



# **INTERNATIONAL PRISON NEWS DIGEST**

## 26<sup>th</sup> Edition – March - April 2015

Welcome to the twenty sixth edition of the International Prison News Digest, a selection of news items from around the world on prison and the use of imprisonment. We aim in the Digest to cover all regions and include new developments in policy and practice, as well as information from official and intergovernmental bodies. The Digest is produced bi-monthly and this issue covers the period from 1 March to 30 April 2015. Please click on the blue highlighted words to access the news reports.

Please note that ICPR is not responsible for the accuracy of external content.

### **Prison populations**

With over 10 million people in prisons <u>worldwide</u>, prison overcrowding has reached epidemic proportions in many countries, a senior official from the United Nations Office on Drugs and Crime said at the 13th UN Congress on Crime Prevention and Criminal Justice. Last year, 77 countries worldwide were reported having a prisoner occupancy rate higher than 120 per cent, with some as high as almost 400 per cent. The problem is localized and extremely challenging, according to UNODC. Overcrowding also increases the risk of transmission of communicable diseases and poses an immense management challenge to prison administrations. "Prison overcrowding impacts the quality of nutrition, sanitation, prisoner activities, health care services and the care of vulnerable groups. It affects the physical, mental health and well-being of all prisoners. It generates prisoner tension, violence, and exacerbates existing mental and physical health problems," said the official.

A task force which will include representatives of <u>Sri Lankan</u> government ministries has been set up to analyse the causes of overcrowding and to recommend and implement measures to ease congestion in the country's prisons. This decision was taken during a High Level Round Table on the Legal and Judicial Causes of Prison Overcrowding organized in Colombo. "Overcrowding in prisons affects not just the prisoners, but also their families," said the deputy minister for Justice and Labour Relations, who was the chief guest at the round table. "To minimize overcrowding in prisons, steps must be taken to reduce the current prison population," he added. <u>Colombia</u>'s Constitutional Court has given the government three years to adopt measures to end an ongoing humanitarian crisis in prisons, many of which are overcrowded. The ultimatum is targeted at six prisons known to have the worst conditions. These include Tramacua in Valledupar, the Modelo in Bogota, Bellavista in Medellin, San Isidro in Popayan, and the prisons in Cucuta and Barrancabermeja. Within these institutions, prisoners cannot expect provision of even basic services such as adequate healthcare, food and clean water. Additionally, the Constitutional Court highlighted how many prisoners are not afforded a cell, much less a bed, pillow or sheets. These are problems that result from a prison system that is operating at nearly 150% capacity, with almost 40,000 more prisoners than the system is able to accommodate.

The European Court of Human Rights (ECtHR) ruled that overcrowding in <u>Hungarian</u> prisons violates human rights. In its non-binding ruling, the court ordered Hungary to pay a total of €84,000 in damages to the six applicants and to cover their legal costs. The court also said that Hungary must draft a document within six months of the ruling entering into force on how it plans to eliminate conditions that violate the charter, and what measures it would take to prevent any further violations and to compensate the victims of overcrowding in the future. The complainants noted that prisoners had personal living space of between 1.5 and 3.3 square metres per person. In some cases only a curtain separated their cell from the lavatory, some cells were infested with insects and there was inadequate ventilation or sleeping arrangements as well as limited possibilities for detainees to shower or to spend time away from their cells. The court ruled that overcrowding could be eased if the Hungarian justice system were to restrict the number of people in preliminary detention held in prison. The ECtHR currently has approximately 450 applications pending against Hungary concerning complaints about inadequate conditions of detention.

The number of prisoners in <u>Turkey</u> has exceeded the capacity of the country's prisons, leading to serious overcrowding issues, according to a report prepared by parliament's Human Rights Inspection Commission. The rise in the number of prisoners has caused severe problems in prisons across the country, the report revealed. "The highest bunks almost touch the ceiling in some prisons. But there still are some prisoners who have to sleep on beds on the floor due to the lack of bed space," said the report. "Bathroom and kitchens are in the same place, which leads to hygiene problems. Some prisoners said they had to eat their meals on their beds due to lack of space in the kitchen or on tables," it added. "Some rooms have seven bunks and others have seven beds on the floor along the wall. As many as 25 prisoners stay in some rooms, which have a capacity of only 18. Some prisoners are provided with hot water twice a week for only 40 minutes, an insufficient period of time," stated the report.

