

Sustainable

Freedom, Justice and Peace

IMPROVEMENT

RESPECT FOR HUMAN

Rule of Law

RIGHTS

Freedoms, Liberties and Rights of Individuals

Advancement of Human Dignity

Partnerships to Build Peace

Missions

PEACEBUILDING

Stability

Security, and Good Governance

BUILDING LOCAL CAPACITY

RIGHTS

International Norms and Standards

FOR THE ESTABLISHMENT OF CORRECTIONAL SERVICES WITHIN UNITED NATIONS PEACE OPERATIONS

PEACEBUILDING

PRACTICAL GUIDELINES

BUILDING LOCAL CAPACITY

RESPECT FOR HUMAN

Freedoms, Liberties and Rights of Individuals

Contributing to Public Safety

Good Correctional Practice

Sustainable

IMPROVEMENT

Missions

Peacekeeping

PRACTICAL GUIDELINES

For the Establishment of
Correctional Services within
United Nations Peace Operations

The recognition of the inherent dignity of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.

Universal Declaration of Human Rights

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

International Covenant on Civil and Political Rights

FOCUS STATEMENT

The advancement of human dignity, the respect for human rights and the rule of law are increasingly recognized as crucial factors to establish and maintain stability, security and good governance. Effective criminal justice is now acknowledged as a fundamental requirement for safe and healthy societies.

ICPA

The International Corrections and Prisons Association for the Advancement of Professional Corrections (ICPA) is a membership-based not-for-profit organization with 400 members from 64 countries. The mission of the ICPA is *to contribute to public safety and healthier communities by encouraging and enabling best correctional practices in prisons and outside communities*. The ICPA is grateful to the Canadian Department of Foreign Affairs and International Trade for providing support and funds to develop the following Guidelines for the Establishment of Correctional Services within United Nations Peace Operations. The Association is also pleased to formally recognize its national and sponsor members as major contributors to the advancement of professional corrections: Corrections Division, Province of Saskatchewan Justice (Canada), Correctional Service of Canada, Department of Justice of Western Australia, Dutch National Agency of Correctional Institutions, Israel Prison Service, New Zealand Department of Corrections, Prison and Probation Department of Norway, Swedish Prison and Probation Administration and Volunteers of America-National Office.

EVOLVING GUIDELINES

As new knowledge emerges, it will be important to update these Guidelines to ensure their continuing relevance. To this end, individuals working in peace operations are encouraged to provide feedback on their experiences. They may contact ICPA directly at:



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FORWARD

INSPIRATION FOR THE DEVELOPMENT OF THESE GUIDELINES

These Guidelines have been designed to help corrections professionals better understand the realities of working in peace operations and to help peacekeepers and peacebuilders better understand the role of corrections in the establishment of healthy, stable societies. The idea to create them evolved primarily from United Nations (UN) missions in Kosovo (UNMIK) and East Timor (UNTAET) where, for the first time, corrections professionals were formally invited to participate in multi-disciplinary peacebuilding teams. At the request of the Canadian Department of Foreign Affairs and International Trade (DFAIT), the ICPA coordinated an international initiative to capture the learning achieved through those efforts in a manual to guide future endeavours.

RESPONSE TO THE BRAHIMI REPORT

These Guidelines are intended for use in a range of peace operations – from entire correctional-system rebuilds to adjustments within individual components that together constitute a functional correctional system. They respond to issues raised in the *Report of the United Nations Panel on Peace Operations*¹, chaired by Mr. Lakhdar Brahimi. The document, commonly referred to as the *Brahimi Report*, observed that the UN has become increasingly involved in complex peace operations that require the rapid deployment not only of military forces, but also of missions that integrate a range of civilian expertise needed to consolidate peace. The Brahimi Report, available in Annex A of these Guidelines, elaborates on the depth and complexity of peace operations, including such activities as humanitarian assistance, elections, governance, criminal justice, human rights, disarmament and military demobilization. It also confirms that issues of accountability, and law and order are intimately tied to the maintenance of peace over both the short and long terms.

APPLYING THE GUIDELINES

Criminal justice is recognized as fundamental to the establishment and maintenance of healthy and peaceful societies. Correctional services contributes to this goal by contributing to public safety in a way that promotes humanitarian objectives, protects human rights, advances human dignity, and promotes respect for the rule of law. These Guidelines are intended to be a source of advice and guidance to correctional professionals who are called upon to contribute their knowledge and skills to a peace operation. They provide a conceptual framework for good corrections, as seen by both practitioners and academics and they must be complemented with the professional judgement, leadership and management skills of correctional experts applying them within the unique circumstances of particular missions. They may also be of assistance to individuals seeking to improve their correctional practices or the management of a correctional organization outside the context of peace operations.

A number of practical tools have been incorporated to assist corrections professionals from the crisis-management stage of a UN mission through stabilization to the establishment of healthy, sustainable corrections systems. A range of support material relevant to corrections practices and management has also been included. The annexes appended at the end of these Guidelines include key reference documents such as the UN Declaration on Human Rights and the UN

¹ U.N. Doc. A/55/305-S/2000/809 (August 21, 2000).

Covenant on Civil and Political Rights, and respected international instruments such as the UN Standard Minimum Rules for the Treatment of Prisoners.

CENTRAL THEMES

Eight major themes appear throughout these Guidelines:

1. *Capacity-building*: The development of people, processes and physical infrastructure is of paramount importance. The ultimate goal of any peace operation is the successful withdrawal of the mission team and the transfer of knowledge, skills and in some cases authority, to local officials. Therefore, the strengthening of local capacity is critical.
2. *Knowledge and understanding*: For any peace-support operation to succeed, corrections professionals must understand not only the purpose and dynamics of the mission itself, but also the socio-political and economic situation of the country where the mission is operating. While intended to be practically focused, these Guidelines include concepts and theory in the belief that action should be grounded in knowledge and understanding.
3. *Recruiting requirements*: Corrections is a people-oriented business. It is about staff, offenders and the public. The recruitment and training of individuals with appropriate skills and experience—both mission-team members and staff from the local population—is essential.
4. *Good governance*: Good, effective corrections cannot be sustained without good management within the context of good governance.
5. *Professional judgement*: As peace-support operations evolve, adjustments to initial plans must be made. Mission personnel must possess sound professional judgement to direct these modifications.
6. *Shared learning*: Capturing the first-hand experience of those working in peace-support operations is and will continue to be critical in guiding future corrections efforts.
7. *Team synergy*: Unity of command and cooperation among mission-team leaders and members are key to the success of any peace operation.
8. *Professional acumen*: Values, creativity, innovation, entrepreneurial spirit, and professional pride among corrections professionals are of fundamental importance to any peace operation.

ACKNOWLEDGEMENTS

These Guidelines have been developed in the spirit of the Brahimi Report's statement that:

*a doctrinal shift is required in how the Organization (UN) conceives of and utilizes civilian police in peace operations, as well as the need for an adequately resourced team approach to upholding the rule of law and respect for human rights, through judicial, penal, human rights and policing experts working together in a coordinated and collegial manner.*²

² U.N. Doc. A/55/305-S/2000/809 (August 21, 2000), para. 40.

They are the result of extensive consultations with representatives of UN Member States and the contributions of dedicated corrections experts who, led by the ICPA, volunteered their valuable time and expertise. The Guidelines were reviewed by numerous individuals from around the world with expertise in one or more of the following areas: corrections, policing, law, peacekeeping and humanitarian aid.

In particular, the ICPA wishes to gratefully acknowledge Mr. Stuart Savage and Mr. Michael Kaduck of the Canadian Department of Foreign Affairs and International Trade who offered their support and guidance throughout the project. In addition, the ICPA would like to thank its members and the many individuals and organizations who provided insightful advice. A listing of those who participated in these consultations is provided in Annex E. Lists of all drafting-committee members and expert advisors follow.

Finally, the Association would like to recognize the outstanding contributions made by several nations to the reestablishment of correctional systems in Kosovo and East Timor.

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CHAPTER I

HOW TO USE THESE GUIDELINES

The idea to develop these Guidelines evolved primarily from United Nations Missions in Kosovo (UNMIK) and East Timor (UNTAET), where for the first time, correctional professionals were formally invited to be part of a multi-faceted team to contribute to peacebuilding efforts. As corrections professionals it is important to learn from these initiatives and to translate that knowledge into Guidelines based on experience and professional expertise as to how such endeavours ought to be undertaken in the future.

CHAPTER I

HOW TO USE THESE GUIDELINES

These Guidelines have been developed for corrections professionals who are or will be actively involved in helping a nation establish, re-establish, or reform its correctional system within the context of a United Nations (UN) peace operation. The Guidelines attempt to capture the first-hand experiences of individuals who have worked or are working in peace operations. Recognizing that UN mandates for peace operations vary, the Guidelines have been designed for optimal flexibility; they can be applied by those managing the corrections component of a peace operation, or those who may be asked to assist and/or manage the correctional organization; or for those who may be active in the day-to-day operations of the correctional system. Specifically, they have been designed to assist two key groups:

Corrections Professionals: Individuals with expertise in prison, community and/or correctional administration who face new challenges in peace operations: the challenge to build, re-build or support a correctional system in an environment that lacks fundamental supports such as a stable legal framework, adequate funding, appropriate staff, and a functional physical infrastructure; the challenge to establish cooperative relationships with a range of agencies they are not familiar with, such as the UN and military forces; and the challenge to work with professionals from multiple correctional jurisdictions to build a unified and effective correctional system.

United Nations Personnel: UN staff and officials experienced in establishing peace operations in crisis environments who, until recently, were not required to integrate corrections professionals into peace-support missions.

These Guidelines seek to introduce corrections professionals to the realities of mission life and UN peacekeepers to the complexities and contributions of correctional systems. They aim to facilitate productive collaborations between both groups toward the establishment of effective, safe, secure and humane correctional systems. They may also be useful to legislators and other criminal-justice professionals participating in the construction of a sustainable justice system, and to monitors and planners seeking a tool for mapping a course of action and evaluating progress.

STRUCTURE OF THESE GUIDELINES

The Guidelines have been structured to provide corrections professionals with a broad conceptual framework of good corrections and of peace operations. There are practical tools to help prepare for a mission, to assist in the crisis-management and stabilization stages of a mission, as well as during the establishment of a healthy, sustainable corrections system.

Chapter II outlines the fundamental principles of UN peace operations.

Chapter III situates good correctional practices and the management of correctional organizations within the context of a peace operation while addressing the importance of good governance and capacity-building.

Chapter IV provides an overview of the UN legal framework as it relates to peace operations, and offers an introduction to International Norms and Standards for Criminal Justice and International Humanitarian Law—documents which corrections professionals working in peace operations must be familiar with. It also examines the corrections professional’s responsibility in administering the law, provides a conceptual framework for peace operations, and clarifies where corrections fits in.

Chapter V examines the planning phase of the corrections component in a UN peace operation. It provides material to support corrections professionals tasked with completing the initial assessment of a correctional system in a mission area.

Chapter VI addresses the operational phase to the withdrawal phase and outlines the tasks associated with each. Dependent on the nature of the situation and the mandate of the mission, it provides a menu to help corrections professionals quickly access the information that will assist them.

Chapter VII provides advice and guidance related to the recruitment of international corrections professionals for peace operations, and highlights the importance of building capacity with the local population.

Several **annexes** offer additional reference material that may be of assistance during mission planning and operation:

- *Annex A* presents international instruments that pertain to criminal justice and international humanitarian law, and other relevant UN documentation.
- *Annex B* provides practical tools for corrections professionals working in peace operations.
- *Annex C* lists relevant resource material and websites that may be of interest to corrections practitioners.
- *Annex D* provides an overview of a typical Prison Officer Basic Training Course.
- *Annex E* lists the individuals and organizations that were consulted in the development of these Guidelines.

The Guidelines will continue to evolve as new lessons from the field are gathered. To this end, corrections professionals working in peace operations are encouraged to provide feedback on their experiences to the ICPA.

CHAPTER II

PRINCIPLES OF UNITED NATIONS PEACE OPERATIONS

This Chapter outlines the fundamental principles of UN peace operations.

CHAPTER I I

PRINCIPLES OF UNITED NATIONS PEACE OPERATIONS

All personnel working in an international peace operation, including corrections practitioners, must adhere to the highest standards of professionalism, displaying exemplary behaviour at all times. First and foremost, their efforts must be guided by the fundamental principles of UN peacekeeping:

Consent and Cooperation: Peace operations require the consent and cooperation of the parties to the conflict, but these commitments may not always seem to be respected. Promoting respect for these commitments is required on a continuous basis.

Impartiality and Objectivity: Impartial and objective fulfillment of the mandate, regardless of provocation and challenge, is essential to preserving the legitimacy of the operation and the consent and cooperation of conflicting parties. The effort to maintain impartiality, however, must not promote inaction or undermine the mission's mandate. Tasks must be discharged professionally, firmly and objectively without fear or favour. No party to the conflict should gain unfair advantage as a result of action taken by personnel working in the mission.

Minimum Use of Force: Force may be used only when absolutely necessary and only to the extent required for legitimate correctional functions. Guidance will be provided by the *UN Code of Conduct for Law Enforcement Officials* and the *UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*. Both of these documents can be found in Annex A. In addition, a model for the use of force specific to corrections can also be found in Annex B.

Clear and Achievable Mandate: The Security Council establishes a mandate for the peace operation, which may contain explicit objectives for the corrections component of the peace operation. Understanding the overall mandate, the particular objectives for the corrections component of the mission, and the means by which the success or failure of the mission will be determined is critical.

Continuous and Active Support of the UN Security Council and Contributing Countries: Where the root causes of conflict often remain unsettled in post-conflict environments, patience, determination and persistence are required to achieve the mandated objective of the peace operation. It is understood that the members of the UN Security Council and other Member States in a position to do so, will take the necessary political and diplomatic action to support the UN Secretary-General in ensuring that the decisions of the Council are carried out. Additionally, the support of Member States who are contributing to the corrections component of the mission must be sustained for the duration of the mandate for the corrections component to achieve its goals.

Legitimacy: The legitimacy of a peace operation is its most important asset and derives from the operation having been mandated by the UN Security Council, which is responsible for the maintenance of international peace and security. The legitimacy of the corrections component is enhanced through involving participants from as many Member States as possible. It is also based upon the skill and experience of corrections personnel, their ability to achieve their tasks, and their conduct in accordance with the rule of law and international human rights standards.

Unity of Effort and Command: UN peacekeeping operations are collaborative, multidimensional, and complex enterprises that require unity of effort and command to be effective. The various components of a peace operation must cooperate toward the achievement of the mission mandate. All personnel must coordinate their work and nurture cooperative working relationships, including with non-governmental organizations. Unity of command must be observed within the corrections component of the mission. All corrections personnel are responsible and accountable to a person who will be in charge of Corrections. It is not acceptable for corrections personnel to receive or accept instructions from national authorities on operational matters. Such practices not only jeopardize the effectiveness of an operation and the safety and security of its personnel, but undermine the legitimacy of the institution of United Nations peace operations.

Transparency: Operating with openness, integrity, responsibility and accountability is required at all times. Member States contributing correctional resources, the parties to the conflict, as well as the local population must be fully aware of the corrections mandate within the mission, its functions and responsibilities, and how the corrections component will be conducted. The local correctional system and other appropriate local agencies must also be informed of what the corrections component will expect of them. A failure to communicate this information will foster suspicion and may prevent the development of the trust and confidence upon which the long-term success of the peace operations depends.

Mobility and Adaptability: The requirement for continuous evaluation and response to changing situations requires mobility within the mission area, operational flexibility, and experienced corrections personnel capable of adapting to changing circumstances.

To ensure adherence to the highest professional standards, corrections professionals may also wish to refer to Annex B, which contains samples of corrections-specific Codes of Ethics and Codes of Discipline.

CHAPTER III

CORRECTIONS IN THE CONTEXT OF PEACE SUPPORT OPERATIONS AND GOOD GOVERNANCE

Corrections and Criminal Justice

From Conflict to Peace

Assessing Progress

Best Practices

The Practice of Professional Corrections

Management of Correctional Organizations

This Chapter situates good correctional practices and the management of correctional organizations within the context of a peace operation while addressing the importance of good governance and capacity-building.

CHAPTER III

CORRECTIONS IN THE CONTEXT OF PEACE SUPPORT OPERATIONS AND GOOD GOVERNANCE

In any peace operation, the ultimate goal is for intervening forces and civilian teams to help the host nation achieve stability and then to leave as quickly as possible. It is important from the outset of any mission that improvements to correctional operations be guided by correctional-management best practices to ensure sustainability. Because capacity-building within the local population is critical in this regard, from a mission's outset the corrections team must place priority on training the local population in the correctional system. The local population must have the knowledge and skills to sustain the system and continue to make improvements, and be prepared to take full responsibility for the correctional system once the mission has ended.

In post-conflict scenarios, there may be no consensus as to the structure, role and composition of public administration, the legal system, and the criminal justice system, in particular. The detention of people by a government is, by definition, the act of depriving them of their basic right to freedom and other rights that are lost as a result of being detained. Nowhere is a state more likely to be faced with walking the thin line between maintaining public order and avoiding human rights violations than within its correctional system, particularly during times of war or civil unrest.

CORRECTIONS AND CRIMINAL JUSTICE

The goal of every society is to maintain peace and provide justice and safety for its members. The advancement of human dignity, the respect for human rights and the rule of law are increasingly recognized as crucial factors to establish and maintain stability, security and good governance. By imposing appropriate and reasonable sanctions for offenders, the criminal justice system helps to establish safe and healthy societies; it is an essential dimension of UN peace operations.

Corrections is recognized as an integral part of the criminal-justice system. It contributes to the protection and prosperity of societies by safely, securely and humanely controlling prisoners during incarceration, and by helping them live law-abiding lives following their return to the community. Corrections is that component of the criminal justice system which has the greatest impact on the freedoms, liberties and rights of individuals. To be truly effective, a correctional system must respect fundamental human rights; be guided by a belief in fairness and equality under and before the law and in the dignity and worth of individuals; and manage itself with honesty, openness and integrity.

FROM CONFLICT TO PEACE

From the initial notion that a peace operation may be required to the final withdrawal of the mission team, there is a series of phases. Throughout each, local capacity must be fostered and progress must continually be assessed.

Frequently, *simple stabilization* is the first objective. Once achieved, *sustainable improvement* becomes the focus, leading ultimately to a system that can stand on its own, function appropriately and remain in harmony with other government institutions to meet the needs of the society.

ASSESSING PROGRESS

In the context of corrections, it is relatively easy to assess progress during the initial stages of a peace operation, given the concrete nature of the outcomes—for example, the establishment of safe and secure accommodations, adequate food and water supply, basic health care and hygiene. In these instances, measuring progress is straightforward. As the peace operation proceeds along the continuum, however, measuring progress becomes more complex. It is equally if not more important, however, as eventually the decision to withdraw from the operation will be made and the system will be required to function well and to do so in a more or less self-sustaining fashion. As a result, consideration must be given to the clear identification of criteria for the planned withdrawal of resources, and progress in relation to meeting the criteria must be monitored over the course of the Mission.

BEST PRACTICES

Clarity in terms of what constitutes good corrections and sound corrections management is critical to establish a strong peace-operation action plan. It is essential to know what good corrections looks like and what must be in place to create and sustain it. This is particularly important in peace operations where the general instability can make it difficult to discriminate between random activity on the one hand, and on the other hand, movement that actually constitutes progress and improvement. Clearly stated objectives for the correctional system within the context of the peace operation allow for the proper alignment of mission activities and resources, and for easy and early identification of misaligned resources.

There is an emerging body of knowledge in correctional practice of what works and of what can be done to effectively contribute to public safety. As well, there is an expanding understanding of what constitutes good management of a correctional organization. Together, they can be of great assistance in setting objectives for corrections in peace operations and in identifying appropriate criteria for the measurement of their achievement.

THE PRACTICE OF PROFESSIONAL CORRECTIONS

Corrections is a complex and multi-faceted profession tasked with implementing appropriate responses to criminal behaviour that meet both the varied and sometimes competing needs of society and the needs of offenders. This requires a wide range of interventions and skills. While the safety of the public must be the primary consideration, corrections must pursue approaches that balance the preservation of the rights of society with the loss of rights of the imprisoned. The legitimate need to incarcerate—to punish offenders and prevent further crimes—must be balanced with efforts to encourage their safe and successful reintegration into the community.

The practice of professional corrections has nine principal characteristics:

1. *Corrections is knowledge-based.* It acts on best practices to promote public safety.
2. *It is a people-oriented business.* As a result, it seeks to recruit, develop and retain staff who have the knowledge, skills and techniques required in such a complex human profession.
3. *Corrections' approach to safety and security is both static and dynamic.* It balances static security infrastructure and practices—walls, fences, weapons, searches—with dynamic security—security that is based on the ever evolving knowledge of individual offenders.

4. *Its day-to-day operations respect the human rights and dignity of all persons.* Corrections supports a safe, secure and humane environment, and recognizes that prisoners are in prison as punishment, not for punishment.
5. *Corrections has a meaningful intake and assessment process.* This leads to the creation of a tailored intervention plan for each prisoner that addresses both the risks they pose and their individual needs.
6. *It offers prisoners a range of self-improvement opportunities.* To the fullest extent of a correctional organization's capacities this includes work, education, training and program options appropriate to the prisoners under its authority.
7. *Corrections facilitates positive relationships between prisoners and free society.* While recognizing that separation from society is the core of incarceration, the correctional system seeks to encourage positive relationships between prisoners and their communities.
8. *It encourages offenders' return to society as law-abiding citizens.* Corrections manages prisoners with a view to facilitating their eventual reintegration into the community.
9. *Corrections works in partnership with the other components of the criminal-justice system and non-governmental organizations.* This ensures a coordinated and comprehensive approach to the management of prisoners' incarceration and of their return to society.

MANAGEMENT OF CORRECTIONAL ORGANIZATIONS

A number of correctional organizations have been recognized nationally and internationally as effective contributors to public safety. All share common characteristics that are essential elements for sound corrections management:

Purpose: Each organization has a clear vision of its ultimate purpose, and a commitment to the achievement of that purpose. Generally, this vision emphasizes the protection of society, taking into consideration the need for safe, secure and humane control of prisoners and the importance of their eventual reintegration into society. To confirm the strength of their vision, correctional organizations should ask themselves, 'Will the achievement of our vision contribute to public safety, public confidence in government institutions, public order, and to the establishment and maintenance of a just, peaceful and safe society?'

Values and Principles: Each organization has defined values and principles to guide the pursuit of its vision. These may or may not be explicitly stated, but they influence all actions taken with regards to the correctional system. They most likely are harmonious with human and civil rights, and make explicit their commitment to society, to staff, to offenders, and to partners both within and without the criminal-justice system, and emphasize openness and integrity, the supremacy of the rule of law, and the fundamental importance of due process.

Legislation and Regulations: These organizations have legislation and regulations in place that is compatible with their vision and they have a policy framework that is comprehensive, clear and reflective of their legislation. Their operating procedures, which are clearly defined, current and easily accessible to corrections personnel, complement their vision, values and principles and provide practical direction for staff on how to lawfully execute their duties. To support their

activities, these organizations have adequate financial and human resources, and the physical infrastructures needed to support offenders and staff.

Staff: These organizations strive to recruit staff who share their vision, values and principles, and who are equipped with the necessary knowledge and skills. They successfully maintain a solid complement of staff members and maintain strong communications with their personnel and a firm commitment to involving staff in the management of the correctional system. Generally, they also have an effective grievance system in place for both staff and offenders.

Accountability Mechanisms: Model correctional organizations also have in place accountability systems that are clear and accessible. An independent oversight process and a willingness to accept international scrutiny often augments the approach to accountability. There is also a willingness to be open to public involvement and media attention.

CHAPTER REVIEW

The advancement of human dignity, the respect for human rights and the rule of law are increasingly recognized as critical factors to establish and maintain stability, security and good governance.

A correctional system must respect fundamental human rights and be guided by a belief in fairness and equality under and before the law and in the dignity and worth of individuals, and must be managed with honesty, openness and integrity.

Good correctional practice and sound management are inseparable for sustainable improvement.

In any peace operation, the ultimate goal is for intervening forces and civilian teams to help the host nation achieve stability, and then to withdraw as quickly as possible.

Building the capacity of the local population is supremely important during any mission.

