

PRISONERS' ADVICE SERVICE

THE INDEPENDENT LEGAL CHARITY PROVIDING INFORMATION AND
REPRESENTATION TO PRISONERS

JUSTICE BEHIND BARS

Dear Friend of PAS

Welcome, once again, to our December newsletter. Time truly does fly!

With so much happening all around us - the cost-of-living crisis, strikes, war, the crisis in Prison Officer recruitment and retention - we focus in on the recent anniversary of the abolition of imprisonment for public protection (IPP) sentences.

First, however, we were delighted with the turn out at our recent Pub Quiz - or, as we like to call it, the "big squeeze". Thank you to everyone who attended - and bought raffle tickets on the night - it was great to see you all there. Indeed, PAS was awarded a Highest National Fundraisers certificate from [LLST](#), who organised the event nationwide, for raising £600 on the night!

If you would like to make a donation towards our work in the run up to the festivities, we would be delighted to receive it. You can donate online [here](#).

Wishing you all the very best of the season...

PAS Helps Prisoner Stay Warm in the Cold

Prisoner A contacted us regarding an adjudication charge he had received under Prison Rule 51(23), Offences Against Discipline, for failing to comply with a direct order.

Prisoner A's job within the prison mainly consisted of assisting with moving parcels, packaging and boxes from one part of the prison to another, or out of lorries and into the lobby. Although much of the work was outside, he was required to wear a specific T-Shirt. As the temperature was below 10 degrees Celsius, Prisoner A requested a jumper and asked if he could wear his own. These requests were denied. Prisoner A then decided to wear his own T-Shirt underneath the designated work T-Shirt in order to keep warm. As a result, he was charged under Prison Rule 51(23).

Our Caseworker provided Prisoner A with information to include in his representations in advance of the hearing. We advised that he acknowledge that he did fail to comply with a direct order, but challenge whether this order was lawful. We advised that the direct order was unlawful as it was not in accordance with Prison Rule 23(3), which states that a convicted prisoner shall be provided with clothing adequate for warmth and health in accordance with a scale approved by the Secretary of State.

As, on the day that the charge was made, the temperature was below 10 degrees, it would be reasonable to argue that the provision of a jumper would be necessary for warmth and health.

As a result of our involvement, the Prisoner Governor dismissed the charges against Prisoner A, on the basis that the direct order given to him was unlawful due to a combination of outside temperature and the prison's responsibilities under Prison Rule 51(23).

PAS Continues to Advocate for IPP Prisoners

The 3rd of December marked the 10-year anniversary of the abolition of imprisonment for public protection (IPP) sentences, yet nearly three thousand prisoners still remain in prison, subject to IPP, never knowing if or when they will be released. 96% of people in prison serving an IPP sentence have passed their tariff expiry date, 244 people are still in prison despite being given a tariff of less than two years, and 196 of these are still in prison a decade after the original tariff expired.

In their report this September, the [Justice Committee](#) called for all IPP prisoners to be resentenced. The committee recognised the acute harm caused by an IPP sentence.



Standing Room Only at the PAS Pub Quiz

PAS was delighted to once again take part in the London Legal Support Trust (LLST) Annual Quiz.

On the 30th of November, around 60 guests squeezed into The Betsy Trotwood Pub, Farringdon, to test their knowledge on questions ranging from US State capitals to the popular Horrible Histories series.

The prospect of no release date puts a great strain on mental health and causes higher levels of self-harm. Sir Bob Neil, Chair of the committee, wrote that IPP prisoners, *'are currently being failed in a prison system that has left them behind, with inadequate support for the specific challenges caused by the very way they have been convicted and sentenced'*.

IPP prisoners, their families and many organisations like PAS eagerly await the Government's response to the Justice Committee report, which has now been delayed. We would wish that, in its response, those subject to IPP will get the support and help they require and, most importantly, be resentenced with a release date.

PAS has supported many IPP prisoners over the years, and recently represented another at a Parole hearing. Prisoner B is serving an IPP sentence with a three-year tariff that expired in November 2010. English is not their first language and their communication and understanding of English is hampered by intellectual disabilities, making it difficult for this prisoner to complete offender behaviour courses to demonstrate a reduction in risk. While the Parole Board recommended a move to open conditions at the last hearing, the Secretary of State of Justice disagreed, citing the need for more offender behaviour work and, thereby, creating a catch-22 situation

12 teams competed for the top spot which was won by Chis and his team, who scored a very impressive 85. Chris - and his crew at [The Blue Lizard](#) - are well known here at PAS, providing our IT support and solving all our tech problems. Chris's team score was the second highest of all teams taking part in the quiz nationally. Well done Chris!

As well as the quiz, attendees could try their luck in the PAS raffle to win a £200 meal voucher, kindly donated by [CMS](#). Thanks to the generosity of all our participants the event raised £600, a fantastic amount, that will help us ensure that justice is truly available to all, so thanks again to all our quizzers for your support. We look forward to next year, where we hope to retain our fundraising crown and, hopefully, achieve first place overall in the quiz!



barring Prisoner B's move to open conditions. Despite spending 15 years in custody, having received an original tariff of only three, this prisoner remains unable to demonstrate the required reduction in risk that would precipitate their long-awaited release, leaving Prisoner B, like many others subject to IPP sentences, with no hope of progress or release at all. This cannot be either fair, or humane...



PAS' telephone Advice Line is run by caseworkers four days a week. Our telephone number is globally cleared within all prisons throughout England and Wales. **Please note: In order to assist a prisoner, we need to be contacted by them directly before we can discuss matters with family members.**

NUMBER: 020 7253 3323

OPENING TIMES

**Monday, Wednesday and Friday
10:00-12:30 and 14:00-16:30**

**Freephone Service from Women's Prisons
NUMBER: 0800 024 6205
Tuesday morning 10:00-12.30**

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