Since 1999, 34 <u>US</u> states have seen "at least a modest decline" in their prison populations, but 16 have recorded upswings, according to new data released by the Sentencing Project. New Jersey had the biggest drop in prisoners since 1999, at 29 percent, while New York experienced a 27 percent decline and California's since 2006 was 22 percent. Overall, nine states posted double-digit drops. Meanwhile, five states showed double-digit growth, with Arkansas topping the list at 17 percent, according to the report.

Also in the US, California's prisons have released 2,700 prisoners after their felonies were reduced to misdemeanours under a ballot measure that voters approved in November, easing punishment for some property and drug crimes. The mass prisoner release over the past four months under Proposition 47 has resolved one of the state's most ingrained problems - prison overcrowding - the state prisons chief told a Senate committee hearing. Proposition 47 allows prisoners serving sentences for crimes affected by the reduced penalties to apply to be resentenced and released early. Those crimes include shoplifting, grand theft and writing bad checks, among others. About 150 prisoners a week are being released under the relaxed laws.

More than 8,000 people were jailed in <u>Ireland</u> in 2014 for non-payment of fines. The majority of these people spent less than a day in prison. The number of people sent to jail for this reason has increased dramatically in recent years, standing at 1,234 in 2007. A spokesperson for the Irish Prison Service said the introduction of the Fines Act 2014 "will hopefully see a significant reduction in those committed for non-payment of fines and the associated cost in terms of staff resources used to process these people," adding "It should be noted however, that most persons spend less than one day in prison. So, in those terms, the Act will not drastically impact on the prison population."

Prime Minister Hun Sen has called on the ministries of justice and the interior to come up with a long-term solution to problems associated with female prisoners in <u>Cambodian</u> prisons who are pregnant or have children living with them in prison. He issued the call when he ordered the release of 22 such female prisoners on International Women's Day after King Norodom Sihamoni had pardoned them. The Prime Minister also noted that children who are inside prisons do not receive adequate food and live in miserable conditions. There are 40 female prisoners in Cambodia's 28 prisons who have children living with them and more than 20 who are pregnant, according to the justice ministry.

The <u>Tanzanian</u> President freed 400 prisoners and reduced by one-sixth the jail terms of 3,729 others as part of the 51st Union anniversary celebrations. The prisoners who will benefit from the amnesty include those affected by HIV/ AIDS, tuberculosis and patients suffering from terminal cancer. Other groups eligible for the amnesty are breastfeeding and expectant mothers and people with physical and mental disabilities and those aged 70 years and above.

The <u>Russian</u> State Duma has approved a wide ranging prison amnesty in honour of the 70th anniversary of the Allied victory in World War II. As many as 400,000 people are set to benefit from the amnesty including prisoners, people with suspended sentences and those currently standing trial. Up to 60,000 prisoners are set to be released from prison under the amnesty, according to a State Duma deputy. The first prisoners to be released will include war veterans, mothers with young children, single fathers and the workers who helped resolve the Chernobyl nuclear plant disaster.

### Health

There remains no staff psychologist at <u>lceland</u>'s maximum security prison Litla Hraun, a year and a half after the country's National Broadcasting Service, RÚV, first drew attention to the

issue. As RÚV previously reported, the prison was failing to provide mental health services to its prisoners due to funding cuts, and one mentally ill prisoner was held in solitary confinement for two months. "The fact is that the European Committee for the Prevention of Torture, which examines the state of prisons every few years, has stipulated in a new report that more needs to be done to service the mental health of prisoners here because nothing has improved," said Bright Future MP, Róbert Marshall, in a speech to parliament. The Interior Minister said that she would invest more time on the issue and that she had unfortunately taken too long to address the situation. According to Icelandic law, prisoners should enjoy the same level of health care as those outside prison but the lack of access to a mental health professional means the law is not being upheld.

Prisoners in Zimbabwe are living "like rats" and are being fed "substandard food", posing a serious danger to those who are living with HIV/AIDS, Parliament has reported. A thematic committee report on HIV and AIDS tabled in the senate revealed that the situation was made worse by the fact that there was a shortage of adequately trained nurses. As a result, the report reveals, most prisoners living with HIV/AIDS are dying prematurely. "The committee was appalled to learn that prisoners do not get adequate food and the little they get was not a balanced diet. HIV positive people need a nutritionally balanced diet for the ART (Anti-retroviral treatment) to be effective," the report said.

