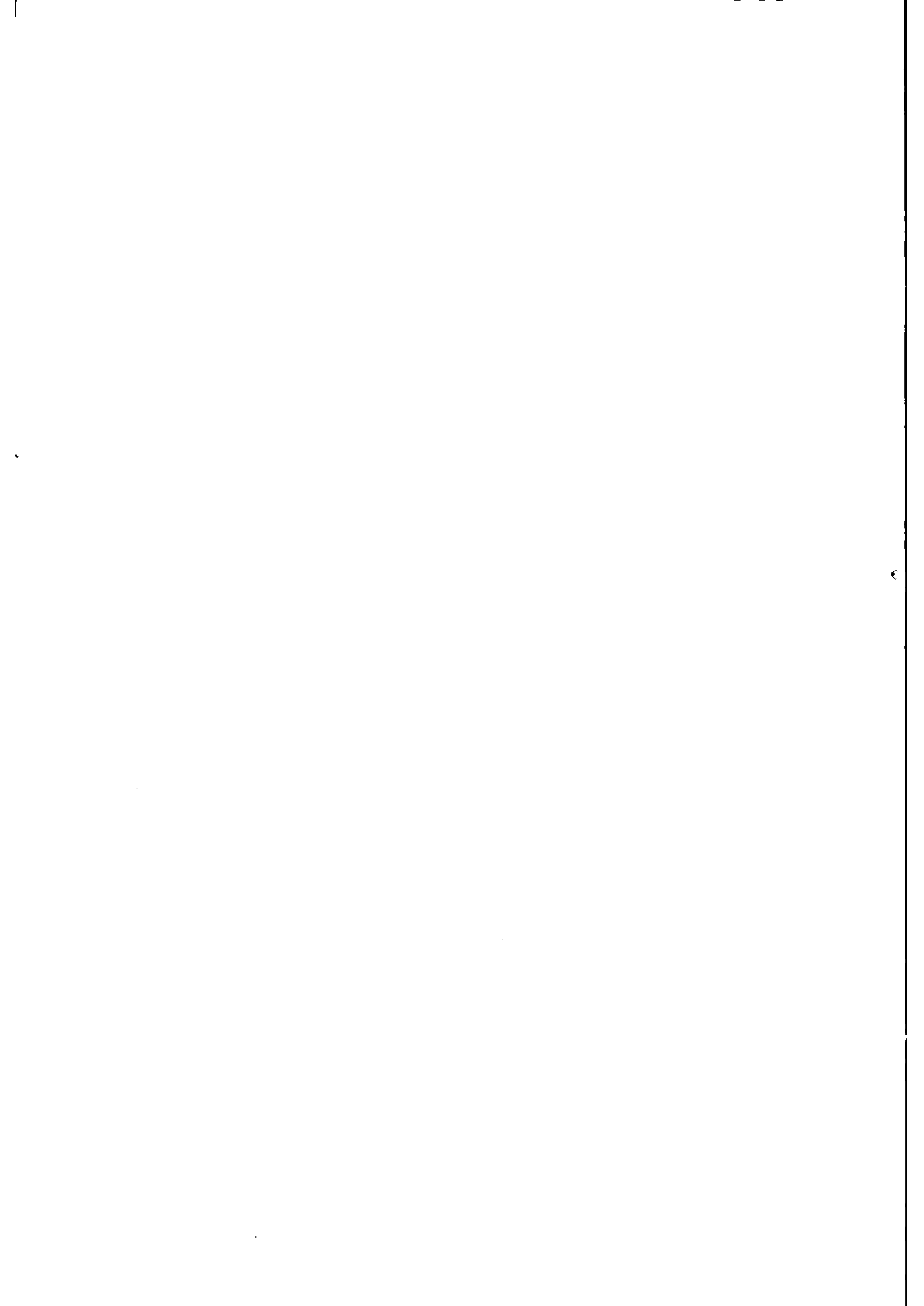


Proceedings of the fourth
Asian conference of the
International Association of
Public Administration





ASIAN AND PACIFIC EXPERIENCES IN CORRECTIONS

Proceedings of the fourth Asian & Pacific
conference of Correctional Administrators
New Zealand, July 1983

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Note : Asterisk(*) indicates observers

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Mr Dhavee Choosup, Thailand
Mr Y. Suzuki, Japan
Mr S.J. Callahan, New Zealand

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Mr A.E. Edgington, Conference Organiser, NZ Department of Justice
Mrs D. Pickering, Australian Institute of Criminology
Mrs R. Allen, NZ Department of Justice
Mr C. Harris, Press Officer, NZ Department of Justice

INTRODUCTION :

The Asian and Pacific Conference of Correctional Administrators was initiated in 1980 by Mr William Clifford, the Director of the Australian Institute of Criminology, and Mr Tom Garner, the Commissioner of Prisons (now Commissioner of Corrective Services), Hong Kong. It is a professional organisation of those responsible for the direction and development of correctional services in the countries of the region. It has been recognised as an authoritative body of prison administration in the region by the International Penal and Penitentiary Foundation, the American Correctional Association and other international agencies. It has been commissioned to provide reports to the United Nations.

The Fourth Conference held in New Zealand in 1983 was attended by eighteen countries, and provided an opportunity for several of the smaller Pacific island states to participate in the proceedings. Samoa and the Cook Islands were represented for the first time, as was the Republic of Korea. This increase in support is particularly significant when it is realised that participating countries meet their own expenses. In a period of worldwide recession this was presumably a reflection of the greater importance of corrections in the region - and no doubt an indication of the ever-greater interest in the treatment of offenders in the context of human rights.

From past conferences have come improvements in technical communications across the region, extensions of prisoner exchange agreements, regional surveys of medical services and prison industry and evaluations of programmes and projects in different cultures. The reports of the past three conferences have provided and published more data on corrections across the region than has ever been available before. For the Second World Conference on Prison Health Care, the Fourth Asian and Pacific Conference provided a survey of medical services in the prisons of the region, and in response to a United Nations request it considered and endorsed, with some modifications, a draft Commentary on the UN Standard Minimum Rules for the Treatment of Prisoners as these applied within the region.

In preliminary remarks to the meeting, the Executive Director welcomed those participating or acting as observers for the first time. Contrary to much popular opinion, the greatest improvements in prisons - and the most fundamental work to establish humane standards - had come over the years not from critical organisations, international agencies or tender-hearted humanitarians, but from the prison administrators themselves. Their first international meeting to improve prison conditions had been held in Europe in 1846, i.e. long before the world had a Red Cross, any Geneva Conventions, or even a League of Nations. Moreover the only modern international standards which were universally recognised to protect the human rights and the dignities of prisoners, i.e. the United Nations Standard Minimum Rules for the Treatment of Offenders were originally drafted by penal administrators, namely by members of the International Penal and Penitentiary Commission in 1929.

They were revised by that organisation in 1949, and eventually adopted in toto by the United Nations Economic and Social Council in 1957. In bringing that work to improve prison conditions more specifically into this region, the correctional administrators participating were extending and reinforcing an admirable tradition. The Asian and Pacific region was, with the exception of Europe, the only region to be organised correctionally in this way. Indeed, largely by keeping its meetings informal and thoroughly professional the Asian and Pacific Conference has moved from strength to strength since its inception in 1980.

ELECTION OF OFFICERS :

In accordance with past procedure the Conference unanimously elected Mr Jim Callahan, the Secretary of the Ministry of Justice in New Zealand, to chair the Fourth Conference and to participate as a co-Director in the Council of the Conference.

PRELIMINARY DISCUSSION :

In keeping with the routine of past meetings, the Conference made decisions at a preliminary session on several general subjects such as extent of media participation, the admission of observers, the proposals made by the Chairman for the order of the agenda, and for the introduction of Ministry of Justice officials to lead the discussion on certain items. The conference was then officially opened by the New Zealand Minister of Justice.

MESSAGE OF WELCOME FROM THE NEW ZEALAND MINISTER OF JUSTICE, THE HONOURABLE J.K. McLAY

I would like to welcome all of you to this, the Fourth Asian and Pacific Conference of Correctional Administrators. I consider it an honour for New Zealand to host this conference. Most of you perhaps have not visited New Zealand before. I hope your first acquaintance with it will be enjoyable and will tempt you to come back. Three countries - the Cook Islands, Korea and the Solomon Islands are represented for the first time, and so I take this opportunity especially to welcome their delegates.

At the outset, I would like to pay a very warm tribute to Mr Bill Clifford, the Executive Director of the Conference, who has been involved with these meetings since they began. I am sure all of you will join with me in thanking him for the excellent work he has done in preparation for this conference.

I would also like to give a special welcome to Mr Garner of Hong Kong and Mr Choosup of Thailand who have chaired this conference in previous years, and who will be co-chairmen with the New Zealand Secretary for Justice, Jim Callahan, this year. No doubt many of you have already renewed acquaintances from previous conferences, and will establish further contacts during this coming week. I note from the conference programme that you will

be visiting a representative range of penal institutions throughout the North Island this week. You will start by visiting Wi Tako Prison, and then go on to Manawatu Youth Institution, Waikane Prison and the Tongariro Prison Farm, and finally at the end of the week, either Auckland Maximum Security or Medium Security Prison.

I believe we are fortunate here in being able to keep our penal institutions to a moderate size although that makes building and administration more costly. The situation is not helped by the comparatively dispersed nature of our population - 3.2 million people spread over two islands which are 1,600 kilometres long. Our largest institution (which you will not see) is Waikeria, halfway between Tongariro and Auckland; it holds about 400 inmates. The smallest is at Napier on the east coast of North Island which holds 34; really much too small to be economic.

