

CAL Undergraduate Research Scholarships Scheme 2017
Project Proposal Form

Project Proposer/s:	Dr Natasa Mavronicola
School/Dept:	School of Law
Project Title:	The 'Vinter effect': rehabilitation and human dignity in prisons
Project Summary	
<p>What are the implications of recognising prisoners' human dignity within the prison, and what is the significance of the principle of rehabilitation for prisoners' experience and rights while in prison? This project examines these questions by interrogating the 'Vinter effect'.</p> <p>The context for this research project is the seminal European Court of Human Rights' (ECtHR's) judgment in <i>Vinter v UK</i>, which found that whole life sentences of imprisonment without the prospect of parole constitute inhuman and degrading punishment in breach of Article 3 of the European Convention on Human Rights (ECHR). Whilst the particular ruling in regard to the UK system's compatibility with Article 3 is still being contested (with a judgment now awaited at the European Court of Human Rights in the follow-up case of <i>Hutchinson v UK</i>), this project does not propose to concentrate on that; it aims to focus rather on the broader <i>principles</i> central to the judgment. The ECtHR stated that the very essence of the ECHR is respect for human dignity, and tied human dignity to the significance of the rehabilitation of even the most serious offenders, who must therefore be offered a hope – though not a guarantee – of release.</p> <p>The project's aims are threefold:</p> <ol style="list-style-type: none"> 1) to trace the interplay between rehabilitation and human dignity in ECtHR case law before and after <i>Vinter v UK</i>, which was decided by the Grand Chamber of the European Court of Human Rights in July 2013; 2) to examine the significance of placing rehabilitation at the centre of prison administration vis-à-vis other penological goals (such as retribution or incapacitation) for prisoners' experience and rights within the prison; and 3) to outline some of the questions and/or problems arising in placing rehabilitation at the centre of prison administration, and address these as constructively as possible. <p>The project is located within Dr Natasa Mavronicola's research on the right not to be subjected to torture or inhuman or degrading treatment or punishment under Article 3 ECHR, and aims to build on her prior research in this area by investigating the contours of the 'Vinter effect' as a matter of both theory and practice, with a view to a publication in a specialist peer review journal.</p>	
What the researcher will do	
<p>The project proposer and the UG student researcher will build a plan for the proposed research together, but provisionally it will consist of the following elements:</p> <ol style="list-style-type: none"> 1) compiling an annotated list of all cases in which <i>Vinter</i>, human dignity and rehabilitation are mentioned in the case law of the ECtHR, including summaries of the cases and relevant excerpts; and 2) preparing an annotated bibliography of some of the key literature regarding rehabilitation in prisons. <p>Throughout the process, the scholarship holder will be able to meet and/or discuss any queries or other issues with the project proposer, and there will be ample scope for adjusting the research load or research focus in response to the student's findings.</p>	
Skills required by the Scholarship holder	
<p>The scholarship holder should have an interest in human rights, and be able to use legal databases to find relevant cases. Any undergraduate law student who has completed first year would, in principle, be capable of conducting the relevant research. Desirable skills would include research and organisational skills and the proven capacity to think critically about legal issues (for instance, through obtaining marks of 2.1 or higher in assessments). I consider that conducting the project work will allow the student to build and hone these skills.</p>	
How will your Project benefit the Scholarship holder?	
<p>The project will benefit the scholarship holder in numerous ways.</p> <p>First, it will give the scholarship holder a unique insight into academic legal research, allowing for both independent and collaborative critical consideration of a contemporary set of issues, which will boost the student's capacity for thinking critically and independently about the law, to the benefit of the student's legal studies.</p> <p>Additionally, it will help the scholarship holder develop research and organisational skills, which the student will be</p>	

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able to deploy both throughout the rest of their degree and in an array of professional contexts. Lastly, it will allow the scholarship holder to gain work experience in academia, which will boost the student's CV and enable a more informed consideration of a prospective career in academia.

How will the Scholarship benefit your Project?

The scholarship will benefit my project by helping me compile the material that is relevant to writing my article, which will critically trace the '*Vinter* effect' and some of the promises but also problems that we can discern as arising in the interplay between human dignity and rehabilitation, before proposing a way forward. The scholarship holder will conduct much needed research, which will give me the time to engage with other aspects of the research necessary (eg in relation to current approaches to prison administration in England and Wales and elsewhere) before synthesising and building on the relevant material.