

**Strengthening the management, operation and
oversight
of Reform and Rehabilitation Centers administered
by the Palestinian Authority.**

MANUAL FOR TRAINERS

Module 3

**MANAGING REFORM AND REHABILITATION CENTERS
ADMINISTERED BY THE PALESTINIAN AUTHORITY**

JUNE 2010

Module 3

MANAGING REFORM AND REHABILITATION CENTERS ADMINISTERED BY THE PALESTINIAN AUTHORITY

CONTENTS

Acknowledgements

Chapter 1 Introduction

Chapter 2 How to use this Manual

Chapter 3 Basic Training Techniques

Chapter 4 Outline Training Programme for Module 3

Chapter 5 Training Sessions

1. Opening ceremony, objectives and introductions
 2. Human Rights, International Standards and Good Prison Management
 3. Importance of Legal Framework, Regulations and Procedures
 4. Current Challenges and Planning for the Future
 5. Effective Leadership in the Prison Environment
 6. Managing Change
 7. Managing People
 8. Managing Administration and Finances
 9. Managing the Delivery of Basic Conditions and Needs
 10. Managing the General Prisoner population
 11. Managing Women Prisoners
 12. Managing Juvenile Prisoners
 13. Managing Security
 14. Managing Order and Discipline
 15. Applying the Learning in the RRCs
- Evaluation
Closing ceremony & certificates

Chapter 6 Handouts

Chapter 7 End of Course Evaluation Form

Chapter 8 Model Certificate for participants

Chapter 9 Source documents

ACKNOWLEDGEMENTS

This training manual was produced as part of the project on 'Strengthening the management, operation and oversight of Reform and Rehabilitation Centres administered by the Palestinian Authority'.

Dr. Shane Bryans, an international prison expert, prepared this manual, which targets prison officers with management responsibilities, for the United Nations Office on Drugs and Crime (UNODC). It builds on two training manuals for general prison staff, namely the 1st module on 'Human Rights in Reform and Rehabilitation Centers' and the 2nd module on 'Working in Reform and Rehabilitation Centers', equally prepared by Dr. Bryans. All modules are based on various UN and other publications, details of which are included in Chapter 9.

UNODC wishes to acknowledge the support provided by the Government of Canada toward the development of the training manual as well as the commitment of the UNODC staff members in the Programme Office of East Jerusalem.

Chapter 1

INTRODUCTION

This manual for trainers focuses on an overview of key issues which should be of concern to prison managers and the reforms they must engage in and promote as prison leaders. It supports a four-day training workshop for prison managers responsible for leading and managing Reform and Rehabilitation Centers Administered by the Palestinian Authority.

A prison system based on international standards and norms is a good system, one which is grounded in a deep respect for the rule of law and human rights. Therefore, one of the major objectives of the course is to explore and understand practical ways in which prison leaders can more effectively implement international standards and norms in the Reform and Rehabilitation Centers for which they are responsible.

The Palestinian Authority is working hard to bring its prison system and Reform and Rehabilitation Centers up to internationally accepted standards. The lack of funds, trained personnel, technology, infrastructure, and expertise in some areas presents a huge challenge. This is not to say however that dedicated leaders cannot accomplish significant progress, particularly when they can count on a little help from other jurisdictions.

This manual tries to cover the aspects of effective, fair and just prison management. Prison leaders will be challenged to identify the reforms that they must contemplate in order to bring their institutions into compliance with international standards. They will also be challenged to reflect on the most effective ways to bring about the necessary change.

The course is aimed at helping prison leaders identify the changes that are required in their own environment, and to reflect on the challenges they are likely to encounter in bringing about these changes. The course does not underestimate the complexity of the task of prison reform and it therefore does not propose ready-made solutions. It does not even attempt to anticipate and answer all the questions that will come up in the process. However, the manual should facilitate some fresh thinking about the many common issues and challenges prison leaders often face, and about possible solutions to them. With these new tools, prison leaders will be able to identify practical ways to approach the prison management problems they face.

As Trainers you will assist participants to tackle the issues with renewed confidence in their own leadership abilities and a fresh outlook on how they may succeed in their prison reform and capacity building efforts. It is hoped that you, as trained Trainers, will feel free to tailor some of the questions and exercises to local circumstances, therefore making it more relevant to the participants.

Prison reform can be a daunting task. This is not an excuse for giving up, but a good reason for approaching the task cautiously and recognizing the difficult and complex role that prison leaders play in bringing about effective and sustainable reforms within the system in which they work. Prisons are harsh and difficult environments, particularly when they operate without the necessary human, physical and financial resources. The job of a prison leader is inevitably a very challenging one. It clearly requires the full commitment of a strong, dedicated, creative and persevering individual. As a famous book once put it:

“And it must be remembered that there is nothing more difficult to take in hand, more perilous to conduct, or more uncertain in its success, than to take the lead in the introduction of a new order of things. Because the innovator has for enemies all those who may do well under the old conditions, and lukewarm defenders in those who may do well under the new”

Niccolò Machiavelli (1532): The Prince

Prisons have a responsibility to ensure that offenders do not pose a threat to or harm other people, but they must also attempt to rehabilitate offenders so that they may one day return to society to lead productive crime free lives. This is reflected in the name of our prisons - *Reform and Rehabilitation Centers*.

Through effectively delivering this training course, you, as Trainers, are contributing to achieving this goal and helping to make Rule 58 of the UN Standard Minimum Rules a reality in our country.

“The purpose and justification of a sentence of imprisonment or a similar measure deprivative of liberty is ultimately to protect society against crime. This end can only be achieved if the period of imprisonment is used to ensure, so far as possible, that upon his return to society, the offender is not only willing but able to lead a law abiding and self-supporting life.”

UN Standard Minimum Rules for the Treatment of Prisoners, Rule 58

Chapter 2

HOW TO USE THIS MANUAL

Introduction and approach

This trainers' manual has been designed to give you the core materials that you will need to deliver the four day training course on *Managing Reform and Rehabilitation Centres*.

The training course is intended for managers who work in the Reform and Rehabilitation Centres in Palestine. It reminds participants of their role and responsibilities as prison leaders, including their role in protecting society against crime and upholding the rights of prisoners. The problems and issues participants face as leaders and managers are themes that run through the training programme. The relevance of international human rights standards and the prison leaders' responsibility to implement them within their own RRC is highlighted. The national legal framework within which RRCs operate is explored and whether existing policies, regulations and practices are in need of reform, in order to be brought into compliance with international standards, is discussed. The course also looks at the challenges of bringing significant organizational changes in the prison system context.

The second part of the training course discusses the challenges associated with the manager's responsibility for providing the basic needs of prisoners, including measures for the general health and welfare of all inmates. It goes on to look at aspects of the management of the general prison population, as well as the needs of special groups of prisoners. The last sessions look at a number of practical issues relating to the management of RRCs, including managing security and order. The course ends by asking participants to apply the learning by writing an action plan to implement when they return to their RRC.

The training is based on clearly articulated objectives, as set out in Session 1.

In order to meet these objectives, the approach adopted in the manual is based on a range of interactive pedagogical techniques. The training methodology adopted in the manual is interactive, flexible, relevant and varied.

Interactive – This programme implies the use of a participatory, interactive training methodology. Adult trainees most readily absorb human rights course material when they are not 'spoon-fed' the information. Rather, for effective training, they should be fully involved in the process. As practitioners, the participants will bring to the course a rich pool of experience, which must be actively drawn on to make an interesting and effective course.

Flexible – Contrary to certain myths associated with adult training, it is not advisable to adopt a “military” approach, in an attempt to force participants to participate. The result of such techniques is, more often than not, resentment among participants and, consequently, the closing of effective avenues of communication between trainer and participants. While a certain level of control must be maintained by the trainer, the first rule should be flexibility. Questions - even challenges – from the audience should be welcomed, and should be addressed by trainers in a positive and forthright manner.

Relevant – The unspoken question of the participants throughout the course will be: “What does this have to do with my daily work?” The extent to which the trainer continuously answers this question will be an important measure of his or her success. Every effort must therefore be made to ensure that all material presented is relevant to the work of the audience, and that such relevance is made clear where it is not self-evident. This task may be easier when operational themes are being addressed. It may require more careful preparation, however, with respect to more topical themes, such as the protection of especially vulnerable groups.

Varied – To secure and retain the active commitment of participants, it is best to vary the teaching techniques used throughout the course. Most adults are not accustomed to long classroom sessions, and a tedious and monotonous routine will leave them more conscious of the classroom than of the subject matter. A varied selection of techniques is used in the manual, alternating presentation / lectures, brainstorming, discussions, small group work.

The following approaches are adopted:

Presentation of theoretical material: a range of material is used which draws on a number of disciplines: criminology; penology; sociology; psychology and management.

Application of participatory techniques: Enables participants to use their knowledge and experience to translate into practice the ideas and concepts referred to in the presentation; and also enables them to consider the practical implications of the material for their day-to-day work;

Focus and flexibility: Enables participants to focus on matters of real and current concern; and enables trainers to adapt to participants’ needs as the training programme progresses.

Chapter 3

Chapter 3 provides a summary of basic training techniques. These techniques will be familiar to you from the Training of Trainers workshops that you have participated in. The chapter is aimed at refreshing your memory on some of

the key points covered in those workshops. The chapter covers: adult learning theory; delivering presentations; facilitation skills; and timekeeping.

You should read through chapter 3 before delivering a training programme so that the key points are fresh in your memory.

Chapter 3 also provides some checklists of things that you, as the trainer, need to do before, during and after the training sessions.

Chapter 4

Chapter 4 sets out the outline programme for the 4 day training course. The starting and finishing times for each day are identified in the programme, as are the times for breaks and lunch. You will need to carefully manage the timing of each session to ensure that you adhere as closely as possible to the programme.

You will need to agree who will be the lead trainer for each session and what activities will be undertaken by the support trainer.

You begin each day with a short review of the previous day's learning. You can either summarise the key points covered the previous day yourself or ask a participant to do so. Invite participants to ask questions and raise any issues which were not clear.

Chapter 5

Chapter 5 contains the speaking notes and Power Point slides for each of the 15 sessions. Each session has been given a number (from 1 to 15) in order to assist you to keep track on session material.

Speaking Notes

The speaking notes provide a basic structure, yet, they also allow you and participants to be guided by the normal flow of the group's learning process and to decide to place more emphasis, as required, on questions and issues as they emerge.

All the speaking notes have been structured in a similar way.

Slides

The notes specify when a slide should be shown and the text that will be on the slide.

You may want to read out some of the shorter slides but ask participants to read other longer slides.

Title

Each session begins by identifying the session number and title of the session. **Slide 1** for each session is the Title slide and gives the title of the session and should be put on screen before participants arrive.

Duration

The duration of the session is then set out. The duration of the training session reflects the time available in the programme. Some sessions are scheduled to last 1 hour, others 1.5 hours or 2 hours. The difference in duration reflects the amount of material provided.

Purpose

An overview of the session is described in order to focus participants on why the session is taking place.

Objectives

The objectives for the session are set out in bullet points on **Slide 2**.

Speaking notes

The text is intended to guide the trainer through the session and ensure that all relevant topics are covered. The text is intended as a guide and not as a book that should be read out.

You may want to read out some of the text during the session, until you are completely familiar with the material, or where the points to be made are complex. You should, however, avoid reading out all the text as this will become monotonous for participants.

Discussion points

A number of 'discussion points' are set out in text boxes at various points in the session. These discussion points will help to break up the session and will encourage participants to engage in a dialogue with the trainer. Informal discussions are useful to clarify points and facilitate the process of translating ideas into practice. Such discussions are conducted by the trainer, who should try to involve all participants.

You do not have to use all discussion points. You can also add discussion points or follow up questions of your own. Discussion points are a good way to manage the time (see Chapter 3).

Where there is a clear and unambiguous answer to the question in the discussion point, this is given in the text below the text box. Where there is no 'one right answer' no answer is needed.

You can structure the use of discussion points in different ways:

- Ask the question to the whole group and ask people to reply - capturing key points on a flipchart
- Ask the question to the whole group and ask each individual to write down on a piece of paper their thoughts. After 5 minutes as specific individuals to read out their answer
- Split the participants into small groups and ask each group to consider the question. In a number of cases the text box is labelled 'Activity' as this discussion is better completed in small groups.

You will need to decide on:

- how many groups to divide the participants into and who should be a member of which group.
- how long to allow for the activity and for feedback. This will depend on how much time is available.
- You should move between groups during the small group activity to provide clarification of the task, answer questions and ensure that the groups are working effectively.

The groups are then reconvened and the results of the deliberations of each group are presented to the full class by a spokesperson for the group. You can ask all groups to present on all three questions or some variation thereof.

The course participants can then discuss the topics and the response of each group.

Use of other training aids

You may also want to make use of flipcharts during your session. These can be used to:

- capture key points during your presentation
- note issues raised during the discussion points
- focus participants on a subject or issue

Chapter 6

Chapter 6 contains a copy of the Handouts that the participants should be given at the relevant point in the training - as set out in the speaking notes.

You should ensure that you have sufficient copies to give each participant a set of handouts.

At the beginning of the course, all participants should be given a copy of the core materials:

- Law of Reform and Rehabilitation Centres (1998)
- UN Standard Minimum Rules for the Treatment of Prisoners (1955)

Chapter 7

Chapter 7 consists of the End of Course Evaluation Form. You should ensure that you have sufficient copies to give each participant one. The forms should be distributed in Session 15.

Chapter 8

Chapter 8 provides a model Certificate for participants. You should arrange for a certificate to be produced for each participant. You must ensure that the name of each participants is correctly spelt on the certificate. The certificates will be distributed in Session 15. Where possible, these should handed out by the director of the RRC or a senior officer from GARRC.

Chapter 9

Chapter 9 lists various source and reference documents. These documents were used in writing this manual and provide more detail and background on the subjects covered.

Chapter 3

BASIC TRAINING TECHNIQUES

Adult Learning:

A key aspect of being an effective trainer involves understanding how adults learn best. Compared to children and teenagers, adults have special needs and requirements as learners. Adult learners have the following characteristics:

- Adults are **autonomous** and **self-directed**. They need to be free to direct themselves.

The application here is that trainers must actively involve participants in the learning process, and serve as facilitators for them. Specifically, they must enable participants to participate in discussion, group work and other activities.

They should allow the participants to assume responsibility for presentations and group leadership. They have to be sure to act as facilitators, guiding participants to their own knowledge rather than supplying them with facts. Finally, they must show how the training will help them reach their personal development objectives.

- Adults have accumulated a foundation of **life experiences** and **knowledge** that may include work-related activities, family responsibilities, and previous education. They need to connect learning to this knowledge/experience base.

To help them do so, trainers should draw out participants' experience and knowledge, both prison related and more widely, which is relevant to the topic.

They must relate theories and concepts to the participants and recognise the value of experience in learning.

- Adults are **goal-oriented**, usually knowing what goal they want to attain. They, therefore, appreciate a training program that is organised and has clearly defined elements.

Trainers must show participants how the training will help them attain their goals.

- Adults are **relevancy-oriented**. They must see a reason for learning something. Learning has to be applicable to their work or other responsibilities to be of value to them.

Therefore, trainers must identify objectives for adult participants before the course begins.

This means, also, that theories and concepts must be related to a setting familiar to participants. This need can be fulfilled by letting participants relate what they are learning to real life situations in their prisons.

- Adults are **practical**, focusing on the aspects of a lesson most useful to them in their work. They may not be interested in knowledge for its own sake.

Trainers must work with participants to explicitly identify how the sessions will be useful to them on the job when they are back in their prisons

- As with all learners, adults need to be shown **respect**.

Trainers must acknowledge the wealth of experiences that participants bring to the training. The participants should be treated as equals in experience and knowledge and allowed to voice their opinions freely in training. Trainers should avoid hierarchy based on rank during the training.

It is also important to remember that adult learners are **widely diverse**. Adults differ from each other in experience, ability and background. Yet adults also differ from each other in their preferred style of learning. Individuals acquire information and learn from it in a variety of ways.

To make best use of this manual, the trainer needs to take into account these needs of adult learners to be both an effective presenter and facilitator.

Presentation:

The trainer will first and foremost need to present the information. It is easier for participants to learn when the presentation is good, and for it to be good it needs to be well prepared. Thus, **preparation for the presentation is essential**. The trainer needs to study the material and lecture notes in advance. The timing of the session should be noted, and the subject matter prioritised – be sure to pay attention to the key points. **Practise the presentation**, until it can be delivered confidently within the time limit.

Another way for the presentation to be good is through its delivery:

Speak clearly. Do not shout or whisper, and judge the acoustics of the room. Try not to speak in a monotone voice, and it is always better to be too loud than too quiet. Be natural – although not conversational. Deliberately pause in key places. This has the effect of emphasising the importance of a particular point you are making. It is also useful to change the style of delivery to arouse interest. For example, speed or pitch of voice could be altered.

Look at the audience as much as possible, but do not fix on an individual – it can be intimidating! Pitch the presentation to the back of the audience, especially in larger rooms.

Body language is as important as voice. The body communicates different impressions to the audience. Participants not only listen to the trainer, they watch too. Throughout a presentation the presenter should display:

- **Eye Contact:** This helps to regulate the flow of communication. It signals interest in others and increases the presenter's credibility. Those who make eye contact open the flow of communication and convey interest, concern, warmth and credibility.
- **Facial Expressions:** Smiling is a powerful cue that transmits happiness, friendliness, warmth and liking. So, if a presenter smiles often they will be perceived in this way. Those participants more comfortable with the trainer will want to listen more.
- **Gestures:** A failure to gesture while speaking could be perceived as boring and stiff. A lively style captures attention, makes the material more interesting, and facilitates understanding.
- **Posture:** Standing tall and leaning forward communicates someone who is approachable, receptive and friendly. Speaking with a back turned, or looking at the floor or ceiling should be avoided as it communicates a disinterest. Also, a good posture assists speaking more clearly and effectively.

Following on from body language, **appearance is crucial**. A trainer must project a professional image. The dress standards of the trainer should not fall below those of participants and should respect their cultural and social rules.

The **slides should be integrated**, and help to vary the texture. They are there to make the presentation more intelligible, interesting, vivid and memorable. Research has shown that we take in information in the following proportions:

- 75% through our eyes
- 13% through our ears
- 12% through other senses

For that reason the visual aid of the slides are important – participants grasp the information faster, understand it better, and retain it longer.

Facilitation:

It is during the group discussion aspects that the trainers facilitation skills are most needed.

Facilitation is being able to draw maximum engagement and performance from individuals and groups. They are essential for anyone trying to guide a group of people through a process of learning that encourages all members of the group to participate.

Each person has a unique viewpoint and valuable knowledge to share. Without their contribution, the groups' ability to understand or respond to a situation is reduced. Facilitation is about **empowering others**. It involves letting go of control over the outcome of a process and giving that responsibility to the group.

Good facilitation can produce the following benefits:

- The group is more focused and productive, with better overall communication.
- Everyone involved has a chance to contribute, and feels they are an integral part of the team.
- The people in the group realise and respect that the responsibility for implementing decisions lies with everyone.
- People are encouraged to think and act for the overall benefit of the group.
- High quality decisions are made.
- Negative attitudes, low morale, low involvement, and withholding of information are all less likely because everyone is involved in a joint process.

First of all, it is important to **create an environment in which everyone feels able to participate**.

A good facilitator will monitor who is contributing and who is not, encouraging everyone to participate while remembering that individuals participate in different ways. Some people may feel more comfortable talking in small groups, rather than to the group as a whole.

At times it may be necessary to interrupt someone who is taking too long to make a point.

Facilitators need specific verbal skills:

1. Question asking

Facilitators use questions to help group members bring out relevant information, clarify points of view, summarise information, and draw conclusions. The types of questions that are particularly useful are:

- Open ended questions: *Can you give some examples of...?*
- Probing questions: *Will you explain a little more about that?*

- Questions that move on to other group members: *Who has other ideas about this?*
- Questions that encourage other views: *Can anyone provide another view on this?*
- Questions that lead to Summaries: *Will someone summarise the points presented so far?*

2. Paraphrasing

By paraphrasing, the facilitator demonstrates that they understand what participants have said and may clarify issues. The process of paraphrasing is much like catching a ball and throwing it back. It also requires very careful listening. A paraphrase starter is something like:

What I heard you say was ... Is that correct?

3. Summarising

The purpose of summarising is to pull important information together, establish a basis for further discussion or to make a transition. It is also used to review progress or to check for clarity or agreement.

Summarising requires careful listening as it requires organisation and reporting back of information expressed. Summarised information ensures that everyone is clear about what emerged in that portion of the discussion.

Whenever possible, encourage someone in the group to do the summarising. Some summarising phrases could be things like:

- *I think we agree that...*
- *What we are saying is that we...*
- *We seem to have covered the following..*
- *If I understand, the shared view is that...*

The participants should also use the written material provided. For example, they could be made to look up relevant international standards in the *UN Standard Minimum Rules for the Treatment of Prisoners* and read them to the group. Materials which are not opened during the course are likely never to be opened.

It is important to **recap and summarise** what has happened in the discussions, and help the group **make connections between the sessions**.

Bring the group back to the issues they should be focusing on if they get sidetracked onto other issues.

4. Feedback and responding to questions asked

The final considerations regarding group discussions are to encourage feedback and follow up on concerns.

If questions arise that a trainer is not able to answer, the trainer could ask the participants for their view, or consult the material (by having a participant look it up), or offer to provide the answer later – being sure to follow up as promised.

Role of the Trainer - Before the course

1. You will need to arrive in the training room before the participants in order to have time to do some preparation including:

- Arranging seating in the room ('U' shape or small tables)
- Deciding on any seating plan (who will sit where)
- Loading the Power Point slides onto the computer
- Sorting handouts ready for distribution
- Checking equipment
- Ensuring sufficient materials are available (flip charts, pens, paper)
- Lighting and ventilation of the room
- Name tags for participants

2. The level of physical comfort of course participants will have a direct impact on the outcome of the learning exercise. For planning purposes, keep in mind the following basic factors:

- It should be possible to regulate the temperature and ventilation of the room;
- Classrooms should never be filled beyond a comfortable capacity;
- Restrooms should be easily accessible;
- Allow participants occasionally to stand and stretch between scheduled breaks. A two- or three-minute break is sufficient for this, at appropriate intervals;
- Where possible, provide for water, coffee or juice to be available in the classroom.

3. Agree the training roles and who will do what;
4. Study the training material, giving particular attention to the sessions to which you are formally assigned;
5. Prepare any additional brief lecture notes, keeping in mind the time limitations set out in the course programme;
6. Think about what practical examples that you might want to give to the participants, based on your professional experience, to assist them in implementing the relevant human rights standards in their daily work;

Role of the Trainer - During the course

1. Participate in daily pre- and post-course briefings with the rest of the training team;
2. Attend and participate in all course sessions;
3. Meet with your session co-presenter the day before each scheduled presentation to plan roles and activity;
4. Deliver presentations and facilitate discussion, adhering to specified time limits, based on the training materials, for the topics assigned to you as a session presenter;
5. Timekeeping - Once participants have been given a programme with timings in it, the trainer must stick to the published times unless they agree with the participants to vary the timings. If sessions overrun, participants get restless and tend not to concentrate. Trainers must carefully monitor the time and move things on if discussions are going on for too long or if groups have not returned from small group activities. Trainers will need to be flexible in using the material - speeding up or slowing down depending on how the sessions is going. Some discussion points can be dropped and others added to regulate the time available.
6. Make practical recommendations, based on your professional experience, during discussion periods and in working groups, including during sessions for which you are not the session presenter;
7. Ensure that any comments or recommendations made are consistent with the international standards set out in the training materials;
8. Encourage active group participation and discussion; provide advice and comments on the training materials; and attend all opening and closing ceremonies and ancillary events of the programme;

Role of the Trainer - After the course

1. Participate in a final debriefing session with the rest of the training team;
2. Review and revise your materials, on the basis of this experience.
3. Provide feedback to UNODC on the training programme and evaluation sheets.

Chapter 4 - Outline Training Programme for Module 3 (4 days)

DAY 1			
Session	Time	Subject	Trainer
1	10.00 – 10.30	Opening ceremony, objectives and introductions	
	10.30 - 11.00	Break	
2	11.00 – 12.30	Human Rights, International Standards and Good Prison Management	
	12.30 - 13.30	Lunch	
3	13.30 – 14.30	Importance of Legal Framework, Regulations and Procedures	
	14.30 - 15.00	Break	
4	15.00 - 16.00	Current Challenges and Planning for the Future	

DAY 2			
Session	Time	Subject	Trainer
5	09.00 - 10.30	Effective Leadership in the Prison Environment	
	10.30 – 11.00	Break	
6	11.00 – 12.30	Managing Change	
	12.30 – 13.30	Lunch	
7	13.30 – 14.30	Managing People	
	14.30 - 15.00	Break	
8	15.00 - 16.00	Managing Administration and Finances	

DAY 3			
Session	Time	Subject	Trainer
9	09.00 - 10.30	Managing the Delivery of Basic Conditions and Needs	
	10.30 – 11.00	Break	
10	11.00 – 12.30	Managing the General Prisoner population	
	12.30 – 13.30	Lunch	
11	13.30 – 14.30	Managing Women Prisoners	
	14.30 - 15.00	Break	
12	15.00 - 16.00	Managing Juvenile Prisoners	

DAY 4			
Session	Time	Subject	Trainer
13	09.00 - 10.30	Managing Security	
	10.30 – 11.00	Break	
14	11.00 - 13.00	Managing Order and Discipline	
	13.00 – 14.00	Lunch	
15	14.00 – 15.00	Applying the Learning in the RRCs Evaluation Closing ceremony & certificates	

Chapter 5

TRAINING SESSIONS

INDEX

1. Opening ceremony, objectives and introductions
2. Human Rights, International Standards and Good Prison Management
3. Importance of Legal Framework, Regulations and Procedures
4. Current Challenges and Planning for the Future
5. Effective Leadership in the Prison Environment
6. Managing Change
7. Managing People
8. Managing Administration and Finances
9. Managing the Delivery of Basic Conditions and Needs
10. Managing the General Prisoner population
11. Managing Women Prisoners
12. Managing Juvenile Prisoners
13. Managing Security
14. Managing Order and Discipline
15. Applying the Learning in the RRCs
Evaluation
Closing ceremony & certificates

SESSION 1

OPENING CEREMONY, ICEBREAKERS AND OBJECTIVES

Slide 1 – TITLE

Welcome and Objectives

Duration:

30 Minutes

Purpose of session:

The purpose of this session is to welcome participants to the training course, discuss the purpose and objectives of the course, and to help participants relax and to create a learning environment.

Welcome

Welcome participants to the training course.

Introduce yourself - reference should be made your experience and the qualifications that particularly fit you for the training task.

Outline the background to the training and why it is taking place.

Icebreakers

Explain that it would be helpful to get to know the participants a little more and to understand their expectations from the course.

Pair participants up and have each interview the other to identify:

Slide 2 - ICEBREAKER

- Name
- How long have you worked for GARRC?
- Why are you attending the training?
- What do you want to learn to make the workshop valuable to you?

Give the participants **5 minutes** to interview each other.

Provide paper for participants to take notes during their interviews.

Ask each participant to introduce the other to the larger group – by answering the above questions about the other person.

Write on a flipchart the objectives given by the participants

Objectives

Explain participants what your objectives are for the training course and what you are intending to achieve.

Slide 3 – OBJECTIVES (1)

- To remind participants of their role and responsibilities as prison leaders including the role of protecting society against crime and upholding the rights of prisoners.
- To discuss the problems and issues participants face as leaders and managers.
- To emphasise the relevance of international human rights standards and the prison leaders' responsibility to implement them within participants' own RRC.
- To discuss the challenges of bringing significant organizational changes in the prison system context.

Slide 4 - OBJECTIVES (2)

- To review the national legal framework within which RRCs operate and consider how existing policies, regulations and practices may be in need of reform in order to be brought into compliance with international standards.
- To emphasise the responsibilities that fall on the shoulders of prison leaders.
- To discuss the challenges associated with the responsibility to provide for the basic needs of prisoners, including measures for the general health and welfare of all inmates.
- To focus on a number of practical issues relating to the management of the prison population.

Outline training programme

Outline the training programme for participants - give a brief description of each session.

Include arrangements for meals and smoking/coffee breaks, and start and finishing times.

Training methodology

Explain why the course is structured in the way that it is. In particular, it should be highlighted that:

Slide 5 – TRAINING METHODOLOGY

- The training offered in Module 3 is relevant and helpful to prison staff in their daily work; it is not a theoretical discussion, but is intended to help prison staff as they go about their regular duties;
- The training process is designed to be interesting and informative; in particular, active participation is encouraged and interactive training techniques will be used;
- Participants' knowledge, expertise and practical experience provide an added value to the course and will be drawn on during the course.

Group Rules

Spend 5 minutes discussing group rules – the rules that will govern how the participants will work with each other during the training course.

Ask participants for their ideas.

Write the agreed rules on a flip chart and stick to the wall.

Slide 6 - GROUP RULES

Issues to consider include:

- Turn mobile phones to silent
- Start on time in morning
- Return promptly after breaks
- Value other people's opinions
- Be constructive in comments
- Only one person to speak at a time
- All participants have an equal voice

Handouts

Explain that you will be distributing handouts at various points in the training and that they will need to bring the handouts to each session.

SESSION 2

HUMAN RIGHTS, INTERNATIONAL STANDARDS AND GOOD PRISON MANAGEMENT

Slide 1 – TITLE

HUMAN RIGHTS, INTERNATIONAL STANDARDS AND GOOD PRISON MANAGEMENT

Duration:

1.5 hours

Purpose of Session:

In this session, participants will learn how and why international standards and norms are directly relevant to good prison management.

International standards and norms relating to imprisonment, prisons, prisoners and prison staff are based on a number of universal and fundamental human rights which are enshrined in international law. These rights apply to all human beings and one of the responsibilities of all governments is to uphold those rights. This means ensuring that all government departments and agencies, in performing their work, are not only mindful of human rights but do not contravene any of them.

States have a duty and must ensure that the human rights of the people living within their borders are protected and that every means possible should be used to ensure that protection exists both in law and in practice.

This session will familiarise prison leaders with the nature and the sources of international standards pertaining to prisons and imprisonment and will encourage them to reflect on the relevance of these standards in their own context and their own institution.

Objectives:

Slide 2 – OBJECTIVES

- To reflect on the purpose of imprisonment and the nature and importance of international standards pertaining to prisons and imprisonment.
- To understand the leadership role of prison leaders with respect to their responsibility to ensure that human rights are upheld and protected within their institution.

- To understand the different sources of international human rights standards applicable to imprisonment, prisoners and prison.
- To understand the relevance of international standards and norms to the fair and effective administration of justice and, in particular, to the effective management of prisons.
- To identify frequently encountered issues and be able to anticipate potential challenges in applying norms and standards in prisons.
- To understand the definition of accountability in its narrowest and widest application to prison management.
- To examine the different ways in which prison leaders are required to be accountable, to whom and for what.
- To examine how prison leaders can establish a system of accountability for their staff in relation to prisoners

INTRODUCTION - HUMAN RIGHTS

In order for a prison system to be managed in a fair and humane manner, national legislation, policies and practices must be guided by the international standards developed to protect the human rights of prisoners.

When people are detained while they await trial or sentenced to imprisonment, they are deprived of one of their most basic human rights: the right to freedom of movement and residence.

Slide 3 - HUMAN RIGHTS AND PRISONS

- The deprivation of liberty makes prisoners dependent on the detaining authorities for the respect of their basic human rights.
- Prison managers therefore have a responsibility to ensure not only that the decision to detain an individual is lawful but also that his/her treatment and care, while in detention, is fair and in accordance with their rights.

Basic human rights apply as much to a prisoner as to any other member of society. The only difference is that prisoners cannot enjoy their right to freedom for a set period of time. He or she should otherwise be treated like any other human being, with full respect for their inalienable rights.

Punishment does not mean that all the prisoner's rights are taken away. Prison sentences are a form of punishment which deprives someone of their liberty and not their basic human rights.

Slide 4 - FUNDAMENTAL PRINCIPLE

Article 10 (1) of the **International Covenant on Civil and Political Rights**

“All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.”

Treating prisoners with humanity and respect is part of the “custodial” process. The prison system must show by example how people should be treated and by treating prisoners fairly and humanely and demonstrating respect for their rights, one can hope that prisoners will learn how to treat others from that example.

The objective of imprisonment is to respectfully perform the sentence passed by the Court, and facilitate the rehabilitation of prisoners so as to prepare them for their return to society.

PRISONERS AS HUMAN BEINGS

Everything discussed over the next few days is underpinned by human rights. These rights are derived from universal, general human rights principles - there are certain rights and freedoms that are essential to human existence.

They apply to every individual whether they are in prison or not, and are intrinsic rights that come as a consequence of being human.

Discussion point:

Can you give me some examples of what might be considered to be Fundamental and Universal Human Rights?

The key rights that will be covered during this course include a number of these rights including:

Slide 5 – KEY RIGHTS

Prisoners, like all of us, have the right to:

- Life and integrity
- Be free from torture or other ill-treatment
- Health
- Respect for human dignity
- Due process of law

- Freedom from discrimination of any kind
- Freedom of conscience, thought and religion
- Respect for family life
- Self-development

Basic **universal human rights** are enshrined in international laws and norms. Many states in every region of the world have signed and ratified international treaties, conventions, covenants and rules confirming these rights.

Regardless of circumstances, all human beings **retain their fundamental human rights**. They cannot be taken away without legal justification.

Discussion point:

What Rights do you think people should forfeit when they are in prison?

Slide 6 - RIGHTS LIMITED DUE TO IMPRISONMENT

- **forfeit for a time the right to liberty**
- **Other rights may be limited** by the fact of imprisonment
 - right to certain personal liberties;
 - right to privacy;
 - freedom of movement;
 - freedom of expression;
 - freedom of assembly
 - and freedom to vote.

The important issue is whether and to what extent any further limitation of human rights is a necessary and justifiable consequence of deprivation of liberty.

Many people in prison are serving sentences. They are in **prison as punishment but not for punishment**. The penalty consists in loss of liberty.

There are also many **people in detention who are not serving sentences**, although they may be held in prison with sentenced prisoners. Some are awaiting

trial; others are awaiting other decisions, for instance, about political asylum or immigration status. None are in prison either as punishment or for punishment. They are in prison as a precaution. For them, too, life in prison should be made as close to normal life as possible.

When the State deprives a person of liberty, it assumes a **duty of care** for that person.

Discussion point:

What duties of care – in relation to Human Rights – do you think the State has when it sentences people to prison?

The primary duty of care is to maintain the safety of persons deprived of their liberty.

The duty of care also embraces a duty to safeguard the welfare of the individual and for the person to have opportunities for self development.

INTERNATIONAL HUMAN RIGHTS LAWS AND INSTRUMENTS

As previously mentioned, basic **universal human rights** are enshrined in international laws and instruments. Among the most important for prisoners are the:

Slide 7 – HUMAN RIGHTS INSTRUMENTS

- Universal Declaration of Human Rights (1948)
- International Covenant on Civil and Political Rights (1966)
- UN Standard Minimum Rules for the Treatment of Prisoners (1955)
- UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)
- The Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (1988)
- Basic Principles for the Treatment of Prisoners (1990)

These instruments provide a set of rules to help prison staff perform their duties through policies and practices that are lawful, humane and disciplined.

Universal Declaration of Human Rights.

The Universal Declaration of Human Rights, from 1948, is a broad outline of human rights objectives which has inspired more than 140 human rights instruments. While

it is not a binding instrument, some of its provisions are considered to have the character of customary international law.

International Covenant on Civil and Political Rights.

The International Covenant on Civil and Political Rights came into force in 1976. The Covenant details the right to life; the prohibition of torture; the prohibition of slavery, servitude and forced labour; the prohibition of arbitrary arrest or detention; the rights of all persons deprived of their liberty; the prohibition of imprisonment for failure to fulfil a contractual obligation; the right to a fair trial; and the prohibition of retroactive penal measures.

The Covenant is a legally binding instrument that must be respected by Governments and their institutions, including prison authorities.

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment entered into force in 1987. The Convention goes considerably further than the International Covenant on Civil and Political Rights in protecting against the international crime of torture.

Along with the **UN Standard Minimum Rules for the Treatment of Prisoners**, which will be dealt with in more detail later, the **Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment** and the **Basic Principles for the Treatment of Prisoners** are international instruments that provide a comprehensive set of safeguards for the protection of the rights of prisoners who are detained or imprisoned.

The content of these instruments form the basis for managing any prison, and form the basis for much of the content over the following sessions. Their overall statement is that all prisoners must be treated with respect for their human dignity, with regard to the conditions of their detention. They deal predominantly with the issues of treatment and discipline, contact with the outside world; health; classification and separation; complaints; work and recreation; and religion and culture – topics that form the basis for the training sessions.

Slide 8 - ADDITIONAL PROVISIONS FOR WOMEN AND JUVENILES

- [UN Standard Minimum Rules for the Administration of Juvenile Justice \(Beijing Rules\)](#)
- [Declaration on the Elimination of Violence against Women](#)
- [Convention on the Elimination of All Forms of Discrimination against Women](#)

Another important set of minimum rules are the United Nations Standard Minimum Rules for the Administration of Juvenile Justice, also known as the Beijing Rules, which are crucial minimum rules for the treatment of Juveniles in prison.

The Declaration on the Elimination of Violence against Women and the Convention on the Elimination of All Forms of Discrimination against Women are particular rules that focus on women. These will be considered in more detail in later Sessions.

TORTURE AND ILL-TREATMENT

Something that stems from human rights, and is particularly applicable to prisoners, is a universal prohibition on torture and ill-treatment.

Slide 9 - Universal Declaration of Human Rights

'No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.' (Article 5)

Prison leaders have a key role in ensuring that torture or any other form of inhuman or degrading treatment or punishment is absolutely prohibited and can never be condoned in any circumstances

Discussion point:

What do you think is meant by 'torture or to cruel, inhuman or degrading treatment or punishment'?

Can you give me some examples of each?

Does everyone agree with these examples?

Article 1, Paragraph 1, of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment defines torture as:

Slide 10 - TORTURE DEFINITION

'any act which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from his or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official

capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.’ (Article 1, para 1)

Article 16, Paragraph 1, of the Convention defines other cruel, inhuman or degrading treatment or punishment as:

Slide 11 - CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT DEFINITION

‘other acts of cruel, inhuman or degrading treatment or punishment which do not amount to torture as defined in Article 1, when such acts are committed by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.’ (Article 16)

Article 2 of the Convention confirms the absolute nature of the prohibition on torture:

Slide 12 - ABSOLUTE NATURE OF THE PROHIBITION ON TORTURE

‘No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture’.

‘An order from a superior officer or a public authority may not be invoked as a justification of torture’. (Article 2)

The international instruments are unequivocal.

Under no circumstances is there ever any justification for torture or cruel, inhuman or degrading treatment or punishment.

The definition of torture is comprehensive. It includes any form of pain or suffering, whether physical or mental, other than that which is inherent in the fact of detention or imprisonment.

This means that:

Slide 13 - APPLICABILITY IN PRISONS (1)

- Prisoners must never be beaten or subjected to corporal punishment;
- Corporal punishment may not be inflicted for disciplinary offences;
- Force may be used only when it is essential to restrain a prisoner;
- Staff should be trained in non-violent methods of dealing with intransigent prisoners;

Slide 14 - APPLICABILITY IN PRISONS (2)

- Staff, when carrying out their duties, must always act within the law;
- Staff found guilty of torturing or inflicting unjustified violence on prisoners should be prosecuted and sanctioned in accordance with the law;
- Prisoners should be able to complain to independent persons about any ill-treatment without fear of future discrimination;
- Officials, such as judges, should be able to visit prisons to ensure that torture or inhuman treatment or punishment is not taking place.

We will look at each of these over the next few days. Next we are going to look at one of the main international instruments on prisons - the **United Nations Standard Minimum Rules of the Treatment of Prisoners**

UNITED NATIONS STANDARD MINIMUM RULES (SMR)

Discussion point:

*What do you know about the **Standard Minimum Rules**? What aspects of prison do you think they cover?*

Slide 15 – UN STANDARD MINIMUM RULES

- Adopted 1955
- Approved 1957 by Economic and Social Council
- 95 Rules
- Apply in all places of detention

The original 94 rules that make up the SMR have never been amended. In 1957 they were approved by the Economic and Social Council of the United Nations, which in 1977 added a new **Rule 95** in order to extend the scope of the SMR by explicitly including persons detained without charge. This implies that the SMR are not applicable only to people in prison but also to people detained against their will in other places – such as police cells and psychiatric hospitals.

The SMR are one of the oldest international instruments concerning the treatment of people in custody and have gained very wide recognition for their value and influence in the development of penal policy and practice.

They contain a greater level of practical detail about the duty of care for prisoners than is generally to be found in the declarations, conventions and covenants.

Since their adoption in 1955 the SMR have been affirmed, directly and indirectly, by other international and regional instruments. They have been recognized as an accepted basis for penal policy by national legislatures and prison administrators.

The SMR have been used by national and international courts and other bodies to shed light on the care to which people in custody have a right.

The recognition which the SMR have received means that they have developed a special status amongst international criminal justice instruments. They have become indispensable to the interpretation of international human rights conventions and must be recognized as generally forming part of international human rights law.

Scope of SMR

The SMR are minimum rules; they establish the standards below which provision must not fall. They are of an absolute and fundamental character.

They constitute basic principles and, as such, are **intended to be implemented everywhere and at all times**.

Examples of the fundamental principles in the SMR include the following:

Slide 16 – SMR FUNDAMENTAL PRINCIPLES

- Prisons shall be well-ordered communities, that is, they shall be places where there is no danger to life, health and personal integrity;
- Prisons shall be places in which no discrimination is shown in the treatment of prisoners;
- Prison conditions shall not seek to aggravate the inherent affliction of being deprived of liberty; they should not make prisoners worse in any way;
- Prison activities shall focus as much as possible on helping prisoners to resettle in the community after the prison sentence has been served.

The key purpose of the Rules is stated in **Preliminary Observation 1**, that the Rules seek to identify:

Slide 17 – SMR KEY PURPOSE

‘the essential elements of the most adequate systems of today, (and) to set out what is generally accepted as being good principle and practice in the treatment of prisoners and the management of institutions’.

The reference to “essential elements” refers directly to the fact that the SMR comprise only basic and minimum requirements - the necessary conditions for a prison system to achieve minimally humane and effective standards.

The Rules are not intended to give a detailed description of a model.

But they do seek to set out what, by general consensus, is accepted as the essential elements of good principle and practice in the treatment of prisoners and the management of prisons.

SMR provides the guiding principle – as **Rule 56** makes clear:

Slide 18 – SMR GUIDING PRINCIPLE

‘The guiding principles hereafter are intended to show the spirit in which penal institutions should be administered and the purposes at which they should aim.’ (Rule 56)

Discussion point:

*Do you think that all countries are able to fully implement the **Standard Minimum Rules**? Why are they not able to fully comply?*

Since legal, social, economic and geographical conditions in the world vary greatly, not all the Rules can be applied in all places at all times. The fact that certain Rules cannot be applied in all places at all times should stimulate a constant endeavour to overcome practical difficulties in order to achieve the minimum conditions accepted as suitable by the United Nations.

The Rules do not preclude experimentation for the development of practices which are in harmony with the principles of the Rules and intended to further purposes which can be derived from the Rules as a whole.

Probably no prison system can be said to fulfill completely the minimum requirements laid down in the SMR and some systems fall markedly short of doing so. The need for continuous experimentation, development and improvement cannot therefore be overstated.

MONITORING HUMAN RIGHTS - National bodies

Simply having a set of rules is not enough to ensure their application. The implementation of human rights standards is closely watched at several levels.

Discussion point:

What national bodies and mechanisms within Palestine exist to monitor Human Rights in RRCs?

National institutions and organisations monitoring human rights include:

- Government agencies and Services
- National Human Rights institutions, such as an Independent Human Rights Commission
- Human Rights groups and other non-governmental organisations (NGO's)
- Community-based organisations
- The courts
- The media
- Trade Unions
- Professional Associations (such as doctors' associations)
- Religious Organisations
- Academic Organisations

MONITORING HUMAN RIGHTS - International bodies

At the international level, human rights are monitored by a number of international **NGOs** and the **United Nations**.

Discussion point:

What International Bodies do you know of that monitors Human Rights?

Slide 19 - HUMAN RIGHTS CHARTER BASED BODIES

- Human Rights Council
- Universal Periodic Review
- Special Procedures of the Human Rights Council

Charter-based bodies

Charter bodies include the Human Rights Council and Special Procedures.

The Human Rights Council, which replaced the Commission on Human Rights, held its first meeting in 2006. This intergovernmental body, which meets in Geneva 10 weeks a year, is composed of 47 elected United Nations Member States. The Human Rights Council is a forum empowered to prevent abuses, inequity and discrimination, protect the most vulnerable, and expose perpetrators.

The Universal Periodic Review (UPR), set up in 2006, is a unique process which involves a review of the human rights records of all 192 UN Member States once every four years. The UPR is a State-driven process, under the auspices of the Human Rights Council, which provides the opportunity for each State to declare what actions they have taken to improve the human rights situations in their countries and to fulfil their human rights obligations. As one of the main features of the Council, the UPR is designed to ensure equal treatment for every country when their human rights situations are assessed. Currently, no other universal mechanism of this kind exists. The UPR is one of the key elements of the Council which reminds States of their responsibility to fully respect and implement all human rights and fundamental freedoms. The ultimate aim of this new mechanism is to improve the human rights situation in all countries and address human rights violations wherever they occur.

Special Procedures is the general name given to the mechanisms assumed by the Human Rights Council to address either specific country situations or thematic issues in all parts of the world. Special Procedures are either an individual –a special rapporteur or representative, or independent expert—or a working group. They are prominent, independent experts working on a voluntary basis, appointed by the Human Rights Council. Special Procedures' mandates usually call on mandate-holders to examine, monitor, advise and publicly report on human rights situations in specific countries or territories, known as country mandates, or on major phenomena of human rights violations worldwide, known as thematic mandates. There are 30 thematic mandates and 8 country mandates. All report to the Human Rights Council on their findings and recommendations. They are sometimes the only mechanism that will alert the international community on certain human rights issues.