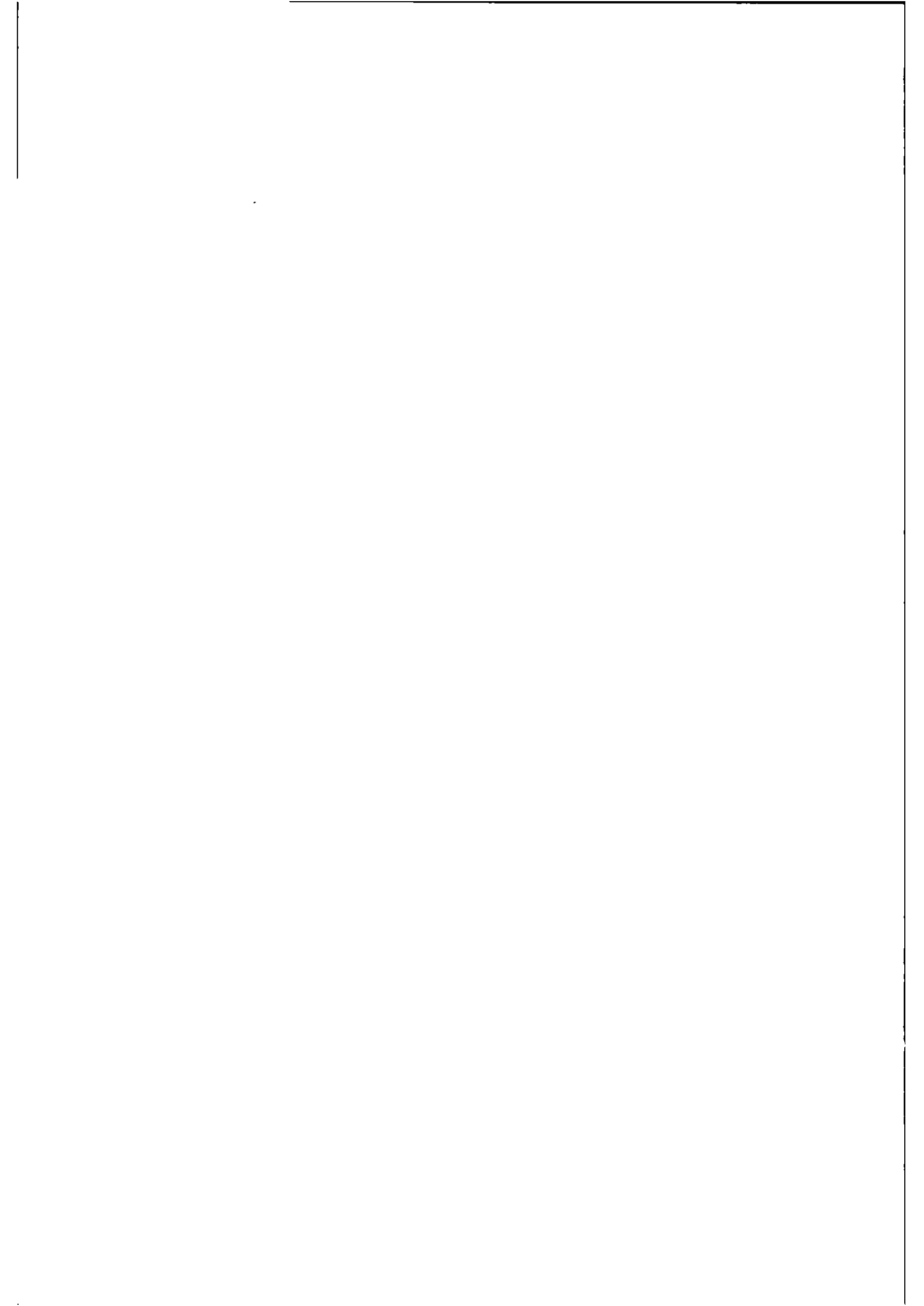
I note that one of the agenda items is Young Offenders in Corrections, and at Manawatu you will see a modern facility, opened in 1979, where the emphasis is on educational and vocational training for the inmates. Here we try to hold only those considered sufficiently motivated to benefit from the special programme offered, including extensive community paroles and basic training in a number of trades. There is a different approach at Tongariro. The corrective training sentence introduced in 1981 provides for a regime of demanding physical work - forestry at Tongariro, and strict discipline - a 'short sharp shock'. Offenders selected must be between 15 and 20 and convicted of an offence punishable by not less than three months' imprisonment.

At Auckland you will see our more secure institutions, whether you are shown around the maximum security prison, which regrettably we are all finding necessary in this age of more violent offending, especially by people with disturbed backgrounds, or the medium security prison, which is the newest institution in this country. Opened in late 1981, Auckland Medium has excellent amenities for both staff and inmates.

I have spoken so far of existing features of our penal system; however we are also looking to the future. The Government is presently considering the 1982 report of the Penal Policy Review Committee. Those of you at the last conference received copies of the Review Committee's report. The Deputy Secretary for Justice, Jim Cameron, will give you further details on this. I can tell you that the new legislation will go to Parliament this year as a Criminal Justice Bill, leading to a new Penal Institutions Act, probably in 1985. This amounts to an overhaul of the main part of our legislation relating to sentences and imprisonment, enabling us to develop a new penal system to serve this country for at least a generation.

Another matter which will interest you as people involved in penal administration is the study of occupational stress in prison officers. This report was commissioned by my department and carried out by a research team from Massey University. It was the first real research about New Zealand prison officers and the pressures they face, and its findings were consistent in most respects with overseas studies. It showed up the basic conflict between custodial and rehabilitative functions of prison officers; their anxiety at possible violence at the hands of inmates, and dissatisfaction at their perceived powerlessness within the prison hierarchy. A departmental working party was set up, and although solutions are not easily found, the working party has tried to develop some practical proposals to improve stress-creating conditions for prison officers and finally issued their report last week.

Let me conclude by repeating my wish that you enjoy your stay in New Zealand, and that you find the conference both pleasant and profitable.



REPORT OF THE CONFERENCE PROCEEDINGS

ITEM I : DEVELOPING PUBLIC AWARENESS OF CORRECTIONS

This was of concern to all correctional services in the region which appreciated that the influence of the media on public opinion could be crucial for both the extent of community cooperation with correctional services and for relationships between staff and inmates. The effect of public relations was reflected in the interests of elected politicians and in their influence on the amount and quality of resources available to the correctional services.

The New Zealand Department of Justice has a press officer as well as an information section. The press officer handles both routine relationships and features and television coverage. He advised the conference that it should be remembered that communications were equally important with the public and within the department. He kept information flowing both inside and outside as well as between branches or institutions within the department.

The Hong Kong Correctional Department's Senior Information Officer was invited to address the conference. He described how he and four other fully-qualified information officers seconded to the Correctional Services Department carried out their work. In addition to the monitoring of newspapers (Hong Kong has 72 daily newspapers of which six are English and 55 Chinese), writing scripts and publication of a newsletter, they developed drama series and circulated their own information films. Photo displays are provided for the mobile information units of the Government Information Agency and, to inform journalists more widely, groups of ten newspaper or media supporters are escorted around the prisons. School talks are arranged in secondary schools and universities, and chapters on correctional services are placed with publishers of textbooks. Communication is also promoted by a departmental fair of prison products and the proceeds are given to charity.

New Zealand and Hong Kong differed in handling adverse criticism. New Zealand thought there were occasions when it was futile to enter a press argument, whilst Hong Kong replied to every criticism made public by the media as they felt this necessary to ensure that the truth was known. Tonga involved the public directly in corrections by bringing the public to the prison and the prisoner to the public so as to obtain a complete reintegration of the prisoner on release. The key was to promote public acceptance and awareness of rehabilitation.

In the Republic of Korea a programme of 'socialisation of correctional activities' was adopted in 1983, including establishment of voluntary visiting committees with 1,093 members. Religious bodies are also involved in rehabilitation and the recidivism rate for those attached to such groups was approximately 6.7 per cent of the 2,107 persons released from January 1980-December 1982.

Papua New Guinea does not have television, and so its 23 institutions participate in all major sporting activities. The prison also has a band which takes part in public occasions. Sri Lanka allows newspaper men to carry cameras into the prisons, and permits large numbers of prisoners on parole around the town during local celebrations for various functions. But public memory is short and the problem of maintaining interest remains.

Thailand favours indirect programmes to increase public awareness: for example the annual public exhibition and sale of prison products attracts over 100,000 visitors. Volunteer parole officers are recruited and trained, providing 5,000 agents in the community to support the correctional services. In addition, prisoners volunteer for unpleasant and dirty work in the community, so increasing public appreciation of their services. Furthermore to increase the prison officers' recognition of the need for public awareness, Thailand has sent many groups of its officers overseas to Asia and Europe for specialised training.

ITEM II : NOVEL AND NEW PROGRAMMES IN THE REGION

Across the region there had been a number of initiatives in the treatment of offenders since the last meeting. Some of these related to the upgrading and improvement of prison conditions where previous circumstances had been purely ad hoc arrangements for the relatively few prisoners who were committed. In Macau, for example, the available work had been extended so that the 2 per cent employed at the time of the last conference had increased to 21 per cent. In Macau, again, where adequate medical supervision was not provided, contagious diseased prisoners had sometimes been unwittingly mixed with others, though this had now been remedied. There were also developments in release on parole which were new to Macau. Hong Kong had a new release hostel and had begun producing heavy materials for production work. New Zealand had the recommendations of a Penal Policy Review Committee to implement. Right across the region from Australia to the Cook Islands there had been changes in dealing with prisoners.

Hong Kong referred the conference to the New Zealand Minister's observations on the 'short sharp shock'. In Hong Kong this treatment had been used for many years for violent offenders with no previous institutional experience. Sentence is based on an indeterminate period of 1-6 months for those between 14-20 and 3-12 months for those in the 21-24 age group. Follow-up shows a 94 per cent success rate at the end of a one-year statutory after-care period for all those committed to this strict and rigorous programme. The sentence is difficult to undergo and is very demanding on the staff. By law the court is not allowed to pass this sentence unless a certificate of fitness and availability of accommodation is given by the correctional services department. The Chairman raised the question of precommittal procedure, (referral to the correctional services before sentence) possibly impinging upon the independence of the judiciary. The precedent of Borstal treatment in the United Kingdom requiring a prior certificate of

fitness from the Borstal authorities was mentioned, and Hong Kong said it had no objection to its procedure being construed as the correctional service offering specialist advice to the bench. All correctional officials present approved the idea of courts having the benefit of correctional advice.

Thailand pointed out that although the conference had discussed the exchange of prisoners at previous meetings no prisoner exchange had then existed in the region. Thailand had initially signed agreements for an exchange of convicted offenders with the United States, Canada, France, Italy, and is negotiating with Spain. Tonga interposed that it had difficulty in obtaining such an agreement with Germany and had eventually repatriated its German prisoners, knowing full well that they would be free when they left the country. However after further discussion it appeared that Germany had only recently passed a law permitting the country to negotiate the exchange of prisoners. Fiji too is examining the repatriation of prisoners, but meantime it has the authority to release prisoners by simply obtaining the responsible minister's approval. In this way they are released under a compulsory supervision order. This system of release is helped by Fiji's immigration law allowing a foreigner to visit Fiji only if he has a return ticket.

The possibility of the Commonwealth Law Ministers extending the scope of extradition and the possible use of ministerial discretion to extend administratively and legally the exchange of prisoners was thoroughly explored; but no conclusions were reached and obviously much remained to be done to develop prisoner exchange arrangements in the region. The Executive Director was asked to obtain drafts of available agreements and conventions. It should however not be assumed that exchange of prisoners was desired by all concerned. Some countries might be afraid of receiving more than they sent, and Tonga mentioned that Tongans serving sentences in New Zealand would be reluctant to return - partly because of the effect on their New Zealand visas. However, Thailand said that whenever its Director-General had visited Thailand in Hong Kong they had asked to be repatriated, even though conditions in Hong Kong prisons were immensely superior. In reply Hong Kong mentioned a survey showing some of those who could be repatriated did not want to return because no one at home knew they were in prison.

New South Wales referred to its early release programme introduced in April last year. Prior to this, Parole Boards had not considered release until the minimum non-parole period awarded by the court had been served. Since April 1982, however, the Correctional Service Department had reviewed approximately 1,800 cases and the Royal Prerogative had been used to release about one-third of them. Success rate had been in excess of 95 per cent. Only three and a half per cent had had their licences revoked either for not fulfilling conditions or for re-offending. Although there had been criticism of the programme attributed to some members of the judiciary, the Minister responsible for prisons in New South Wales felt that changes in attitude and behaviour during imprisonment

had to be taken into account when deciding the optimum time for release into the community. Sri Lanka thought the New South Wales experiment was similar to the procedure it followed for offenders who could be released after serving at least six years or half of a shorter sentence. It also has a system for release of offenders to take work on a government farm with facilities provided for the offender's family to live with them. Sri Lanka also permits a seven-day home leave every six months to selected offenders.

Tonga regarded it as unwarranted interference in correctional matters for judges to lay down a minimum period to be served before release as this was properly an administrative decision. In reply to a question from the Solomon Islands about possible abuse of home leave and likelihood of a further offence, Sri Lanka advised that 800 had been granted leave and only one subsequently had been regarded as an escapee. None had committed another offence.

Thailand had parole and remission for good conduct but also used amnesty. Remission could be earned by prisoners accepting particularly unpleasant forms of public works (one day's remission for each day of duty work). Thailand had 5,000 voluntary parole officers awaiting their cases, supervised by 40 full-time parole officers. Solomon Islands advised that prison authorities had no power to specially release a prisoner - only the Governor could do that on the advice of the prerogative of mercy committee. In Samoa the Minister could remit a quarter of a sentence for good conduct. In Papua New Guinea the concept of early release under supervision was still in its infancy, but the Minister of Justice could release on licence although in practice it was rarely used. South Australia had recently had part of a prison burned down by prisoners dissatisfied with the 'second sentence' procedure of the parole board. Now parole is to be restructured.