CHAPTER IV

AN OVERVIEW OF THE UNITED NATIONS AND PEACE OPERATIONS

The United Nations Legal Framework for Peace Operations

International Norms and Standards and International Humanitarian Law

Understanding One's Responsibility in Administering the Law

A Conceptual Framework for Peace Operations

Establishing a Peace Operation

This Chapter provides an overview of the UN legal framework as it relates to peace operations, and offers an introduction to International Norms and Standards for Criminal Justice and International Humanitarian Law—documents which corrections professionals working in peace operations must be familiar with. It also examines the corrections professional's responsibility in administering the law, provides a conceptual framework for peace operations, and clarifies where corrections fits in.

CHAPTER IV

AN OVERVIEW OF THE UNITED NATIONS AND THEIR PEACE OPERATIONS

THE UN LEGAL FRAMEWORK FOR PEACE OPERATIONS

Under the UN Charter, the United Nations are tasked with:

- maintaining international peace and security;
- developing friendly relations among nations;
- cooperating in solving international economic, social, cultural and humanitarian problems, and promoting respect for human rights and fundamental freedoms; and
- being a centre for harmonizing the actions of nations in attaining these goals.

The UN is a large and complex organization that includes many affiliated and related independent agencies. The head of the UN is called the Secretary General. For peacekeeping purposes, the General Assembly and the Security Council are the two main bodies.

The **General Assembly** is composed of representatives of all Member States, each of which has one vote. Membership in the United Nations is open to all peace-loving States that accept the obligations of the UN Charter. The admission of any State to the UN is decided by the General Assembly on the recommendation of the Security Council. There are currently 190 Member States. Decisions on important questions, such as those on peace and security, require a two-thirds majority of the General Assembly. Decisions of the Assembly have no legally binding force for governments, but they carry the weight of world opinion on major international issues, as well as the moral authority of the world community.

The **Security Council** has primary responsibility for the maintenance of international peace and security. It creates and defines peacekeeping missions. The Council is composed of five permanent members—China, France, the Russian Federation, the United Kingdom, and the United States—and 10 other members elected by the General Assembly for a two-year term.

Through the **Department of Peacekeeping Operations** (DPKO) located in New York, the Secretary General directs and manages UN peace operations and reports to the Security Council on the progress of peace operations. The DPKO is responsible for planning, monitoring and supporting the military and civil aspects of all UN peace operations. In many mission areas, a Special Representative of the Secretary-General (SRSG) or another senior UN official is appointed to maintain momentum towards peace, to direct the work of the peace operation and to provide overall coordination for the peace operation in the mission area.

It is important to note that Security Council mandates for peace operations can vary considerably and may include any or a combination of the following:

- the provision of technical assistance to established authorities (e.g., training);
- observation and reporting on the implementation of peace agreements;
- the use of military force to separate parties and maintain cease-fires;
- the complete rebuilding and operation of a government.

Every peace operation is designed to meet the requirements of each new situation. When the Security Council calls for the creation of a new operation, the operation must be assembled according to the unique requirements of the specific mission.

Should a peace operation require correctional expertise in any of the above-mentioned scenarios, it is critical that corrections professionals understand a number of international instruments that pertain to corrections and human rights, and understand their responsibility in respecting these instruments and in administering the law. The following sections outline the importance of each.

INTERNATIONAL NORMS AND STANDARDS AND INTERNATIONAL HUMANITARIAN LAW

International instruments can be divided into two basic categories—those that are legally enforceable and those that are not. Legally enforceable instruments include *charters*, *conventions* and *covenants*. They are legally enforceable in nations that have signed them and promised to live by them. Instruments that are not legally enforceable include *codes*, *principles and standards*. These are international instruments agreed to by nations that, while not legally binding, are universally accepted as appropriate behaviour. *Declarations*, *recommendations* and *resolutions* are statements taken by the international community to the UN. These are voted for by individual nations and require no action.

In the context of a correctional system, respect for human rights and international agreements is highly dependent on how power is exercised. Protecting the human rights of prisoners is an important and continuing challenge for most countries. Human rights are the cornerstone of humanity. Respecting human rights, particularly under conditions of confinement, conveys a strong message that every person has inherent dignity and value. “It has been said that one can judge the state of civilization of any country by the way it treats its criminals. If prisons are a yardstick of civilization, it is fundamental that a respect for human rights be implicit in all prison rules and explicit in the way that prison staff go about their daily activities.”³ In addition, the respect shown for the human rights of prisoners influences their successful reintegration and participation in society and, as a consequence, contributes to public safety.

Within the context of peace operations, an understanding of International Humanitarian Law is also important to corrections. International Humanitarian Law is a body of detailed rules relevant to the protection of persons against the particular dangers of armed conflict, and which the parties to a conflict are bound to follow. It may, therefore, still be applicable in situations where there is a UN peace operation. Humanitarian law is designed to preserve the life, health and dignity of non-combatants—civilians, the wounded and prisoners. The Geneva Conventions of 1949 and their Additional Protocols of 1977 are its main instruments. Ensuring respect for humanitarian law is one of the roles of the International Committee of the Red Cross (ICRC). In international armed conflicts, prisoners have the right to receive visits by ICRC delegates. In fact, most ICRC visits relate to situations of non-international armed conflict or internal violence.

Annex A presents the key international instruments most relevant to corrections professionals. These include, for example, the UN Declaration on Human Rights, the UN Covenant on Civil and Political Rights, a summary of the Geneva Conventions, and the UN Standard Minimum Rules for the Treatment of Prisoners.

³ Human Rights Training for Public Officials: Special Volume for Prison Officials, Commonwealth Secretariat, Human Rights Division.

UNDERSTANDING ONE’S RESPONSIBILITY IN ADMINISTERING THE LAW

The principle of ‘government according to law’ operates at two levels. The first relates to constitutional law. In many states, the Constitution has supremacy over all other forms of law. If the terms of the Constitution and the contents of legislation passed by government come into conflict, the courts must give priority to the terms of the Constitution. This important rule guarantees citizens fulfillment of the promises made in the Constitution.

The second level—the one perhaps most relevant to corrections in peace operations—relates to administrative law. This branch of law applies where powers have been granted by legislation to central or local government, or to other public bodies—whether to provide services needed for the benefit of the whole community, or to place under public control, by means of regulation, the economic activities of private persons or companies. As legislation must conform with the Constitution, so too must public authorities observe, respect and be subject to laws passed by the government as they discharge their responsibilities.

Despite the diversity of government and legal systems, the two share one common feature: the fundamental principle that, in a democracy, all powers of government and administration must be conducted in accordance with the law—and that every holder of public office is subject to the law.

Concern for the ‘rule of law’ and for the maintenance of a just and open government requires that those exercising power on behalf of the public do so in accordance with law, and that private individuals and groups have the ability to seek the protection of the law when they believe an action in the exercise of a public duty to be arbitrary, unfair or unlawful. Unless there is a general awareness of the benefits that can be obtained from recourse to the law, the contribution of the justice system to economic and social development is likely to be sharply restricted.⁴

Those in positions of power are given power and authority to carry out their tasks on behalf of the people. The powers given to government and to individuals are neither absolute nor without limits.

Impunity for UN officials and experts working in a mission is unacceptable given that these missions are usually deployed to situations where human rights have been violated and impunity is the norm. Establishing a system of rule of law begins with those who are deployed to do this. While the Convention on the Privileges and Immunities of the UN provides that UN officials and experts on missions for the UN are immune from personal arrest or detention, the Secretary General has the right to waive the immunity in any case where, in his or her opinion, the immunity would impede the course of justice.

A number of guiding principles should apply when individuals administering the law in any peace operation exercise discretionary power. These include:

- Pursue only the purposes for which the power has been conferred.
- Be without bias and observe objectivity and impartiality, taking into account only factors relevant to the particular case.
- Observe the principle of equality before the law by avoiding unfair discrimination.

⁴ Good Government and Administrative Law: An Introductory Guide, Commonwealth Secretariat, 1996, p. vii.

- Maintain a proper balance between any adverse effects a decision may have on the rights, liberties or interests of persons and the purpose that it pursues.
- Make decisions within a reasonable time period, having regard for the matters at stake.

In some peace operations, there has been an ‘absence of law’ which has brought about considerable confusion and presented challenges for those working in the mission, particularly in its early days. Enforcement of the law is necessary to establish a sense of general security. It is essential that clarity exist with respect to the actual law to be enforced. The Brahimi Report noted that, in at least two peace operations, “... local judicial and legal capacity was found to be non-existent, out of practice or subject to intimidation by armed elements. Moreover, in both places, the law and legal systems prevailing prior to the conflict were questioned or rejected by key groups considered to be the victims of the conflicts.”⁵ At the time these Practical Guidelines for the Establishment of Correctional Services were being prepared, an internationally agreed upon ‘interim legal code’ did not exist. For future peace operations, where no applicable law exists, or where the applicable law is inconsistent with international standards, corrections professionals must be guided by international norms and standards, and work closely with all justice partners in the mission **area** to resolve issues until such time that laws are re-established.

CONCEPTUAL FRAMEWORK FOR PEACE OPERATIONS⁶

Peace operations have evolved over time. Understanding this evolution helps corrections professionals situate corrections in the context of peace operations and this understanding permits them to better contribute to the mission.

Corrections were first involved in peace operations with the UN mission in Kosovo and the UN mission in East Timor. The experience of previous missions demonstrated that members of the law and order professions—primarily justice, civilian police and corrections—cannot work effectively in isolation. In response, a movement developed toward integrated action. According to the Brahimi Report, there is a need for “an adequately resourced team approach to upholding the rule of law and respect for human rights, through judicial, penal, human rights and policing experts working together in a coordinated and collegial manner.”⁷

The presence of correctional services is the consequence of an evolution in the nature of peace operations. Beyond the classical peacekeeping of the Cold War, peace operations have developed into complex initiatives⁸ that address all aspects of the conflict spectrum—conflict resolution, peacemaking, peacekeeping and peacebuilding⁹. Corrections is primarily concerned with peacebuilding activities related to good governance and to strengthening the rule of law—activities often referred to as security-sector reform.

⁵ U.N. Doc. A/55/305-S/2000/809 (August 21, 2000), para. 79.

⁶ The ICPA wishes to thank David Gairdner of the Pearson Peacekeeping Centre (PPC), who provided this conceptual framework for these Guidelines. This framework reflects the opinions of the author and draws on the Conceptual Framework of Peacekeeping, an education module by Dr. Ken Eyre of the PPC.

⁷ U.N. Doc. A/55/305-S/2000/809 (August 21, 2000).

⁸ Complex refers to operations that have political, economic, social and/or culture elements as well as a military security component.

⁹ Definitions of these terms are found in The Report of the United Nations Panel on Peace Operations, U.N. Doc. A/55/305-S/2000/809 (August 21, 2000), para. 8.

Classical Peacekeeping

The United Nations Charter does not reference ‘peacekeeping’. Peacekeeping emerged as a necessary instrument for managing inter-state conflict. The term did not initially refer to decisive or forceful intervention. Rather, it involved the provision of assistance by the international community to stabilize conflict situations, minimize violence, serve as a deterrent to the renewal of fighting and bridge “the gap between the will for peace and its actual achievement.”¹⁰

The legal framework for peacekeeping action was, however, included in the UN Charter—in Chapters VI and VII. The first peacekeeping operation was the United Nations Truce Supervision Organization (UNTSO), deployed in 1948 to Jerusalem.¹¹ Identified as an observer mission, UNTSO was mandated to observe and monitor cease-fire lines between Israel and its neighbours. By 1988, the United Nations had sponsored 13 operations with similar characteristics. These are often referred to as ‘classical peacekeeping’ missions. Corrections did not participate in classical peacekeeping operations.

The Brahimi Report notes that the “sequence of events ... leading to a UN deployment was straightforward: war, cease-fire, invitation to monitor [and verify] cease-fire compliance and deployment of military observers to do so while efforts continued on a political settlement.”¹² Classical missions usually involved multinational military forces, and peacekeepers were typically not involved in actions to prevent the outbreak of conflict, to mitigate its impact, or to rebuild war-torn societies. In conflict resolution efforts, they were not involved in the transformation of cease-fires into a basis for lasting peace.

From Classical Peacekeeping to Complex Peace Operations

Peace operations experienced a dramatic evolution during the 1990s, with the international community becoming involved in complex peace operations that address every aspect of the conflict spectrum. The changing role of the international community when addressing situations of violent conflict creates both a need and an opportunity for the involvement of correctional services.

The evolution of peace operations has occurred in response to a series of inter-related factors:

- The majority of violent conflicts are now internal conflicts (intra-state), a trend that has grown more pronounced since the end of the Cold War. The dynamic of violent conflict has also changed. Some conflicts still have characteristics of classical revolutions—for example, insurgent groups organized around a clearly defined political grievance and engaged in fighting with government forces—however many conflicts are ‘new wars’, driven by non-traditional actors and motivations.
- New wars usually take place in a failed or weakened state scenario. States fail when they are not able to exercise the basic attributes of sovereignty (control over national territory, rule of law), when they cease to provide basic political goods (security, education, health care) or when there is a sharp and sudden decline in the overall standard of living. A weak state scenario may also persist into the post-conflict phase while a transitional government seeks

¹⁰ Hill, Stephen and Malik Shahin, *Peacekeeping and the United Nations*, Dartmouth Press, 2000, p.14.

¹¹ Some refer to the United Nations Special Commission on the Balkans (UNSCOB, 1947-1951) as the first Peacekeeping operation, although it does not have all the characteristics of a classical mission.

¹² U.N. Doc. A/55/305-S/2000/809 (August 21, 2000), para. 17.

to establish its authority. Where a vacuum exists, non-state actors—from insurgent groups, warlords, organized criminals or neighbouring states— may contest power, often employing violent means.

- Most conflicts take place in poor countries, where the ability of state and society to meet the basic requirements of human development is already stretched. Poverty tends to magnify the consequences of conflict; for example, these countries lack the physical, economic and social resources to both mitigate the impact of violence and recover in its aftermath.
- Many conflicts are identity-based; they involve a claim to power made on the basis of ethnicity, culture or religion. By definition, such a claim excludes other groups that do not share the same characteristics. In these conflicts, violence may be organized around identity and characterized by exclusive nationalist doctrines and leaders that exploit inter-group tensions for political or personal gain.
- Some conflicts are based on greed, where economic factors rather than political grievances shape the behaviour and motivations of actors. "Warlords, governments and non-state actors alike make use of global financial and commodity markets to transform control over natural resources into a war fighting capacity."¹³ In these cases, belligerents may finance themselves through illicit activities such as involvement in the drug trade. In another scenario, economic gain may be the actor's primary motive for engaging in conflict. In either case, belligerents will have an interest "in continued fighting and the institutionalization of violence at what is for some a profitable level of intensity... Warfare may be understood as an instrument of enterprise and violence as a mode of [economic] accumulation."¹⁴ Stability threatens this economic interest, and these groups are likely to act as spoilers¹⁵ to any peace process.
- Conflicts are multi-polar; fought by government forces, insurgent forces, irregular forces, paramilitary groups, warlords and organized criminals. Belligerent groups are often directed by faction-ridden political or identity-based organizations that lack coherent political objectives, a clear structure, a single well-integrated leadership or a broad public mandate for action. As such, they are more difficult to predict, combat, negotiate with, or hold accountable when compliance with the terms of a peace agreement are being verified.
- Civilians are targets of military action, in contravention of International Humanitarian Law. Identity-based conflicts are characterized by attacks against specific groups in society in an effort to ensure their access to power is reduced or eliminated.

The New Activism: Evolving Concepts of State Sovereignty and International Intervention

Civil wars quickly became the focus of the international peace and security agenda during the 1990s. The Security Council rose to the challenge of intra-state conflict with a new doctrine of intervention based on International Human Rights and Humanitarian Law. In summary, State responsibility is understood to imply responsibility to protect the lives and well being of persons within its boundaries. "Where a population is suffering serious harm as a result of internal war,

¹³ Economies of Conflict, Private Sector Activities in Armed Conflict, FAFO, 2002, pg. 7.

¹⁴ Berdal, Mats and David Malone, *Greed and Grievance; Economic Agendas in Civil Wars*, International Peace Academy, 2000, p.2.

¹⁵ Spoilers can be leaders and parties who believe that peace emerging from negotiations threatens their power, worldview and interests. They generally use violence to undermine attempts to achieve peace.

insurgency, repression or state failure, and the state in question is unwilling or unable to halt or avert it, then the principle of non-intervention yields to the international responsibility to protect.”¹⁶ Experience has shown that keeping peace—avoiding military conflict—is insufficient to establish secure and lasting peace. Such security can only be achieved when countries are assisted in fostering economic development, social justice, human rights protection, good governance and democratic process. One of the challenges this has created relates to national sovereignty—determining when the international community can legitimately intervene in matters formerly held within the realm of the nation state. This has been controversial to the extent that the national interests of intervening states are perceived to blur with humanitarian objectives.

In this context, humanitarian intervention can be defined as “the injection of military power, or the threat of such action, by one or more outside states into the affairs of another state that has as its purpose the relieving of grave human suffering. The latter may involve, inter alia, the systematic abuse of basic human rights by a repressive regime, or it may involve the breakdown of central governmental authority, leading to a condition of anarchy that in itself threatens those rights.”¹⁷

All peace operations must be based on the body of International Law (International Humanitarian Law, Human Rights Law and International Criminal Law), which define the rights of persons, the obligations of States toward those persons and the role of the international community when rights are violated. This provides a legal framework for action.

Profile of Contemporary Peace Operations

The goals, methods of warfare and approaches to financing present-day conflicts differ from those of more traditional conflicts, as does the nature of the international community’s involvement in those conflicts. From the uni-dimensional peacekeeping of the classical era, contemporary peace operations have changed in a number of ways:

- Peacekeepers are present in all phases of conflict, not just once parties have reached an agreement. The Brahimi Report identifies four possible phases of a UN Peace Operation: conflict prevention, peacemaking, peacekeeping, and peacebuilding.¹⁸ Each is characterized by specific types of activities, with the intention of creating a structure of incentives for peace and disincentives against the continuation of violence.¹⁹
- Peace operations are multi-dimensional, with activities ranging from the verification of parties’ compliance to a peace agreement to the pursuit of complex nation-building tasks, such as state-institution strengthening and security-sector reform.
- Peace operations are multidisciplinary, drawing on the expertise and skills of many different professionals from both military and civilian organizations.

¹⁶ The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty, 2002, p. XI.

¹⁷ Garrett, Stephen, *Doing Good and Doing Well; An Examination of Humanitarian Intervention*, Prager Publishers, London, 1999, p. 3.

¹⁸ U.N. Doc. A/55/305-S/2000/809 (August 21, 2000), para. 10-14.

¹⁹ Uvin, Peter, *The Influence of Aid in Situations of Violent Conflict*, Development Assistance Committee of the Organization for Economic Cooperation and Development, Paris, 1999.

- Peace operations rely on cooperation, coordination and unity of effort between different nations and mission elements.
- Peacekeepers are often deployed into situations where there is no peace to be kept. There may be no peace agreement, as in humanitarian intervention or peace enforcement scenarios, increasing the risk to both the mission and individual peacekeepers.
- Peace operations are frequently conducted under intense media scrutiny, which can influence the political agenda of the contributing nations.

According to the Brahimi Report, *conflict prevention* “addresses the structural sources of conflict in order to build a solid foundation for peace. Where those foundations are crumbling, conflict prevention attempts to reinforce them...”²⁰ Prevention activities are usually low-profile, and range from diplomatic initiatives to the development of programs that receive international support. They may also include support for unofficial efforts to build peace and confidence between affected parties. The Brahimi Report notes that “when successful, [conflict prevention] may go unnoticed altogether.”²¹ Often, these activities are conducted within the framework of international cooperation and may not be designated as a peace operation.

Correctional services may be involved in related initiatives as part of international support to strengthen rule of law institutions and, correspondingly, the legitimacy of public authority. This is particularly relevant to failed or weak state scenarios.

The Brahimi Report defines *peacemaking* as an aspect of conflict prevention. Peacemaking “addresses conflicts in progress, attempting to bring them to a halt, using diplomacy and mediation.” It refers, therefore, to the range of activities through which the international community can bring a political settlement to conflict through the actions of “envoys of governments, groups of states, regional organizations or the United Nations, ... unofficial and non-government groups [or] ... prominent personalities.”²²

Peacemaking may be preceded by or occur in concert with international humanitarian operations—efforts to assist those affected by violence, to save or sustain life, to alleviate human suffering or to provide support for personal matters such as family reunification. Corrections has not normally played a role in these activities.

Peacekeeping refers to the immediate post-conflict phase and international efforts to provide a secure transitional environment. The Brahimi Report notes that peacekeeping has “evolved rapidly ... from a traditional, primarily military model of observing cease-fires and force separation after inter-state wars, to incorporate a complex model of many elements, military and civilian, working to build peace in the dangerous aftermath of civil wars.”²³ These types of operations are conducted by the military, civilian security agencies such as the police, humanitarian workers and others, increasing the importance of coordination and unity of effort.

²⁰ U.N. Doc. A/55/305-S/2000/809 (August 21, 2000), para. 10.

²¹ U.N. Doc. A/55/305-S/2000/809 (August 21, 2000), para. 10.

²² U.N. Doc. A/55/305-S/2000/809 (August 21, 2000), para. 11.

²³ U.N. Doc. A/55/305-S/2000/809 (August 21, 2000), para. 12.

Peacekeeping may include initial efforts to strengthen the rule of law that are supported by corrections. Normally, corrections personnel will also use this phase to conduct planning assessments for later peacebuilding activities.

Peacebuilding is a more recent term that “defines activities undertaken on the far side of conflict to reassemble the foundations of peace and provide the tools for building on those foundations something that is more than just the absence of war.”²⁴ The Brahimi Report’s description of peacebuilding encompasses the full spectrum of complex peace operations: disarmament; demobilization and reintegration of former combatants; rule-of-law strengthening; improvement in respect for human rights; provision of technical assistance to all facets of democratic development; and promotion of conflict resolution and reconciliation techniques. These are often complex nation-building tasks that require long-term financial and political commitments from the international community.

Ultimately, the legitimacy of any peace operation depends on its ability to create positive change in the lives of persons affected by violent conflict. Foremost in importance is the establishment of basic guarantees for human security. In keeping with this objective there has been an increase in the participation of civilian police and civilian staff in peace operations. The many faces of peacekeeping include civilian police officers, electoral experts and observers, deminers, human rights monitors, and specialists in civil affairs and communications. Their responsibilities range:

- from protecting and delivering humanitarian assistance to helping former opponents carry out complicated peace agreements;
- from assisting with the demobilization of former fighters and their return to normal life to supervising and conducting elections;
- from training civilian police to monitoring respect for human rights and investigating alleged violations; and
- establishing criminal justice systems, including prisons.

An increasing number of peacebuilding missions have a law-and-order component. The Brahimi Report notes that where required, “international judicial experts, penal experts and human rights specialists, as well as civilian police, must be available in sufficient numbers to strengthen rule of law institutions.”²⁵

Corrections and other justice partners are involved in peacebuilding within the framework of initiatives to promote good governance, which can be defined simply as “the traditions and institutions by which authority in a country is exercised for the common good”²⁶ In some cases, the international community provides technical support to the reform and strengthening of state institutions. In others, the peace operation provides direct government and acts accordingly, establishing courts, civil administration, managing the economy and so forth. A critical element of establishing good governance is the reform and strengthening of public security institutions. The security sector is generally understood to comprise those institutions of state mandated to ensure the safety of the state and its citizens against acts of violence and coercion. These include the armed forces, the civilian police, the coast guard, the judiciary, the courts, intelligence and corrections agencies and the civil authorities responsible for their oversight. Reform of the

²⁴ U.N. Doc. A/55/305-S/2000/809 (August 21, 2000), para. 13.

²⁵ U.N. Doc. A/55/305-S/2000/809 (August 21, 2000), para 39.

²⁶ The World Bank Group web site <http://www1.worldbank.org/publisector/>

security sector considers the measures necessary during post-conflict transition to ensure respect for democratic norms and the principles of good governance.

Reform and strengthening of public security institutions will emphasize the strengthening of local capacity, leading eventually to a successful departure of the UN mission. Corrections can play an essential role in re-establishing the basic conditions for human security as part of an overall rule of law strategy by:

- providing qualified personnel to manage and maintain prisons on an interim basis;
- providing technical assistance in support of prison reform efforts;
- supporting initiatives that establish or reform the legal and policy infrastructure of the overall criminal justice system; and
- training local prison staff.