More than 40,000 <u>South African</u> prisoners have been screened for multidrug-resistant tuberculosis (MDR-TB) this year as the government attempts to tackle TB in correctional facilities. About eight percent of all MDR-TB tests conducted among prisoners were positive for the form of TB which is resistant to both of the most commonly used anti-TB drugs. New data reveal a 20-fold increase in the number of prisoners tested for MDR-TB since 2011, when the country began introducing rapid TB testing via GeneXpert machines. These machines are capable of returning TB test results in just hours in contrast to conventional testing that can takes days.

The <u>Maldivian</u> government has imposed stricter standards of personal hygiene in prisons and limited the length to which prisoners can grow their facial hair. The regulation on prisoners' discipline requires prisoners to shower twice a day and clean their cells under the supervision of Maldives correctional services officers. The stricter sanitary measures are expected to reduce the spread of diseases and will improve prison cleanliness, said the commissioner of prisons. "Skin diseases are very common in jail. Before these regulations were written, we could not tell a prisoner to even take a shower. Now we can, which will benefit both the prisoner and his cell mates," he said.

### **Treatment of prisoners**

Prisoners in <u>Mexico</u> have complained about "inhuman" conditions at a maximum-security prison, claiming they find worms in their food and there are dirty mattresses in the rooms for conjugal visits. Around 140 prisoners at the El Altiplano prison listed their concerns in an 11-page letter to the National Human Rights Commission, asking the governmental agency to review their conditions. The prisoners complain of food filled with maggots and rocks, and say the room for visits is "dirty" with broken furniture and windows. They also complain of a lack medical care and overcrowded cells. They are unable to communicate with other

people and only get one hour outside per day. The rooms for conjugal visits - a right for prisoners in Mexico - are in a terrible condition, with "sagging mattresses, protruding springs and dirty from their use and bad cleaning." An official in the National Human Rights Commission said the national ombudsman received the letter, will "study, review and assess the information" and will respond "in due time."

The <u>Irish</u> government is facing almost 800 claims for compensation from prisoners who have to empty out their cells' chamber pots each morning. It is believed that hundreds of claims flooded in after rumours began last July that a prisoner was awarded €35,000 in a confidential settlement. According to reports, some dozen legal firms are involved in taking cases, the majority of which are believed to have come from prisoners being held in Mountjoy. The Northside Dublin prison ended the practice of slopping out in 2013 but it continues in Limerick and Cork prisons. "There are international standards that are applicable to incarceration and I don't think we've adhered to them in this country," a lawyer involved in the cases told The Sunday Times, adding that taking a person's freedom did not entitle the state to inflict further degrading punishment.

<u>Cambodia</u>'s Prey Sar prison continues to suffer from a months-long water shortage. A prisoner reported that Prey Sar has now been without water for around nine months, with staff and well-connected prisoners continuing to profit from the shortage by inflating prices of bottled water trucked into the prison. "This is not only corruption, but plain extortion and exploitation of prisoners; we cannot shop around, we cannot leave," said one prisoner. While prisoners already had to pay for clean water, increased prices since a burst pipe cut the main supply last year have left some of them now unable to meet even their basic needs.

A report by the U.N. special rapporteur on torture has found evidence of significant human rights violations in <u>Gambia</u>, citing a high risk of torture, arbitrary detention and enforced disappearances, and criticized the lack of accountability of law enforcement and security forces. During a visit in November, the rapporteur was denied access to the security wing of Mile 2 Central Prison, where death row prisoners are held in solitary confinement, the report said. As of March 2014, at least 43 people were on death row, routinely denied visits by lawyers and family. The report alleged serious violations of international standards in the prison system, including overcrowding, inadequate nutrition, insufficient access to medical care and poor sanitation. "These sub-standard conditions constitute cruel, inhuman and degrading treatment or punishment," it stated. A government spokesman was not available for comment.

There has been a persistent failure by <u>Bulgarian</u> authorities to address "fundamental shortcomings" in the treatment and conditions of detention of people in jail and custody, according to the Council of Europe's Committee for the Prevention of Torture (CPT). The CPT took the step of making a public statement on the issue, saying that its repeated recommendations over the past 20 years about major shortcomings in police and penitentiary establishments had mostly gone unimplemented or had been only partly implemented. The committee said that it had warned in its report on its 2012 visit that its "extreme concern about the lack of progress observed in the Bulgarian prison" could oblige it to make a public statement about the matter, as provided in the European Convention for

the Prevention of Torture. It said that this procedure was set in motion after the March/April 2014 visit. The visit report highlighted a number of long-standing concerns, some of them dating back to the very first CPT visit to Bulgaria in 1995: ill-treatment in police custody and prisons, violence among prisoners, prison overcrowding, poor material conditions in investigation detention facilities and prisons, inadequate prison health care services, low custodial staffing levels, "as well as concerns related to discipline, segregation and contact with the outside world".