Papua New Guinea drew attention to a relatively new application of an older system of rural prisons. These had previously been under the authority of the kiaps (i.e. district and provincial administrations). Different conditions applied to those sentenced by the courts to periods to be spent in local prisons from those sentenced to longer terms in central prisons controlled by the Commissioner. There was more flexibility at the local level where those responsible for the institutions belonged to the administration and were not part of the prison service. Here adaptability to local requirements had to be measured against abuses and disparities which were likely to be introduced.

Singapore gave information about a review of their prison system in 1974 which led to the founding of SCORE, i.e. the translation of prison labour into a commercial undertaking for all institutions. There had also been a constructive review of the procedures within the prisons in 1980. Korea said that its penal service had the benefit of a welfare officer system which was responsible for prisoners on release and which worked with the community on their rehabilitation. Hong Kong however had considerable reservations about a confusion of aims whenever the system was reviewed. Fundamentally the problem for penal administrators was that judges

could impose sentences which often predetermined success or failure by the prison service for the offenders in its care. The importance of judges understanding what is involved, and the need for them to visit institutions and be aware of the limits and expectations of the sentences that they passed was a question the conference felt must be underlined. Sri Lanka strongly supported Hong Kong, agreeing that the importance of judges' understanding the correctional system could not be over-emphasised.

ITEM III : YOUNG OFFENDERS IN CORRECTIONS

The conference showed obvious concern for the large number of young people in prisons. Most were aged between 15-25 and in many countries sometimes more than half the total population was under 18. The diversity of the region presented many difficulties as to the extent to which special programmes could be implemented or separate facilities provided.

South Australia noted that in the Australian Prison Census the number of offenders from age 16-20 in prison in Australia was relatively small, but between ages 20-24 the numbers doubled. Limited facilities meant that in South Australia segregation could not be guaranteed all the time. Fiji had similar problems, but tried to provide special facilities for young people until the age of 21. In Thailand persons under 7 were not criminally liable, and those from 15 years and up constituted the youth portion of the prisons. Of 52,000 convicted offenders, 25,000 were under 25; 90 per cent of these were serving terms under 5 years. They were kept in separate institutions if possible, and young people who identified with institutionalised movements such as Boy Scouts, sports groups etc. were easier to handle in prisons.

The Chairman asked the meeting to look at a proposal of the New Zealand Penal Review Committee that in experimental regional prisons there might be judicious mixing of young and old. Tonga said that their youngest prisoner was only 11 years of age, but that they had only 100-150 young offenders. They had set aside an island for those under 20 where they could be taught swimming, fishing and sailing. This however had been less successful than mixing young offenders with older prisoners and recidivists. This mixing worked in Tonga because there was really no stigma attached to imprisonment there. The Solomon Islands had no offenders under 16 and their inmates usually 'retired' from crime at about 40 years of age. The country had to mix young offenders with older prisoners and had experienced some problems with homosexuality.

In countries with single penal institutions segregation of the young could be cruel where the numbers were small, and young offenders could be cut off from the community life of the prison. However there are certain leisure activities in prison during which judicious mixing might be tried. Hong Kong cautioned that so much depended on the size of the population and the extent to which separate juvenile institutions were available, and on the type of offender concerned. There were situations where contamination might emanate from the young rather than otherwise.

Sometimes it was adults who needed protection from a vicious teenager. New Zealand said that the age dividing line was at present laid down by legislation. Young offenders were regarded as those aged below 20. The penal policy review had proposed mixing in regional prisons of 17-20 years' old with older inmates. In a women's prison experience had already been acquired of mixing adult first offenders with younger women. However, young remandees entering institutions presented a problem because some as young as 15 might have to enter medium security institutions with experienced adult inmates. New South Wales told of the introduction in an open institution in that State of a few adult offenders into a young person's training centre. This would work only if the ratio of adults to juveniles was about 1:5, otherwise there tended to develop a division with older ones keeping apart from the younger ones, and providing little positive influence.

The problem of the UN Rules being adjusted to local conditions was mentioned. Tonga felt some of the rules and regulations traditionally followed by prisons in segregation should not inhibit experimentation in accordance with the desires of the local community. Some rules came from western-oriented colonial systems and were inapplicable to Asian and the Pacific. Thailand pointed out that segregation avoided complications with exercise and education. Fiji could not agree with any disregard of the rules and regulations on segregation in a society with more than one ethnic group to serve.

In considering segregation, total numbers and local culture were important. In areas with one institution and few inmates, judicious mixing could prove desirable if properly supervised. In other areas, with movements of prisoners and where close supervision was impossible, segregation might be essential for protection of the young. Chronological age may have less relevance to forms of treatment than criteria such as sophistication and maturity. Difficulties had arisen due to arbitrary age limits. The Cook Island representative felt overwhelmed by the idea of dealing with 25,000 prisoners as in his country each prisoner could be approached as an individual. They tended to concentrate on the younger offender (from 16) to prevent him reoffending. These however are first offenders, and if they reoffend then they would usually be placed with adults.

South Australia found that in addition to age it was beginning to examine previous convictions and family background. Papua New Guinea felt that with the diverse cultures inside its country and the absence of birth registration the technicality of age did not apply. In some societies a boy of nine or ten may be initiated by his tribe and is then an adult. Tonga and Western Samoa found that older adults had a beneficial influence on younger prisoners. A chief who was also a prison inmate might be assigned to a group of young offenders to counsel them. Solomon Islanders found that lack of segregation had the effect of the younger learning criminal habits from their elders. Korea treated all its offenders under 20 in juvenile corrective institutions. Boy scout training was used to develop sound moral principles and had been very successful.

Singapore believed in strict segregation, and in every institution the under 21s were kept from those who were over, even where the offence was serious. Singapore also has a special institution for young offenders in the 16-21 age group. Singapore supported Korea's endorsement of boy scout training, and would soon introduce boys' brigade and St John's Ambulance training. Sri Lanka had had boy scout training in prisons since the 1930s, and provided sports training. Malaysia also practiced complete segregation for young offenders and in addition to boy scout and similar movements their young offenders have their own bands comparable to police and army bands. They also have a police cadet group.

In Macau the legal age limit of responsibility is fixed at 16. Cases in which persons under 16 are involved are few and are handled in the ordinary courts. Currently there are five boys committed to the reformatory school which is managed by a religious congregation and does not come under the jurisdiction of the cadeia central (central jail). Approximately 60 per cent of Macau's jail population is between 16-24. As the jail's population practically doubled from April 1982 to June 1983 (from 240 to 475) and available accommodation remained unaltered, it was impossible to provide a system of classification based on age. At the end of 1983 a new building should be available to ease the situation.

In Japan, the family court established under the 1969 Juvenile Law has first jurisdiction over all juvenile (under 20) cases, however serious. The family court is authorised to refer a juvenile of 16 and older to the public prosecutor for ordinary criminal proceedings only if it considers punishment necessary in the light of the nature and circumstance of the offence. However, in practice the family court is reluctant to follow this, and about 100 juveniles are committed to prison each year, being treated in any of nine juvenile prisons. Although called 'juvenile prisons' their population of 3,200 consists mainly of prisoners under 26. No juvenile or young prisoner is mixed with adults. Juvenile offenders are sent by the family court to juvenile training schools under the jurisdiction of the Corrections Bureau, if institutional treatment is necessary. There are 59 of these schools with about 5,000 juveniles in all.

ITEM IV : THE PROBLEM OF DRUG OFFENDERS IN PRISON

Dealing with drug offenders in prison covers the problem of inmates' access to drugs from outside prison, the danger of staff corruption resulting from involvement in the smuggling of drugs, and measures necessary for the treatment and rehabilitation of addicted inmates. Australia and New Zealand, commenting on these problems, mentioned that in some Australian States there is resistance to the idea of body searches which may be demeaning to the individual inmate and possibly leave the officer open to allegations of assault. In some countries of the region, however there is no hesitation about carrying out thorough searches - even body searches. In these countries the interests of the individual are considered as secondary to the interests of the group.

There are systems in the region which have special drug centres with professionally-trained staff to aid the rehabilitation of addicts; in Hong Kong for example these include a graduated form of withdrawal from the drug into an energetic and creative system of personal rehabilitation to improve health and restore the capacity of the individual to earn his own living. These centres began in the 1960s and have been copied worldwide; for a long time they were used as models by the UN and its associated agencies.

Singapore and Thailand have similar rehabilitation programmes implemented either in special centres or in the prisons, and sometimes no medication is provided during the withdrawal period. 'Cold turkey' is considered necessary both to help the addict to appreciate the situation in which he finds himself and to elicit sufficiently determined will to reject drugs in future. However withdrawal is always under medical supervision to avoid harm and when successful this is followed by a vigorous programme of physical and mental rehabilitation.

Japan has a problem of drug-taking which is centred on stimulatory drugs rather than on heroin and cocaine. This has gone through a number of phases in Japan's recent history, and by vigorous campaigns of law enforcement and correctional treatment it has been possible to contain the problem. Recently however there is concern that the number of addicts is increasing again. Generally however this is well controlled in the prisons and care is taken to avoid the trafficking in drugs within penal institutions.

Korea reported a remarkable decrease in drug offenders in recent years, and at the end of April 1983 there were only 218 offenders in the prisons, i.e. 0.6 per cent of the total of 31,331 inmates. This decrease was attributed to a new law passed in 1980, and to the discovery by the Korean Institute of Advanced Science and Technology of an adhesive, non-hallucinogenic substance so that petrol-sniffing problems would not arise. Korea also has strict searches within the prisons to avoid the trafficking of drugs.

New Zealand, concerned at the rise in drug-related instances in prisons in the late 70s, opted for a period of careful containment and control. Convicted drug offenders sentenced to five or more years' imprisonment spend at least two and a half in medium security (or higher) before transfer to minimum security could be considered. At a serious drug offender's first appearance before the Prisons Parole Board it may be asked to consider whether minimum security should be risked as candidates with drug offences are more readily controlled in maximum security conditions. New Zealand promulgated new rules restricting gifts and parcels, and in most cases relatives may only provide cash for prison authorities to make purchases on behalf of inmates. An amendment to the Penal Institutions Act 1979 provided for an inmate to be directed to submit to a sputum test, finger swab or to supply a urine specimen, and prison superintendents report that the above measures are effectively reducing the incidence of drug abuse.

It was difficult to obtain precise figures on measures to control the problem of drug offenders in institutions. Most of the

research has been on recidivism on release, e.g. Hong Kong reports a 67 per cent success rate during the first year of release, reducing to about 45 per cent in a period of three years following release. This is highly successful on a world comparative basis, but measures taken in Singapore to control drugs were reported to produce a relatively healthy climate in the prisons. Although some 30 per cent of the inmates of institutions were committed for drug or drug-related offences, they were not able to become active in planning or organising smuggling of drugs into the institutions - and so could not abuse drugs either individually or collectively.

ITEM V : PRISON HEALTH SERVICES

The conference noted the differing conditions existing between the countries with national public health services for their total population and those without this facility. Obviously where health services were fully available they had to be equally available to prisoners. However it was unnecessary for prisons to duplicate the medical services generally available, and prisoners were transferred to local hospitals or examined by visiting health service doctors as a routine service. This dependence on outside services was inadequate where there were large numbers in institutions, and then, as in Hong Kong, Japan or Australia, the prison service had its own medical staff. There were also circumstances where prisons appointed their own medical personnel, and if qualified doctors were unavailable, medical auxiliaries were trained as substitutes. In some of the smaller countries, however, even where health services were readily available to the public, they might not be so when needed by those responsible for the care of prisoners.