Priorities for Corrections

A number of overarching priorities emerges for corrections professionals participating in a peace operation:

- The first is to work effectively with other criminal-justice partners to establish integrated law-and-order programs within the mission strategy. This requires intensive cooperation and coordination with other mission players.
- A second priority is the establishment and development of administrative and management systems based on the principles of good correctional practice.
- A third pertains to staff issues. Proper staff training is essential to a peace operation, as is assurance that staff satisfy basic professional and personal-profile criteria.
- The fourth priority is to ensure that education and training programs, as well as mission operations, be informed by widely accepted best practices and international guidelines.

ESTABLISHING A PEACE OPERATION

Establishment of a peace operation requires timely action, close coordination among many partners and appropriate and predictable provision of necessary human resources, sufficient logistical support and adequate financial resources. Action by UN Member States is crucial to success, as is the rapid development of options, the approval of plans and their implementation.

UN peace operations can be considered in four distinct phases, each with separate planning, operational and logistical support requirements. At times, the phases are not easily distinguishable. The situation, the evolution of the original conflict, and mission commencement will dictate the sequence of tasks and the chances for their achievement. Corrections professionals must recognize that the phases are conceptual and do not always reflect reality. Their usefulness lies in their ability to provide a framework for planning and management.

The four phases of a peace operation:

1. *Initial development or standby phase*—primarily a UN assessment phase.
2. *Pre-deployment phase*—the planning phase that follows a UN decision to take action.

3. *Operations and sustainment phase*—day-to-day operations related to bringing stability and sustainability to the mission area.
4. *Re-deployment and withdrawal phase*—the phase when the UN begins withdrawal from the mission area.

Although corrections professionals are not typically involved in the first phase of a UN peace operation, they should begin preparations for participation in the mission. They should develop a basic understanding of the UN and its role in peace operations, and the protocol for working with the UN. This is important since the early days of any mission tend to be complicated, fast moving and confusing.

At the beginning of a peace operation, numerous players become involved including the UN, the host country, donor countries, and many non-governmental organizations. The actual contributions from all players may be unclear at the beginning of a mission, however, the legitimacy of all partners must be recognized to facilitate the establishment of strong working relationships. Efforts in the early days of a mission have a significant impact on long-term success.

In establishing a peace operation, the UN Secretary General asks Member States to contribute troops, civilian police and other personnel, depending on the mission's requirements. Supplies, equipment, transportation and logistical support are also secured from Member States or private contractors.

The lead time required to deploy a mission varies, and depends primarily on the will of Member States to contribute. The timely availability of financial resources and strategic lift capacity also affect deployment time. Some missions with highly complex mandates or difficult logistics, or involving significant risks to peacekeepers may take months to assemble and deploy. During this process, intensive communications take place among Member States, the Secretariat of DPKO, and parties on the ground. The Security Council and countries contributing to the peace operation play a particularly important role. Regional organizations may also be involved. Consultation between all players begins at the planning stage of an operation and continues throughout the mission.

UN peace operation costs are shared by all Member States. The General Assembly accordingly apportions expenses based on a scale of assessments applicable to peacekeeping. In response to a request from the Secretary General, countries may volunteer personnel, equipment, supplies or other support for a peacekeeping mission. Countries providing these essential elements are reimbursed from the mission budget at agreed rates. The contribution of personnel to a peace operation is not obligatory, and a troop-contributing country retains the right to withdraw its personnel from an operation at any time. Military and civilian police personnel in peace operations remain members of their own national establishments but serve under the operational control of the UN. They wear their own national uniforms but, to identify themselves as peacekeepers, also wear blue berets or helmets and the UN insignia. In addition, many countries voluntarily make additional resources available to support UN peace operations on a non-reimbursable basis in the form of transportation, supplies, personnel and financial contributions—above and beyond their assessed share of peacekeeping costs.

CHAPTER REVIEW

UN Mandates for peace operations vary considerably.

UN peace operations are collaborative, multidimensional and complex enterprises that require enormous coordination and cooperation between all partners.

Corrections professionals planning to work in UN peace operations should become familiar with the UN in general, and with the nature of UN peace operations in particular.

Corrections professionals working in a peace operation should have a good understanding of how peace operations have evolved and how corrections fits in.

Knowledge of International Norms and Standards for Criminal Justice and International Humanitarian Law is important.

It is essential that clarity exist with respect to the actual laws to be enforced. Where no applicable law exists, corrections professionals must be guided by international norms and standards and work closely with their justice partners to resolve issues until such time as laws are established. Knowing one's responsibility in the administration of the law is critical.

CHAPTER V

THE PRE-DEPLOYMENT PHASE - PRE-REQUISITES FOR A SUCCESSFUL MISSION

Review of the Mission Mandate

Identify all Parties involved in the Mission

Gather Information of the Criminal-Justice System in the Region

Assess the Correctional System in the Mission Area

The Assessment Team

The Assessment

The Briefing Report

Assessment of Mission Readiness

This Chapter examines the planning phase of the corrections component in a UN peace operation. It provides material to support corrections professionals tasked with completing the initial assessment of a correctional system in a mission area.

CHAPTER V

THE PRE DEPLOYMENT PHASE - PRE-REQUISITES FOR A SUCCESSFUL MISSION

Once the UN decides to launch a peace operation, the mission's corrections team begins a period of intense planning. The following pages outline a step-by-step process for pre-deployment planning that corrections professionals may find useful. This approach includes the collection of key information that will be useful to those who will determine the extent of assistance that will be available and useful to those who will eventually work in the Mission. The recommended approach to planning includes an on-site assessment of the corrections situation in the mission area. Field experience suggests that first-hand knowledge of the local environment—economic, social, political and cultural—can enhance planning efforts and increase the chances for success. Following information gathering and on-site assessment, a written report will be prepared and submitted to guide corrections professionals in developing initial operations, tactical plans and longer-term strategic plans.

While the need for rapid deployment in some circumstances may limit the capacity for planning and analysis, a well constructed, comprehensive pre-deployment plan ensures the most effective use of financial, human and program resources during a mission.

PRE-DEPLOYMENT PLANNING

1. Review the mission mandate.

In any peace operation, the ultimate goal is for intervening forces and civilian teams to help the host nation achieve peace and the capacity to sustain and build upon it, and then withdraw as quickly as possible. Because the mandate of each mission is unique, it is important that all personnel be familiar with the overall goals of a particular peace operation. Of course, corrections professionals must be made aware of goals specific to the correctional and criminal-justice systems. They must also be familiar with their own mission specific role, responsibility and accountability.

2. Identify all parties involved in the mission.

Clearly determine which organizations are involved in the peace operation, and what their responsibilities are:

- a) United Nations?
- b) Host nation?
- c) Donor/contributing countries?
- d) Regional organizations?
- e) Non-governmental organizations?
- f) Other groups?

3. Gather information on the criminal-justice system in the region.

- General information about the law and legal system
- General information about the state of crime
- A general overview of the criminal justice system, including information on:
 - Policing

- The court system
- The correctional system
- The parole and/or probation system
- The rights of victims
- Community agencies involved in the criminal-justice system

4. Assess the correctional system in the mission area.

A visit to the mission area is recommended to assess:

- Current conditions in the area
- The current condition of the correctional system
- The short- and long-term needs of the correctional system
- The nature of preliminary work required in corrections

The Assessment Team

The assessment of the correctional system should be led by a corrections professional who will require expert advice in the following areas:

- Security
- Law
- Engineering
- Health services
- Personnel and training
- Logistics

In addition to leading the mission-area correctional system assessment, this corrections professional will be responsible for developing the briefing report.

The Assessment

The mission-area assessment should involve seven primary activities. Though it may not be possible to complete them all, it is important to collect as much information as possible.

1. Understand the local legal framework.

In some cases, the legal framework may have collapsed completely. It then becomes important to understand what formerly existed, and to determine what framework should exist during the peace operation.

2. Visit correctional facilities.

- Determine the composition and needs of the current inmate population, including gender and ethnic perspectives.
- Evaluate current physical/structural conditions.
- Determine the availability and suitability of medical and nutritional conditions.
- Determine the availability and stability of water, electricity and fuel supplies, and the adequacy of sanitation measures.
- Determine equipment requirements: What will be required in terms of vehicles, basic correctional security equipment, and special tools? Will they be available? From whom?

- Determine the availability, skill profile, and needs of current staff
- Determine the availability and adequacy of administrative functions (finance, human resources management, etc.)
- Determine existing operational practices and procedures
- Complete a risk and threat assessment
- Identify any coping mechanisms that have developed as a result of local conflict

Note: If assessment team members are unable to visit all local correctional facilities, they should endeavour to visit the most representative ones.

3. *Visit the communities surrounding correctional institutions.*

This is important to gain an early impression of:

- the availability and background of local citizens
- housing and living conditions
- community support of, or resistance to, corrections
- local economic conditions
- any coping mechanisms that have developed as a result of local conflict
- infrastructure, political or social challenges

4. *Assess the local living environment for international staff.*

- Living conditions— living space, reliability of utilities, security
- Cost of living, shopping options, leisure activities
- Communication, transportation
- Social and cultural realities

Note: It is important for international staff to know what to expect, and what to bring.

5. *Assess office conditions for the establishment of a headquarters.*

- Space availability, working conditions, equipment

6. *Establish working relationships with local UN personnel, the local government, and other major NGOs.*

Make preliminary visits to their offices. Determine who will be coordinating safety and evacuation measures should they be necessary. These contacts will be extremely important to the success and ease of operation in the early days of the mission.

7. *Visit with other criminal-justice partners including the police and the judiciary.*

Spend as much time as possible establishing good working relationships. Identify the basic operational profile of the security sector and resolve any issues of overlap or competition. It is vitally important that each criminal justice partner clearly know its role and relationship to the other partners.

The Briefing Report

The briefing report, coordinated by the corrections professional responsible for assessing the correctional system, should address the findings from the pre-deployment information gathering phase. The report should be factual and focus on the current situation in the mission area; on the immediate needs of the correctional system; and on the type and range of assistance that could be provided, with an estimate of the time required to deliver it.

As the briefing report will be used to assist corrections professionals developing the initial operation, tactical plans, and longer-term strategic plans, it should include the following elements:

- UN Mandate and UN structure in the mission area
- Current foreign involvement
- Governance and legal issues
- Current criminal-justice infrastructure
- Demographics of the population
- Current local infrastructure (water, electricity, communications)
- Current condition of existing correctional facilities
- Size and profile of prison population
- Profile of local correctional staff including strengths and training requirements
- Existing correctional equipment
- A preliminary assessment of the host nation's capacity to manage and operate a correctional system
- Identification of potential funding sources including interested donor countries, private sector organizations and NGOs
- Current involvement of the host nation in corrections operations
- Identification of the correctional system's immediate needs—infrastructure, equipment, personnel, logistics involved
- A preliminary budget to meet these immediate requirements
- A contact list of those who contributed information to the pre-deployment assessment who may be of assistance following deployment

In finalizing the briefing report, it is important to distinguish between temporary and permanent sources of assistance and support. For example, national organizations such as the military may be very willing to assist in the short term, but may be unable to make a long-term commitment. An analysis of the availability of continuous support from UN, other countries, NGOs and other agencies is essential. It is also critical to determine what status corrections will have within the UN mission. For example, if corrections has not been included within the UN Security Council Mandate for the specific mission, it will be very difficult to receive any formal status and funding from the UN.

Once complete, the briefing report should be made broadly available, when possible, to all those who will work in the mission area.

5. Assessment of mission readiness

Annex B contains a detailed checklist to help ensure that all critical areas of pre-deployment planning have been addressed.

A NOTE ABOUT COOPERATION

All UN peace operations are collaborative, multidimensional, and complex enterprises that require tremendous coordination and cooperation between all players toward the achievement of a common goal. It is imperative that personnel at all levels coordinate their work and nurture cooperative working relationships among the many UN components and with all non-governmental organizations operating in the mission area.

CHAPTER REVIEW

The pre-deployment phase is a period of intense planning and assessment.

The work that can be accomplished in advance of actual deployment to the mission area is critical to ultimate success.

The recommended approach to planning includes an on-site assessment of the corrections environment in the mission area.

The corrections professional must understand the overall mandate of the peace operation, and the goals specific to corrections and the criminal-justice system.

All personnel at all levels must coordinate their work and nurture cooperative working relationships.

CHAPTER VI

THE OPERATIONS PHASE: FROM CRISIS TO STABILIZATION TO SUSTAINABLE IMPROVEMENT

Considerations for Corrections Professionals

Standard Operating Procedures

Sound Management Principles

Involvement of Criminal Justice Partners

Setting Priorities

Pre-Trial Detainees

Female Prisoners

Juveniles in Detention

Standard Operating Procedures for Prisons

Accountability

This Chapter addresses the operational phase to the withdrawal phase and outlines the tasks associated with each. Dependent on the nature of the situation and the mandate of the mission, it provides a menu to help corrections professionals quickly access the information that will assist them.

CHAPTER VI

THE OPERATIONS PHASE: FROM CRISIS TO STABILIZATION TO SUSTAINABLE IMPROVEMENT

CONSIDERATIONS FOR CORRECTIONS PROFESSIONALS

The operations phase of a peace mission begins with the deployment of corrections personnel to the mission area and ends with the withdrawal of external assistance. In this phase, corrections personnel actively pursue the mandate of their particular mission, as defined by the UN. Throughout the operations phase, it is important that corrections personnel:

- Know and respect local laws, customs and practices, recognizing that these may necessitate certain adjustments to traditionally accepted operating procedures.
- Accept that their presence in the mission area is temporary and provisional—that they are invited guests in the homeland of others.
- Know the UN mandate for the mission, and the scope, authority and limits of UN involvement.
- Understand the UN principles of peace operations.²⁷
- Be aware of the accountability structure governing their actions and of the risks for personal liability.
- Recognize that local capacity-building—the development of skills and knowledge within the local community and of its capacity to manage the correctional system over the long term—is critical to mission success.
- Know the international norms and standards relevant to the mission mandate and incorporate these sources of authority into all standard operating procedures.

STANDARD OPERATING PROCEDURES

Missions and their mandates vary widely. While one may focus on the training of corrections personnel, another more complex mission may require the complete reestablishment and management of a correctional system. The local environment, as determined by the pre-deployment assessment, will also differ mission to mission as will initial mission priorities. Whatever the mandate set for corrections and whatever the local circumstances, the professional judgement, leadership and management skills of the mission's correctional experts will be critical in determining a plan of action for the short, medium and long terms.

This chapter presents a number of standard operating procedures (SOPs), organized as a checklist, to guide corrections activities, as well as operational and management training. The SOPs are essentially a basic code of behaviour for people working in corrections and they are recognized as fundamental to good corrections. The SOPs cover operating practices which should be common knowledge to most corrections professionals. The procedures reflect the reality that, in crisis situations, satisfactory living conditions must be secured before correctional-system improvement can begin.

Following each SOP, italicized notations from correctional experts who have worked in a UN mission are provided. These passages identify challenges encountered in the field, and solutions

²⁷ Chapter II provides the UN Principles for Peace Operations.

that have been successfully implemented. As new lessons are learned, new notations will be added.

SOUND MANAGEMENT PRINCIPLES

In executing the standard operating procedures, corrections professionals must always keep in mind sound principles of public-sector management, as outlined in Chapter III. This includes:

- ensuring that policies and procedures are compatible and reflective of the purpose, values and principles established for the correctional organization;
- ensuring that the operating procedures reflect the legislation and regulations that are or will be in place;
- developing human resource management to ensure proper recruitment, training and development of the local population;
- putting in place mechanisms to establish high-quality communications with officials, the local public, correctional staff and prisoners;
- implementing an effective, legitimate system of redress for both staff and inmates;
- establishing appropriate accountability systems, openness to public involvement, and media access.

INVOLVEMENT OF CRIMINAL JUSTICE PARTNERS

Corrections professionals deployed to a UN operation are typically highly competent officers or managers, able to access various national or international manuals as benchmark references for the development and implementation of correctional systems. When developing correctional legislation, corrections personnel should work in consultation with local Justice Department officers and the UN Legal Officer based in the mission. Throughout any peace operation, the involvement of local and international police, judiciary and corrections is vital. In the absence of existing legislation to work from, corrections professionals should refer to the *UN Minimum Standards for the Treatment of Prisoners (SMRs)*.

The SMRs represent important early goals for the management of the corrections operation. In a peace operation, these standards can and should be exceeded. The SMRs and other applicable international instruments are included in Annex A.

SETTING PRIORITIES

In post-conflict situations, there are likely to be a number of immediate priorities that must be addressed. Typically, some assurance that the following have been addressed will need to be provided prior to looking at prior to diverting attention to other operating procedures.

1. *Securing basic living needs.* Is there adequate water or electricity; has a source of food supplies been secured; are the prison facilities physically capable of receiving inmates; are temporary facilities required?
2. *Assessing security and safety.* What immediate measures are required to ensure prisoners can be securely and safely contained? Are there outside threats and can these be addressed?
3. *Determining the legal status of prisoners under the applicable law.* Are records for each prisoner available to confirm their legal status? This information may reside with:

- the military authorities who will have been peacekeeping and possibly detaining prisoners prior to the arrival of the corrections team;
 - the UN civilian police; or
 - as the UN mission becomes established, the UN office responsible for judicial affairs.
4. *Identifying processes for the receipt of prisoners and the introduction of an initial daily custodial regime.*
 5. *Establishing procedures for the management of pre-trial detainees, female prisoners and juvenile prisoners.* Some specific advice in terms of international standards and principles follow.
 6. *Confirming procedures for the management of emergencies, especially medical emergencies, prison disturbances and prisoner protests.*

NOTATIONS

Experience to date strongly suggests that early attention to local dietary requirements, prisoner communications and family visits can greatly reduce tension in the beginning stages of a mission, both among prisoners and between the prison and the community.

PRE-TRIAL DETAINEES

Pre-trial detainees are individuals who have been formally charged with or accused of an offence, but who have yet to be tried by a court, and who have not received bail. This type of detention is also referred to as *remand*. A number of international principles have been established for pre-trial detention. Prison management should aspire to satisfy the conditions prescribed by these principles as quickly as the circumstances of the mission permit *and to the extent that these provisions are consistent with local culture and religious practice*.

Accused persons shall, save in exceptional circumstances, be segregated from convicted persons and shall be subject to separate treatment.

All arrested or detained persons shall have access to a lawyer or other legal representative and adequate opportunity to communicate with that representative.

Accused juvenile persons shall be separated from adults and brought for trial as speedily as possible.

Untried prisoners shall sleep singly in separate rooms, with the reservation of different local custom.

Untried prisoners may, if they so desire, have their food procured at their own expense from the outside.

Untried prisoners shall be allowed to wear their own clothing if it is clean and suitable.

If an untried prisoner wears prison clothing, it shall be different from that supplied to convicted prisoners.

Untried prisoners shall always be offered the opportunity to work, but shall not be required to work.

Untried prisoners shall generally be allowed to procure at their own expense books, newspapers and writing materials.

Untried prisoners shall generally be allowed visits from their own doctor or dentist.

A pre-trial prisoner shall have the right to appeal to a judicial or other independent authority against his or her detention.

Facilities to enable unconvicted prisoners to be visited and interviewed by their legal representatives must be provided. These must be outside the hearing of prison staff, but within sight.

Prison staff must not in any way interfere with or in any way obstruct communications between prisoners and their legal representatives or prisoners and the Courts.

NOTATIONS

In cases where there has been a complete breakdown in civil administration, the majority or all of the prisoners will be unconvicted and a pragmatic approach must be taken to address issues such as the provision of clothing. A prison budget may not be available and sources such as families, non-governmental organizations (NGOs) and other agencies should be used while a budget for the correctional system is established.

Separation of prisoners based on legal status may not be the most appropriate management strategy in the early stages of a mission. Similarly, the separation of adults and juveniles may be possible only by cell rather than separate housing units until destroyed facilities can be refurbished or alternative accommodations built.

Medical services may be limited to those provided by peacekeeping forces.

Security concerns may prevent prisoners from procuring their own food from outside sources.

In some situations, though the climate and facilities may permit, it will be culturally inappropriate to enforce single rooms.

FEMALE PRISONERS

While all international norms and standards pertaining to the treatment of prisoners also apply to female prisoners, a number of additional international principles have been established for imprisoned females. They include:

Female prisoners shall not suffer discrimination and shall be protected from all forms of violence or exploitation.

Female prisoners shall be detained separately from male prisoners.

Female prisoners shall be supervised and searched by female officers and staff.

Pregnant women and nursing mothers who are in prison shall be provided with the special facilities needed for their condition.

Whenever practical, women prisoners should be taken to outside hospitals to give birth.

NOTATIONS

As soon as the site(s) for holding women prisoners are identified—or sooner if resources permit—a specialist in female prison management should be added to the corrections management team, and training should be provided to the local staff on the special needs of women, with particular emphasis on cultural sensitivity.

JUVENILES IN DETENTION

While all international norms and standards pertaining to the treatment of prisoners also apply to juveniles, a number of additional international principles have been established for imprisoned children and juveniles:

Children are to benefit from all the human rights guarantees available to adults.

Children who are detained shall be separated from adult prisoners.

Children who are detained shall be treated in a manner that promotes their sense of dignity and worth, facilitates their reintegration into society, reflects the best interests of the child and takes their needs into account.

Children shall not be subjected to corporal punishment, capital punishment or life imprisonment without chance of release.

Special efforts shall be made to allow detained children to receive visits and correspondence from family members.

The privacy of a detained child shall be respected, and complete and secure records are to be maintained and kept confidential.

Juveniles of compulsory school age have the right to education and to vocational training.

Weapons shall not be carried in institutions that hold juveniles.

Parents are to be notified of the admission, transfer, release, sickness, injury or death of a juvenile.

NOTATIONS

It is recommended that educational and psychological experts design the regime for juvenile prisoners, with psychiatric input where necessary. The involvement of correctional experts should be limited to determining the best, most secure institutional practice. If possible, an expert in juvenile correctional management should be recruited to the team.

Since many detained juveniles have been separated from their families, efforts should be made to locate their relatives through UN Human Rights Units and local churches. It is also recommended that family contact with legal representatives be encouraged, with the aim of establishing non-custodial arrangements for the juveniles as soon as possible.

NGOs should be encouraged to provide programs and linkages with the community. This is useful for the juveniles and also helps to establish a model of community involvement within the prison system that is not dependent on a limited prison budget.

STANDARD OPERATING PROCEDURES FOR PRISONS

Standard operating procedures (SOPs) for prisons must respect international norms and practices. They are critical to the delivery of good corrections and a key characteristic of a well managed correctional system. SOPs must be standardized across the organization and must be regularly reviewed to ensure that basic work methods and elementary behaviours are continuously improving. SOPs provide a means to assess a correctional system, a way to measure improvement and progress, and a basic framework for the accountability of the correctional system.

Some Key Considerations

To establish appropriate, viable SOPs in a mission, corrections professionals must:

- Determine the pressing local priorities that must be addressed first, as well as cultural sensitivities that must be respected.
- Bear in mind that, while the review of SOPs over time is important, the long-term stability of these practices is also critical, given the potential inexperience of local staff with the newly established correctional system and the regular turnover of international mission staff.
- Take care to establish procedures that are achievable and are culturally appropriate.
- Consider the level of resources available to the corrections operation post-mission.
- Establish standards that can be supported when the mission ends.

Sample SOPs

SOPs are required in the following areas: operations (routines, regimes and security); administration (personnel, finance, policy and planning, communications); rehabilitation (work, training and education); and health and safety.

The following sample SOPs are recognized as fundamental to most correctional systems throughout the world. They are organized chronologically from prisoner incarceration to sentence completion. Depending on the situation, what is considered a priority will be based upon the professional judgement of the correctional experts. The following can be viewed as a menu for improvement. These SOPs are examples only and depending on the culture and situation at the time, adjustments may be required.

1. Sentence Management

A sound sentence management process will ensure that prisoners sentenced, committed or transferred to a prison are legally incarcerated in accordance with the directions of the Court and all other legal requirements.

Reception procedures shall ensure that basic personal data concerning each prisoner is obtained.

Every prisoner shall be provided with a copy of his or her sentence calculation and/or court decision.

Every prisoner will be notified that he/she shall have access to, and adequate opportunity to communicate with his/her legal adviser.

Existing historical records need to be thoroughly checked so all past prisoners can be accounted for. Any indication that a prisoner is unaccounted for should be investigated.

