

# New study to ensure justice for life prisoners across globe

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In the first study of its kind researchers are to examine life imprisonment on an international scale. The work will be led by Professor Dirk Van Zyl Smit – an expert in penal law and life imprisonment at The University of Nottingham.

Life imprisonment worldwide: principles and practice has been funded with a grant of £222,000 from the Leverhulme Trust to look at life sentences for prisoners across the globe to ensure justice for life prisoners.

Dirk Van Zyl Smit, Professor of Comparative and International Penal Law in the School of Law, said: "By understanding how life sentences are applied internationally, the researchers will be able to make recommendations and advice on when and how life sentences should be applied. This will ensure that even the worst offenders are treated justly.

The study aims to understand which crimes attract life sentences, how such sentences are implemented, and the conditions under which prisoners serve them. It will also look at the human rights of those serving life sentences and how these rights are taken into consideration by the courts and prisons. This will include the controversial question of whether it is acceptable to impose irreducible life sentences and thus to imprison people without giving them some hope of release.

Professor Van Zyl Smit said: "With many countries having abolished the [death penalty](#), life imprisonment has become the ultimate punishment

for the most serious crimes. In several jurisdictions, however, offenders may also be sentenced to life imprisonment for crimes that would not have attracted a capital punishment previously. At the other extreme, a few countries do not have formal legal provision for life imprisonment at all. However, indeterminate detention may be achieved in other ways.

"Norway, for example has no life sentences. In some cases, such as that of Anders Breivik who was convicted of killing 77 people in 2011, the offender has been sentenced to the maximum allowable by law, 21 years, but may subsequently be subjected to indefinite detention for as long as he continues to pose a threat to society. This may lead to sentences being indefinitely extended, essentially leading to offenders spending the rest of their lives in prison despite never receiving a life sentence. The new study will investigate such cases of indirect life imprisonment too."

Alison Hannah, Executive Director of Penal Reform International (PRI) said: "PRI is delighted to hear of the award of this research grant to The University of Nottingham.

Professor Dirk van Zyl Smit is a member of PRI's Board and a leading expert on life imprisonment. As more countries move towards abolition of the death penalty, there has been a significant increase in the number of offences carrying the sentence of life imprisonment, often without the possibility of parole. More life sentences are being sanctioned by courts and people serving these sentences often experience harsher treatment than other prisoners. In these circumstances, it is essential that research is carried out to establish the global situation; and that evidence from the research is used to inform penal policy. We must ensure that the death penalty is not replaced by something almost as inhumane."

Marc Mauer, Executive Director of The Sentencing project said: "The award is very welcome news to those of us in the U.S. in particular. As the nation that leads the world not only in its rate of imprisonment but

also the use of life sentences, we stand to benefit greatly from the findings of this project. I look forward to serving as an advisor to the project and to make use of it extensively in our public education work on this issue."

The project is to culminate in a book, Life imprisonment worldwide: principles, law, and practice, scheduled to be completed in July 2016.

Professor Van Zyl Smit's publications include Principles of European on Prison Law and Policy. He has advised on law reform and sentencing in Europe, and in Bangladesh, Malawi and South Africa.

The research team is made up of the Project Director, Professor Dirk Van Zyl Smit; Research Fellow, Doctor Catherine Appleton, author to the award-winning book, Life after Life Imprisonment (2010); and a further researcher who is yet to be appointed.

Provided by University of Nottingham

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