

Bhatt Murphy Solicitors

PRESS RELEASE

FOR IMMEDIATE CIRCULATION

EUROPEAN COURT GIVES LIFERS “RIGHT TO HOPE”

In a landmark judgment today¹ the Grand Chamber of the European Court of Human Rights (ECtHR) in Strasbourg has ruled by 16 votes to 1 that it is unlawful for Courts to impose “whole life” sentences without any possibility of parole. The case was brought by three lifers who had received such sentences in England, including Gary Vinter, sentenced after committing a second murder.

The judgment does not prevent “whole life” orders being made for the most heinous of crimes, but will require the UK to put in place a mechanism for review of such sentences at a later date to reflect the principle in international law that “all prisoners, including those serving life sentences, be offered the possibility of rehabilitation and the prospect of release if that rehabilitation is achieved.”² One of the judges referred to this as “the right to hope”. The Court’s press release can be found [here](#).

The Court noted that before the current system of “whole life” orders was introduced in 2003, such sentences were reviewed after 25 years by the Home Secretary.

Simon Creighton, of Bhatt Murphy solicitors who acted for Gary Vinter said:

"The European Court has said that all sentences should have some form of review and should not be fixed at the outset. This is an important principle and was part of English law for over 3 decades after the abolition of the death penalty. The European Court was quite clear in its judgment that whole life sentences that extinguish all hope, no matter what changes might occur over the years, are unlawful and importantly, that this right to review should be incorporated at the moment the sentence is passed."

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¹ <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-122664>

² Paragraph 114 of the judgment