All prisoners should be committed against valid legal documentation (a warrant).

NOTATIONS

The issue of receiving and committing prisoners, particularly pre-trial detainees, against a legal document (i.e., a warrant) may be a real challenge in some situations where the court administration has yet to be re-established and, as a result, warrants have expired. The prison manager is then faced with the dilemma of either releasing the prisoner in the absence of an extension of the warrant or detaining the prisoner illegally. Corrections should work closely with court administrators to resolve this problem.

The court should be provided with regular lists of pre-trial detainees detained on an expired warrant to assist with compilation of court listings.

2. Accommodation, Reception and Orientation of Prisoners

Accommodation for prisoners shall be humane, providing adequate space, light, heating and/or ventilation. Provision should be consistent with the applicable law and will need to take into account prevailing community living standards.

Each prisoner shall be provided with clean laundered clothing and necessities.

A reception process should be established. In the early stages, this should focus on identifying security threats, safety issues, health needs and risk of self-harm. As resources permit, and with regard to the long-term sustainability of practices introduced, further development of the system could include:

- assessment of program needs, which may involve psychological, psychiatric, vocational and educational assessments;
- counseling related to adaptation to the prison environment, spiritual counseling, educational and vocational counseling;
- provision of information about the prison system including:
 - Program opportunities
 - Privileges and responsibilities
 - Rules and regulations governing the conduct of prisoners
 - Policy and procedures on temporary absences, work programs and parole
 - The prisoner complaint and grievance process
 - Access to information procedures

To the extent possible, placement decisions should take into consideration the following factors:

- The safety of the public, the prisoner and other persons in the prison;
- The security classification of the prison;
- The security classification of the prisoner;
- Compatibility with other prisoners;
- Accessibility to the prisoner's home community;
- The cultural and linguistic environment best suited to the prisoner;
- The family and community relationships of the prisoner;
- The availability of appropriate programs and services to meet the prisoner's needs;
- The prisoner's willingness to participate in programs.

NOTATIONS

The standard of accommodation in a prison must obviously aim to meet UN standards, with the caveat that compliance should be sensitive to the general living conditions of the local population.

Where prisoners are housed in buildings, accommodation should be selected with the requirements of basic hygiene in mind. Where the establishment of camps is necessary, military experts in the preparation and positioning of latrines should be involved. Latrines can be provided at low cost, using the most rudimentary materials, and, while not attractive, meet all the requirements of health and hygiene, provided simple rules are followed.

A system that ensures regular supply of hygiene items such as soap, toothpaste, cleaning agents and combs must be established and may be supported by families or donations from NGOs.

While prisoners of some cultures prefer to share accommodations, prisoners of other cultures do not. In the interests of good order, it is advisable to respect cultural preferences. However, the availability of accommodations may force an unpopular course of action. Where it is necessary to use dormitory accommodations, particular care must be taken to ensure that opponents in the conflict that has led to UN intervention are not required to share space.

In the event that no specialists beyond a medical officer are available to support the management of prisoners, local and international staff must be trained, at least to a very basic level, in the management of psychiatric prisoners and those suffering Post-traumatic Stress Disorder. Keep in mind also that many local staff may be traumatized from tragedies in the recent conflict.

International staff will need to rely on the advice of local staff with regards to the compatibility of detainees.

Though interpreters are usually available, in cases where international staff does not speak the local language, they must be highly visible in their duties to gain credibility with other staff and with prisoners.

International and local monitoring agencies should be encouraged to visit the prisons regularly and should be given broad access to interview prisoners, thereby providing an independent grievance mechanism, if none exists.

3. Food

All prisoners shall be provided with wholesome and adequate food at the usual hours and with drinking water whenever needed.

NOTATIONS

The availability of a kitchen, and the ability to provide the raw materials to be cooked or otherwise prepared can one of the most serious logistical challenges. It is preferable to establish a self-catering system rather than rely on the delivery of pre-cooked meals to the prison, although the latter may be more realistic in the early stages of a mission.

Individual correctional facilities will need cash with which to buy food locally. As a result, there must be some system for maintaining financial probity. Where foodstuffs are not available in sufficient quantities locally, they will need to be brought in. An important caveat here is that there will be a tendency in these circumstances to use some type of high-energy food pack such as military field rations. While this solution may be acceptable in the short term, i.e. a few days, it provides insufficient food variety over the longer term. Military food packs may also be incompatible with local dietary preferences.

UN mission staff must work through UN procurement procedures when sourcing contractors to provide rations and ensure that all auditable requirements are met. In the absence of established procedures, procedures that mirror standard UN procurement procedures should be adopted in the short term to reduce the potential for corruption.

Once the basic necessities are provided, thought must be given to meeting dietary needs related to medical conditions, religious practice, or matters of conscience. Failure to address these issues at an early stage can lead to problems of prisoner control.

4. Health Services

It is important to have in place procedures to ensure that prisoners have access to essential medical, dental and mental health services in keeping with generally accepted community practices.

Prisoners shall have access to screening, referral and treatment services. Essential services shall include:

- *emergency health care*—when delay of service will endanger the life of the inmate;
- *urgent health care*—when a prisoner’s medical condition is likely to deteriorate and become an emergency or likely to affect the prisoner’s ability to carry out the activities of daily living;
- *mental health care*—provided in response to disturbances of thought, mood, perception, orientation or memory that significantly impair judgment, behaviour, and the capacity to recognize reality or the ability to meet the ordinary demands of life. This includes the provision of both acute and long-term mental health care services.

Prisoners shall have reasonable access to other health services for conditions not outlined which may be provided in keeping with community practice. The provision of these services will be subject to considerations such as the length of time prior to release and operational requirements.

NOTATIONS

It may be difficult to access local medical practitioners and therefore easier to rely on military medics or other organizations, such as Medecins sans frontières (MSF). In this case, a written agreement detailing the extent of required services should be developed. This written agreement does not have to be formal, but should document the practical arrangements that have been agreed to. This will reduce confusion at later stages, particularly given the rotating nature of various parties in the prison and in other agencies.

5. Drugs and Medical Supplies

It is important to have in place procedures to ensure the safe and legal management, storage, recording, dispensing and administration of pharmaceutical and medical supplies.

The storage and dispensing of drugs shall be in accordance with accepted pharmacy practice. The management and control of drugs and medical supplies inventory shall be in accordance with generally accepted management practices.

NOTATIONS

Daily supervision and accountability of all pharmaceuticals may be necessary, especially as these can be high-value items.

6. Health Care Records

It is important to have in place procedures to facilitate the provision of effective medical and health services to prisoners by keeping consistent health care records.

A prison health care record should be created when a prisoner is admitted to prison.

Every significant interaction between a prisoner and any member of the health services team shall be noted on the prisoner's health care record, including a summary of the nature of the interaction, the time of the interaction and a description of the action taken by health services staff.

NOTATIONS

Since health care records are not made available to prison staff, it is useful to note medical developments in the prison register for new staff coming on shift. This helps custodial staff to monitor a prisoner's health and alert medical staff to any deterioration.

7. Deaths in Custody

It is essential to have in place proper procedures to respond to and investigate the death of any prisoner in custody. Specific provisions will need to reflect the applicable law.

NOTATIONS

A protocol for the proper forensic procedures to facilitate the investigation of deaths in custody should be established immediately. A policy on who should conduct investigations

should be set. An individual independent from the establishment in which the death occurred should undertake the investigations.

When no forensic pathologist is available in the country, an autopsy is delayed. This creates tension with the family of the deceased prisoner and within the prison itself. Close liaison with the family and all authorities (police, courts and medical professionals) is extremely important in these circumstances. Further, religious issues may need to be taken into account.

The general public and the prison population may be very sensitive to the death of any prisoner in custody, whether by suicide, accident, murder or natural causes. Ensuring the establishment of effective links with the UN Media Unit and reporting the basic details of the death to the unit in a timely fashion may reduce the risk of misinformation and suspicion in the community, particularly in environments in which prison deaths have traditionally been suspicious.

8. Security Classification of Prisons

A proper approach to the security classification of prisons is intended to help the correctional service create environments in which:

- The development and/or maintenance of responsible behaviour by prisoners is fostered while control and supervision strategies are imposed to the extent necessary;
- Constructive interaction between staff and prisoners is fostered to the extent that the environment remains safe for staff, prisoners, and the public;
- Programs and activities designed to meet the needs of the prisoner population can be delivered; and
- Community resources are utilized to the extent possible.

While prisons are typically classified as maximum-, medium- or minimum-security, such classifications may be irrelevant in the mission setting. Whatever the security levels, prisoners are expected to abide by the established rules and regulations of the prison and to respect the rights of others such that their behaviour does not impact negatively upon the security and liberty of others.

NOTATIONS

Because it is likely that a regime meeting UN standards will open up security weaknesses not present in the former regime, security risk assessments must be completed at the most basic level. Any prisoner escape is likely to garner intense political interest; therefore, it is unwise not to make this consideration.

The local conflict may have brought with it security considerations that previous assessments had, understandably, not taken into account; for example, prisoners will likely be incarcerated for more serious crimes.

Determination of whether correctional facilities need armed protection against intervention from outside the prisons must be made—regardless of whether weapons are considered a requirement for the secure retention of prisoners in the UN countries from which corrections professionals originate.

9. Transfer of Prisoners

A proper approach to the transfer of prisoners will help the correctional service manage the prison population, ensuring the fulfillment of their individual security and program needs and protection of their rights.

Procedures must ensure that transfers are carried out in a fair, efficient and secure manner that meets the requirements of both the prisoner and the prisons involved while protecting prisoner rights.

Correctional facilities must strictly adhere to the principles of fundamental justice and the 'duty to act fairly'. This will ensure prisoners have the opportunity to respond to the notice of transfer in an informed manner.

10. Prisoner Escorts

A proper approach to escorting prisoners outside of the prison will ensure their safe and secure escort.

It is important to bear in mind that all prisoners under escort present a potential escape risk. Therefore, security measures shall take into account the potential escape risk posed by each prisoner, as well as the security classification of each prisoner, and shall be sufficient to ensure safe and secure custody.

NOTATIONS

In the absence of sufficient experienced local staff, it may be useful or necessary to engage UN civilian police officers (Civ-Pol) to provide both gate management and escort services at the start of a mission. In this case, any agreement to provide Civ-Pol with vehicles and security, computers and other equipment must be formally signed by both parties. When Civ-Pol is engaged to the prisons in the initial stages of a mission, it is advantageous to retain some of these officers as the mission progresses. In these cases, the prison manager should direct Civ-Pol officers, but Civ-Pol Command retains responsibility for personnel and finance issues.

11. Control of Movement of Prisoners

A proper approach to controlling the movement of prisoners individually and in groups will help the correctional service maintain a safe and secure environment in its prisons.

Each prison shall have a system in effect to control the movement of prisoners. This system shall meet the distinct security requirements of the prison.

12. Counting of Prisoners

A proper system for verifying the presence and well being of prisoners will help the correctional service exercise safe, secure and humane control.

Each prison shall have a system for counting prisoners. Staff members in charge of prisoners shall be able to account for those prisoners at all times.

Each prison shall make provision for formal counts, which require the counting of each prisoner individually. An official record of these counts shall be maintained.

NOTATIONS

Prisoner counts provide an opportunity to determine each prisoner's state of health. All counts should confirm that all prisoners, other than those who are accommodated in a medical facility, are ambulant. This is particularly important when international staff does not speak the local language and local staff may not have the necessary regard for prisoners' health.

13. Searches and Seizure of Contraband

A proper approach to search and seizure will help the correctional service maintain a safe and secure environment, prevent the infiltration and/or circulation of unauthorized items or contraband, and provide a means for controlling the circulation of unauthorized items or contraband.

The head of the prison shall develop and maintain a search program for the search of persons, articles, vehicles, and internal and external areas of the prison in order to detect contraband.

Searches shall always be conducted with due regard for privacy and for the dignity of the individual being searched.

During routine cell searches, staff shall pay attention to canteen and other personal items not normally on the prisoner's effects list. If a prisoner has items in his or her cell that were not purchased legitimately, or are in excess of prescribed limits, these shall constitute unauthorized items and the prisoner shall be charged with a disciplinary offence.

In instances where a staff member believes on reasonable grounds that contraband or evidence of an offence is located inside a cell, the staff member may, with the authorization from a supervisor, search the cell and its contents but should not do so alone.

Where a staff member believes on reasonable grounds that the delay to obtain prior authorization would result in danger to life or safety, the cell may be searched without prior authorization.

A notice shall be publicly displayed at the entrance to the prison and at the visitor control point stating that all persons, articles and vehicles may be subject to search.

Visitors may be required to submit to a routine non-intrusive search of their person and/or possessions before being allowed to enter or leave a prison.

A visitor may be detained if a staff member believes on reasonable grounds that the visitor is carrying contraband or other evidence relating to an offence, under the applicable legislation. Upon detention, the visitor shall be informed of the reasons and be given a reasonable opportunity to retain and instruct legal counsel without delay. The police should be involved as early as possible.

14. Searches of Staff Members

A staff member may be required to submit to a routine non-intrusive search, including search through personal possessions he or she may be carrying, before being allowed to enter or leave the prison.

15. Dynamic Security

No other factor plays as significant a role in providing a safe and secure prison environment as dynamic security. Dynamic security refers to security based on current and

comprehensive knowledge of the prison population and an understanding of interaction patterns among prisoners and between prisoners and prison staff.

Dynamic security is dependent to a significant degree on the relationships that exist between staff members and prisoners. Every interaction that occurs affects the overall culture of the organization and has the potential to enhance or compromise prison culture.

A prison's security level and culture largely determine the frequency and nature of staff-prisoner interaction; laws and policies alone will not create an environment that fosters staff and prisoner interaction. Dynamic security is well recognized as an important factor in maintaining a safe environment and in enhancing relationships that contribute to the eventual safe reintegration of prisoners into society.

One of the keys to achieving excellence in dynamic security and stabilizing prison culture is strong leadership. Mature and experienced corrections professionals must continually monitor the correctional environment and offer appropriate advice to staff and other officials on all issues that impact the development of positive prison culture.

NOTATIONS

In the context of a peace operation, the inexperience and rotation of staff may make effective dynamic security difficult to achieve. However, establishing appropriate professional relationships between prisoners and staff is a key element of the security package.

16. Control of Items Critical to the Security and Safety of Prisons

Procedures shall be established to meet the distinct security requirements of the prison by establishing mechanisms to account for keys, tools, dangerous substances and communications equipment. The accounting mechanism for each shall be determined based on the potential threat posed by the loss of the article and the security classification of the prison.

17. Discipline of Prisoners

It is important to have in place a fair and equitable disciplinary system that encourages prisoners to conduct themselves in a manner which: promotes good order within the prison; fosters a positive correctional environment; and contributes to prisoners' rehabilitation by allowing them to demonstrate their efforts to become law-abiding citizens. Subject to the applicable law and penal code, no prisoner shall be punished before being informed of the alleged offence and before being given the opportunity to present a proper defence. All disciplinary offences and punishments must be specified by law or by published legal regulations. Someone not directly involved in the incident in questions should make decisions. All cruel, inhumane or degrading punishments are prohibited, including corporal punishment or placement of the inmate in a dark cell.

The discipline of prisoners shall:

- be first and foremost corrective;
- establish behavioural expectations for the prisoner;
- promote responsibility and accountability;
- promote informal resolution of prisoner behavioural problems whenever possible;
- apply sanctions proportionate to the seriousness of offences;

- be progressive in the degree of action taken—for example, a prisoner committing a first offence will be considered differently than a prisoner who repeatedly offends;
- be timely;
- be consistent in application; and
- take into consideration the prisoner’s state of health and health care needs in all decisions relating to discipline.

NOTATIONS

A disciplinary procedure must be codified centrally for the good order of prisons, and proper use of authority by staff must be assured.

18. Violations of the Law by Prisoners

It is important to have in place procedures to ensure due process of the law when prisoners have committed or are suspected of having committed criminal offences.

The police shall normally carry out investigation into any criminal offence committed within the prison.

Upon arrest, the prisoner shall be informed immediately of the reasons for the arrest.

19. Administrative Segregation

Administrative segregation is the separation, for specific cause, of certain prisoners from the general prison population. Prisoners may be segregated involuntarily or voluntarily. Segregation is not synonymous with isolation, though on occasion complete isolation from other prisoners may be required.

It is important to have in place proper procedures to ensure that:

- Prisoners who must be separated from other prisoners for a limited time are segregated in a safe and humane fashion, subject to the least restraint necessary. It is also important that they be segregated in accordance with a fair and reasonable decision-making process; and that they be returned to the general prison population—in the same prison or another correctional facility—at the earliest appropriate time.
- Opportunities are available for segregated prisoners to participate in programs to the extent possible in a segregation area.

The head of the prison may order that a prisoner be confined in administrative segregation if the head of the prison believes on reasonable grounds that:

- the prisoner has acted, has attempted to act or intends to act in a manner that jeopardizes the security of the prison or the safety of an individual, and that his or her continued presence in the general prison population would jeopardize the security of the prison or the safety of any person;
- the continued presence of the prisoner in the general prison population would interfere with the investigation of a criminal or serious disciplinary offence;
- the prisoner would be in danger in the general prison population and the prisoner does not request segregation.

When a prisoner requests placement in administrative segregation for his or her own protection, the head of the prison, or his or her delegate, shall consider the request and ensure that:

- all possible information is collected pertaining to the request;
- options other than placement in administrative segregation are explored and utilized if possible;
- any identified aggressors associated with the request for protection are confronted and, if necessary, removed from the general prison population;
- reasonable safety measures are provided for the prisoner while maintaining the greatest possible level of association under the circumstances;
- early resolution of the situation is attempted;
- the prisoner, if placed in administrative segregation, is returned to the general prison population as soon as is safely possible.

Prisoners in administrative segregation shall be accorded the same rights, privileges and conditions of confinement as those prisoners in the general inmate population except for those privileges that:

- can only be enjoyed in association with other prisoners; or
- cannot reasonably be given owing to limitations specific to the administrative segregation area or security requirements.

Prisoners may also be subject to non-voluntary segregation for a set period as punishment following hearing of a formal internal disciplinary charge. This is sometimes referred to as 'disciplinary segregation'.

20. Management of Emergencies

It is important to have in place proper procedures to ensure that prison management is prepared to deal effectively with internal and external emergencies in order to protect the safety and security of the public, staff and prisoners.

All emergency-planning activities must be designed to ensure that, in the event of an emergency:

- the interests and well being of staff are safeguarded;
- public and private property and members of the public at large are protected;
- prisoners are treated in a safe, secure and humane fashion; and
- the operational unit is returned to normal operations at the earliest time possible.

All prisons shall develop contingency plans to deal with all types of internal and external emergencies.

All prison staff shall receive the training necessary to enable them to respond appropriately during an emergency.

In responding to any emergency situation, the specific goals of management should be to:

- isolate and contain the emergency as quickly as possible;
- restore order as soon as possible;
- ensure personal safety;
- resolve the incident with minimal use of force;
- prevent escapes; and

- minimize damage to property.

NOTATIONS

It is particularly important to develop the emergency procedures in conjunction with Civ-Pol and local police and military, ensuring that all parties are clear on the implementation of these procedures, particularly on command structure and division of responsibilities. These procedures must be reviewed regularly.

21. Use of Force

To ensure the protection of the public, it is important to have in place proper procedures to control prisoners with minimum use of force when circumstances warrant.

In prisons operating under UN mandate, the use of force may be limited to the physical constraint of inmates by means of physical handling, restraint equipment, batons, water hoses and patrol dogs. In other jurisdictions, the use of authorized chemical agents, spray irritants and firearms may also be permitted.

In no circumstances shall a staff member use or apply an instrument of restraint to a prisoner as a means of punishment.

The United Nations has clear policies governing the use of force and the use of firearms by UN law enforcement officials entitled *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*. Corrections professionals should use this policy for guidance in formulating policies for the use of force and the use of firearms in a correctional setting. The full policy can be found in Annex A.

NOTATIONS

Protocols between judges, doctors and prison administrators related to the use of restraints during medical and judicial procedures must be set up centrally, probably within the UN office responsible for judicial affairs or by the authority to which the head of the correctional system reports. These protocols should then be incorporated into correctional SOPs.

22. Reporting and Recording Security Information

It is important to have in place proper procedures to facilitate decision-making in matters relating to the safety and security of staff, prisoners and the public. Such procedures must ensure that security information be reported to operational-unit staff in a timely manner as well as to management at various administrative levels, and that it be recorded.

Because it is essential that information be passed from one shift to another, all staff shall be responsible for reporting and recording this information by:

- taking part in pre-shift briefings as required by the prison;
- recording observations and incidents in log books.

It is important to have in place proper procedures to ensure that security information is collected, filed and controlled so as to minimize the possibility of compromise and to ensure compliance with the requirements of applicable statutes.

NOTATIONS

Fear is one of the most eroding influences leading to poor control in prisons. Intelligence systems need to be established to identify prisoners who wish to establish illicit power over

other inmates. Indications might take the form of physical bullying, financial manipulation by illicit trading, or coercion outside the walls. A protocol for dealing with such perpetrators must be established and articulated.

23. Recording, Maintenance and Disposal of Firearms

The use of firearms may be prohibited to corrections personnel operating within a given mandate. If firearms are part of the static security of the correctional system, it is important to have in place proper procedures to ensure the protection of staff, the public and prisoners through the effective and efficient control of firearms.

24. Case Management of Prisoners

It is important to have in place procedures that help prisoners become law-abiding citizens by recognizing them as individuals and actively encouraging them to deal with or solve the personal and social problems that led to their criminal behaviour, and to make the fullest use of their positive potential.

The case management process shall provide for the proper assessment, classification, counselling, program planning, and supervision of prisoners throughout their sentences.

To the extent possible, in the context of a particular peace mission, case management shall be objective and dynamic and shall include:

- ongoing assessment of an individual prisoner's needs, and development and implementation of individual plans to meet those needs;
- provision of clearly specified behavioural expectations for prisoners to be met within specified timeframes, and regular assessments of prisoners' progress in relation to the individual plan;
- encouragement for prisoners to gain increased freedom through responsible behaviour; and
- controls to ensure the continuing viability of individual plans.

25. Education of Prisoners

As much as possible, procedures should be in place that provide prisoners with opportunities to meet their identified education needs in order to assist them with reintegration into society as law-abiding citizens.

Prisoners shall be actively encouraged to participate in prison or community programs that meet their identified education needs.

Vocational programs shall provide marketable work that will facilitate the prisoners' reintegration into society.

Reasonable efforts shall be made to ensure that material is available to support prison programs and to meet prisoners' needs for recreational, cultural, educational and information resources.

NOTATIONS

Given the unlikelihood that an emergency phase or early development phase will have a budget allocation for such services, encouraging international and local NGOs, volunteers

and agencies to provide these services may be expedient. A religious order may provide teachers.

26. Management of Correctional Programs

As mission priorities and budgets permit, procedures should be implemented to establish a framework for the development and management of those correctional programs that contribute to prisoners' successful reintegration into the community and that are effective in reducing the chances of reoffending.

Correctional programs are interventions that address the multiple factors that contribute directly to criminal behaviour. A correctional program shall be research-based and have clearly articulated objectives, participant-selection criteria, a process for evaluating participant progress, and a process for measuring program effectiveness.

Prisoners are encouraged to participate in programs as part of their correctional plans. Each prisoner shall be fully informed as to why a specific program is being recommended and be made aware of the consequences of non-participation.

NOTATIONS

Making a connection with any ongoing traditional justice program may be useful since it is likely to have a defined process for the return of detainees to the community. UN Human Rights staff in the region can be invaluable in brokering the return of prisoners to their families.

It is probable that prisoners will not be paid in the early stages of a mission for any work performed. However, they are likely to willingly contribute to the rebuilding of their country by first rebuilding the prison. Prisoners who willingly volunteer are likely to be the greatest source of labour in the early stages before any contracting arrangements are put in place.

27. Visitation

It is important to have in place procedures by which prisoners can be encouraged to develop and maintain positive community and family relationships that will help them prepare for reintegration as law-abiding citizens.

The head of a prison shall:

- ensure that general visitation is available to all prisoners;
- specify the procedures to be followed and the conditions to be met with respect to visitation;
- ensure that procedures and conditions pertaining to visitation are communicated to all prisoners, visitors and staff.