Prisoners at Goulburn's Supermax prison in New South Wales, <u>Australia</u>, refused food for at least 16 days in protest against strict new conditions that family members say are "cruel and degrading" and potentially breach Australia's human rights obligations. The six prisoners, listed under the classification "extreme high-risk restricted", are part of a group of 13 who have had their weekly allowances cut from \$100 to \$13 a week – with family members prevented from giving them more money – and have been restricted to one visit each week, during which they are required to speak English. Relatives of the men, some of whom are still awaiting trial on terrorism offences, have released a letter claiming the changes "have caused great distress and anguish for the prisoners and their families, leaving them frustrated, vulnerable and helpless". According to the letter, the men refused further visits, refused food and water and remained in 24-hour lockdown away from sunlight or socialisation. They also refused to return to their cells at the end of the day "by staying stationary until carried or escorted", the letter said.

The number of <u>Canadian</u> prisoners who have spent at least one day in solitary confinement grew from 6,165 in the 2009-10 fiscal year to 6,758 in 2013-14, according to figures filed in the House of Commons in response to written questions from Liberal MP Irwin Cotler. That amounts to as many as one in five federal prisoners spending a day or more in solitary confinement last year. "Administrative segregation is supposed to be used as a last resort when there's no reasonable alternative," Mr. Cotler said. "But it seems from these figures that it's being used rather frequently. That's disconcerting." The increase took place during a period when both the prison service and its critics placed unprecedented weight on reforming its policies for solitary confinement.

In <u>Turkey</u>, prisoners in Şakran Women's Prison have been subjected to a new measure following the suicide of a prisoner, whereby guards check prisoners every half-hour, which the prisoners describe as a form of torture. According to reports, the Şakran prison administration introduced the practice to prevent further suicides, especially among those sentenced to life imprisonment. The prisoners are monitored by guards who go from cell to cell asking each prisoner every thirty minutes if she is OK, a practice that has become torture for the prisoners at night. Damla Ülgen, a prison lawyer, said that the measure taken by the prison administration negatively affects the psychological well-being of the prisoners instead of preventing further suicides.

#### **Prison violence**

In <u>Zimbabwe</u>, one prisoner was killed, while 11 others — eight prisoners and three prison guards —were seriously injured when 900 prisoners rioted at Chikurubi Maximum Security Prison, protesting against poor food quality. The prisoners torched blankets and damaged

property in the riot that lasted for more than three hours. The death toll subsequently rose to <u>five</u> prisoners.

<u>Afghan</u> officials say four people were killed and 10 others injured when prisoners in a prison in northern Afghanistan attacked police officers. The provincial police chief said the violence occurred as officers at the jail in Jowzjan Province were searching for knives and other contraband items. He said prisoners attacked three officers inside a jail cell. "They killed all the three officers, either by knives they had or using the officers' guns," he said, adding that other prisoners also started to riot and attacked the guard towers. One prisoner was killed and 10 others injured in the ensuing fighting.

Three prisoners were killed, including one who was shot in the head, during a riot at an overcrowded <u>Honduran</u> prison that left another 32 people injured, authorities said. About 400 officers and military troops sent to the San Pedro Sula prison to restore order were met by gunfire from within the facility and pelted with stones and other projectiles, according to a spokesman for the Honduras National Police. Once order was finally restored, police said they confiscated assault rifles, automatic weapons ammunition and other munitions from inside the prison. President Juan Orlando Hernandez has ordered a crackdown against criminality in Honduras's prisons, where violence and gang activity is rampant. He also ordered the removal to other facilities of about 20 of the most hardened criminals at San Pedro Sula prison, who officials said appeared to have precipitated Wednesday's uprising.