Treaty-based bodies

There are eight human rights treaty bodies, which are committees of independent experts that monitor implementation of the core international human rights treaties. They are created in accordance with the provisions of the treaty that they monitor.

Slide 20 - HUMAN RIGHTS TREATY BASED BODIES

- [Human Rights Committee \(CCPR\)](#)
- [Committee on Economic, Social and Cultural Rights \(CESCR\)](#)

- Committee on the Elimination of Racial Discrimination (CERD)
- Committee on the Elimination of Discrimination Against Women (CEDAW)
- Committee Against Torture (CAT) & Optional Protocol to the Convention against Torture (OPCAT) - Subcommittee on Prevention of Torture
- Committee on the Rights of the Child (CRC)
- Committee on Migrant Workers (CMW)
- Committee on the Rights of Persons with Disabilities (CRPD)

The ability of individuals to complain about the violation of their rights in an international arena brings real meaning to the rights contained in the human rights treaties.

There are three main procedures for bringing complaints of violations of the provisions of the human rights treaties before the human rights treaty bodies:

Slide 21 - PROCEDURES FOR BRINGING COMPLAINTS

- individual communications;
- state-to-state complaints;

Individual Communications

Five of the human rights treaty bodies may, under particular circumstances, consider individual complaints or communications from individuals. Any individual who claims that her or his rights have under the covenant or convention have been violated by a State party to that treaty may bring a communication before the relevant committee, provided that the State has recognized the competence of the committee to receive such complaints. Complaints may also be brought by third parties on behalf of individuals provided they have given their written consent or where they are incapable of giving such consent.

Inter-State Complaints

Several of the human rights treaties contain provisions to allow for State parties to complain to the relevant treaty body about alleged violations of the treaty by another State party. However, these procedures have never been used.

Slide 22 - HUMAN RIGHTS COMMITTEE

<http://www.un.org/av/photo/subjects/images/14570.jpg>The body of independent experts that monitors implementation of the International Covenant on Civil and Political Rights by its State parties.

All States parties are obliged to submit regular reports to the committee on how the rights are being implemented. States must report initially one year after acceding to the Covenant and then whenever the Committee requests (usually every four years). The Committee examines each report and addresses its concerns and recommendations to the State party in the form of "concluding observations".

In addition to the reporting procedure, article 41 of the Covenant provides for the Committee to consider inter-state complaints. Furthermore, the First Optional Protocol to the Covenant gives the Committee competence to examine individual complaints with regard to alleged violations of the Covenant by States parties to the Protocol. <http://www.unesco.org/library/image/136/2249.jpg> The full competence of the Committee extends to the Second Optional Protocol to the Covenant on the abolition of the death penalty with regard to States who have accepted the Protocol.

The Committee also publishes its interpretation of the content of human rights provisions, known as general comments on thematic issues or its methods of work.

Slide 23 - COMMITTEE AGAINST TORTURE (CAT)

<http://www.un.org/av/photo/subjects/images/187325.jpg> The body of 10 independent experts that monitors implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment by its State parties.

All States parties are obliged to submit regular reports to the Committee on how the rights are being implemented. States must report initially one year after acceding to the Convention and then every four years. The Committee examines each report and addresses its concerns and recommendations to the State party in the form of "concluding observations".

In addition to the reporting procedure, the Convention establishes three other mechanisms through which the Committee performs its monitoring functions: the Committee may also, under certain circumstances, consider individual complaints or communications from individuals claiming that their rights under the Convention have been violated, undertake inquiries, and consider inter-state complaints.

The Optional Protocol to the Convention, which entered into force in June 2006, creates the **Subcommittee on Prevention of Torture (SPT)**. The SPT has a mandate to visit places where persons are deprived of their liberty in the States parties. Under the Optional Protocol, States parties shall establish a independent national preventive mechanisms for the prevention of torture at the domestic level which has also a mandate to inspect places of detention.

The Committee also publishes its interpretation of the content of the provisions of the Convention, known as general comments on thematic issues.

Slide 24 - COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN (CEDAW)

The body of independent experts that monitors implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

CEDAW Committee consists of 23 experts on women's rights from around the world. Countries who have become party to the treaty (States parties) are obliged to submit regular reports to the Committee on how the rights of the Convention are implemented. During its sessions the Committee considers each State party report and addresses its concerns and recommendations to the State party in the form of concluding observations.

In accordance with the Optional Protocol to the Convention, the Committee is mandated to : (1) receive communications from individuals or groups of individuals submitting claims of violations of rights protected under the Convention to the Committee and (2) initiate inquiries into situations of grave or systematic violations of women's rights. These procedures are optional and are only available where the State concerned has accepted them.

The Committee also formulates general recommendations and suggestions. General recommendations are directed to States and concern articles or themes in the Conventions.

Slide 25 - COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION (CERD)

<http://www.un.org/av/photo/subjects/images/149179.jpg>The body of independent experts that monitors implementation of the Convention on the Elimination of All Forms of Racial Discrimination by its State parties.

All States parties are obliged to submit regular reports to the Committee on how the rights are being implemented. States must report initially one year after acceding to the Convention and then every two years. The Committee examines each report and addresses its concerns and recommendations to the State party in the form of "concluding observations".

ENFORCEMENT OF HUMAN RIGHTS

International human rights law obliges States to take all necessary measures to give force to the standards contained in treaties and customary principles. This means, among other things, ensuring redress for victims, prosecuting offenders, preventing abuses and combating impunity.

In the first instance then, it is individual States themselves that must act to enforce these standards, principally through their domestic legal systems. Where they cannot

or do not act, or will not prosecute, States may be compelled to extradite, transfer or surrender an alleged offender for prosecution elsewhere.

Some treaties, such as the **Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**, expressly require States parties to try or extradite offenders.

At the international level, in the 1990s, in the wake of genocide and crimes against humanity in Rwanda and the former Yugoslavia, ad hoc tribunals were established by the United Nations Security Council to bring to justice persons responsible for serious abuses in those countries.

Subsequently, as the decade and the millennium drew to a close, the international community advanced the cause of enforcement significantly with the adoption, in Rome on 17 July 1998, of the **Statute of the International Criminal Court**, which entered into force on 1 July 2002, creating a permanent international tribunal to give effect to the affirmation in the **Universal Declaration of Human Rights** that:

'It is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law.'

WHY STANDARDS ARE IMPORTANT

Prison managers should be familiar with these HUMAN RIGHTS standards and means of enforcement and have them available for reference.

The standards should be integrated in the training material for staff and recruits and be reflected in prison policies, regulations and standing orders.

Prison officials also have a duty, as stated in Rule 35(1) of the *Standard Minimum Rules for the Treatment of Prisoners*, to ensure that all prisoners be informed of their rights and obligations. Prisoners are indeed entitled to know what their rights are and to have access to complaint and redress mechanisms when these rights are not respected.

Some prison officials sometimes see their obligation to provide that kind of information to prisoners as a hindrance to their efforts to keep inmates under control. However, maintaining control over the prisoners need not be opposed to upholding their rights.

Maintaining a balance between ensuring control and upholding the rights of prisoners is what distinguishes a progressive and confident leadership from one that is weak and fearful. The topic of control and security will be further addressed later in the course.

KEY POINTS / CONCLUSION

- Fundamental human rights provide the basis for international standards and norms relating to people in prison.
- A good understanding of international standards and norms is essential and central to establishing effective prison management.
- There are numerous sources of international standards and norms. They cover almost every aspect of prison management.
- Prison leaders have a personal responsibility to ensure that the rights of prisoners are respected at all times and to deal with instances where these rights are being abused.
- A challenge for prison leaders is to ensure the protection of the rights of prisoners without compromising the security and safety of society and the safety of prisoners and prison staff.
- International justice and human rights standards should be reflected in every prison policy, regulation, and procedure.
- Staff training should include training on the standards and human rights principles that must guide their work and their interactions with inmates.
- There cannot be any tolerance of unlawful detention, torture, cruel, inhumane or degrading punishment within the prison system.
- International standards must be communicated clearly to the prison staff and prison leaders must constantly reinforce their importance.
- Prisoners must be informed of their rights and obligations.

SESSION 3

IMPORTANCE OF THE LEGAL FRAMEWORK, POLICIES AND REGULATIONS

Slide 1 – TITLE

IMPORTANCE OF THE LEGAL FRAMEWORK, POLICIES AND REGULATIONS

Duration

1 hour

Purpose of Session:

The purpose of this session is to highlight the importance of the legal and policy framework that must guide the operation of prisons.

Prison leaders often find themselves having to work within an outdated and antiquated legislative framework which hinders rather than supports prison reform. The legislative framework may itself be in contravention of human rights law and international standards.

Objectives:

Slide 2 – OBJECTIVES

- To review the legislative framework in which the RRCs operate and consider whether it is in compliance generally with international standards and norms.
- To understand the importance of policies and regulations in the governance of RRCs and their effective management
- To understand some of the basic principles involved in the development of prison policies and regulations and their implementation

HIERARCHY OF LEGAL FRAMEWORK

The last session dealt in some detail with the International standards and norms that govern the operation of prison systems.

These **International Standards and Norms** should be reflected in national legislation regulating prisons and govern every aspect of the policies and regulations adopted by a prison system.

Discussion point:

Why do you think it is important for the International Instruments and Norms to be incorporated into National Laws?

Slide 3 - HIERARCHY OF LEGAL FRAMEWORK

- International Norms, Standards and Rules
- Prison Law
- Prison Regulations
- Prison Standing Orders
- Office Instructions

Ideally, prison policies flow from the prison legislation (and the criminal law) and operational policies are adopted to implement legal rights and regulate prison life in accordance with the law.

Prison regulations should flow from national law and prison policies and comply with international standards and norms.

The exact scope of prison related laws, regulations and standing orders varies from jurisdiction to jurisdiction but a number of common themes can be seen.

Prison Law is approved by the legislature or Parliament. It sets out the philosophy of the prison system and provides the high-level policy framework. An example could be the right of prisoners to maintain contact with their family through visits.

Prison Regulations or **Rules** are issued by the relevant Minister under the power conferred by a section in the Prison Law. It sets out more detailed policy, expands upon what is contained in the Law and often sets standards to be met. An example could be the number, duration and types of visits.

Prison Standing Orders (Standard Operating Procedures) are issued by the prison administration under the power conferred by the Minister in an article in the Regulations. They are long duration internal orders containing detailed procedures, routines and operational directions to staff on how to implement the Law and Regulations. An example could be the operation of visits, searching, monitoring, booking, or even the security of visits.

Office or Circular Instructions are issued by the prison administration. They are short duration instructions or those that have limited applicability. An example could be specifying that additional visits are to be granted to all prisoners to celebrate the festive season in October.

Policies and norms must be developed in a way that does not constitute unacceptable discrimination between prisoners. They must be applied fairly

HANDOUT 1 – REGULATORY FRAMEWORK

In practice, prison policies are not always well aligned with legal norms (international and national) and they often are not well articulated, communicated or applied.

It is not rare to find institutions where policies and regulations are insufficient to guide everyday decision making, poorly documented, in contradiction with each other, or even unlawful.

In some prison systems, operational policies have not been standardized or have been allowed to evolve in various directions at the whim of individual decision makers. The enforcement of these policies is not always monitored as it should.

PALESTINIAN LAW

Discussion point:

What are the main Laws that govern the operation of RRCS?

Slide 4 - PALESTINIAN LAW RELATED TO PRISONS

- Reform and Rehabilitation Centres law (No 6 of 1998)
- The Basic Law, 2002 (amended 2005)
- Punitive Procedures Law (No 3 of 2001)
- Juvenile Law (Jordanian Law No 16 of 1956)
- Child Law (No 7 of 2006)
- Penal Code (Jordanian Law No 16 of 1960)

Law Number 6 of 1998 is the main legal instrument that sets out how the RRCs should be managed and it consists of nineteen sections.

[Allow 10 minutes for activity and 5 minutes for each group to present its findings]

ACTIVITY - GROUP 1

Compare the subject headings of SMR and Law Number 6.

*Are there any **subjects** in the SMR that are not in Law 6?*

ACTIVITY - GROUP 2

Compare the subject headings of SMR and Law Number 6.

*Are there any **contradictions** between Law 6 and the SMR?*

ACTIVITY - GROUP 3

Are there any parts of Law 6 that are **not currently implemented** in the RRCs?
Why do you think that is the case?

REGULATIONS

There are seven new Regulations that have been developed in consultation with UNODC:

Slide 5 - NEW REGULATIONS

- Admission
- Healthcare
- Work and Training
- Early Release
- Visits
- Discipline and Punishment
- Staff

Admission

The policy set out in this Regulation is to ensure that no person without a valid warrant or detention order is admitted to a RRC and that all prisoners on admission go through a comprehensive admission procedure. Prisoners arriving in RRCs should be the subject to an admissions process that ensures that their rights and health are protected and the health and safety of other prisoners and staff is maintained.

Healthcare

The policy set out in this Regulation is to ensure that all prisoners have access to appropriate levels of health care at all times. The main provider of medical services to prisoners held in the RRCs is the Military Medical Service (MMS). A key duty of any prison system is to ensure and maintain the proper physical and mental health of prisoners in its care. This involves providing appropriate treatment for prisoners'

existing medical conditions and also preventing the spread of disease and infection amongst the RRC population and to staff.

Work and Training

The policy set out in this Regulation is to provide prisoners with the opportunity to learn new skills and to perform remunerated work in order to enhance the possibility of finding suitable employment when they return to their communities. The purpose of this Regulation is to highlight that one of the key functions of the RRCs is to rehabilitate prisoners. Successfully rehabilitating prisoners, by giving them opportunities to learn new skills and to use their existing skills, helps to reduce reoffending by prisoners on release and, as a consequence reduces crime and protects society. Employment shall be such as to instil in the prisoners a work ethic to prepare them for release. The purpose of paying prisoners for their work in a RRC is to encourage and reward their constructive participation in the regime of the establishment. It must not therefore act as a disincentive.

Early Release

The policy set out in this Regulation is to provide the Minister with proposals for the early release of prisoners who have completed two thirds of their sentence, or 20 years in the case of prisoners serving a life sentence, and who meet the criteria set out in the Regulation. GARRC has a responsibility to assess prisoners at the two thirds point in their sentence and to make a proposal to the Minister for the prisoner's release. Early release serves a number of purposes: rewarding good behaviour in the RRC; reducing the number of prisoners held in RRCs; and assisting the prisoner to reintegrate back into society. GARRC will assess the prisoner and will only propose early release if the prisoner meets the criteria set out in this regulation.

Visits

The policy set out in this Regulation is to permit prisoners, at reasonable times, to receive visitors. Visits provide an opportunity for prisoners to maintain contact with family, friends and professional visitors. Visits also assist in maintaining good order. Good quality visits in a relaxed atmosphere make a significant contribution to the well being and attitude of prisoners. Visitors should be treated with respect at all times, and a sensible balanced should be struck between this requirement and those relating to security.

Discipline

The policy set out in this Regulation is that GARRC will set out clearly the Rules that must be adhered to by prisoners. Where a prisoner is alleged to have broken the Rules he shall be subject to the disciplinary procedures and punishments set out in this Regulation. All prisoners shall be given due process of hearing when charged with violation of the Rules. The aim of this policy on disciplinary procedures is to

remove arbitrariness in handling cases of offences against the Rules and to promote the principle of the right to a fair hearing for prisoners.

Staff

The policy set out in this Regulation is that GARRC will recruit, train and value staff in order to ensure that GARRC is able to achieve its goals in the most effective manner. Staff will be treated with fairness, respect and openness. Staff safety and well-being will be a prime concern of GARRC. Staff are GARRC's most important asset and every effort shall be made to ensure that staff are able to give of their best. It is essential that staff should be carefully selected, properly trained, supervised and supported. Recruitment systems will ensure that only appropriate staff are selected and appointed. Staff will be trained and developed to enable them to make the best contribution possible. Managers will set standards, provide staff with clear direction and guidance, and support them in their work. The conditions of employment for staff will reflect the critical importance to the effective operation of the RRCs.

Additional Regulations are also being developed.

Discussion point:

What additional Regulations do you think are needed? On what subjects?

STANDING ORDER (STANDARD OPERATING PROCEDURE) MANUAL

Discussions are also taking place on developing Standing Orders or Standard Operating Procedure Manual that will set out in detail the technical and operational requirements that should be followed in implementing the Law and Regulations.

GOOD PRISON MANAGEMENT

Many of the issues and challenges faced by prison managers in relation to international human rights standards and norms revolve around the implementation of these standards and their adaptation to the conditions that prevail in their own prison system and within their country's legal framework.

International standards and norms are ideals and goals agreed upon by the international community. Achieving those goals is the work and responsibility of the governments themselves. Mapping out how those goals are to be achieved in practice within the prison service is often left in large part to prison officials.

Slide 6 - A STARTING POINT

The rules, regulations, policies, and procedures of a prison service, which themselves must be grounded in the appropriate legislation, are usually the starting point for ensuring compliance with these standards as well as the sound and effective management of the institutions.

It is often the case that prison legislation is outdated and in need of reform. Prison leaders can also play a role in promoting the adoption of adequate legislation or the alignment of existing laws with international standards.

Good prison management relies on the effective and efficient performance of a number of functions and activities. These are covered in the remaining sessions in the course.

KEY POINTS / CONCLUSION

- Sound and human rights based laws and regulations around prisons and treatment of offenders are an important basis for good prison management.
- The legislative framework may not always be in compliance with human rights law and international standards.
- Prison leaders are not powerless in that regard and can play an active role in promoting a review of the existing legislation and therefore initiating a momentum for correctional law reform.
- Prison leaders can provide direction and effect important change by leading the development of prison policies, reviewing and amending operation policies, directives, and standing orders and setting in place mechanisms to communicate these policies and ensure their effective implementation.

SESSION 4

CURRENT CHALLENGES and PLANNING FOR THE FUTURE

Slide 1 – TITLE

CURRENT CHALLENGES

Duration:

1 hour

Purpose:

So far we have talked about the international and Palestinian framework for the management of RRCs.

This session aims to encourage participants to identify the many challenges they face as prison leaders in managing a prison. They are encouraged to consider both the daily practical problems they face, as well as the broader challenges they have met or should anticipate in bringing their institutions into compliance with international human rights standards and norms.

The main purpose of this session is to map out the issues and challenges to be discussed during the rest of the workshop.

It is important during this session that participants establish a supportive dialogue among themselves and agree to work as a team. The whole workshop should be structured so as to give participants a first-hand experience of cooperative problem-solving and change planning experience. Relationships built during this and other training sessions can become a source of support for participants after they return to their respective RRCs.

Objectives of session:

Slide 2 – OVERVIEW

- To identify the main challenges currently associated with managing your RRC.
- To identify any additional challenges you can anticipate while attempting to bring their RRC in compliance with international norms and standards.
- To identify some of the prison system's basic capacity shortages and deficits.
- To compare your own experience with that of other participants.
- To develop a plan of action for developing your RRC.

CHALLENGES

Slide 3 - THE CHALLENGE

Prison leaders face numerous challenges, many of which are not within their control. It is important for prison leaders to remember that solutions and responses can come from within the RRC, within the GARRC as a whole, from the community or even from the prisoners' families and relatives, or from other parts of the criminal justice system.

HANDOUT 2 – ENGINES OF CHANGE

The Handout illustrates several categories of issues that typically pose difficult challenges for prison managers. For each category there exist human rights standards that can offer guidance on what is the right action to take. Of course, one of the main obstacles that is faced, is the shortage of financial resources. We will explore that issue in session 8.

At the centre of the figure on the handout, one finds four main engines of change: law (legal reform); policy formulation and implementation; oversight and transparency; and leadership. All of these engines can be actively supported by civil society which clearly has a role to play in democratic societies in advocating for reforms and supporting them.

The task faced by prison managers in balancing the goals of public safety and the objective of helping prisoners for a successful return to society is a very difficult one. Radical changes to existing practices are often required and, in the absence of more elaborate mechanisms, a simple but effective planning process is often sufficient to guide these changes.

STRATEGIC PLANNING

GARRC has recently been through a strategic planning process, supported by UNODC.

This process has produced a Strategic Plan which sets out the framework in which GARRC operates and the direction in which it will develop.

One of the key administrative activities that managers should undertake is planning for the development of their own Centres. This planning does not need to be as detailed as that undertaken by GARRC but should consider what needs to be done to develop the centre and its staff.

Let's start with some definitions.

DISCUSSION POINT:

What do you think Strategic Planning means?

What does it involve?

What issues should be considered?

Slide 4 - STRATEGIC PLANNING DEFINED (1)

'a disciplined effort directed at making essential decisions and establishing essential activities that:

- Shape and indicate what an organisation represents,
- What it does,
- Why it does what it does,
- While constantly focusing on the future.'

The strategic planning process requires discipline, given the need for a certain order and sequence to ensure that the process is focused and productive. The process of developing the plan involves the asking of a series of questions and constantly challenging ideas and assumptions.

Slide 5 - STRATEGIC PLANNING DEFINED (2)

'a process that helps an organisation to:

- Plan its future activities,
- Identify priorities,
- Efficiently allocate resources (not only financial, but also its human and other material resources), and
- Monitor progress against the set strategic objectives.'

PURPOSE OF THE STRATEGIC PLANNING PROCESS

The **purpose** of carrying out a systematic strategic planning process in order to develop a strategic plan is to:

Slide 6 - PURPOSE OF STRATEGIC PLANNING

- Enable the identification of priority issues in order to help inform the budgeting and normative process;

- Provide guidance as to what should be the focus of policy development initiatives;
- Provide a solid evidence base for decision makers to consider and decide on their priorities, as well as on the optimum allocation of resources (financial and human) both for the current time and the future

Some of the **basic features of successful strategic planning** are

Slide 7 - SUCCESSFUL STRATEGIC PLANNING

- Strong leadership and vision of the RRC's management;
- A participative and consultative approach which involves a wide range of the RRC's internal staff and external stakeholders;
- Gathering of clear evidence to inform the development of strategic objectives;
- A realistic assessment of available funds and human resources;
- Consideration of a broad spectrum of views and priorities before taking decisions aimed at creating consensus
- Clarity on what period the plan should cover

Any strategic planning exercise usually follows a Planning Cycle that asks 3 questions:

Slide 8 - PLANNING CYCLE

1. Where are we now?
2. Where do we want to go?
3. How do we get there?

1. WHERE ARE WE NOW? - SITUATIONAL ANALYSIS.

The starting point then is to ask the questions - Where are we now?

Or put another way - how well does your RRC comply with the International and National Standards and Norms?

Slide 9 - SITUATIONAL ANALYSIS

What are the:

- Strengths (compliance)
- Weaknesses (areas of non compliance)
- Opportunities (that will contribute to achieving compliance)
- Threats (that will make compliance difficult)
- RRC Population Projections and analysis (that will impact on compliance)

For my RRC?

A brief situational analysis of each RRC indicates the context in which the plan is being developed.

This helped us to understand the impact of the external environment on RRCs such as trends, events or initiatives affecting its ability to achieve its mission; external requirements and so on.

A preliminary identification of issues is likely to reveal that many of them are indeed the results of social, political, and environmental factors over which prison managers have little control. However, we must understand how these different issues are interrelated in order to begin to address them more effectively.

The **final output is an analysis** which summarises both the internal and external context in which a strategic plan should be developed. The situational analysis will also feed into the identification and prioritisation of strategic priorities.

One of the important links between the prison system and other organisations is link to the rest of the **criminal justice system**. How the criminal justice system deals with offenders determines the size and composition of the prison population. In planning reforms of the prison system, one should be aware that the efficient management of prisons and the humane and fair treatment of prisoners do not depend solely on the actions of prison authorities. What happens in prisons is related to how the criminal justice system as a whole is managed, and what pressures that system is under from external factors.

The extent to which the criminal justice system in general, and imprisonment in particular is seen as the answer to social problems is often the result of public attitudes that can have a deep impact on the use of prisons in a country. In dire circumstances, where other institutions do not exist or are failing, prisons are unfortunately used sometimes to address other social needs. In the absence of mental health institutions and orphanages, for example, they are used to house mentally ill individuals, street children or orphans. The lack of alternatives to prisons forces them to perform functions for which they are not equipped, often with dreadful consequences for those involved.

An **analysis of future population** for the RRC is important therefore. This should take into account:

Slide 10 - ANALYSIS OF RRC POPULATION CHANGES

- Will the total population in my RRC increase? (Population Growth Rate)
- Will the flow through the RRC change (new arrivals/discharges)
- Will the types of prisoners held in my RRC change? (Age, gender, sentence length)

ACTIVITY:

Think about your RRC for a moment.

What are its strengths, weaknesses, opportunities and threats?

Individually or in small groups write them down on Handout and feedback.

HANDOUT 3 - RRC SITUATIONAL ANALYSIS

2. WHERE DO WE WANT TO GO?

The foundation for the reform or improvement of a prison system for both its buildings and infrastructure and its operating conditions and practices is a **comprehensive set of core aims, purpose, mission and values**.

Slide 11 - Visioning

1. Mission, vision and goals
2. Aims and purpose
3. Values and principles

The **mission and goals** that a nation has towards the treatment of criminal offenders will affect the direction and the degree to which the development of new prison facilities or the reform of an entire system is undertaken.

The **formal mandates** for GARRC are contained in the law, codes, rule books and administrative orders.

GARRC's mission or purpose was captured in a short statement that prison staff, prisoners and the public can understand - it answered three questions:

- What does GARRC do?
- Why does GARRC do it?

- For whom does GARRC do it?

A **vision for the future**, in addition to the mission statement, was developed. It answered the question, "What will success look like?", and described what the organisation should look like as it achieves its full potential.

The **values and principles of GARRC were also considered**. This included considering how RRCs operate and how they will conduct themselves. These were consistent with both the UN "Standard Minimum Rules for the Treatment of Prisoners" and other contemporary national standards.

These are now set out in the GARRC's strategic plan

Using your situational analysis you will need to identify where you want to take your RRC - in other words:

How do you want your RRC to develop?

These are known as the strategic objectives and tend to cover a number of areas:

Slide 12 - Identification of strategic objectives for each RRC

- Prison Estate and Buildings
- Prison Staff and Administration
- Balanced Regimes and constructive activities
- Safety, Security and control
- Delivering Key Services (healthcare, food, sanitation, visits etc)

ACTIVITY:

Think about your RRC for a moment.

What are the main areas that you want to change or develop in order to meet GARRC's mission, vision and goals.

Individually or in small groups write them down on Handout and feedback.

HANDOUT 4 - RRC STRATEGIC OBJECTIVES

3. HOW DO WE GET THERE?

The third stage in the cycle is identifying the actions that will produce the outcomes that you want for your RRC.

Identifying actions is at the heart of planning. Actions are different ways of realising the vision and objectives.

There will, of course, be many possible actions to deliver the outcomes. You will need to evaluate possible actions based on feasibility of implementation, cost and capacity.

The design and selection of actions must respect local traditions and cultural processes, as well as be long term and consistent with other plans, including, for example the GARRC Strategic Plan and Ministry plans.

Slide 13 - Generate actions for delivering priority objectives

What actions could be undertaken to achieve each strategic objective?

- Policy and Regulation
- External stakeholders
- Pilot or demonstration projects
- Information, Research and Analysis
- International examples
- Staff (training, recruitment)
- Finance
- Infrastructure (buildings, equipment)

ACTIVITY:

Think about your RRC and the strategic objectives that you developed earlier.

What are the actions that you and GARRC can do to achieve those objectives?

Individually or in small groups write them down on Handout and feedback.

HANDOUT 5 - RRC ACTION PLANNING

Once you have completed the Handout, keep it safe as you will need it later in the course.

SESSION 5

EFFECTIVE LEADERSHIP

Slide 1 – TITLE

EFFECTIVE LEADERSHIP IN THE PRISON ENVIRONMENT

Duration:

1.5 hours

Purpose of Session:

This session builds on the work we did yesterday by focusing on how prison leaders implement the International Standards and strategic plans.

Unlike the last session yesterday, which was more concerned with the issues and problems faced by prison leaders, this session is about the leaders themselves and their own skills. It is about various personal aspects of leadership and the wide ranging competencies that good leaders must have or strive to acquire.

The purpose of this lesson is to understand the characteristics of good leaders and the role they play in bringing about organisational change within prison settings. Effective leadership is required in order to carry through important prison reforms.

The session is meant to help you reflect on your own leadership skills and styles and better appreciate the general characteristics of effective leadership. It is also meant to help you identify, either from self-reflection or from feedback from others, your own development needs in order to strengthen aspects of your character or behaviour. Being honest with oneself and to be able to openly discuss one's own faults and weaknesses will determine how successful this session will be.

Objectives:

Slide 2 – OBJECTIVES

Participants will:

- Become familiar with different models of leadership and their suitability for the prison system.
- Understand how some cultural and social factors may dictate a specific approach to leadership, one that may be more suitable to the prevailing circumstances in GARRC.
- Become familiar with the basic competencies and skills of prison leaders.
- Understand the need to build some leadership capacities around them and to build a leadership team.

- Understand the importance of task forces and task groups and how they can be strategically empowered to affect certain reforms.

It is worth highlighting at the outset that Leadership is not just something which can be left to the Director General of GARRC to do. All managers in the RRCs must demonstrate team leadership, senior managers must be operational leaders, and Directors cannot be effective without providing strategic leadership.

WHAT IS LEADERSHIP

I want to spend a few minutes now looking at what is meant by Leadership.

There has been some debate about the relationship between management and leadership. For some people Leadership is distinct from management.

Discussion point:

Do you think there is a difference between leadership and management?

What are the differences?

Research suggests that there are some differences - these are described in the Handout.

HANDOUT 6- DIFFERENCES BETWEEN LEADERS AND MANAGERS

Effective managers do not have to be leaders. They can manage people and resources to produce a desired outcome.

Leaders do not have to be managers. Many examples exist of leaders who have no management responsibility - for example, leaders of riots and demonstrations or some trade union officials.

Some individuals bring the two concepts together - they are at the same time managers and leaders. As managers, they choose to lead and people choose to follow them.

Some would argue that it is this issue of choice which distinguishes management from leadership. To be a leader you must want to lead and people must also want to follow you.

There is one element which unites past and present conceptions of leadership: a **sense of vision**. Visions set the theme for organisations and carry them forward.

This is only true if the leader can communicate the vision and carry people with them.

Visions need to be powerful, persuasive and living. To work they must motivate and sustain people through their implementation.

Slide 3 - LEADERSHIP AND VISION

Leaders must:

- Set the theme and vision for the RRC
- Communicate the vision and carry people with them.
- Bridge the gap between the noble aspiration of the vision and the day-to-day reality of life in the RRC

Discussion point:

How do you think prison leaders can bridge the gap between vision and day-to-day reality in the RRC?

LEADERSHIP THEORIES

There are various theories about Leadership.

Slide 4 - LEADERSHIP THORIES

- Great person theory
- Trait theory
- Behaviourist theory
- Situational theory
- Transactional theory
- Transformational theory

'Great person' theory suggests that leaders are born and not made. This theory has at its core the notion that leadership cannot be developed or taught but that leaders will emerge based on their genetic characteristics.

Trait theory involved identifying the traits demonstrated by great leaders and then developing those trails in people who will take on a leadership role.

Behaviourist theory emphasises that what leaders do is important, not what their characteristics are. This theory has generated lists of leadership styles.

Situational theory views leadership as specific to a situation rather than a particular sort of personality. It is based on the view that different circumstances require different forms of leadership and goes on to identify contingent leadership styles for specific situational variables.

Transactional theory which places emphasis on the relationship between leader and followers. It examines the mutual benefit from the leader offering certain things (resources/rewards) in return for the followers' commitment or acceptance of the leader's authority.

Transformational theory which focuses on intrinsic motivation. The emphasis is on commitment rather than compliance from the followers. The transformational leader is therefore a pro-active, innovative, visionary.

ACTIVITY (as individuals or in small groups)

Think of THREE people from history who you think were great leaders.

Which leadership theory applied to them?

Make a list of what made them great leaders?

What did they do?

How did they behave?

Were they born a great leader or learn to be a leader or was it the situation that they found themselves in?

PRESENT YOUR THOUGHTS TO THE GROUP

LEADERSHIP TRAITS

I want to focus for a moment on **Trait theory**.

Slide 5 - LEADERSHIP TRAIT THEORY

- **Trait theory** involved identifying the traits demonstrated by great leaders and then developing those traits in people who will take on a leadership role.

The personal qualities, or traits, found in leaders have been the subject of debate for many years. The handout compares early research with more recent findings of

genetic leadership qualities. All the qualities identified can be developed and are not restricted to 'born' leaders.

HANDOUT 7 - LEADERSHIP QUALITIES AND TRAITS

Discussion point:

What do you think about the lists?

Do you agree that today there is a need for different qualities in leaders?

Would you add any other qualities or traits to the list?

An effective leader needs certain personal qualities such as determination, judgement, flexibility, empathy etc.

But these will vary with the situation. There has never been any agreement on the right mix of qualities. Also, developing qualities is a very slow affair.

So although qualities are important, this is not an ideal approach for studying or developing the craft and skills of leadership.

LEADERSHIP BEHAVIOUR

Slide 6 - LEADERSHIP BEHAVIOUR THEORY

- **Leadership behaviour theory** involves looking at what leaders actually have to do - leadership activity.

The role of the leader is to get a job done through the people he or she leads. The performance of people as individuals and as teams is vitally affected by the actions the leader takes to guide, support, encourage, consult, challenge, co-ordinate and so on.

A leader therefore **takes action** to enable his or her group to co-operate as a team, but also to maximise their contributions as individuals, towards the common purpose and objectives of the organisation.

A good model of leadership activity is the 'Action Centred Leadership Model'.

Slide 7 - ACTION CENTRED LEADERSHIP MODEL

The leader takes action to:

- Achieve the TASK

- Build the TEAM
- Develop the INDIVIDUAL

A breakdown or neglect in any one of these areas will quickly affect both the others, and prevent the job being done as effectively as it could have been. The leader's role is to take the appropriate actions, as the priorities of the situation continually change, guiding and supporting individuals, welding them into a team committed to getting the job done.

Discussion point:

As a leader what are your responsibilities/actions under each of these elements, if you are going to achieve your goals for your RRC:

Task - Team - Individual

HANDOUT 8 - ACTION CENTRED LEADERSHIP

An effective leader will be able to achieve a balance between the three elements, ensuring that no one area dominates.

SITUATIONAL LEADERSHIP THEORY

Another element of leadership matching your leadership style to the situation.

Slide 8 - LEADERSHIP STYLE

Leadership style is:

- How you behave when you are trying to influence to the performance of someone else.
- A combination of directive and supportive behaviour.
- Variable depending on the situation

Four leadership styles have been identified:

- directing
- Selling
- supporting
- delegating

The level of:

- structure
- control
- supervision
- praise
- facilitation
- listening

will vary **depending on the situation.**

Discussion point:

*Can you give me some examples of when a **directive** style is more appropriate?*

*When would a more **supportive** style be more effective?*

“Command and control” (Directive Style) is a common way of managing prison as well as other forms of law enforcement agencies.

Research has shown that this type of does not always result in the most effective use of staff and does not necessarily lead to respect by staff for those in positions of leadership.

It should be replaced, except in extreme circumstances, with a more collaborative and consensus building style so that prison staff feel valued and appreciated.

Obviously in the event of emergencies, there must be strict protocol in place, but during a normal working period, it may be possible to move to a different style of leadership. The challenge in this case is one of how and when to be flexible in leadership style in order to bring about the most effective results while still commanding authority and respect of staff.

Each of the four styles has its strengths. To move groups from needing constant attention to the point where they can largely be left alone requires gradual moving from styles of greater direction to styles of greater support. Eventually, the fully independent groups do not even require much support on a regular basis.

The Handout sets out a variety of tactics for operating successfully in the four styles. Note some tactics that you can use in motivating your employees to move from one quadrant to another.

HANDOUT 9 - LEADERSHIP STYLES

ASPECTS OF LEADERSHIP

There are some essential aspects of leadership with which all prison leaders must become very familiar in order to be able to bring change within their own organisation.

These are set out in the handout:

HANDOUT 10 - ESSENTIAL ASPECTS OF LEADERSHIP

View your leadership role as a challenge; don't be afraid to face challenges, take risks, and be positive about learning from your mistakes.

Build a common and shared vision with your colleagues and staff and ensure the vision includes values and interests of as many of them as possible.

Praise and reward individual achievement and successes: this will inspire those around you to want to improve and do more.

Be a model for others;

Encourage feedback from others and provide the same to your colleagues;

Build trust and real cooperation by effective delegation of authority and empowering staff to take the initiative and developing their own competence and confidence.

ROLE OF THE RRC DIRECTOR

The key leader in the RRC is, of course, the Director. The role of the prison director is arguably the most important role in any prison system.

Discussion point:

Do you agree that the prison director is the most important role in the prison system? Why do you think that the role is so important?

Slide 9 - THE RRC DIRECTOR

The RRC Director is responsible for the running of the RRC in all its elements:

- from keeping prisoners in custody and preventing escapes
- to ensuring that prisoners are looked after with humanity

- to helping them lead law abiding and useful lives in custody and after release

Whether or not someone is suitable as a director is to a great extent determined by aspects such as training, attitude and dedication – as **Rule 50 (1)** the **Standard Minimum Rules** makes clear:

Slide 10 - CRITERIA TO BE A DIRECTOR

'The director of an institution should be adequately qualified for his task by character, administrative ability, suitable training and experience'.
(Rule 50(1))

Two capabilities seem crucial for a prison director as they acting in an essentially hierarchical and rather formally regulated institution, namely:

- A sense of democratic and humane leadership
- Being an inspirational, motivating person.

Partly it is a matter of personality; partly it can and should be developed by highly qualified training.

Discussion point:

What do you think are the most important things that a director should do? How should they behave?

A director should know how to run an organization, be well versed in the legal system, understand how society functions and be aware of the prison's place in society. A director also should be conscious of his or her position as a role model.

Subject matters which the director considers important usually will be regarded as important by the staff, and issues which the director considers unimportant will be neglected by the staff.

On the one hand, the director should monitor his or her personnel, while on the other he or she should foster an open attitude which allows staff a degree of creativity in the performance of their duties.

A director should be a visible figure within the prison, maintaining formal and informal contacts with his staff.

He or she should listen to problems, and solve them to the best of his or her ability, while at the same time demonstrating a critical attitude and ensuring that staff do their work properly.

He or she should keep an eye on the way officers work, and stamp out any abuses.

Prison directors should show a willingness to speak to prisoners, treating them first and foremost as human beings entitled to respect.

Directors should protect the interests of prisoners in the prison, acting for them in situations involving the staff or the world outside prison.

In their actions directors should be guided by the notion that it is in the interests of both prisoners and society to reduce to a minimum the difference between life in detention and life in society.

Directors should ensure that the RRC's interests are served in the sense that they should make every effort to obtain from the central authority such funds as are necessary to allow the RRC to function properly.

Directors should be aware that they have to account for their prisons' policy and also influence national penal policy. This entails enabling the central authority to carry out inspections, issuing regular policy reports and communicating openly with relevant bodies outside the prison.

Research has found that there are various qualities that effective prison leaders demonstrate.

HANDOUT 11- PRISON LEADERSHIP QUALITIES

Discussion point:

Think of the RRC Directors that you have worked with. Do you think any qualities are missing from the list?

No matter what style of leadership is preferred by prison leaders, they are responsible individually and collectively for what happens in their respective institutions.

ACCOUNTABILITY

Accountability is the measure of a good manager and leader.

Slide 11 - ACCOUNTABILITY

In a prison system committed to respecting human rights and international justice, prison leaders are responsible individually and collectively for implementing these norms and must be accountable for doing so or failing to do so.

Good prison leaders are expected to be honest and transparent in their decisions and their utilisation of human and financial resources at their disposal. They must be people who hold high ethical values and who will confront corruption and dishonesty with the strength and determination to fight them. They must also be honest with themselves and understand their own behaviour. Taking responsibility for their decisions and actions is critical to being accountable.

International standards and norms may talk about accountability in general terms but they do not prescribe specific standards of accountability. That is left to the government agency or body implementing those standards. In a perfect world, all prisons everywhere would be in compliance with the prison standards and norms mentioned in an earlier session.

Accountability is often used synonymously with the word “responsibility” and it entails being answerable for one’s actions. Prison leaders are not only accountable for their own actions but also responsible for promoting accountability throughout their institution.

A formal accountability structure should exist in each institution and throughout the prison service. Officials responsible for the prison service must be accountable under the law to government authorities. Prison managers must be held accountable for the effective management of prisons, the use of resources, the enforcement of the law and the application of the policies and regulations. All staff must be accountable for their conduct and decisions and in particular for the use of force and restraints, and how they treat offenders in general.

Within the formal structure of government, there is usually a hierarchy of positions and each level is accountable and answerable to the next level.

The accountability process might include regular reports on incidents and prison conditions, or reports justifying certain disciplinary actions, use of force, or decisions taken to change the conditions of prisoners.

In many countries, there are other external bodies to which the prison officials are also accountable, e.g. civilian oversight bodies or the courts.

In some countries, there are ways to measure prison performance in terms of costs, effective deployment of human resources, number of prisoners who escape, the number and nature of prisoners’ complaints and how those have been dealt with, etc.

Some of the ways in which prison leaders can encourage accountability throughout a RRC or a whole prison system are set out in the next Handout.

HANDOUT 12 - PRISON LEADERSHIP AND ACCOUNTABILITY

In many cases, large hierarchically and bureaucratically structured government organisations make it difficult for individuals to come forward to report wrongdoings or bad decisions made by one of their own.

Often individuals fear reprisals from colleagues and senior officers if they are seen to be a “whistleblower”. Silence about wrongdoings such as corruption undermines accountability. Therefore, one of the challenges faced by managers is how to establish a safe environment within which sensitive information can be reported through proper channels and be dealt with transparently.

Leaders have to consider how best to address incidents of corruption, incompetence, or unethical behaviour. It is important to have procedures and protocols clearly stated and followed and investigate and respond diligently to any incident of corruption or perceived corruption.

KEY POINTS / CONCLUSION

Change within countries, legal systems, or prison facilities can only come about with the right kind of leadership.

Slide 12 - EFFECTIVE PRISON LEADERSHIP

Effective leadership requires:

- compelling vision, direction, and objectives
- support from higher ranking officials
- delegate responsibilities
- good team builders
- good communication skills
- strong and supportive relationships with their staff
- accountable for their actions
- establish and maintain close and constructive relationships with governmental and non-governmental agencies

Effective leadership requires a **compelling vision, a clear policy direction, and properly defined and coherent objectives** that can be communicated clearly.

It is important for good leaders to have the **support from higher ranking officials** in order to carry out their work.

Good leaders are able to **delegate responsibilities** and authority effectively and not try to control and retain all the decisions to themselves.

Good leaders are **good team builders**. They are able to identify leaders among their officers and staff and harness cooperation around certain activities or tasks.

Good leaders must have **good communication skills**. Much of the prison rules and regulations and job descriptions will inform officers and staff what is expected of them but leaders must also convey what kinds of discretion they may exercise, what their deadlines are for a certain task, what additional tasks are to be performed and how. Good communication comprises a mix of approaches e.g. it may involve putting some things in writing so that everyone has access to that information; it also involves both formal and informal discussions and meetings with both larger and smaller groups. Communication and direct contact with the leader should be made easy and leaders should have an open door policy so that officers may approach the leader if necessary. Access to the leader and any other senior staff is critical to good leadership and communication.

Good leaders establish **strong and supportive relationships with their staff** based on trust and mutual respect and they ensure that their staff understands what is expected of them. Good leaders engage and consult with staff, seek to build consensus around a course of action, and always make sure that their decisions are well aligned with their values, human rights standards and the principles of the Rule of Law.

Good leaders hold themselves and others **accountable for their actions**, are generous with their praises, and careful about their criticisms. Good leaders are always aware of their objectives and what they are trying to achieve in giving out praises and criticisms. Good leaders do not express criticism in order to humiliate or degrade staff but to encourage them to do better and make improvements.

Effective leaders must **establish and maintain close and constructive relationships with governmental and non-governmental agencies** as well as other community groups outside the prison to ensure there is cooperation, coordination and assistance when they are needed. Within the criminal justice system, it is important for prison leaders to have a cooperative relationship with law enforcement.

SESSION 6
MANAGING CHANGE

Slide 1 – TITLE

MANAGING CHANGE

Duration:

1.5 hours

Purpose of Session

GARRC is undergoing a significant amount of change.

You, as leaders in the RRCs, are responsible for managing that change as it impacts on your staff, the prisoners and institution.

You are responsible for ensuring that the changes which have to be made are carried out successfully in order to make certain that your RRC is fit for the role that it is being asked to perform today.

In the process you will probably find resistance to the changes that need to be made. You must have the knowledge and ability to deal with the change and any resistance.

Objectives of Session:

Slide 2 – OBJECTIVES

- To show the connection between change, organisation development and change management
- To distinguish between the different types of change
- To explain the origins of change in terms of internal and external influences
- To explain the phases and steps in the change process
- To discuss the reasons for resistance to change
- To explain the techniques which can be used to overcome resistance to change
- To describe the manager's role in organisation development

DEFINITIONS

So what do I mean by change?

Slide 3 - CHANGE DEFINITION

Change is:

- reaction to any event which affects the activities of an organisation directly or indirectly.
- Includes: technological development, legal changes, physical changes, restructuring and the adjustment of existing work schedules.

DISCUSSION POINT:

What changes have taken place in GARRC in the last 12 months?

Organisational development is the planned way in which an organisation manages change.

The process through which this change takes place is known as change management.

TYPES OF CHANGE

Change can be distinguished between six categories:

Slide 4 - TYPES OF CHANGE (1)

1. **Developmental change** - improving systems, procedures and applications.
2. **Transitional change** - replacement of obsolete systems and facilities/institutions with newer ones
3. **Transformational change** - change of people's attitudes towards, and view of, the organisation's vision, mission, culture and habits.

Slide 5 - TYPES OF CHANGE (2)

4. **Structural change** - work simplification, job enrichment, job adjustments aimed at job satisfaction and the improvement of the morale and performance of staff.
5. **Behavioural change**: channelling the attitudes, knowledge and skills of the staff into new directions and at improving their ability to complete tasks
6. **Technological change**: new ways in things can be done using technology.