To the greatest extent possible, visits shall be held in a friendly and relaxed environment, without physical barriers between prisoners and visitors. The head of the prison may authorize the use of physical barriers if he or she believes on reasonable grounds that:

- the barrier is necessary for the safety of the visitor; or
- in the absence of barriers, the visit would jeopardize the security of the prison.

Consular and diplomatic officials shall be permitted to visit prisoners who are nationals of the country they represent.

The head of the prison may authorize the refusal or suspension of a visit between a prisoner and a member of the public where he or she believes on reasonable grounds that:

- during the course of the visit, the prisoner or the member of the public would:
 - jeopardize the security of the prison or the safety of an individual; or
 - plan or commit a criminal offence.
- restrictions on the manner in which the visit takes place would not be adequate to control the risk.

Where a refusal or suspension of visit is authorized, the head of the prison shall inform the prisoner and the visitor promptly, in writing, of the reasons and give the prisoner and visitor an opportunity to make appropriate representations.

NOTATIONS

Proper risk-assessed visiting facilities must be provided. Depending on the situation, it may be necessary to segregate warring factions in separate facilities.

Opening the prison to the community and encouraging visits can be a particularly important community service. The UN Human Rights division can be of assistance in this matter.

28. Mail and Access to Important Items of News

A proper system to ensure prisoners have contact with the outside world must be put into place. All prisoners shall have the right to communicate with the outside world, particularly with their families, legal counsel and diplomatic representatives. Prisoners should be kept informed of important items of news.

The reading of mail belonging to high-profile prisoners or prisoners classified as dangerous can be undertaken when there are reasonable grounds to believe that the security of individuals and the security of the facility could be threatened. This may require the employment of interpreters, which can be problematic.

Media access is important. Newspapers should be provided, and access to radio or television as appropriate.

29. Prisoner Complaints and Grievances

It is important to have in place a fair and timely inmate complaint and grievance system. Every prisoner must have the right to make a complaint regarding his or her treatment. Each prisoner shall be provided with information about this system upon admission. Each prisoner shall have the opportunity to appeal against a decision to the head of the correctional system or higher authorities outside the correctional system.

NOTATIONS

Providing easy and open prison access to the primary monitoring agencies can be an effective mechanism for ensuring that prisoners have external access to persons who will address issues with prison management.

30. Volunteers and Volunteer Activities

It is important to have in place procedures to develop and maintain ties between prisoners and the community by encouraging citizens to participate as volunteers working with staff members in activities designed to help prisoners become law-abiding citizens.

The head of the prison shall ensure there is adequate screening of volunteer candidates and that adequate training and orientation programs for volunteers are in place.

NOTATIONS

The provision of programs through NGOs and other agencies can be a very effective model of service delivery particularly when the agency is local.

The provision of secure storage and the streamlining of entry procedures may be helpful in securing and retaining the services of volunteers.

31. Psychological Services

Though unlikely to be an early priority in a mission context, the provision of psychological services to prisoners should be considered to help them resolve mental health problems and behavioural disorders; to help them learn and adopt socially acceptable behaviour patterns; and to prevent or attenuate relapse following intervention.

All psychological services shall be delivered in accordance with professional standards in the community and compatible guidelines established by the correctional service, including those services rendered by psychologists under contract.

NOTATIONS

Accessing any training which is provided by NGO's or a health agency in the management of Post Traumatic Stress Disorder should be given high priority since this is likely to be an issue for both staff and prisoners. International staff may also benefit in being provided in-country training prior to deployment.

32. Mental Health Services

It is important to have in place procedures to ensure appropriate access to essential and non-essential professional mental health services. These services contribute to the improvement and maintenance of prisoners' mental health and their adjustment to incarceration, and they help them to become law-abiding citizens.

Linkages with NGOs serving the broader community may be necessary in the absence of government services.

NOTATIONS

Accessing training from NGOs that specialize in mental health can be useful for corrections and health staff. Support may be gained from human rights groups and social services departments.

33. Communications

Effective public organizations have procedures in place to ensure that, to the extent possible, they are open to public involvement and media access. At the same time, frequent or

uncontrolled access to a prison environment can be unacceptably disruptive. Policies and procedures to guide the organization on these issues must be established.

NOTATIONS

Developing a good relationship with the UN Media Unit is essential, as is timely reporting of incidents and newsworthy events.

34. Community Corrections

Society is best protected over the long term when a prisoner is released into the community in a timely and safe manner, to serve the balance of his or her sentence under appropriate supervision and control. The vast majority of prisoners will, at some time, return to the community. Proper preparation of prisoners for reintegration is important, as is the establishment of adequate mechanisms for supervision and assistance of prisoners in the community following their release.

NOTATIONS

It is unlikely this important principle will be achievable during the mission. Nonetheless, plans should be made to develop a reintegration regime as opportunities present themselves and as the situation stabilizes.

AN OBSERVATION ABOUT SPONSORSHIP

Searching for sponsors for regime activity is a worthwhile endeavour. Experience shows that national governments and state departments are keen to fund projects as a mission's emphasis moves from peacekeeping to infrastructure development. Corrections should prepare a brief sponsorship prospectus that lists various projects requiring funding. Projects should vary in cost from medium to expensive. They will be more easily taken up if they have rehabilitative intent.

ACCOUNTABILITY

There is a continuing demand for virtually all public services to become more effective and efficient, to be more open to public scrutiny, to give better quality service to the public, and generally, to be more accountable. Any public organization that has authority and responsibility also has an obligation to explain how it discharges its responsibility. This is particularly important in correctional services, which have the greatest impact on the freedoms, liberties and rights of individuals. A system of accountability must be established in order to identify strengths, weaknesses and strategies for improvement. Being able to measure progress and clearly demonstrate achievement is critical.

Many correctional systems have some kind of oversight and/or inspection system. A number of models exist that are effective such as an ombudsmen or prison-inspector function. Throughout a peace operation, the International Committee of the Red Cross may perform this function. However, the strategic plan for a correctional service should include the objective to develop some kind of independent oversight mechanism.

In some cases, a peace operation may require that corrections professionals provide advice and monitor operations to ensure obligations are being met. A document contained in Annex B,

entitled, *Expectations*²⁸ can be of assistance in this regard. It lays out criteria for use in assessing the quality of the treatment of and conditions for prisoners. It is designed to help inspectors or monitors make accurate and consistent judgments about prisoner treatment and formulate recommendations for those responsible for the correctional system.

CHAPTER REVIEW

Corrections professionals beginning any mission must address an immediate set of pressing priorities.

A number of important considerations must guide the attitudes, behaviour and activities of corrections personnel.

Knowledge of international norms and standards for the treatment of prisoners and for special-category prisoners (pre-trial detainees, women and juveniles) is critical for all corrections professionals.

Standard operating procedures (SOPs) are critical to the delivery of good corrections and are a key characteristic of a well managed correctional system.

A process to establish appropriate accountability systems should begin as soon as possible.

²⁸ The ICPA would like to thank Sir David Ramsbotham, former HM Chief Inspector of Prisons in England and Wales for providing this document.

CHAPTER VII

RECRUITING CORRECTIONS PROFESSIONALS AND BUILDING LOCAL CAPACITY

This Chapter provides advice and guidance related to the recruitment of international corrections professionals for peace operations, and highlights the importance of building capacity with the local population.

CHAPTER VII

RECRUITING CORRECTIONS PROFESSIONALS AND BUILDING LOCAL CAPACITY

Corrections is a people-oriented business. It is about staff, offenders and the public. The recruitment of appropriately skilled staff for peace operations, at both the international and local level, and their ongoing professional development are supremely important.

THE DEPLOYMENT OF INTERNATIONAL STAFF BY UN MEMBER NATIONS

In every mission, there is a mixture of permanent UN employees—often finance and personnel managers—and contracted UN personnel in roles related to mission operations. Although benefits and entitlements between the two groups differ, the UN is responsible for all costs—salary and benefits, living allowances, transportation, and office accommodation and equipment.

UN member nations typically send groups of specialists on missions on a rotational basis. For example, since the 1980s, civilian police (Civ-Pol) have been deployed by their governments to form multinational police forces. Officers are selected and trained by their governments according to certain criteria, their salaries continue to be paid by their home organization, and the UN pays mission-related expenses such as living allowances, transportation and office accommodation.

UN member nations sometimes provide ‘gratis personnel’—staff deployed to work in concert with the United Nations on set tasks but who have no formal relationship with the UN and do not receive UN benefits or allowances. Salary, benefits, and allowances are handled through varying arrangements between the staff and their national employers. Transport, communications, office access, emergency planning and access to services in the mission area are settled on an ad hoc basis with mission management.

Personnel from a wide variety of NGOs are also involved extensively in most UN peace operations. These NGOs operate independently on the full range of humanitarian and relief activities. They range from very large, well known international organizations to small, locally organized groups who come together in response to the particular circumstances of the mission.

Every person working in a UN peace support operation should be fully aware of their working status, as there are important ramifications for their conduct and their status in the mission area.

PROFILE OF SUITABLE CORRECTIONS PERSONNEL IN PEACE OPERATIONS

Recruiting the right staff is critical to the success of any peace operation. In addition to standard criteria for recruiting correctional personnel, there are a number of other important characteristics that should be taken into consideration when working in a peace operation. The following competency listing provides guidance for assessing the suitability of international corrections staff candidates. Of course, these competencies must be considered in the context of the peace operation and mission-area circumstances. Competencies are divided among four areas: skills, knowledge, attitudes, motivations and values, and personal requirements.

SKILLS	Language	Ability to speak (one of) the language(s) determined to be appropriate in the Mission context.
	Information Flow and Coordination	Ability to collect, analyze and report information from the field and internally from the organization or Mission.
	Information Technology	Capacity to operate word processors and messaging software.
	Telecommunications	Ability to operate HF, VHF and satellite phones.
	4X4 Driving	Ability to drive a 4X4 vehicle with a manual transmission and a valid driver's license.
	Negotiation and Conflict Management	Basic ability to conclude successful negotiations with armed parties and local authorities.
	First Aid	Ability to apply appropriate first aid techniques for common traumas in a field environment (fractures, loss of consciousness, bullet wounds, etc.).
	Field Orientation/ Map Reading	Ability to read a 1:100 000 map in order to determine one's position, give grid references of objects and features and use the map to move between points.
KNOWLEDGE	Monitoring and Assessment Techniques	Understands the processes involved in understanding the local context, the capacity to judge the quality of information and how to develop/maintain an information network.
	Mine and UXO Awareness	Know the different types of mines, and know the recommended behaviours to prevent mine-related incidents.
	United Nations	Basic Knowledge of UN International Organizations and Non-Governmental Associations (NGOs) - their mandates, strategies and practices.
	Law	Knowledge of international humanitarian law, international human rights obligations and international criminal law - to the extent of being able to identify serious violations in field situations.
	Security	Aware of the security challenges and has knowledge of the security strategies.
	Civil-Military Relations	Knowledge of military ranks, culture, organization, tasks and staff operations.
	Mental Health and Stress Management	Aware of how to manage stress and knows how to recognize signs in self and in colleagues.
	Gender Issues in Crisis Situations	Know how to position oneself according to one's gender in another culture; how to work in a mixed environment in a different culture; how to implement projects keeping in mind essential gender components.
ATTITUDES, MOTIVATIONS, VALUES	Peacebuilding and Post-Conflict Reconstruction Strategies	Know the continuum of peace operations from conflict prevention to peace and development.
	Humanitarian Motivations	Dedicated to bettering the situation of others through the implementation of adapted and effective multi-disciplinary actions.
	Adaptability to and acceptance of other cultures	Positive and constructive view of working and living within a difference culture.
	Teamwork	Positive, constructive attitude towards working and living in close quarters with colleagues from other cultures and backgrounds.
	Professional Adaptability	Adapt his or her skills and focus to changes in the operational environment; and can develop effective and efficient action/programs in unstructured conditions.
PERSONAL REQUIREMENTS	Acceptance of Risk and Security-oriented attitude	Accepts the inherent risks of being in the field and displays willingness to comply with security rules set out by the organization or Mission.
	Physical capability	Appropriate level of physical capability to operate in the environment and to withstand difficult field and weather conditions.
	Health	No medical condition that requires medication or care that might be difficult to access in the field.
	Suitable psychological profile	Ability to work in conflict-affected areas (Mental Health Specialists to determine).
	Family and spouse support	Person leaving for the field has the support of the family and spouse.

Annex B provides supplementary information on how a correctional organization may recruit and prepare corrections personnel to work in a peace operation. It also contains a checklist detailing the ways in which a correctional organization can support personnel during deployment and following withdrawal from a mission.

Each corrections candidate recruited to a peace support operation should receive an extensive orientation including a review of: the competency assessment, personal needs, equipment requirements, and survival plans. In addition, all personnel should be familiarized with key UN documents, particularly *Mission-specific Notes for Guidance*, which will be available to all personnel working in a UN peace operation.

BUILDING LOCAL CAPACITY

Every corrections professional deployed to a mission area must keep in mind the ultimate goal of the peace operation: successful withdrawal. To fully achieve its mandate, the corrections team must be able to eventually leave the local population with the ability to continue to build and improve their own correctional system, so that it will meet international standards and the needs of the local population it serves. This requires the early and complete involvement of the local community throughout the mission. In a complex peace operation, recruitment, training and development plans for the local population must be established as soon as possible. The ultimate goal, regardless of the nature of the Mission is to leave behind a self-sufficient, humane, effective correctional system.

CHAPTER REVIEW

Recruiting the right staff is critical to the success of any peace operation.

There are a variety of ways to access international staff. Knowing the differences in employment arrangements is important.

There are important competencies to consider when recruiting international corrections staff to work in a peace operation.

All personnel working in a peace operation should receive an orientation prior to their deployment, and receive support during and following withdrawal from the mission.

Corrections teams are obliged to ensure that members of the local population are recruited and trained during the peace operation.

G L O S S A R Y O F T E R M S

Brahimi Report	The <i>Report of the United Nations Panel on Peace Operations</i> . A review commissioned by the UN Secretary General and chaired by Mr. Lakhdar Brahimi in 2000.
Capacity-building	The process of helping local communities increase their ability to manage and sustain the systems that are appropriate to their culture and consistent with the mission mandate.
Civ-Pol	Civilian Police operating in a UN peace operation.
Conflict prevention	A wide range of activities ranging from diplomatic initiatives to internationally supported development programs.
Corrections	Refers to both prison and community activities.
Discretionary power	The authority that provides an administrative agency or official with some degree of latitude in regard to choosing the most reasonable decision among several decisions in compliance with public and private interests.
DPKO	Department of Peacekeeping Operations (DPKO): a branch of the UN responsible for all aspects of peacekeeping.
ICRC	International Committee of the Red Cross.
Mandate	Determined by the UN Security Council, each UN peace support operation has a clear mandate that convenes authority for the mission.
Mission	A UN peace operation.
NGOs	Non-governmental organizations.
Office responsible for Judicial Affairs	The UN office that may be set up in a peace operation with responsibility for justice issues.
Peace operation	An umbrella term that refers to peacekeeping, peacemaking and peacebuilding.
Peacebuilding	Post-conflict activities that help establish a foundation for peace by strengthening the rule of law, respecting human rights, promoting conflict resolution and reconciliation, and supporting democratic development.
Peacekeeping	Operations that occur immediately post-conflict, conducted with the aim of providing a secure transitional environment.
Peacemaking	An aspect of conflict prevention that addresses conflicts in progress using measures such as diplomacy and mediation.
Pre-deployment phase	The planning period following a UN decision to take action and begin a peace operation.
Re-deployment or withdrawal phase	The point at which the UN begins withdrawal from the mission area under the terms of the Security Council mandate. Other UN or multinational-related activities may continue.
Security Council	A committee of the UN responsible for maintaining international peace and security. Approves the mandates for peacekeeping operations and reviews mission progress.
SMRs	United Nations Standard Minimum Rules for the Treatment of Prisoners.

SOPs	Standard operating procedures.
Special Representative of the Secretary General (SRSG)	The person appointed by the UN Secretary General to take overall charge of UN activities relating to the Security Council mandate for the mission.
SRSG	Special Representative of the Secretary General.
UNMIK	United Nations Interim Administration Mission in Kosovo.
UNTAET	United Nations Transitional Administration in East Timor.

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A N N E X A

INTERNATIONAL INSTRUMENTS

This Annex presents international instruments that pertain to criminal justice and international humanitarian law, and other relevant UN documentation.

A N N E X A

INTERNATIONAL INSTRUMENTS

This Annex lists a number of international instruments, and the full text for each of them can be found on the enclosed CD.

The Standard Minimum Rules for the Treatment of Prisoners will likely be referred to frequently. This document is included in printed format, as well as on the CD.

COMPENDIUM OF UNITED NATIONS STANDARDS AND NORMS IN CRIME PREVENTION AND CRIMINAL JUSTICE

The full text of the documents below can be found on the enclosed CD. They may also be accessed at www.uncjin.org/Standards/compendium.pdf. Please note that the order below does not follow the order found at the web site. The Standard Minimum Rules for the Treatment of Prisoners is included in printed format for ease of reference.

International Bill of Human Rights (Universal Declaration of Human Rights)

International Covenant of Economic, Social and Cultural Rights

International Covenant on Civil and Political Rights

Optional Protocol to the International Covenant on Civil and Political Rights

Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty

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

Model Treaty on the Transfer of Proceedings in Criminal matters.

Model Treaty on Mutual Assistance in Criminal Matters

Guidelines for the prevention and control of organized crime

Measures against international terrorism

Model Treaty on Extradition

Principles of Medical Ethics relevant to the Role of Health Personnel, particularly Physicians, in the Protection of Prisoners and Detainees against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Body of Principles for the Protection of All persons under Any Form of Detention or Imprisonment

Standard Minimum Rules for the Treatment of Prisoners

Basic Principles for the Treatment of Prisoners

Model Treaty on the Transfer of Supervision of Offenders Conditionally Sentenced or Conditionally Released

Model Agreement on the Transfer of Foreign Prisoners and Recommendations on the Treatment of Foreign Prisoners

Safeguards guaranteeing protection of the rights of those facing the death penalty

Standard Minimum Rules for Non-Custodial measures (The Tokyo Rules)

Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines)

Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)

Rules for the Protection of Juveniles Deprived of Their Liberty

Declaration of Basic Principles of Justice for Victims of Crime and the Abuse of Power

Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others

Code of Conduct for Law Enforcement Officials

Basic Principles on the Use of Force and Firearms by Law Enforcement Officials

Basic Principles on the Independence of the Judiciary

Basic Principles on the Role of Lawyers

Guidelines on the Role of Prosecutors

INTERNATIONAL HUMANITARIAN LAW

The Geneva Conventions and their Additional Protocols

The text of the Geneva Conventions and of their Additional Protocols is very complex and not always easily understood by the layman. A summary which explains these international law treaties can be found on the enclosed CD or at the International Committee of the Red Cross web site: www.icrc.org.

UNITED NATIONS – OTHER DOCUMENTS

Brahimi Report (*Report of the United Nations Panel on Peace Operations*)

www.un.org/peace/reports/peace_operations

Convention on the Elimination of All Forms of Discrimination against Women

www.unhchr.ch/html/menu3/b/e1cedaw.htm

International Convention on the Elimination of All Forms of Racial Discrimination

www.unhchr.ch/html/menu3/b/d_icerd.htm

ORGANIZATION OF AMERICAN STATES (OAS)

American Declaration of the Rights and Duties of Man

www.oas.org/juridico/english/ga-res99/eres1635.htm

COUNCIL OF EUROPE

Convention for the Protection of Human Rights and Fundamental Freedoms

www.echr.coe.int/Convention/webConvenENG.pdf

Convention on the Transfer of Sentenced Prisoners

European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishments www.cpt.coe.int/en/refdocs/ecpt.htm

European Prison Rules www.uncjin.org/Laws/prisrul.htm

European Social Charter www.humanrights.coe.int/

OTHER DOCUMENTS

African Charter on Human and Peoples' Rights www1.umn.edu/humanrts/instree/z1afchar.htm

American Convention on Human Rights www.oas.org/juridico/english/treaties/b-32.htm

Declaration of the Basic Duties of ASEAN Peoples and Governments

www.unesco.org/most/lnngo1.htm

Universal Islamic Declaration of Human Rights www.alhewar.com/ISLAMDECL.html

ANNEX B

CHECKLISTS AND OTHER TOOLS

This Annex provides practical tools for corrections professionals working in peace operations.

A N N E X B

CHECKLISTS, AND OTHER TOOLS

Assessment Checklist

Expectations²⁹: Oversight and inspection tool for prisons (available on CD only)

Orientation for Personnel (Checklist)

Pre-deployment Briefings for Family & Partners (Checklist)

Sample Code of Discipline for Correctional Staff³⁰

Sample Code of Ethics³¹

Suggestions for Correctional Organizations in the Recruitment and Selection of Staff for Peace Operations

Support for Personnel After Deployment (Checklist)

²⁹ The ICPA would like to thank Sir David Ramsbotham, former HM Chief Inspector of Prisons for England and Wales for contributing this document.

³⁰ The ICPA would like to thank the Correctional Service of Canada for contributing this document.

³¹ The ICPA would like to thank the Israel Prison Service for contributing this document.

Who is currently involved and what are they doing – obtain reference documents indicating their authority, responsibility and accountability

- Military – international and domestic
- Police – international and domestic
- Courts – international and domestic

NOTES:

How is this United Nations (UN) peace operation organized?

- What is the organizational structure
- What are the various UN components/agencies and what are their mandates
- What is the process the corrections component will follow in preparation of budgets, purchasing equipment and supplies, filing reports

NOTES:

The Legal Framework: To determine:

- The Legal Framework in the Region
- The Correctional Law that applies and other relevant laws, including what types of alternatives to prison may exist
- If no law appears to be in force, contingency plans must be developed
- If there is a need for emergency legislation and/or regulations
- Does the corrections part of the overall peace operation carry any specific international or regional obligation (treaties, covenants, etc.), for example: adventure
 - Transfer of Criminal Sanctions
 - Minimum Standards for the Treatment of Offenders
 - Universal Declaration of Human Rights
 - International Covenant on Economic, Social and Cultural Rights
 - International Covenant on Civil and Political Rights
 - Declaration on the Protection of All Persons from Being Subject to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
 - Code of Conduct for Law Enforcement Officials
 - American Convention on Human Rights
 - African Charter on Human and Peoples' Rights
 - European Convention for the Protection of Human Rights and Fundamental Freedoms
 - European Social Charter
 - Banjul Charter on Human and People's Rights
 - Declaration of the Basic Duties of ASEAN Peoples and Governments
 - Universal Islamic Declaration of Human Rights
- Does the corrections component include initial detention (police lockups and holding facilities) and if so does corrections have authority over police in handling all those arrested – if so, what documentation exists authorizing such
- The extent of your authority, responsibility and accountability

NOTES:

D. Operational Procedures

- Determine existing operational practices and procedures (i.e., do standard operating procedures, orders, directives exist in the facility for things such as:
 - Perimeter Security
 - Prisoner Movement and Control
 - Prisoner reception and discharge
 - Prisoner Classification System
 - Prisoner Access to Legal Counsel
 - Prisoner counts
 - Control of contraband
 - Search and Seizure
 - Use of Force
 - Administrative Segregation
 - Disciplinary Segregation
 - Deaths in Custody
 - Management of Emergencies
 - Key security and control
 - Firearm use (if applicable)
 - Prisoner Discipline
 - Prisoner Grievance / Complaints
 - Prisoner Transfers to other Institutions
 - Prisoner Escorts (who is responsible for escorts to court, hospital, etc.)
 - Prisoner visiting and correspondence
 - Are female prisoners supervised and searched by female officers and staff.
- Are there any programs for prisoners?
 - Work programs
 - Education programs
 - Counselling programs (psychological, substance abuse programs, etc.)
 - Recreation programs
 - Religious programs
 - Pre-Release programs

Visits to UN Offices

- Visit Main UN offices to establish initial working relationship and to determine:
 - Who is in Charge of other components of the operation
 - Who the key players/contacts are for the justice sector
 - Who the donor countries are
 - What UN agencies are involved
 - What support will be available and by whom. (i.e., buildings, furnishings, communication equipment, vehicles, translation/interpreters, security, etc.)
 - Obtain and read documents from the United Nations personnel office (or other hiring authority) that provide details of conditions of employment
 - Determine the expectations of the various UN agencies and others in terms of reports or deliverable products from the corrections component (this should include both what the correctional staff will furnish the others and what they will furnish the correctional staff)
 - Receive, in writing, from the United Nations, the host nation and others involved in the decision-making process dealing with the international intervention, a specific projection and established timeframes which delineate:
 - How long the project is intended to last
 - What the corrections component is expected to leave behind when the project ends
 - What method will be used to measure if the goal and timeframes for the corrections component will be met
 - What is the Chain-of-Command that the correctional staff is expected to follow
 - What topics or subjects or information handled by the correctional staff is not to be made public
 - Who releases information and what is the procedure
 - Who must receive copies of reports and is there an approval process to be followed before the reports are finalized
 - Is there a United Nations or other system in place for reporting corruption, illegal acts, war crimes, abuse of power or gross incompetence and if so, what is the accepted procedure to follow
 - Ask for names and contact information of other people who have headed corrections activities on other United Nations peace operations. Contact those individuals and ask about their experience, especially relating to lines of authority, bureaucratic concerns, things to be aware of and other relevant items.