A prison riot in <u>Venezuela</u> ended peacefully after prisoners released a guard they had taken captive to protest overcrowded and unsanitary conditions. The riot, in which one prisoner was killed, began when some 30 prisoners took control of the facility in the densely populated Catia neighbourhood west of the capital. More than 100 police were deployed. Prisoners, some with their faces covered, were seen on the facility's roof shouting complaints about the lack of food and water. Shortly afterward buses transferred a group of prisoners out of the facility and a guard was released.

Two prisoners were found dead in the Pedrinhas penitentiary complex in <u>Brazil</u>. Investigations are being carried out by the homicide commission, which plans to question the nine other prisoners held in that cell about the double homicide, according to officials. The Pedrinhas prison vividly exemplifies the chronic problems facing Brazil's prison system, known for overcrowding, sickness, riots, jailbreak attempts, prisoner violence and, in some cases, torture supposedly inflicted by security agents. Since 2013 there have been close to 80 homicides in the prison according to official records. Most of the fatalities in Pedrinhas are attributed to a war between rival gangs of prisoners. Police also subsequently quelled uprisings at four prisons in <u>Brazil</u>'s northeastern state of Rio Grande do Norte. A press officer for the state's Justice Secretariat said prisoners belonging to an organized crime group apparently coordinated the rebellions that broke out simultaneously. There were no deaths or injuries, she said, adding that the uprising ended after about 80 soldiers from an elite army unit arrived, and close to 90 prisoners were transferred to other prisons. The prisoners had complained about overcrowded conditions at the prisons, and demanded the dismissal of one warden. Reports of officials assaulting prisoners in <u>South Africa</u>'s prisons have increased, according to the Judicial Inspectorate of Prison's latest report, which shows that the number of complaints it received in the last quarter of 2014 was more than triple the number recorded for the same period in 2013. The inspectorate's last quarterly report says it received 75 complaints – compared with 24 received over the same period the previous year. In addition to the complaints of assaults, inspectors recorded 20 unnatural deaths, 119 incidents in which officials had to use force, and 758 segregations due to violence. Summaries of some of the incidents show many prisoners claim they were denied an opportunity to press criminal charges, and some allege they did not receive medical treatment for their injuries.

A prison officer was slashed across the buttock with a makeshift knife at Midlands Prison in Ireland, while two of his colleagues were hospitalised after a separate attack in the prison. The incidents, which were separate but related, occurred on the sex offenders' landing of the prison. The attacks come just weeks after two officers were stabbed by a prisoner as he escaped while being escorted to hospital. The latest violence occurred during an industrial dispute between the Irish Prison Service and the Prison Officers' Association. The association is to ballot its members on industrial action in a row over staffing levels in prisons. In the five years up to the end of 2014 over €5.6 million was paid in compensation in Ireland for injuries to prison officers by prisoners.

The <u>Jamaican</u> Minister of National Security is reporting a significant reduction in violent incidents at the St Catherine Adult Correctional Centre, which he attributes to strong leadership and a number of rehabilitation programmes being undertaken at the facility. "There's been some very encouraging work that's being done there. Violent incidents have dropped from 15 per week to one per week," he disclosed. He said that an "End Violence Project", now being piloted at the Centre, is a leadership training initiative and a deliberate move to change the culture within prisons and reduce the rate of recidivism.

### **Developments in rehabilitation**

Prisoners at <u>Bermuda</u>'s minimum security Prison Farm now participate in a wide range of community and charitable initiatives across the Island as part of the work release programme, while within the walls the facility has gone back to its roots, focusing on producing vegetables and rearing goats, chickens and rabbits. The Farm now produces around 150lbs of broccoli and 60lbs of cauliflower, which is used to help feed the prison population and cut costs. "Since 2003, when I came down here we have certainly put more emphasis on the agriculture and the animals," said a Chief Officer. "It's had a big effect on the mindset of some prisoners, and the animals have a profound impact on them too. They provide a real focus and are a source of pride." He added, "The prisoners cook their own food here under the supervision of a kitchen guard. We have a woodwork workshop, a spray painting workshop and a hobby shop to teach the prisoners new skills for when they are released. All of these men will return into the community at some point in the future and we have to help prepare them for that reintegration."