ACTIVITY:

Looking forwards to the next three years, what sort of changes do you expect will happen? Complete the Handout with your ideas under each heading.

Handout 13 - ORGANISATIONAL CHANGES IN GARRC in the next three years

Give participants 5 minutes to complete Handout and then discuss their ideas.

THE ORIGIN OF CHANGE

Without change progress is not possible.

Change is the result of influences from the internal and external environment of the organisation.

Slide 6 - ORIGIN OF CHANGE

- Internal influences develop when managers try to change outmoded practices.
- External influences are in the form of pressure from specific external groups or bodies.

Internal Influences

Change often results from internal forces which arise from decisions, new policy, research results, operational problems, ambitions and personal preferences of leader figures in the organisation.

Results of research conducted by the organisation itself can, for example, lead to the creation of a new policy regarding certain activities which will ultimately lead to changed applications.

Personal style, preferences, ideals and ambitions of managers will also give rise to change. For example, the way in which certain things are done usually changes as soon as a new manager is appointed to a RRC.

In trying to find solutions to operational problems, new procedures and practices are often tested which result in changed applications.

DISCUSSION POINT:

Which of the changes you previously listed originated from internal influences?

External Influences

Changes, particularly in political, economical and technological fields, often have a direct influence on prisons.

Technological progress in particular has a direct and visible influence on the organisation and its staff. Technology has made it possible to react faster to a reported problem and find a solution to it. The ability of a computer to make information available to management almost immediately makes it possible to monitor and control progress and performance on a continuous basis.

Other facilities which are available on computer, such as e-mail and the internet, promote and facilitate not only communication between a headquarters and RRCs but also between RRCs. The new electronic file system is an example of where technology will have an impact on RRCs.

DISCUSSION POINT:

Which of the changes you previously listed originated from external influences?

I want to move on now to look at the change process itself.

THE CHANGE PROCESS

Slide 7 - CHANGE PROCESS

- Proactive change
- Reactive change

Structured strategic planning enables organisations to identify the forces in the internal and external environment which influence their activities.

In these cases change can be planned **proactively**. Proactive change can be brought about by anticipating forces which promote change and by developing strategies to deal with them.

However, because the future is unknown, organisations are often forced to act **reactively** to change. Since reactive change usually takes place quickly and can lead to misunderstandings and poor implementation, a more effective approach is to anticipate forces which promote change, and to plan in advance so that they can be dealt with in such a way that the organisation's activities can be changed in an orderly manner and in time.

DISCUSSION POINT:

Classify the changes you listed previously as proactive or reactive.

The process of change involves the transition from the present to a future situation. Three phases can be distinguished in the change process:

Slide 8 - PHASES IN THE CHANGE PROCESS

1. An unfreezing phase
2. A change phase
3. A refreezing phase

An **unfreezing phase** during which the organisation prepares to accept the necessity of the required change and resistance to change is limited to a minimum.

A **change phase** during which the required change is implemented.

A **refreezing phase** during which an already changed state of activities and events is reinforced and stabilised.

The phases in the change process can be subdivided into logical sequential steps:

HANDOUT14– ‘STEPS IN THE CHANGE PROCESS’

ACTIVITY:

Take one of the changes you listed previously and evaluate its implementation by means of the steps in the change process. Which steps were not followed, and how would you have dealt with the implementation of the change concerned?

MANAGING CHANGE

As manager you must ensure that you understand the nature, scope, advantages and disadvantages of, as well as the necessity for a planned change so that you can prepare your subordinates for the change.

It is also your responsibility to ensure that wrong interpretations and trouble making are nipped in the bud by providing correct and factual information. Change places many demands on your ability to persuade and motivate people to accept change and to implement it successfully.

Slide 9 - MANAGING CHANGE

Steps to take:

- Be clear what needs changing and why
- Set out the activities necessary to obtain a desired change
- Establish clear responsibility and delegating authority
- Establish accountability for managing key activities
- Identify the connectivity of the key activities
- Focus on the factors such as resources, methods, tools, and materials that will ensure the success of the key activities
- Monitor the impact of the key activities/initiatives (feedback on the change produced) and readjusting the activities/initiatives as necessary

RESISTANCE TO CHANGE

Any change results in disruption. When people cannot see the positive aspects of the change, there will be resistance, and it is therefore important that resistance to change is overcome and eliminated.

DISCUSSION POINT:

Think of examples of where you have tried to change something in a RRC and where some staff resisted. Why do you think some staff resist change?

Slide 10 - WHY PEOPLE RESIST CHANGE

- Loss of control
- Uncertainty in abundance
- Amazement, shock and wonder
- The new ways are the best?
- The loss of face – the hurt ego
- My skills are obsolete
- Change may be seen as disruption
- Heavier workload
- Past resentments

- Sometimes the threat is real!

Ten reasons why people resist change:

- 1. Loss of control** - People are threatened by change if it is imposed upon them, but paradoxically excited by being able to control the direction of change.
- 2. Uncertainty in abundance** - Fear of the unknown brings the fear of failure, incompetence and concerns for future prospects.
- 3. Amazement, shock and wonder** - Change, without warning, causes horror, resentment or hostility.
- 4. The new ways are the best?** - It can be difficult and uncomfortable to question our old habits.
- 5. The loss of face – the hurt ego** - Change can be seen as criticism of the old.
- 6. My skills are obsolete** - A new job description may cause worry about future competence and effectiveness.
- 7. Change may be seen as disruption** - Change at work can be seen as disruption to other plans, social and home life.
- 8. Heavier workload** - More work and effort are required. This can easily be seen as above and beyond the 'call of duty'.
- 9. Past resentments** - Old resentments and past bad feelings will start to surface.
- 10. Sometimes the threat is real!** - The rise in status of one might mean the loss of power of others. Pushing authority further down the organisation can be seen as exhilarating to some, as it is threatening to many more. The results are all too see: demoralised, dejected and frightened people, all of which are too easily translated into reduced effectiveness.

MANAGING RESISTANCE TO CHANGE

As a manager you must accept that resistance to change is a given which will occur in some kind of form and with some degree of intensity.

Against this background, a manager can implement certain techniques to overcome this resistance.

DISCUSSION POINT:

What steps do you think managers can take to overcome the resistance to change?

Slide 11 - MANAGING RESISTANCE TO CHANGE

- Preparation and Communication
- Participation in change
- The use of change agents
- Continuous Facilitation
- Negotiation
- Training
- Manipulation
- Co-optation
- Coercion

Preparation and Communication

Change is often implemented without any move to create the right climate – as if everybody understands or supports the logic or reason for the change. However, this is seldom the case and it is therefore not surprising that staff distance themselves from the change or resist it.

The preparation of staff for change is critical. This can be done through explanatory communication, letters, posters, videos and one-to-one discussions in order to promote the receptiveness for the planned change.

Staff must know exactly what the nature and scope of the change involves. This means that they must understand the necessity for the change, how it will affect them personally, and what value the change will hold for the organisation and its employees.

Participation in change

Staff do not identify easily with a certain change if they are not involved in the decision-making about how the change has to be brought about. When staff are not part of this decision-making, the process is usually labelled as “their” (meaning management’s) actions rather than “our” everybody’s actions. Since it is not cost effective (and probably impossible) in large organisations to allow everybody to decide about how the change must be implemented, representatives of all interest groups must be involved in the process.

The use of change agents

A collective change movement can be created by using change agents (influential members of staff who have been trained to act as champions for the change). Change agents must, however, be identified and appointed carefully. The acceptability of the agents by staff in general will determine how successful the agents will be. These change agents must also be properly trained and have effective communication and persuasive skills.

Continuous Facilitation

Management must continuously help staff to assimilate the change by answering questions which will clear up uncertainties, give reasons for the change, and bridge problems that might develop.

Negotiation

Resistance to change can also be bridged through negotiation, especially in cases where the core of the resistance lies in influential individuals within the organisation. In such as case, negotiations must be aimed at finding a win-win situation which will be to the benefit of both the individual and the organisation.

Training

When resistance to change develops as a result of the inability of people or a lack of confidence to deal with the demands, training offers the ideal solution. Through training people can be equipped with the necessary knowledge and skills to help them overcome the demands of change with ease and confidence.

Manipulation

This technique involves management influencing people by deliberately loading certain facts in a positive way to support a certain change. A positive acceptance climate for the change initiative can be brought about by emphasising the disadvantages linked to the outmoded practices and/or by emphasising how important change is for "survival". If the change appears to fit well with the individual's needs and goals, then the change will be seen as a positive thing.

People can be persuaded by means of hidden threats to accept change readily, for example: "Let us make use of this opportunity to bring about the change in our own way otherwise the politicians will interfere and force us to do it their way".

Co-optation

Co-optation means that leader figures who are against change are deliberately included in the decision making process in order to create the impression that they are part of the decision and part of the change process. This technique must be used

with circumspection because the integrity of management and the change process can be seriously affected if people find out that they were “used” to promote change.

Coercion

The use of coercion to bring about change should only be considered after all other attempts to obtain co-operation have failed.

HANDOUT 15 – TECHNIQUES FOR THE MANAGEMENT OF RESISTANCE TO CHANGE

DISCUSSION POINT:

Think of an example of where you have managed a change. What techniques did you use? Were they similar to the ones I have just described?

STEPS IN THE MANAGEMENT OF RESISTANCE TO CHANGE

In managing the resistance to change, managers need to follow a number of steps:

Slide 12 - STEPS IN MANAGING CHANGE

- Determine the organisation’s readiness and receptiveness
- Determine the origin of the resistance.
- Determine the nature of the resistance
- Analyse the reasons for the resistance
- Implement strategies to overcome the resistance
- Monitor the progress

Determine the organisation’s readiness and receptiveness for change. The organisation’s culture and dealing with changes in the past must have been taken into consideration.

Determine the origin of the resistance, be it individuals or in pressure groups.

Determine the nature of the resistance namely, passive, active or aggressive resistance.

Analyse the reasons for the resistance, be it resistance coming from external sources such as political pressure or resistance from internal sources such as peer group pressure within the organisation.

Implement strategies such as participation, training and recognition to manage the change and overcome the resistance.

Monitor the progress and continue if the change process is successful. If it looks as though the process is not succeeding, the causes for failure must be established and the process must be started all over again.

BUILDING AND MAINTAINING COMMITMENT TO CHANGE

One way to overcome the resistance to change is to build and maintain the commitment of staff.

Slide 13 - BUILDING AND MAINTAINING COMMITMENT

- Engaging hearts and minds
- Communication
- Involvement
- Have an umbrella
- Gaining commitment
- Your role

Engaging hearts and minds

Research indicates that people change because they have been shown a truth that influences their feelings rather than been given an analysis that shifts their thinking.

Successful change leaders show people a problem or a solution in concrete ways. They show something that people can see, hear and touch; that awakens feelings that facilitate useful change such as urgency, optimism or faith. This results in or reinforces new behaviour and as a result people act much less complacently.

Emphasise how changing circumstances mean that continuing the status quo is no longer sufficient.

DISCUSSION POINT:

How do you think that you can engage the hearts and minds of your staff for the changes ahead?

Communication

Build in communication from day one of the change planning process. This will maximise the likelihood of building acceptance and commitment. Once plans are in place – it's probably too late. Build the communication plan alongside the change plan.

Ensure an integrated approach to communicating with all stakeholders (internal and external). Don't plan in isolation.

Remember we all combine logic and emotion. Both aspects must be considered when communicating during change.

Target your communication plan. Be clear who is likely to be impacted through change. Focus primarily on those who will be most affected, and those who are most crucial to success. But do not forget 'bystanders' whose attitude to the organisation may be affected if they do not have some understanding – or may be unnecessarily concerned and need reassurance.

Be clear about what's changing and what isn't. Ensure people understand what is important to focus on. Be specific.

Involvement

The greater the opportunity for input and involvement in change – the greater the likely commitment. We buy in to what we own.

People need opportunities to explore and debate change. Provide opportunities for this (e.g. discussion groups with senior managers). Remember – where high emotions are involved, simply providing opportunities for questions won't be enough.

Put processes in place to support dialogue. Ensure managers are equipped – provide information, guidance, and opportunities for them to explore issues, concerns and be supported.

Umbrella

Most organisations are swept by continuous, overlapping change. Build an overall "umbrella" framework for change so people can see how it all links together – and makes sense. The bigger the change: the broader the context required. Build understanding of what is happening beyond organisational boundaries: the marketplace; political and regulatory influences.

Gaining commitment

The manager's ability to achieve results depends on gaining commitment to the job from other people.

Slide 14 - GAINING COMMITMENT

- Be visible and walk around the RRC
- Speak to people, ask them about their jobs and explore problems
- Listen to people when they are prepared to talk about their successes or mistakes.
- Get to know people
- Be prepared to give praise and encouragement.

Managers' role

Your own attitude towards the planned change is usually crucial. As manager you cannot afford to be negative or even impartial towards change as your subordinates will follow your example. If you are, the planned change is doomed to fail even before it is implemented.

The manager must find ways to bring about the change successfully and with the least disruption and pain possible. In this process the manager must obtain the participation of his subordinates.

Managers must be equipped to manage change and not to allow change to manage them. The manager must thus not only know about the origin of the change and the reasons for the resistance to change, but must also develop skills to create a receptive and favourable environment for change, prevent resistance to change, and persuade and motivate people to co-operate.

KEY POINTS/CONCLUSION

HANDOUT 16 - FIVE ELEMENTS OF A CHANGE PROCESS

The handout summarises what we have been talking about and sets out five elements of a change process.

ACTIVITY:

Two of the changes that will face GARRC over the coming months will be to implement:

- *Rehabilitation activities for prisoners (workshops)*
- *New set of Regulations for staff*

Think about how you will manage that change.

Write down the activities that will be needed and the approach that you will take.

SESSION 7

MANAGING PEOPLE

Slide 1 – TITLE

MANAGING PEOPLE

Duration:

1 hour

Purpose

This session focuses on how prison leaders can achieve their goals and objectives by managing people efficiently and responsibly.

Leaders not only need to secure adequate staff, but they also need to use them efficiently according to the RRC's goals and priorities. Whether at the GARRC level or at the level of each RRC, there needs to be a human resource management function, both supported by competent, well organised, and well staffed administrative units.

To manage people efficiently and responsibly prison leaders must pay attention to: recruitment, job definition and description, training and development of personnel, training for specialised functions, development, retention, promotion, mechanisms for resolution of grievances, and remuneration.

Objectives of session:

Slide 2 – OVERVIEW

- To review the various aspects of human resource management within a prison setting
- To examine the importance of planning, goal setting, and alignment of people with RRC's goals and priorities.
- To examine some of the strategies prison leaders can use in order to mobilize staff for the effective management of their institution.

MANAGING PEOPLE - INTRODUCTION

The qualities of the prison director and other staff are key to the successful management of prisons. The role staff can play in establishing and maintaining a secure, safe, well ordered and humane prison, with a regime conducive to the rehabilitation of prisoners, is to a large extent more important than the material conditions of imprisonment, provided that the latter meet the basic needs of prisoners.

The personnel of GARRC comprise the total number of individuals holding posts within that service. Personnel, therefore, has an individual and an organisational dimension.

On the one hand, a RRC (or GARRC) consists of individual employees. On the other hand, the personnel of a RRC (or GARRC) are defined by an organisational structure.

The qualities of the personnel fall into two basic categories, capacity and integrity. Capacity refers to the qualities that enable personnel to fulfil the technical tasks of the institution's mandate. Integrity relates to the qualities that enable it to fulfil this mandate in accordance with fundamental human rights, professional and rule-of-law standards.

Staff decisions are among the most consequential decisions made by prison managers. Making the right choice is often a challenge for prison leaders. Good decisions are usually those that are made on the basis of good and relevant information. Moreover leaders must be able to explain and justify their decisions.

Making sound decisions depends in part on whether the relevant information is available. Implementing these choices is only possible if there are workable systems and procedures in place in the institution. This includes approval processes and clear and understood instructions on who needs to have what kind of information, who has decision making authority, and who is responsible for various functions within the institution.

It is always important to encourage consultation with those who are concerned. Committees can be useful and can encourage broader participation in decision making and increase ownership over the decisions that are made. There is always a risk that consultations and committee based decision making may create unnecessary delays. However, with clear mandates, good leadership and an effective process, committees can be very productive and avoid some of their pitfalls.

International standards can help leaders make principled and value-based decisions. Good leaders are guided by their values and base their decisions on facts. They can be decisive without being authoritarian. They take care to explain and communicate their decisions. They rely on wide consultation without allowing the consultation process to prevent timely and effective decision making.

INTERNATIONAL STANDARDS AND NORMS

A prison leader's ability to meet the basic needs of prisoners, to ensure public safety and to implement international standards within a RRC depends to a large extent on his or her ability to mobilise and properly manage the necessary human resources.

Every decision made concerning human resources made by prison leaders ultimately has an impact on the prisoners as well as staff. All decisions with people implications ought to be aligned with the priorities dictated by the responsibility of prison leaders for the welfare and safety of prisoners and staff, the security of the institution and public safety objectives.

Importance of Staff

Discussion point:

Why do you think that the prison staff are the most important feature of any prison system?

Slide 3 - IMPORTANCE OF PRISON STAFF

'... It is on their integrity, humanity, professional capacity and personal suitability for the work that the proper administration of the institution depends.' (Rule 46(1))

Staff deal with prisoners on a daily basis, cater for their needs, are responsible for the smooth running of the prison and for security and safety, and identify and tackle problems.

The key challenge for staff and the RRC managers is to create a relaxed and constructive prison atmosphere.

The relationship between prisoners is complex and can only indirectly be influenced by staff. The more difficult prison life is the more prisoners' ability to survive and to stand up for themselves will emerge.

Managers must make sure that their staff are aware of their duties and responsibilities, so that they will do what they can to maintain satisfactory contact with prisoners and encourage prisoners to adopt a tolerant attitude to one another.

Good staff realise that it is in the interests of security to have a situation in which prisoners are reasonably reconciled to the deprivation of their liberty.

PEOPLE MANAGEMENT

The main elements of the people management function within a RRC centre and GARRC are:

Slide 4 - PEOPLE MANAGEMENT

- Recruitment
- Job description

- Training and development of personnel
- Mechanisms for resolution of grievances
- Motivating staff

RECRUITMENT

Working in a prison can take its toll on staff.

On the one hand they are expected to maintain a high level of security and safety, while on the other they must constantly remember that prisoners will sooner or later be returning to society.

Prisons can be hotbeds of tension, with outbursts of violence from prisoners resenting their situation. Victims can include both staff and other prisoners.

To this end staff should be open and alert, good observers, and prepared to establish contacts with prisoners. This should be taken into account when selecting personnel, since it is important for staff not only to be aware of security but to have an eye for prisoners' needs.

Individuals who seek to become prison officers with a view to meting out extra punishment to prisoners do not belong in the system. Prisoners are punished by imprisonment itself.

The requirements will of course differ in the case of members of staff whose duties are of a purely clerical nature, or have some other ancillary function. They are simply required to be competent for their duties, as well as to support in general terms the establishment's objectives.

Rule 46 (1) of the SMR simply says that:

Slide 5 - SELECTION OF PRISON STAFF

'The prison administration shall provide for the careful selection of every grade of the personnel, since it is on their integrity, humanity, professional capacity and personal suitability for the work that the proper administration of the institutions depends'. (Rule 46(1))

'The personnel shall possess an adequate standard of education and intelligence'. (Rule 47(1))

Discussion point:

So what sort of people should be appointed as prison staff?

Much of the work of prison staff is taken for granted or regarded as common sense, and yet the special abilities of prison officers are much more than this.

All staff should have an adequate degree of intelligence. This should be tested in the job interview and where possible in a psychological test. Social skills are also needed, since these are crucial to the maintenance of the delicate balance which exists within a prison.

A minimum requirement in respect of cognitive skills might be that a member of staff must at least be able to read and write and express him- or herself well in the language normally spoken in the prison.

In addition, candidates should meet certain psychological standards. When possible, prison staff must also consist of members of ethnic minority groups.

Discussion point:

What qualities, skills and abilities do you think a good RRC officer in Palestine should have?

HANDOUT 17 - SKILLS AND ABILITIES FOR A RRC OFFICER

Slide 6 - RECRUITMENT OF STAFF

Recruitment and selection procedures should be:

- explicit
- clear
- scrupulously fair
- non-discriminatory
- based on the knowledge, skills, and abilities of applicants

Selection should be done in a way that removes any chance of discrimination based on sex, age, race, religion, marital status or other criteria.

Often prisoners from ethnic minorities are overrepresented. Staff with the same cultural background will be able to have better contacts with prisoners with the same background. This creates better working conditions for all staff and better circumstances for many prisoners.

Recruitment should be a gradual system of application, interview, and testing to ensure the best individual receives the position.

Within the prison system it would be recommended to implement testing for situational judgement and personal ethics.

MODERN PRISON OFFICER TASKS

The various roles and jobs within the RRC should be defined clearly.

Some of them can of course be defined generically.

In developing a post, whether support staff, RRC officer, or manager, it is important to have a clear job description that is communicated throughout the recruitment-selection- promotion process.

Discussion point:

Why do you think it is important to have clear roles and job descriptions?

Job descriptions will promote a clear understanding of requirements and responsibilities, as well as determines accountability and order of authority.

So what should go into the job description?

RRC officers are not merely guards, whose sole task is to deprive people of their liberty. They are certainly not vigilantes, whose task is to inflict greater punishment than that already imposed by the authorities.

Instead, RRC officers have to combine a custodial role with an educational and reformative role. This requires great personal talent and professional skill.

Most of the work is 'low visibility' and staff work to overall goals that may be in conflict with each other. RRC officers are structurally embedded in a major conflict of role, and that this conflict or confusion – between security and rehabilitation – formed the substance of much of the history of prison work.

In the past, the role of the Prison Officer has been that of a turnkey, simply keeping prisoners secure, and ensuring that they behave and adhered to prison rules.

Arguably the primary role of the RRC officer remains the maintenance of safe custody. But there is clearly more to the officer's role than this today - prison work has become increasingly varied, testing and specialised.

Discussion point:

What do you think are the key tasks for today's RRC officer?

As stated in the new Regulation on Prison Staff - all staff are required to:

Slide 7 - ROLE OF RRC OFFICERS (1)

- (1) Protect and uphold the Human Rights of all prisoners;
- (2) Carry out security duties as required, contributing effectively to the safe and secure custody of prisoners;
- (3) Ensure that all incidents are reported and dealt with effectively, including bullying, assaults, substance misuse and self harm;
- (4) Prepare reports as required in a timely manner;
- (5) Follow set procedures for dealing with prisoner requests and complaints;
- (6) Encourage prisoners to deal with their offending behaviour and to develop new skills;

Slide 8 - ROLE OF RRC OFFICERS (2)

- (7) Uphold respect for prisoners, their property, rights and dignity
- (8) Use only the minimum necessary force to deal with violent prisoners or prisoners attempting to escape;
- (9) Monitor vulnerable prisoners appropriately;
- (10) Ensure standards of hygiene and cleanliness are maintained;
- (11) Ensure the information system for prisoners is effective;
- (12) Ensure all their work is carried out to a high professional standard and in accordance with the Law, Regulations, Standing Orders and Administrative Instructions.

Let's move on now to look in more detail at the specific tasks that RRC officers undertake.

Slide 9 - ROUTINE TASKS

Much of the daily work involves the accomplishment of routines:

- unlocking,
- delivering meals,
- counting,
- moving,
- receiving,

- discharging,
- observing
- and locking up.

The international core prison officer tasks are set out in:

HANDOUT 18 - CORE PRISON OFFICER TASKS

TRAINING AND DEVELOPMENT OF STAFF

Managers are responsible for putting in place a comprehensive training and development system for all staff to develop their individual skills and competencies and to instruct individuals about the prison system, standards and expectations, codes of conduct, and reporting methods.

The prison administration needs to acknowledge the importance of well-trained staff and give staff the opportunity of following training courses during working hours. Training should also be paid for by the administration.

The international standards state:

Slide 10 - TRAINING OF PRISON STAFF

'Before entering on duty the personnel shall be given a course of training in their general and specific duties and be required to pass theoretical and practical tests'. (Rule 47)

Discussion point:

What training do you think new prison staff should receive?

A new prison officer should follow certain courses of basic training, in which his or her attitude is closely monitored. An attempt should be made to make this training as general as possible, in order to make members of staff fit for jobs elsewhere.

Supplementary courses of training should be offered, depending on the function in question. It may be useful to join training courses for personnel of comparable establishments.

The better staff are trained, the better equipped they are to identify problem and dangers and take timely measures to reduce risks.

Training and development is not something just to be done at the beginning of one's career, as the **Standard Minimum Rules** make clear:

Slide 11 - IN SERVICE TRAINING

'After entering on duty and during their career, the personnel shall maintain and improve their knowledge and professional capacity by attending courses of in-service training to be organized at suitable intervals'. (Rule 47(3))

Continued training should seek to enable staff to achieve continuous improvement and thereby promote increased professionalism.

It should also take into account the need to re-train personnel when new legislation, policies, procedures and process are being implemented which may affect the performance of their own responsibilities.

A number of modules have been developed by GARRC-UNODC for in-service training.

Slide 12 - GARRC-UNODC TRAINING MODULES

- **Module 1 - Ensuring Human Rights in Reform and Rehabilitation Centres**
- **Module 2 - Working in Reform and Rehabilitation Centres**
- **Module 3 - Managing Reform and Rehabilitation Centres**

But is not just about training provided by GARRC.

All managers in RRCs should coach and mentor more junior personnel. Experienced staff can also be used to provide local training.

Training for specialised functions:

It is important that individuals are trained in specialized functions to increase job satisfaction, promote clear expectations, and develop competencies and special expertise. Specializations should be aligned with the specialization of certain functions within the organisation.

For example, **Rule 85 of the UN Rules for the Protection of Juveniles Deprived of their Liberty** emphasises the focus of training for those dealing with juveniles:

Slide 13 - TRAINING FOR STAFF WORKING WITH JUVENILES

UN Rules for the Protection of Juveniles Deprived of their Liberty

'The personnel should receive such training as will enable them to carry out their responsibilities effectively, in particular training in child psychology, child welfare and international standards and norms of

human rights and the rights of the child, including the present Rules.’
(Rule 85)

Discussion point:

If you were designing training modules, what subjects would you want to have separate training modules on?

MOTIVATING STAFF

One of the main people related management task is to keep your staff motivated and engaged.

So, how do you motivate staff?

Let's think for a moment about what motivates you at work.

HANDOUT 19 - WHAT MOTIVATES YOU AT WORK?

Many people have researched the issue of what motivates people at work. I am going to talk to you about three of those theories and what they mean for managers.

Frederick Herzberg's the “Work and the Nature of Man” is generally regarded as one of the main theories.

Frederick Herzberg asked many people, in many organisations, in different jobs, at every level in the organisational structure two simple questions about what led them to feel extreme satisfaction, and extreme dissatisfaction, in the job they were doing at work.

The answers given were remarkably consistent.

Herzberg's findings revealed that certain characteristics of a job are consistently related to job satisfaction, while different factors are associated with job dissatisfaction. These are:

Slide 14 - HERZBERG's TWO FACTOR THEORY

Factors for Satisfaction

Achievement
Recognition
The work itself

Responsibility
Advancement
Growth
Security

Factors for Dissatisfaction

Company Policies
Supervision
Relationship with Supervisor
and Peers
Work conditions
Salary
Status

The conclusion he drew is that job satisfaction and job dissatisfaction are not opposites. Remedying the causes of dissatisfaction will not create satisfaction. Nor will adding the factors of job satisfaction eliminate job dissatisfaction.

According to Herzberg, the factors leading to job satisfaction are "separate and distinct from those that lead to job dissatisfaction."

Therefore, you should set about eliminating dissatisfying job factors first. The characteristics associated with job dissatisfaction are called 'hygiene factors'. When these have been adequately dealt with, people will not be dissatisfied nor will they be satisfied.

Once you have removed the dissatisfying job factor, you need to focus on satisfaction (motivation factors) like achievement, recognition, and responsibility.

From Herzberg's findings managers and team leaders need to remember the following statements when asking how they can motivate staff:

- Staff want to feel they are personally valued.
- Staff want to feel they are achieving (their personal sense of achievement)
- Staff want others to recognise that they are achieving
- Staff want to feel that the work they do is valuable, and valuable by others

Herzberg's findings have been updated by testing his original work with people in twenty-two countries. The results are totally consistent with his initial findings. The results are consistent at all levels within the organisation and from one organisation to another.

HANDOUT 20 - HERZBERG'S MOTIVATORS

PEOPLE'S ATTITUDE TO WORK (THE X-Y THEORY)

Slide 15 - THEORY X or THEORY Y

Managers, and others, make assumptions about people's attitudes to work. In the extremes these can be described as Theory X or Theory Y.

HANDOUT 21 - ATTITUDES TO WORK (THEORY X and THEORY Y)

Discussion point:

Which do you think is correct - Theory X or Theory Y?

What are the implications of each theory for the way we manage staff?

If Theory **X** is our assumption and we treat people accordingly, we find out nothing about them and our beliefs will become self-fulfilling prophecy. People will need close supervision, firm discipline, and incentives to work.

If, however, we believe that Theory **Y** is correct and we treat people accordingly, we shall find out what they are really like. The answer will be that they are all different and we can then manage them according to their strengths and weaknesses.

The key is not to make assumptions but to provide opportunities for achievement, responsibility, and creativity.

MASLOW'S HIERARCHY OF NEEDS

Another theory is proposed by Maslow

Slide 16 - MASLOW's HIERARCHY OF NEEDS

We are in a continuous state of motivation, with needs to satisfy, but what is uppermost will depend on where we are in a hierarchy.

HANDOUT 22 - HIERARCHY OF NEEDS

Maslow argued that we rarely reach a state of complete satisfaction, except for a short time, and that as one desire is satisfied another takes its place; needs follow in sequence and when one need is satisfied it decreases in strength and the higher need then dominates behaviour.

When any of the basic needs are threatened, many people turn to these again as a basic motivator – for example, if a job's existence is threatened, you will be less concerned about how fulfilling it is.

The handout shows the different levels of need.

Physical Needs (e.g. food, water, clothing, sex) - At a basic level the individual needs to provide a fair day's work for a decent reward; money is a very tangible and important motivator in satisfying the needs Maslow identified (but it has its limitations)

Security Needs (e.g. physical safety, job security, freedom from worry, certainty about the future) - Another basic requirement; the more insecure people feel, the less willing they are to change or be very productive. Keep people informed and avoid surprises. Clear objectives can help give a sense of security.

Social Needs (e.g. friendship, love, belonging, understanding) - This is a strong need that can be addressed by encouraging a sense of identity and belonging; working in teams and forming friendships at work.

Status and Recognition Needs (e.g. being respected, acknowledgement of abilities, being 'someone') - Self esteem needs; recognition by the organisation, self confidence

Achievement and Self-fulfilment Needs (e.g. attainment of worthwhile objectives, the chance to realise one's full potential) - Becoming the person we believe we have the potential to be; personal growth and development, promotion, increased responsibility. If all the other needs are satisfied (and this is rare) we aspire to self-actualisation.

Discussion point:

What do you think are the implications for managers of Maslow's theory?

There is a tendency to satisfy needs in the hierarchical order - if someone is struggling to satisfy the first need it is unlikely that they will be greatly motivated by the need to attain the others.

So, for example, if staff feels that the RRC is unsafe and they fear for their personal safety - a safety need - they will not be motivated to achieve other higher needs such as team working or achievement.

PRACTICAL STEPS IN MOTIVATING YOUR STAFF

Let's have a look next at some practical steps for motivating your staff. There are four key elements to staff motivation:

Slide 17 - MOTIVATING YOUR STAFF

- Make people feel valued
- Provide a challenge and scope for development
- Recognise achievements
- Communicate

Discussion point:

What do you think are the practical things that you can do under each of the headings?

HANDOUT 23 - MOTIVATING YOUR STAFF

One of the other ways to manage staff motivation is to agree clear objectives with people and then to monitor them regularly. This will help staff to understand:

Slide 18 - WHY SET OBJECTIVES

- Why am I here?
- What is expected of me?
- How well do I have to do it?
- How could I do it better?
- What / who is available to help me do it better?

The objectives that you set for people should be:

Slide 19 - SETTING OBJECTIVES

SMART Objectives:

- Specific
- Measureable
- Agreed
- Realistic, but challenging
- Time-bound

ACTIVITY:

- *Working initially on your own, set one objective for someone who works for you.*
- *Pair up with someone. Review each other's objectives. Are they SMART? Are they clear? Will you know when the person is on target or will you have to rely on subjective opinions?*

SESSION 8

MANAGING ADMINISTRATION AND FINANCES

Slide 1 – TITLE

MANAGING ADMINISTRATION AND FINANCES

Duration:

1 hour

Purpose

So far we have talked about RRC staff and your role as leader and manager of those staff. This session moves on to look at a different aspect of management - the management of administration and finances.

Objectives of session:

Slide 2 – OVERVIEW

- To understand the key administrative elements of managing prisons
- To explore various management information systems
- To consider performance measures for RRCs
- To consider the best way to organise staff
- To discuss the importance of the prisoner file system
- To recognise that financial and physical resources as a strategic focus point of a RRC manager's task.
- To explain the aims of a financial and budgetary management system.

MANAGEMENT INFORMATION SYSTEMS

The organisational structure developed within the prison system will define the division of labour, as well as systems of communication, work flow, and authority. This in turn will affect how activities are coordinated.

As organisations grow and develop there is usually a trend for greater decentralization and departmentalization which divides functions based on specialization. Although human and financial resources management must be incorporated throughout all levels of the organisation, limited autonomy and self direction can still be achieved in the pursuit of organisational goals.

A key factor in developing fairly autonomous departments is the establishment of efficient system of communication and reporting.

Through an effective management information system, prison leaders will be able to establish reporting systems to understand what is going on and the direction of the organisation.

Communication and the flow of information is essential to any organisation's success.

DISCUSSION POINT:

What sorts of information and data do you think a prison manager should collect, analyse and use?

Slide 3 - MANAGEMENT INFORMATION SYSTEMS

Reliable and timely information (data) is required on:

- Prison population
- Staff
- RRC's resources and facilities
- RRC's revenue and expenses, etc.
- RRC's performance

This information must be collected, collated, stored, analyzed and reported as effectively as possible. An effective system of record keeping, financial management, and data collection is critical.

The information management function should be well defined and supported within the organization structure and processes of the institution.

Managers, at all levels, should play a role in defining and articulating the information requirements of the institution, including their own in relating to the specific function they each are required to perform.

The level of sophistication of the information management system and the extent to which it can be supported by modern information technology is something that must be determined by each institution.

An incremental approach to the development of such systems and the implementation of modern technology is usually recommended. The information management system should also be one that ensures that sensitive or confidential

information is protected and that the measures are in place to ensure the integrity of the information collected and stored.

PERFORMANCE MEASUREMENT

Performance management involves the setting of targets (goals or objectives), taking action to deliver those targets, the measurement of whether those targets are being achieved and, if they are not, taking remedial action to put performance back on track.

Slide 4 - PERFORMANCE MEASUREMENT

A key element of performance management is measuring and evaluating performance.

To evaluate performance, managers need to determine what the RRC is supposed to accomplish. This involves formulating clear, coherent mission, strategy, and objectives for each RRC. Then based on this information choose how you will measure those activities.

Evaluation process consists of two variables: individual RRC performance data and comparing a RRC with other RRCs of a similar nature.

You can then ask why one RRC is performing better than another RRC.

In order for RRCs to evaluate performance its requires standards (benchmark) to compare its actual performance against past performance/ from performance of similar RRCs.

DISCUSSION POINT:

What types of performance measures do you think could be used to evaluate the performance of your RRC?

Slide 5 - EXAMPLES OF PERFORMANCE MEASURES

- Number of Escapes
- Number of assaults on prisoners/staff
- Number of self inflicted deaths
- Number of programmes being run for prisoners
- Amount of time prisoners have outside of their rooms
- Amount of staff training

A system which allows managers to monitor the performance of the institution with respect to its various functions is a key element of any strategy to increase performance.

Good performance monitoring information helps managers identify performance issues before they become critical and to take corrective action to address any perceived performance issues.

DISCUSSION POINT:

*How do you assess how well things are running in your RRC on a daily basis?
What indicators do you use?*

ORGANISING STAFF

Most prison leaders will agree that the most important aspect of prison management is the proper management of their staff.

In this sense, human resource management refers to the effective use of people within an organization to enhance performance and achieve organisational objectives.

This is done by recruiting the best people, as well as developing and empowering them within the RRCs.

We spent some time in the last session looking at how you manage and motivate people. I want to look now at how you organise those staff.

Slide 6 - ORGANISING STAFF

- Organising the prison functionally
- Establishing some specialised functions and tasks
- Delineating an effective reporting structure
- Ensuring an effective delegation of authority

Organising the prison functionally

Developing a management structure and delegating responsibilities according to the various functions to be performed within the RRC is usually a pre-requisite to organisational effectiveness and to organisational accountability.

The definition of the various functions should be aligned with the basic goals of the institution as well as its strategic objectives.

Distinguishing between various functions is a way to delegate authority which can help in the efficient allocation of resources and make employees more accountable for their actions. They are less likely to blame someone else for not doing a task if that task is theirs in the first place. The various functions that are essential to the proper management of the institutions must be clearly defined and should be generally understood by everyone in the institution.

Establishing some specialised functions and tasks

Specialisation is not only beneficial for increased expertise for individuals, but it also allows management to distinguish between various levels of individual responsibility and accountability.

The increased responsibility and personal accomplishment in turn can also have a positive effect on staff morale and job satisfaction. Specialization should be supported through knowledge and skills training as part of the personnel development program for facilitating a career in the service.

At the same time, prison managers should ensure that staff have experience in a number of different areas and not be stuck in one job just because they are experts in the job.

It is not so much that the person is specialised but that particular job positions have a degree of specialisation.

Delineating an effective reporting structure

Regardless of the chosen organizational structure, it is important to have a comprehensive system of reporting to promote effective communication and collaboration throughout the organization.

This system must include what levels will be reporting to whom, the nature and extent of the delegated authority and responsibilities as each level, and the reporting requirements.

Ensuring an effective delegation of authority

Within large successful organisations it is impossible for a leader to manage every detail of every aspect of the function and operation of the organization. In other words, “micromanagement” is rarely an effective way to manage a large organization.

The responsibility for various tasks, functions and activities must therefore be delegated to others in a clear and efficient manner, together with the authority, the power and the means to effectively carry out these tasks.

It is therefore important for leaders to establish a process for the effective delegation of authority to trusted and capable individuals, and for supporting these individuals in carrying out their delegated duties.

DISCUSSION POINT:

Are the staff in all RRCs organised in the same way?

Do the same levels of delegation exist or do some managers delegate more?

Are there more specialism in some RRCs than others?

Do existing arrangements work well, or is there scope for making better use of staff through organising them in a different way?

PRISONER FILE MANAGEMENT

Prison leaders require good information about their prison population in order to manage the prisoner effectively. Accurate information allows better decisions to be made on security, food supply, transportation requirements, staffing needs and also provides the basis for additional resources because it can be used to justify a need. Being able to report accurately on how many prisoners need to be fed, clothed, transported, treated medically, require separate cells, require other special needs will also demonstrate how well the prison is being managed.

Last but not least, accurate prisoner information, including reasons for and length of imprisonment is a minimum standard for the treatment of offenders. The prisoner has a right to know what is in his or her file, to have access to it, to have all the information recorded correctly. An error or omission could have very serious consequences for the offender. It is therefore incumbent upon the prison leaders to ensure that staff working in records do their job well and that checking mechanisms are in place to verify all entries recorded on file.

The maintenance of prisoner files is easily associated with the realms of prison administration and bureaucracy—often a burdensome task for overworked prison staff.

The role of prisoner files in relation to the protection and promotion of human rights, however, is rather less obvious.

Slide 7 - IMPORTANCE OF PRISONER FILE MANAGEMENT

The presence of complete, accurate and accessible prisoner files is not only a prerequisite for effective prison management and strategic planning, it is also an essential tool for ensuring the human rights of prisoners are respected and upheld.

If prison systems deny such rights, the rehabilitative purpose of imprisonment is necessarily undermined, along with public confidence in the criminal justice system and the rule of law in general.

The realities of prison systems worldwide are characterized by limited resources. However, effective prisoner file management is not entirely dependent on financial investment; it is more about having a clear and workable system for recording information, accompanied by procedures that are respected and followed by prison staff.

Slide 8 - PRISONER FILES AS TOOLS

Prisoner files are tools for:

- Upholding Human Rights
- Effective prison management
- Public confidence

A tool for human rights

DISCUSSION POINT:

In what ways do you think that effective file management can protect the Human Rights of prisoners?

Creating and maintaining prisoner files is an essential tool for protecting and upholding international standards.

- How can one know that the detained person has not been subjected to torture or ill treatment if there is no recorded medical observation?
- How can one even know where the person has been held?
- If there is no file recording the classification of detainees or prisoners as juveniles, how can one be sure that they will be separated from adults?
- How can one be sure that safeguards that exist in international law for the protection of children are being respected?
- Consider also the case of female detainees and prisoners. If there is no formal record of medical examinations, how can one be sure that they are not subject to abuse whilst in detention?

- If they have children, what records are kept of those who accompany their mothers into custody and those who do not?

A tool for effective prison management

DISCUSSION POINT:

In what ways do you think that effective file management can be a tool for effective prison management?

Creating and maintaining prisoner files is also an essential component of effective prison management and plays an important part in improving the transparency and accountability of prison administrations.

The careful collection of information about those being held in custody is critical to informing both day to day prison administration and long-term prison planning.

The total number of people held in custody, their classification, along with their health and rehabilitative needs provides important information for prison managers to identify resource requirements, set budgets, manage health and safety, and develop appropriate rehabilitative and treatment programmes.

At the operational level, for example, prisoner information enables prison managers to plan daily activities such as meals, medical treatment and cell allocations, as well as determine appropriate staffing levels and the deployment of individual responsibilities.

As I mentioned earlier, at the strategic level, the size and profile of the prison population guides managers in planning the development and delivery of prison services, such as health care, vocational training, education, and rehabilitation programmes, as well as relevant personnel support.

For prisoners themselves, accurate and well-maintained files can mean they receive fair and timely access to justice; it will help ensure they receive appropriate legal and medical assistance, as well as regular contact with their families.

A tool for public confidence in the justice system

Lastly, the presence of an effective and functioning system for creating and maintaining prisoner files has implications for public confidence in the criminal justice system.

It sends out important signals regarding the prison system's commitment to improving transparency and accountability and in turn, supports the fair and impartial delivery of justice.

It also marks a public commitment to monitor and prevent human rights abuses in places of detention.

INFORMATION TO COLLECT ON PRISONER FILES

International Standards and Law number 6 of 1998 require that a range of information must be kept on each prisoner.

DISCUSSION POINT:

What information do you think should be kept about prisoners?

Slide 9 - INFORMATION TO COLLECT ON PRISONERS

Requirements set out in the SMR:

- Admission and registration (Rule 8)
- Classification and placement (Rule 8)
- Discipline (Rule 30)
- Rehabilitation (Rules 65 and 66)
- Employment and wages (Rule 76)
- Health and well-being (Rule 24-26)
- Belongings and personal effects (Rule 43)
- External contact (Rules 37, 38 and 44)

FILE MANAGEMENT IN PRACTICE

As I have already mentioned, the existence of accurate, complete, and accessible prisoner files are a necessity for states to demonstrate compliance with the international human rights law and standards.

Although the majority of prison systems around the world have established prison file management systems, practice on the ground often suggests that the procedures for creating or updating **prisoner files are non-existent, ineffective or simply not followed.**

Lost or incomplete files for example have caused delays in bringing criminal cases to trial, resulting in the over-use of pre-trial detention and a slow and ineffective justice system.

Absent or incomplete files can also mask abuses committed against prisoners whilst in detention.

There are often common factors accounting for or associated with the absence of an effective prisoner file management system:

- An absence of law requiring the creation and maintenance of prisoner files.
- Lack of procedures for creating, updating and transferring files.
- Lack of oversight to ensure procedures are being followed.
- Absence of recourse if procedures are not followed.

SETTING UP FILE MANAGEMENT

Turning now to the setting up of file management systems.

Whilst human rights standards stipulate what prisoner information should be recorded and when, they do not prescribe what operational systems should be in place to ensure these requirements are met.

This can leave detaining authorities with many unanswered questions:

- how exactly should prisoner information be recorded and by whom?
- Where and how should it be organized and stored?
- And who should have access to this information?

National legislation, policies and protocols provide an essential framework to guide detaining authorities in establishing an effective prisoner file management system.

However the precise procedures for creating, maintaining and using a file management system in any given place of detention will be largely determined by internal factors, notably, the resources at their disposal, the size of the institution and indeed the number of personnel.

In spite of this, there are general principles that can be followed that provide important foundations for an efficient file management system.

Key elements are:

Slide 10 - SETTING UP A FILE MANAGEMENT SYSTEM

- Creating a general prisoner file
- Creating Medical files
- Setting up a File register
- Establishing a Prison registry

- Agreeing access to files and information sharing
- Protocol for transferring files
- Arrangements for archiving and storage

MANAGING FINANCE

The rest of this session will be spent looking at Managing Finances.

In making decisions about how to use limited funds available, prison leaders must often make difficult decisions. In all instances, the basic needs and safety of people should take priority.

Among the many needs that might be calling for attention, such as the need for a new roof, uniforms for the guards, repairing of a sewage system, food for prisoners, investment in tools for prison industries, and a choice should be made on the basis of what is the most urgent of need

As will be seen later, there may be ways to mobilise funds from community groups, international donors and organizations, the government itself, or from prison industries including farms.

Prison leaders must develop their own ability not only to administer resources wisely and efficiently, but also to generate resources and revenues. At times, the lack of resources will test prison managers' ingenuity, creativity, and resolve to their limits.

Slide 11 - FINANCIAL MANAGEMENT

For an organisation to be successful it is important to implement financial management processes which enable financial sustainability, accountability, and integrity.

The processes must obviously rest on sound budgeting and accounting practices. Accepted standards of accounting practices must be adopted and consistently applied in order to allow for independent reviews and audits in order to support financial accountability to internal and external stakeholders.

The budgeting, accounting and reporting practices of the RRCs and GARRC should be well aligned with the best governmental practices in other sectors.