NOTES:

ORIENTATION FOR PERSONNEL

Checklist

The following issues should be addressed with each person prior to being deployed to the Mission:

Conditions of Employment

Ensure each person:

- understands who they will be employed by while on the Mission
- understands what the terms and conditions of their employment are
- understands any changes to their current work entitlements (i.e., vacation time, sick leave benefits, pension benefits, etc.)
- understands if their deployment to the Mission affects their current employment.
- knows what they will be paid and in what currency they will be paid in
- understands any taxation issues
- knows when they will be paid
- knows what allowances are available to them
- what financial support is available for their partners and families at home
- understands what kind of insurance coverage will be available, including the cost of insurance, in the event of sickness, accidents or death
- knows who the contact person is in their home organization

Pre-Deployment Training

Every person should receive specific training prior to deploying to a peace support operation. Most of this training will be available from other sources such as civilian policing experts, military peacekeeping experts, peacekeeping institutions, and NGOs. Training should be received in the following areas:

- Reading the *Practical Guidelines for the Establishment of Correctional Services within UN Peace Operations*
- Orientation to the specific Mission and the Mission area (history, culture, present situation, etc.)
- UN Criminal Justice Standards and Norms (refer to Annex A)
- Survival Techniques
- Self Defence
- Defensive Driving and other driving techniques (i.e., manual transmission, 4X4)
- Mine Awareness
- Hostage Taking
- Negotiation

- Health and Disease Prevention
- Medical First Aid
- Rescue Techniques
- Basic Fire Fighting
- Media Awareness
- Language and Communication
- Familiarization with Technology and Equipment (i.e., ability to operate satellite phones, word processors, e-mail, etc.)
- Mental Health and Stress Management
- Training Design and Delivery

Equipment

Staff going to work in a peace operation will need appropriate equipment, depending on the circumstances in the Mission area. The following will need to be considered:

- Clothing (appropriate clothing for the environment)
- Transportation (what kind of transportation will be available, who will supply it, how it will be shared, and who will fund it are considerations to be addressed)
- Communications (how communications will work in the Mission area, and to contact the home employer and family)
- Medical Equipment (a basic first aid kit should be supplied, including personal and hygiene/health items)

NOTES:

PRE-DEPLOYMENT BRIEFINGS FOR FAMILY & PARTNERS

Checklist

Organizations should pay attention to the partners and families of staff who are being deployed to a Mission, as there can be significant implications for the staff member and their individual performance in the Mission area. The civilian police and the military can provide excellent assistance in helping an organization manage this aspect.

It is recommended that families be provided with the following:

Information Packs (which should be tailored to the each family's specific situation – i.e., the age of children, etc.)

- Information about the UN and Peace Operations
- Information about the specific Mission
- Information about the country and its history, culture, language, etc.
- Information about what their family member will be doing in the Mission
- Assistance in terms of dealing with long-term separation
- Assistance in adjusting to daily life without a partner/parent
- A listing of people to call in their home organization for assistance and support
- How to communicate with the partner/parent (i.e., e-mail addresses, mailing address, telephone and fax numbers, etc.)
- Preparation for the return of the partner/parent

Briefings

Whenever possible, much of the information above should be presented in face-to-face meetings. This allows families to ask questions. Briefings should also be done, if possible, with a group of staff who are being deployed, as this creates a support network that the families can call upon.

Communication

When possible, the home organization should consider a number of options to support contact between their staff member(s) and the partners and families of staff. Options include regular teleconferences for partners, information sharing from the home organization to the family members, and a contact person for family members at the home organization.

NOTES:

SAMPLE CODE OF DISCIPLINE FOR CORRECTIONAL STAFF

The objective of the code of discipline is to ensure high standards of conduct for employees in the correctional service.

General Responsibilities

Management of the correctional service is responsible for:

1. ensuring that all employees are adequately trained and informed of the Standards of Professional Conduct and the Code of Discipline and other directives and regulations;
2. promptly and impartially taking appropriate corrective action when necessary.

Employees of the correctional service are responsible for adhering to the Standards of Professional Conduct. Arising from the Standards of Professional Conduct are a number of specific rules that employees are expected to observe. Some examples of infractions are given in a list below each specific rule. These lists are not exhaustive.

Each employee of the correctional service is also expected to be conversant with, and adhere to the various Acts, Regulations and policies affecting them as well as the instructions and directives of the organization.

Professional Standards

Responsible Discharge of Duties

Staff shall conduct themselves in a manner which reflects positively on the public service by working co-operatively to achieve the objectives of the correctional service. Staff shall fulfil their duties in a diligent and competent manner with due regard for the values and principles contained in the Mission Document, as well as in accordance with policies and procedures laid out in legislation, directives, manuals and other official documents. Employees have an obligation to follow the instructions of supervisors or any member in charge of the workplace and are required to serve the public in a professional manner, with courtesy and promptness.

Infractions

An employee has committed an infraction, if he or she:

- fraudulently records, or fails to record, his or her attendance or that of another employee;
- is late for duty, absent from duty or leaves his/her assigned place of duty without authorization;
- fraudulently seeks to obtain, or fraudulently obtains documentation required for approval of leave of absence from duty;
- refuses to testify before or submit evidence to, or obstructs, inhibits or otherwise hampers any investigation which is conducted pursuant to any act of Parliament or any investigation as defined in the regulations;
- makes public statements which harshly criticize the correctional service or the government concerning policies, practices and/or programs of the government, or violates the Oath of Office and Secrecy;

- fails to take action or otherwise neglects his or her duty as a peace officer;
- fails to conform to, or to apply, any relevant legislation, Commissioner's Directive, Standing Order, or other directive as it relates to his or her duty;
- fails to promptly obey the lawful orders or commands of any other employee who is in charge or superior in line of authority;
- wilfully or negligently causes unjustified waste, loss, or damage to any property of the correctional service or the property of any other person in the course of the performance of his or her duty;
- wilfully or through negligence, makes or signs a false statement in relation to the performance of duty;
- as a supervisor, or as one in authority, condones or fails to take action when an employee has committed an infraction of the Standards of Professional Conduct, a breach of discipline or any other irregularity coming to his or her attention;
- fails to report to a superior authority any contraband found in the possession of another employee, offender or member of the public;
- performs his or her duty in a careless fashion so as to risk or cause bodily harm or death to any other employee of the correctional service, or any other person(s), either directly or indirectly;
- uses excessive force (that is, more force than is reasonable and necessary) to carry out his or her legal duties;
- through negligence, permits an offender to escape;
- neglects to take, to the utmost of his or her ability, appropriate action when an offender:
 - escapes;
 - assaults an employee, another offender, or member of the public;
 - engages in any action likely to endanger life or property.

Conduct and Appearance

Behaviour, both on and off duty, shall reflect positively on the correctional service and on the public service generally. All staff are expected to present themselves in a manner that promotes a professional image, both in their words and in their actions. Employees dress and appearance while on duty must similarly convey professionalism, and must be consistent with employee health and safety.

Infractions

An employee has committed an infraction, if he or she:

- displays appearance and/or deportment which is unbecoming to an employee of the correctional service while on duty or while in uniform;
- is abusive or discourteous by word or action, to the public, while on duty;
- acts, while on or off duty, in a manner likely to discredit the correctional service;
- commits an indictable offence or an offence punishable on summary conviction under any

statute of the country, which may bring discredit to the correctional service or affect his or her continued performance with the correctional service;

- fails to advise his or her supervisor, before resuming his or her duties, of being charged with a criminal or other statutory offence;
- fails to account for, improperly withholds, misappropriates or misapplies any public money or property or any money/property of any other person(s) coming into his or her possession in the course of duty or by reason of his or her being a member of the correctional service;
- consumes alcohol or other intoxicants while on duty;
- reports for duty impaired or being unfit for duty due to influence of alcohol or drugs;
- sleeps on duty.

Relationships with other staff members

Relationships with other staff members must promote mutual respect within the correctional service and improve the quality of service. Staff are expected to contribute to a safe, healthy and secure work environment, free of harassment and discrimination.

Infractions

An employee has committed an infraction, if he or she:

- interferes with the work of others;
- is abusive, by word or action, to other employees, while on duty or under circumstances related to his or her duties;
- participates in an illegal strike or concerted action which results in absence from duty or failure to perform his or her duties;
- coerces, incites or attempts by any means to obtain the participation of another employee(s) in an illegal strike, concerted action, or in the commission of an infraction of the Standards of Professional Conduct;
- commits any act of personal or sexual harassment against another staff member;
- disregards established safety practices;
- fails to promptly report a work accident;
- fights with other employees of the correctional service or a member of the public while on duty.

Relationships with offenders

Staff must actively encourage and assist offenders to become law abiding citizens. This includes establishing constructive relationships with offenders to encourage their successful reintegration into the community. Relationships shall demonstrate honesty, fairness and integrity. Staff shall promote a safe and secure workplace and respect an offender's cultural, racial, religious and ethnic background, and his or her civil and legal rights. Staff shall avoid conflicts of interest with offenders and their families.

Infractions

An employee has committed an infraction, if he or she:

- maltreats, humiliates, harasses, and/or is abusive, by word or action, to an offender or the offender's friends or relatives;
- improperly uses his or her title or authority to personal gain or advantage;
- enters into any kind of personal or business relationship not approved by his or her authorized superior with an offender or ex-offender, or the offender's or ex-offender's friends or relatives;
- gives, or receives, any gift, gratuities, benefits or favours, or engages in personal business transactions with an offender or ex-offender or the offender's or ex-offender's friends or relatives;
- hires an offender to perform any work or provide any service without first obtaining the written permission of his or her supervisor;
- gives to, or receives from any offender or ex-offender, or the offender's or ex-offender's friends or relatives, either directly or indirectly, any contraband;
- fails to report situations of mistreatment of offenders by employees.

Conflict of interest

Staff shall perform their duties on behalf of the government with honesty and integrity. Staff must not enter into business or private ventures which may be, or appear to be, in conflict with their duties as correctional employees and their overall responsibilities as public servants.

Infractions

An employee has committed an infraction, if he or she:

- fails to disclose a conflict of interest as contained in the Conflict of Interest and Post-Employment Code for the public service, or fails to follow the decision of the Commissioner or his/her authorized representative with respect to a declaration of conflict of interest;
- improperly uses his or her title or authority to personal gain or advantage;
- improperly uses the services of another employee, the property of the correctional service or anything produced by offender labour at any time, for activities that have not been officially approved.

Protection and Sharing of Information

- Staff shall treat information acquired through their employment in a manner consistent with the *Access to Information Act*, the *Privacy Act*, the Security Policy of the government, and the Oath of Secrecy taken by all employees of the public service. They shall ensure that appropriate information is shared in a timely manner with offenders, with other criminal justice agencies and with the public, including victims, as required by legislation and policy.
- The correctional service recognizes and respects the confidentiality requirements of particular professional groups such as chaplains and medical staff.
- Supervisors are responsible for providing their employees with direction and guidance

SAMPLES CODE OF ETHICS

Preamble

Every prison officer should regard his work - guarding prisoners in legal custody, treating them with humanity as fellow-men and women created in the image of God, maintaining prison discipline and security - as making him a partner in the defense of Israel's national security and the quality of life of its society. A prison officer must be conscious of the personal responsibility laid on him to choose between good and evil in all aspects of his work as it relates to his superior officers, his colleagues and subordinates, to the prisoners under his guard, and to his fellow-citizens.

A prison officer shall carry out his duties in accordance with this Code of Ethics and all laws, regulations, Commissioner's orders, and other instructions binding on the correctional service and in accordance with his professional judgement.

Core Values

- A. To preserve life and protect body and mind from injury.
- B. To preserve individual dignity and behave with tolerance.
- C. To act for the good of prisoners and for their rehabilitation.
- D. To maintain integrity and scrupulous dealing.
- E. To display professionalism, loyalty, and personal example.
- F. To be helpful and show good-will.

Enacting the Core Values

A. To preserve life and protect body and mind from injury.

In acknowledgement of the supreme value of human life, a prison officer shall protect all persons from danger and do his utmost to save life, and protect body and mind from unlawful injury.

B. To preserve individual dignity and behave with tolerance.

1. A prison officer shall show respect for every individual, both to their face and indirectly, whether he agrees with them or not, and in his behavior, speech, and dress shall take care not to offend others' sensibilities, values, customs and beliefs.
2. A prison officer shall use the force and authority at his disposal for lawful purposes only and then in reasonable measure, with judgement, and to the degree required by circumstances.
3. A prison officer shall speak courteously and decently and in a manner appropriate to his position.
4. A prison office shall, according to circumstances, allow any person subject to his authority to voice their own wishes before any important decision is taken concerning them.

5. A prison officer shall show consideration for the sensibilities of every person subject to his authority and shall respect their right to freedom of opinion and expression within the applicable laws, regulations, and orders.
6. A prison officer shall respect privacy of life and person and, within the performance of his duty, shall prevent any act of a sexual nature being imposed on any person, including verbal acts, and including acts sexual by implication.

C. To act for the good of prisoners and for their rehabilitation.

1. The correctional service believes in the ability of a person to change his ways and return to a non-criminal life. It believes that the purpose of imprisonment is not to humiliate or take revenge but to protect society and to have the prisoner acquire the skills and habits that will further his rehabilitation. Therefore, a prison officer should regard it as his duty not only to guard prisoners but to act in organizational, educational and therapeutic contexts to assist their rehabilitation.
2. A prison officer shall demonstrate sensitivity to prisoners' human needs. He shall be alert for any prisoner with exceptional needs or prisoners in distress of any kind. As far his skills and authority allows, he shall meet their needs and, where necessary, shall refer them to a professional with the requisite skills.

D. To maintain integrity and scrupulous dealing.

A prison officer shall act only within his lawful powers, carrying out his duties with integrity, fairness, and objectivity, showing no undue favor to any.

E. To display professionalism, loyalty, and personal example.

1. A prison officer shall do everything required and possible to perform his duties to the necessary extent, quality, and speed. He shall carry out his duties with initiative and perseverance.
2. A prison officer shall use his powers and status only in the exercise of his lawful functions.
3. A prison officer shall exploit all his professional training for the better performance of his duties. He shall always aspire to use the training and instruction opportunities provided by the correctional service, as well as his own personal efforts, to advance and develop his expertise.
4. A prison officer shall take care to undertake only what lies within his authority and ability to accomplish.
5. A prison officer shall carry out his superiors' orders, using his judgement and accepting the responsibility imposed on him by his duties.
6. A prison officer shall hold himself accountable for the quality of his work and of work carried out under his orders.
7. A prison officer shall respond with maximal restraint and self-control to any provocation and shall use his lawful powers to keep order.

8. A prison officer shall allow prisoners to submit complaints or appeals in accordance with the directives of the correctional service and will not show vindictiveness towards any person under his authority.
9. A prison officer shall maintain alertness and avoid acts during his working hours liable to impair his competence.
10. A prison officer shall not allow his political or party political opinions to affect the performance of his duties.
11. A prison officer shall give his subordinates only those orders they are capable of carrying out.
12. A prison officer shall notify his superiors if he has been required to carry out a task beyond his competence or his resources.
13. A prison officer shall give his subordinates orders only in matters within his authority and competence.
14. A prison officer shall draw up evaluations of his subordinates with fairness and objectivity.
15. A prison officer shall always give backing to his subordinates, provided they act with reasonable judgement and in accordance with policy and directives, or in compliance with his lawful and ethical orders.
16. A prison officer shall encourage his subordinates to express their professional opinions regarding their duties, even if they differ from his own, and shall respond objectively to their initiatives or suggestions for improvements.
17. A prison officer shall show respect for his superiors and shall do his utmost to support them in performing his Unit's functions.
18. A prison officer shall be resolute in exposing and reporting, by the means lawfully available, any offense or immoral act carried out in the prison.
19. A prison officer shall avoid forming emotional or personal relations with prisoners or their family members, except as required within the performance of his duty.
20. A prison officer shall be scrupulous in transmitting and recording information, and shall report fully, comprehensively, and punctually, always distinguishing between fact, judgement, and interpretation.
21. A prison officer shall report fully to those authorized to receive his reports, and shall take care not to pass information to unauthorized persons. A prison officer shall use confidential information that comes to his knowledge only for the performance of his duties.
22. A prison officer shall avoid taking credit for acts or ideas not his and shall give full credit to others' part in the said acts or ideas.
23. A prison officer on duty shall regard himself as representing the correctional service and shall take care that all his acts shall be seen as becoming a prison officer and maintaining the good name and image of the correctional service.
24. A prison officer shall preserve the quality of his working environment, maintaining order, cleanliness, and pleasant surroundings.

SUGGESTIONS FOR CORRECTIONAL ORGANIZATIONS IN THE RECRUITMENT AND SELECTION OF STAFF FOR PEACE OPERATIONS

Introduction

The suggestions in this document present what experience suggests is a best practice approach to recruiting and selecting corrections professionals for deployment to a peace operation. While the experience is from the perspective of a national correctional organization, it may be relevant to other agencies selecting correctional officials to work in a United Nations (UN) Peace Operation.

Recruitment

Defining the Situation

There are two broad categories of situations in which UN member nations may be called upon to provide correctional services for another nation. A peace operation may take a variety of forms and therefore the actual tasks that correctional professionals may be asked to perform could also vary. A peace operation may be a "complex" operation where the international mission may exercise executive authority in administering the system. In this scenario, correctional professionals will be asked to re-establish and rebuild the correctional system. On the other hand, there are peace operations in which the international community provides technical assistance to local authorities, which could entail training, monitoring and oversight functions. The type of peace operation will have an impact on the recruitment process.

Defining the Job

In order to develop an effective process for selecting the most appropriate people to do a job, the nature of the job and the nature of the person to do that job must first be defined. Some of this definition will emerge from the assessment report of the UN Mission. It may also be necessary to work with other nations and organizations, such as the UN, to ensure that the job is well defined for the required situation.

It is recommended the following issues be considered when developing the specifications of the role, and the people required to fill that role:

- Objectives of the Deployment
What are the objectives of the deployment?
What needs to be achieved, by when, and by whom?
- Resources to Achieve the Objective
How many staff will be required?
What mix of staff will be required (management vs. operational)?
- Term of the Deployment
How long will the assistance be required for?
How long will individual staff be deployed for?
- Multi-national/Multi-agency Considerations
Who will the staff be working with or for (locals/multi-nationals)?
What other agencies will they be working with?
What support is available, and from whom?

- **Physical Environment**
What is the state of the current prison infrastructure?
What is the state of general infrastructure?
What are the climatic conditions, and seasonal variations in the country?
What are the health conditions of the country (access to adequate medical care is also a consideration)?
- **Social/Political Environment**
What is the social/political situation in the country?
What is the religious/ethnic background of the country?
What language or cultural barriers might there be?

Defining the “Right” Person

Following from the definition of the job and the environment in which that job must be performed, this information is then translated in to a profile of the person best suited to handle the role. It is recommended that the following areas be considered in developing this profile.

- **Skills and Competencies**
What skills and competencies will be required to meet the objective of the deployment, and the requirements of the job?

What specific characteristics will the situation/country require of the individual (e.g. adaptability, ingenuity, resilience to stress)?

What other skills/trades/experiences may be of use in the situation?

The following chart provides a sample of some of the core competencies that one may wish to consider.

SKILLS	Language	Ability to speak (one of) the language(s) determined to be appropriate in the Mission context.
	Information Flow and Coordination	Ability to collect, analyze and report information from the field and internally from the organization or Mission.
	Information Technology	Capacity to operate word processors and messaging software.
	Telecommunications	Ability to operate HF, VHF and satellite phones.
	4X4 Driving	Ability to drive a 4X4 vehicle with a manual transmission and a valid driver's license.
	Negotiation and Conflict Management	Basic ability to conclude successful negotiations with armed parties and local authorities.
	First Aid	Ability to apply appropriate first aid techniques for common traumas in a field environment (fractures, loss of consciousness, bullet wounds, etc.).
	Field Orientation/ Map Reading	Ability to read a 1:100 000 map in order to determine one's position, give grid references of objects and features and use the map to move between points.
KNOWLEDGE	Monitoring and Assessment Techniques	Understands the processes involved in understanding the local context, the capacity to judge the quality of information and how to develop/maintain an information network.
	Mine and UXO Awareness	Know the different types of mines, and know the recommended behaviours to prevent mine-related incidents.
	United Nations	Basic Knowledge of UN International Organizations and Non-Governmental Associations (NGOs) - their mandates, strategies and practices.
	Law	Knowledge of international humanitarian law, international human rights obligations and international criminal law - to the extent of being able to identify serious violations in field situations.
	Security	Aware of the security challenges and has knowledge of the security strategies.
	Civil-Military Relations	Knowledge of military ranks, culture, organization, tasks and staff operations.
	Mental Health and Stress Management	Aware of how to manage stress and knows how to recognize signs in self and in colleagues.
	Gender Issues in Crisis Situations	Know how to position oneself according to one's gender in another culture; how to work in a mixed environment in a different culture; how to implement projects keeping in mind essential gender components.
ATTITUDES, MOTIVATIONS, VALUES	Peacebuilding and Post-Conflict Reconstruction Strategies	Know the continuum of peace operations from conflict prevention to peace and development.
	Humanitarian Motivations	Dedicated to bettering the situation of others through the implementation of adapted and effective multi-disciplinary actions.
	Adaptability to and acceptance of other cultures	Positive and constructive view of working and living within a difference culture.
	Teamwork	Positive, constructive attitude towards working and living in close quarters with colleagues from other cultures and backgrounds.
	Professional Adaptability	Adapt his or her skills and focus to changes in the operational environment; and can develop effective and efficient action/programs in unstructured conditions.
PERSONAL REQUIREMENTS	Acceptance of Risk and Security-oriented attitude	Accepts the inherent risks of being in the field and displays willingness to comply with security rules set out by the organization or Mission.
	Physical capability	Appropriate level of physical capability to operate in the environment and to withstand difficult field and weather conditions.
	Health	No medical condition that requires medication or care that might be difficult to access in the field.
	Suitable psychological profile	Ability to work in conflict-affected areas (Mental Health Specialists to determine).
	Family and spouse support	Person leaving for the field has the support of the family and spouse.

- Expectations of Staff

What will they be expected to achieve, and how long will they have to achieve it?

To what extent will staff have access to supervision and guidance?

- Pressures on Staff

What will the main pressures be on the individual on a personal and professional front?

How long will they be away from their usual support networks (family, friends, colleagues)?

How isolated will they be while deployed?

What physical demands will the environment place on the individual?

- Cultural Issues

What are the apparent differences in philosophy in regard to Correctional services?

Developing a Job Description

The information gathered from above will allow for the development of a documented job description.

This provides a tangible description of the person/people that must then be recruited and selected for deployment

It is recommended that this should be a competency based job description. The skills and abilities required should be described using a set of carefully defined competency descriptions. This relates directly to the use of competency based selection practices which will be discussed in the selection section below.

A job description should contain the following:

- Title

- Location

- Reporting lines

The direct report relationship for the position concerned.

- Key Accountabilities

A summary of the key tasks, and responsibilities that will be expected of the person filling the position.

- Person Specification

A competency profile of the person who would be fully proficient in the role.

An example of job descriptions used by one correctional organization for correctional staff working in a peace support operation is attached for information purposes.

Attracting the “Right Person” for the Job

Once a clear profile of the person required for the given situation has been developed, the next step of the process is to attract an application from the people who fit this profile.

Experience indicates that there is little difficulty in attracting staff with an appropriate range of skills to apply for the available roles. This kind of deployment offers a very good and potentially rewarding developmental opportunity to experienced correctional professionals.