The newly established Second Chance Foundation aims to help <u>Indonesian</u> women prisoners rebuild their lives through work that leads to financial independence. At a prison in Tangerang, Banten, female prisoners cook up snacks, cookies and sometimes dishes as part

of a basic catering service offered at the prison, but their clientele is limited to prisoner families and employees. The foundation wants to expand the market for the food and add fashion and handicrafts made in prison. The foundation's chairwoman said, "We will map out which high-quality products are being made in prisons so they can be linked up with factories or companies that require these items. That's where we come in; helping prisoners whose access to the outside world is limited." Apart from marketing, the foundation will tap into business networks to raise funds and hire professionals to teach skills currently in demand. In addition, prison authorities want to see better product packaging to widen the appeal to potential customers.

<u>Qatar</u>'s Interior Ministry is preparing two villas at the central prison to enable prisoners to spend hours or a full day with their relatives. The ministry is equipping and furnishing the two villas under a scheme to help rehabilitate prisoners and ensure family homes are not broken up. Prisoners can spend the full day or four to five hours with their wives and children in the villa that includes a fully equipped kitchen and a living room. Prisoners can also use the services of social experts and sit with them for hours to discuss personal matters and find solutions to problems. Workshops to acquire or to boost skills are also conducted by experts, with a focus on carpentry, drawing and computer programming. Female prisoners have the chance to learn embroidery and knitting.

Prisoner learning places in <u>New Zealand</u> will increase from around 900 last year to 1,700 in 2015, and funding will rise to \$7m a year for the next two years, up from \$2m in 2013 and 2014. The funding is provided by the Tertiary Education Commission – which is responsible for distributing funding for tertiary education in New Zealand. The TEC chief executive said the funding support prisoners' acquisition of a range of qualifications and employment skills, in subjects such as Maori studies, painting, forestry, hospitality building, construction and computing.

### Sentencing and the law

<u>Belgian</u> Justice Minister Koen Geens has revealed details of his new Justice Plan, under which all jail sentences under one year will be removed from the Belgian penal code. Explaining his decision to abolish custodial sentences under one year, Mr. Geens told lawmakers, "A short prison sentence, a try-out in jail, rarely leads to good results. It does not contribute to re-integration, but helps prisoners to learn bad habits." In future, prisoners sentenced to five years in jail will be released automatically after half their sentence unless the prosecutor objects. Longer sentences will continue to be monitored by sentence implementation courts, which will have to give approval for early release. The Justice Minister also plans to cut the number of courts in Belgium and to reduce costs through greater use of electronic communications.

The <u>Indian</u> Juvenile Justice Act will be changed to allow for the trial of juveniles aged 16-18 who have been accused of heinous crimes under the Indian Penal Code, with the Modi government bowing to a public call for tough deterrents for young criminals. Under the changes, Juvenile Justice Boards will determine whether a juvenile accused of a heinous crime ought to be treated as a "child" or adult". The proposed Juvenile Justice (Care and

Protection of Children) Bill also provides for the classification of different crimes as "petty", "serious" and "heinous", providing for differentiated processes for each category. Under the existing law, only those 18 years and above are tried under the Penal Code.

The average time served by those sentenced to life in prison in <u>Ireland</u> reached 20 years last year for only the third time in the history of the State. The average term served by "lifers" released from their sentences in the 1970s and 1980s was only 7.5 years. However, since then it has increased markedly. Research reveals that by 2001 the average term being served by lifers had doubled through the 1990s to 15 years. The average remained at that level or increased in some years to the end of the decade and reached 20 years by 2011, increasing further to 22 years for those released in 2012. In 2013 it dropped significantly, to 17.5 years, returning to levels that had not been seen for five years. However, further figures for last year reveal that the average number of years served by those life-sentence prisoners who were released in 2014 was 20 years.

In <u>Malta</u>, changes brought about by the Drug Dependence Bill, which came into force on 15 April, include the appointment of a Justice Commissioner to hear cases of possession of small amounts of drugs. First-time offenders will be handed fines of between €75 and €125, and between €50 and €100 in the case of cannabis possession. Repeat offenders will appear before a Drug Offenders Rehabilitation Board, headed by retired Chief Justice Giovanni Bonello, which will set conditions for rehabilitation. Breaching the conditions would be tantamount to a criminal offence. The Magistrates Court - in cases not involving the use of weapons or violence - would be able to act as a Drugs Court and refer the accused for treatment to the rehabilitation board.