Another general observation was that prisoners might require a variety of specialised treatments. With the growth of technology and increasing subdivisions within the medical profession, even developed countries lacked the resources to guarantee prisoners the full range of specialisations. A visiting doctor system had proved satisfactory for New Zealand's prisons, but the prison service has its own trained medical staff and its own psychiatrists in Auckland. Japan's prison administration had 226 medical doctors serving 74 penal institutions, but it could not always keep pace with specialisation in medicine and medical knowledge.

New South Wales had full-time doctors, one of whom was a psychiatrist, and other psychiatrists from outside were employed on a sessional basis. There is an assessment unit at Long Bay prison in Sydney, with 7 nurses, 13 custodial officers and a psychiatrist in charge. The New South Wales system also has a security ward for 12 prisoners in a public hospital operating on a 24-hour basis, staffed by trained nurses and custodial officers.

The question arose as to who should be kept in a psychiatric hospital. Many prisoners who were sufficiently mentally disturbed for prison officers to feel they could not be handled with the normal controls were now declared by psychiatrists to be persons not needing psychiatric treatment. This had been resolved in Hong

Kong by the prison department establishing a 120-bed psychiatric facility ten years ago. Here prison staff could handle many problems previously judged unmanageable since outside hospitals were unwilling to accept those with emotional problems who were considered more criminal than psychiatrically ill in modern terms. Hong Kong was also opening a second maximum security institution with a psychiatric observation unit staffed by prison officers who were trained psychiatric nurses.

In South Australia, as in New South Wales, the Health Commission of the State or its agencies were responsible for health services for prisoners as for anyone else in that state. Two of the largest penal institutions depended on a public hospital. In New South Wales a hospital ward had been set aside in a local hospital and had been modified to permit secure reception of prisoners. This device had been pioneered by New South Wales and copied by both Victoria and South Australia. New Zealand observed that its health services were under financial pressure, and sometimes hospital boards were disinclined to provide psychiatric services for prisoners. South Australia however expressed itself generally satisfied with the services provided, explaining that the State Health Commission disposed of a budget of \$900,000 for provision of medical services to prisons.

In Thailand there are 114 prisons, 10 of which are situated around Bangkok. The Correctional Service Department has 14 doctors, with four doctors and two dentists in its central hospital. When specialised treatment or consultation is required, consultants are brought in from general hospitals; sick prisoners are transferred to outside hospitals when necessary. Bangkok also has custodial wards at two general hospitals; and in the public mental hospitals all health care is provided by government health services.

In Fiji there can be opposition from the mental hospital to the receipt of prisoners. There are ten prisons in Fiji, five of which are in the Suva area, and generally the prison service depends on visiting medical officers from the prison health services. This is not always satisfactory since the visiting medical officer in Suva also acts as medical officer for the police, and when he is not available medical orderlies have to be used.

The Solomons have no major psychiatric problems and the public mental hospital is used if necessary. Again they rely on visiting doctors from the general health services, and as in Fiji, the doctors may be unavailable when needed. An attempt is being made to obtain an appointment as prison medical officer for any doctor filling a particular post. It is also difficult to provide custodial staff to guard prisoners in hospital as hospital staff resent the presence of warders, and sometimes the prison is pressurised into removing the warders, hoping the prisoner does not escape.

In Sri Lanka, every large prison has a prison hospital with a trained doctor, nurses and medical orderlies. Elsewhere there are infirmaries with medical orderlies available. Psychiatric services are lacking, and the one post of psychiatrist for the

department is unfilled and so psychiatrists working in local hospitals are used. In Macau the local hospital doctor is also used for the prisons. However Chinese medicine i.e. herbs or acupuncture is popular in the community and since it would be harsh to deny it to prisoners a choice of treatment is allowed. In fact, if prisoners require a service that the prison cannot offer they may have it providing they pay for it. In Singapore too, Chinese physicians are recognised and permitted by the prison authorities, although in Hong Kong the correctional medical service makes no use of Chinese medicine. New Zealand commented that acupuncture was recognised and used by medical officers in that country.

The Cook Islands have no specific medical care for mental patients, and the inmate may be referred to New Zealand at considerable expense. As a rule, though, mentally disturbed prisoners are dealt with by prison staff, but fortunately there are few problems of this type. The prison officers working in the Cook Islands prisons generally attend the sick prisoners, deciding when a prisoner is unwell and prescribing suitable treatment. Tattooing presents a difficulty in the Cook Islands as many inmates have taken to this while in prison. Attempts have been made to discourage them, and prisoners are told it prevents them getting a girl or a job as the tattoo identifies them as prison inmates. In Malaysia, tattooing in prison is an offence and so does not give trouble, and in Hong Kong since there is no national health service, a prisoner has to pay for a tattoo to be removed.

The Department provides no doctors in Malaysia, and uses public medical services with weekly doctor's visits. Trained male nurses and wardens are employed to guard the prisoners in the general hospital. As several of these prison officers can be used at any time, the Department provides a principal prison officer to supervise custodially those working in the wards. For additional medical care, the Director-General of Prisons would not hesitate to call on the Lions Club or a similar organisation to inform its medical members of the prison's need for further medical care.

In Korea, the medical health services have devised a system of public medical officers who are medical auxiliaries and who substitute where full medical services are unavailable. The Director-General of Prisons has adopted this coverage by auxiliaries for the prison service, and 136 of these semi-professional doctors are employed within the prisons, with a further 85 to be added in 1984.

GENERAL DISCUSSION

Mr Clifford asked the Conference to consider the position of Executive Director to the Conference, and whether the Conference wished to retain him in this post. He explained that retention of the Australian Institute of Criminology as conference secretariat was unclear. The previous Australian government had requested the Institute to disassociate itself from the organisation of the Conference. Mr Clifford had written to the newly-elected government requesting reconsideration of this

decision. After some discussion (during which Mr Clifford withdrew) a motion was proposed by Hong Kong and seconded by Thailand that Mr William Clifford be confirmed as Executive Director of the Conference of Asian and Pacific Correctional Administrators in his personal capacity. The motion was carried.

Thailand then proposed, seconded by Tonga, that the Executive Director be authorised to negotiate with the Australian Institute of Criminology for continuation of its function as Executive Secretariat to the Conference. This could involve appointing an Executive Secretary to assist the Director. However, if the Australian Institute of Criminology was unable to continue in this role, the Executive Director was empowered to approach any other well-placed organisation to undertake the work. Tonga then said that if the Conference were to appoint a Council it would require a constitution which would take time to arrange. New South Wales and South Australia agreed with this, and Tonga moved that delegates leave this matter to the next conference. The motion was seconded by Hong Kong and duly carried.

FUTURE CONFERENCE VENUES

It was unanimously agreed that the Conference accept Tonga's invitation to host the next meeting. A further invitation to hold the conference in Fiji in 1985 was also accepted, followed by the proposal of the Republic of Korea to have the 1986 meeting in Seoul to coincide with the Asian Games. Singapore will host the conference in 1987, and New South Wales would welcome it in 1988 - the year of the Australian bicentenary.

ADOPTION OF THE AGENDA

Six items were proposed for inclusion in the agenda for the 1984 Tonga meeting, of which five were adopted. The provisional agenda for the next conference will therefore be :

- AGENDA ITEM I : The use of technology in prisons
- AGENDA ITEM II : The role of volunteers in prisons in relation to programmes for inmates
- AGENDA ITEM III : Problems of the physically and mentally-handicapped in prisons
- AGENDA ITEM IV : Mechanisms used by various jurisdictions to monitor crime and incidence rates in prison systems
- AGENDA ITEM V : The definition of recidivism.

The sixth proposed item, 'Human rights and obligations in a prison setting', was deferred for consideration at a future conference.

AUSTRALIA

NEW SOUTH WALES

NOEL S. DAY

ITEM I: DEVELOPING PUBLIC AWARENESS OF CORRECTIONS

Experience in New South Wales has proved that public awareness of corrections can be pursued effectively through a number of outlets and activities. These are :

The media : It is essential to build contacts with media representatives and to establish credibility with them. This can be achieved by consistently providing the media with facts without jeopardising security or infringing on privacy of individuals. As the media operate around the clock those providing them with information should be readily accessible. In NSW, the Minister's staff handles media enquiries and media releases. These staff members take part in major discussions and are briefed on decisions likely to arouse the interest of the media, and consequently the community. This system ensures the media are accurately informed when major decisions are announced and that these decisions are seen in proper context.

Visits to institutions : Media visits to institutions form an important part in both public and media awareness of corrections. During such visits it is essential that a senior custodial officer and a public relations officer be present. It is also desirable that professionals with an interest in corrections, such as legal, welfare and medical groups be encouraged to visit institutions to gain an accurate insight into the correctional system.

Problems : As most institutions are out of public sight, there is often misunderstanding of the correctional system and how it operates. The media and public interest in escapes in NSW which peaked several years ago was typical of the problems encountered. The public found difficulty in distinguishing between an escape from maximum security, sometimes in dramatic circumstances, and an abscondment from a low-security institution. By persistence in drawing the distinction between these two types of incidents this misconception has been corrected.

Publications : These are an effective if unspectacular means of educating the community. In NSW a series of information pamphlets, mainly for the use of families and friends of inmates, are being produced on each of 21 institutions. The pamphlets contain such basic information as visiting hours and conditions, mail and phone calls. In addition there are a range of specialised publications which have been given favourable media attention on the results of in-depth research projects.

Public participation in correctional work : The most notable development in NSW in this regard has been the formation of committees known as Citizens' Advisory Councils. These have been formed in seven communities which have prisons or low-security institutions such as afforestation camps. Members of the committee comprise a cross-section of the local community and the superintendent of the institution. The committees have been effective in involving the community in local institutions and in keeping the community informed of developments in the institution. They have also resulted in the growth of community work performed by low security inmates. Where possible, institutions are encouraging local communities to use correctional facilities such as sporting fields. A pony trail is being constructed outside the walls of the maximum security Parklea prison on the outskirts of Sydney for the use of the local community. The public has also been brought into the correctional field through volunteer work, either organised by various branches of the Department of Corrective Services or by independent agencies. Volunteers visit the gaols for tasks such as teaching and visiting inmates who do not have visitors. A drop-in centre for inmates' families at Long Bay is manned by volunteers. A volunteer agency runs a weekend bus service from the local railway station to the Silverwater complex of prisons in Sydney's western suburbs.

Officers' participation in the community : Correctional system employees should be encouraged to take an active part in community affairs. Senior custodial and professional officers can build an important link with the community by addressing school pupils and community groups. Two years ago the Department of Corrective Services formed a brass band comprised of custodial officers and other departmental employees. The band plays at official departmental functions and has a regular round of performances which keep the correctional system and custodial officers in public view in a positive way. Teams of custodial officers also take part in sporting events in the community, providing contact on an informal level between members of the public and the correctional system.

Inmates' participation in the community : The most positive contact between offenders and the public is in community work projects carried out by offenders, particularly those sentenced by Community Service Orders or to periodic detention. The correctional system in NSW has received valuable publicity from these contacts, as letters of appreciation testify. In many communities in the State, charitable organisations and institutions benefit from the surplus of correctional farms and gardens. Prisoners frequently raise money such as through sponsored sporting events, for charities. In one NSW institution, Grafton Gaol, inmates annually restore large quantities of toys for distribution to needy children at Christmas. Inmates in a number of low-security institutions also participate in local sporting competitions.