Advertising the Position

It is recommended that organizations follow the following process in attracting applications for a position.

- Identify where people with appropriate skills can be found
Will applications be limited to internal applicants, or will there be sources of appropriately skilled people external to the corrections environment?
Are the positions limited to those who currently work in a custodial environment?
What management skills are required, and where can people with these skills be found?
- Advertise widely in the areas identified above
Use multiple forms of communication e.g. e-mail, posters, bulletin boards, word of mouth, team meetings, circulars, publications.
- Begin Early
Advertising and promotion of the role should begin with as much lead in time as possible. Ideally there should be approximately 6 weeks between the first notification of the positions and the time that applications close. This allows individuals to clarify issues, ask questions, consult with their families, so that they can come to a well researched conclusion regarding their decision to apply.
- Provide key information
Ensure that all advertisements contain core information concerning the nature of the role that is on offer, the selection process, closing dates for applications, where people can go for further information.
Provide as much information as is required for the individual to make an informed decision about their own suitability for the role
- Have as much information available as possible
People are easily put off by what they don't know. It is recommended that (allowing for the time constraints of the situation) advertising is commenced only once the details concerning the deployment has been settled.
This means that many of the questions that will be asked can be answered with a degree of certainty. Uncertainty is likely to be a disincentive to apply.
- Provide alternative sources of information
As there will be a variety of questions that arise from the advertising concerning the role, the mission, the selection process etc, it is recommended that member nations ensure that they have specific contact points for staff to use to clarify any issues or questions they may have.
- Provide a 'realistic' perspective
While the role needs to be presented in a positive light in advertising and promotional material, it must also be balanced with the need to provide a realistic picture of what the staff will encounter on the deployment.
The more that people understand about the reality of the job that they will be doing whilst overseas, the better they will be able to make a judgement about their own suitability for the role. Applicants should be offered every opportunity to be able to self select during the selection process.

Providing realistic information will also allow for a greater congruence between the expectations of the individual, and what they may in the end encounter whilst on the job. If the person feels that they have applied for one job, and ended up doing another, then this will create a strong possibility of performance issues.

Motivating Factors

As part of the above process, organizations should also carefully consider how they structure and present certain aspects of the role so as to attract applications from a broad range of appropriately skilled people. The following motivating factors should be considered:

- **Challenge**

The challenge involved in undertaking a role as a corrections professional in a foreign country provides a significant motivating factor, and as such should be used to attract appropriately skilled staff. Experience the opportunity to utilise their skills in an entirely new environment is a very strong incentive.

One of the key motivating factors for staff from a number of correctional organizations has simply been the opportunity to experience something different. (particularly for those who have made their careers in the area of corrections, the opportunity to utilise their skills in an entirely new environment is a very strong incentive).

- **Humanitarian Appeal**

Many people are attracted to the chance to help those in need. Within the corrections environment there are staff who work in prisons and with offenders for this very reason.

- **Financial Reward**

Financial reward is a basic motivating factor for most people. It is a consideration when trying to attract appropriately skilled staff. A level of remuneration will need to be set that will:

- compensate for any negative aspects that may be associated with taking the role e.g. time away from family and friends, distance, harsh environment, adverse conditions etc.
- prove attractive when compared to ordinary remuneration for the same group. This does not have to be to an extreme extent, but simply a recognizable and justified difference.
- not be too excessive. If there is a too substantial financial reward on offer the this will attract applications from many people who are purely motivated by the money. These people will be less likely to fully consider whether they have the appropriate skills for the position, or whether their motivation extends beyond their pay check. This leads to an increased risk of poor performance.

Selection

Competency Based Assessment

It is recommended that any selection process used should be competency based. This approach has a number of advantages of traditional approaches which recognize experience, length of service and seniority.

Advantages of Competency Based Assessment

The advantages of basing selection processes on competency based assessment, as opposed to solely an experience or seniority based selection, are as follows:

- The selection tools can be used to directly assess skills and abilities that are related to the requirements of the job
- It allows assessment tools to be structured around job specific requirements
- It minimizes bias by restricting assessment to a set of defined, discrete and measurable areas of competence
- Applicants are measured using consistent and defined criteria
- Applicants can be directly compared on a competency by competency basis, and judgements can be made about the relative ‘match’ of each candidate
- It can allow useful feedback to applicants on where their skills can be strengthened or improved for the future.

Providing Evidence of Competence

It is also recommended that competencies are assessed using behaviourally based assessment tools.

Behaviourally based evidence consists of the applicant providing examples from their past experiences and situations they have encountered, in which they have demonstrated that they possess the required skills and abilities. This is based on the premise that the best predictor of future performance is past performance.

Judgements can then be made about the relative match of the applicant to the core competencies of the role.

Competency Based Structured Interview

Research has shown that unstructured interviews are a poor predictor of future performance.

However, the predictive accuracy of the interview can be substantially improved if it is structured, and if the questions in the interview are behaviourally based.

It is recommended that the interview is structured as follows:

- **Interview Panel**
Should consist of 2-4 people with a mix of operational and managerial people. It is recommended that, if possible, at least one member of the panel has international experience, preferably in a peace operation.
It is also recommended that the panel should have a mix of male and female members, and any relevant ethnic groups should also be represented on the panel.
- **Interview Length**
It is recommended that the interview should last approximately 50 minutes to 1 hour. This should provide ample opportunity for the competencies of the role to be explored
- **Interview Structure**
The interview should consist of a series of sections of questions. The series of questions in each section must address one of the core competencies for the role, and there must be one section for each competency
- **Interview Questions**
Each section of questions should be behaviourally based (i.e. ask the applicant about the things they have done, rather than what they would or might do), and the questions should focus specifically on the competency being examined.

Applicants should be encouraged to provide the following key information:

- ♦ *A description of the situation they were faced with.*
- ♦ *What actions they personally (not the group, or other people) took to respond to the situation?*
- ♦ *What the eventual outcome was i.e. what effect did their actions have?*
- **Interview Assessment**

Each panel member assesses the applicant against the requirements of each competency based on their responses to the questions in each section.

The panelists assess the extent to which the behaviours described by the applicant match with the competency description. They should then record this as a numerical score on the same rating scale shown above for the self assessment marking.

At the end of the interview each panelist should have a score from 1 to 5 for each of the core competencies
- **Consensus Decision**

At the conclusion of the interview the panelists compare their individual scores, and must reach a consensus on the most appropriate score for each competency.

Once all panel members agree on the score for each competency, these are summed and compared amongst the candidates. The candidates with the highest scores will be selected for further consideration

Reference Checking

It is recommended that those who are successful in the interview assessment then have a referee check conducted.

The applicant must provide the names and contact details of two to three people who can comment on their performance on the job. It would be expected that one of these people would be the individuals direct supervisor or manager.

Referees are an important source of information regarding some of the more subtle aspects of the applicant's ability to cope with working in a peace operation. Recommended issues to be addressed with referees include:

- Ability to cope with stress
- Adaptability
- Ability to relate to people and for relationships
- Ingenuity
- Flexibility

All of these competency areas are tested both at the application and the interview stage. However, the reference check offers an opportunity to get a third party perspective on some aspects of the candidate. Often a persons perception of their own abilities can differ somewhat from that of their peers.

The reference check does not supersede or override the other aspects of the selection process, but it does provide a useful cross reference, and can raise important issues that need to be explored prior to the final selection of individuals to take up the available positions.

Medical Assessment

Bearing in mind the physical conditions that will be encountered by staff in a given country, an appropriate medical assessment is recommended for all successful applicants. This must be conducted by medical specialists.

Factors that the medical assessment will need to consider are:

- The medical condition of the individual, and the presence of any potential risk factors.
- The individual's ability to undertake a travel involved in getting to the location of the deployment.
- Any current infections, diseases or conditions that may be aggravated by the given environmental conditions.
- The ability of the individual to potentially be away from significant medical assistance for an extended period of time.
- The ability of the individual to cope physically with the environment in the destination country.
- The physical fitness of the applicant, and whether this is appropriate to perform the required work in the given environment.

It is recommended that this assessment be a simple pass or fail assessment. Either the applicant is deemed medically fit to travel to the country concerned, and perform the role required, or they are not.

Preparing For Deployment

Once the staff to make up the deployment have been selected, they must be prepared for departure.

Based on experience, it is recommended that the following issues be addressed:

Conditions of Employment

Before any staff can be deployed, it is recommended that their conditions of employment are clearly defined. Ideally this would be settled prior to the positions being advertised, so that all applicants are aware of what they are asking for.

However, the reality is that these kinds of arrangements may not be decided until much closer to the deployment.

Steps must be taken to protect both the organization and the staff from being disadvantaged by the deployment.

Recommended issues to consider:

- Contractual arrangements
 - Who will they be employed by when on deployment?*
 - What will their contractual terms and conditions be, and how will these compare with those in their normal employment?*
 - Will they remain employees of their current organization, will they be seconded, or will they be contracted by another organization?*
 - What will their entitlements be (in terms of annual leave, sick leave etc)?*
 - What effect will the deployment have on their current employment? E.g. Will the deployment interrupt service, and therefore effect service related entitlements*

- Income
 - How much will the staff be paid?*
 - What currency will they be paid in?*
 - Who will staff be paid by?*
 - When will they receive their payments?*
 - What allowances will there be?*
 - What financial support will be available for partners and families left at home?*
 - What are the taxation issues?*
- Insurance
 - What insurance cover will be available in the event of accident or mishap?*
 - Who pays for the insurance?*
 - To what extent will staff be covered?*
 - For what period will they be covered?*
 - What is the extent of the liability?*

Pre-deployment Training

Specific training must be developed and provided to staff to allow them to cope with the job that they will be doing, and the environment in which they will be doing it. This training may need to cover the following core areas (depending on the environment to be encountered, and the level of support available):

- Orientation
- Survival
- Self defence
- Defensive driving and other driving techniques (i.e., manual transmission, 4X4)
- Health/disease prevention
- Medical/first-aid
- Rescue techniques
- Basic fire fighting
- Dealing with stress
- Dealing with separation
- Hostage training
- Language and communication
- Familiarization with equipment
- Media awareness
- Training design/delivery

Much of this training will be available from other sources, such as civilian-policing experts, military - peacekeeping experts, NGO's with expertise in peace support operations, etc. .

It is recommended that organizations consider using what pre-existing expertise they have that will assist them in providing relevant training.

It is also recommended that any such training should occur as close to the actual date of departure as possible. This means that the training is fresh in the minds of the staff when they reach their destination, and can then put it directly in to practice.

Pre-deployment Briefings for Family & Partners

The stress placed on family and partners when staff are to be deployed overseas is significant. For this reason it is recommended that organizations be proactive in managing this aspect, as it will have significant implications for the individual and their performance on the job.

Civilian Police and the Military who have been active in peace operations are an excellent source of information for dealing with these issues.

It is recommended that the following should be supplied to families and partners of staff to be deployed in a peace operation:

- Information packs
These must be tailored to meet the needs of the partners and families of the individual staff members. The packs should cover:
 - ♦ *Information about the deployment*
 - ♦ *Information about the country*
 - ♦ *Information about what their partner/parent will be doing while on deployment*
 - ♦ *Dealing with long term separation*
 - ♦ *Adjusting to daily life without a partner/parent*
 - ♦ *Available support and assistance*
 - ♦ *Communications*
 - ♦ *Dealing with the return of a partner/parent*
- Briefings
While much of the relevant information is available in the form of information packs, it should also be covered in face to face briefings
It is also recommended that, where possible, families should have the chance to talk to someone who has been on a previous deployment, or has had experience with the country to which staff are being deployed
It is also recommended that these briefings are done with the staff and their partners and families present. It is also recommended that these groups are able to mix and become familiar with each other. Often the partners and families of other staff who are being deployed provide an excellent support network for people.

Equipment

Staff will need to be provided with appropriate equipment to deal with the tasks that will be required of them. This will be very much dependent on the nature of the deployment, and the circumstances that will be encountered.

The recommendations below are by no means definitive, and consideration will need to be given to what staff will require in the given circumstances.

It is recommended that the following will need to be considered:

- Clothing
Staff will need to have access to appropriate clothing for the environment. Consideration will need to be given to what will be supplied, by whom, at what cost, and who will pay for it.
- Transport
This will depend on the extent to which staff are required to be mobile, or to provide transport for others. As an example, New Zealand prison officials in East Timor required

transport for transferring inmates between prisons and to court, as well as for personal travel between prisons.

Again, consideration will need to be given to what is required, who will supply it, and how it will be funded.

- **Communications**

It is important to consider that communications will be supplied for local use, and also for contact with home.

All New Zealand prison officials in East Timor were initially supplied with cell-phones, there was also a satellite phone, and access to e-mail provided. Personal calls were paid for by the individual.

For later contingents, the locally available communications have improved, and therefore staff require less support on this front.

- **Medical Equipment**

It is recommended that staff to be deployed overseas are provided with basic personal and general medical equipment. This may include:

- *Personal medical kit*
- *Basic first aid equipment*
- *Personal hygiene/health items*

Support During and After Deployment

After the staff have finally been deployed to their destination there is a significant amount of support required to maintain them there. The staff cannot simply be left to fend for themselves.

Even if the staff are to be employed by another organization, who will provide support to staff, it is recommended that their situation is still closely monitored to ensure that they have appropriate access to the support they require.

Support During Deployment

In order to maintain staff performance during the term of the deployment it is recommended that the following support be supplied to staff as appropriate:

- **Communications**

It is essential that staff are able to contact home both from a personal and professional perspective.

It is also important to maintain a communication system to avoid staff feeling isolated, or cut off from their support networks.

Such communication could include:

- *Telephone*
- *Mail*
- *E-mail*
- *Fax*

In addition regular organizational publications or work communications that may be of assistance. This assists with keeping staff “in the loop”, and avoids feelings of total isolation.

- **Contact Person for Staff**

As with all employment situations, there will be issues that arise over the course of the deployment. These issues will be varied and wide ranging, and staff will not always have the knowledge of expertise to deal with them locally.

Accordingly, it is recommended that a specific contact person is provided who can act as an advocate for staff. This person(s) will be responsible for dealing with the issues as they arise, and liaising amongst the various parties involved to reach a satisfactory conclusion.

Having such a person also provides a single point of contact for both staff and management, and allows issues to be dealt with in a coordinated manner.

- **Support for Partners and Families**

It is also important to consider what support the organization will supply to the partners and families of the staff while they are on deployment.

The recommended options are:

- *Regular teleconferences for partners*
- *A contact person for partner and families*
- *Information sharing*
- *E-mail services*
- *Postal services*

Support Following Return from Deployment

The main issue to be addressed when staff return from the deployment is reintegration.

The following steps should be taken to ensure that the transition from the exceptional circumstances for the deployment are as smooth as possible for both staff and their partners and families.

- **Provide leave upon return**

It is recommended that returning staff are provided with a period of leave (up to two weeks). This is to allow staff to adjust to the realities of being home, and resuming life in a normal state.

This also provides an opportunity for staff to be debriefed, and spend time with their families before being thrust back in to a working situation.

- **Provide a debriefing for staff**

This again is something that the armed forces and other organization can provide expertise on. The staff member needs to sit down with their supervisor/manager and discuss the issues they face on their return, and how the transition back to 'business as usual' will occur.

It is also recommended that supervisors/managers monitor the staff member closely for signs that they are finding the transition difficult. Any issues that arise should be addressed appropriately as soon as possible.

- **Provide a debrief for partners and families**

Partners and families may also find it challenging to cope with the return of the staff member. It is recommended that the facility for professional assistance is made available to partners and families should they require it.

ANNEX C

OTHER SOURCES OF ASSISTANCE

This Annex lists relevant resource material and websites that may be of interest to corrections practitioners.

A N N E X C

OTHER SOURCES OF ASSISTANCE (I.E., WEB SITES, RELEVANT MANUALS, ETC.)

There are many more references that can be added to this list. Suggestions are also welcome.

PUBLICATIONS

International Compendium of Current Practices to Address Infectious Diseases in Prisons

www.icclr.law.ubc.ca/Site%20Map/Publications%20Page/Corrections.htm

International Humanitarian Law: Answers to your questions. *ICRC, Geneva, 1998*

www.icrc.org

International Prison Policy Development Instrument (*International Centre for Criminal Law Reform and Criminal Justice Policy*)

www.icclr.law.ubc.ca/Site%20Map/Publications%20Page/Corrections.htm

Making Standards Work: An International Handbook on Good Prison Practices, *Penal Reform International, The Hague, March, 1995*

www.penalreform.org/english/MSW.pdf

Technical Assistance and Cooperation in Sentencing and Corrections - Needs Assessment Questionnaire: *International Centre for Criminal Law Reform and Criminal Justice Policy*

www.icclr.law.ubc.ca

United Nations Blue Book (for Civilian Police in UN Peace Operations)

www.uncjin.org/Documents/BlueBook/BlueBook/

Towards Improved Corrections: A Strategic Framework, *International Centre for Criminal Law Reform and Criminal Justice Policy and Correctional Service of Canada, 1994*

www.icclr.law.ubc.ca/Publications/Reports/Strategic.pdf

WEB SITES

United Nations Related Sites

Office of the United Nations High Commissioner for Human Rights (OHCHR)

www.unhchr.ch/html/hchr.htm

United Nations Crime and Justice Information Network www.uncjin.org

United Nations Main Site www.un.org

Corrections/Prisons Related Sites

International Corrections and Prisons Association for the Advancement of Professional Corrections www.icpa.ca

American Correctional Association www.aca.org

American Probation and Parole Association www.appa-net.org

Association of Paroling Authorities International www.apaintl.org

Conférence Permanente Européene de la Probation (CEP) www.cep-probation.org

Correctional Service of Canada www.csc-scc.gc.ca

HM Chief Inspector for Prisons for England and Wales

www.homeoffice.gov.uk/hmipris/hmipris.htm

International Centre for Prison Studies www.kcl.ac.uk/depsta/rel/icps/home.html

International Community Corrections Association www.iccaweb.org

National Parole Board of Canada www.npb-cnlc.gc.ca

New Zealand Department of Corrections www.corrections.govt.nz/

Prison and Probation Department of Norway [//odin.dep.no/jd/engelsk/dep/om_dep/012001-150039/index-dok000-b-n-a.html](http://odin.dep.no/jd/engelsk/dep/om_dep/012001-150039/index-dok000-b-n-a.html)

Prison Fellowship International www.pfi.org

Solicitor General Canada www.sgc.gc.ca

Swedish Prison and Probation Administration www.kvv.se/english/index.html

United Kingdom Home Office www.homeoffice.gov.uk/

Other Criminal Justice Sites

European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment www.cpt.coe.int

International Association of Prosecutors www.iap.nl.com

Humanitarian Aid Sites

Avocats sans Frontières www.asf.be

International Committee of the Red Cross www.icrc.org

Reference Sites

Centre for Addiction and Mental Health (CAMH) www.camh.net/

Centre of Criminology Library, University of Toronto

[//library.utoronto.ca/www/libraries_crim/crimhome.htm](http://library.utoronto.ca/www/libraries_crim/crimhome.htm)

Criminal Justice Institute (CJI) www.cji.net

Danish Centre for Human Rights www.humanrights.dk/

European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment www.cpt.coe.int/

Human Security Network www.humansecuritynetwork.org/

National Institute of Corrections Information Center (NIC) www.nicic.org/

Penal Lexicon www.penlex.org.uk/

Raoul Wallenberg Institute of Human Rights and Humanitarian Law www ldc.lu.se/raoul/

United Nations Crime and Justice Information Network www.uncjin.org/

Volunteers of America www.voa.org

World Criminal Justice Library Network [//andromeda.rutgers.edu/~wcjlen/WCJ/](http://andromeda.rutgers.edu/~wcjlen/WCJ/)

World Factbook of Criminal Justice Systems www.ojp.usdoj.gov/bjs/abstract/wfcj.htm

World Justice Information Network www.wjin.net

TOWARDS IMPROVED CORRECTIONS: A STRATEGIC FRAMEWORK

INTRODUCTION

The First International Symposium on the Future of Corrections was held in Ottawa, Canada, in June 1991. Delegates to that symposium agreed on the need for a strategic framework, that is, a statement of values and principles for corrections.³² Following the symposium, a drafting committee convened by the Correctional Service of Canada worked on developing such a framework. The result was a framework document, "Towards Excellence in Corrections."

Delegates to the first symposium also agreed to hold another symposium in two years' time to examine the strategic framework and test its validity for a variety of correctional systems. The second symposium was held in Poland in October 1993. Senior officials, representatives of non-governmental organizations, and academics from 29 nations attended the second symposium. They endorsed the strategic framework in principle and recommended a number of changes and improvements, which have been incorporated into this version, which has been given a new title.

The intent of the strategic framework is to assist correctional organizations in defining their role within the criminal justice system. This involves:

- explaining what corrections is;
- defining what is meant by effectiveness in corrections;
- explaining what corrections can realistically achieve; and
- expressing the values that are vital to corrections in a democratic society.

This framework is not a set of precise, specific standards but a broad vision that will serve to guide developments in the field of corrections. Its aim is to inspire improvement in performance, not just change. As such, it should serve as a starting point for discussion. How the framework is used must be determined by each system that is in search of a better future. It can serve as a reminder of the opportunities for improvement and an impetus for action. Commitment to the values and principles contained herein will allow correctional systems to achieve significant progress and improvement.

This document is intended to contribute to:

- a greater emphasis on crime prevention to clarify for members of the public, politicians, and the other components of the criminal justice system how corrections contributes to society's efforts to achieve domestic peace and justice and the limitations of that contribution;
- systemic improvements in corrections and criminal justice policies and legislation through a consistent approach to offenders³³ based upon shared values and principles;
- the appropriate use of imprisonment through a stronger emphasis on community corrections and non-custodial measures combined with effective programs to safely reintegrate offenders into society;

³² The term "corrections" is used throughout this document to denote those segments of the criminal justice system responsible for prison administration and the supervision of offenders on conditional release in the community.

³³ The term "offenders" refers to prisoners and parolees (or others conditionally-released), collectively.

- the development of improved risk assessment tools and risk management strategies through on-going research and sharing of information nationally and internationally;
- increased staff professionalism; and
- a clearer understanding of, and commitment to the responsibilities of the following in contributing to an effective corrections system:
 - society, which provides the mandate, resources, and support;
 - corrections, which provides programs, expertise and professional, committed personnel;
 - offenders, who choose the programs that will assist them to become law-abiding citizens.

Corrections faces a number of challenges that are unlikely to change in the short term:

1. There are public demands for more punitive sanctions and an increasing reliance on incarceration as the crime control measure of choice. This hinders the development of meaningful community sanctions. Approaches to dealing with offenders are fragmented, even within the criminal justice system itself.
2. Severe crowding in some jurisdictions has stripped corrections systems of their ability to treat offenders in a humane manner.
3. There are unrealistic expectations that corrections alone can solve the crime problem. Public confidence in the criminal justice system is limited and fragile and there is a general intolerance of any failure. Adding to the problem is a lack of understanding about corrections, a view that "nothing works," and a reticence to support alternative sanctions and a more judicious use of imprisonment.
4. A continued denial of community responsibility for crime prevention and control leads to expectations that corrections alone will provide a solution. Once offenders are sentenced, corrections is expected to redress long-standing inadequacies of education, housing, social welfare and discrimination.

These expectations are compounded by public perceptions of increasing violent crime; which, in many counties are unfounded. Nevertheless, fear of crime is a reality that must be addressed if corrections is to gain credibility and public support.

5. There is a clear need for better public education about corrections. The public needs to understand the roles to be played by the community, the criminal justice system, and corrections in striving for a safer and more peaceful society. The community must participate in the correctional process. Leaders in the corrections field must become actively involved in the development of public policy.
6. Incarceration is costly and demands resources that would be better invested in social programs that have a more direct impact on crime prevention. In some jurisdictions, the cost of constructing and maintaining prisons threatens basic programs of employment, education, economic development, health, housing and income maintenance. While good correctional practice contributes to crime prevention, other social programs can have a greater effect in addressing the underlying causes of crime.

7. There is a growing demand for all public services to become more effective and efficient, to be more open to public scrutiny, to give better quality service to the public and, generally, to be more accountable.

The strategic framework that follows sets out fundamental objectives to meet these challenges, expressed in the form of values and principles.

THE ROLE AND VALUES OF CORRECTIONS

The goal of every society is to maintain peace and to provide justice and safety for its members.

The criminal justice system contributes to the maintenance of a just, peaceful and safe society, through the use of appropriate and reasonable sanctions.