The <u>US</u> has been criticised by a United Nations expert on torture for being the only country in the world that continues to sentence children to life in prison without parole. "The vast majority of states have taken note of the international human rights requirements regarding life imprisonment of children without the possibility of release," Juan Méndez, the UN special rapporteur on torture said in his report, before noting that the United States is the only country to continue the practice. A sentence of life without parole means life and death in prison — a practice considered cruel and inhumane punishment for juveniles under both international and US law. "Life sentences or sentences of an extreme length have a disproportionate impact on children and cause physical and psychological harm that amounts to cruel, inhuman or degrading punishment," the report reads.

The <u>Kenyan</u> National Crime Research Centre is calling for improved utilisation of noncustodial sentences for all first time petty offenders as a long term method of dealing with crime in the country. The state crime research agency says besides saving public funds currently spent on keeping thousands of people in prison, community-based sentences have long term benefits including reconciliation, rehabilitation and reintegration of prisoners while helping to maintain family ties. The agency made its announcement as research carried out in parts of the lower eastern province indicated that 94 percent of those sentenced to prison for less than three years were actually petty offenders who would have merited alternative sentencing. The <u>Ghanaian</u> Chief Justice has instituted a practice to get judges to visit prisons every month to acquaint themselves with custodial conditions so they can be better informed when carrying out their duties. This is part of the measures the Prison Service Council and the Chief Justice are taking to improve prison conditions.

A pilot program in northeastern <u>Brazil</u> is reducing the number of people sent to pre-trial detention, a major factor in prison overcrowding and gang recruitment, according to Human Rights Watch. The program in Maranhão state promptly brings detainees before judges for "custody hearings" to determine whether they should be held in pre-trial detention or released on bail. Prompt hearings are required under international law but are rarely provided in Brazil, where many prisoners wait months to see a judge. In nearly 50 percent of cases in the pilot, presiding judges found that pre-trial detention was not warranted and ordered the detainee's release. In cases in which judges made custody determinations based only on police reports, judges ordered detainees released in 10 percent of the cases, although international law requires a legal presumption in favour of release.

Plans for a fast-track court to handle minor offences by tourists in Dubai, <u>UAE</u>, have been welcomed by visitors and lawyers. The Dubai Courts director said the new court was due to open at the end of the year to speed up trials for offences that carry a fine rather than a prison term. Offences will include drinking alcohol without a licence and driving under its influence. "The tourist court will make sure the tourist settles his petty crime in a small period of time. Minor offences will be settled between 10 to 30 days," Judge Mohammad Al Saboosi said.

<u>Ecuador</u> is in the process of considering a groundbreaking piece of legislation that would decriminalize the use of illegal drugs, including marijuana and cocaine. "Treating the drug phenomenon in a repressive way, as was done in the 1980s and 1990s when prison was the only destination for the drug consumer, is absurd," said Carlos Velasco, who chairs the Ecuadorean congress' Commission of the Right to Health and who authored the bill. Rather than punishing illicit drug users with jail time, the measure would create a system to provide treatment and rehabilitation services for addicts.

### **Prison policy**

Construction of a new Auckland prison has recently been completed and seeks to usher a new era of correctional facility design in <u>New Zealand</u>. The 960-bed Auckland South Corrections Facility, known locally as Kohuora, is New Zealand's first ever Public-Private Partnership (PPP) prison project that will seek to support by rewarding prisoners with improved accommodation and facility incentives. The prison is laid out according to the prisoner's journey. Where prisoners are housed at Kohuora is decided according to a variety of factors including severity of sentence, level of risk and past behaviour within the walls. Higher risk prisoners, for example, will sleep in the X-shaped "House blocks" to the north of the site while lower risk and rehabilitated prisoners will take up residence in the more flexible "Residence blocks" to the south. The two-storey high Residences will house up to 24 prisoners in motel-like units. Prisoners will have their own bedrooms and a budget to buy their food.

The UN Special Rapporteur on torture has accused Washington of delaying his requested visits to prisons and refusing to give him access to detainees at Guantánamo Bay. Juan Méndez said he had been waiting for more than two years for the <u>US</u> to provide him access to a range of state and federal prisons, where he wants to probe the use of solitary confinement. He said the US state department had been working to help him gain access to the state prisons, but after two years of discussions he had yet to receive a positive answer. "And in one of my last conversations they said that federal prisons were unavailable," he said. "I fully expect the United States to secure invitations from state prisons for me, but also to be able to visit federal prisons as well," he said.

<u>Greece</u>'s radical left-led government says it will abolish a new maximum security prison built for terrorists and other dangerous criminals, under an overhaul of penal policy. The ministry also wants to stop the imprisonment of minors for crimes that do not carry a life sentence, facilitate early release and offer drug-addicted offenders the option of rehabilitation instead of prison.

