicate with her by letter. Our Women Prisoners' Caseworker visited Prisoner A more frequently than is usual and arranged telephone calls throughout the process to ensure that she understood what was happening.

During her minimum tariff, Prisoner A's illiteracy had meant that she wasn't able to engage in any offender behaviour courses, to which the Parole Board also attach great weight. PAS was able to persuade the board that this should not pertain in this instance, and that to keep her in closed conditions would amount to punishment for low levels of intellect and cognitive ability.

As a result of our intervention, the Parole Board recommended that Prisoner A be transferred to open conditions. PAS continues to assist the prisoner to ensure she is able

to access the support she needs whilst in open conditions to progress to her eventual release.



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