

PRISONERS' RIGHTS

The prison population has risen inexorably in recent years, and a perusal of Home Office figures reveals just how steep that increase has been. During 2002 the average population in custody was 70,860, an increase of 16 per cent compared to 1997 and a huge 55 per cent rise compared to 1992 (*Prison statistics in England and Wales 2002*, Cm 5996). Between 1992 and 2002 the longer sentenced population – those serving four years or more, including life – increased as a proportion of all sentenced prisoners from 42 per cent in 1992 to 48 per cent in 2002. Over the same 10 year period the number of female prisoners in custody rose by 15 per cent from an average of 3,740 to 4,300.

Those studying the effects of prisons and penal policy on prisoners themselves and the community in general have considered how prisons can become more humane environments where effective efforts can be made to rehabilitate offenders. Reformers, academics and commentators have also addressed issues such as who should be sent to prison in the first place, when and under what conditions they should be released, and the legal rights of prisoners. But one important area has received relatively little attention – the status of prisoners' families in relation to the custodial process.

I recently gave a lecture at Charles Clore House entitled *Prisoners' families: issues in law and policy*, the text of which can be found on page 2 of this issue. Families play a major role in helping to prevent prisoners reoffend by supporting them in prison and when they seek to re-enter the community. As I make clear in my article, prisoners' families are affected not only by the criminal law and sentencing process but by family law, child protection law, data protection legislation and housing and welfare law. Furthermore, their rights are directly affected by the rights of prisoners in relation to such matters as the right to start a family, as a number of cases in the UK and other jurisdictions have showed.

My article will form the basis of a SALS report on prisoners' families which will be the first publication to be produced by a new Society working group on prisoners' rights. The report will be produced jointly with Lancashire Law School, University of Central Lancashire, and will be co-ordinated by myself with assistance from the Secretary of SALS, Julian Harris. I will also act as convenor of the Prisoners' Rights Working Group, in which interest has already been shown, and a number of individuals and organisations are currently being approached.

Our intention is to publish a report in the first quarter of next year, and to launch it at a seminar in Charles Clore House. We would be very pleased to hear from anyone who would like to become involved with the forthcoming report on prisoners' families or the working group. The

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long term objective of the group will be to identify and discuss legal issues of current concern involving prisoners and penal policy from a multi-disciplinary perspective, and to draw conclusions accordingly.

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