Furthermore a system of checks and balances should be implemented within the prisons financial resource management system to verify accountability for spending and deter corruption.

Government institutions such as correctional services are obviously characterised by the absence of a profit motive which is found in profit-oriented organisations.

This is probably the most important reason why financial management in prison services – which is a very expensive service – is sometimes concentrated in the hands of a relatively small group of experts.

Unfortunately this means that the development of expertise in financial management is often neglected as part of the prison manager's career. Financial and logistical management in prison services should be recognised as a collective task of all managers.

DISCUSSION POINT:

What do you think are the main aspects of financial resource management to which prison managers must pay close attention?

Slide 12 - FINANCIAL RESOURCE MANAGEMENT IN RRCS

- sound accounting practices
- financial information management systems
- procurement
- stores management and inventory management
- budgeting
- monitoring and auditing
- integrity of financial management system
- Prevention of corrupt practices.

Reliable accounting practices:

A high level of integrity can be inferred from businesses accounting practices and financial records. The accounting function needs to be clearly defined and be placed under competent leadership within the RRC (or GARRC).

Accounting methods and categories should be standardized throughout the prison service and aligned with accounting standards and methods throughout the government. A system of records should be produced in accordance with proper standards. The integrity of these records should be protected and they should be kept in a safe place. Proper documentation of all financial transactions and their authorization must be produced and kept safely.

Safe-keeping of funds and banking:

Banking transaction and any cash transactions should be transparent and well documented. Regular verification and audit of these transactions should be completed.

Accountability for expenditures:

All expenditures should be authorized and the authority to authorize spending (by type of level of expenditures should be established clearly, well documented, and kept up-to-date). All expended funds should be traceable. It is important to have a system of checks and balances that require approval for large spending to minimize the opportunity for corruption.

Financial Information management:

It is important to have a thorough process of monitoring financial resources and of tracking all assets, liabilities, income and expenditures. This will efficiently help determine where funds are going, what funds are coming in, and what resources will be needed in the future. An effective system for financial reporting in a timely and effective manner should be in place. Financial information system can of course also be of great use in financial planning and budgeting.

Budgeting:

Budgeting allows managers to anticipate and plan for how they intend to gain and use financial resources for a given period of time: one year (annual budget); five years (long term budget).

It is based on reasonable and careful assumptions about projected income and expenditures and a meticulous forecasting of future income and costs. The budgeting process should obviously be aligned with other planning process such as the Government's own overall budgeting process, GARRC's long term capital investments and expenses planning and its capacity building plans, the prison service's strategic plan, and a number of planning exercise within each prison.

Budgeting should be conducted by a committee to ensure all needs are addressed in a sustainable manner for as long as the budget period. All forecasts for funding needs over time should be conducted, reviewed, and explained by the financial resource management team to the budgeting committee as to minimize cost overruns and ensure all basic needs are met.

Auditing and the integrity of financial management system:

It is important to arrange for the conduct of regular and independent audits of the accounting system and accounting data, existing inventories, and assets. A financial audit is an official examination and verification of accounts and records so they help ensure that the financial data is accurate, that the financial accounting system is

improved over time, and that the risk of financial mismanagement and corruption is minimised.

DISCUSSION POINT:

With regard to financial management, what are the responsibilities of the Director of each RRC?

Who else in the RRC has financial responsibilities?

What control mechanisms are in place to prevent fraud and corruption?

THE MANAGEMENT OF PHYSICAL RESOURCES

Prison managers also have responsibilities in relation to Physical Resources.

DISCUSSION POINT:

What Physical Resources are you as prison managers responsible for?

Slide 13 - PHYSICAL RESOURCES

Tangible assets such as:

- buildings
- office equipment
- furniture
- vehicles
- manufacturing machines and equipment
- Work-in-progress and final products.

Various systems and processes are used to manage these resources in such a way that their applications are maximised. Because the financial resources which are required to obtain and maintain the physical resources are limited, thorough planning is essential.

Control also plays a key role. Society's demands with regard to safe custody already imply expensive buildings. The physical care of large numbers of prisoners requires expensive buildings. The physical care of large numbers of prisoners requires

expensive equipment and stock. Work programmes add further pressure to these costs.

You as prison managers have a responsibility to take action to eliminate waste and vandalism, to maintain the assets and to prevent damage to buildings and facilities.

PURCHASING CONTROL

Careful purchasing control is essential to ensure that all purchasing activities take place within the confines of the prescribed measures and standards.

Slide 14 - PURCHASING CONTROL

Effective purchasing control must:

- Be adapted by the organisational structure
- Show up deviations early
- Provide accurate and appropriate information for decision-making
- Be cost-effective
- Be adaptable in order to keep abreast with changes in the dynamic environment in which the organisation operates

In the prison environment the purchasing function is often assessed from a qualitative point of view, and it is therefore not always easy to measure. It is consequently important that the objectives of the purchasing function are clearly formulated in the planning phase. If this is done, specific measures can be implemented to control the achievement of those objectives.

Because a prison service is usually part of a government system, the purchasing function is naturally subject to many regulations and provisions of the government. This once again implies the reality of external control which the correctional manager must take into account.

KEY POINTS / CONCLUSION

- Effective management involves the simultaneous and cooperative performance of multiple functions working towards organizational goals.
- The organization of a RRC should be based on the articulation of the various functions to be performed within the organization and an understanding of how these functions are inter-related and must interact with each other.

- Effective management of a RRC requires the development and implementation of an effective organizational structure, supported by effective delegation of authority and responsibilities, the development of a capacity to perform these functions effectively, and a system for monitoring performance and holding managers accountable.
- Information management systems are crucial to effective management of a RRC and ensuring that it achieves its strategic objectives.
- Effective management of human, material and financial resources is entirely dependent on effective planning, based on good information and a clear understanding of the objectives to be accomplished.
- Accountability means taking responsibility for one's actions and decisions. It also involves trusting your staff and colleagues to work together and not against each other.
- RRC managers at all levels have an inherent responsibility towards the taxpayer to manage their RRC's financial and physical resources with the proper dedication. Financial and logistical management should be recognised as a shared task of all managers.
- Effective RRCs are those that have a well-established system of accountability and clear guidelines on what is expected of everyone within the RRC.
- Leaders have to be very clear about their own ethics and values and gain the trust of their staff by standing by those values. Not only do leaders have to talk about ethics and values but they must act accordingly as they are being watched constantly by their staff and colleagues. Good leaders have to be seen to be consistently ethical and fair.

SESSION 9

MANAGING THE DELIVERY OF BASIC CONDITIONS AND NEEDS

Slide 1 – TITLE

MANAGING DELIVERY OF BASIC CONDITIONS AND NEEDS

Duration:

1.5 hours

Purpose of Session:

How a country treats its prisoners is a key reflection of its overall view and approach to human rights, particularly when it is clear that it can afford to treat its prisoners better than it does.

In most countries, there is no excuse for the failure of prison services to provide the basic necessities for prisoners.

Living conditions in a prison are among the chief factors determining a prisoner's sense of self-esteem and dignity, and ultimately the prisoner's chance of successfully reintegrating society as a law-abiding citizen.

The quality of accommodation, sleeping arrangements, what and where prisoners eat, what they are allowed to wear, whether they have ready access to sanitary facilities all have a tremendous influence on a prisoner's human dignity and feelings of self-worth.

Even where physical conditions are adequate, restrictive practices, such as having to ask staff for access to the toilet and then having to wait a long time, may deepen prisoners' sense of inadequacy and worthlessness. If a person is not treated like a human being, then that person is not likely to feel like a human being.

In general, international standards and norms talk about adequate living conditions but do not specify the exact size of space that is sufficient for each prisoner. That is left to prison managers to determine. Prison managers should find ways to address prison overcrowding as a priority.

It is also important that medical services be extended to prisoners and that prison authorities make such services a priority. Good sanitation facilities such as toilets and washing areas are essential in prisons to allow the prisoners to keep themselves clean and also to avoid any outbreaks of illness within the prison.

This session also focuses on managing physical facilities and space within the prison and ensuring that they are used efficiently and effectively in order to achieve correctional objectives and comply with applicable international standards and norms.

Objectives:

Slide 2 – OBJECTIVES

- Review international standards relating to the basic needs of offenders: adequate accommodation, food and water, clothing and bedding, personal hygiene, and medical services.
- Reflect on how to implement these standards in the context of RRCs
- Review how RRCs comply with international standards
- To discuss the importance of the right to religious beliefs for prisoners
- To examine how best to use the physical facilities or space within prisons
- To examine how the use of space impacts on accommodation of prisoners and the potential detrimental effects of prison overcrowding
- To discuss the ways in which physical facilities can be better used

BASIC CONDITIONS

Prisoners have the right to certain standards of living through the physical conditions in which they are kept. These standards include accommodation, sanitation, personal hygiene, clothing and bedding, food and exercise.

When an offender is sent to prison by a judicial authority, the international standards clearly state that the punishment that has been imposed should be only the loss of liberty.

Slide 3 - BASIC CONDITIONS

Imprisonment does not mean that prisoners can be or should be deprived of food, a place to sleep, or adequate clothes to wear.

One of the main challenges to providing the basic needs of prisoners is the lack of financial resources. In very poor countries it is particularly difficult to meet those needs because the rest of the population is also very poor and the government would be expected to give priority to the non-prison population.

Public opinion is often very strong in persuading governments not to treat prisoners as well as the rest of the population. However, the job of prison managers is to ensure that prisoners are fed, clothed and sheltered.

International standards and norms call for the meeting of the basic needs of prisoners; they do not suggest that prisoners should be better treated than the non-prisoner population. Prison managers should engage with the public to explain that prisoners deserve fair or human treatment and that degrading treatment or torture is not part of the punishment for the crime committed.

ACCOMMODATION

All persons deprived of their liberty have the right to an adequate standard of living, starting with their accommodation. Prisoners are usually required to remain in a particular location for extended periods. This accommodation must meet certain basic standards.

Firstly let us consider **Rule 9 (2)** refers to dormitories:

Slide 4 - DORMITORIES

'Where dormitories are used, they shall be occupied by prisoners carefully selected as being suitable to associate with one another in those conditions. There shall be regular supervision by night, in keeping with the nature of the institution'. (Rule 9(2))

Dormitory housing brings about a whole range of safety concerns.

Discussion point:

When prisoners share accommodation there is always the possibility that sexual and other form of abuse and bullying may take place.

What steps can you, as prison managers, take to ensure the safety of prisoners who are sharing a room?

High numbers of people with criminal and sometimes violent backgrounds housed together are likely to single out some vulnerable prisoners for abuse or are prone to other types of dangerous behaviour. In many jurisdictions gang-related activities in prisons are a particular problem for prison managers.

Large-capacity dormitories inevitably imply a lack of privacy for prisoners in their everyday lives. Moreover, the risk of intimidation and violence is high. Such accommodation arrangements are prone to foster the development of offender

subcultures and to facilitate the maintenance of the cohesion of criminal organisations. They can also render proper staff control extremely difficult, if not impossible; more specifically, in case of prison disturbances, outside interventions involving the use of considerable force are difficult to avoid.

The European Court of Human Rights has decided that the fact that where an excessive number of prisoners are obliged to live, sleep and use the toilet in the same room with many other inmates is itself sufficient to cause distress or hardship of an intensity exceeding the unavoidable level of suffering inherent in detention, and arouse in prisoners the feelings of fear, anguish and inferiority capable of humiliating and debasing them.

With such accommodation, the appropriate allocation of individual prisoners, based on a case by case risk and needs assessment, also becomes an almost impossible exercise.

Prisoners with a history of violent behaviour, either within prisons or outside, should never be housed in dormitories. Prisoners should not be housed in dormitories unless prison staff knows enough about them to be able to assess their suitability to be housed together, as mandated by the Rule.

In order to be able to supervise a dormitory at night, prison staff must inspect it at regular intervals, not longer than one hour. In addition, he or she needs to be stationed within earshot of the dormitory and be able to hear what is going on inside at all times (so that help can be summoned immediately). Inspections however should not be intrusive. They should be carried out in such a way as not to wake prisoners who are sleeping.

All these problems are exacerbated when the numbers held go beyond a reasonable occupancy level; further, in such a situation the excessive burden on communal facilities such as washbasins or lavatories and the insufficient ventilation for so many persons will often lead to deplorable conditions.

For these reasons, there is a move away from large-capacity dormitories towards smaller living units or individual cells.

Rule 9 (1) of the Standard Minimum Rules for the Treatment of Prisoners which deals with cells:

Slide 5 – CELLS

'Where sleeping accommodation is in individual cells or rooms, each prisoner shall occupy by night a cell or room by himself. If for special reasons, such as temporary overcrowding, it becomes necessary for the central prison administration to make an exception to this rule, it is not desirable to have two prisoners in a cell or room.' (Rule 9(1))

Whilst single cells desirably should be used for single prisoners, experience has shown that it is not necessarily undesirable to forbid allowing two prisoners to occupy a single cell, provided that its space, ventilation, furnishing, sanitation etc. are up to standard.

Discussion point:

From a prison manager's point of view, what are the advantages in letting two people share a cell? What are the disadvantages?

SPACE, LIGHT AND VENTILATION

Many national prison regulations are much more specific than the SMR when it comes to the actual size, temperature or ventilation of cells. The vagueness of SMR is intentional in this place: a cell located in an extremely cold climate needs to be different from a cell located in a tropical one.

Rule 10 makes clear that:

Slide 6 – SPACE, LIGHT, VENTILATION

'All accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation.'(Rule 10)

The key part of **Rule 10** is that accommodation must meet all requirements of health. In other words, the administrators must take care to assure that conditions are not harmful to an prisoner's health.

Sleeping in extremely stuffy, or cold, or damp rooms leads to a number of ailments. Spending long hours in extremely crowded rooms, especially in those cases when prisoners don't work and do not leave the cells except for short recreation periods, may lead to muscle atrophy. Where prisoners are required to work in their cells, the work materials often crowd the place even further, while work in the cell may lead to additional health problems.

Discussion point:

What do you consider to be the minimum amount of space that should be provided for each prisoner to enable them to remain healthy?

The International Instruments and Standards do not set down a minimum standard.

However, the European Committee on Prevention of Torture (CPT) and European Court of Human Rights has set 7 sq.m. per prisoner as a **desirable** guideline for a detention cell - with 2 metres or more between walls, 2.5 metres between floor and ceiling. i.e. 56 m² for 8 inmates.

In recommendations to various Governments CPT has recommended a reduction in occupancy levels in the dormitories to provide a **minimum** living space of 4 sq.m. per prisoner.

In the **United States**, the American Public Health Association (APHA) has set standards requiring a minimum of 60 square feet (18.18 sq. m.) per prisoner.

Rule 11 deals with light and ventilation:

Slide 7 – LIGHT AND VENTILATION

'In all places where prisoners are required to live or work:

- (a) The windows shall be large enough to enable the prisoners to read or work by natural light, and shall be so constructed that they can allow the entrance of fresh air whether or not there is artificial ventilation;
- (b) Artificial light shall be provided sufficient for the prisoners to read or work without injury to eyesight.' (Rule 11)

Spending an extended number of hours in a badly lit area may cause permanent damage to the eyesight. Efforts should be made to assure sufficient light. Prolonged exposure to artificial light only may also be harmful both to a prisoner's vision as well as to his or her mental wellbeing.

For that reason all windowless cells that currently exist (in clear violation of SMR) must be eliminated.

Devices such as metal shutters, slats, or plates fitted to cell windows, which deprive prisoners of access to natural light and prevent fresh air from entering the accommodation must also be eliminated.

Specific security measures designed to prevent the risk of collusion and/or criminal activities may well be required in respect of certain prisoners. However, the imposition of measures of this kind should be the exception rather than the rule.

This implies that prison managers must examine the case of each prisoner in order to ascertain whether specific security measures are really justified in his/her case.

Further, even when such measures are required, they should never involve depriving the prisoners concerned of natural light and fresh air. The latter are basic elements of life which every prisoner is entitled to enjoy; moreover, the absence of these elements generates conditions favourable to the spread of diseases and in particular tuberculosis.

All other cells should have sufficient artificial light, in addition to the source of natural light.

Every cell should have an electric switch inside the cell, not being able to make a decision about turning the light on or off unnecessarily adds to the feeling of powerlessness and frustration on the part of the prisoner.

To assess the adequacy of the lighting in each cell prison staff members may conduct a very simple test by inspecting all cells with a book at hand and try to read a few lines in each cell.

OVERCROWDING

Slide 8 - OVERCROWDING

The problem of overcrowding is a serious one as it affects the living conditions of prisoners and often violates many of their basic rights.

The problem often leads to the mixing of prisoners across categories (pre-trial detainees, convicts, juveniles, men and women).

Overcrowded conditions clearly have an impact on the security and safety of inmates and on staff safety. Overcrowding contributes to the deterioration of the physical conditions of prison facilities. It increases the risk of transmission of communicable diseases. It results in poor supervision of inmates and poor safety conditions which significantly increases the risks of violence and of gang activity.

Discussion point:

How do you think the level of overcrowding can be reduced?

What can you do in your RRC to alleviate overcrowding if it exists?

The solution to overcrowding may sometimes involve building new prisons in order to increase the overall capacity of the prison system. One should be careful however not to jump too quickly to that conclusion.

Many countries have been able to address the problem of prison overcrowding by reducing the size of the prison population by limiting the number of accused persons held in custody while awaiting trial, promoting expeditious trials, promoting community-based sentences and alternatives to incarceration, and developing early or conditional release programs.

Most of these solutions compare favourably to various types of relatively prisoners amnesty programs designed to release inmates simply to reduce the size of the prison population.

Good utilisation of prison facilities cannot be dissociated from good prisoner population management, including the use of a good prisoner classification system. Furthermore, timely and accurate information about the prison population and fluctuation in the size and characteristics of that population is critical to the good management of prison facilities and good long term planning of new facilities.

Sometimes an imaginative use of space can alleviate some of the problems.

SANITATION AND CLEANLINESS

Being able to take care of one's physical necessities in private and in a decent manner is extremely important to everyone.

Slide 9 - SANITATION

'The sanitary installations shall be adequate to enable every prisoner to comply with the needs of nature when necessary and in a clean and decent manner'. (Rule 12)

It is particularly important that prisoners have access to a toilet at all times. Nobody should be put in a position when one's ability to take care of the most basic physical needs depends on a guard and his or her availability or willingness to open the door and lead a prisoner to a bathroom.

Toilets located in or adjacent to the cells should have covers and should be separated from the living area by a wall or at the very least, a partition. This is particularly important in prisons where prisoners eat in the cell because eating in the presence of an open toilet is extremely unpleasant.

Efforts should be made to provide all cells with flushable toilets; if this is impossible, containers used need to be emptied several times a day. Toilet paper should be kept in constant supply.

Prisoners should be required to keep their cells clean; the prison needs to provide the necessary supplies to do so, such as buckets, soap, mops, brooms, etc.

Slide 10 - CLEANLINESS

'All parts of an institution regularly used by prisoners shall be properly maintained and kept scrupulously clean at all times' (Rule 14).

Discussion point:

How can the prison managers encourage prisoners to keep their rooms and communal areas clean and tidy?

Each prison should devise a routine for maintaining the cleanliness of common areas of the prison, using prisoners to undertake the work and devising a system of remuneration or rewards for work performed.

Having a kind of sanitation audit is one way that prison managers can prevent the spread of disease.

Regular checks on the cleanliness of the kitchen, toilets, sleeping areas and eating areas will help to maintain a certain standard of hygiene. A clear roster of duties for staff is always a useful way to rotate cleaning duties.

It is usually necessary to offer training to both staff and prisoners on how to prepare, conserve and serve food safely, on basic hygienic practices, and on how to clean and disinfect some critical areas and surfaces within the institution.

PERSONAL HYGIENE AND CARE

Prisoners' ability to maintain their personal hygiene determines to a large extent their capacity to keep up their self-respect.

Slide 11 – PERSONAL HYGIENE

'Prisoners shall be required to keep their persons clean, and to this end they shall be provided with water and with such toilet articles as are necessary for health and cleanliness'.(Rule 15)

Discussion point:

What types of toiletry articles should prisoners be provided with by prison managers?

The prison needs to supply prisoners with soap, toothbrushes, toothpaste and towels, as a minimum. When prisoners are allowed to receive or buy such items from outside, the prison still has the responsibility to have these items available, since some prisoners will not be able to afford them.

One additional thing to remember when arranging for prisoners' access to toilet articles is to provide them with a place in which to keep toilet articles of personal use (such as toothbrushes, for example) and the articles that are not kept in constant supply in the common areas. This needs to be done to avoid theft and fights among prisoners, but also to provide them with a sense of privacy.

Efforts should be made to allow any prisoner the use of a bath or shower every time he or she wants to use it. This ready access to hot and cold running water would obviously be the ideal situation and should be the goal of every prison.

Slide 12 - BATHING

'Adequate bathing and shower installations shall be provided so that every prisoner may be enabled and required to have a bath or shower, at a temperature suitable to the climate, as frequently as necessary for general hygiene according to season and geographical region, but at least once a week in a temperate climate'.(Rule 13)

Prisoners employed in very strenuous or dirty jobs should be able to take a shower at the end of each shift.

That prisoners keep their body clean, and thus free of odour or insects, is also important to the health and wellbeing of everyone forced to spend extended amounts of time in the cell blocks, that is chiefly the prisoners, but their staff as well.

Discussion point:

What should the prison manager do if a prisoner refuses to wash and keep clear?

Staff members should strive to encourage prisoners to keep themselves clean, while avoiding the use of coercion.

Special arrangements need to be made for menstruating women. They should be able to wash themselves and their undergarments as often as they need to. In addition, they should be provided with sanitary material typically used by menstruating women in the country (such as pads, tampons, cotton, cloths).

It is important that these arrangements be available to women under conditions in which they do not need to be embarrassed asking for them (for example either

dispensed by other women or, better yet, accessible whenever needed). In those prisons where women live with their children, provisions should be made for adequate hygienic conditions and facilities for infants.

It should be noticed, that personal hygiene and washing can include a religious dimension. **Rule 6** is the basic principle about no discrimination, among other things, on grounds of religion. This means that prisoners should be able to undertake personal hygiene in accordance with their religious beliefs.

Slide 13 – BEARDS AND HAIR

'In order that prisoners may maintain a good appearance compatible with their self-respect, facilities shall be provided for the proper care of the hair and beard, and men shall be enabled to shave regularly'.(Rule 16)

Discussion point:

Are there any circumstances when it would be permissible for prison managers to shave a prisoner's head against their will?

Prisoners' heads should never be shaved against their will, except for demonstrable medical reasons.

Prisoners should also be allowed to wear facial hair if they wish so.

As mandated by the rule, men who do not have beards should be enabled to shave regularly. Obviously, access to blades or other shaving instruments may for security reasons have to be closely supervised.

In addition, staff members must make absolutely sure that no shaving instruments are shared by two or more prisoners.

CLOTHING

Slide 14 - CLOTHING

'Every prisoner who is not allowed to wear his own clothing shall be provided with an outfit of clothing suitable for the climate and adequate to keep him in good health. Such clothing shall in no manner be degrading or humiliating'.(Rule 17)

This Rule emphasises two major aspects of clothing, its protective function and its social and psychological function.

Clothing should therefore be appropriate for weather extremes as well as for special working conditions. But adequate and decent clothing, in addition to affecting in an obvious way prisoners' health, also affects their morale.

To wear one's own clothing is a part of one's identity and therefore increases one's self-respect and individuality. However some prison systems require prisoners to wear prison clothing or uniform.

Discussion point:

Do you think prisoners should be made to wear a uniform?

What sort of clothing do you think would be degrading or humiliating?

If prisoners are to be provided with clothing, civilian clothing is far preferable to prison uniforms. Whilst overalls may often be used for work it is advisable to allow prisoners to wear their own, or civilian clothing after work.

Slide 15 – UNTRIED PRISONERS' CLOTHING

'An untried prisoner shall be allowed to wear his own clothing if it is clean and suitable' (Rule 88).

The fundamental principle of **Rule 88** is that untried prisoners shall wear their own clothing. If, however, they wear prison uniform, Rule 88 (2) makes clear that it should be different from that of convicted prisoners.

Where uniforms are still in use, or civilian clothing is provided, those should be available in different sizes, so that no prisoner is required to wear inadequate size clothing making him or her look and feel embarrassed or uncomfortable.

Slide 16 – CLEANING OF CLOTHES

'All clothing shall be clean and kept in proper condition. Underclothing shall be changed and washed as often as necessary for the maintenance of hygiene' (Rule 17(2)).

It is worth pointing out that there is a lot that staff can do to make the keeping of prisoners' clothes clean easier. The most significant problem is the drying of the clothes.

Staff, through their intimate knowledge of the RC and of its prisoners, are best positioned to come up with a system for drying prisoners' clothes and underwear, by designating special area or areas, providing rope to hang the clothes on, etc. Important aspects to also take into consideration while doing so are the fire safety and the safety of the garments (where theft among prisoners is a problem).

Where prisoners are allowed to wear their own clothing and shoes, in addition to devising a system for **admission of these items from outside (Rule 18)**, it is important to remember that some prisoners may not be able to afford clothes to be brought to the prison for them or they may have no one to do it for them.

This is particularly true for poor and foreign prisoners. Thus, even if wearing civilian clothes is allowed, the prison still has the responsibility to provide clothing for those in need.

BEDDING

Individual, clean beds with clean bedding is the minimum requirement at every prison as **Rule 19** of the Standard Minimum Rules makes clear:

Slide 17 - BEDDING

'Every prisoner shall, in accordance with local or national standards, be provided with a separate bed, and with separate and sufficient bedding which shall be clean when issued, kept in good order and changed often enough to ensure its cleanliness'.(Rule 19)

FOOD AND WATER

It may appear obvious but **Rule 20 (1)** reminds prison managers that they have a duty to provide food and water for prisoners:

Slide 18 – FOOD

'Every prisoner shall be provided by the administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served'. (Rule 20)

Any prison professional will readily admit that complaints about quality and/or quantity of food are among the most common he or she receives.

Discussion point:

How can the prison managers ensure prisoners receive good quality food? What is meant by 'usual hours'?

One very simple way for the prison staff director to assess the quality of food is - on regular basis or occasionally - eat the food served to the prisoners themselves.

Ensuring a sufficient and steady food supply for the prison population is often a challenge. There are problems of procurement, stores management, food distribution, corruption, pilferage that usually require careful attention. Many institutions are able to alleviate potential food shortages by relying on prison industry and, in particular, farming to ensure a steady food supply for prisoners (and staff). Prison farms can be successfully established by prison managers and they may be able to barter some of the produces they obtain with other goods and services from the community. There are several good examples available of successfully prison farming practices.

Other important nutrition-related factors, in addition to the quality and quantity of the food, are where, when and how often the meals are taken and with what utensils.

Prison staff members should also make all efforts to assure that the utensils are clean and in accordance with local customs of eating.

In institutions without dining halls it is also important to arrange things in such a way that prisoners do not have to eat near badly smelling toilets.

With regards to **water** the **Standard Minimum Rules** state:

Slide 19 - WATER

'Drinking water shall be available to every prisoner whenever he needs it' (Rule 20 (2))

Drinking water should be available to prisoners at all times, both during the day and at night.

When cells are not equipped with faucets carrying drinkable water staff members are in a position to devise a system for keeping drinkable water in constant supply. Such a system may consist of issuing prisoners with clean plastic soda bottles or other safe containers to keep the water in or a number of other arrangements, always making sure that the water is clean and that it is always in the cell, without the need for the prisoners to ask for it.

TIME OUT OF ROOM OR CELL

Many prisoners, in particular pre-trial prisoners, spend the majority of their days indoors in conditions of relatively close confinement, with limited access to light and

fresh air. In these circumstances it is essential for both physical and mental health that they should be given an adequate amount of time each day in the open air and should have the opportunity to walk about or to take other exercise.

The **minimum recommended time** in the fresh air is one hour each day (Rule 21(1)).

Slide 20 – OUTDOOR EXERCISE

'Every prisoner who is not employed in outdoor work shall have at least one hour of suitable exercise in the open air daily if the weather permits'.(Rule 21)

During this period prisoners should be able to walk about in relatively large areas and should also, if at all possible, be able to see natural growth and vegetation. The practice in some countries of placing large numbers of prisoners into small walled yards, which are in effect cells without roofs, for an hour each day does not satisfy the obligation to give the opportunity to exercise in the open air.

The right to exercise in the open air applies to all prisoners, including those who are under any kind of segregation or punishment.

It may be noted, that **Rule 21** creates the impression that prisoners are to be forced to take part in exercise and training. Although prisoners should not be completely free to participate or not, in case of refusal efforts should be made to persuade them.

HEALTHCARE and MEDICAL SERVICES

Physical and mental health of prisoners is one of the most important aspects of life in prison.

Discussion point:

Why do you think this is the case? What issues do you think are relevant to the healthcare given to prisoners?

Healthcare affects how people live, work and behave. This has particular significance in the case of prison staff and prisoners.

By its nature the condition of imprisonment can have a damaging effect on both the physical and mental wellbeing of prisoners. Prison administrations have a responsibility, therefore, not simply to provide medical care but also to establish conditions that promote the wellbeing of both prisoners and prison staff. Prisoners should not leave prison in a worse condition than when they entered.

Prisoners often arrive in prison with pre-existing health problems. Prisoners often come from the poorest sections of society and their health problems will reflect this. They will bring with them untreated conditions, addictions and also mental health problems. These prisoners will need particular support, as will those many others whose mental health may be significantly and adversely affected by the fact of imprisonment.

In many countries, a large percentage of those in prison are infected with transmissible diseases, such as tuberculosis, hepatitis and HIV/AIDS. Prison administrations have a responsibility to those who come into prison – prisoners especially, but also staff and visitors - to ensure that they are not exposed to risks of infection. A failure to manage these conditions will mean that they become community health problems as a result of contact between the prison and wider society, through staff and visitors, and as a result of the eventual release of prisoners.

HEALTH CARE RIGHTS

The right to health is a basic human right. **Article 12, paragraph 1**, of the **International Covenant on Economic, Social and Cultural Rights** highlights:

Slide 21 - RIGHT TO HEALTH

International Covenant On Economic, Social And Cultural Rights

'the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.' (Article 12(1))

And the **Universal declaration of Human Rights, Article 25**, states that:

Slide 22 - RIGHT TO MEDICAL CARE

Universal declaration of Human Rights

'Everyone has the right to a standard of living adequate for the health and well-being of himself and his family... including... medical care and necessary social services.' (Article 25)

Alongside these fundamental rights of all humans, prisoners have additional safeguards because of their status.

Discussion point:

What are these safeguards? What additional health care rights might prisoners have?

Just because a person is in prison, they should not be subjected to a lower standard of health care than that provided in society. The State takes on a responsibility to provide sufficient health care when it deprives a person of their liberty. It is not tolerable for imprisonment to add sickness, physical or mental suffering to the punishment.

The State's responsibility is perhaps even greater when considering that the situation of imprisonment in itself, to a greater or lesser extent, is damaging to people's physical and mental health.

It is often asked what the standard of health care in prison should be. **Principle 9** of the **Basic Principles for the Treatment of Prisoners** states that:

Slide 23 - ACCESS TO HEALTHCARE

Basic Principles for the Treatment of Prisoners

'Prisoners shall have access to the health services available in the country without discrimination on the grounds of their legal situation.'(Principle 9)

The government has full responsibility for imprisoned people who are placed under its authority, thus the quality should be as good as it can be.

It is not for anyone to judge whether a prisoner 'deserves' health care or not.

EXAMINATION ON ADMISSION

Principle 24 of the **Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment** states that:

Slide 24 - MEDICAL EXAMINATION AND TREATMENT

'A proper medical examination shall be offered to a detained or imprisoned person as promptly as possible after his admission to the place of detention or imprisonment, and thereafter medical care and treatment shall be provided wherever necessary. This care and treatment shall be provided free of charge.'(Principle 24)

The issue of medical screening on first admission was discussed in Session 4.

Discussion point:

Can you remember the reasons why prisoners should be medically examined on admission?

There are several important reasons why prisoners should be offered medical examinations when they first arrive in prison:

- It enables medical staff to identify any pre-existing medical conditions and ensure that appropriate treatment is provided.
- It allows appropriate support to be provided to those who may be suffering the effects of the withdrawal of drugs.
- It will help to identify any injuries which may have been sustained during initial detention.
- It will allow trained staff to assess the mental state of the prisoner and provide appropriate support to those who may be vulnerable to self-harm.

Also, as it is not always possible to ensure that a doctor is able to carry out a medical examination of all prisoners as soon as they are admitted to prison, they should at least be seen by a qualified nurse who can report any concerns.

As part of the admissions procedure too, prisoners should receive clear information on the arrangements for healthcare in prison.

Principle 24 of the **Body of Principles** also requires that medical care has to be provided free of charge. It is an important principle of prison health care that all necessary medical care and treatment should be provided free of charge. This may be a particular problem when there are increasing numbers of long-term prisoners who require expensive treatment for complex or terminal conditions.

Prison administrations will need to ensure that they make suitable arrangements which are based on the needs of prisoners and that the required treatment is not restricted on the grounds that it is deemed to be too expensive merely because the patient is a prisoner.

Rule 22 (1) of the SMR requires that:

Slide 25 - LINK BETWEEN PRISON AND COMMUNITY HEALTHCARE

'The medical services should be organised in close relationship to the general health administration of the community or nation.'(Rule 22(1))

In all aspects of health care prison authorities should seek to establish and maintain close links with health service providers outside the prison.

Discussion point:

Why do you think that there should be close links between prison and community healthcare provision?

This will not only allow for a continuity of treatment but will also enable professional standards and in training for medical personnel.

INDIVIDUAL TREATMENT

Individual prisoners are entitled to regular, confidential access to appropriate levels of medical consultation which is at least the equivalent to that available in civil society.

An important point is that any medical judgements and treatments should be based on the needs of the individual prisoner and not on the needs of the administration.

Slide 26 - INDIVIDUAL TREATMENT

'The medical services of the institution shall seek to detect and shall treat any physical or mental illnesses or defects which may hamper a prisoner's rehabilitation. All necessary medical, surgical and psychiatric services shall be provided to that end.' (Rule 62)

Prisons should make sure that prisoners who are sick or who are concerned about their health have access every day to a qualified medical officer, and privacy should be ensured.

The conditions under which prisoners are interviewed about their health should be the equivalent of those which apply in civil medical practice – it is unacceptable for consultation to take place with groups of other prisoners around.

There is a right to confidentiality too, which requires that prisoners should not have to submit their requests for access to the doctor to other prison staff – they should never have to disclose their reasons for seeking a consultation.

Discussion point:

Can you think of any circumstances where there may be possible tensions between the prisoners' medical and health needs and the interests of the broader prison community and prison managers?

The treatment provided as a result of consultation and diagnosis should be that which is in the best interests of the individual prisoner. Decisions should not be based on the relative cost or convenience to the prison administration.

PRISON DOCTOR

Each prison should have sufficient qualified health care specialists, the primary responsibility of whom is to look after the health care of the prisoners. There should be at least one qualified medical officer

Slide 27 - HEALTHCARE STAFF

'At every institution there shall be available the services of at least one qualified medical officer who should have some knowledge of psychiatry. The medical services should be organised in close relationship to the general health administration of the community or nation. They shall include a psychiatric service for the diagnosis and, in proper cases, the treatment of states of mental abnormality.'(Rule 22(1))

There is a reason the rules specify a close relationship to the health administration of the community; it is a good way to ensure that a prison has enough qualified medical staff. All health care staff should be qualified to at least the same level as would be required for similar posts outside the prison. Similarly, their salaries and conditions of employment should be to a similar standard.

The prison doctor has three crucial roles set out in the **Standard Minimum Rules**:

Discussion point:

What do you think these roles are?

Slide 28 - THREE KEY ROLES FOR MEDICAL OFFICER

1. The doctor is a private doctor of a prisoner
2. The doctor is an adviser to the prison director for specific matters with respect to prisoners treatment
3. The doctor is a social health and hygiene officer

The doctor is a private doctor of a prisoner - This primary role of the medical officer means that issues of medical confidentiality between doctor and patient must be respected.

The doctor is an adviser to the prison director for specific matters with respect to prisoners treatment - This aspect of the medical officers' role is extremely sensitive. They are the one person in the

prison whom the director cannot tell what to do in respect of his or her professional duties.

The doctor is a social health and hygiene officer, supervising and reporting about the general situation of health and hygiene in the prison

Discussion point:

What areas of a RRC may have an impact on the health and hygiene of staff and prisoners?

The physical conditions of the accommodation, the food and the arrangements for hygiene and sanitation should all be designed in such a way as to help those who are unwell to recover and to prevent the spread of infection to the healthy.

The medical officer has a responsibility for the health of the prison as well as the health of individual prisoners:

As **Rule 26** of the **Standard Minimum Rules** states:

Slide 29 - MONITORING ROLE OF MEDICAL OFFICER

'The medical officer shall regularly inspect and advise the director upon:

- (a) The quantity, quality, preparation and service of food;
- (b) The hygiene and cleanliness of the institution and the prisoners;
- (c) The sanitation, heating, lighting and ventilation of the institution;
- (d) The suitability and cleanliness of the prisoner' clothing and bedding;
- (e) The observance of the rules concerning physical education and sports, in cases where there is no technical personnel in charge of these activities. (Rule 26)

The task of prison health-care services should not therefore be limited to treating sick patients, but should extend to social and preventive medicine, including supervising proper hygiene in prisons, preventing transmissible disease, suicide and violence, and limiting the disruption of social and family ties.

RESPONSIBILITY OF ALL STAFF

The health of prisoners is also not just the responsibility of the prison doctor and nurses but also of prison managers and staff.

Every member of the prison staff should ensure that prisoners' health rights and entitlements are enforced.

Article 6 of the **UN Code of Conduct for Law Enforcement Officials** states that:

Slide 30 - RESPONSIBILITY OF ALL STAFF

UN Code of Conduct for Law Enforcement Officials

'Law enforcement officials shall ensure the full protection of health of persons in their custody and, in particular shall take immediate action to secure medical attention whenever required.' (Article 6)

This code includes prison staff, so should be applied by them.

All prison staff need to have an understanding of basic health matters. Very often when an incident occurs in prison in which someone needs immediate first aid it will be non health care staff who will be first on the scene and who will be required to administer immediate care.

Also, Additional training and education are necessary periodically to keep staff and prisoners up to date on the latest health problems, such as drug abuse, HIV/AIDS, tuberculosis and other transmissible diseases.

Every request of a prisoner to see a doctor should be taken very seriously answered and agreed to promptly, unless this request is obviously faked. In case of doubt, the request should be granted. If afterwards it was deemed to be wilful misuse, appropriate disciplinary sanctions should be taken, but a new request to see a doctor should never be refused because of an earlier misuse.

In addition to meeting the needs of prisoners who are ill, prison managers are also responsible for ensuring that the conditions of imprisonment do not adversely affect physical and mental health.

The conditions under which prisoners are detained will have a major impact on their health and well-being. In order to meet their responsibilities therefore, prison administrations should ensure appropriate standards in all those areas that may affect the health and hygiene of prisoners.

MEDICAL CONDITIONS

Transmissible Diseases

Transmissible diseases are a big problem for prison managers . Decisions about these matters must not be based on irrational opinions of prisoners, staff or the public. The basic starting point should be the respect of a person's integrity and dignity and trust in a doctor's medical judgement.

The first solution is to inform prisoners and staff about diseases, the real risks of infection and how to avoid them.

Programs and training could be in place for the prevention of communicable and contagious diseases. Prisoners are a most-at-risk population not only for HIV and other sexually transmitted infections, but also for tuberculosis.

In RRCs, overcrowding, lack of ventilation and poor prevention practices dramatically increase the risks of tuberculosis transmission. Tuberculosis is also one of the most common opportunistic infection among people living with HIV. The combination of the high prevalence of both tuberculosis and HIV in prisons is responsible for a high mortality rate amongst prisoners.

Discussion point:

Measures to reduce risks have been introduced in prisons in some countries – for example, making condoms available and even syringes for drug users. Do you think that this is appropriate?

Suicide

In RRCs there are examples of self-mutilation and suicidal attempts by prisoners. They happen generally because of mental, social or cultural problems. They should be dealt with carefully, sensitively and individually – certainly not routinely or disciplinarily.

Discussion point:

What action do you think prison managers should take to prevent suicide and self harm?

Often the measure taken to prevent a prisoner harming themselves is isolation, but this is exactly the opposite of what is needed. Care and contact should be the first response. Training staff about reasons for suicide attempts, identifying symptoms and establishing strategies to support vulnerable prisoners are essential.

Refusal to Eat

A refusal to eat is frequently a protest, not a suicide attempt. When this is the case it is not a medical problem, but a political or social problem. The **World Medical Association's Declaration on Hunger-Strikes** states that:

Slide 31 - HUNGER STRIKES

World Medical Association's Declaration

'The ultimate decision on intervention or non-intervention should be left with the individual doctor without the intervention of third parties whose primary interest is not the patient's welfare.'

Discussion point:

Do you think that the State should force-feed a prisoner on hunger strike? Or should the prisoner be able to die if he wants to? Should the mental condition of the prisoner be the key factor?

RELIGION

Since freedom of **religious belief** is a basic human right, prisoners should be given the opportunity to avail themselves of such services of their own free will.

Discussion point:

Should all prisoners be able to practice their religion and meet with their spiritual advisor? What about prisoners in distress, solitary confinement, suicide attempts, hunger strike, and severe illness?

Personal responsibility is at the basis of the standards for care with respect to religion and arrangements are set out in **Rule 41** and **42**, which see religion as a right of the prisoner, not as a duty for the prisoner:

Slide 32 – RELIGIOUS REPRESENTATIVES

'If the institution contains a sufficient number of prisoners of the same religion, a qualified representative of that religion shall be appointed or approved. If the number of prisoners justifies it and conditions permit, the arrangement should be on a full-time basis'.

'A qualified representative appointed or approved under paragraph (1) shall be allowed to hold regular services and to pay pastoral visits in private to prisoners of his religion at proper times'.

'Access to a qualified representative of any religion shall not be refused to any prisoner. On the other hand, if any prisoner should object to a visit of any religious representative, his attitude shall be fully respected'.(Rule 41)

Rule 42 goes on to deal with the issue of attending religious services:

Slide 33 – RELIGIOUS SERVICES

'So far as practicable, every prisoner shall be allowed to satisfy the needs of his religious life by attending services provided in the institution and having in his possession the books of religious observance and instruction of his denomination'. (Rule 42)

These rules emphasise that all prisoners have the right to observe the tenets of their religion and to have access to a minister of that religion. Prisoners also have the right to access to qualified representatives of any religion.

The Standard Minimum Rules take a pragmatic position on group worship. Numbers and facilities will dictate whether group worship is practicable for those belonging to minority religions within an institution's prisoner population.

However, it is important that this numerical difference should lead to as little differentiation as possible. In particular, when a state religion operates, care must be exercised to ensure that the institution does not merely provide one place of worship, adorned with the objects of worship of the State religion.

If worshippers of other faiths have to share the place of worship, religious objects of worship should be removable, so that they do not give offence to other groups.

Discussion point:

*Should any limitations be placed on a prisoner's right to practice his/her religion?
How can the prison authority ensure that specific religious needs (a special diet, clothing or washing at particular times) be met?*

Needless to say, a prisoner who embraces extreme religious convictions which prejudice other people's freedoms, for example one who believes in violence in the name of religion, has no right to exercise those convictions and the prison administration is obliged to protect others from the consequences of such extreme convictions.

ACTIVITY:

In smaller groups discuss the following questions:

- 1. What are the biggest challenges in order of priority that you encounter in your RRC in terms of meeting the minimum standards relating to the basics needs of prisoners?*
- 2. What innovative ideas and initiatives have you heard of or have implemented yourself to overcome any of these challenges?*
- 3. What are the main reasons for not being able to meet the basic needs of prisoners in your prison? Resources? Public opinion? Prison administration? Senior officials? Discuss each factor separately.*

KEY POINTS / CONCLUSION

- A big part of prison management is to ensure that physical space is used effectively and efficiently. A good prison leader should always be thinking about how to use the space in the institution in a more efficient way so as to create acceptable living conditions for inmates and working/living conditions for staff.
- The way prison space and physical facilities are used greatly affects factors like public safety, prisoners living conditions, prison staff security and the ability to maintain control and order within the prison.
- International standards relating to accommodation of prisoners requires them to have adequate living space, a place to sleep, and a place to clean themselves. They also require the separation of women, children, those on remand, mentally ill from the adult male population.
- Physical facilities within a prison must account for the special needs and circumstances of special groups of prisoners who have special needs or are particularly vulnerable.
- Prisons must have access to ample, clean and safe water as well as a working sanitation system.
- Meeting the basic needs of prisoners is important to allow them to survive and to preserve a degree of self-respect, self-esteem, and hope. Without these, any hope of rehabilitating offenders is lost. They will not have any hope for the future or any regard for others, and the system will have failed them and society.
- Personal hygiene and sanitary conditions are not only important basic needs of prisoners but also important disease prevention prerequisites.

- Special measures must be taken to prevent the spreading of communicable diseases within the prison.
- Health care services are one of the basic needs of prisoners.

SESSION 10

MANAGING THE GENERAL PRISON POPULATION

Slide 1 – TITLE

MANAGING THE GENERAL PRISON POPULATION

Duration:

1.5 hours

Purpose of Session:

This session will identify key factors that contribute to the effective management of the prisoner population. The session will consider: prisoner admission; assessment and classification; constructive activities and rehabilitation; pre-release; and contact with the outside world.

Objectives:

Slide 2 – OBJECTIVES

- To demonstrate the importance of setting in place good prisoner admission procedures
- To recognise the relationship between these practices and relevant international and regional norms and standards.
- To identify some good practices in classifying prisoners and assessing their needs
- To understand the key role of constructive activities and prison programmes in preparing offenders for their eventual release
- To explore how RRCs can assist prisoners to keep in contact with the outside world.
- To better understand the needs of some vulnerable groups of prisoners.

PRISONER ADMISSION AND CLASSIFICATION

Admission procedures

The recognition of human dignity begins when a prisoner is first received at a prison. The procedures followed when the prisoner first arrives at the prison can be particularly important because it is often a time when the prisoner is especially fearful and disorientated.