<u>Belgian</u> authorities have said they plan to separate prisoners deemed at risk of converting others to Islamist extremism as fears mount that prisons are jihadist breeding grounds. Justice Minister Koen Geens told Belgian media that such prisoners will be locked up by the end of the year in special prison sections created in the cities of Ittre and Bruges. The prisons will also recruit psycho-social workers and specialised Muslim staff to try to reeducate prisoners who are already radicalised or on the path of radicalisation.

The <u>Canadian</u> federal prison service is making it harder for prisoners to get parole, triggering a sharp increase in prisoner populations, associated costs and the number of maximumsecurity ex-prisoners being released directly into communities, according to a report by the Auditor-General. Most federal prisoners are entitled to consideration for early conditional release after completing one-third of their sentence in prison. The next phase of their sentence, parole, is designed to ease them back into life in the community. Data from Correctional Service Canada (CSC) and the parole board indicate that prisoners released on parole are far less likely to reoffend than those discharged directly into communities after their maximum prison time, or statutory release date, is up. Yet the Auditor-General found that more prisoners have to wait until their full sentence expires before re-entering society. In 2013-14, 54 per cent of prisoners stayed in prison until their statutory release date. Of those, 64 per cent joined the community directly from medium-security prisons, with another 11 per cent coming from maximum-security institutions, a potentially turbulent transition with grave public safety risks

An online virtual tour of federal penitentiaries, produced by the Correctional Service of <u>Canada</u> is being welcomed as an attempt at openness, but also criticized for offering a "sanitized" view of prisons. Called "Beyond the Fence: A Virtual Tour of a Canadian Penitentiary," the animated, narrated video is posted on CSC's website and can be watched on any mobile device. A CSC spokeswoman said the \$80,000 project was meant to give Canadians a "unique opportunity" to see what it is like inside a federal institution. The Correctional Investigator welcomed the initiative to give Canadians a "peek behind the curtain," and called it a step forward to being more open and transparent. But he said the images of a newly constructed unit are in contrast to the reality of most aging institutions.

The <u>Chinese</u> Ministry of Justice has asked provincial prison agencies to create websites on which information about remission, parole and other prison matters will be published. The websites, part of efforts to improve transparency, should allow citizens to find information and make inquiries, the ministry said. All information on prisoners should be placed in a database, processed through a computer system and updated regularly so it can be traced and monitored. The ministry pledged to make clearer to prisoners their legal rights and obligations as well as information about their performance assessment and how to apply for remission and parole. In the <u>Chinese</u> province of Guangdong, the prison service has opened a public WeChat account for relatives of prisoners, in the first initiative of its kind on the Chinese mainland. Family members can use the "Guangdong Prison" account to obtain information about the lives of their relatives in prison and the work they are doing, the family members can check on whether they are healthy and learn about any changes to their prison terms. Users can even ask how much pocket money a relative has.

<u>Pakistan</u> has suspended all prisoner exchange agreements with other countries after it discovered that prisoners repatriated from Britain were set free by corrupt officials without completing their sentences. Authorities have arrested an interior ministry official and a police officer after investigating a complaint by British authorities that three prisoners who were sent to Pakistan in 2010 to serve out their prison terms ranging from 18 to 25 years for drug trafficking and murder were released within two months. "We have suspended implementation of all prisoner exchange agreements with various countries till formulation of a transparent policy," the Interior Minister said.

Prisoners in <u>Rwanda</u> who are contracted for work should be paid on time, Members of Parliament have said. The MPs made the call while touring Gasabo prison in Kimironko. The visit to the facility is part of a follow-up assessment of how the recommendations made by the National Human Rights Commission are being implemented. According to the Commission's report released in October 2014, prisoners had not received their wage arrears since 2011. A 2010 law regulating the establishment, functioning and organisation of Rwanda Correctional Services (RCS) stipulates that prisoners should receive ten percent of the total revenues collected by prisons with respect to commercial projects in which the prisons are engaged. The director of Gasabo prison, however, explained that the revenue collected by RCS is directly channelled to the national treasury, making it hard to prisons to reclaim it and pay the prisoners. He said the issue will soon be resolved.

If you have any feedback or would like to unsubscribe from this News Digest please contact Helen Fair <u>h.fair@bbk.ac.uk</u>