



JUDICIARY OF  
ENGLAND AND WALES

**The Queen (on the application of Joanne Dennehy)**

**Claimant**

- and -

**Secretary of State for Justice**

**First Defendant**

- and -

**Sodexo Limited**

**Second Defendant**

**The note below summarises the judgment handed down in this case. It forms no part of the judgment which should be read in full for a complete understanding of the reasons for the decision.**

1. The Claimant is a convicted prisoner at HMP Bronzefield.
2. On 28 February 2014 the Claimant was sentenced by Mr Justice Spencer to life imprisonment for three offences of murder; life imprisonment for two offences of attempted murder; and two concurrent determinate sentences of 12 years imprisonment for offences of preventing burial. She was given a whole life order. She is currently one of only two women who are subject to a whole life order.

3. Since 19 September 2013 the Claimant has been in what is commonly called “segregation” under the Prison Rules.
4. In this claim for judicial review she argued that her segregation is unlawful on a number of grounds.
5. Both Defendants concede that the Claimant’s segregation was unlawful during the period from 21 September 2013 to 4 September 2015, because it was not authorised by the Secretary of State, as was required by the Prison Rules in the form that they took at that time. That concession was made in the light of a decision of the Supreme Court in 2015.
6. In this judgment, handed down on 26 May 2016, the High Court (Mr Justice Singh) has held as follows:

“It is important to recall that everyone within the jurisdiction is entitled to the protection of the law, including the protection of their human rights. That includes even someone who has committed the most serious crimes. This is because ours is a society governed by the rule of law.

I have considered carefully the submissions that have been made in this case. For the reasons set out in this judgment I have come to the following conclusions:

- (1) As is conceded by both Defendants, the Claimant’s segregation was unlawful in the period from 21 September 2013 to 4 September 2015 because it was not in accordance with the requirements of rule 45 of the Prison Rules as they were at that time.
- (2) There has been no breach of the duty to act fairly in this case. The Claimant’s segregation is not unlawful on that ground.
- (3) There has been no breach of Article 3 of the Convention rights in this case. The Claimant has not been subjected to inhuman or degrading treatment.

(4) The Claimant's segregation was not in accordance with law and, for that reason but no other, there was a breach of Article 8 in the period from 21 September 2013 to 4 September 2015. However, the Claimant's segregation has been in accordance with law since that time and has, at all material times, been necessary and proportionate.

(5) There has been no breach of the right to equal treatment in the enjoyment of Convention rights in Article 14.

(6) The Claimant's segregation has, at all material times, been reasonable and therefore lawful at common law.

Accordingly this claim for judicial review is dismissed, save that there will be a declaration that the Claimant's segregation was unlawful in the period from 21 September 2013 to 4 September 2015 because (as is conceded by the Defendants) it was not in accordance with the requirements of the Prison Rules at that time."

-ENDS-