Prisoners are particularly vulnerable when they first arrive in detention or imprisonment.

Good practice has evolved in countries around the world, showing how staff can conduct admission procedures not only lawfully, but with sensitivity to the welfare and essential dignity of the detained person.

Out of this good practice it is possible to make a series of recommendations that are of universal applicability and that can be adapted to local custom, cultural traditions and socio-economic level.

These rights apply to all prisoners, whether they are on remand, pre-trial awaiting sentence or convicted. Important additional considerations apply to particular groups of prisoners, such as those who have not been convicted, foreign prisoners, juveniles and young prisoners and women.

Discussion point:

As prison managers, what can you do to ensure that prisoners are treated with sensitivity to their welfare and essential dignity?

International law recognises that the right to life and to freedom from torture require a specific framework of protection at this time. A number of international instruments describe the rights of the imprisoned person and the obligations of prison staff at the point of first admission to a place of detention in order to safeguard against torture, ill-treatment, disappearance, extrajudicial killing and suicide.

First of all, it is essential that prisoners should be held in places that are officially recognised as places of custody.

Principle 6 of the Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions states that:

Slide 3 - OFFICIAL PLACES OF CUSTODY

'Governments shall ensure that persons deprived of their liberty are held in officially recognised places of custody and whereabouts, including transfers, is made promptly available to their relatives and lawyer or other persons of confidence.'(Principle 6)

Discussion point:

What information do you think should be collected from prisoners on their arrival in prison?

A register must be kept of all those admitted to prison.

Slide 4 - REGISTER (1)

Rule 7 (1)

In every place where prisoners are imprisoned there shall be kept a bound registration book with numbered pages in which shall be entered in respect of each prisoner received:

- (a) Information concerning his identity;
- (b) The reasons for his commitment and the authority therefore;
- (c) The day and hour of his admission and release;

Rule 7 (2)

No person shall be received in an institution without a valid commitment order of which the details shall have been previously entered in the register.

A register is also specified by **Article 10** of the **Declaration on the Protection of All Persons from Enforced Disappearance**:

Slide 5 - REGISTER (2)

'An official up-to-date register of all persons deprived of their liberty shall be maintained in every place of detention. Additionally, each State shall take steps to maintain similar centralised registers.'(Article 10)

The register should give prisoners' personal details in a manner that will ensure that they can be identified. A register is particularly important when there may be a danger that people can 'disappear' from the system.

As stated by the rules, the register should include the date of admission and release for each prisoner. In addition, personal property should be registered.

Discussion point:

What else do you think should happen when a prisoner arrives in prison? What do you think that should happen?

A medical examination is essential. As soon as possible after a person is admitted to prison he or she should be offered a medical examination by a properly qualified medical officer.

Slide 6 – MEDICAL EXAMINATION

'The medical officer shall see and examine every prisoner as soon as possible after his admission and thereafter as necessary, with a view particularly to the discovery of physical or mental illness and the taking of all necessary measures; the segregation of prisoners suspected of infectious or contagious conditions; the noting of physical or mental defects which might hamper rehabilitation, and the determination of the physical capacity of every prisoner for work.'(Rule 24)

In some prisons though, it could be difficult for a doctor to examine all prisoners immediately after admission. In these cases a qualified nurse could give preliminary interviews, with the doctor only seeing prisoners referred to him or her by the nurse.

In addition, all staff, particularly those who work in the reception area of a prison, should be specially trained to recognise prisoners who are most at risk of harming themselves or of being harmed by other prisoners.

Written Information

Discussion point:

*What information do you think that prisoners should be given on arrival in prison?
Why do you think they should be given this information?*

Slide 7 – WRITTEN INFORMATION (1)

'Every prisoner on admission shall be provided with written information about the regulations governing the treatment of prisoners of his category, the disciplinary requirements of the institution, the authorised methods of seeking information and making complaints, and all such other matters as are necessary to enable him to understand both his rights and his obligations and to adapt himself to the life of the institution'. Rule 35 (1)

'If a prisoner is illiterate, the aforesaid information shall be conveyed to him orally'. Rule 35 (2)

This is also reflected in **Principle 13** of the **Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment**:

Slide 8 - WRITTEN INFORMATION (2)

'Any person shall, at the moment of arrest and at the commencement of detention or imprisonment, or promptly thereafter, be provided by the authority responsible for his arrest, detention or imprisonment, respectively with information on and an explanation of his rights and how to avail himself of such rights.'(Principle 13)

If possible they should be given a personal copy of the prison regulations.

Wherever possible there should be an induction period for all new prisoners during which the relevant legislation, regulations and routine of daily life in prison is explained to them and they are given the opportunity to meet people who are available to them, such as religious representatives, teachers and others

Notification to next of kin

It is also important that as soon as a person is admitted to prison, his or her next of kin, partner or legal representative should be informed where he or she is.

This is confirmed by **Principle 16** of the **Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment**:

Slide 9 - NEXT OF KIN

- (1) Promptly after arrest and after each transfer from one place of detention or imprisonment to another, a detained or imprisoned person shall be entitled to notify or to require the competent authority to notify members of his family or other appropriate persons of his choice of his arrest, detention or imprisonment or of the transfer and of the place where he is kept in custody.
- (2) If a detained or imprisoned person is a foreigner, he shall also be promptly informed of his right to communicate by appropriate means with a consular post or the diplomatic mission of the State of which he is a national or which is otherwise entitled to receive such communication in accordance with international law or with the representative of the competent international organisation, if he is a refugee or is otherwise under the protection of an intergovernmental organisation. (Principle 16)

Discussion point:

Does the prison administration have a duty to inform family members that a person is in custody, if the prisoner does not want them informed?

The prison administration must respect a prisoner's decision not to inform their family, if that is their wish. The only exceptions are set out in **Principle 16** of the **Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment**

Slide 10 - NEXT OF KIN EXCEPTION

- (3) If a detained or imprisoned person is a juvenile or is incapable of understanding his entitlement, the competent authority shall on its own initiative undertake the notification referred to in the present principle. Special attention shall be given to notifying parents or guardians.(Principle 16)

CLASSIFICATION OF PRISONERS

Classification of prisoners should also take place on admission.

Discussion point:

Why do you think it is important to categorise prisoners? What purposes are served by categorisation? What criteria should be used for categorisation?

There are many purposes for classifying prisoners:

- 1) They safeguard prisoners' rights
- 2) They protect certain groups of prisoners
- 3) They determine necessary levels of security and control
- 4) They provide different activities to suit individual needs

Slide 11 - CLASSIFICATION

'The purposes of classification shall be:

- (a) To separate from others those prisoners who, by reason of their criminal records or bad characters, are likely to exercise a bad influence.
- (b) To divide the prisoners into classes in order to facilitate their treatment with a view to their social rehabilitation.(Rule 67)

While **Rule 68** states that:

Slide 12 - SEPARATION

'So far as possible separate institutions or separate sections of an institution shall be used for the treatment of the different classes of prisoners.(Rule 68)

The rules provide both positive and negative reasons for classification – the positive is basing rehabilitation on individual needs, while the negative reflects theories of contamination and risk reduction. There are tensions between the two.

Classification and separation are linked in the Standard Minimum Rules. The object is to emphasise the important distinctions between categories of prisoners and to increase the likelihood that the distinctions will be observed in practice through treating prisoners individually.

In practice though, classification does not always coincide with separation; separation is often a costly method of dealing with prisoners. Especially in overcrowded conditions, separation of distinct categories of prisoners may quickly vanish and the distinctions between them become obscured.

The issue of categorising prisoners based on security risk will be dealt with in a later session.

Review and reassessment are important features of any humane classification system which seeks to balance security and rehabilitation. They should be scheduled and conducted with reasonable frequency and with sensitivity to the individual prisoners' development.

Differentiation and Individualisation

Classification and separation of prisoners by gender, legal status, offending history and age reflect a practical approach to the potential vulnerability of different groups within the prisoner population and the need for protection.

There is also recognition that men and women, alleged offenders and convicted offenders, civil and criminal detainees, young and old, have very different histories and different needs with respect to treatment or self-development.

Slide 13 - DIFFERENTIATION

'The different categories of prisoners shall be kept in separate institutions taking account of their sex, age, criminal record, the legal reason for their detention and the necessities of their treatment. Thus,

- (a) Men and women shall so far as possible be detained in separate institutions; in an institution which receives both men and women,

the whole of the premises allocated to women shall be entirely separate;

- (b) Untried prisoners shall be kept separate from convicted prisoners;
- (c) Persons imprisoned for debt and other civil prisoners shall be kept separate from persons imprisoned by reason of a criminal offence;
- (d) Young prisoners shall be kept separate from adults.' (Rule 8)

Discussion point:

What is the reality in your RRC?

As prison managers are you able to implement an effective assessment and classification system?

Are you able to separate juveniles from adults and pre-trial from sentenced prisoners?

What are the practical steps that you can take to achieve this separation despite the overcrowding and lack of space?

NEEDS ASSESSED AND SENTENCE PLANNING

The planning of an individual person's imprisonment has implications for the way in which prisoners are dealt with from the moment they first enter custody after sentence.

Discussion point:

Why do you think it is important to plan what a prisoner will do during his/her time in prison?

What things do you think should be considered when looking at a prisoner's sentence plan?

What factors do you think could form the basis for prisoner assessment?

Slide 14 - ASSESSMENT

'As soon as possible after admission and after a study of the personality of each prisoner with a sentence of suitable length, a program of treatment shall be prepared for him/her in light of the knowledge obtained about his/her individual needs, capacities and dispositions.'(Rule 69)

The planning process involves finding out about the individual sentenced prisoner. The Standard Minimum Rules describe the prisoner as a passive participant, but experience indicates that sentence planning works best when the prisoner is actively involved in the planning process.

Rule 66 (1) lists factors that could form the basis for prisoner assessment. This implies a sophisticated assessment process, which in practice requires time and skilled staff.

Training of staff in counselling and assessment skills may be a useful means of moving in the direction of skilled assessment of prisoners. This may be combined with the development of assessment teams involving people from different disciplines.

Where specialist skills are not available at individual institutions, a practical alternative is to provide centralised units for assessing and allocating prisoners after sentence.

The requirement for updating clearly reflects the fact that prisoners' needs change over time. The process of updating entails regular feedback on individual development.

Even if the initial assessment is carried out by a centralised assessment team, effective planning and treatment will depend on local staff developing the necessary skills to amend and carry forward treatment plans. This has implications for training of local staff.

Discussion point:

What training do you think prison staff needs to be able to carry out an effective assessment and reviews of prisoners?

CONSTRUCTIVE ACTIVITIES

Rehabilitation Focus

It is clear that people are sent to prison as punishment, not for punishment and that treatment of prisoners must therefore not be punitive.

The Standard Minimum Rules reflect a treatment philosophy. The emphasis has shifted towards providing prisoners, of whatever status, with assistance and opportunities to develop their individual potential and to cope positively with their return to society.

This view is grounded in the reality that today's prisoner is tomorrow's ex-prisoner. It is in the interests both of the prisoner and of society to promote the prospects for resettlement through positive treatment in prison.

Slide 15 – TREATMENT ETHOS

International Covenant on Civil and Political Rights

'The penitentiary system shall comprise treatment of prisoners the essential aim of which shall be their reformation and social rehabilitation.' (Article 10(3))

Standard Minimum Rules also highlights prisons rehabilitative qualities:

Slide 16 - REHABILITATION

'The treatment of persons sentenced to imprisonment or a similar measure shall have as its purpose, so far as the length of the sentence permits, to establish in them the will to lead law-abiding and self-supporting lives after their release and to fit them to do so.' (Rule 65)

Discussion point:

What sort of activity do you think RRCs should provide to assist prisoners to reform and rehabilitate themselves?

Slide 17 – SUPPORTING ACTIVITY

'To this end the institution should utilise all the remedial, educational, moral, spiritual and other forces and forms of assistance which are appropriate and available, and should seek to apply them according to the individual treatment needs of the prisoners'.(Rule 59)

RRCs should also seek to make minimize the differences between life in prison and life in the community as **Rule 60 (1)** makes clear:

Slide 18 - NORMALISATION

'The regime of the institution should seek to minimise any differences between prison life and life at liberty which tend to lessen the responsibility of the prisoners or the respect due to their dignity as human beings' (Rule 60(1))

The idea of making prison life as normal as possible has developed in recent years. There is a growing recognition that to exacerbate the deprivation of imprisonment is not only unjustifiable but also reduces the chances of resettlement on release and so increases the risk to society, if the ex-prisoner returns to crime as a means of survival.

RRCs by definition are not normal. Attempts to make prison more like normal life can never counteract the deprivation that loss of liberty entails, but may reduce the alienating effect of imprisonment.

Discussion point:

What challenges does 'normalisation' create for prison managers?

In what ways can we make prisons more like society outside of prison?

Initiatives to maintain prisoners' links with the outside world are an important part of making prison life normal, as are facilities to allow prisoners to wear their own clothes, and to clean and cook for themselves.

Provision for such activities serves several purposes. Reducing the difference between life inside and outside prison encourages independence and responsibility, gives practice in basic skills and reduces reliance on services provided by the prison administration.

OUT OF CELL ACTIVITY

The SMR recognise that inactivity and boredom are among the worst aspects of imprisonment. Because overcrowding is a common feature of prison life, it is particularly important that provision for activities involves occupying prisoners out of their rooms and cells during the day.

The basic standards regarding activities stress that the normal situation outside prison should apply to activities undertaken in prison. The recommended norm is for prisoners to be out of cell during the day and occupied in useful activity and for the activity to be a meaningful part of the prisoner's development and treatment.

A range of regime activities will now be discussed.

WORK and VOCATIONAL TRAINING

Work for prisoners has been central to prison philosophy since the 19th century. Traditionally work is one of the main activities in prison. Prisoners should be involved in a range of work activities which are useful and which will equip them with skills that they can use after release.

Slide 19 – PRISON WORK

Basic Principles for the Treatment of Prisoners

'Conditions shall be created enabling prisoners to undertake meaningful remunerated employment which will facilitate their reintegration into the country's labour market and permit them to contribute to their own financial support and to that of their families.'
(Principle 8)

The Standard Minimum Rules also cover a number of work related issues in **Rule 71**.

Slide 20 – WORKING ARRANGEMENTS

All prisoners under sentence shall be required to work, subject to their physical and mental fitness as determined by the medical officer - Rule 71 (2)

Sufficient work of a useful nature shall be provided to keep prisoners actively employed for a normal working day - Rule 71 (3)

So far as possible the work provided shall be such as will maintain or increase the prisoners' ability to earn an honest living after release - Rule 71 (4)

Vocational training in useful trades shall be provided for prisoners able to profit thereby and especially for young prisoners - Rule 71 (5)

There are a number of challenges for prison managers when it come to work in RRCs.

Maximise number of prisoners employed

The first challenge is the lack of workshops and work. It is difficult to provide all prisoners with full employment in prison. Work opportunities for prisoners may be limited by the amount of space, available equipment or plant.

Discussion point:

What can you do as a prison manager to increase the amount of work available to prisoners?

Rotation of prisoners in work shifts can provide maximum use of scarce work facilities.

In practice work opportunities and educational and other activities often coincide in the prison timetable, so that the choices are mutually exclusive.

The SMR imply a reorganisation of an institution's programme of activities so that options are offered on a staggered timetable, to allow prisoners to take up more than one option. This has obvious implications for staffing schedules.

Lack of work ethic

The **second challenge** is that sometimes people who are in prison have had no experience of employment and may not want to work.

Discussion point:

Should they be required to work while they are in prison?

How can they be motivated to work?

Fitness for work

The **third challenge** is that some prisoners may claim to be unfit to work. Clearly prisoners should only work if they are fit for work.

Discussion point:

Who should decide if a prisoner is fit for a certain type of work? What should happen if a prisoner is claiming to be sick to avoid work?

Here again a similar procedure should be followed as in free society. A properly qualified doctor may be asked to examine a prisoner upon his or her admission to the prison about his or her health, including possible unfitness for work.

If a prisoner complains of illness and of not being able to work, a doctor should examine him or her and report to the director about his or her being able to work or not. The role of the doctor with respect to this is, however, a delicate.

Normal working day

The **fourth challenge** is providing a normal working day for prisoners. This represents a significant challenge in practical terms.

Making the prisoner's working day similar to a working day on the outside is seen as important for rehabilitation and resettlement purposes.

Discussion point:

What is a normal working day?

How many hours each day should prisoners work? Should they get any time off work?

There are obviously staffing implications, if prisoners' work is to last for a normal working day.

Lack of skills

The **fifth challenge** concerns the lack of skills that some prisoners have.

In reality many prisoners have little or no past experience of gainful employment and often lack employable skills. Work in prison can provide opportunities for developing skills.

While more efficient operations are not ruled out, the SMR seek to ensure that the priority is training rather than exploitation of the prisoner workforce for profit. **Rule 72 (2)** states that:

Slide 21 – TRAINING FOCUS

'The interests of the prisoners and of their vocational training, however, must not be subordinated to the purpose of making a financial profit from an industry in the institution'. (Rule 72(2))

Some of the work available in prisons may be work to keep the institution functioning. This need not mean that the work is not useful in terms of experience and development of working habits and skills, however rudimentary.

In practice linking work in prison to training and wherever possible to a qualification which is recognised outside prison is one way of using the available work to maximum effect.

For example, cooking or cleaning is generally needed in institutions. If this work is supervised as training work experience, it may provide a prisoner with a certificate of skills or work reference for use after release.

Choice

The **sixth challenge** is whether prisoners should be able to pick their work allocation. Choice is an important aspect of assuming responsibility.

Discussion point:

How should prisoners be allocated to work? How can they be consulted about the work they want to do?

In reality the choice of work may be severely limited. Where choice does exist, it is important that prisoners be consulted about the options available and about development of work options as this occurs.

Slide 22 - CHOICE

The prisoners shall be able to choose the type of work they wish to perform - within the limits compatible with proper vocational selection and with the requirements of institutional administration and discipline - Rule 71 (6)

Health and safety

The **seventh challenge** concerns health and safety at work. Health and safety in prison workshops may be inadequate. The involvement of health and safety experts from the community in inspection of prison institutions will help to keep standards in prison at least level with those outside, as it is stated by **Rule 74**.

Slide 23 – HEALTH AND SAFETY

'The precautions laid down to protect the safety and health of free workmen shall be equally observed in institutions'.

'Provision shall be made to indemnify prisoners against industrial injury, including occupational disease, on terms not less favourable than those extended by law to free workmen'. (Rule 74)

The SMR also seek in **Rule 75** to bring conditions of work inside prison in line with the legal terms and conditions existing locally.

Slide 24 – WORKING CONDITIONS

‘The maximum daily and weekly working hours of the prisoners shall be fixed by law or by administrative regulation, taking into account local rules or custom in regard to the employment of free workmen’.

‘The hours so fixed shall leave one rest day a week and sufficient time for education and other activities required as part of rehabilitation and treatment of the prisoners’.(Rule 75)

For example, if prisoners are needed to work overtime, they should be paid more for this. It would be desirable to extend to prisons the remit of local officials charged with inspecting work conditions in the community, as increasingly occurs in some countries.

Pay levels

The **eight challenge** concerns prisoner pay. In practice it is often set at a derisory level, if not nonexistent.

The SMR consider prisoner pay a matter of importance:

Slide 25 - PAYMENT

‘There shall be a system of equitable remuneration of the work of prisoners’.

‘Under the system prisoners shall be allowed to spend at least a part of their earnings on approved articles for their own use and to send a part of their earnings to their families’.

‘The system should also provide that a part of the earnings should be set aside by the administration so as to constitute a savings fund to be handed over to the prisoner on his release’. (Rule 76)

Discussion point:

How much should prisoners be paid for working in prison?

Should the amount they are paid reflect the profit made?

What about those doing domestic duties like cleaning or those doing education – should they be paid?

EDUCATION

Education and cultural activities are a fundamental part of human development, and prisoners have the right to take part in education and cultural activities intended for this development.

The right of prisoners to cultural activities is stated in **Principle 6** of the **Basic Principles for the Treatment of Prisoners**:

Slide 26 – RIGHT TO CULTURE AND EDUCATION

Basic Principles for the Treatment of Prisoners

'All prisoners have the right to take part in cultural activities and education aimed at the full development of the human personality.'(Principle 6)

This right is also underpinned by **Rule 77** of the **Standard Minimum Rules**:

Slide 27 - EDUCATION

'Provision shall be made for the further education of all prisoners capable of profiting thereby, including religious instruction in countries where this is possible. The education of illiterates and young prisoners shall be compulsory and special attention shall be paid to it by the administration.'

'So far as practicable, the education of prisoners shall be integrated with the educational system of the country so that after their release they may continue their education without difficulty.' (Rule 77)

The central role of education in prisoner programmes in many prison systems rests on:

- The importance of education in the development of the individual and the community;
- The humanising effect of education on prison life;
- The role of education in resettlement;
- The many educational needs of the prisoner population.

Discussion point:

What type and level of education should be available in prisons?

What steps can prison manager stake to ensure that prisoners receive adequate education?

A broad definition of education is necessary in prisons. Many prisoners have few educational qualifications and need basic skills. Prison education may be resource intensive. However, the prisoner population may include some skilled individuals who could be used as a source of peer education or training.

Using the human resources in prisons in this way means overcoming traditional attitudes towards the role of prisoners and staff. Prisoners often benefit greatly when their teachers are not direct employees of the prison administration but teachers normally working for the local education authorities.

As a first step in this direction it may be possible for institutions with limited educational provision to employ prisoners who can read to explain to other prisoners the rules and regulations concerning prisons, including the SMR.

However, teachers trained in adult and remedial education are important in the prison context. Many prisoners have had poor past experiences of learning and require special motivation to build confidence.

Education can be a vital avenue towards renewed self-respect and hope for a positive return to society. Education is also seen as an aid to social reintegration. Links between prison education and education in the general community are to be encouraged.

Where prisoners choose education rather than work they should not be significantly penalized in terms of their pay, or in other ways.

RECREATION AND CULTURAL ACTIVITIES

In order to prevent mental deterioration and to improve their level of education and develop their understanding, prisoners should have access to books, classes and cultural activities such as music, drama, art and recreation.

The Standard Minimum Rules go on to make clear that a number of other recreational activities and cultural activities shall be provided in prison:

Slide 28 – RECREATION

‘Recreational and cultural activities shall be provided in all institutions for the benefit of the mental and physical health of the prisoners.’ (Rule 78)

Discussion point:

*What type of recreational and cultural activity should be permitted in prisons?
Should any restrictions be imposed?*

What can prison managers do to provide recreation and cultural activities despite the limited space and resources?

LIBRARY

Links with the community also can be improved by prison libraries. In co-operation with outside public libraries they can in particular offer recreation as well as educational activities, individually tailored to the interests, needs and capacities of the prisoners.

Rule 40 of the SMR reads:

Slide 29 – PRISON LIBRARY

'Every institution shall have a library for the use of all categories of prisoners, adequately stocked with both recreational and instructional books, and the prisoners shall be encouraged to make full use of it'.

However, In practice prison libraries are often very limited in space and content and there is inadequate access for prisoners.

The assumption that prisoners will not or cannot make use of libraries, because of illiteracy or lack of interest, is used as an excuse for poor provision. This cannot be justified.

Education programmes and provision of books go hand in hand as a constructive way of using time in prison.

Discussion point:

What core material should always be held in a prison library?

What can prison managers do to provide books and library despite the limited space and resources?

As a start prison libraries should contain a core of materials concerning prison rules and prisoners rights, including the SMR. Also the national and prison's by-laws should be available.

Libraries are not just a collection of materials; they imply the provision of trained staff who can convey information, explanation and advice. Sometimes assistance is provided by librarians of libraries outside, or by professional volunteers.

Prison libraries cannot usually afford exhaustive stocks of books. It is therefore important that wherever possible they are linked with library services in the outside community, so that prisoners have maximum access to a wide range of reading material.

Prison libraries need to be aware of the special needs of prisoners who do not speak the main language of the institution. Links with libraries outside prison can help to provide materials in other languages.

NGOs are also a good source of books.

OFFENDING BEHAVIOUR TREATMENT PROGRAMMES

A number of prison systems have developed what are known as Offending Behaviour Treatment Programmes. These programme focus on helping the prisoner to change their lives so that they do not re-offend when they are released from prison.

Discussion point:

What made prisoners commit their crimes? What types of behaviour do you think that the programmes should focus on?

There are many examples of Offending Behaviour Treatment Programmes delivered in prison systems around the world. These include:

Slide 30 - OFFENDING BEHAVIOUR TREATMENT PROGRAMMES

- Anger Management Programme;
- Violence Prevention Programmes;
- Sex Offender Programme;
- Drug and alcohol Treatment Programme;
- Suicide and self harm programme;
- Pre-Release programme.

These programmes are often delivered in partnership between specially trained prison officers, psychologists and NGOs.

PRISONER RELEASE AND AFTERCARE

Prisoners should be prepared for reintegration into society and provided with adequate social support when they are released.

Discussion point:

In what ways can the RRC prepare someone for release, especially if the person has been in the RRC for many years?

Slide 31 – RELEASE PREPARATION

'From the beginning of a prisoner's sentence consideration shall be given to his future after release and he shall be encouraged and assisted to maintain or establish such relations with persons or agencies outside the institution as may promote the best interests of his family and his own social rehabilitation.'(Rule 80)

It highlights that an important task of staff is to prepare prisoners to live within the law after they are released from prison.

RRC staff should motivate prisoners to change their behaviour, and prisoners will benefit from a pre-release programme.

Rule 81 concerns agencies and services responsible with reintegration of prisoners:

Slide 32 – ROLE OF OTHER AGENCIES AND NGOs

'Services and agencies, governmental or otherwise, which assist released prisoners to re-establish themselves in society shall ensure, so far as is possible and necessary, that released prisoners be provided with appropriate documents and identification papers, have suitable homes and work to go to, are suitably and adequately clothed having regard to the climate and season, and have sufficient means to reach their destination and maintain themselves in the period immediately following their release.' (Rule 81(1))

'The approved representatives of such agencies shall have all necessary access to the institution and to prisoners and shall be taken into consultation as to the future of a prisoner from the beginning of his sentence.' (Rule 81(2))

'It is desirable that the activities of such agencies shall be centralized or coordinated as far as possible in order to secure the best use of their efforts.' (Rule 81(3))

Discussion point:

What types of organisation do you think can help prisoners prepare for release and also provide effective after-care once the prisoner has been released?

All agencies and services responsible for the reintegration of prisoners into society shall ensure that all prisoners have the means and available resources to maintain themselves in the period immediately following their release.

CONTACT WITH THE OUTSIDE WORLD

The very idea of imprisonment implies that the interaction and communication by prisoners with the outside world is seriously reduced. However, general human rights - such as the right to family life, correspondence and communication - are not abrogated by the fact of imprisonment.

Under prison conditions, there must be certain necessary limitations to some of these general rights. The question as to how far these limitations will go, will, however, be debatable.

Discussion point:

What limits, if any, should be placed on a prisoners' right to maintain contact with society?

The principle that prisoners retain, within certain limits, human rights and freedoms, is connected to the idea that prisoners generally return to society and should reintegrate as normal citizens. Therefore **contacts with the outside world are an essential** part of the prisoners' reintegration into society.

This idea is most clearly spelled out in **Rule 61 (1)** of the SMR, where it says:

Slide 33 - PRISONERS AS PART OF SOCIETY

'The treatment of prisoners should emphasize not their exclusion from the community, but their continuing part in it.' (Rule 61(1))

Prisoners' outside contacts must be seen as **entitlements rather than as privileges**. They should, therefore, not be used as either rewards or punishments. To deprive prisoners of such contacts as a disciplinary sanction should be unacceptable, except where a specific abuse of the exact contact was the offence. With respect to family contacts any such deprivation should be avoided.

Methods of Communications and contact

There are five basic ways in which contact with can be maintained with the outside world that are covered by this session:

- Letters
- Visits
- Telephone
- Inmate Leave

- Books, Newspapers and the Internet

Outside Contacts

There are different types of outside contact: contacts with family and friends, professional and institutional contacts; and contacts with others such as the media.

Article 12 of the **Universal Declaration of Human Rights**, says that no one shall be

Slide 34 - OUTSIDE CONTACTS

“subjected to arbitrary interference with his privacy, family, home or correspondence.” (Article 12)

Contact with family is made explicit in **Principle 19** of the **Body of Principles**

Slide 35 - RIGHT TO VISITS AND CORRESPONDENCE

‘A detained or imprisoned person shall have the right to be visited by and to correspond with , in particular, members of his family and shall be given adequate opportunity to communicate with the outside world, subject to reasonable conditions and restrictions as specified by law or lawful regulations.’ (Body of Principles, Principle 19)

Family contact may be even more important inside prison as on the outside. Very often, near relatives will be the only ones to keep in touch with an offender over long stretches of imprisonment.

Contact with family is also explicit in Standard Minimum Rules **37** and **92**:

Slide 36 - RIGHT TO COMMUNICATE

‘Prisoners shall be allowed under necessary supervision to communicate with their family and reputable friends at regular intervals, both by correspondence and by receiving visits’. (Rule 37)

‘An untried prisoner shall ... shall be given all reasonable facilities for communicating with his family and friends, and for receiving visits from them, subject only to such restrictions and supervision as are necessary in the interests of the administration of Justice and of security and good order of the institution’. (Rule 92)

It is well known that to be separated from one’s family and friends is among the most acute pains of imprisonment, but furthermore there is the notion that links with the family (and the wider community) constitutes the most solid basis for social reintegration.

It would be wrong, however, to restrict prisoners' outside contacts to just their families, which is why the Standard Minimum Rules also make a reference to friends.

Many prisoners are unmarried, divorced or separated from their partners. In other cases, the prisoner may not wish to have **contact with relatives**. Therefore, the language of the rules must not be construed too narrowly.

There is an interesting debate about whether it is reasonable for **Rule 37** to restrict contacts to '**reputable friends**' only. First of all, the notion of 'good repute', with its strong social connotations could be abused to rule out visits from many friends of most prisoners. Secondly, even a narrower concept of repute inevitably focuses on past decisions.

Discussion point:

Is it acceptable for a prison manager to prohibit contact with a person because they are a former prisoner?

It is therefore good practice to restrict such contacts only when specific incidents or information make this unavoidable in the interests of security.

Any contact with the outside world is likely to raise some security concerns. It is important, therefore, to find ways in which appropriate levels of contact can be maintained without jeopardizing security. This will usually be possible, provided that staff understand that both security and contact with the outside world are equally important elements in their difficult task.

Letters

Correspondence as a means of maintaining outside contacts is mentioned explicitly in the SMR.

Traditionally, there have been rather restrictive regulations in this area. If all letters are to be read and censored by prison staff, delays in the flow of letters has to be kept at a minimum.

Discussion point:

Do you think that reading letters is a breach of the Right to Privacy? Is it ever justifiable to read correspondence? On what grounds can the censoring of prisoners' correspondence be justified? When is it necessary? What special arrangements can be made for prisoners who cannot read or write?

of Principles.

As a rule, therefore, there shall be no limits imposed on the number of letters a prisoner may send and receive and the number of correspondents he or she may have. This applies also to correspondence between prisoners.

In some systems, only incoming letters are checked. If the goal is to prevent contraband from entering the prison, the letters need not be read, but only checked for illegal enclosures. Good practice requires this to be done in the presence of the prisoner, in order to avoid any appearance of invading the prisoner's privacy.

In order to facilitate needy prisoners' correspondence, it may be necessary to supply them with the necessary writing utensils and with stamps.

Telephone Calls

The **Standard Minimum Rules** do not explicitly mention telephones.

Telephone calls can be an important means for prisoners to maintain contact with their family and friends. Telephone communication should therefore be treated very much like correspondence, particularly when matters need to be dealt with urgently.

The normalcy of telephone communication can be stressed by having regular telephone booths in prisons. In many prisons this is still seen as impossible because the coins necessary for operating pay phones are not allowed. The invention of card telephones has to a large degree, done away with that argument.

The possibility to talk over the phone is, of course, of particular importance for those prisoners who do not know how to read and/or write. Also, if prisoners' families and friends live far away from the place of imprisonment, visits are more difficult and telephone calls can serve as a substitute.

As with letters, there can be some security considerations in allowing telephone calls.

Discussion point:

*Do you think that monitoring telephone calls is a breach of the Right to Privacy?
Is it ever justifiable to monitor telephone calls?*

It may be necessary for some prisoners to make and receive calls from an office under the supervision of a member of staff. In cases of emergency, prisoners should be allowed to use official telephones under the appropriate supervision.

Visits

Visits are a more powerful medium of external social relations than letters or telephone conversation.

Discussion point:

What action can prison managers take to ensure that prisoners receive regular visits from their family and friends?

The international norm is that they should allow for **physical contact**. Physically separating visitors should be resorted to only in exceptional situations.

Conditions in which visits are conducted are of great importance to maintaining social links and for preserving prisoners' dignity. If visits are to play a real part in maintaining a prisoner's connection with the community and in his or her eventual rehabilitation, then they need to be sufficiently frequent and of reasonable length.

They should take part in decent conditions of privacy to allow meaningful communication to take place. Staff should be specially trained for conducting visits in an atmosphere of human dignity – visitors are not criminals, they should be treated with courtesy.

Where prisoners are not allowed out, visits are the most obvious opportunity to smuggle drugs, alcohol, money and arms into prisons. In practice this means that a **balance has to be struck** between providing humane and welcoming arrangements for visits and the need for supervision.

Discussion point:

What are some of the security issues connected with visits? How can prison managers minimise risks and at the same time comply with international norms on Human Rights?

The right of a prisoner to be visited by his or her family should not be removed for disciplinary reasons. It may sometimes be necessary, however, to limit the conditions in which visits take place. For example, if there is proof of a previous attempt to smuggle goods into the prison during a visit, the prisoner or visitor involved may be required to have future visits without future contact

It is a good practice in some prison systems to allow longer visiting hours if the visitors have to travel a long distance. Sometimes, even special rooms, houses, trailers etc. are provided for the prisoners to meet their long-term visitors in an

atmosphere that allows for more privacy and intimacy. This is particularly important for visits with all the family, including children.

The new Regulation on Visits is fully compliant with International norms and standards and should be fully implemented by prison managers.

Professional and Institutional Contacts

We will now go on to look at contact with others outside of the prison such as lawyers, religious representatives, public bodies and diplomatic representatives.

Contact with a lawyer can be of utmost importance in a situation of imprisonment. Such contact needs to be unobstructed and confidential. The **Standard Minimum Rules** have recognised this fact as far as prisoners under arrest or awaiting trial are concerned:

Slide 37 - LEGAL VISITS

'For the purpose of his defence, an untried prisoner shall be allowed to receive visits from his legal adviser with a view to his defence and to prepare and hand to him confidential instructions. For these purposes, he shall, if he so desires, be supplied with writing material. Interviews between the prisoner and his legal adviser may be within sight but not within the hearing of a police or institutional official.' (Rule 93)

But the situation is no different for other kinds of prisoners.

In addition to the purpose of defence, legal assistance may be necessary to shorten the stay in prison or to ameliorate prison conditions. Furthermore, legal assistance may be needed for reasons not immediately connected to the fact of imprisonment.

This more encompassing nature of contact with lawyers has been recognized by **Principle 18** of the **Body of Principles for the Protection of all Persons under any form of Detention or Imprisonment**.

These privileges of confidentiality and non-interference apply to all of the forms of communication discussed earlier (correspondence, telephone, visits etc.). This means that prison officials may not open lawyers' letters, listen in on lawyers' phone calls etc. Any possible doubts about the lawyers' credentials have to be settled before the privileged communication begins.

Discussion point:

What action should be taken by prison managers if a lawyer is suspected of smuggling illegal items into prison? What action should be taken if it is thought that a prisoner is giving information to his lawyer about criminal activity during the visit?

Much of what has been said about contacts with lawyers applies equally to contacts with representatives of a religion or an ethical society.

The right to privileged contact with religious representatives is made explicit and elaborated upon in the **Standard Minimum Rules**:

Slide 38 - RELIGIOUS REPRESENTATIVES

'Access to a qualified representative of any religion shall not be refused to any prisoner. On the other hand, if any prisoner should object to a visit of any religious representative, his attitude shall be fully respected.' (Rule 41 (3))

The rules do not mention the conditions under which visits by religious representatives are to be conducted.

Because of the highly private nature of such encounters it is good practice to conduct those visits, very much like lawyers' visits at least out of hearing of any prison officials.

There are no international rules on prisoners' contact with members of the administration, the courts, the legislature or parliament. In many countries, however, such contact is privileged, in that letters are not censored, and visits are not supervised.

Discussion point:

Do you think that communication with members of the administration; the courts, the legislature or parliament should be privileged?

This is good practice since it permits prisoners to vent their grievances without fear of reprisal by prison officials. The same should apply to contact with international organisations, notably with the UN Human Rights Commission and other human rights bodies.

In the spirit of the guiding principles of the SMR, notably **Rule 61**, efforts should be made to encourage and facilitate contacts of prisoners with probation or rehabilitation bodies and other community agencies, which are:

Slide 39 - CONTACT WITH CIVIL SOCIETY

'charged with the duty of maintaining and improving all desirable relations of a prisoner with his family and with valuable social agencies'.

As discussed previously, foreign nationals have to be enabled to communicate with their countries' diplomatic or consular representatives:

Slide 40 - FOREIGN PRISONERS

'Prisoners who are foreign nationals shall be allowed reasonable facilities to communicate with the diplomatic and consular representatives of the State to which they belong.' (Rule 38 (1))

As the language of the Rule indicates, such contact should be 'allowed', but never made by the prison administration without the consent of the prisoner concerned.

Not all prisoners will want the diplomatic representatives of their country to know about the fact of their imprisonment. It is therefore good practice for the prison administration not to volunteer information about a person's imprisonment without the person's consent.

Prison authorities should primarily inform prisoners about their rights under **Rule 38** and under the **Vienna Convention**. This includes the right to contact their embassies and/or consulates.

It should be mentioned that the international Red Cross (ICRC) has a responsibility to assist foreign prisoners in countries where these prisoners have no permanent diplomatic or consular representation, where the ICRC is requested as a neutral intermediary and where the ICRC has a permanent delegation or has regular access to those countries.

Media Contact

Direct human contact is the most important but by far not the only outside contact prisoners are entitled to

Slide 41 - ACCESS TO THE MEDIA

Universal Declaration of Human Rights

'Receive and impart information and ideas through any media' (Article 19).

The freedom of opinion, expression and information is even more forcefully stated in **Article 19** of the **International Covenant on Civil and Political Rights**:

Slide 42 - FREEDOM OF EXPRESSION

International Covenant on Civil and Political Rights

'Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in

print, in the form of art, or through any other media of his choice.’
(Article 19)

Restrictions of the freedom of information are sometimes justified by reference to public order. But it must be stressed that particularly strict requirements must be placed on the necessity of a given statutory restriction

Discussion point:

Do you think that prisoners should be permitted to give interviews, write to the media and publish books/articles whilst in prison?

The SMR use comparatively restrictive language in relation to accessing the media:

Slide 43 - ACCESS TO NEWSPAPERS AND TV

‘Prisoners shall be kept informed regularly of the more important items of news by the reading of newspapers, periodicals or special institutional publications, by hearing wireless transmissions, by lectures or by any similar means as authorized or controlled by the administration.’(Rule 39)

It is good practice to allow prisoners, as a rule, complete access to all media that are legally available outside prison.

Exceptions to this rule should be limited to reasons of safe custody, i.e. material which would facilitate escape from custody or insurrection inside the prison.

From this starting point, **Rule 39** appears as an additional obligation of the prison administration to provide access to “**the more important items of news**” even to those prisoners who are for some reasons unable to get this information on their own.

The most important newspapers and other periodicals should be available at the prison library.

It is good practice to allow prisoners to subscribe to any periodical that is legally available outside the prison.

Discussion point:

Should there be any restrictions on what prisoners can access? For example, should they be able to purchase pornographic magazines and extremist political papers .

Private organizations should be encouraged to provide poor prisoners with free subscriptions of newspapers or other periodicals.

One very efficient way of giving prisoners access to outside information is by providing them with the opportunity to listen to radio programs or watch television. This means that the prison will have to provide radios and/or television sets. Usually this is done in communal rooms, where prisoners can spend their time after work together.

In countries where radios and/or TV sets are normal equipment in most households, the principle of normalcy will speak in favour of allowing prisoners to have their own radio/TV sets in their rooms or cells, as well as in communal areas.

VULNERABLE GROUPS

Certain groups encounter discriminatory treatment or need special care and attention to avoid potential exploitation by others.

We will consider the needs of women and juveniles in the next two sessions.

Other groups of prisoners, such as mentally ill offenders, the elderly, prisoners with disabilities, lesbian, gay and transgender (LGBT) prisoners, and those under a death sentence are often in need of special consideration and protection in prisons.

ACTIVITY

Divide participants into six smaller groups and each group should be asked to role plays a specific category of vulnerable prisoner: life and long term prisoners; mentally ill prisoners; prisoners under a death sentence; disabled prisoners; LGBT prisoners; and foreign prisoners. Each group goes through the following exercises:

- 1. Identify the strengths in your RRC in relation to your specific category of vulnerable prisoners*
- 2. Identify the weaknesses in your RRC in relation to your specific category of vulnerable prisoners*
- 3. Recommend some practical ways of addressing the identified weaknesses (facilities, policies, practices, services, resources, training, etc.)*

SESSION 11

MANAGING WOMEN PRISONERS

Slide 1 – TITLE

MANAGING WOMEN PRISONERS

Duration:

1 hour

Purpose of Session:

Although prison leaders do not have much influence over whether a woman is sentenced to the RRC in the first place, there is much that can be done to ensure that their rights are respected, that the circumstances in which they are detained are as close to international standards as possible, and that they receive as much support and protection as possible while in the RRC. Prison leaders should ensure that staff understand the importance of these standards. Much can also be done to facilitate the eventual successful reintegration of women in the community.

Objectives:

Slide 2 – OBJECTIVES

- To examine the profile and situation of women in the RRCs
- To understand the importance of avoiding imprisonment for women and only using it as a last resort and only when necessary
- To understand international standards and norms relating to women in RRCs

RECOGNISING DIVERSITY IN PRISON

Article 2 of the **Universal Declaration of Human Rights** states that:

Slide 3 - RECOGNISING DIVERSITY

Universal Declaration of Human Rights

‘Everyone is entitled to all the rights and freedoms set forth in this Declaration without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.’ (Article 2)

Similarly, **Principle 5** of the **Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment** states that:

Slide 4 - NO DISCRIMINATION

Body of Principles

'These principles shall be applied to all persons within the territory of any given State, without discrimination of any kind, such as race, colour, sex, language, religion or religious belief, political or other opinion, national, ethnic, or social origin, property, birth or other status.'
(Principle 5(1))

Thus, it is important to remember that all persons are equal before the law and are entitled, without discrimination, to equal protection of the law.

Because some people are different from each other, some individuals need special protection to ensure their equal treatment - including women and juveniles.

While prison should only be used when it is necessary for all persons, there is a greater risk and there are more potentially damaging effects of imprisoning these individuals. Therefore their detention must be carried out with extreme caution and care to ensure the protection of their human rights.

WOMEN PRISONERS

Around the world women form a small minority of those imprisoned. The average number is around 5 percent, although in recent times there has been a steeper rise in the number of women in prison when compared to the increase in the number of men.

International research has shown that women prisoners tend to have a number of common characteristics

Slide 5 - WOMEN PRISONERS

- far fewer women in prison than men
- commit different kinds of crime
- many have been sexually or emotionally abused
- discriminated against by their own community
- have taken the blame for the crime for their husband
- coerced into committing crimes by male partners e.g. acting as drug "mules".

The small number of women prisoners poses a specific problem for prison managers. Since the vast majority of prisoners are men, prison systems tend to be run with men in mind as the norm.

Discussion point:

What do you think is the major challenge to prison administrators in having a small number of women in the prison system?

In what ways can the prison administration inadvertently discriminate against women in prison?

Accommodating women poses difficulties because the numbers coming from each region are too small to require a special building. Women tend, therefore, to be located in makeshift buildings or in annexes to men's prisons. The alternative is to place them in special women's prisons, but this usually means placing them far from their homes and families.

Women face a particular problem in prison because of their role in the family. In the community, women often take responsibility for the family and children. Imprisonment therefore poses particularly severe problems for them and their families outside.

The situation of women in prison does not receive a great deal of attention in the international instruments. The key instruments are:

Slide 6 - KEY INSTRUMENTS ON WOMEN PRISONERS

- [Convention on the Elimination of All Forms of Discrimination against Women](#)
- [UN SMR](#)
- [UN Congress on Crime Prevention and Criminal Justice](#) developing new supplementary rules for the treatment of women in detention

The general requirements of non-discrimination and equal treatment are set out clearly in the **Convention on the Elimination of All Forms of Discrimination against Women**. The convention prohibits any discrimination that denies to women the same protections and fundamental freedoms in all fields – political, economic, social, cultural and civil - as are accorded to men.

ELMINATING DISCRIMINATION

Women prisoners are usually discriminated against, due to the fact that prisons and prison regimes are developed with the needs of the majority male prison population in mind.

In addition, as mentioned earlier, due to their small numbers, women are often housed in prisons far away from their homes, which hinders the maintenance of links with their families and children, with a particularly harmful effect on their mental wellbeing and social reintegration prospects.

Therefore, in practice, it is difficult to apply many rules included in SMR, unless **affirmative action is taken by prison managers** in order to ensure that women prisoners have equal access to all services and rights that male prisoners enjoy.

Affirmative action requires taking initiatives and allowing for special considerations, when applying SMR to female prisoners.

This understanding is reflected in Principle 5(2) of the Body of Principles, which makes clear that special measures to address the particular needs of women prisoners are not in themselves discriminatory.

Slide 7 - NEED FOR AFFIRMATIVE ACTION

Body of Principles - Principle 5(2)

'Measures applied under the law and designed solely to protect the rights and special status of women... shall not be deemed to be discriminatory.'

In order to ensure compliance with the principles of non-discrimination against women and girls required by a number of international instruments, those responsible for the management of women's prisons should act not only in compliance with SMR, but should also be guided by these standards, including

Slide 8 - INTERNATIONAL INSTRUMENTS APPLICABLE TO WOMEN

- International Covenant on Civil and Political Rights
- International Covenant on Economic, Social and Cultural Rights
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- Declaration on the Elimination of Violence against Women and Convention on the Rights of the Child.