Displays and exhibitions : Public displays and exhibitions are an effective means of developing public awareness of corrections. Careers markets organised by schools are also a means of exposing thousands of senior students to corrections. Shops displaying and selling prisoners' arts and crafts are a vital focal point between the public and corrections.

AGENDA ITEM II : NOVEL AND NEW PROGRAMMES IN THE REGION

Report on a new release to licence programme

The Release to Licence programme began in April 1982. It operates under Section 463 of the Crime Act which allows for the exercise of the Crown Prerogative. The programme aims :

- a) to generate amongst staff a keener awareness of the plight of the person in custody;
- b) to encourage custodial and field staff to work together to examine the circumstances of all prisoners within the gaols to see whether or not an optimal time for the release of each one could be determined.

It is not intended as a measure of leniency for prisoners but as providing professional staff with the opportunity to exercise responsible discretion and judgment. Both custodial and field staff are required to consider each case on its merits taking into account, a) behaviour whilst in gaol; b) previous gaol sentence; b) previous parole or probation performance; d) accommodation or employment prospects if released.

Guidelines have been established to assist staff in the exercise of their responsibilities, and these exclude certain categories of prisoner from the licence programme such as escapees, balance of parole prisoners, and deportees. In addition, prisoners with sentences or non-parole periods in excess of three years are normally considered only when within one year of the end of their imprisonment. Commonwealth prisoners are excluded from the programme. The Department's research division monitors the progress and assists in identifying bottlenecks and overcome breakdowns. The attitudes and conflicting philosophies of the staff involved as well as the aroused expectation of the prisoners have added complications.

The NSW Prisons Act provides for two types of remission for a prisoner's sentence period, automatic remission and earned remission. However, the NSW Parole of Prisoners Act does not allow for any remission entitlements granted under the Prisons Act to be applied to the non-parole period, so it is not until an offender breaches parole and returns to custody that they can benefit

from the remission system. Under the Parole of Prisoners Act 'street time' does not count as part of a prisoner's sentence, which has created problems of interpretation in applying remission entitlements to prisoners serving breach of parole sentences.

A further complication is that recent NSW court decisions have dramatically altered the way in which statutory automatic remissions are applied to sentence periods. This means that a number of prisoners irrespective of the nature of their offences have been released by way of remission prior to the expiry of their non-parole periods. In spite of the difficulties, however, the programme has proved a valuable exercise. It has enabled a detailed review of the imprisoned population and so far the cases of over 1500 prisoners have been individually examined, and approximately 470 or 3 per cent have been released on licence. Of these, 3.5 per cent have had their licences revoked, representing a success rate of over 95 per cent. By reducing the prisoner population by a few hundred the programme has enabled the Commission to begin a substantial reorganisation of the gaol system with a certain degree of freedom.

In conclusion, the release on licence programme has acted as an effective interim measure until such time as new legislation can be prepared to eliminate the anomalies apparent in the present legislation.

The special care unit : philosophy, procedures and evaluation

The special care unit was developed as a programme for the re-education of prisoners and prison officers. It was designed on the lines of a therapeutic community in which prison officers would be responsible for the day to day programming of the unit in consultation with other professionals. All elements of the community are seen as important to the treatment programme. Thus relationships and personalities of staff and inmates appear to be the raw material for a therapeutic process involving the working through of personal relationships.

Efforts are made to actively involve prisoners in each other's treatment, enabling the prisoner to understand the extent to which he has become institutionally dependent. By actively opposing the dependency needs of prisoners, staff encourage a perception of reality free from the distortions so prevalent in penal institutions. The special care unit represents a place in which prisoners examine certain issues that have impeded personal development in the past. Prisoners are encouraged to produce these issues and explain their significance to the other members of the community during therapy. Typical examples are low self-esteem, uncontrollable feelings of anger and aggression, drug and alcohol addiction, frequent failure of personal relationships, problems in dealing with authority figures etc.

The formal work of the special care unit is carried out in groups, and one to one relationships are discouraged. A number of procedures have been devised to carry out various aspects of the unit programme philosophy including :

1. Admission procedure :
 - a) initial screening/goals clarification
 - b) entry assessment
2. Formal therapeutic groups, both large and small
 - . community meetings
 - . crisis meetings
 - . communication/debating groups
3. Self-assessment procedure.

All of these social situations share two aspects of unit philosophy:

- . presence of custodial staff working with prisoners to arrive at insights into attitudes and behaviour;
- . the public nature of therapeutic intervention in the concept of community.

The Corrective Services Commission have conducted a preliminary evaluation into the special care unit which culminated in a report issued in 1982. The working party was given a general brief to investigate unit procedures, its cost effectiveness, staffing, and the nature of therapeutic work carried out. From this came a series of recommendations as well as the establishment of a group of advisors for the unit superintendent consisting of the director of the probation and parole service, the director of the programmes division, superintendent in charge of prison officer training, and a representative of the Prison Chaplaincy Service. These consultants have met with the superintendent and senior psychologist on a monthly basis to offer advice and aid for the programme, and have proved of use in discussing management issues relating to improved effectiveness.

One of the main aims of this project was the training of a group of prison officers who would be equipped to perform a complex role in the management of prisoners. It was hoped these officers would be better able to understand difficulties facing those running other penal institutions. Staff members would then return to the mainstream prison system carrying with them these newly-acquired areas of expertise.

Evaluation of the effectiveness of any treatment programme involving prisoners often revolves around the question of which outcomes should be considered as evidence of positive treatment. The factors relating to recidivism are multiple and not always under the control of the ex-offender. If the possibility of return to gaol is to be considered in any evaluation of this programme authorities must be content with a long-term perspective as benefits will only be apparent after intensive long-term study of a large number of cases. Immediate benefit might be gained by studying the behaviour of former special care unit residents after return to the general prison environment, particularly with regard to relationships with other prisoners and supervising custodial staff.

ITEM III : YOUNG OFFENDERS IN CORRECTIONS

In New South Wales juveniles under the age of 18 years committed into custody are detained in institutions under the control of the Department of Youth and Community Services. Adult offenders (aged 18 or more) are committed to prison under the control of the Department of Corrective Services. However, in certain circumstances magistrates and judges are empowered to direct that a sentence imposed upon a juvenile be served in a prison for adult offenders. This occurs where a juvenile is convicted on a capital charge or where a juvenile detained in an institution for adolescents commits a serious assault on an officer. In summary, the court may direct that a person under the age of 18 serves the term of imprisonment in a prison for adult offenders where it considers the offender unsuitable for placement in a detention centre for adolescents.

On 30 June 1982, the number of persons under 18 in gaol was 15, or .4 per cent of the total prison population of 3,719, representing an imprisonment rate of 30.7 per 100,000 persons in the general population. The total number of persons under 25 years of age was 1,476, or approximately 40 per cent of the total prison population.

Although the number of young offenders in prison at any time is small, they pose problems which are quite disproportionate to the ratio of the total prison population they represent. As they are usually sought out by predators in the general prison population they must be protected from older inmates, and because of the lack of adequate facilities this inevitably results in isolation from other inmates, restricted movement within the prison, and limited access to the normal amenities provided for prisoners. Ideally an institution needs to be set aside for the containment of juvenile offenders committed to prison. In New South Wales however the small number in custody at any time would not justify the cost involved. Furthermore, because of the distance and the need to hold inmates in regional prisons for further court appearances (and perhaps the short term of prison imposed) transfer to a

central prison, if available, would be impracticable. Statutory provision exists for the transfer from prison to a youth detention centre of juveniles committed to prison, provided the Minister for Youth and Community Services agrees to the transfer.

Recent media criticism which followed claims by a juvenile offender that he had been subjected to homosexual assault and introduced to drugs whilst serving a sentence in an adult prison has caused the government to direct a close review of those cases where juveniles have been sentenced to prison, with a view to their transfer to an institution for adolescents in accordance with those statutory provisions. In several instances, where the juvenile offenders had been sentenced to a term in prison for serious assaults on youth supervisors, strike action has been taken when the offender was transferred from prison back to the youth detention centre. However it seems likely that efforts will continue to ensure that the number of young offenders in prison is kept to an absolute minimum.

ITEM IV : THE PROBLEM OF DRUG OFFENDERS IN PRISON

The past two decades have seen an increasing number of drug offenders committed to prison in New South Wales. Many have been involved in the importation of drugs into Australia, have ready contact with drug suppliers, and access to vast sums of money. Continuation of their drug trafficking activities involving the supply of drugs to prison inmates who are (or become) addicts, confronts prison administrators with a problem of enormous magnitude. Changes in penal policy governing the management of prisoners in recent years have exacerbated the difficulties of controlling the entry and use of illicit drugs in the prison setting. For example, the Royal Commission into New South Wales Prisons, 1978, recommended that contact visits should be permitted for prisoners in all institutions. This recommendation has since been adopted by the government, and all prisoners now enjoy the privilege of contact visits, ranging in frequency from one per month to one each week depending on the availability of facilities and staffing resources. These visits are much appreciated by the majority of inmates. Unfortunately however this privilege has led to a significant increase in the prevalence of drugs in the prison institutions. Although inmates in the maximum security prisons are strip-searched and are required to change into another set of clothing before and after the visit, there is no doubt that illicit drugs are passed during some visits.

Visitors are required to leave personal possessions (handbags etc) in lockers at the gateway before entering the prison. It is generally recognised that drugs are often passed from visitor to prisoner by mouth whilst kissing, and are concealed in body cavities by the prisoner concerned. There is no statutory provision for internal body searches to be conducted by correctional

officers, and medical staff refuse to carry out such searches on the grounds that the problem is one of security rather than a medical one. Although contact visits are regarded as the main means by which drugs are conveyed into prisons, other means include :

- a) the planting of drugs and alcohol at minimum security institutions in areas adjacent to the institution's boundaries, and retrieval by inmates when staff supervision is minimal;
- b) prisoners smuggling in drugs concealed in body cavities at reception or when returning from court appearances;
- c) hoarding of medication prescribed by medical staff;
- d) trafficking by unscrupulous staff;
- e) concealment of drugs in goods entering the prison, in a tennis ball thrown over the wall etc.

Apart from the strip-searching referred to above, other measures to control the entry of drugs have been adopted, including :

- a) frequent searches of inmates and prison buildings, cells, workshops etc. at irregular intervals;
- b) use of guard dogs in searches within the prisons including contact visiting areas.

The use of dogs has been found to be particularly useful. They have been responsible for many finds of drugs, and their presence in visiting areas has proved to be of considerable psychological value as a deterrent.

- c) inmates are required to submit to urine and blood analysis if suspected of having taken a drug not prescribed by medical staff.
- d) prescription of medication by medical staff is constantly under review.

Despite these precautions the entry of drugs into New South Wales' prisons remains a major problem for the administration.

SOUTH AUSTRALIA
ITEM I : DEVELOPING PUBLIC AWARENESS OF CORRECTIONS

JOHN DAWES

The Department of Correctional Services in South Australia has for a number of years had a poor image in both the press and the electronic media. This situation has occurred as a result of the Royal Commission on 'Allegations in relation to prisons under the charge, care, and direction of the Director of the Department of

Correctional Services, and related matters' whose report was published in 1981. As with any Royal Commission, problems and mismanagement within the Department were paraded daily through the media, and this situation had a damaging effect upon staff morale generally within the Department, and specifically within the prison service. Concurrent with the Royal Commission, a firm of management consultants undertook a major review of the Department, and this provided a blueprint for the future, and the appointment of the Executive Director was the first step towards this future. However, problems in mismanagement at Yatala Labour Prison have continued. The Department has taken a number of steps to improve its image and develop increasing public awareness of its tasks. These include :

- a) the issue of a departmental instruction, 'Media Access to the Department of Correctional Services' describing for staff their duties and obligations in respect of the media;
- b) publication of a departmental instruction, 'Visits to Departmental Offices and Institutions' which has changed the approach of the Department from being closed to scrutiny to a responsible openness;
- c) publication of the Department's Aims and Objectives together with pamphlets describing its major programmes.
- d) Sponsorship of a annual public oration on criminal justice in South Australia. The first orator was Mr William Clifford, Director of the Australian Institute of Criminology. In addition, the Permanent Head and other senior officers regularly address public meetings and similar functions.
- e) The Department has a large force of volunteers who visit prisoners to assist with personal problems and programme development. Volunteers also work in the Department's Probation, Community Service and Parole programmes, and assist in the community programmes managed by the Department, but without caseload responsibility.
- e) Requests for information are dealt with speedily and courteously by senior officers of the Department. It is hoped that slowly the Department's image will be improved through this process.