As part of the criminal justice system, corrections contributes to the protection of society by actively encouraging offenders to take advantage of opportunities that will assist them in becoming law-abiding citizens, while exercising only the degree of control necessary.

Discussion

All people have the right to live in a just, peaceful and safe society. There will always be crime and a need for criminal justice. The definition of an acceptable level of crime within any society is a function of the values and culture of that society. Societal values also determine the nature of the response to crime.

There is clear evidence that the increased use of imprisonment and punishment does not reduce the level of crime, and, therefore, does little to contribute to the long-term protection of society. Corrections has limited potential for the control of crime: Sanctions come into play far too late and leave the sources of the problem untouched. The majority of offenders can be safely managed in the community where appropriate sanctions can be imposed and effective programs provided. Offenders must demonstrate responsibility, repair the harm done to the community, and comply with stipulated expectations.

One of the greatest challenges to society is to develop more effective and credible community sanctions. Imprisonment, while the ultimate sanction in most societies, is probably the least promising, productive, or effective. Thus it should be used with restraint. Nevertheless, there will remain, for the foreseeable future, a need for prisons to deal with the relatively small group of serious offenders who pose a significant risk to society.

A term of imprisonment is appropriate for those offenders who pose an unmanageable risk to the public, or where the seriousness of the offence, in the eyes of society, requires imprisonment as a sanction. When imprisonment is necessary, corrections has an obligation to provide for the safe, secure and humane custody of offenders, while exercising only the degree of control necessary. Society is best protected in the long-term by the timely and safe release of offenders to serve the balance of their sentence in the community, under appropriate supervision and control. The vast majority of offenders will return to the community. The prison regime should facilitate their safe return to society by creating, to the extent possible within prison, an environment reflective of the community-at-large. It is equally important to provide a range of programs and activities that

motivate offenders to address the factors that led to their criminal behaviour and to maintain family and community ties.

VALUE 1 – JUSTICE AS THE CORE VALUE

Corrections is that component of the criminal justice system, which has the greatest impact on the freedoms, liberties and rights of individuals. Therefore those who are involved in corrections must respect fundamental human rights in every aspect of their work and must be guided by a belief in:

- **fairness and equality under and before the law;**
- **the dignity and worth of individuals, and**
- **managing with honesty, openness and integrity.**

Principles

In protecting the rights of offenders, correctional systems should build on the base established in international standards.

The foremost duty of corrections should be to promote, in staff members and with the public, respect for the inherent dignity, humanity, and worth of all individuals, including offenders.

Adopting justice as the core value sets the framework for the values and principles that guide the approach to offenders, the use of sanctions, decision making, partnerships, the development of professional correctional workers, the relationship with the public and the overall effectiveness of corrections.

VALUE 2

Fundamental to an effective corrections and justice system is a firm commitment to the belief that offenders are responsible for their own behaviour and have the potential to live as law-abiding citizens.

Principles

Offenders must be treated as individuals.

There must be a focus on the specific circumstances, individual needs and risk posed by a particular offender and on addressing those needs while responsibly managing the risk.

Offenders must be informed, active participants in decisions affecting them and must be provided the opportunity for redress.

Positive and effective interaction based on mutual respect between staff members and offenders, is the cornerstone on which the future of corrections rests.

Opportunities must be provided and offenders actively encouraged to take part in programs that will reduce the risk they present and aid their reintegration into society.

Programs should be based on a sound framework of research and evaluation and innovative approaches to effective programs supported.

Conditions imposed on offenders must be appropriate to risk and need, facilitate positive change, and be clearly stated and understood by all involved.

Each offender should be encouraged to gain more freedom through responsible behaviour over time.

The religious, spiritual and cultural needs of individuals and minority groups should be accommodated, provided the rights of some other group are not impinged upon in the process and that reasonable requirements of safety, security, and good order are met.

VALUE 3

The majority of offenders can be dealt with effectively in the community by means of non-custodial correctional programs; imprisonment should be used with restraint.

Principles

Imprisonment should be reserved for those not otherwise suitably punished, those who pose a serious danger to the community, and those who willfully refuse to comply with non-prison sanctions.

Offenders are sent to prison as punishment, not for punishment, and therefore prison environments must be safe and humane and as close as possible to conditions in the community.

Dynamic security, based upon active and consistent interaction between staff members and offenders, fosters a non-repressive, non-adversarial climate in which overall security is enhanced. Inmates are held accountable for their behaviour, and are expected to act responsibly and build positive relationships with staff members.

Static security, with its various physical means of containment, complements and reinforces dynamic security. Force is used only when necessary and then only to the degree required to preserve life, prevent injuries and restore order.

The interests of society are best served by the successful reintegration of offenders as early and safely as possible. This is a key aspect of corrections' contribution to crime prevention.

A graduated release program tests an offender's suitability for release while providing necessary support and control, and is preferable to release at the end of the sentence with no preparation or supervision.

Credible community programs, directed towards maintaining offenders in the community and consistent with the need to protect the public, are a cost-effective approach to dealing with offenders and should be the primary focus.

Offenders sentenced to a term of imprisonment will be supported in maintaining and developing family and community ties as an essential aspect of preparing for their return to society.

Continuity in programming is important so that offenders who are ready for release are able to continue to address their needs in the community.

Community programs focused on developing and maintaining support systems, gainful employment and social services significantly improve an offender's potential to become a law-abiding citizen.

Within a fair and rational sentencing process, a broad range of credible, safe and effective sanctions must be made available. Evaluation of the effectiveness of the various sanctions will provide empirical evidence of their relative merit to those responsible for sentencing.

VALUE 4

In the interest of public protection, decisions about offenders must be based on informed risk assessment and risk management.

Principles

Given the nature of corrections, risk will never be totally eliminated.

Assessment of the risk an offender poses should be used as the basis for most decisions within the criminal justice system.

Informed, comprehensive risk assessment must be based on high quality information gathered and shared among the components of the criminal justice system. Risk assessment tools must be empirically sound, based on research, evaluation and testing.

The ability to assess risk must be continually improved, and offenders matched with programs that will reduce the risk they pose.

Risk management strategies must be based on the specific needs of an offender. A variety of interventions must be available to address the risk posed by a particular individual.

Changes in the level of risk posed by an offender must be consistently monitored to determine whether controls can be lessened, or, alternatively, whether action must be taken to reduce the risk.

VALUE 5

Effective corrections is dependent on working in close cooperation with criminal justice partners and the community in order to contribute to a more just, humane and safe society.

Principles

Positive and constructive partnerships should be established and maintained locally, nationally and internationally, with those who have an interest, or a role to play, in criminal justice.

Cooperative efforts are successful when they are based on shared interests, clear understanding of expectations, and open communications.

The valuable contribution of community services and agencies in working with offenders in the community should be supported to the fullest extent possible.

Effective criminal justice policy will be based upon open, two-way communication among partners within the criminal justice system.

Identifying and promoting improvements to criminal justice and social policies will lead to a more just, peaceful and safe society.

An external focus should be adopted, seeking opportunities in the community to improve achievement of objectives.

Corrections systems should be sensitive to, and, as much as possible, responsive to, the needs of victims.

VALUE 6

Carefully recruited, properly trained and well-informed staff members are essential to an effective correctional system.

Principles

To meet existing and emerging challenges, recruitment should reflect the diversity within society and staff members recruited who share the overall values of the correctional system.

The professionalism of all correctional workers should be recognized and furthered by actively involving them in achieving goals and seeking their views on policies, plans and priorities.

It is important to establish expectations and objectives with employees and provide opportunities for personal growth and development so that they can achieve their full potential.

Staff members have the right to clearly understand their roles and responsibilities and are entitled to the information necessary to achieve the objectives set.

It is important to encourage employee initiative, creativity, and reliance on self-direction and to support personal responsibility for continued learning and career development.

Providing the training and supervision required for employees to succeed at their jobs is vital to both the individual and the organization.

Relationships with, and among, staff members, and with staff organizations, should be based on effective communication, mutual respect, and a recognition of common objectives.

VALUE 7

The public has a right to know what is done in corrections and should be given the opportunity to participate in the criminal justice system.

Principles

It is crucial to enlist public understanding, support and participation in correctional programs and activities.

Communications should foster greater public interest and a better appreciation of the challenges of corrections so as to create more realistic expectations of what corrections can and cannot do.

Openness, accessibility, and responsiveness to public criticism, along with a willingness to seek improvements, support the principle that the public is a responsible participant in the correctional process.

Rational performance indicators based on solid empirical data, should be set for programs and operations, and results clearly communicated.

Positive and proactive relations should be pursued with the media to assist them in their role of informing the public about correctional issues and a spirit of openness and accountability adopted (to the extent permitted by law).

Volunteers make a valuable contribution to effective corrections and their active participation should be encouraged.

VALUE 8

The effectiveness of corrections depends on the degree to which correctional systems are capable of responding to change and shaping the future.

Principles

Continuous improvements will be achieved by:

- learning from experience;
- keeping abreast of trends, developments and emerging issues;
- sharing information nationally and internationally;
- maintaining a strong research and development focus;
- maximizing the use of the resources available;
- benefiting from the knowledge and experience of others;
- establishing effective accountability mechanisms;
- communicating well within and outside the organization;
- being open and responsive;
- constantly seeking ways to improve;
- providing the best possible service in a professional manner;
- taking the lead in the development of public policy.

A focus on setting objectives, achieving results, and continually monitoring performance, will lead to ongoing improvements.

This is a special edition of the Strategic Framework Paper, specifically printed and distributed for these Guidelines.

This Strategic Framework Paper is the result of two International Symposiums on the Future of Corrections, the first was held in Ottawa, Canada in 1991, and the second was held in Popowo, Poland in 1993. This document was originally published and distributed in a joint initiative between the International Centre for Criminal Law Reform and Criminal Justice Policy (ICCLR) and the Correctional Service of Canada. The ICPA appreciates the cooperation of both these organizations for their support of this special printing.

ANNEX D

A SAMPLE PRISON OFFICER TRAINING COURSE

This Annex provides an overview of a typical Prison Officer Basic Training Course.

A N N E X D

A SAMPLE PRISON OFFICER TRAINING COURSE

The material used here has been gathered by a review of more than 100 training programs conducted in individual Correctional Staff institutions, training academies and educational institutions around the world. Conferences with prison practitioners were held in North America, South America, Europe, Eastern Europe, Africa, Asia and the Middle East to go over the material in detail. More than 30 manuals were prepared with the laws of specific nations included for the general review and recommendations of prison personnel. The material in this section is what was found to be an almost universally agreed upon set of the basic and minimum information people working in a prison should have included in their initial training. The times suggested here for each course is, again, a compilation of what was gathered from the material reviewed and would most likely be used as a guide in individual institutions doing their own initial or refresher training. Training in a school or academy will undoubtedly be longer and more detailed.

Before working in a detention facility, prison or other type of correctional facility, it is important that certain basic elements are taught to each new employee. This is especially true for personnel who will be working directly with inmates. Following is an outline of what those basic elements should be. The individual institution may wish to change the order suggested for some of the training modules, or may wish to add to or modify some of the topics.

The amount of time suggested for each module is based on the experience of similar training modules as operated in several prisons in different parts of the world. The time is the **minimum** needed to cover the subject and is meant as a guide to help you develop your own module. If desired, sample lesson plans can be provided to serve as an example as individual institutions develop their own.

Though physical fitness training is important, it is not mentioned in this manual. Many prison systems bring their recruits into an academy and provide them with as much as six months to a year of basic training which has many additional elements not included here. Those who do more are to be commended and, if possible, copied by others. However, this manual is intended to present the minimum subject matter necessary for the efficient, effective and humane performance of duties. It goes without saying that without proper supervision and constant reinforcement of both the philosophy of the prison system and the appropriate behavior of the staff, the training is of little value.

Finally, what is presented here is the minimum classroom material. It is strongly suggested that the training include several practical sessions where the recruits spend time with experienced officers inside of prisons. After the initial orientation, a visit to one or more prisons is an important way to help the recruit to better understand what he or she will be exposed to during the individual lessons. It is also recommended that experienced officers be trained as "coaches" so when they are working with recruits, they can help reinforce and enhance the basic training. For more information, please contact the International Corrections and Prisons Association for the Advancement of Professional Corrections at www.icpa.ca or e-mail at contactus@icpa.ca

THE FIRST WEEK: AN OVERVIEW OF CORRECTIONS AND WORKING IN IT

Orientation

This is the student's introduction to the corrections system. It begins with an overview of the nation's criminal justice system and moves to the specifics of the laws covering the prison system. It ends by covering the general duties and expected behavior of prison personnel. Minimum time that should be allocated to this subject is 2 hours.

Overview of the Prison System

This module looks at the purpose of prison within the nation. Emphasis is given to the legal difference of the status of a confinee in pre-trial detention and an offender imprisoned as a condition of the court-imposed sentence. It will also cover the different classifications of inmates which must, by law, be kept separate from each other. The final section will list and define the various prisons within the nation and describe their general purpose, population capacities and security levels. Minimum time that should be allocated to this subject is 2 hours.

Who is in our Prisons and Why?

This module provides information on the race, sex, age, offense, and average term served by the nation's inmates. It also covers the types and numbers of inmates from foreign nations. The lesson ends with a discussion among the students to help identify any false stereotypes and prejudices they might have concerning inmates in general. It will include a discussion on the causes of crime, especially violent crime, within the nation. Minimum time that should be allocated to this subject is 2 hours.

International Standards and Norms Impacting on Prison Work and Inmates

This module provides an in-depth introduction of the United Nations and other appropriate Standards and Norms defining the minimum standards of treatment required for detained and sentenced individuals. It covers inmate rights and staff responsibilities. Minimum time that should be allocated to this subject is 4 hours.

Prison Policies and Procedures

This module identifies the authority under which the prison system works and provides an overview of the policies. Sample policies and procedures are presented. Group discussions and exercises are conducted to enable participants to find solutions to policy questions they might encounter. Minimum time that should be allocated to this subject is 6 hours.

Cross-Cultural Awareness

The purpose of this module is to provide participants with the knowledge and skills necessary to supervise and effectively communicate with all members of today's culturally diverse prison community, thereby improving the overall effectiveness of prison operations and avoiding culturally related supervision problems. Minimum time that should be allocated to this subject is 2 hours.

Inmate Discipline

This module presents an introduction to the discipline process by reviewing the established rules for inmate behavior. The concept of due process in the discipline program is explained as well as punishment options. Minimum time that should be allocated to this subject is 3 hours.

Inmates and the Prison Environment

This module begins with a brief discussion of the impact of prison and confinement on both inmates and staff. It covers the various stages inmates go through from reception to discharge from the system. This is followed by discussions of the subtle, destructive manipulation by some inmates that can lead staff into criminal activity while working in a prison. The manipulation techniques of the criminal personality are explored as a way of developing insights to protect against the "games" that some inmates play. Minimum time that should be allocated to this subject is 4 hours.

Violence In Prison

This module looks at the issue of inmate violence from the point of view of controls available in prison settings. An analysis of previous disturbances or violent incidence is presented. Discussion of inmate needs and the physical conditions helping lead to prison disturbances is also provided. Minimum time that should be allocated to this subject is 1 hour.

A Brief Overview of Prisons and Treatment Philosophies

The previous lessons have laid the legal, operational and philosophical base of the prisons and the prison environment. This module looks at the history of how prisons developed into their current method of operating. Information is provided on the theory of re-socialization and rehabilitation and what role the prison officer plays. Current re-socialization programs operating within the prison are explained. Minimum time that should be allocated to this subject is 4 hour.

Hostage Survival

This module answers the question, "What should I do if I were taken hostage?" Mental and emotional preparedness is stressed along with a discussion of the emergency planning that is part of the institutional response to hostage situations. Minimum time that should be allocated to this subject is 2 hours.

Fire Safety

Fires in a prison are especially dangerous due to the security arrangements of prisons. All staff are expected to respond to fire emergencies as well as be aware of their role in fire prevention. Minimum time that should be allocated to this subject is 1 hour.

Supervision of Inmates

This module looks at the duties, responsibilities and techniques of inmate supervision. It provides some specific supervision activities when dealing with inmates who are members of organized gangs.

THE SECOND WEEK -- MANAGING PROBLEMS IN A PRISON SETTING

Introduction to Searching Techniques

This program is divided into sub-sections that deal with techniques for clothed body searches, unclothed body searches and cell or area searches. A consistent "head to toe" approach to the frisk search is demonstrated as one of the security skills that will be tested at the end of the week. Minimum time that should be allocated to this subject is 4 hours.

Drug Awareness

This module introduces the drugs commonly found in prisons. It provides information on the use, effect and identification of chemicals and substances abused by inmates. It provides information concerning safety issues for staff who may come into contact with these substances. Minimum time that should be allocated to this subject is 2 hours.

Suicide Prevention

This module helps the staff identify the warning signs that people contemplating suicide often exhibit. Correctional Staff need to be aware of their role in identifying and preventing inmate suicide. Minimum time that should be allocated to this subject is 1 hour.

Sizing Up the Situation

This module helps the staff know what is happening in any situation. Sizing up helps avoid costly mistakes and maximizes the chances that decisions will be effective and accurate. Minimum time that should be allocated to this subject is 2 hours.

Communicating with Inmates

This module provides the skills to help staff open up communications with inmates. It provides staff with the ability to get another person to tell them more about what he or she knows or thinks. Minimum time that should be allocated to this subject is 2 hours.

Controlling Inmate Behavior

Besides the need to protect the due process rights of inmates, there is a need to effectively deal with inmate behavior on an on-going basis that requires good management and communication skills on the part of prison workers. This module focuses on various proven ways to effectively correct behavior. Minimum time that should be allocated to this subject is 2 hours.

First Aid And Health Promotion

This program includes an introduction to Emergency Action Principles as well as correct procedures for patient assessment prior to rendering or summoning aid. Techniques for rescue breathing, clearing an obstructed airway, and CPR are taught as well as other procedures for emergency conditions that, if not treated, can become life threatening very quickly. The session ends with a discussion of health and disease issues, such as TB, AIDS and other communicable diseases. It also covers information on what officers can do to help promote general health and sanitary conditions within the facility. Minimum time that should be allocated to this subject is 8 hours.

Non-Violent Crisis Intervention

This module exposes the participants to recognition of the stages of crisis development in individuals as well as effective staff responses to each phase of this development. A series of exercises are provided to assist staff in experiencing what it is like to work with someone going through these phases. Participants are given exposure to non-violent defense techniques as well as a non-violent team control technique. Minimum time that should be allocated to this subject is 4 hours.

Personnel Protection Techniques

This module introduces some fundamental principles of personal protection. A variety of defensive release techniques are demonstrated and practiced. The course concludes with several practical control techniques. Minimum time that should be allocated to this subject is 2 hours.

Key and Tool Control

The secure use of tools and keys is an important aspect of every institutional operation. Basic ideas on acquisition and control of these devices is explored and discussed. Minimum time that should be allocated to this subject is 4 hours.

Inmate Counts

This module introduces important security supervision techniques that are required in inmate management. The focus is on developing good observation skills along with procedures for conducting various types of inmate counts. An exercise in counting is a concluding activity for this module. Minimum time that should be allocated to this subject is 1 hour.

Report Writing

This module provides an introduction to basic report writing skills as a background to the legal and administrative requirements for reports of the Prison system. The program is divided into two sessions and concludes with a Practicum where each participant will complete several reports that are reviewed under the supervision of the instructor. Minimum time that should be allocated to this subject is 2 hours.

Stress Management

This module demonstrates stress management techniques and has participants practice some of them. Minimum time that should be allocated to this subject is 2 hours.

THE THIRD WEEK -- SECURITY PROCEDURES AND FIREARMS

Use of Force

This module investigates the types of force to use in controlling inmates, always keeping it to the least amount of force necessary. Practice in identifying potentially dangerous situations and how to handle them in as non-combative a manner as possible is given each participant. Minimum time that should be allocated to this subject is 2 hours.

Firearm Safety

This module prepares the trainees for the specific weapons they will use in corrections. The basics of weapon and range safety are carefully presented as the most important aspect of weapons handling. Minimum time that should be allocated to this subject is 1 hour.

Introduction To Weapons

This module prepares the staff for the potentiality of carrying firearms and chemical agents as a job responsibility related to the authority granted them by the State. This course presents basic introductory skills and a familiarization with the handling characteristics and functional operation of each of the weapons they will use in their job. Classroom demonstration is provided for each weapon. Minimum time that should be allocated to this subject is 2 hours.

Weapons – Classroom Practice

Each trainee is given ample time to become physically acquainted with the operation of each weapon as a prelude to range practice and qualification. A series of drills and simulations are used to develop and enhance good shooting skills prior to range use of these weapons. Special training on the handling and use of chemical agents will be covered. Minimum time that should be allocated to this subject is 2 hours.

Range Practice and Qualification

Each trainee will have an opportunity to practice with each weapon and then demonstrate a minimum of 70% proficiency with each weapon that they may be authorized to use in the course of their working duties. The courses of fire are designed to demonstrate accuracy and timeliness in weapon use. Minimum time that should be allocated to this subject is 2 hours.

Low-Light and Night Firing Courses

Firing at Dusk and during night conditions provides an important familiarization with the limitations of using a weapon in these conditions. The course of fire includes the use of all basic weapons under both low-light and full night darkness conditions. Minimum time that should be allocated to this subject is 2 hours.

Using Restraining Devices

The skills needed to safely and securely apply restraining devices are demonstrated in this module. The participants will learn the functional capability of restraints along with special skills used in the preparation for the transportation of prisoners. A safe transportation method is demonstrated. This is one of the security skills that will be tested at the end of the week. Minimum time that should be allocated to this subject is 3 hours.

Transportation of Prisoners

This module introduces the security problems involved in motorized transportation of prisoners. A review of common problems is presented. A variety of seating arrangement scenarios are analyzed in preparation for this portion of the security skills evaluation at the end of the week. Minimum time that should be allocated to this subject is 2 hours.

Use of Radio/Telephones

This module demonstrates the different types of radio and telephone equipment used in corrections. Each trainee will be given an opportunity to practice with each type of radio. Communication security and methods of clear and concise communications are covered. Minimum time that should be allocated to this subject is 2 hours.

Special Security Issues

This module will cover specialized areas of concern to prison personnel. Those issues include:

- Forced Cell Moves
- Riots
- Crime Scene Protection
- Internal Investigations
- Escapes
- Attacks on the Institution by Bandits

Minimum time that should be allocated to this subject is 4 hours.

Security Skills Practice

This module allows time for controlled practice of the skills required for frisk search, restraint application and transport in one of several situations. Each trainee will work with a partner to simulate real-life situations in the use of these skills. Minimum time that should be allocated to this subject is 4 hours.

ANNUAL AND ON-GOING TRAINING

The material in this annex has been gathered by a review of more than 100 training programs conducted in individual prisons, training academies and educational institutions. In some cases, where no formal written material was available individuals responsible for training were interviewed or material was gleaned from articles. The material in this section is what was found to be an almost universally agreed upon set of the basic and minimum information people working in a prison should have included in their annual and refresher training. The times suggested here for each course is, again, a compilation of what was gathered from the material reviewed and is considered the minimum necessary to cover the subject.

REQUIRED CURRICULUM

<u>Course Title</u>	<u>Minimum Hours</u>
Prison Policies and Procedures.....	2
Self Defense.....	3
Firearms.....	5
Hostage Situations.....	1
Suicide Prevention.....	1
Safety, to include:.....	4
Fire Protection	
Safety	
Emergency Procedures	
Environmental Issues	
Verbal/Written Communication Skills to include:.....	2
Effective Listening	
Communication	
Report Writing	
Staff Conduct, to include:.....	2
Code of Conduct	
Ethics	
Cultural Diversity.....	1
Security Issues, to include:.....	6
Tool and Key Control	
Supervision of Inmates	
Escape Procedures	
Escort Procedures	
Search and Contraband	
Use of Force, to include:.....	2
Personal Protection Techniques	
Medical Issues, to include:.....	4
First Aid	
Medical Emergencies	
Health Promotion/Disease	
Working with new officers, on-the-job training and coaching techniques.....	1
Inmate Information, to include:.....	6
Inmate Rights	
International Standards	
Re-socialization, rehabilitation Programs	
Inmate Rules and Regulations	

ANNEX E

CONSULTATION PARTICIPANTS

This Annex lists the individuals and organizations that were consulted in the development of these guidelines.

A N N E X E

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