Discussion point:

What affirmative action do you think prison managers can take?

DIFFERENT NEEDS

In addition to ensuring that women prisoners are not discriminated against in practice — for example, in maintaining links with their families, having access to prison activities etc.—there also needs to be an understanding that women prisoners have requirements that are very different to those of men.

Slide 9 - MEETING DIFFERENT NEEDS

- management ethos of women's prisons
- changes to management style
- assessment and classification
- programmes offered
- healthcare
- treatment of women with children.

MANAGEMENT STYLE

The need for a gender-sensitive management style and approach to female prisoners has been underlined by penal reform experts in countries worldwide.

Discussion point:

What do you think would be the key elements of a gender sensitive management style?

The following have been identified as some of the requisite ingredients for a gender sensitive management style in women's prisons:

Slide 10 - GENDER SENSITIVE MANAGEMENT STYLE

- The recognition of the different needs of women;
- A capacity and willingness by prison staff to communicate openly with prisoners and a less authoritarian manner;
- Skills such as active listening, patience in explaining rules and expectations;
- Awareness of emotional dynamics, and the capacity to respond firmly, fairly and consistently.

There also needs to be recognition of and corresponding provisions for the multiple needs of women who are foreign nationals or who are members of racial or ethnic minorities and indigenous peoples.

Such a management style and approach needs to complement activities and services which address the specific needs of female prisoners, relating to their mental and psychological wellbeing, care and concerns for their children, particular health and hygiene requirements, among others.

In order to ensure that gender sensitivity becomes an integral element of the management of women's prisons, the responsibility for research, evaluation, policy formulation and implementation of policies relating to female prisoners should be the responsibility of a central department responsible for women's prisons, with female senior staff.

STAFF

In many prison systems staff assigned to supervise women prisoners receive no special training to help them deal with the particular needs of women prisoners. In the male dominated, hierarchical prison environment, female prison staff may face unfair competition as well as overprotection.

Often they have less authority and decision making power, and they themselves may suffer from sexual harassment and discrimination in their workplaces. Women face difficulties in achieving promotions, due to stereotypical perceptions and discrimination. Such problems are exacerbated by additional pressures most women face in combining job and family demands.

In most prison systems there is a need to ensure that capacity building of female staff comprises a key component of policy and programme development and delivery, to enable staff to address the special social reintegration requirements of female prisoners, as well as to empower female staff within the prison service.

Slide 11 - STAFF TRAINING

- Staff assigned to supervise women prisoners should receive training relating to the gender-specific needs of female prisoners, as well as approach and style of management.
- Male staff should receive training on gender sensitivity, prohibition of discrimination and sexual harassment in the workplace.

Discussion point:

What subjects do you think should be covered in the gender-specific training?

Female prison staff should be employed in senior positions with key responsibility for the development of policies and strategies and delivery of programmes for female prisoners.

In order to combat discrimination and sexual harassment in the workplace, there needs to be a clear commitment at managerial level that discrimination will not be tolerated.

Women staff need to be made aware of different types of sexual harassment and recognize such actions by male staff to be against international, and in most cases also national, law.

Women staff should be in a position to make complaints without fear of retaliation, when such acts take place. There should be complaints procedures in place for women staff to be able to bring their situation to the attention of senior staff, as well as of independent inspectors and other competent authorities authorized to monitor compliance with human rights standards and national law in prisons.

ASSESSMENT AND CLASSIFICATION

Since the same classification instruments are used for women and men in the vast majority of prisons worldwide, despite women's different needs and circumstances, information about a history of domestic violence, sexual abuse, and parental responsibility are areas in which screening is lacking for women. As a result, classification and screening procedures do not provide essential information about the women, which may increase the probability of their placement in a higher security level than appropriate, while reducing possibilities of providing suitable prisoner programmes, matching individual needs.

Slide 12 - GENDER-SENSITIVE RISK ASSESSMENT AND CLASSIFICATION

Take into account:

- very low risk most women prisoners pose to others;
- particularly harmful effects high security measures and increased levels of isolation can have on them;

Collect essential information about women's backgrounds:

- violence they may have experienced
- history of mental disabilities and drug abuse
- parental and other caring responsibilities

Ensure that women's sentence plans include programmes, which match their gender-specific needs

SAFETY AND SECURITY

An emphasis on dynamic security in women's prisons is especially suitable to the needs of female prisoners, due to the particularly harmful effects high security measures can have on women to the detriment of their mental wellbeing and social reintegration prospects.

Creating a positive climate in prisons and using disciplinary measures only when strictly necessary should comprise essential components of a gender-sensitive approach to prison management.

Slide 13 - SAFETY AND SECURITY

A fundamental requirement is to take account of women's special protection needs in RRCs, as a safe environment is what women in prison need above all else.

The United Nations Standard Minimum Rules for the Treatment of Prisoners is very clear that, as a matter of principle, women deprived of their liberty should be held in accommodation which is physically separate from that of male prisoners, in order to protect them against sexual harassment and abuse.

Rule 8 (a) of the rules requires that men and women should be kept separate:

Slide 14 - SEPARATION OF MEN AND WOMEN

'Men and women shall so far as possible be detained in separate institutions, in an institution which receives both men and women the whole of the premises allocated to women shall be entirely separate.'
(Rule 8(a))

This requirement for separation is given added force by the weight of evidence that shows that many women in prison have already been victims of physical or sexual abuse by men or have committed their offences in response to brutality or exploitation by men.

In the coercive environment of the prison women are particularly vulnerable. They require special safeguards to ensure that they are not harassed or abused in any way.

In order to protect young girls in prison from sexual and other forms of abuse from older prisoners, girl prisoners should be separated from adult women. There should also be recognition of the fact that older women may be intimidated and threatened by younger women, while they themselves may abuse younger women housed in adult prisons. Thus, particularly in prison systems where dormitory accommodation is provided, a differentiation by age, as well as on the basis of risk assessments, is likely to be beneficial in minimizing such risks.

Another key principle which aims to prevent the sexual abuse of women prisoners is reflected in the rule that female staff must supervise women prisoners, with male staff being allowed to enter the prison establishment only when strictly necessary and only in the presence of female staff (SMR, Rule 53).

Slide 15 - PREVENTING ABUSE OF WOMEN PRISONERS

- (1) In an institution for both men and women, the part of the institution set aside for women shall be under the authority of a responsible woman officer who shall have the custody of the keys of all that part of the institution.
- (2) No male member of staff shall enter the part of the institution set aside for women unless accompanied by a women officer.
- (3) Women prisoners shall be attended and supervised only by women officers. This does not, however, preclude male members of staff, particularly doctors and teachers, from carrying out their professional duties in institutions or parts of institutions set aside for women. (Rule 53)

Women should never be supervised exclusively by male staff. Women are particularly vulnerable in the closed environment of a prison. They should never be placed in a situation where they are at risk of abuse or harassment by male members of staff.

Specialist staff, such as male medical staff and teachers should not be prevented from carrying out their duties, however, in line with rules and procedures set out in legislation and regulations and subject to adequate safeguards being in place to prevent any abuse. When male staff deal with women prisoners, there should always be a female member of staff present.

It should also be noted that female staff may also be responsible for the abuse, including sexual abuse, of women prisoners, and measures taken for the protection of female prisoners should take account of this risk.

PRISONER SEARCHES

Slide 16 - SEARCHING

Male members of staff should never be involved in the personal searches of female prisoners, such as pat down and frisk searches. All searches of women should be carried out by female staff.

The carrying of internal body searches of women is even more problematic and can cause enormous distress and feelings of humiliation to women prisoners.

If, in exceptional circumstances, intimate body searches are required, they should only be carried out by an external medical practitioner (a female practitioner, if preferred by the prisoner) in a private room. A female member of staff should supervise the process.

No prisoner—regardless of gender—should be humiliated and be required to strip completely during a search. Special sensitivity should be demonstrated in the case of women, however, since they are likely to feel the humiliation of undergoing intimate searches particularly. The experience may be extremely distressing and traumatizing if they have been victims of sexual abuse in the past. Internal searches of women should only be undertaken if there is a genuine justification.

Staff should also demonstrate sensitivity when searching the infants of mothers in prison and children visiting female prisoners. During the searching of personal belongings of infants and children (such as underwear, baby food, feeding bottles, diapers, etc.) care should be taken to cause minimal distress to the child and mother and to act in compliance with hygiene rules. In some systems women prisoners have given up receiving visits from their children due to the extreme anxiety caused by their searching.

ACCESS TO EDUCATION, TRAINING AND WORK

Female prisoners are often discriminated against in the area of work and vocational training. Women housed in the annexes of male prisons may be given little or no access to activities, due to their small numbers. The lack of childcare facilities/nurseries in prisons may also hinder women with small children from participating in prison activities.

When there is work available, women prisoners often find themselves restricted to work such as sewing or cleaning, childcare and other limited vocational opportunities. This means that prisons continue to impose role models on women which exist in society, thereby failing to help them overcome the restrictions imposed by stereotypical perceptions.

Slide 17 - ACCESS TO EDUCATION, TRAINING AND WORK

- Women prisoners should have access to facilities that are equal to those available to men.
- By providing women with adequate and equal opportunities for vocational training in prisons, and thereby assisting them to gain employment after release, prison authorities can make an immense contribution to the social reintegration of women prisoners

As far as possible, they should be able to select the sort of work and training from which they can benefit.

Some women prisoners are likely to be single mothers and will need special support and training.

Prison authorities should ensure that suitable education is provided to female prisoners as a matter of priority. In all circumstances, but especially where resources and possibilities are scarce, cooperation with education services in the community and NGOs should be sought.

Where resources are inadequate, peer education, by selected prisoners with the requisite education levels, may be considered, at least to run literacy and basic education classes.

Discussion point:

What types of vocational training do you think could be provided for women prisoners?

Possible areas of vocational training for female prisoners could include:

Administrative skills, bookkeeping, computer skills, painting and decorating, electro-technology, cooking/catering, horticulture, hairdressing, gardening, women's health, childcare, dressmaking, embroidery, managing income, generating community projects and the use of micro-credit facilities.

SPECIAL PROGRAMMES

The requirement included in SMR to apply individual treatment according to the needs of prisoners, implies that programmes should be available in prisons designed specifically for women prisoners, aiming to address the underlying factors that led to their offence and to cope with their gender-specific difficulties faced as women in prison.

Discussion point:

What types of individualised treatment do you think could be provided for women prisoners?

Slide 18 - SPECIAL PROGRAMMES FOR WOMEN

- Psychosocial support, therapeutic programmes, self-help groups and consultation dealing with substance abuse, mental health, history of abuse and domestic violence.
- Parenting programmes, including child visitation programmes and parent education;
- Programmes to build confidence and life skills.

GENDER SPECIFIC HEALTHCARE

For many women in low-income countries the health screening on entry to prison might constitute their first medical examination. It is therefore of particular importance to diagnose any existing health conditions from the beginning of their imprisonment and provide treatment, in order to prevent the deterioration of medical problems during imprisonment.

As with all medical examinations in the community, detention and prisons, it is vital that on entry medical screening should be confidential.

Slide 19 - GENDER SPECIFIC HEALTHCARE

Women's prisons require a gender-specific framework for healthcare which emphasizes reproductive and sexual health, mental healthcare, treatment for substance abuse and counselling victims of physical and sexual abuse.

Collaboration between prison and civil health services should be an integral component of medical care provided in all prisons.

Primary health care should be accessible to all prisoners (men and women) according to their needs. Primary healthcare teams should be able to recognize and treat a range of chronic conditions, including disorders of the reproductive system of women.

Prisoners requiring specialist care should be referred to specialist healthcare providers and regular visits from civil healthcare professionals to prisons should be arranged.

Specialists in women's healthcare should be available for ongoing consultation, with arrangements in place for regular visits by gynaecologists.

Wherever possible, women should receive medical treatment from women nurses and doctors. If a female prisoner requests that she be examined or treated by a female physician or nurse, a female physician or nurse should be invited to the

prison establishment, to the extent they are available, except for situations requiring urgent medical intervention.

The prisoner's preferences should also be taken into consideration in the medical establishment she is referred to. If these are not possible, there must be a female supervisor during her examination in line with the prisoner's request. The prisoner should not be obliged to explain the reasons for her preference.

Medical confidentiality is essential with respect to all prisoners, and this rule should be upheld during medical examinations, which means that staff should not be present during such examinations, unless exceptional circumstances exist and the doctor specifically requests a member of staff to be present. If it is absolutely necessary for prison staff to be present during medical examinations, women prisoners should never have to see a doctor in the presence of male staff.

Due to the prevalence of **mental healthcare needs** among female offenders, the provision of adequate, gender-sensitive and interdisciplinary mental healthcare should comprise an essential component of their rehabilitation programme.

Women's unique mental healthcare and psychological support needs should be recognized, including, among others, of those who demonstrate acute distress and depression due to isolation, separation from children, families and communities.

Treatment should be individualized and aim to address the reasons that provoke distress or depression, as well as psychiatric problems, based on an integrated approach of counselling, psychosocial support and medication, if necessary. Medication should be used only when strictly necessary, in response to individual needs, rather than as a matter of routine, which is the case in many prison systems.

Staff awareness of factors that promote and harm mental wellbeing and a gender sensitive approach to women's mental healthcare needs are essential components of the provision of positive mental healthcare in women's prisons.

Staff should be made aware of times when women may feel particular distress, for example, of the acute psychological and physical difficulties menopause may cause for women in prison, and be sensitive to their situation and provide support.

MOTHERS AND BABIES

A pregnant or nursing mother should only be sent to prison after all other options have been carefully considered.

Women who come into prison pregnant or as nursing mothers face great problems. To bring up a baby in prison is far from ideal, even if the prison conditions are hygienic and suitable. However, to separate a small baby from its mother is a serious decision to take.

Rule 23 of the **Standard Minimum Rules** provides that:

Slide 20 - BABIES AND CHILDREN IN PRISON

In women's institutions there shall be special accommodation for all necessary pre-natal and post-natal care and treatment. Arrangements shall be made wherever practicable for children to be born in a hospital outside the institution. If a child is born in prison, this fact shall not be mentioned in the birth certificate. (Rule 23)

It is clear that pregnant women should receive as high a level of care as is accorded in society outside. The preference is for babies to be born in an outside hospital.

If babies remain with their mothers in prison, proper care has to be provided.

Discussion point:

If there are babies and young children are living in prisons with their mothers what special arrangements do you think will be needed?

Rule 23 (2) makes clear:

Slide 21 - PRISON NURSERY

Where nursing infants are allowed to remain in the institution with their mothers, provision shall be made for a nursery staffed by qualified persons, where the infants shall be placed when they are not in the care of their mothers. (Rule 23(3))

Jurisdictions vary in the rules they make about women prisoners' babies. Some countries allow mothers to keep their babies with them until they reach a certain age – everything from nine months to five years – and then the babies are taken away and cared for elsewhere.

Whatever the arrangements, it is highly likely that the mother's relationship with the child will be damaged by the fact that she is a prisoner. In each case, thought should be given to the best interests of the child and whether he or she should remain with the mother or be taken care of by other members of the family.

PREPARATION FOR RELEASE

Women prisoners face special problems on release from prison.

Discussion point:

What problems do think these could be? What can be done to overcome them?

The stigma that faces many prisoners on release is likely to be experienced even more acutely by women.

One example is the difficulty that some women face in obtaining permission from the authorities for their children to be returned to them, since they may be regarded as “unfit mothers”.

SESSION 12

MANAGING JUVENILE PRISONERS

Slide 1 – TITLE

MANAGING JUVENILE PRISONERS

Duration:

1 hour

Purpose of Session:

A number of Juveniles continue to be sent to RRCs, rather than to non custodial facilities. Article 24 of Law Number 6 of 1998 states that juvenile shall be placed in special centres for them. In reality a number of juveniles continue to be held in adult RRCs. This session considers how those juvenile should be treated, to ensure that their rights are respected, that the circumstances in which they are detained are as close to international standards as possible, and that they receive as much support and protection as possible while in the RRC. Prison leaders should ensure that staff understand the importance of these standards.

Objectives:

Slide 2 – OBJECTIVES

- To examine the profile and situation of juveniles in the RRCs
- To understand the importance of avoiding imprisonment for juveniles and only using it as a last resort and only when necessary
- To understand international standards and norms relating to juveniles in RRCs

DEFINITIONS

To begin, the most important principle to remember regarding juvenile prisoners is that they are entitled to all the human rights protections given to adults, AND they should also receive additional services and protections due to their immaturity and vulnerability.

The definition of who is a juvenile or child can vary from country to country, and there are different definitions in law between countries at what age a child may be imprisoned in the prison system.

International law though is clear about who is to be regarded as a child.

Slide 3 - DEFINITIONS

'A child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier.' (Article 1 Convention on the Rights of the Child)

'A juvenile is every person under the age of 18.'(Rule 11a UN Rules for the Protection of Juveniles Deprived of their Liberty)

The fundamental consideration here is that the imprisonment of young people should be avoided whenever it can be, and the younger the person is, the greater the need should be to avoid detention.

Young people are in their formative years, learning and developing into adults. If these years are spent in an institution for those who have broken the law, there is a danger that the young person will absorb a criminal identity and grow up leading a life of crime.

There is also a danger of abuse, exploitation and health risks for juveniles in detention.

However, when it is deemed necessary to deprive a young person of his or her liberty, certain special considerations apply.

Discussion point:

What do you think are the special considerations that apply to juveniles in detention?

The special considerations are enshrined in particular international rules relating to juveniles, the main ones being:

Slide 4 - INTERNATIONAL RULES RELATED TO JUVENILES

- Convention on the Rights of the Child,
- UN Rules for the Protection of Juveniles Deprived of their Liberty (also known as the Riyadh Guidelines)
- and the UN Standard Minimum Rules for the Administration of Juvenile Justice (also known as the Beijing Rules).

The key requirements set out in these international instruments are:

Slide 5 - KEY REQUIREMENTS

- Placement in institution as last resort
- Minimum necessary period
- Case dealt with speedily
- must be given care, protection and all necessary individual assistance
- Separated from adults

The placement of a juvenile in an institution shall always be a disposition of **last resort** and for the **minimum necessary period** (*Beijing Rules, Rule 19.1*).

In particular, every child deprived of liberty shall be ... brought as **speedily as possible for adjudication** (*International Covenant on Civil and Political Rights, Article 10.2.b*).

Whenever possible, detention pending trial shall be replaced by alternative measures, such as close supervision, intensive care or placement with a family or in an education setting or home but for the minimum necessary period (*Beijing Rules Rule 13.2*).

The detention of juveniles pending trial shall be used only as a measure of last resort and for the shortest possible period of time. Prison officials should make every effort to ensure that juveniles are not being held without having their cases adjudicated. They should have regular contact with judges, prosecutor (phone, visits, reports) in charge with the case. They should ensure that every child have the right of legal counsel and be enabled to apply for free legal aid, where such aid is available.

They should also ensure that a judge follow the case of the child and grant conditional release at the earliest possible time and to the greatest possible extent.

As **Rule 28** of the **Beijing Rules** makes clear:

Slide 6 - CONDITIONAL RELEASE

(1) Conditional release from an institution shall be used by the appropriate authority to the greatest possible extent, and shall be granted at the earliest possible time.

(2) Juveniles released conditionally from an institution shall be assisted and supervised by an appropriate authority and shall receive full support by the community. (Rule 28)

PRINCIPLES

The key principle is that every juvenile deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of person his or her age.

Slide 7 - CONDITIONS FOR JUVENILES IN PRISONS

While in custody, juveniles shall receive care, protection and all necessary individual assistance-social, educational, vocational, psychological, medical and physical-that they may require in view of their age, sex and personality (*Beijing Rules, Rule 13.5*).

HOUSED SEPARATELY FROM ADULTS

In particular, every child deprived of liberty shall be **separated from adults** unless it is considered in the child's best interest not to do so (*International Covenant on Civil and Political Rights, Article 10.2.b*).

Slide 8 - SEPARATION FROM ADULTS

Every child deprived of liberty shall be **separated from adults** unless it is considered in the child's best interest not to do so (*International Covenant on Civil and Political Rights, Article 10.2.b*).

Discussion point:

Why do you think that it is important to keep juveniles separate from adults?

If separate facilities are not feasible, every effort should be made to separate the juvenile section of the prison from the adult section.

Experiences around the world have shown that contact with adult prisoners is dangerous for juveniles: juveniles housed with adults are more likely to be raped, beaten, exploited and corrupted if housed with adults.

Juveniles should have little, if any, contact with adult prisoners. Any contact must be fully supervised by prison staff at all times. Adult prisoners should not work in the juvenile portion of the prison.

However, a young person of 16 to 18 is not the same as a child of 12 to 14 or 14 to 16. Age mixing, especially with males - among whom bullying and victimization - is more prevalent - should be discouraged.

Slide 9 - KEY PRINCIPLES FOR TREATMENT OF JUVENILES

- Physical environment
- Emotional environment
- Personalised environment

Discussion point:

What do you think are the key elements under each of these headings?

What ethos and approach do you think should operate in an institution for juveniles?

PHYSICAL ENVIRONMENT

A well designed juvenile centre will provide positive and personalised conditions of detention for young persons deprived of their liberty.

It should be of adequate size, well lit and ventilated, well furnished with regard to sleeping and living areas. Unless there are compelling security reasons, juveniles should be allowed to keep a reasonable quantity of personal items.

EMOTIONAL ENVIRONMENT

The primary objective of a juvenile detention place is not punishment but rehabilitation of the juvenile. Care must be taken to prevent long-term social maladjustment.

The emphasis of any juvenile facility should be on care, protection, education and vocational skills, and not on confinement. The approach to juvenile rehabilitation should be multidisciplinary, drawing upon the skills of a range of professionals, including teachers, trainers and psychologists.

Administrations should offer a full programme of education, sport, vocational training, recreation and other purposeful activities.

Prison staff should create an environment in which the juveniles feel safe-safe from adults, from other juveniles, and from the prison staff.

Fear breeds violence and behavioural problems.

PERSONALISED TREATMENT

A personalised programme approach should be favoured whenever possible. The treatment philosophy of juvenile detention centres should be based on a respect for the rights and circumstances of each juvenile. Programmes should be carefully planned around individual needs.

The need for a well-ordered prison regime cannot override juveniles' entitlement to be treated fairly and personally.

A well designed juvenile detention centre will provide more personalised and better conditions of detention for young persons deprived of their liberty.

OBJECTIVES OF JUVENILE INSTITUTIONS

Rule 26 (1) of the **Beijing Rules** states that:

Slide 10 - OBJECTIVES OF JUVENILE INSTITUTIONS

'The objective of training and treatment of juveniles placed in institutions is to provide care, protection, education and vocational skills, with a view to assisting them to assume socially constructive and productive roles in society.' (Rule 26(1))

The rest of this session will focus on the management challenges around a number of specific considerations for juveniles in RRCs.

Slide 11 - SPECIFIC CONSIDERATIONS FOR JUVENILES

- Admission
- Healthcare
- Programmes
- Education
- Recreation
- Family contact
- Preparation for release

- Staff

ADMISSION AND CLASSIFICATION OF JUVENILES

There are specific requirements in relation to the admission of juveniles.

Discussion point:

What special requirements do you think that there should be when a juvenile is admitted to an institution?

Slide 12 - ADMISSION AND CLASSIFICATION

- Recording of information
- Assessment
- Classification
- Information pack
- Health screening

Recording of information

In every place where juveniles are detained a complete and secure record of information (identification of the juveniles, fact, reasons and authority for detention etc...) should be kept and its access should be limited to a very restricted number of persons.

Location

At the time that a juvenile enters the facility, trained prison staff should evaluate the juvenile's age, criminal record, criminal file to determine where and with whom the juvenile should be housed.

A child of 16-18 is not the same as a child of 12- 14 or 14-16. Age mixing, especially with male prisoners-among whom bullying and victimisation is more prevalent-should be discouraged.

Juveniles should be classified by age, strength, and level of aggression (among other categories), and housed accordingly. Violent juveniles should be separated and should be carefully watched to ensure that they not harm others.

During the admission in a detention centre, the juvenile should meet with a social worker and be interviewed. The first and most usual task of the social worker is to undertake a character study of the juvenile. Information about the juvenile's personal

situation, personality and its social and family background, the conditions in which he has lived or been brought up; and his schooling should be gathered.

Pre-trial detention

This information is essential to ensure a proper follow up of the case, facilitate rehabilitation of the child and protect the best interest of the child in any decision. The report would also enable the judicial authorities to take any provisional measures other than detention, and the sentencing authority to determine the most appropriate measure and/or sanction.

Prison officials should make every effort to ensure that juveniles are not being held without having their cases adjudicated. They should have regular contact with judges, prosecutor (phone, visits, and reports) in charge with the case. They should ensure that every child have the right of legal counsel and be enabled to apply for free legal aid, where such aid is available. They should also ensure that a judge follow the case of the child and grant conditional release at the earliest possible time and to the greatest possible extent.

Information Pack

Upon admission to the detention centre, juveniles should receive an information packet in their language that notifies them of the rules of the facility, their obligations, and their rights. If a juvenile is illiterate, prison staff should convey the information so that they fully understand.

Juveniles should know where they can obtain help if they feel upset or unsafe.

Screening for Health Problems

As with adult prisoners, juveniles should be thoroughly screened for health, psychiatric, emotional, drug and alcohol problems and a proper record should be kept.

HEALTHCARE FOR JUVENILES

Discussion point:

What special requirements do you think that there are for the Healthcare of Juveniles?

Slide 13 - HEALTHCARE FOR JUVENILES

- Physical

- Mental
- Drugs and substance abuse

Physical

As with adult prisoners, juveniles are entitled to adequate health care from trained health care providers. Young female offenders will require special attention to their health needs and emotional adjustment. Juveniles should also receive all required vaccinations.

Mental Health Care

Being under the age of eighteen does not insulate detained juveniles from mental illness and emotional problems. In fact, juveniles regularly suffer from various mental health problems, especially conduct disorder, mood disorders, sleep disorders, psychotic disorders, post-traumatic stress disorder, and schizophrenia. Juveniles should be screened and receive treatment for mental health problems. Every youth facility should have a trained child psychologist on staff.

Drug and Substance Abuse

A high percentage of juvenile offenders are addicted to drugs or other illegal substances (such as glue or non-prescription medication).

Placement or detention in an adequate place providing treatment, counselling, therapy and health care can sometimes help to break the cycle of drug addicted children in conflict with the law. Medical and psychological assistance, in particular, are extremely important for drug addicts.

PROGRAMMES FOR JUVENILES

Prison managers should offer a full programme of education, sport, vocational training, recreation and other purposeful activities for juveniles

Discussion point:

Why do you think that activities and programmes are particularly important for juveniles?

Slide 14 - PROGRAMMES FOR JUVENILES

- Self Image
- Personalised programme

- Vocational Training
- Education
- Recreation

The goal of detention is to give juveniles the tools they will need to succeed in life outside the institution.

Self-Image

A positive self-image is essential to success in almost all areas of life. Young people are in an especially intensive phase of forming their identities and self-perceptions. For this reason, improving self-esteem should be an integral part of all programmes for juveniles in detention. Group activities teaching character-building and interaction skills, for example, have been shown to be effective in raising young people's self-esteem.

Detained juveniles should never be labelled as 'delinquents' or 'hopeless cases'. Such labels can have a profound effect on a juvenile's perception of himself and consequently his ability to reintegrate following release.

Once released, efforts should be made to see that juveniles are not stigmatised as someone with a criminal background. After an appropriate time lapse, criminal records should be deleted.

Personalised programme

A personalised programme approach should be favoured whenever possible. The treatment philosophy of juvenile detention centres should be based on a respect for the rights and circumstances of each juvenile.

Programmes should be carefully planned around individual needs. The need for a well-ordered prison regime cannot override juveniles' entitlement to be treated fairly and personally.

Education and vocational training

Education is also crucial to leading a full, responsible, and healthy life at all stages. If a child does not receive an adequate education, he or she is much more likely to have a difficult time in life. It may be hard to find meaningful work, for example, making criminal activity a tempting choice.

Rule 26 (6) of the **Beijing Rules** states that:

Slide 15 - NEED FOR EDUCATION OR VOCATIONAL TRAINING

'Inter-ministerial and inter-departmental cooperation shall be fostered for the purpose of providing adequate academic or, as appropriate,

vocational training to institutionalized juveniles, with a view to ensuring that they do not leave the institution at an education disadvantage.'(Rule 26(6))

All detained juveniles of compulsory school age have the right to education commensurate with their abilities. If possible, courses can be conducted within community schools. If courses are taught within the detention facility, juveniles should attend classes for a full school day.

When possible, the classroom environment should be friendly. Teachers should be qualified in accordance with community standards and their number should be such that classes remain as small as possible.

A successful educational programme requires teachers and prison staff to work together as a team. For example, prison staff must ensure that the juveniles have time and suitable conditions in which to do their homework.

In order to prevent stigmatisation after release, educational certificates should not show that they were gained in an institution.

Juveniles should also receive **vocational training** that will prepare them to assume productive employment in the community following their release. Juveniles should receive vocational training that will prepare them to assume productive employment in the community following their release.

All national and international standards and laws regarding child labour are applicable to detained juveniles.

Young female offenders shall not receive less treatment and training than young male offenders. All national and international standards and laws regarding child labour are applicable to detained juveniles.

Recreation

Detained juveniles should engage regularly in outdoor exercise and recreational activities, including team sports.

Juveniles should also have access to recreational equipment, including balls, cards, and other games. All recreation time should be carefully supervised by staff in order to prevent bullying or harassment.

FAMILY AND COMMUNITY CONTACT

Every effort should be made to help juveniles maintain relationships with their families.

Discussion point:

Why do you think that family and community contact is particularly important for juveniles?

Maintenance of family ties can help juveniles re-assimilate into society.

Article 37 (c) of the **Convention on the Rights of the Child** states that a juvenile:

Slide 16 - CONTACT WITH FAMILY

Convention on the Rights of the Child

'Shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances.' (Article 37(c))

Research suggests that juveniles with family support are more likely to live law-abiding lives after their release.

Family ties can be maintained through:

- Scheduling regular family visits within the prison facilities.
- Arranging temporary releases for juveniles to visit their homes;
- Encouraging juveniles and family members to write and telephone on a regular basis; and
- Allowing juveniles to keep personal possessions, such as family photographs and memorabilia in their sleeping areas.

International standards explain that, in the interest and well-being of the institutionalized juvenile, the parents or guardians have **a right of access**.

They also have the **right to be informed of the state of health of the juvenile** on request and in the event of any important changes in the health of the juvenile.

Juveniles who are cut off from the community are less likely to assimilate into the mores and expectations of society, including respect for the law. Juveniles who are isolated from the community are at greater risk of re-offending.

Prison staff should arrange to have members of the community come in regular contact with detained juveniles via recreational, cultural, educational, or other programmes. Community volunteers can organize and run cultural, educational, ministry, and vocational activities.

Such ties can have a beneficial effect on both the juveniles and the volunteers: the juveniles maintain relationships with the community and its values while the community is less likely to ostracize the juveniles after they are released from prison.

Care must be taken though to ensure that volunteers coming into the prison have been carefully vetted – prevent unsuitable people befriending juveniles.

PREPARATION FOR RELEASE

Moving on now to look at the re-integration of juveniles into society.

Discussion point:

What do you think an institution can do to prepare juveniles for release?

Prior to their release, juveniles should receive instruction in basic life skills, including communication and conflict resolution, career skills, and courses on how to live independently as adults. At the time of their release, most juveniles will have no experience living alone. Life skills courses could be provided to children in conflict with the law.

Appointing a *case manager* can be a helpful way to make sure arrangements have been made for the juvenile to have a place to live, employment, and other basic requirements upon release.

Parents or guardian of the child, social worker and any other person having interest for the child (school director, members of the community etc) should also be fully involved in the preparatory release of the juvenile.

Rule 29 (1) of the **Beijing Rules** states that:

Slide 17 - FACILITIES FOR REINTEGRATION

‘Efforts shall be made to provide semi-institutional arrangements, such as half-way houses, educational homes, day-time training centres and other such appropriate arrangements that may assist juveniles in their proper reintegration into society.’ (Rule 29(1) Beijing Rules)

SECURITY

We shall be looking at managing security in more detail in the next session. At this point I just want to emphasise a few key points in relation to juveniles and security.

Slide 18 - JUVENILES AND SECURITY ISSUES

- Minimum security
- Instruments of Restraint or Force
- Isolation and other sanctions
- Weapons

Minimum Security

As with adults, juvenile prisoners should be afforded the least security necessary to ensure their secure detention. The emphasis of all juvenile institutions should be not on confinement but on creating an environment in which rehabilitation is possible.

Small size and "open" centres should be favoured.

Instruments of Restraint or Force

In general, instruments of restraint or force should be prohibited on juveniles. They should only be used as a last alternative, when all other control methods have been used without success.

They should never be used to degrade or humiliate. If such instruments are used, the RRC director should immediately consult medical personnel.

Isolation and Other Sanctions

Juveniles should never be put in isolation as a form of punishment or control. Similarly, corporal punishment, reduction of diet, restriction or denial of contact with family members must be prohibited.

Collective sanctions should be prohibited.

Weapons

The presence of weapons does not facilitate communication and positive relationship between staff and juvenile detainees.

Slide 19 - NO WEAPONS IN JUVENILE INSTITUTIONS

'Weapons shall not be carried in institutions that hold juveniles.' (Rule 65 Beijing Rules)

STAFF

Moving now on to the key issue of the staff that work with Juveniles. Staff are very important in a juvenile facility.

Slide 20 - STAFFING JUVENILE UNITS

- Selection and Training
- Gender mix
- Staff relations with Juveniles

Discussion point:

Do you think that there should be any special selection or training for staff working in juvenile institutions?

Selection and Training

There should be a special selection procedure for staff working with juveniles. They need to be given special training.

Staff members working with juveniles should receive specialised training in child psychology, child welfare, and international standards regarding the rights of the child. They should also be trained on suicide prevention, first aid, and HIV/AIDS awareness.

Learning how to recognize and deal with bullying is also particularly important. In order to refresh skills, share experience, and renew the motivation of staff working with juveniles, in-service training should be offered on a regular basis.

In order to refresh skills, share experience, and renew the motivation of staff working with juveniles, in-service training should be offered on a regular basis.

Mixed Gender Staff

Where culturally appropriate, juvenile detention centres should have mixed gender staffing. The presence of both male and female staff can have a beneficial effect in terms of both the custodial ethos and in fostering a degree of normality in a place of detention.

In addition it allows for appropriate staff to carry out gender sensitive searches.

Staff Relations with Juveniles

It is essential that staff communicate with juveniles.

For instance, understanding the reasons of a fight between juveniles is only possible through good listening skills and close communication. Without this effort to understand a juvenile's feelings, their sense of anger and injustice is likely to increase, hindering their progress toward rehabilitation.

The attitude of staff members toward detained juveniles has a profound effect on juveniles. If staff members abuse or humiliate juveniles or fail to maintain order, they will be at risk of developing low self-esteem and behavioural problems, including a lack of respect for authority. On the other hand, caring, sensitive, and professional staff members can have a profound and positive effect the life of a young person in prison.

CONCLUDING POINTS

The vulnerability of juveniles stems from the fact that they are in their developmental and formative years and have not yet grown into functioning adults. They can be taken advantage of by adults because of their naivety; they mostly have to depend on adults for support and protection; and they have little control over their own environment.

The most important message of this session is that the imprisonment of children and youth should be avoided whenever possible and the younger the person the more strongly it should be avoided. Due to the particularly harmful effects of detention and imprisonment on juveniles, numerous international instruments rule that they should be kept out of prison, and that offences committed by juveniles should be dealt with in the community, as far as possible.

Youth imprisonment where absolutely unavoidable should be for the shortest period possible and in conditions that do not affect the normal development of that individual.

While in prison, children should not only be kept separately from adults, but they should kept in conditions that will allow their normal social, emotional and intellectual development.

Formal education programs should be provided to children in prison; this can be achieved through collaboration with community organizations and the ministry of education. Vocational training for youth detained for long period of time is actually crucial; it helps these young people develop their self-confidence and their skills, it prepares them for a successful reintegration into society, and it makes them employable once they return to the community.

DISCUSSION POINTS:

Discuss the situation of juvenile prisoners – how many, where are they imprisoned, how are records kept?

What are the different ways of dealing with juveniles in conflict with the law?

In some countries, as many as 80 percent of juveniles who are imprisoned are convicted of another offence within two years of their release. This suggests that imprisonment is failing to help these juveniles to lead law-abiding lives. Is it possible to do something about this situation? Is so, how?

What methods of discipline might be used with very unruly juveniles in prison with histories of repeated serious offending? What sorts of education or training might they be encouraged to undertake?

Is there some NGOs involved in the activities of the prison? In which field are you working with them? Can the NGO involvement be expanded?

SESSION 13

MANAGING SECURITY

Slide 1 – TITLE

MANAGING SECURITY

Duration:

1.5 hours

Purpose

The credibility of any prison system rests on its ability to keep prisoners in custody - in other words to prevent escapes. This session focuses on a prison security - the means by which escapes are prevented.

Objectives of session:

Slide 2 – OBJECTIVES

- to remind participants that prison staff have a clear responsibility to protect the public by ensuring that prisoners do not escape from lawful custody
- to reflect on the three types of security in prison
- to highlight the key role that prison managers have in ensuring effective security
- to identify the key elements of security management

PRISON SECURITY

The judicial authorities should send to prison only those men and women who have committed such serious offences that imprisonment is the only reasonable punishment or those from whom the public needs to be protected.

The objective of this session is to show that, within that context, prison staff have a clear responsibility to protect the public by ensuring that prisoners do not escape from lawful custody.

Prison security consists of three main elements:

Discussion point:

What do you think are the three main elements of prison security?

Slide 3– TYPES OF SECURITY

- Physical Security
- Procedural Security
- Dynamic security

PHYSICAL SECURITY

The first of which is physical security.

Discussion point:

What do you think I mean by physical security? Can you give me some examples of physical security in a prison?

Slide 4 - PHYSICAL SECURITY

Aspects of physical security include:

- the architecture of the prison buildings
- the strength of the walls of those buildings
- the bars on the windows
- the doors of the accommodation units,
- the specifications of the perimeter wall and fences
- locks, cameras, alarm systems

Physical security is everything from walls, bars, windows and doors, to locks, cameras and keys.

In designing the physical aspects of security, a balance needs to be found between the best ways of achieving the required security level, with the need to respect the dignity of the individual. For example, the right architectural designs can ensure that cell windows are secure, while at the same time adhering to the standards for access to natural light and fresh air.

Security aids such as cameras by definition intrude on personal privacy, so when decisions are made about where they should be placed there needs to be a balance between legitimate security requirements and the obligation to respect individual privacy.

The **Standard Minimum Rules** pay particular attention to the physical security instruments such as chains. **Rule 33** states that:

Slide 5 – PHYSICAL SECURITY INSTRUMENTS

‘Chains or irons shall not be used as restraints. Other instruments of restraint shall not be used except in the following circumstances:

- (a) As a precaution against escape during a transfer, provided that they shall be removed when the prisoner appears before a judicial or administrative authority.’ (Rule 33)

PROCEDURAL SECURITY

Moving on now to procedural security.

Discussion point:

Can you give me some examples of security procedures? Which do you think are the most important security related procedures?

Slide 6 - PROCEDURAL SECURITY

Procedural security relates to those procedures which have to be followed to prevent escape, including:

- searching (both of physical spaces and of individuals)
- accounting for prisoners (counting, monitoring)
- testing alarms and communications systems
- control of keys
- locking and locking rooms/cells
- workshop tool control

In each prison there should be a clearly understood set of procedures which describe in detail the circumstances in which searches should be carried out, the methods to be used and their frequency.

These procedures must be designed to prevent escape and also to protect the dignity of prisoners and their visitors.

There should be procedures for regularly searching all places where prisoners live, work or congregate. These should include searches of living accommodation, such as cells and dormitories, to make sure that security features, including doors and locks, windows and grilles, have not been tampered with.

Depending on the security category of the prisoner, his or her personal property should also be subject to search from time to time.

Staff need to be specially trained to carry out these searches in such a way as to detect and prevent any escape attempt or secretion of contraband while at the same time respecting the dignity of prisoners and respect for their personal possessions.

There should also be procedures which govern the regularity of checking prisoner numbers and how these checks are carried out. The same applies to arrangements from movements of prisoners from one area of the prison to another.

There should also be clear procedures for making sure visitors do not breach reasonable security requirements, such as the searching of visitors. These procedures should have regard to the fact that visitors are not prisoners and the obligation to protect the security of the prison has to be balanced against the rights of visitors to their personal privacy.

It is important to recognise too that prison staff and contractors may also pose a threat to security by smuggling into the prison banned or illegal material. They should also be subject to the appropriate searching procedures. These types of arrangements will also make it less likely that staff will be put under pressure by prisoners and others to bring banned items into the prison.

Some other types of procedural security include roll call at specific times of the day, and selective monitoring of mail and telephone calls.

DYNAMIC SECURITY

The notion of security involves much more than physical barriers and procedural searches. This additional element is known as Dynamic Security.

Discussion point:

What do you think is meant by dynamic security? Can you give me some examples of dynamic security in a prison?

The concept of dynamic security includes:

Slide 7 – DYNAMIC SECURITY

1. Developing positive relationships with prisoners.
2. Closely interacting with prisoners
3. Monitoring prisoner behaviour and gathering intelligence
4. Keeping prisoners busy doing constructive activities

While physical and procedural security arrangements are essential features of prison life, they are not of themselves sufficient.

Security also depends on an alert staff who interact with prisoners, who have an awareness of what is going on in the prison and who make sure that prisoners are kept active in a positive way.

This is often described as **dynamic security**.

This kind of security is much more qualitative than static security measures. Where there is regular contact with prisoners, an alert staff member will be responsive to situations which are different from the norm and which may present a threat to security.

Staff who are engaged with prisoners in these ways will be able to prevent escapes incident occurs.

The strength of dynamic security is that it is likely to be proactive in a way which recognises a threat to security at a very early stage.

It will operate best where there is a professional and well-trained staff being aware of what is happening in the prison community before an incident occurs.

Placing an emphasis on the need for prison staff to establish positive relationships with prisoners is key to dynamic security. This concept rests on the notion that engaging with prisoners and getting to know them can enable staff to anticipate and better prepare themselves to respond effectively to any incident that may threaten the security of the prison and the safety of staff and prisoners.

It is essential then to remember that security is not just a matter of walls, locks and keys, but that security is strengthened when staff know the prisoners for whom they are responsible and mix with them on a daily basis.

I want to spend some time now looking in more detail at how prison security should be managed.

SECURITY MANAGEMENT

As we said earlier in the session, the principal security objective of the RRCs is to prevent escapes.

The crucial requirement for prison management is to ensure that all staff are aware of the concepts of physical, procedural and dynamic security, and to create the necessary structures to enable staff to feel supported in the exercise of their authority.

Discussion point:

What are the issues that you think prison managers should focus on when it comes to ensuring effective security?

Security systems for :

- Roles and Responsibilities
- Policies, procedures and standards
- Monitoring and audit
- Categorisation and Risk Assessment Intelligence
- Information flow

Slide 9 - SECURITY MANAGEMENT (2)

Security systems for :

- Searching
- Perimeter security (physical and procedural)
- Access and movement control
- Activities (work)
- Exercise yards
- Accommodation

Slide 10 - SECURITY MANAGEMENT (3)

Security systems for :

- Stores
- Shop
- Tools, equipment and material security
- Night security

Now look at the most important of these in more detail.

Roles and Responsibilities

Discussion point:

What are the main roles that contribute to effective security?

Slide 11 - SECURITY ROLES

- Director
- Security Committee
- Security Manager
- All staff

The **Director** of the RRC must assume final operational responsibility for the security of the RRC. Directors must ensure that all persons working in the RRC understand that their role includes accountability for security matters.

A **security committee** should advise the Director on the full range of security issues.

Slide 12 - SECURITY MANAGER

A security manager is normally responsible for the day-to-day management of security and has a RRC wide responsibility for security.

Discussion point:

What are the key things that a security manager should do?

Key duties for the security manager:

- Manage the intelligence system
- Raise security awareness amongst all staff and encourage the gathering of security information
- Regular visits to all parts of the RRC to assess, both by observation and by conversation, whether staff have received, understood and (as necessary) acted upon security information communicated to them.

- Arrange for irregular checks of the physical (including electronic) means of preventing escapes from the prison, and recommend improvements where necessary.
- consider the security implications of building and/or repair work, including the safe custody of tools and other items with escape potential
- monitor the agreed searching programme in terms of both quantity and quality, and ensure that a central record is maintained of all searches and their outcomes.

Policies, procedures and standards

Slide 13 - POLICIES, PROCEDURES AND STANDARDS

The Director must ensure that there are local written procedures that apply the national Law, Regulations and Operating Procedures within the local context.

Monitoring and audit

Slide 14 - MONITORING AND AUDIT

The Director must ensure that regular auditable line management checks (using checklists of procedures) take place to ensure compliance with national and local instructions.

Categorisation and Risk Assessment

Prisoners do not like being in prison but the majority of them accept the reality of their situation; provided they are subject to appropriate security measures and fair treatment they will not try to escape or seriously disrupt the normal routine of the prison.

On the other hand, a small number may well do everything in their power to try to escape. If they were to escape, some prisoners would be a danger to the community; others would not be a threat to the public.

All of this means that the prison authorities should be able to assess the danger posed by each individual prisoner in order to make sure that each one is subject to the appropriate conditions of security, neither too high nor too low.

Different levels of risk call for different levels of security.

Rule 63 (2) of the **Standard Minimum Rules** states that:

Slide 15 – APPROPRIATE SECURITY LEVELS

'It is desirable to provide varying degrees of security according to the needs of different groups.' (Rule 63 (2))

The security measures to which prisoners are subject should be the minimum necessary to achieve their secure custody. There are at least three valid reasons for this approach:

- Staff are likely to be more aware of those prisoners who do require a high level of security if the number of these is restricted.
- The lower the level of security the more humane the treatment is likely to be.
- security is expensive and the higher the level, the greater the cost.