The Department has a long way to go in developing public awareness of corrections. The research and planning section is already preparing a number of publications for wide distribution. Departmental instructions are available to people seeking information about the Department's procedures. Plans are in hand to develop open and family days at selected departmental institutions, and the department is developing ideas for its contribution to the State's sesquicentenary in 1986.

ITEM II : NOVEL AND NEW PROGRAMMES IN THE REGION

Community Service Order Scheme

This new community correctional programme started in mid-1982 and has found ready acceptance by both judiciary and the community. Community service for correctional purposes can be defined as work or service performed by an offender for the community instead of a short term of imprisonment. It is usually done in the offender's free time over a fixed number of hours; the offender must agree to the order being made by the court and receives no payment for services rendered. Charitable organisations, public agencies and needy individuals are the main beneficiaries of this service. As a criminal justice tool it has a number of worthwhile features :

- a) it maintains the offender in his own community whilst requiring him to perform some service to the community at large;
- b) it has rehabilitative potential through its education programme which encourages offenders to develop themselves through adult education;
- c) the public can see action is taken against offenders and that it will receive some benefit from their services to the community. Such participation should result in increasing public knowledge and support for the criminal justice system;
- d) it is a less expensive alternative to imprisonment with a more productive return to the individual and to the community.

Currently the scheme is operated only from two district offices, but it is planned to extend the scheme to the Port Adelaide area and to the towns of Whyalla, Port Augusta and Port Pirie. Of the 132 offenders commencing on the scheme, 65 have so far satisfactorily completed their order, and 10 offenders have been reported to the courts for alleged breaches, mainly for committing further offences. Allowing for programme costs of \$100,000, the annual cost to the community has been \$757 per offender, compared with approximately \$20,000 per annum per prisoner. In return the community has received 7,900 hours of work by these offenders, the value of which, calculated at the national average hourly rate, is \$63,200.

ITEM III : YOUNG OFFENDERS IN CORRECTIONS

In South Australia, juveniles under the age of 18 years who are committed into custody are detained in institutions under the control of the Department for Community Welfare. Adult offenders (aged 18 years and over) are sentenced to imprisonment under the control of the Department of Correctional Services.

The National Prison Census, conducted on 30 June 1982, by the Australian Institute of Criminology, produced the following age profile of prisoners in South Australia:

Age profile of prisoners in South Australia

Age	Number of prisoners	Percentage of prisoners
Under 16 yrs	-	-
16 yrs	1	.1
17 yrs	3	.4
18 yrs	20	2.5
19 yrs	45	5.5
20-24 yrs	268	33.0
25-29 yrs	184	22.7
30-34 yrs	107	13.2
35-39 yrs	74	9.1
40-44 yrs	52	6.4
45-49 yrs	30	3.7
50-54 yrs	8	1.0
55-59 yrs	11	1.4
60-64 yrs	3	.4
65 yrs and over	6	.7
	<u>812</u>	<u>100.0</u>

Forty-two per cent of the prisoners in custody in South Australia on 30 June 1982 were under 23 years of age, and about 9 per cent were under 20. The Department operates 7 prisons, 3 in the metropolitan area and 4 in country areas of the State. Adelaide Gaol is the main remand centre and short sentence prison in the State, and Yatala Labour Prison is the main high-security prison. The Women's Rehabilitation Centre is the State's multi-purpose women's institution although small numbers of women are occasionally held in country institutions. With the exception of Adelaide Gaol, the State's institutions are essentially open compound prisons providing little capacity to classify separately different categories of prisoners. This problem is particularly acute at Yatala Labour Prison, and the Department receives many letters from parents asking that their sons not be placed in that institution. 'C' Division at Yatala Labour Prison, a low-security unit, is a large-scale dormitory block providing little capacity for separation by age or the experienced from the inexperienced offender. This lack of capacity in metropolitan prisons causes grave concern to senior departmental management.

The Department does not advocate a juvenile institution as a separate prison within the adult prison system but prefers smaller prisons with different programmes so that young offenders can be

matched and classified. Some bad experiences have occurred in single-purpose youth institutions where inexperienced offenders live with experienced and violent peers. The Department strongly supports the concept of small living units housing 40 persons or less as the basic building blocks in any new prison design. It also believes that prison be used only where appropriate and as a last resort for those offenders who cannot be dealt with in community settings.

ITEM IV : THE PROBLEM OF DRUG OFFENDERS IN PRISON

The first National Prison Census on 30 June 1982 revealed 62 South Australian prisoners whose major offence was a drug offence, i.e. 12 convicted of possession or use of drugs; 33 convicted of trafficking in drugs, and 7 convicted of manufacturing drugs. These persons made up 7.6 per cent of the total South Australian prison population. 'Crime and Justice in South Australia' produced by the Office of Crime Statistics for the 6-month period January-June 1982, show a total of 141 convictions for this period of which 43 were sentenced to immediate imprisonment and the rest released either on suspended sentence or final bond. Of the total convictions, 122 involved possession, use or cultivation of marijuana or hashish.

Each reception prisoner is medically examined within 24 hours of arrival. Where there is evidence of drug dependency in the medical history or as a presenting medical condition, (i.e. withdrawal symptoms) appropriate medical care is provided. In the case of drug withdrawal, offenders are medically managed in the holding prison by the use of tranquillisers and sedatives. When the withdrawal is acute, the offender is usually transferred to the Northfield Security Hospital for appropriate general and psychiatric care. In February 1984, the prison infirmary will be used for this purpose, and the new Adelaide Remand Centre will offer appropriate medical and nursing care. Methadone is not used as a treatment or a management programme for heroin users.

The Alcohol and Drug Addicts Treatment Board of South Australia accepts referrals from this Department for assessment of dependency, for counselling services within prisons, and for after-care programmes. Assessment of dependency is a specialist service offered by the Board, primarily dealing with drunken driver assessments. Counselling is also provided within the prisons and is based upon an education concept aimed at follow-up treatment on release. The Board also provides various specialist clinics, and these accept referrals from prisons where appropriate and available. Places are limited on an in-patient programme basis, especially the family living unit for drug offenders. In addition, an inter-departmental committee known as the Adult Offender Drug Education Committee has recently been established by the Department of Correctional Services to examine the existing and future provision of services to offenders.

There is always tension in prison management between vigilance designed to limit drug-trafficking, and assisting prisoners maintain family and community ties since secure, restrictive visits impose additional hardships and trauma upon prisoners' families. Contact visits are now provided in most South Australian prisons, the major exception being Adelaide Gaol, incorporating the remand centre. Some unscrupulous prisoners and their families and friends have used the contact visiting programme to pass drugs, usually by kissing. These infrequent occurrences increase pressure to close down programmes which allow prisoners contact with the outside world.

In South Australia there is no statutory authority for prison staff to conduct internal body searches, and medical staff generally resist suggestions that they carry out such searches. It is not felt that prison staff should have such authority, and medical staff say security and surveillance duties intrude into doctor/patient relationships. A compromise arrangement might be to have legislative authority to undertake internal body searches but to contract this work to outside medical authorities.

The use of contact visits as a possible way in which drugs are introduced into prisons must be set in the context of general security. At all South Australian prisons, including Yatala Labour Prison, it is possible for members of the public to get close enough to prison boundaries to hide drugs to be retrieved later by prisoners. Prisoners bring drugs to prison concealed in body cavities, and drugs are obtained outside the prison at courts, hospitals and other places. Trafficking by unscrupulous staff and members of the public is another way in which drugs can be introduced to prisons. In South Australia, it is likely the main drug causing difficulties, and on occasions prison violence, has been alcohol, which is largely prison-brewed, although commercial alcoholic beverages have also been found. A formal incident-reporting service has been established, and accurate data will become available on prison crime rates and incidents to help establish the true picture.

A number of preventative security measures are in place, designed to minimise drug trafficking and the problems caused by drugs in prisons., and prisoners at Yatala are strip-searched before and after contact visits and wear special uniforms during visits. The Department has a prison dog squad which detects certain classes of drugs. Improved surveillance of visitors has been proposed, but old buildings and insufficient space at visiting centres has resulted in only minor improvements, and it is likely for the foreseeable future that drug-taking in prisons in South Australia will continue to be a problem.

COOK ISLANDS

JOSEPH HERMAN

ITEM V: PRISON HEALTH SERVICES IN THE COOK ISLANDS

There has been a dramatic improvement in health services in the Cook Islands over the last fifteen years as is shown by health statistics. The result is a decrease in the death rate, a corresponding increase in life expectancy, and a healthier population.

Medical Services

It should be noted that in this paper 'prison health services' includes medical and dental services, and also local medicine where applicable.

We do not have special medical prisons or a medical sub-service as do Japan and Hong Kong. Whenever prisoners require medical attention we supply first aid if the need is minor, but where a more qualified person is needed the prisoner is admitted into hospital for examination and/or treatment by a doctor or by the appointed prison medical officer. If an inmate is admitted as an in-patient, the escorting officer remains on watch until relieved and this practice continues until the discharge of the prisoner from hospital. Admission as an in-patient in hospital is normally made by the prison medical officer after consultation with the superintendent, although occasions have arisen where admission was made by other doctors.

Prisoners often become blood donors. On the whole, medical services accorded prisoners are free and the services generally are excellent but seldom used by prisoners, perhaps because of their healthy state physically and mentally. This applies equally in the prison in Rarotonga and on the outer islands of Aitutaki and Atiu. The only deficiency is an administrative one in that the prison medical officer appointed is a senior doctor in the Cook Islands Health Department and is seldom seen. Since his services are not needed daily (or even monthly) there is no point in making an issue of it. On the other hand, should a position be created for a permanent prison medical officer on a full-time basis, redundancy would be the order of the day.

Dental Services

Prisoners seldom complain of dental complications but provisions are available in the regulations to cover this need. As a matter of policy expenses for tooth extraction are paid by the Department of Corrective Services, but expenses for fillings or false teeth are paid by the inmates themselves.

Personal Hygiene

Every inmate is medically examined upon admission to prison and is required to bath or shower twice a day. Hair is kept reasonably short, and there is one inmate to each cell unless doubling-up is necessary upon a sudden increase in prison population; however current health standards are observed, and where a prisoner has contracted a contagious or infectious disease, he or she is separated from other inmates. Fortunately such an occasion has not yet arisen to my knowledge.

Prisoners get plenty of exercise through planting, fishing, rugby, soccer, table tennis and a variety of physical training. Each prisoner is responsible for keeping their cell clean and tidy, washing clothes etc. Toilets, kitchen dishes and cooking utensils are also washed by inmates on a roster basis.