On first admission, each prisoner should be risk assessed.

Discussion point:

What criteria do you think should be used to establish the level of escape risk that a prisoner poses?

Slide 16 - PRISONER RISK ASSESSMENT

- the threat that the prisoner might present to the community if he or she were to escape
- the likelihood that the person will try to escape either on his or her own or with external assistance
- previous history of attempting to escape and access to external help;
- in the case of pre-trial detainees, any potential threat to witnesses;
- the nature of the crime for which the prisoner was convicted;
- length of sentence, which usually reflects the nature of the crime;
- the potential for threat to other prisoners.

Security levels for individual prisoners should be reviewed at regular intervals as the sentence is served. It is generally the case that a person becomes less of a security risk as his or her sentence progresses. The prospect of progressing to a lower security category during the sentence can also act as an incentive for good behaviour.

Information Flows

Slide 17 - INFORMATION FLOWS

The Security Manager must ensure that efficient means exist for the fast and accurate communication and gathering of information within the RRC.

Discussion point:

How do you think that this can be done in the RRCs?

This should be done through:

- Regular briefings for all staff
- Staff Information area for display of written information
- Notices

Prison Intelligence

An effective intelligence system is vital in managing security and control.

Discussion point:

What do you think is meant by prison intelligence? Can you give me some examples of prison intelligence?

Gathering good information is important work. Escapes and disturbances do not occur spontaneously. The planning and preparation period involved should allow prison officers to identify and expose those involved through good information and intelligence handling.

A typical prison intelligence system would involve a number of elements.

Slide 18 - PRISON INTELLIGENCE CYCLE

- Collect and grade information
- analyse and interpret information
- assess intelligence
- identify actions
- tell people what additional information is needed

One of the key benefits of dynamic security is that prison officers are able to gather information from prisoners. This is not just information from 'informants' but more general information picked up by:

Slide 19 - GATHERING INFORMATION

- overhearing a conversation
- watching what prisoners do
- observing who prisoners talk to - patterns of association
- looking out for patterns of behaviour and frequent actions
- identifying unusual activity
- watching for physical changes (obscured views due to placing of physical objects in the line of sight)
- monitoring telephone calls and letters
- observations during searching - hoarding of goods and clothes
- unusual requests or incidents

Prison officers gather information by being vigilant at all times, by reporting anything out of the ordinary and by forming professional working relationships with prisoners built on trust and respect.

Once information has been gathered it needs to be processed and used.

Slide 20 - USING THE INFORMATION

- The analysis and interpretation of information is the process whereby information becomes intelligence.
- Intelligence assessment is the discussion of the intelligence received in order to define key security issues and draw conclusions
- From these conclusions, objectives are set and action decided upon.

Information can be likened to a jigsaw puzzle with all the pieces being bits of information. When joined together in the right way a picture emerges but for the picture to be complete all the pieces have to be in place. No matter how insignificant one piece may appear, without it there can be no picture.

So it is with information, every scrap pieced together forms the process by which we gather intelligence.

All information received must be assessed and a decision made on its 'grade'. This involves assessing the 'source' of the information, its 'accuracy' and its link to other pieces of information received (corroboration).

If the intelligence is highly rated then the **action** that flows from intelligence could be a change in procedure, physical changes to an area, extra staff being allocated, or staff being asked to watch out for something specific.

Prison officers therefore have a key role in ensuring security by actively observing and reporting on their observations and what they have heard.

Controlling equipment and tools

Prisoners are good at stealing tools and equipment that belong to the RRCs. These are then used to assist with escapes. It is critical that each RRC has in place arrangements for the control of tools and equipment.

Discussion point:

Can you give me some examples of tools and equipment that are kept in the RRCs and that can be used to assist an escape?

Slide 21 - CONTROLLING EQUIPMENT AND TOOLS

The Security Department must have ready access to up-to-date inventories of all equipment and tools held in the prison and must arrange frequent but irregular checks of all shadow boards, tool cupboards and tool stores in the prison, and record the outcome of those checks in auditable form.

SMALL GROUP ACTIVITY

ACTIVITY:

What do you think are the main security management issues in connection with the following:

- *Searching (procedural security)*
- *Perimeter security (physical and procedural)*
- *Access and movement control*
- *Activities (work)*
- *Exercise yards*
- *Accommodation*
- *Stores*
- *Shop*
- *Tools, equipment and material security*
- *Night security*

What can you do in your RRC to improve security management?

HANDOUT 24 - MANAGING SECURITY AUDIT CHECKLIST

SESSION 14

MANAGING ORDER AND DISCIPLINE

Slide 1 – TITLE

MANAGING ORDER AND DISCIPLINE

Duration:

2 hours

Purpose

The purpose of this session is to highlight that prison leaders have a responsibility to ensure the physical safety of prisoners, staff and visitors. This means that prisons should be places where there is good order, which involves much more than control.

When a prisoner refuses the legitimate rules of a prison there has to be a formal disciplinary procedure to establish guilt and impose appropriate punishment. A further purpose to this session is to underline that this procedure should observe the principles of justice.

Objectives of session:

Slide 2 – OVERVIEW

- To discuss what is meant by Order and Control
- To explore the management of order and discipline
- To understand the ways of dealing with a breach of the Rules
- To consider the disciplinary processes
- To look at the various forms of punishment

INTRODUCTION

Article 3 of the **UN Universal Declaration of Human Rights** provides that:

Slide 3 - HUMAN RIGHTS

'Everyone has a right to life, liberty and the security of person'.

Discussion point:

What duties do you think that these Rights create for prison managers?

Prison managers have an obligation to ensure that prisons are safe places, where all concerned can go about their daily business without fear for their physical well-being.

The level of control over the daily lives and movement of prisoners must not be more than is necessary to meet those requirements. All of this can be ensured with a prison environment that is a safe place.

Prisoners, staff and visitors should be safe from any kind of violence and threats to life and health no matter from whence they come.

Prison disturbances such as hunger strikes, jail breaks, prison mutinies, riots and even suicides, are often evidence that the prisoners feel shortchanged by the way in which the applicable disciplinary rules are administered or that they do not have confidence in the grievance mechanisms available.

ORDER IN PRISON

Discussion point:

*What do you think is meant when people speak of **Order** in the context of a RRC?*

*How would you define **Order**?*

Slide 4 - ORDER DEFINED

Order is taken to mean the absence of violence, overt conflict or the imminent threat of the chaotic breakdown of social routines.

Prison Directors have been faced, since the introduction of modern prisons, with the fundamental problem of how to prevent disorder. There is a need to ensure order in prisons, as none of the good aspects of prisons can be accomplished unless there is order.

Discussion point:

*How do you maintain **Order** and prevent **Disorder** in your RRC?*

*What are the main routines, systems and procedures that contribute to keeping **Order** in your RRC?*

Research suggests that there are six main factors relevant to maintaining Order:

Slide 5 - SIX FACTORS TO MAINTAIN ORDER

1. Population Characteristics
2. The degree of physical constraint or surveillance
3. Deterrence and Rewards
4. Legitimation
5. Family Ties
6. Staff Approaches and Skills

1. **Population Characteristics** - Population characteristics of a prison can influence its potential for disorder, especially but not exclusively as regards age. Populations with a higher percentage of younger prisoners tend to have more problems in maintaining order.

2. **The degree of physical constraint or surveillance - Prisoner** locked in his/her cell, for example, has less opportunity to create disorder (though such opportunities still exist, e.g. through furniture-smashing or cell barricading).

3. **Deterrence and Rewards** - Some 'carrot and stick' incentives are a standard feature of virtually all prison regimes, though the emphasis upon them varies from jurisdiction to jurisdiction. It seems reasonably clear that the behaviour of many or most prisoners will be influenced to at least some degree by matters of deterrence or reward.

4. **Legitimation** - Three different dimensions of legitimacy in prisons have been identified: the perceived fairness of the staff, the perceived fairness of regime features (visits, search policies, time out of cell, etc.), and distributive fairness (based on perceptions of formal procedures such as the discipline and complaints mechanisms). Prisoners do not make single blanket judgements about fairness or unfairness, but draw distinctions between different aspects of their prison experience.

5. **Family Ties** - At least in some circumstances prisoners are motivated to conforming behaviour by factors that assist the maintenance of family and other community ties of importance to them.

6. **Staff Approaches and Skills** - Perceived unfairness of staff is a problem that affects not just the relationship between prisoners and staff, but all other aspects of prison life.

This session will explore some of these factors in more detail, starting with Control.

CONTROL STRATEGIES

There are a number of broad strategies to achieve well-ordered prisons - which focus on maintaining control.

Slide 6 - CONTROL

Control is the use of routines and of a variety of formal and informal practices which assist in the maintenance of order

The first broad strategy that can be used focuses on '**situational control**'.

Slide 7 - SITUATIONAL CONTROL

Situational control methods aim to:

- tackle precipitating factors that generate control issues
- reduce the opportunity for disorder to take place.

Discussion point:

*What types of **SITUATIONAL Control** action can you take to prevent disorder ?*

Slide 8 - EXAMPLES OF SITUATIONAL CONTROL

- Temporary removal of prisoners to segregation or another room
- increasing staff patrols and visibility (formal surveillance)
- increasing time in room
- only unlocking a few prisoners at a time
- limiting the numbers of prisoners permitted to gather in one place
- transferring trouble-makers to another RRC
- Use of CCTV camera and other surveillance means

Temporary removal of prisoners (either to a different wing, to the segregation unit or to another prison) is an approach that Directors can use to prevent trouble

happening or to deal with an existing problem. However, using this option is only a short term 'fix' that it could only ever be used for small numbers of prisoners, and that at some point the prisoner would need to be reintegrated back into the prison.

Some other examples of how to deal with potential control problems could be regulating situational factors: increasing staff patrols and visibility (formal surveillance); increasing time in cell; only unlocking a few prisoners at a time; limiting the numbers of prisoners permitted to gather in one place; and transferring trouble-makers.

The challenge for prison managers is to find the appropriate balance between the possible situational control interventions.

The second broad strategy Prison Directors used to achieve order is based on **social controls**.

Slide 9 - SOCIAL CONTROL

'Social Control' measures include attempts to reduce disorder by developing or strengthening social relations between prisoners, and between staff and prisoners.

Discussion point:

*What types of **SOCIAL Control** action can you take to prevent disorder?*

Slide 10 - EXAMPLES OF SOCIAL CONTROL

Attempts at socialisation and strengthening social relations by:

- having the right balance of prisoners;
- changing prisoner culture;
- attempts at consultation and participation with prisoners;
- strengthening relationships;
- ensuring that the exercise of power was seen as legitimate by most prisoners most of the time;
- developing mutual trust.

There is a need to get the 'right' relationship between staff and prisoners in order to negotiate the peaceful operation of a RRC.

The challenge for prison managers is to decide what the 'right' relationship within their RRC is and how to develop and sustain those relationships.

Getting the right staff-prisoner relations is important; there is less violence, less bullying, and a much healthier relationship between staff and prisoners. There are also advantages of being able to use other social control means such as rewards and punishments to manage prisoners' behaviour.

Slide 11 - ROLE OF MANAGERS IN KEEPING ORDER

To some extent, Managers are able to:

- Choose which elements of control to adopt
- Focus on maintaining order continuously
- influence both prisoners' inclination and on their ability to contravene the rules
- make a series of moral decisions and policy choices
- ensuring that prisoners and staff view the operation of the prison as being legitimate, just and fair
- 'balance', 'mediate', 'harmonise', 'shape' and 'regulate'

To some extent managers are able to choose which elements of control to adopt. However, their choice is often constrained by factors such as the architecture and function of the prison. For example, a prison with a high turnover of prisoners makes it more difficult for staff to use 'social' control methods by establishing positive relationships. More recent prison designs keep prisoners in smaller groups and bring officers into contact with them, thereby emphasising 'social' control methods.

Maintaining order is not a one-off event but something that has to be continually focused on. Control can be lost very quickly if effort is not devoted to it, or it is not concentrated on. It has to be kept on top of all the time. In order to identify potential control problems before they develop into disorder, managers used a variety of means to monitor the stability of their prisons: As well as systems and routines, good intelligence is needed too.

Managers are able to have a significant influence both on **prisoners' inclination and on their ability to contravene** the 'routine expectancies' of everyday life in prison.

In exercising that influence, Managers make a series of **moral decisions and policy choices**, because more than one version of sustainable 'order' has been shown to be possible.

A key role for Managers is ensuring that prisoners and staff view the operation of the prison as being legitimate, just and fair; and that the security, order and regime were held in balance.

Managers use a number of terms to describe this aspect of their role - **'balancing', 'mediating', 'harmonising' and 'shaping'** - **but the most frequently used term was 'regulating'**. It is referred to as the 'professional part' of their job and as being specific to the prison environment.

One of the main ways that Managers regulate the operation of a prison is through the **decisions** they reach. These decisions enable Directors to send clear messages to staff and prisoners.

It has been pointed out that like virtually all conceptualisations of social relations; order is a matter of degree.

Slide 12 - ACHIEVING BALANCE

Security and order can be achieved through excessive control but to do so would make the RRC punitive, restrictive, oppressive and over-controlled.

Oppressive confinement and repressive brutality and intimidation have no place in a modern prison system.

Discussion point:

*Do you think that the balance between **security, control and care** is the same in all RRCs?*

Why do you think it might vary from RRC to RRC?

Managers have to decide for themselves where the balance should rest, between the three elements of **security, control and care** and constantly trying to make sure that one doesn't impinge on the others to such a great extent that it destabilises.

Regulating the prison in such a way as to deliver security, control and care is a central theme in **good governance**. In the absence of this sense of a just community, not only would the rights of prisoners be gravely undermined but also the security of the prison and safety of staff and prisoners would be put at risk.

In reality RRCs may differ to a significant extent in values such as: respect, humanity, relationships, trust, fairness, order, well-being and decency'.

The challenge for Managers is to regulate their institutions in such a way that they ensure that these positive values are embedded in the culture, and are adhered to by both staff and prisoners.

Slide 13 LEGITIMATE EXPECTATIONS

Most prisoners have a precise sense of what they can and cannot legitimately expect from life in the RRC and it is only when this 'legitimate expectation' is met that order and safety can result.

Managers have to be seen to be acting legitimately (in terms of formal rules) at all times, and in ways that demonstrate fairness and provide meaningful rationales for the exercise of their power. This is particularly the case when conducting disciplinary hearings.

Prison staff possess a considerable degree of discretion in carrying out their job. In the absence of detailed and unambiguous directions, prison staff are confronted on a daily basis with 'numerous dilemmas'. These dilemmas surround the interpretation of rules and regulations: whether a prisoner should be put on a disciplinary charge; what is appropriate behaviour; what is a reasonable amount of property in a room; who to unlock from a cell first; who can have a shower when.

Managers need to ensure that the behaviour of their staff is appropriate.

Slide 14 - MANAGERS' ROLE IN MANAGING DISCRETION

Managers have to prevent:

- unnecessary disciplinary charges;
- undue searches;
- inconsistent treatment;
- staff picking on particular prisoners;
- varying access to facilities
- prisoners being humiliated or feeling powerless
- abuses from take place
- prisoners being subjected to mind games by staff.

Discussion point:

How do you think that managers can prevent these things happening?

Managers are able to limit the discretionary room of their prison staff by resolving dilemmas that staff have to cope with.

Slide 15 - CONTROLLING THE USE OF DISCRETION

Managers should seek to:

- set out detailed rules, regulations and routines
- create an 'interpretative framework'
- set out their standards and philosophy
- maintain a high profile
- acting as a role model
- audit and monitor
- manage risks
- demonstrate 'jailcraft'

They are able to do this by designing **detailed rules, regulations and routines** that help to clarify what is expected in specific circumstances. In addition, Managers can seek to influence how staff use their discretion by creating an '**interpretative framework**' for dealing with day-to-day issues which arise in staff encounters with prisoners, and by establishing clear standards and expectations.

Regulating the interface between staff and prisoners is made the more complicated because of the imbalance of power between them, the nature of a closed institution and the often-conflicting values and beliefs. There is a need to balance the interests, expectations, demands and perceptions of these various groups within prisons.

Managers also regulate their establishments by maintaining a **high profile and by acting as a role model**. Managers are seen as the embodiment of what the establishment stands for and that staff and prisoners mirror their behaviour and approach.

There is a need for Managers to establish a physical presence in their prisons. This aspect of the work involves more than visiting areas of the prison to do **auditing and monitoring**. It is about finding out what was going on and ensuring that standards were being upheld.

Maintaining a high profile also enables Managers to talk to staff and send messages about their **standards and beliefs**. The amount that Managers interact with prisoners, the manner of the interaction and the language used, all send messages about how Managers sees the community behaving. Walking around the prison allows Managers to communicate key messages but it also brings with it a potential danger. Managers do have to be wary of what they say and do as their actions and words can be misinterpreted.

Many of these regulating functions can be described in today's vocabulary as manifestations of '**risk management**'. Managers have to identify risks, assess those risks and then decide what level of risk is acceptable, on a daily basis.

Underpinning all aspects of a Manager's work is the need for the Manager to understand:

- how RRCs work;
- how the different aspects of a RRC are intertwined;
- how a decision about one issue will have implications in another;
- and how the differing groups (staff, prisoners, GARRC, politicians etc) will perceive decisions.

This is what Managers call '**jailcraft**'.

So in summary, the challenge facing a RRC manager is to ensure that the RRC is secure, safe, and well-ordered, but is not run in an oppressive or brutal manner. What is required is consistency of approach, neither harsh nor liberal.

The vast majority of prisoners will welcome firm and fair management by staff because if the staff are not in control of a prison the resulting vacuum will be filled by strong willed prisoners.

Alternatively, if there is not firm management from the top, individual members of staff may well resort to delivering their own informal form of control. In either case life will become very unpleasant for the majority of prisoners.

COMPLAINTS and GRIEVANCES

The way in which prisoners' complaints are dealt with is particularly important for maintaining the legitimacy of the prison system and hence keeping control and order.

While there will always be a danger that staff perceive that a Director is appeasing prisoners by 'giving in' to their demands, Directors always have to bear in mind the importance of achieving and maintaining legitimacy.

One of the most sensitive areas is how a Director deals with an allegation against a member of staff. All eyes in the prison focus on the Director and watch to see what the Director does with the complaint.

Obligation to have Complaints system

Discussion point:

Why do you think it is important to have a complaints system in prison? What would happen if there was no complaints system?

It is of fundamental importance that all prison systems should be administered in a manner which is fair and just, and which is seen to be so. One way of ensuring this is that there should be a clearly defined set of procedures that allow a prisoner to make a request or complaint, or to air a grievance, without fear of reprisal.

Rule 36 (1) of the **Standard Minimum Rules** encourages prisoners to complain and communicate to the prison administration about their problems in prison and requires prison directors and heads to make themselves available for this purpose, at least, once every week.

Slide 16 - ABILITY TO MAKE COMPLAINTS

'Every prisoner shall have the opportunity each week day of making requests or complaints to the director of the institution or the officer authorized to represent him.' (Rule 36(1))

Rule 36 (3) goes on to make clear that:

Slide 17 - COMPLAINTS WITHOUT CENSORSHIP

'Every prisoner shall be allowed to make a request or complaint without censorship as to substance but in proper form, to the central prison administration, the judicial authority or other proper authorities through approved channels.' (Rule 36(3))

The right to complaint is also enshrined in **Principle 33 (1)** of the **Body of Principles**:

Slide 18 - RIGHT TO MAKE A REQUEST OR COMPLAINT

'A detained or imprisoned person or his counsel shall have the right to make a request or complaint regarding his treatment, in particular in case of torture or other cruel, inhuman or degrading treatment, to the authorities responsible for the administration of the place of detention and to higher authorities and, when necessary, to appropriate authorities vested with reviewing or remedial powers.' Principle 33(1).

The utility of healthy communication in any human institution cannot be over-emphasised. Prisoners should be encouraged to communicate with the prison administration about any difficulties they have, assured that their complaints will be treated seriously.

In practice, it would be useful to establish a participatory system in which prisoners are involved in generating ideas for running the prison. This has the advantage of enhancing routine communication between staff and prisoners.

Discussion point:

What sort of issues do you think that it would be worthwhile to consult prisoners on?

Understandable Procedures

The objective of good prison management should be, as far as possible, to prevent serious complaints from arising in the first place. One way of achieving this is having and adhering to a very clear set of procedures covering all aspects of the daily life of the prison.

Prisoners need to have access to these written procedures and regulations regarding prison life upon admission, as highlighted by **Rule 35 (1)** of the **Standard Minimum Rules**.

Discussion point:

What key elements should be included in a complaints procedure?

Complaints procedures should contain a description of how a prisoner can go about making a request about his or her treatment and should also describe the avenues of complaint which are available to prisoners, beginning at the local level and going on to the most senior level in the prison, and, if need be, beyond the prison.

No procedures are in place that might deter prisoners from raising legitimate complaints and grievances. The disciplinary procedures should not contain any regulations that make it difficult for prisoners to complain, such as punishing them for making allegations against staff that turn out to be unfounded.

Often prisoners are also discouraged from complaining against prison staff and administration for fear of reprisals from the staff.

Prison authorities are encouraged therefore to provide prisoners with confidential avenues for making their complaints and to respect any requests the prisoners may make for confidentiality in the handling of their complaints, as highlighted by **Principle 33 (3)** of the **Body of Principles**:

Slide 19 - CONFIDENTIALITY OF COMPLAINTS

Body of Principles

'Confidentiality concerning the request or complaint shall be maintained if so requested by the complainant.' (Principle 33(3))

Internal and External Mechanisms

Many complaints are likely to be about issues concerning daily routine or treatment.

Matters that will be of little importance to people in normal society can take on great significance in the highly disciplined prison world, in which there are likely to be regulations affecting almost every aspect of daily life.

One of the main objectives of the prison administration should be to prevent a simple request from developing into a complaint, or a complaint developing into a formal grievance, or a grievance developing into an appeal to a higher body.

The best way of achieving this is by having good relationships between staff and the prisoners they deal with. Not every complaint by prisoners will need a formal consideration and response – In practice, prison staff will be able to listen and respond to most complaints by prisoners over the course of their routine duties without the need to put the complaint forward for formal consideration.

Discussion point:

What types of complaint do you think could be dealt informally by prison staff exercising their discretion?

It is not possible to resolve all requests and complaints in this informal manner. In addition, each prisoner system needs to have a formal procedure for dealing with requests and complaints that cannot be resolved informally or between individuals.

On each working day the prison director or senior member of staff should consider all such approaches from prisoners.

Wherever possible the prisoner should be allowed to make the request or complaint in person.

If the volume of requests makes this impossible, arrangements should be made for it to be submitted in writing.

Regardless of whether the request is submitted orally or in writing the prison should make a formal written record of the request and of the response to it.

If the director of the prison rejects the complaint, or if it is being made against the director, the prisoner should be able to make a written application to a more senior person in the prison administration, usually at regional or national headquarters.

In the interests of justice and fairness it is important that a complaint being made against an individual member of staff should not have to be channeled through that person. For this reason, there should be a procedure that allows prisoners to submit confidential requests and complaints to higher authority.

Discussion point:

What mechanisms could be put in place to allow prisoners to submit confidential requests and complaints to higher authority?

Requests and complaints should be dealt with as quickly as possible, as stated by SMR **Rule 36 (4)** and Body of Principles Principle 33(4)

Slide 20 - DEALING PROMPTLY WITH COMPLAINTS AND REQUESTS

'Unless it is evidently frivolous or groundless, every request or complaint shall be promptly dealt with and replied to without undue delay.' (SMR Rule 36 (4))

'Every request or complaint shall be promptly dealt with and replied to without undue delay. If the request or complaint is rejected or, in case of inordinate delay, the complainant shall be entitled to bring it before a judicial or other authority. (BOP Principle 33 (4))

The general procedure should indicate how many days it will normally take to give a response. If the request is a complicated one that cannot be resolved in the normal time, the prisoner should be told how long it would take.

Discussion point:

How does the complaints system work in your RRC?

Do you think it is effective?

What could be done to improve it?

USE OF FORCE

In a RRC tension is - inevitably - never far away. No matter how dedicated its staff, it cannot be denied that the majority of prisoners are being held against their will. A consequence is that prisoners may rebel. They may simply resent detention as such, or their anger may be directed against rules or against the staff. It is important for staff to remain aware of their powerful position.

Staff must not exercise more power than is reasonable and proper in a given situation.

The challenge in any prison system is to respond to indiscipline in a way which ensures the security and safety of inmates and staff and ensures that prisoners learn to respect existing rules and regulations.

A clear matrix of behaviour and response may help staff decide what to do in difficult circumstances. When the circumstances involve a prisoner shouting or acting deranged, more complex psychological assessment mechanisms may be needed to gauge the situation and to measure the response. It should not always be assumed that offenders are dangerous and threatening. The response team should always include an experienced member of staff who can assist the newer officers learn to deal with such offenders in the future. If the response team only comprises recent recruits, they may panic or react too quickly and not make the right decision.

The above applies even more to the use of force - a very fundamental form of the exercise of power. Before using force, staff members should always establish whether the desired objective can be achieved by other means. If not, the degree of force used should be appropriate to the situation in question – as Rule 54 makes clear:

Slide 21 – PROPORTIONAL FORCE

Rule 54 (1)

‘Officers of the institutions shall not, in their relations with the prisoners, use force except in self-defence or in cases of attempted escape, or active or passive physical resistance to an order based on law or regulations’.

‘Officers who have recourse to force, must use no more than is strictly necessary and must report the incident immediately to the director of the institution’.

These are the basic **principles of subsidiarity and proportionality**. They should always be applied when force is used. When it comes to the use of force by prison staff, the practical application of the word **“appropriate”** requires leaders to ensure that certain processes and procedures are carefully and consistently followed and that the rights of all those concerned are respected. When violations occur, action must be to rectify the situation and provide redress when necessary.

The terms **“excessive force”** and **“force as a last resort”** should be spelled out very clearly in prison policies and standing orders, as well as in the training material used for new recruits.

Policies, internal regulations, and training manuals should describe what kinds of weapons or control devices can be used in what kinds of circumstances. There should be very clear criteria for assessing breaches of security or threats to safety. Behaviour such as an attempted escape, a hostage taking, or the possession of a potential weapon happen fairly regularly within prisons all over the world so prison

managers should ensure that clear protocols and plans are developed and regularly reviewed and updated, and that staff are briefed on any changes in procedures.

Instructions on the use of force and particularly on restrictions in use of force are always to be incorporated in prison rules, and staff should be well trained in this field as stated in Rule 54 (2):

Slide 22 – TRAINING

Rule 54 (2)

'Prison officers shall be given special physical training to enable them to restrain aggressive prisoners'.

To prevent the indiscriminate and inappropriate use of force, **staff should be required to account** to their immediate head and to the director following any incident involving force.

They should do so both orally and in writing, describe the incident and justify the use of force.

Vulnerable Situations

There are special situations, where use of force and the risk of ill treatment easily can occur, such as riots, group fights and collective disturbance of order. It is of utmost importance, that staff are aware of how critical these situations are with respect to possible ill-treatment. It also is important, that instructions are made, which not only explain how to deal with these situations and what procedures should be followed, but which also give guidelines on how to prevent excessive use of power and ill-treatment.

Moreover such incidents often deteriorate the prison climate and can carry with them virulent tensions between prisoners and staff for quite a long time. These are periods in which new incidents easily can be ignited. Such situations most likely occur:

- After incidents such as riots and hostage takings, especially when prison personnel have been injured;
- When a prison moves from a normal situation to a lock-down. In such situations outsiders are often prevented from coming in, the prison is even more closed off from the community and the standard protections, notably visibility and proper supervision, cease to be available;
- Experience also shows, that risks of undue force, disrespect and ill treatment is imminent, when prisoners are between prisons in transport vehicles and in the case of people with 'weak complaining power' e.g. foreigners and mentally ill prisoners.

DISCIPLINE / DISCIPLINARY SYSTEM

By their nature prisons are closed institutions in which large groups of people are held against their will in confined conditions. From time to time it is inevitable that some prisoners will break the rules and regulations of the prison in a variety of ways.

This may be by attacking another person physically, by taking something which does not belong to them, by refusing to follow the daily routine, by disobeying a legitimate order, by attempting to smuggle into the prison items which are not allowed or in some other way.

There are a clear set of procedures for dealing with such incidents, set out in the new **Regulation on Discipline and Punishment**.

The disciplinary system is one of the methods of maintaining control in prisons. It is most effective when it is used to restore a grievous breach of discipline in prison order and when other means prove unsuitable for achieving the objective of restoring control and discipline.

Rules 27-30 of the **Standard Minimum Rules** define the framework for discipline in prisons. The first key rule of the **Standard Minimum Rules** relating to order and discipline is **Rule 27**, which requires that:

Slide 23 – MAINTAINING DISCIPLINE AND ORDER

'Discipline and Order be maintained with firmness, but with no more restriction than is necessary for safe custody and well-ordered community life.' (Rule 27)

This rule represents a categorical imperative incumbent upon all prison administrations as the necessary condition for the implementation of all other Rules.

As previously mentioned, nothing can be more important than the necessity of ensuring that prisons are safe environments - safe for prisoners, safe for staff and safe for the community.

Breach of Discipline

A breach of disciplinary rules in prison may be dealt with in a number of ways.

Discussion point:

What are the options available to the prison administration and staff to deal with a breach of the disciplinary rules?

There are a number of ways to deal with a breach of disciplinary rules:

Slide 24 – WAYS OF DEALING WITH BREACHES OF RULES

1. Informal advice to the prisoner to keep to the Rules;
2. Formal disciplinary process by the prison administration internally
3. Where the breach is also a crime under law, by the formal sanction of normal criminal prosecution.

Informal Resolution - It is neither practical nor desirable for every breach of prison rules to attract formal disciplinary action. Very often, an informal caution, friendly advice and encouragement or an appropriate expression of disapproval will be enough to keep an offending prisoner under control. It is only when these fail or are inadequate or considered inappropriate that the formal disciplinary sanctions should be employed.

Criminal Prosecution - It will also be most unhealthy for every other breach of the prison rules that qualified as a crime under general criminal law to be prosecuted as such.

Discussion point:

Under what circumstances do you think that it would be appropriate to refer cases to the police to investigate? What criteria should be used? Who should decide whether to refer a case?

It is inconceivable, for example, that a prisoner who steals a bar of soap in order to shower properly would be prosecuted for theft in a court. Only the most serious cases deserve to be submitted to the criminal prosecution. Again, the prison administration and prison staff will be responsible for deciding when to refer a case for criminal prosecution.

Prison managers should make prison staff aware of relevant guidelines and principles governing staff discretion in deciding when and when not to submit breaches of person rules for criminal prosecution.

If the breach of discipline is prosecuted as a crime, the prisoner is entitled to all the legal safeguards and facilities necessary to defend himself or herself in the case. In particular, he or she is entitled for this purpose to unimpeded access to his or her lawyer or to any other legal representative or relative.

Internal Disciplinary Mechanisms

If a prisoner is believed to have committed a breach of prison discipline, his or her case should be heard under a set of procedures that have been publicised in advance.

Discussion point:

What do you think should be the key elements of an internal disciplinary process in order to ensure the upholding of human rights?

Principle 30 (1) of the **Body of Principles for the Protection of All Persons Under Any Form of Detention or Imprisonment** requires that such procedures should specify the following:

Slide 25 – PUBLISHED RULES AND PROCEDURES (1)

Body of Principles for the Protection of All Persons Under Any Form of Detention or Imprisonment (Principle 30 (1))

- (1) The types of conduct of the detained or imprisoned person that constitute disciplinary offences during detention or imprisonment;
- (2) The description and duration of disciplinary punishment that may be inflicted; and
- (3) The authorities competent to impose such punishment.

That this should be defined in written law and regulations is also stated by **Rule 29** of the Standard Minimum Rules:

Slide 26 - PUBLISHED RULES AND PROCEDURES (2)

'The following shall always be determined by the law or by the regulation of the competent administrative authority:

- (a) Conduct constituting disciplinary offence
- (b) The types and duration of punishment which may be inflicted
- (c) The authority competent to impose such punishment.' (Rule 29)

Prisoners and staff alike should know about the rules, it is not good enough just to have them. Thus, a prison authority has a responsibility to acquaint and provide prisoners as well as prison staff with the applicable disciplinary rules at the point of

admission to the prison. The New Regulation on Rules of behaviour for prisoners set out what is expected of prisoners.

Rule 30 goes on to state that:

Slide 27 – OPERATING THE RULES

‘Prisoners should ‘never punished twice for the same offence’,

‘No prisoner shall be punished unless he has been informed of the offence alleged’. (Rule 30)

One further safeguard is the requirement of **Rule 30 (2)** that prisoners should be given an opportunity to know and to defend the charges against themselves before being disciplined:

Slide 28 - DEFENCE

‘... Given proper opportunity of presenting his defence’. (Rule 30 (2))

Prisoners must not be punished on the basis of unsubstantiated rumours supplied by informants.

Prisoners have a right to an opportunity to respond to any adverse reports made about them especially where such reports can form the basis of possible disciplinary action and prison authorities have a corresponding duty to notify the prisoners of such reports when they are received.

In addition, in order to regulate the exercise of the power to discipline prisoners, it is essential that the exercise of the power to discipline prisoners should be exercised by a defined category of senior prison personnel. **Rule 30 (2)** states:

Slide 29 – EXAMINATION OF THE CASE

‘The competent authority shall conduct a thorough examination of the case’.

The prison administration should maintain a written minute of any occasion in which the disciplinary power is invoked against any prisoner.

It is also essential for the rules to identify and state the channels of appeal or review open to a prisoner who may wish to challenge the disciplinary procedure or measure.

It is very important that prisoners who are testifying before formal, internal, disciplinary or inspection proceedings should not be subjected to intimidation or harassment. This would not only hamper the fairness of the process but also undermine confidence in the grievance mechanisms in the prison, with possible adverse consequences on security.

Discussion point:

How can the prison administration prevent harassment and intimidation of prisoner witnesses by prisoners or staff?

It is only in very serious cases involving a potentially heavy penalty or complicated points of law, the prison authorities may favourably consider granting the prisoner legal representation. To avoid arbitrariness in the exercise of this discretion, the conditions under which legal representation may be granted in disciplinary hearings should be clearly defined in the prison regulations or manual.

PUNISHMENT

If found guilty, the prisoner may be subjected to a range of punishments which are laid down in the new **Regulation on Discipline and Punishment** .

The punishment should always be just and proportionate to the offence in question, and should be the consequence and culmination of the disciplinary process imposed after a complaint or allegation against a prisoner is established.

Some prison systems maintain order not through such formal disciplinary sanctions but through the fear prisoners have of the unregulated measures that may be used by the prison staff against prisoners that they may regard as recalcitrant.

Discussion point:

What form do can these unregulated measures take? How can the prison administration prevent them from being used?

The disciplinary rules established under the Standard Minimum Rules and other relevant international standards do not permit this practice.

It is not open to prison officials to justify cruel treatment of prisoners by recourse to law or to the defence of superior orders.

On this, **Article 5** of the **United Nations Code of Conduct for Law Enforcement Officials** provides that:

Slide 30 - NO JUSTIFICATION FOR ILLEGAL TREATMENT

'No law enforcement official may inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment,

nor may any law enforcement official invoke superior orders or exceptional circumstances such as a state of war, or threat of war, a threat to national security, internal political instability or any other public emergency as a justification for torture or other cruel, inhuman or degrading treatment or punishment'. (Article 5)

The applicable human rights standards governing punishment in prison emphasizes a principle of proportionality so that punishment must never in any event be disproportionate to the breach committed.

As previously mentioned, both **Rule 29 (b)** of the **Standard Minimum Rules** and **Principle 30 (1)** of the **UN Body for the Protection of All Persons Under Any Form of Detention or Imprisonment** require that the form and duration of punishment shall be defined in written law or regulations.

Forms of Punishment

In practice, the forms of punishment that may be imposed for breach of prison discipline are many and varied.

Discussion point:

What forms of punishment do you think are acceptable under international law and standards? What do you think would not be acceptable?

A common form of punishment is solitary confinement.

Rule 32 (1) of the **Standard Minimum Rules** affirms that:

Slide 31 – PUNISHMENT BY CLOSE CONFINEMENT

'Punishment by close-confinement... shall never be inflicted unless the medical officer has examined the prisoner and certified in writing that he is fit to sustain it.'

Prolonged solitary confinement is not legal and the **Human Rights Committee of the United Nations** stated that prolonged solitary confinement of the detained or imprisoned may amount to prohibited acts of torture.

Solitary confinement should also not be imposed on any prisoner for an indeterminate period. Repeated solitary confinement is illegal too. There is a tendency for it to become easy to send a prisoner who has been in solitary confinement before, to do it again without substantial justification. This needs to be discouraged because of the potentially harmful effects that solitary confinement may have on the physical and mental health of the prisoner.

Rule 31 of the **Standard Minimum Rules** states that:

Slide 32 - CRUEL, INHUMAN OR DEGRADING PUNISHMENTS

‘Corporal punishment, punishment by placing in a dark cell, and all cruel, inhuman or degrading punishments shall be completely prohibited as punishments for disciplinary offences.’ (Rule 31)

Corporal punishment is then expressly prohibited, and is placed in the same class as cruel, inhuman and degrading punishment.

It is not lawful then to beat or flog prisoners as part of punishment for a breach or prison discipline.

Under **Rule 31**, sensory deprivation is also prohibited. It is not permitted for prison authorities to lock up prisoners in cells with artificial light and inadequate ventilation as punishment for breach of prison discipline or, indeed, for any other reason.

Instruments of restraint are completely prohibited by the **Standard Minimum Rules**. **Rule 33** states that:

Slide 33 – INSTRUMENTS OF RESTRAINT

‘Instruments of restraint, such as handcuffs, chains and strait-jackets, shall never be applied as punishment. Furthermore, chains or irons shall not be used as restraints.’ (Rule 33)

Reduced diet is also prohibited under **Rule 32 (1)**, except in cases where a medical officer has examined the prisoner and certified in writing that he or she is fit to sustain it. The international norm today however, is to regard reduced diet as an improper form of punishment.

Loss of an opportunity for early release is frequently used as a form of punishment. Although this is a suitable and popular form of punishment for breach of prison discipline, it is important to avoid arbitrariness, that this form of punishment in prison is limited to only the most serious or repeated offences.

It is also good practice that the extent of loss of opportunity for early release be strictly defined so as not to make it indefinite.

Discussion point:

So in summary, can anyone tell me when a punishment would always be unacceptable?

Punishment is always unacceptable if it is:

Slide 34 – UNACCEPTABLE PUNISHMENT

1. Disproportionate to the act committed or to the objective of ensuring discipline and ordered community life
2. Unreasonable
3. Unnecessary
4. Arbitrary
5. Intended to produce undue pain and/or suffering

Finally, a prisoner should never be doubly punished for the same offence. **Rule 30 (1)** specifically states that:

‘No prisoner shall be punished except in accordance with the terms of such law or regulation, and never twice for the same offence.

Very often prisoners are transferred from their cell or from one prison to another after serving punishment for breach of prison discipline.

This rule makes it unacceptable to combine punitive transfers with one or more other forms of prison punishment.

Additional disciplinary measures other than those logically and directly related to the form of punishment chosen should be avoided and care should be taken to minimise any additional consequences of the punishment on other rights or entitlements of the prisoner.

Review of Disciplinary Punishment

Discussion point:

What reasons are there for giving prisoners a right of review of their punishment?

It is essential for the maintenance of orderly community life in prisons that prisoners who are dissatisfied with the ways in which the powers and procedures for maintaining discipline in prison have been administered or exercised in relation to them should have avenues for complaint.

Review is, therefore, needed for two reasons, namely to ensure that prison staff do not abuse the powers and procedures through which they exercise disciplinary

control over prisoners and, secondly, to rectify any abuses or injustices that occur in the administration of discipline in prisons.

The prisoners deserve to be made aware of the avenues for review that exist and be encouraged to use them.

The need for some form of official review of the exercise of the disciplinary and related powers over prisoners is contained in **Article 8** of the **Universal Declaration of Human Rights**:

Slide 35 – REVIEW OF EXERCISE OF DISCIPLINARY POWER

Universal Declaration of Human Rights

‘Everyone has the right to an effective remedy by the competent national tribunal for acts violating the fundamental rights granted him by the constitution or by law.’ (article 8)

The prison administration is responsible for the internal review process. This would ordinarily be part of the complaints mechanism highlighted earlier.

KEY POINTS / CONCLUSIONS

- In a very practical sense, maintaining safety, security, good order and control over the prison population is the prison manager’s immediate objective. This, however, can and must be achieved in the respect of the rights of prisoners.
- Control, appropriate use of force and restraints, and fairly administered disciplinary procedures are the main tools available.
- “Excessive force” should never be used. The use of only the minimum force necessary is what should be encouraged in all circumstances.
- It is essential to have clarity in prison policies, procedures, regulations and practices about which control measures are permitted and which are not, clarity about what kinds of disciplinary measures are acceptable and how and by whom they should be administered.
- The use of torture, brutality and other forms of harsh punishment should never be allowed on prisoners. Restraints such as handcuffs, chains, straightjackets should only be used for very limited circumstances and only when absolutely necessary.
- Prison managers have a responsibility to take the initiative to find positive and constructive ways to achieve a safe and orderly environment within the institution for which they are responsible.

SESSION 15

APPLYING THE LEARNING IN RRCs

Slide 1 – TITLE

APPLYING THE LEARNING IN RRCs

Duration:

30 Minutes

Purpose of session:

The purpose of this session is to ask the participants to reflect on the training course and to consider how they are going to apply the learning in their RRC.

APPLYING THE LEARNING

Explain that this last session is to reflect on the training course and to consider how they are going to apply the learning in their RRC

Ask participants to find the RRC Action Planning Handout that they completed in Session 4.

Slide 2 - PERSONAL ACTION PLANNING

Think about the course content and the Action Planning you did in session 4.

What do you want to do - or do differently - when you get back to your RRC in order to implement what you have learnt?

HANDOUT 25 - PERSONAL ACTION PLANNING

Give participants 30 minutes to complete the Handout

After the 30 minutes, ask participants to give you some examples of what they have written on their handout (for 15 minutes)

EVALUATION SHEETS - ask participants to complete the evaluation sheets

CLOSING CEREMONY

PRESENTATION OF CERTIFICATES

Chapter 6

HANDOUTS

INDEX

Core Material

(to be handed out at the beginning of the course)

- Law of Reform and Rehabilitation Centres (1998)
- UN Standard Minimum Rules for the Treatment of Prisoners (1955)

Other Handouts

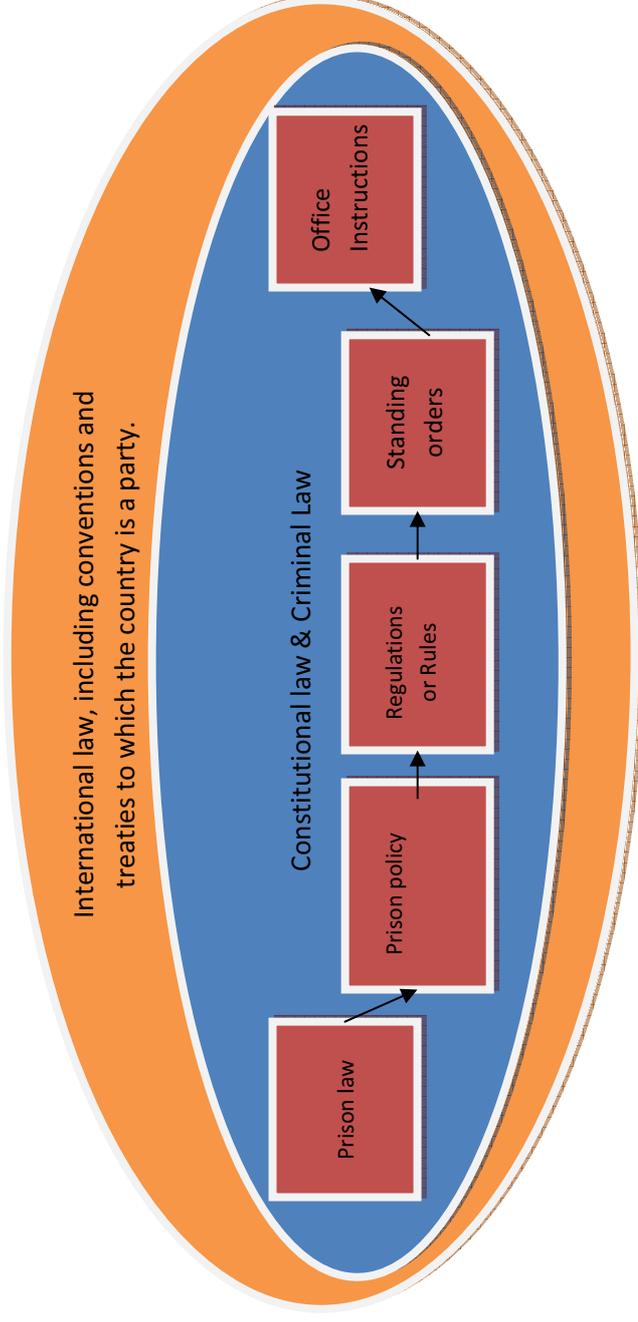
(to be handed out at the relevant point in course)

1. Regulatory Framework
2. Engines Of Change
3. RRC Situational Analysis
4. RRC Strategic Objectives
5. RRC Action Planning
6. Differences Between Leaders And Managers
7. Leadership Qualities And Traits
8. Action Centred Leadership
9. Leadership Styles
10. Essential Aspects Of Leadership
11. Prison Leadership Qualities
12. Prison Leadership And Accountability
13. Organisational Changes In GARRC
14. Steps In The Change Process'
15. Techniques For The Management Of Resistance To Change
16. Five Elements Of A Change Process

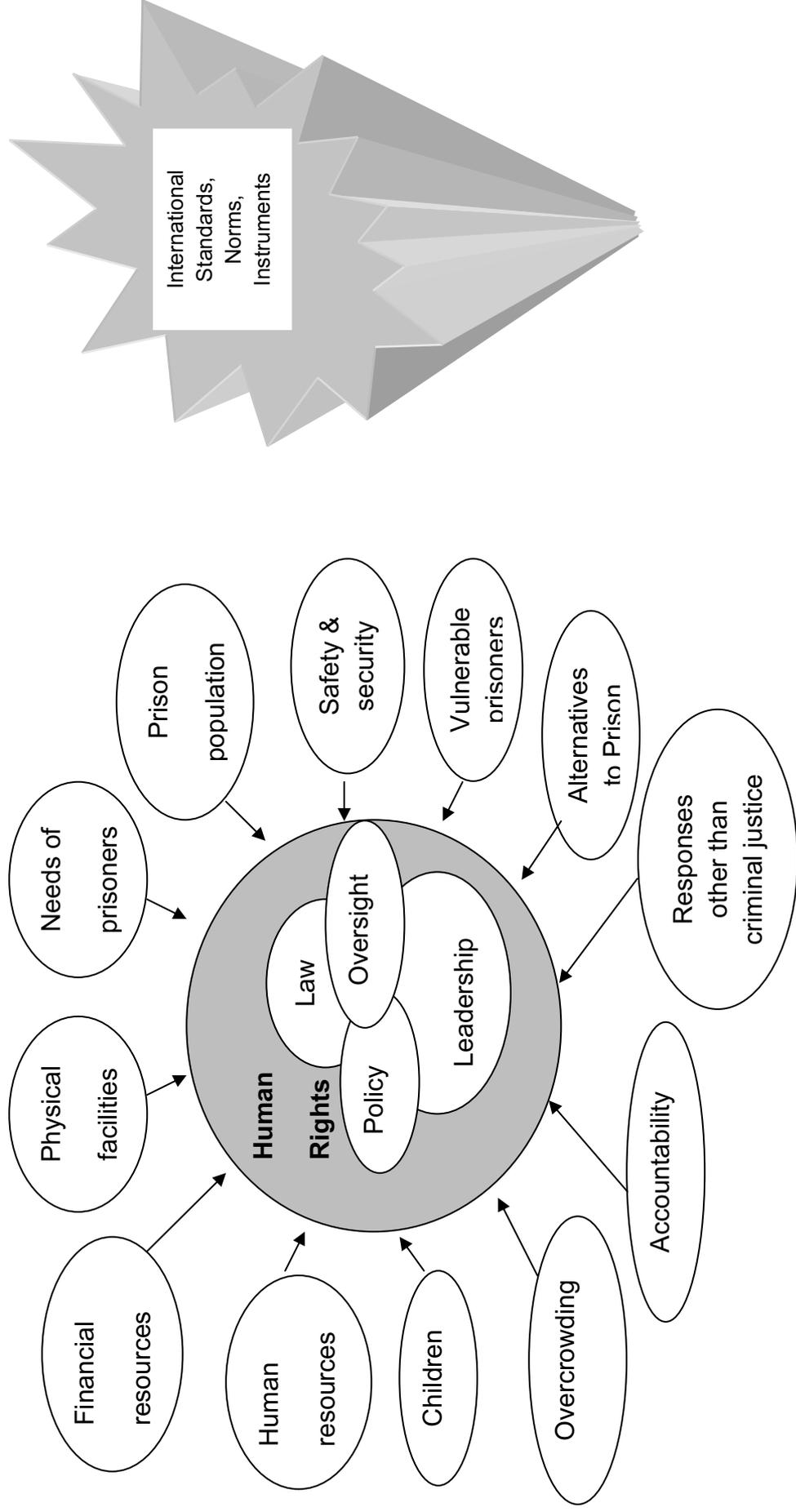
17. Skills And Abilities For A RRC Officer
18. Core Prison Officer Tasks
19. What Motivates You At Work?
20. Herzberg's Motivators
21. Attitudes To Work (Theory X And Theory Y)
22. Hierarchy Of Needs
23. Motivating Your Staff
24. Managing Security Audit Checklist
25. Personal Action Planning

HANDOUT 1 - A REGULATORY FRAMEWORK

A Regulatory Framework for PRISONS



HANDOUT 2 - ENGINES OF CHANGE



HANDOUT 3 - RRC SITUATIONAL ANALYSIS

Think about the RRC in which you work. What are the key issues under the following headings?