ITEM VI: THE MEANING OF PRISON LABOUR IN THE COOK ISLANDS

Before the Cook Islands became self-governing in 1965, prison labour was regarded as 'hard labour' as prisoners were required to do quarry work, breaking stones in the hot sun, and earning nothing for their personal benefit during their period of imprisonment which could assist them upon release. Since self-government however there has been a shift in policy, and prison labour is now geared towards achieving the following aims :

- (a) achieving self-sufficiency levels in food production through farming, animal husbandry, fishing etc.
- (b) directing prison labour towards lucrative activities where earnings may be apportioned and paid into the prisoner's bank account.

During the era of colonial rule, policy was designed for the benefit of the state, but since self-government, prison labour has played a more harmonizing role between the interests of the state and that of the prisoner.

Opposition from private enterprise and the unions to commercial farming efforts have been non-existent. In fact there is general support for prison involvement because the aims of the Department are understood as genuine and necessary. Prison labour benefits the community in the sense that a labour pool is readily available whenever it is needed, and the monetary benefits are not sunk in the pocket of the prison service but shared between the administration and the prisoners. Because of the absence of prison manufacturing plants the means by which revenue may be derived by the prison service and inmates and the amount of their involvement in the economy of the country present no threat since it plays a supportive role, and the competitive aspect is minimal.

Every offender sentenced to a term of imprisonment is required to work on the prison farm, in the taro swamps, or fish, cook and do any other duties they may be delegated. The word 'delegate' is used as prisoners are both encouraged to have a feeling of belonging with the institution, and are taught they must change their ways if they not do wish to be labelled as a prisoner again. Those on remand can choose whether to participate in any of the jobs rostered, and in most cases they do as otherwise they would remain in their cell alone.

Although the Cook Islands cannot claim to be an industrial country by metropolitan country standards, there are nevertheless types of prison labour or work associated with the term 'industrial'. These include cottage industries which can be categorised as handicrafts, and which initially derive from agricultural activities, including :

- (a) making ukeleles, pates, and other musical instruments for sale to tourists and for the local market;
- (b) making brooms, eis, and so on for the tourist and local markets;
- (c) farming, and planting a wide array of tropical fruits and vegetables; passionfruit, pawpaws, capsicums, taro, arrowroot, kumaras, pumpkins etc.
- (d) animal husbandry, mainly caring for pigs and poultry;
- (e) fishing;
- (f) general maintenance, and cooking.

All these tasks enable the correctional administrators to keep the prisoners occupied in ways which can be of benefit to the administration, as well as to the prisoner in terms of training, commitment and revenue which all aid their rehabilitation. With the exception of occasional illness or punishment, all able-bodied prisoners are fully occupied in the day to day work, and are organised into groups of working gangs. Some may be assigned taro cultivation, some work in the vegetable gardens, yet others deal with maintenance of building etc. No one is left idle.

The farm products are mainly for consumption but the surplus is sold on both the local market and the export market, the crops exported being mainly capsicums, courgettes and pawpaws, with occasional tomatoes and lychees. These are airfreighted to the Auckland market. Citrus fruit is also exported to Tahiti, and cabbages, tomates and citrus fruit to Nauru and Eastern Samoa. In addition, Japan has recently become one of the Cook Islands' markets for three months in the year.

The legislation permits work releases. Some prisoners are engaged in permanently paid employment during the week, and such releases are mainly to assist inmates who are married and/or have children. There is no permanent paid employment, prisoners are released to work at home doing planting, fishing and other useful duties in order to continue family harmony and maintenance. Where employment is casual, prisoners are released during the Saturday of each week to work for persons who may hire prisoners for whatever labouring jobs are available, and the money derived from this is paid into their bank accounts. This has proved a popular scheme. The current rate is \$6-80 for an 8-hour day; \$4-80 being banked for the inmate and \$2-00 going to the 'Social Welfare Fund'. This division was reached after discussion with the prisoners; the social welfare fund has been established for the benefit of all prisoners whether hired frequently or infrequently.

FIJI

COL M.V. BUADROMO

ITEM I : DEVELOPING PUBLIC AWARENESS OF CORRECTIONS

Perhaps the most common concept of prison in the public thinking is of a place of punishment where criminals are herded together and held in custody. The much-needed cooperation between a prison and the community is still fairly rare, and depends on the comparative absence of natural and artificial barriers. But even in a maximum security prison, once members of the public penetrate into gaol their concept of it is likely to undergo considerable change, particularly if they meet individual prisoners.

Newspapers reporting a trial will describe a burglar, a thief or a sex offender. But when their readers come into contact with prisoners they would probably not see these people but Joe Blow who is in trouble. To such a reader prison becomes a place full of people like Joe, whose real difficulties would begin on leaving prison, who would have a hard time getting a job, and whose future is uncertain. With the rest of the public he may once have condemned their deeds, but it is human beings not deeds that are being locked up in prison, many of them with grave problems which they cannot solve by themselves and for which they need help.

It is vital therefore to obtain effective cooperation both from the public in general and the surrounding communities for the running of prison institutions. For these reasons the public must be fully aware of our aim and objectives as well as our service operations, and in this connection local and national media could play an invaluable part.

Staff and inmate participation in community activities benefit all concerned. The type and location of the situation determine the extent of a unit's involvement in community programmes. For example, the Prison Service maintains five public cemeteries in three large centres. Staff and prisoners are responsible for burial preparation from grave-digging to burial, and the Prison Service is accountable to the Commonwealth War Graves Commission for Fijian war memorial graves. The Prison Service also maintains some ten acres of land in the Government House compound. At least ten prisoners and two officers are allocated for the work daily.

Rehabilitation - disaster-stricken areas

Staff and prisoners play an active role in the rehabilitation of hurricane-stricken areas by clearing debris accumulated from hurricanes and manufacturing building requirements in prison workshops.

Furniture and Buildings

The prison joinery shops are available for making furniture for schools, church pews, and furniture for individuals with the approval of the Commissioner of Prisons. Recreation 'bure' (native-style housing) buildings for institutions such as old people's homes, the Royal Fijian Police Force, and the Fiji Society of the Blind are also constructed by staff and prisoners.

Blood donors

Hospital personnel visit prisons at least once every three months to accept blood from staff and prisoner donors.

Sports

Officers have affiliations with two rugby teams in the Suva Rugby Union and one in Lautoka. Although the Prison Act approves competitive sports for prisoners as a privilege this has never been acted on.

Voluntary Organisations

Voluntary organisations have been established which participate in the care and rehabilitation of released prisoners as there is no policy of compulsory aftercare; amongst these are:

- a) The Salvation Army providing facilities for young men to rehabilitate themselves. Live-in accommodation is provided for 18 inmates and training is given in carpentry, boat building and farming.
- b) The Methodist Church runs three groups; the Good Samaritan Inn, and Teenage Challenge for boys, and Viti Concern for girls.

ITEM II : PROBLEMS AND INNOVATIONS IN THE FIJI PRISON SERVICE

The present position of the Fiji Prisons Service is much improved compared to that existing up to 1980. The recent review of the service was motivated by a serious breakdown in the efficient functioning of the organisation resulting in prisoner disturbances during December 1979 and January 1980.

In the past the Fiji Prisons Service has been severely hampered by the absence of a permanent training centre with qualified training staff, training aids and finance which restricted effective and ongoing training for prison officers. However as a result of the 1981 review, the following were established :

- a) a Prison Officers' Training Board to advise the Commissioner of Prisons on all matters concerning the training of prison officers including courses and course content, examination requirements, training methods and evaluation, etc.
- b) a staff training centre for prison officers with management/supervision in-service training courses together with other developmental training as required.

Over the past two years, every endeavour has been made to acquire the funds and aids for potential staff who display the necessary qualities to provide training and staff development resources to mould prison staff into an efficient working unit from which future senior management can be drawn.

Apart from the training of prison officers in Fiji, it is considered that exposure to more developed systems, and participation at international training conferences and seminars may lead to greater understanding amongst our future potential prison administrators. The extent of placement of Fiji prison staff in overseas institutions for training purposes depends on overseas aid and finances being made available. Since 1981, 12 senior officers of the Fiji Prisons Service have been to Australia, Japan and the USA for training in prison administration, human relations, and in specialised security and emergency control procedures. Fiji is grateful for these opportunities and will continue to take advantage of overseas training when available.

Once the Prison Service was the last employment resort for young men with good educational backgrounds, and recruitment was mainly from form 2 to form 4 (Fiji junior) levels. Since then the Prisons Service has had an influx of recruits at New Zealand School Certificate (form 5) and University Entrance (form 6) levels. Apart from the lack of other employment opportunities, this is due to the awareness that the Prisons Service is now a stable organisation with greatly improved conditions of service.

Prior to the review of the Fiji Prisons Service in 1981, prison officers suffered from a lack of direction and poor training; long working hours resulted in excessive absenteeism, and general demoralisation was common. Until 1980 the Prisons Service was under the Ministry of Social Welfare which failed to recognise the demands of the Prisons Service, and this culminated in the prison disturbances of 1979-80. Following these disturbances, the Government decided to place the Prisons Service under the Ministry of Home Affairs. This meant that the prisons organisation joined the army and police as disciplined forces, and prison officers reacted favourably to this change.

The results of the 1981 review have meant an increase in the establishment and a consequent reduction in working hours which has improved morale. Prison officers are now generally dedicated and display a comparatively high standard of discipline. The training available to officers both internally and overseas is also seen as a morale booster and has created career interest and enthusiasm.

Prison industry and the training of offenders

The majority of prisoners in Fiji prisons have an educational level of year 8 (form 2) or less, and many are illiterate. This together with the lack of qualified supervision of prisoner education and training retards the development of prisoners. As far as possible prisoners are allocated work that will assist them to retain or develop work skills adequate to gain them useful work upon release, and within the prison service all but two per cent of prisoners are gainfully employed. Training is available in carpentry, joinery, automotive mechanics, working in tin, baking, tailoring, cooking, farming, poultry (eggs and meat production), upholstery and handicrafts. The use of vocational training is very much part of the self-sufficiency programme; however finances can only enable prison authorities to maintain existing courses without introducing innovations or new programmes.

Although the prison industry has increased in terms of production and revenue it is continuously hampered by lack of finance. It is presently funded by a suspense account which is reimbursed periodically by a small part of the total revenue derived from the sale of industry products; the bulk being transferred from prisons to government revenue. The transfer of the whole of this revenue into the prison industry is under consideration, and if approved will enable prison authorities to implement other programmes presently shelved due to lack of resources.

One of the best features of the Fiji Prison Service as far as employment and industry are concerned is that most prisoners are usefully employed, many of them outside the prison precincts. They make a significant contribution to their own upkeep, particularly in the area of food production, and any suggestion that the

prisons systems should be completely self-supporting should be dismissed as impracticable. Prisons exist to protect the community, and like all community services must be paid for.

Prisoner remuneration and privileges

Convicted criminal prisoners are subjected to a progressive stage system. Although the aim of this system is to provide an incentive to prisoners to earn by good conduct and industry more favourable treatment as they progress through their sentence, this is not often achieved. The opinion of administrators and officers of the Prison Service is that the existing system achieves little. It is time-consuming to administer, difficult to apply fairly, and because of the time-span and the comparatively minor intermediate rewards, it fails to motivate prisoners. (See page 36 for various stages of the progressive stage system in use in Fiji.)

The Prisons Service recognises that prisoners should be encouraged to earn privileges and that consistently good conduct and industry should be rewarded. Letters and visits to prisoners are too important to be tied to a system of progression, while gratuity should relate to the effort and skill applied to work. The introduction of a new system is under consideration, to include :

- a) gratuities continuing to be paid on various scales, upgraded to reflect current parity;
- b) all convicted criminal prisoners eligible to receive gratuity payment;
- c) this gratuity will be subject to prisoners' conduct and industry;
- d) prisoners allowed to write one censored letter a week, and receive censored letters without restriction;
- e) prisoners allowed to receive visits of a minimum duration of 30 minutes every two weeks.