1. Strengths of my RRC?

-
-
-
-
-

2. Weaknesses of my RRC?

-
-
-
-
-

3. Opportunities facing my RRC?

-
-
-
-
-

4. Threats and challenges to my RRC?

-
-
-
-
-

5. Changes to the RRC prisoner population?

-
-
-
-
-

HANDOUT 4 - RRC STRATEGIC OBJECTIVES

Think about the RRC in which you work. Using the situational analysis developed earlier, what are the key areas that you want to change or develop over the coming years?

1. RRC Buildings and physical condition?

-
-
-
-
-

2. RRC Staff and administration?

-
-
-
-
-

3. RRC Balanced regimes and constructive activities?

-
-
-
-
-

4. RRC Safety, security and control?

-
-
-
-
-

5. RRC Delivering key services?(Healthcare, food, sanitation, visits)

-
-
-
-
-

HANDOUT 5 - RRC ACTION PLANNING

Think about the RRC in which you work and the key areas that you said that you want to change or develop (strategic objectives), what actions need to happen to achieve those objectives?

Strategic Objective	Action Required	Who will do action (GARRC, RRC, individual)
RRC Buildings and physical condition	<ol style="list-style-type: none"> 1. 2. 3. 4. 	
RRC Staff and administration	<ol style="list-style-type: none"> 1. 2. 3. 4. 5. 	
RRC Balanced regimes and constructive activities	<ol style="list-style-type: none"> 1. 2. 3. 4. 5. 	

HANDOUT 5 - RRC ACTION PLANNING

<p>RRC Safety, security and control</p>	<ol style="list-style-type: none">1.2.3.4.5.	
<p>RRC Delivering key services?(Healthcare, food, sanitation, visits)</p>	<ol style="list-style-type: none">1.2.3.4.5.	

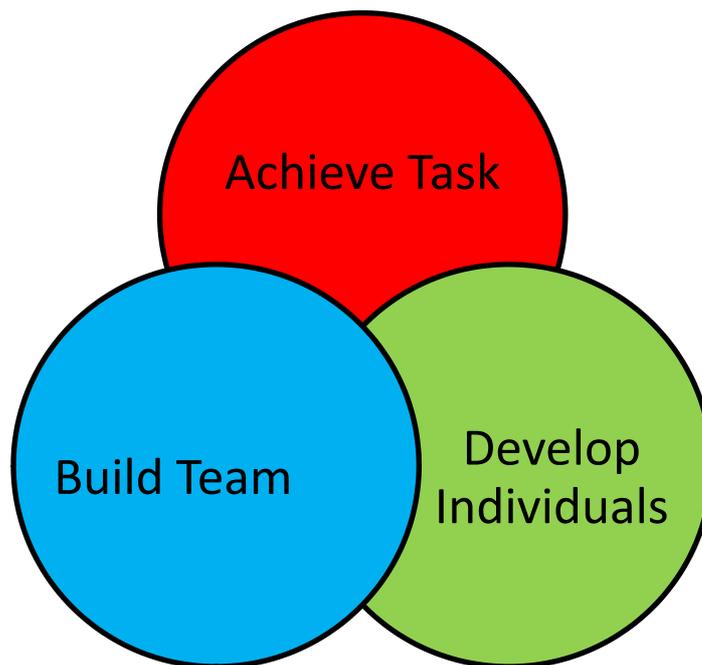
HANDOUT 6 - DIFFERENCES BETWEEN LEADERS AND MANAGERS

LEADERS	MANAGERS
• Innovate	• Administer
• Produce Original Ideas	• Copy Best Practise
• Develop the organisation and Challenge Status Quo	• Maintains Status Quo
• Focuses on people	• Focuses on Systems and Structure
• Inspires Trust	• Relies on Control
• Has a Long Range Perspective	• Takes a Short Term View
• Asks What and Why	• Asks How and When
• Does the Right Thing	• Does Things Right

HANDOUT 7 - LEADERSHIP QUALITIES/TRAITS

EARLY RESEARCH	RECENT RESEARCH
<ul style="list-style-type: none">• Originality• Popularity• Sociability• Judgement• Aggressiveness• Humour• Desire to Excel• Liveliness• Athletic Ability	<ul style="list-style-type: none">• Enthusiasm• Integrity• Toughness• Fairness• Warmth• Humility• Confidence

HANDOUT 8 - ACTION CENTRED LEADERSHIP



Your responsibilities as a Leader for achieving the **TASK** are:

- identify aims and vision for the group, purpose, and direction - define the activity (the task)
- identify resources, people, processes, systems and tools (inc. financials, communications, IT)
- create the plan to achieve the task - deliverables, measures, timescales, strategy and tactics
- establish responsibilities, objectives, accountabilities and measures, by agreement and delegation
- set standards, quality, time and reporting parameters
- control and maintain activities against parameters
- monitor and maintain overall performance against plan
- report on progress towards the group's aim
- review, re-assess, adjust plan, methods and targets as necessary

Your responsibilities as a Leader for the **TEAM** are:

- establish, agree and communicate standards of performance and behaviour
- establish style, culture, approach of the group - soft skill elements
- monitor and maintain discipline, ethics, integrity and focus on objectives
- anticipate and resolve group conflict, struggles or disagreements
- assess and change as necessary the balance and composition of the group
- develop team-working, cooperation, morale and team-spirit
- develop the collective maturity and capability of the group - progressively increase group freedom and authority

HANDOUT 8 - ACTION CENTRED LEADERSHIP

- encourage the team towards objectives and aims - motivate the group and provide a collective sense of purpose
- identify, develop and agree team- and project-leadership roles within group
- enable, facilitate and ensure effective internal and external group communications
- identify and meet group training needs
- give feedback to the group on overall progress; consult with, and seek feedback and input from the group

Your responsibilities as a Leader for each **INDIVIDUAL** are:

- understand the team members as individuals - personality, skills, strengths, needs, aims and fears
- assist and support individuals - plans, problems, challenges, highs and lows
- identify and agree appropriate individual responsibilities and objectives
- give recognition and praise to individuals - acknowledge effort and good work
- where appropriate reward individuals with extra responsibility, advancement and status
- identify, develop and utilise each individual's capabilities and strengths
- train and develop individual team members
- develop individual freedom and authority

HANDOUT 9 - LEADERSHIP STYLES

1. SUPPORTNG	2. SELLING
<ul style="list-style-type: none">• Involve staff in making the decisions which will affect their work.• Encourage staff feel free to ask questions and discuss important concerns.• Hold frequent staff meetings.• Help staff locate and suggest their own development activities.• Listen to staff problems and concerns without criticising or judging.	<ul style="list-style-type: none">• Represent management's position in a convincing manner.• Try to motivate with monetary and non-monetary rewards.• Sell staff on their own ability to do the job.• Praise staff for good work.• Provide staff with a lot of feedback on how they are doing.
3. DELEGATING	4. DIRECTING
<ul style="list-style-type: none">• Delegate broad responsibilities to staff and expect them to handle the details.• Expect staff to find and correct their own errors.• Provide staff with feedback and results.• Allow risk taking and innovation in staff	<ul style="list-style-type: none">• Provide detailed instructions.• Give staff specific goals and objectives.• Check in frequently with staff to keep them on track.• Enforce rules and regulations.• Demonstrate the steps involved in doing the job.

There are some essential aspects of leadership with which all prison leaders must become very familiar in order to be able to bring change within their own organisation.

- How to formulate and communicate clear goals for reform
- How to build a strong coalition of individuals to support the reform and develop alliances for change
- How to motivate people around them
- How to empower other leaders
- How to align the structure of their organisation with their vision for the organisation/institution
- How to build strong teams – team building
- How to progressively transform the culture of an organisation
- How to address inertia and the resistance to change
- How to modify the reward structure within the organisation
- How to strategically allocate resources
- How to deal with sabotage, corruption, and other problems
- How to manage conflicts

HANDOUT 11 - PRISON LEADERSHIP QUALITIES

Research has shown that the most effective prison leaders have the following qualities:

- **Clarity:** Being clear about their goals. They are sure about their own goals and those of the organisation.
- **Determination:** Having and projecting a visible determination to achieve their goals and objectives. If their determination falters, it will affect the morale of all those who follow them.
- **Perseverance:** they must persevere in the course of their work and tirelessly pursue their goals.
- **Good communicators:** Not only having and sustaining their vision and goals, but being able to effectively communicate them throughout the organisation, eventually getting others to “buy in”. They take the time to explain their goals to others in terms that they will understand.
- **Authority:** Being able to command authority and ensuring that their instructions and decisions are carried out effectively
- **Values:** Setting an example to all in terms of their values and how it guides their conduct; having one’s own conduct set the standard by which the conduct of others can be measured.
- **Relationships:** Being able to build meaningful and effective relationships with other leaders and fellow managers and to effectively delegate responsibilities and authority to them and to hold them accountable for their decision and performance.
- **Team building:** Being able to draw from the best abilities and characteristics of team members and staff, to establish a team spirit among them so that they work well together in cooperation as opposed to competing with each other. Empowering others and building the capacity of various teams to accomplish complex tasks.
- **Decisive:** Being decisive and able to develop good decision-making processes throughout the organisation.
- **Change agents:** Being able to manage change within the institution and to deal effectively with any resistance to change.

HANDOUT 12 - PRISON LEADERSHIP AND ACCOUNTABILITY

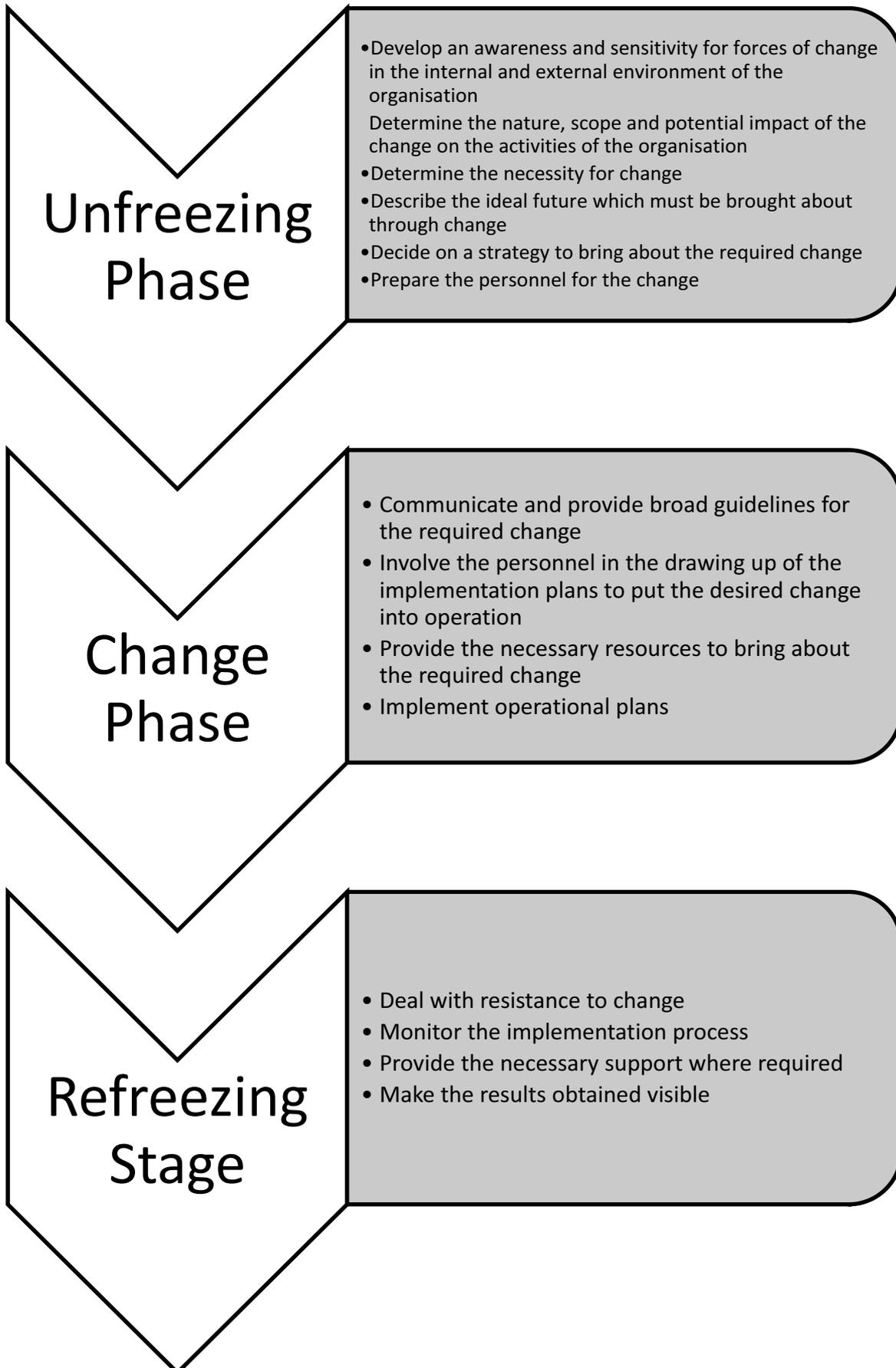
Prison leaders can encourage accountability throughout a RRC by:

1. **Demonstrating personal integrity and ethics in order to create a positive organisational culture.** Staff and prisoners will look to prison management to set an example and to set the tone of the institution. If leaders do not show integrity and professional ethics in their behaviour and decisions, others should perhaps not be expected to do so.
2. **Being accountable and taking responsibility for one's own actions and creating an atmosphere of transparency.** This is especially important when a mistake or wrong decision has been made. Facing an error and taking steps to correct it is far easier than to allow it to continue and grow into a larger problem and then to be forced to address it later. People generally have more respect for leaders who are willing to accept responsibility and, if necessary, take the blame for their own mistakes.
3. **Setting clear boundaries within the organisation to define acceptable and unacceptable behaviour.** Clear communication with staff and prisoners on all aspects on prison rules, regulations, policies and procedures cannot be overestimated. When everyone is clear about what is expected of them, there tends to be less confusion and greater effectiveness in the performance of duties.
4. **Being fair and equitable with staff and the prisoners.** If the leader is not perceived to be fair and equitable, it will affect staff morale, performance, and compliance with existing rules and procedures. Unfair decisions and practices may also generate discontent and affect safety and security within the prison.
5. **Using performance measures as ways to hold prison staff accountable.** These can be used to monitor and evaluate job performance and ensure that the system is fair and equitable. Using standard performance measures will ensure that prison staffs are measured by the same standard, which would appear to be fair. Using fair and transparent staff performance measures and process will help the implementation of fair reward and promotion structures and processes.
6. **Cooperating with oversight mechanisms.** It is important that prison leaders respect and work with all oversight mechanisms. This is part of the system of accountability and can demonstrate how transparent the prison leadership is prepared to be. Oversight mechanisms should be viewed by good prison leaders as a form of constructive feedback rather than a negative process.

HANDOUT 13 - ORGANISATIONAL CHANGES IN GARRC in next 3 years

1. **Developmental change** - improving systems, procedures and applications.
2. **Transitional change** - replacement of obsolete systems and facilities/institutions with newer ones
3. **Transformational change** - change of people's attitudes towards, and view of, the organisation's vision, mission, culture and habits.
4. **Structural change** - work adjustments aimed at job satisfaction and the improvement of the morale and performance of personnel.
5. **Behavioural change**: channelling the attitudes, knowledge and skills of the personnel into new directions and at improving their ability to complete tasks
6. **Technological change**: new ways in things can be done using technology.

HANDOUT 14 - STEPS IN THE CHANGE PROCESS

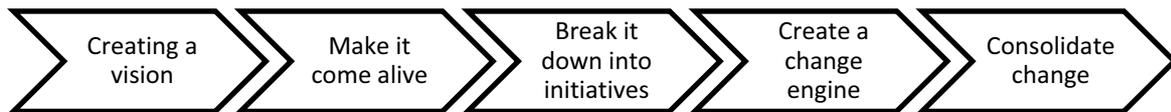


HANDOUT 15 - TECHNIQUES FOR THE MANAGEMENT FOR THE RESISTANCE TO CHANGE

Preparation and Communication	A variety of communication media such as letters, posters, videos, staff discussions and even one-to-one discussions can be used to inform personnel properly.
Participation in Change	Personnel must be given the opportunity to participate in the change process. This will give them the chance to realise that there is a need for change and that change is not only something that is forced upon them from outside.
The use of Change Agents	Change agents can be used to gradually prepare personnel at grass-roots level for the change and prevent ungrounded fears.
Continuous Facilitation	Management must be aware of people's concerns and be available to answer questions, clear up doubts about the implications of change and give reasons for the change.
Negotiation	Negotiation should only be considered if pressure groups are formed which can affect the change process in a detrimental way, and should always be aimed at bringing about a win-win result.
Training	Training can help people to come to terms with their fears regarding their ability to handle change – especially where the change requires learning new skills.
Manipulation	Manipulation must be used with caution and should never include lies.
Co-optation	Co-optation is manipulated participation and must also be handled with circumspection. However, if management believes that the direct involvement of certain role-players in the change process is essential, then this approach is justified.
Coercion	This intervention should only be considered if all other attempts to overcome the resistance have failed and the change is absolutely necessary.

HANDOUT 16 - FIVE ELEMENTS OF A CHANGE PROCESS

The five elements of a change process are:



Five moments within the process of organizational change:

1. *Setting an appropriate vision/aspiration for change*

In order to get off to a good start, what is important is a clear understanding, at the outset, of the change that one wishes to bring to the organization, followed by a clear articulation and communication to others of the nature of that change and why it is required.

2. *Making the vision come alive*

Good leaders know how to help unleash new ideas, but they also know that it is important to have a disciplined process for generating, developing and evaluating ideas. Four types of ideas need to be discussed and understood within the organization: Why change? What to change? Whom to change? How to change? Remember that new ideas are rarely perfect when they are first expressed; they often need to grow and develop over time and further thought. How new ideas are received and treated is a good indication of how open an organization and a leader is to change.

3. *Breaking down the vision into clear and logical initiatives (small components/manageable pieces).*

Without establishing priorities and determining clear objectives, great ideas can still have little impact. The goals must be broken down into smaller initiatives or tasks that are logically related to the goal. The various initiatives must be organized sequentially into components that are manageable and realistic for those who will be tasked with carrying them out. People must be clear about how the tasks relate to one another and they must take an interest in the task itself. If people do not see the point of the task they are given, they are less likely to do the job with any enthusiasm or energy. Task groups and teams can be created to accomplish these initiatives and be empowered to bring change in their respective areas.

4. *Creating an “engine for change”: in order to mobilize people and sustain the transformation.*

The leaders must not only ignite, but also fuel and sustain the transformation engine. Many proposed changes generate some enthusiasm, excitement, even

HANDOUT 16 - FIVE ELEMENTS OF A CHANGE PROCESS

hope, at their beginning but they fail to harness that enthusiasm and channel it behind concrete initiatives and actions. It is not enough to create energy, that energy must also be harnessed and channelled appropriately. All those involved (down to the front line level) must receive clear directions and develop an understanding of how they themselves can contribute to the overall goal, to the transformation of their institution. Without a shared sense of direction the support for the proposed change will vanish quickly. The priorities for action must be clear. Conflicting priorities cannot be tolerated. Good leaders rely on a range of catalysts, as practical mechanisms to mobilize and sustain energy: they appoint champions, provide role models, offer training, create a structure, establish a task force, change the incentive structure, provide new incentives, etc. At times, the leaders must be prepared to intervene personally and actively drive the pace of change, deal with obstacles, interferences, and attempts at sabotage, and the always pervasive organizational inertia.

5. *Consolidating change.*

Structures, systems, policies, rules and regulations, as well as incentives can be used to align individuals with the goals of the changes and the transformed organization. Policies and practices must be reviewed and brought in line with the new structure and systems. Successful changes, even when partial, must be acknowledged, communicated, and celebrated.

A Palestinian RRC officer should:

- contribute to implementing prison regimes which reconcile the potential contradictory issues of custodial care with development of prisoners
- have sensitive awareness of the psychological state of others
- demonstrate a range of interpersonal skills. In particular you will require good listening, assertive, influencing and verbal communication skills.
- be a good Team player who encourages others to contribute, interacts easily with a wide range of people, both colleagues and public,
- uphold equality of opportunity and actively reject discrimination.
- demonstrate good observation, analytical and written communication skills.
- have a grasp of written Arabic and produce clear and convincing reports.
- maintain good health (capable of undergoing a considerable amount of physical exertion)
- have strength of character
- adopt a balanced and mature approach to life
- demonstrate plenty of patience, understanding and common sense
- have a genuine desire to make a positive contribution to the care of those in custody
- be skilled in motivating prisoners

HANDOUT 18 - CORE PRISON OFFICER TASKS

Receiving, Booking and Releasing

- Obtain information for receiving and/or booking purposes and filling relevant forms
- Search, photograph, fingerprint prisoners
- Log prisoner property, money
- Issue identification devices, clothing
- Classify for appropriate housing
- Review court order, dispositions, probation/parole papers
- Determine release date
- Perform paperwork for releases

Escorting and Transporting

- Verify prisoner, transportation officer identities
- Apply appropriate restraints
- Escort prisoners to, or holding in, desired locations inside or outside facility

Report Writing and Record Keeping

- Write reports dealing with prisoner behaviour and officer response (e.g., incident, disciplinary report, etc.)
- Keep routine records of prisoner movement, personal data, activities and authorized visitors

Supervising Non-prisoner Movement and Visitors

- Admit, release and log prisoner visitors
- Screen, search visitors and supervise visits
- Search articles left by visitors for prisoners

Supervising Prisoners

- Select prisoner workers
- Get prisoners up and ready for work, court, etc.
- Supervise prisoner work
- Prepare prisoners for work
- Supervise facility cleaning by prisoner workers
- Manage prisoner programs
- Supervise prisoner meals and recreation
- Monitor prisoner activity
- Maintain discipline
- Address prisoner concerns
- Supervise phone calls
- Observe and monitor communications among prisoners

Searching and Securing

- Watch for potential disturbances
- Lock and unlock cells and gates

HANDOUT 18 - CORE PRISON OFFICER TASKS

- Take and verify prisoner counts
- Count, log keys
- Search prisoners
- Search cells and dorms
- Perform security checks and/or rounds
- Identify, collect and preserve contraband and/or evidence
- Gather intelligence

Verbally Communicating

- Communicate with staff within the facility
- Call, report and inform
- Respond to prisoner and visitor questions
- Communicate with the courts
- Testify in court

Managing Prisoner Hygiene, Mail and Canteen/shop

- Inspect facility for cleanliness
- Manage canteen/shop
- Conduct laundry exchange
- Issue hygiene supplies
- Receive and inspect prisoner mail

Monitoring Medical and Psychological Services

- Accompany medical staff
- Intervene in crises
- Refer prisoners for appropriate evaluation and services
- Identify and prevent suicide attempts

Performing Physically Demanding Tasks

- Physically subdue violent prisoners
- Separate fighting prisoners
- Lift, carry, drag heavy objects (prisoners and equipment)
- Walk, stand for long periods of time
- Run to the scene of a disturbance
- Perform cell extractions
- Handcuff and apply restraints

Handle Emergencies, Fire and Life Safety Issues, Evacuation

- Administer CPR and First Aid
- Extinguish fires
- Evacuate prisoners
- Investigate accidents or crimes

HANDOUT 19 - WHAT MOTIVATES YOU AT WORK?

Consider the factors below and tick the three strongest motivators for you.

Interesting /
Rewarding
Work

The Way I'm
Supervised

Salary and
Benefits

Relationship
with my Peers

Recognition

Relationship
with my Boss

Processes and
Policy

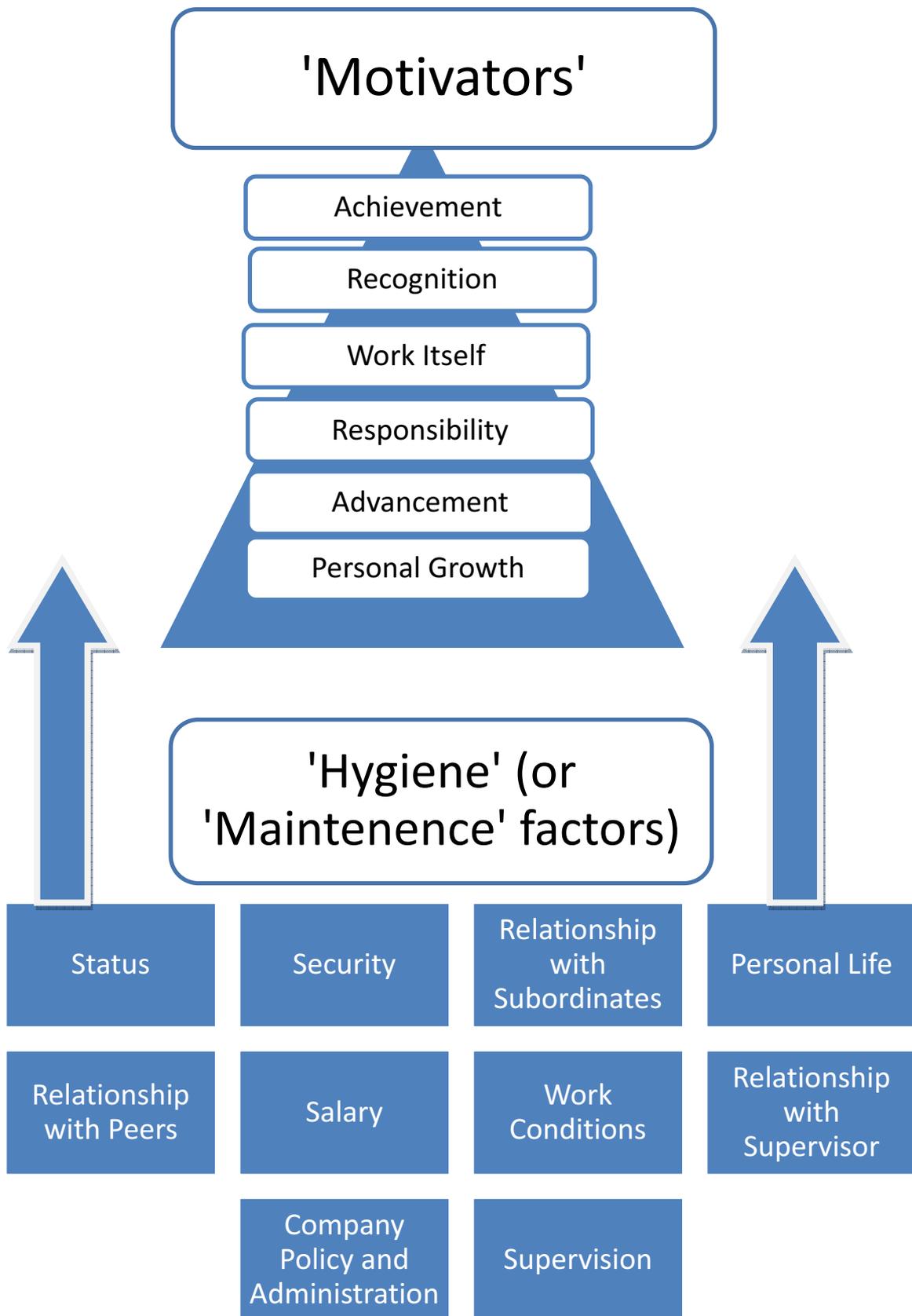
Responsibility

Personal
Growth

Working
Conditions

Sense of
Achievement

Career
Advancement



Hygiene factors are the bedrock - when damaged or undermined there is no foundation on which to build, but in themselves they do not motivate

HANDOUT 21 - ATTITUDES TO WORK (Theory X or Theory Y)

Theory X

People will dislike work and will avoid it if they can.

People must be forced or bribed to put out the right effort.

People would rather be directed than accept responsibility which they avoid.

People are motivated mainly by money.

People are motivated by anxiety about their security.

Most people have little creativity – except when it comes to getting round management rules.

Theory Y

Work is necessary to people's psychological growth.

People want to be interested in their work and under the right conditions can enjoy it.

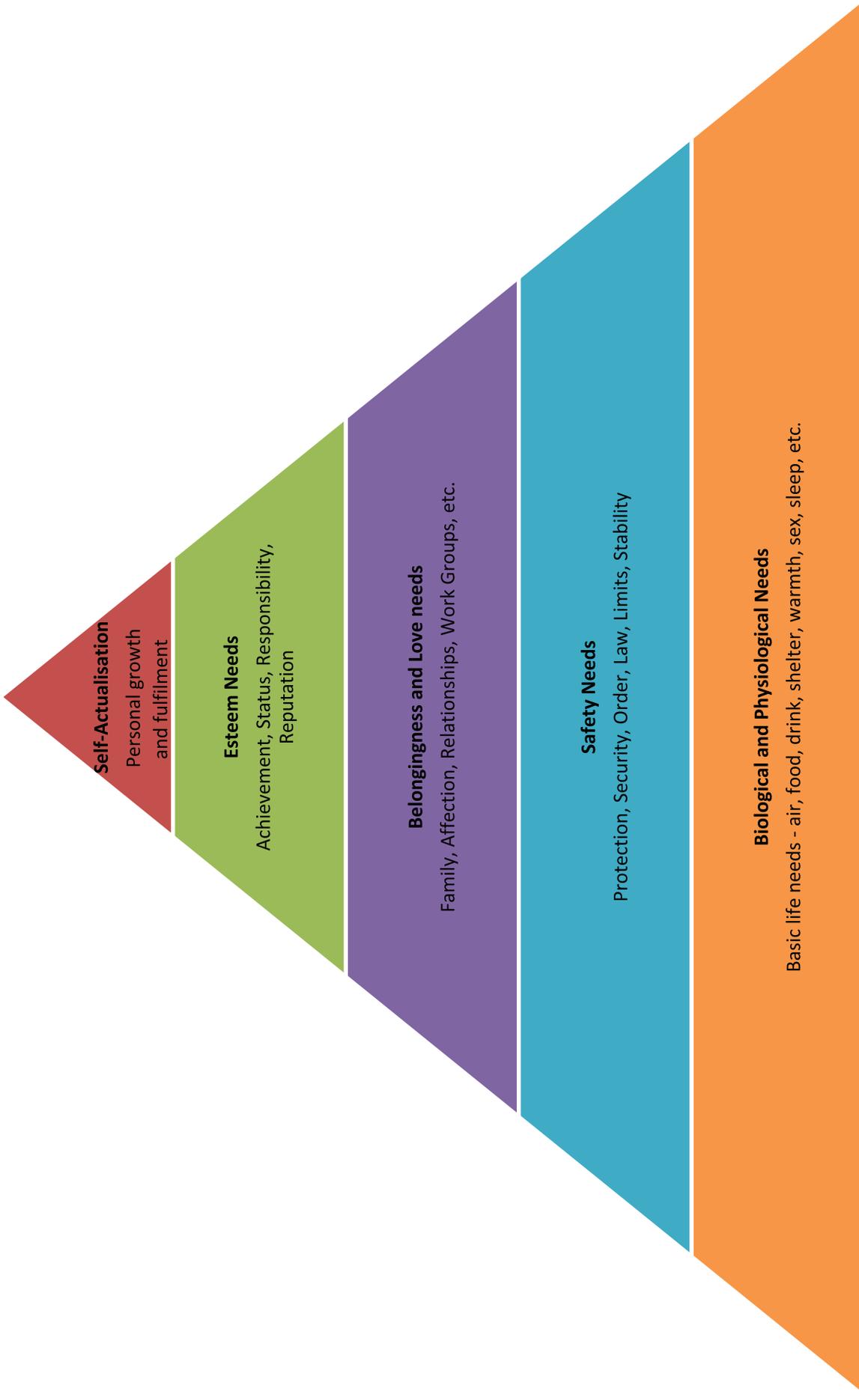
People will direct themselves toward accepted targets.

The discipline which people impose on themselves is more effective and can be more severe than any imposed on them.

Under the right conditions people are motivated by the desire to realise their own potential.

Creativity and ingenuity are widely distributed and grossly under used.

HANDOUT 22 - HIERARCHY OF NEEDS



HANDOUT 23 - MOTVATING YOUR STAFF

A leader must be aware of how to get people to work willingly and well to increase the individual's satisfaction in the job and the organisation's efficiency.

Every leader must:

Make people feel valued by:

- Regularly monitoring and appreciating each person's work.
- Sharing an interest in whatever they hold important
- Creating a good working environment by being approachable
- Ensuring everyone understands the importance of their contribution to the RRC's objectives
- Ensuring everyone understands the function of the RRC, and why their work matters.

Provide a challenge and scope for development by:

- Setting targets, after consulting, and reviewing them at regular intervals.
- Providing relevant training where appropriate, by using people to train others, in the specialist skills they may have.
- Restructuring or grouping tasks to use people's skills to the fullest.
- Rotating jobs to broaden experience.
- Providing scope for individuals to take greater responsibility.
- Encouraging ideas and suggestions and listening, by delegating and allowing staff to take decisions and to implement them.

Recognise achievements by:

- Praising and communicating individual successes.
- Holding regular meetings with each individual to monitor and counsel progress.

Communicate by:

- Explaining RRC's results and achievements.
- Setting and communicating objectives and regularly appraising them of progress.
- Ensuring people know how the RRC is doing.
- Communicating any changes taking place in the RRC.
- Explaining decisions to assist people to accept them.

HANDOUT 24 – MANAGING SECURITY – AUDIT CHECKLIST

Prisoners should be subject to such security restrictions as are necessary to keep them safely in custody and to protect the public, others inside prison and themselves. Security restrictions will cover the functions of Control and Assessment, Accounting and Control, Searching and Communication and Surveillance.

REQUIRED OUTCOMES:

Categorisation and Allocation

To ensure that each prisoner is held in conditions of security in line with the levels of risk posed in terms of escape (risk to the public, to the state; to himself/herself).

1. Prisoners are risk assessed on reception and induction and are accommodated in accordance with the results of the required risk assessments.
2. Prisoners are categorised in a fair, consistent and objective manner.
3. Prisoners are risk assessed within prescribed time scales to determine their security category using the appropriate forms.
4. Initial categorisation decisions consider all essential documents.
5. A prisoner's security category is subsequently reviewed within prescribed time scales or whenever there is a significant change in the prisoner's circumstances. The appropriate form is used to assess whether there has been any clear change in the level of risk.
6. Prisoners are allocated to a prison in line with their security category. Thereafter, consideration is also given to allocation, resettlement needs, medical or psychiatric needs, identified offence related programmes, closeness to home, and educational or training needs.

Accounting and Control

To ensure that prisoners are correctly held and accounted for throughout their custody; that access to and movement within the prison is effectively managed; and that items that may present a risk to security are effectively managed.

7. All prisoners are accounted for at all times.
8. The identity of prisoners and validity of accompanying documentation is confirmed.
9. Prisoners being escorted outside of the prison are kept in secure custody.
10. The location, movement and monitoring of all prisoners within the establishment is appropriate to their security and risks.
11. The management of tools, equipment and property is controlled.

12. All aspects of physical security, including keys and locks, are securely managed and maintained.
13. Access to and movement within the prison by staff, contractors, visitors and vehicles is controlled and monitored.

Searching

To ensure that there are searching procedures in place which detect and deter threats to the security or control of the prison.

14. Searching is managed, co-ordinated and delivered effectively.
15. Procedures are in place for the searching of prisoners, staff, and all types of visitors.
16. There are procedures in place for the searching of all buildings and grounds of the prison.
17. There are procedures for the searching of vehicles entering and leaving the prison.
18. There are procedures for the searching of all incoming and outgoing goods, property and possessions entering and leaving the prison.

Communications and Surveillance

All prisons have systems to allow security and related information to be gathered and evaluated in a secure environment, consistent with current legislation, in order to meet security and intelligence objectives.

19. There is an appropriately managed and resourced Security Department with day-to-day and strategic management responsibility for security.
20. All staff have a responsibility to actively gather security information and pass this information to the Security Department.
21. All prisons have in place an intelligence system linked to the security objectives of the establishment.
22. All information gathered from Human Intelligence Sources or by other surveillance is carried out in accordance with current legislation.
23. Interference with prisoner communications is only in accordance with current legislation and as a proportionate response to the threat posed.

HANDOUT 25 - PERSONAL ACTION PLANNING

Think about the course content and the Action Planning you did in session 4. What do you want to do - or do differently - when you get back to your RRC in order to implement what you have learnt?

THEME	Action planned
Personal Leadership	<ol style="list-style-type: none">1.2.3.4.5.
Managing Change	<ol style="list-style-type: none">1.2.3.4.5.
Managing People	<ol style="list-style-type: none">1.2.3.4.5.

HANDOUT 25 - PERSONAL ACTION PLANNING

Managing Administration and Finances	<ol style="list-style-type: none">1.2.3.4.5.
Managing Basic Conditions	<ol style="list-style-type: none">1.2.3.4.5.
Managing the General Prison Population	<ol style="list-style-type: none">1.2.3.4.5.

HANDOUT 25 - PERSONAL ACTION PLANNING

<p>Managing Juveniles and Women</p>	<ol style="list-style-type: none">1.2.3.4.5.
<p>Managing Security</p>	<ol style="list-style-type: none">1.2.3.4.5.
<p>Managing Order and Discipline</p>	<ol style="list-style-type: none">1.2.3.4.5.

تقييم

مقدمة:

بداية نشكر لكم مشاركتكم في هذه الدورة التدريبية. ورجبة منا في تطوير الدورات التدريبية المستقبلية، ولتقييم مدى تحقيق الأهداف المرجوة من التدريب، نود استطلاع رأيكم بخصوص هذه الدورة. الرجاء تعبئة هذا النموذج، باختيار الإجابة الأقرب الى رأيكم.

ضعيف	مقبول	جيد	جيد جداً	ممتاز	تحضيرات الدورة:
<input type="checkbox"/>	الأهداف التدريبية لهذه الدورة كانت واضحة بالنسبة لي.				
<input type="checkbox"/>	موضوع التدريب كان ذا أهمية وصلة بعملية.				
<input type="checkbox"/>	تقييمك لكيفية التواصل والتعرف والمشاركة بالدورة.				
<input type="checkbox"/>	تقييمك للتنظيم اللوجستي للدورة.				
<input type="checkbox"/>	تقييمك لأهمية تنظيم هذه الدورة ودورات أخرى مثلها في المستقبل				

المدرسون:

<input type="checkbox"/>	مدى نجاح المدربين في التعريف لأهداف الدورة.				
<input type="checkbox"/>	تعريف المدربين عن ذاتهم وإعطاء المتدربين فرصة التعرف على بعضهم.				
<input type="checkbox"/>	استعداد المدربين وتمكنهم من اعطاء أمثلة لها علاقة بالمواد المطروحة.				
<input type="checkbox"/>	قدرة المدربين على مشاركتكم في النقاش وطرح الأسئلة.				
<input type="checkbox"/>	قدرة المدربين على استخدام أساليب وفعاليات مختلفة لإبصال المعلومات.				
<input type="checkbox"/>	إدارة المحاضرين للدورة بشكل عام.				

التدريب والمادة التدريبية:

<input type="checkbox"/>	تقديم واضح لهيكلية التدريب المتوقع.				
<input type="checkbox"/>	أسلوب الشرح كان سهلاً وبسيطاً.				
<input type="checkbox"/>	تلخيص المواد وتتابع المواضيع بشكل متكامل.				
<input type="checkbox"/>	تقييمك للتطبيقات العملية والأمثلة التي تم استخدامها خلال التدريب.				
<input type="checkbox"/>	تقييمك للمادة التدريبية وأهميتها.				
<input type="checkbox"/>	تقييمك للدورة التدريبية بشكل عام.				
<input type="checkbox"/>	تقييمك لمدى الاستفادة من الدورة التدريبية بشكل عام.				

نتائج الدورة:

لا	نوعاً ما	نعم	هل حققت الدورة الأهداف الموضحة؟
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	هل ستتمكن من تطبيق ما تعلمته؟
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	وصلت الدورة لمستوى توقعاتي.

ملاحظات إضافية:

- _____
- _____



UNODC

United Nations Office on Drugs and Crime



منظمة التحرير الفلسطينية
السلطة الوطنية الفلسطينية
وزارة الداخلية



CERTIFICATE OF PARTICIPATION

PRESENTED TO

[Name]

IN RECOGNITION OF YOUR PARTICIPATION IN

**THE “ [title] ”
TRAINING WORKSHOP**

[date]

Ramallah, Palestine

Mr Mohammed Abdul-Aziz

Regional Representative,
United Nations Office on Drugs and Crime

Col. Mahmoud Rahhal

Director-General of General Administration,
Reform and Rehabilitation Centres

Chapter 9

SOURCE AND REFERENCE DOCUMENTS

International Instruments

UN Standard Minimum Rules for the Treatment of Prisoners (1955)

Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (1988)

Basic Principles for the Treatment of Prisoners (1990)

Standards and Norms

Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice - United Nations Office on Drugs and Crime (2006).

Manuals and Books

Prison Governors: Managing prisons in a time of change, Bryans, Shane (2007). Willan Publishing, ISBN 978-1-84392-223-0.

A Human Rights Approach to Prison Management. 2nd Edn. Coyle, Andrew (2009). London: International Centre for Prison Studies.

Handbook on Restorative Justice Programmes. Criminal Justice Handbook Series, New York: United Nations - United Nations Office on Drugs and Crime (2007).

Handbook on Prisoner File Management - United Nations Office on Drugs and Crime (2008).

Handbook on Prisoners with Special Needs - United Nations Office on Drugs and Crime (2008)

Handbook of basic principles and promising practices on Alternatives to Imprisonment. Criminal Justice Handbook Series - United Nations Office on Drugs and Crime (2007).

Handbook on Women in Prisons - United Nations Office on Drugs and Crime (2008).

Handbook for Prison Leaders: A basic training tool and curriculum for prison managers based on international standards and norms, Unpublished. United Nations Office on Drugs and Crime

Human Rights and Prisons – Manual on Human Rights Training for Prison Officials - Office of the United Nations High Commissioner for Human Rights (2005).

Human Rights and Prisons - A Manual on Human Rights Training for Prison Officials - Penal Reform International (2005).

Making Standards Work: an international handbook on good prison practice - Penal Reform International (2001).

Basic Training Manual For Correctional Workers (2006) International Scientific and Professional Advisory Council of the United Nations Crime Prevention and Criminal Justice Program (ISPAC) And International Corrections and Prisons Association (ICPA),

Adult Corrections Officer Core Training Course Manual (2000) State of California, Board of Corrections.