These privileges will be in addition to others such as library access and usage, participation in classes, entertainment, handicrafts, games and various recreational activities. The introduction of this new system should have a desirable effect on the conduct and industry of prisoners.

The pre-release centre

This institution was established in Fiji in 1979 with the aim of acting as a bridge between prison life and freedom in society as the transition from imprisonment to liberty on release is somewhat

abrupt for most inmates in Fiji. The centre has a prisoner capacity of 50 inmates and is staffed by a total of 10 prisoner officers on shift work. Only inmates who have proved that they have reformed and are ready to be released into society are considered for transfer to the pre-release centre. This centre concentrates mainly on :

- a) providing a more natural environment for inmates prior to release;
- b) returning to inmates a portion of the responsibilities and personal decisions taken away from them on imprisonment, in short, more privileges to comparison to other institutions;
- c) providing an incentive for those inmates in higher classifications to work towards gaining a place in the pre-release centre.

Since its establishment, the pre-release centre with its community type open setting has proved to be very successful. Escapes from this institution have been rare, and when they have occurred, the causative factor reflects on the selection of the inmates concerned.

Alternatives to imprisonment

In Fiji prisons a large percentage of prisoners are first offenders, and young offenders (18-20 years of age) account for just over half of the total prisoner populations. Together with those offenders committed to prison in default of payment of fines, they contribute significantly to prison overcrowding. This problem existed up to a few years ago and may crop up again if courts continue to over-use the custodial method of punishment offenders.

Although courts may have a full range of sentences available they do not fully utilise all the methods for sentencing offenders. Where alternative sentences do exist these methods of punishment are so under-utilised that there is the strong impression that most offences warrant a custodial sentences, or that magistrates do not have confidence in alternative methods as punishment or as a rehabilitative programme for offenders. If there is an over-reliance on the law for the solution of social problems, then it follows that there is an over-reliance on institutions such as prisons to solve individual and community problems.

Fiji law provides a range of sentencing options as alternatives to imprisonment; these are as follows :

- a) probation
- b) fines
- c) suspended sentence
- d) binding over and good behaviour bonds
- e) discharge (absolute and conditional)
- f) victim compensation (as an ancillary provision)
- g) reconciliation
- h) corporal punishment
- i) disqualification (as an ancillary provision)

If the courts have little confidence in the use of existing alternatives to imprisonment then it may be time to introduce schemes such as community service orders, periodic detention, and night imprisonment. These already exist in neighbouring countries such as Australia and New Zealand and appear to work satisfactorily, and may be adopted by Fiji after determining their suitability to Fijian offenders.

The various forms of release available in Fiji for criminal offenders who have been in prison have already been discussed in Fiji's participant papers to the Third Asian and Pacific Conference of Correctional Administrators. Of these, the continuous vigorous use of compulsory supervision orders and extramural punishment play an important part in the reduction of the prisoner population and overcrowding, and will continue to be used in addition to any innovations introduced into the Fijian prison system.

Prison Security and Emergency Control

Towards the end of 1979 and during early 1980, Fiji experienced the most serious prison disturbances in its history. A great deal of damage to prison buildings and equipment resulted as well as two mass outbreaks by prisoners. The causes were multiple, including understaffing, prisoner overcrowding, and inadequate staff training programmes. Of more relevance was a lack of effective emergency control procedures, and inadequate special equipment combined with indecisive leadership and apparent confusion as to the relative responsibilities of the police and prison authorities, all of which allowed a small number of determined prison leaders to gather support and escalate minor disturbances into major riots.

It was recognised that emergency control procedures had to be established and prison staff properly trained in their implementation. In 1982 the Emergency Control Unit of the Fiji Prisons Service was established, comprising 10 prison staff of various ranks. The responsibilities of this unit include :

THE PROGRESSIVE STAGE SYSTEM USED BY THE FIJIAN PRISON SERVICE

STAGE	MINIMUM ELIGIBILITY	GRATUITY	LETTER WRITE	LETTER RECEIVE	VISIT FREQUENCY	DURATION
1	3 months	Nil	1 x 2 weeks	Restricted	1 x 4 weeks	15 minutes
2	12 months	30c a month	1 x 2 weeks	Restricted	1 x 4 weeks	15 minutes
3	15 months	40c a month	1 x 10 days	Unrestricted	1 x 3 weeks	20 minutes
4	-	60c a month	1 x 1 week	Unrestricted	1 x 3 weeks	30 minutes
Special						
<u>Civil</u>	-	Nil	1 x 1 week	Unrestricted	1 x 1 week	30 minutes
Unconvicted	-	Nil	Unlimited	Unrestricted	Every day but Sundays and public holidays	30 minutes

ITEM III - YOUNG OFFENDERS IN CORRECTIONS

In 1979 the Police Juvenile Bureau was set up with the main objective of minimising the number of juveniles (under 17 years) taken to court. All cases related to the Bureau are thoroughly investigated before a decision is made to caution or prosecute, and of the 182 cases referred to the Bureau in its first year, 75 offenders were prosecuted. It is interesting to note that juvenile offenders who are cautioned rarely offend again, and the decrease in the admission rate of juvenile offenders is largely attributed to the Bureau. Those who do offend are placed in the care and custody of the Social and Welfare Department which runs a boys' centre and a girls' home. The latest survey of juveniles committed to the boys' centre was completed in December 1979, referring to the previous 12 months during which 118 offenders were admitted to the centre. It concluded :

- a) densely populated housing estates feature strongly as the home area for offenders admitted to the centre;
- b) for both remand and committed cases the number of boys from rural areas is comparatively low, supporting the concept of Fiji's juvenile criminality as an urban problem;
- c) broken families and urban migration of children without their families for schooling purposes etc. influence juvenile offending;
- d) larceny is the most prevalent juvenile offence;
- e) the percentage of Fijian offenders is higher than Indian and other races;
- f) age of highest risk for remand and committed offenders is 16 years.

The prevalence of larceny is not unexpected as in Fiji the communal attitude towards property may have enhanced the commission of larceny, the criteria for which as laid down by existing laws may be unfamiliar or alien.

For young offenders (under 19), a special prison with dormitory-type accommodation for 100 inmates caters for our young male prisoners with the exception of high risk, recidivist and incorrigible young offenders. The prisons legislation provides that as far as practicable different classes of prisoner are segregated. The actual classification used appears in Fiji's participant papers to the Third Asian and Pacific Conference.

Employment, education and vocational training

In contrast to prisons, the boys' centre is best compared to a school without the freedom. The centre is equipped with classrooms and workshops, and supervised by trained staff. In addition to an academic education, students are given training in metal work, automotive mechanics, woodwork, diary farming, pig farming, fishing, and vegetable and root crop farming.

Young prisoners in the Nasinu prison are generally employed in subsistence agriculture, tailoring, general maintenance and cleaning and construction. Provisions have been made during the construction of the prison for classrooms and workshops; however the introduction of full vocational training and academic education is hampered by both financial constraints and the lack of educational officers and qualified supervisors.

Treatment and after-care

Juveniles and young offenders committed to prison on remand or awaiting trial, or pending transfer to the juvenile centre or to the Nasinu prison following conviction, are segregated from all other prisoners. However complete isolation is avoided, and at night they are placed in cells close to officers on night duty so that conversation is possible. They wear their own clothing provided it is adequate and suitable. In any prison in Fiji the officer in charge may order a young prisoner to be reclassified as an adult if he considers his character makes him unfit for association with other young prisoners. Young prisoners receive the same treatment as others, but the following regulations are observed :

- a) they are segregated from adult prisoners;
- b) they receive individual and close attention from the officer in charge;
- c) they are trained to work usefully;
- d) they are given educational teaching to the best extent possible;
- e) they are permitted to participate in internal sports and physical training is encouraged;
- f) they are encouraged to read and pursue constructive leisure time interests;
- g) they are not punished severely. Deprivation of privileges is normally used rather than solitary confinement except in extreme cases.

Should a young person prove unsuitable for further detention in the juvenile centre he may be ordered to serve his sentence as a young prisoner in a prison. The remaining portion of his sentence is then remitted, and a fresh warrant issued to cover the period to be served in prison.

Every effort is made to obtain suitable employment for juveniles who are fit to board out. The headmaster of the centre is responsible for seeking assistance from public organisations and individuals. Where juveniles are boarding out and are too young for regular employment, every endeavour is made to ensure that their parents and guardians are able to secure their admission to schools where they may continue their education. Juvenile offenders are eligible for home leave which is granted once a year at the discretion of the headmaster. This period does not normally exceed 30 days, and parents or relatives with whom juveniles spend their leave undertake to supervise them and return them to the centre on the expiration of their leave.

As for young prisoners, the lack of coordination between outside organisations and the Prisons Service, the lack of employment opportunities and the feeling against ex-prisoners greatly hamper the prisoners' chances of leaving prison to lead a normal life. Although unemployment is a problem, many young offenders remain in the urban areas rather than return to their villages, and this is one of the major contributing factors to the high rate of recidivism.

PRISON POPULATION IN FIJI

YEAR	Men	Women	ADMISSION RATE % between 16-25	Total
1980	2116	85	63.8	2201
1981	2048	66	68.8	2114
1982	1787	96	68.4	1883

DISTRIBUTION OF PRISON POPULATION BY RACE

<u>1980</u> Age	Europ.	Indian	Fijian	Chinese	Other Pacific	Total
16-19	16	65	638	1	10	740
20-24	21	109	653	7	18	808
25-50	9	172	426	3	5	615
50+	-	13	24	-	1	38
<hr/>						
<u>1981</u>						
16-19	7	67	544	2	2	622
20-24	23	143	651	5	8	834
25-50	7	198	422	4	3	634
50+	-	10	18	-	-	28
<hr/>						
<u>1982</u>						
16-19	9	71	472	-	1	553
20-24	18	139	577	2	4	740
25-50	12	216	334	3	-	565
50+	-	9	15	1	-	25

ITEM IV : THE PROBLEM OF DRUG OFFENDERS IN PRISON

Fiji fortunately is relatively free of any major drug problem. However, the use of the country as a crossroads by non-Fijians involved in international drug trafficking is known, although to what extent Fiji is used as a drop off point for illicit drugs is unclear. If the detection rate by law enforcement authorities is an indication the situation may not be as severe as could be imagined, but nevertheless, detection facilities and techniques are vigilantly employed in an attempt to prevent the use of Fiji as a route for the marketing of drugs. Fiji itself is not entirely free of drugs; the most commonly known and cultivated being marijuana, and compared to other countries the amount is usually for personal use and distribution on a very small scale.

Fiji is becoming more involved in the exchange of information at international level with the various law enforcement agencies of other countries working in drug detection, and more emphasis has been placed on specialised training for law enforcement officers from Fiji in respect of drug detection and identification and the need to continually liaise with other agencies.

NUMBER OF PERSONS CONVICTED FOR POSSESSING MARIJUANA SINCE 1977

<u>Year</u>	<u>No. of Cases</u>	<u>No. of Persons</u>
1977	4	4
1978	16	17
1979	8	9
1980	7	7
1981	5	4
1982	5	8
	<hr/>	<hr/>
	45	49

Many of these cases involved Fijian Indians caught in possession or cultivation of small amounts of marijuana for their own use and for sale to tourists. These offenders either received moderate fines or were given fairly short sentences. As for the trafficking of drugs, those involved were foreigners. There were six such cases to 1981 of which five were kept for safe custody, and one, a female, was convicted and sentenced to eight years' imprisonment.

A very small proportion of the prison population are drug offenders, and the majority of these are traffickers only and in no way users. In the case of foreigners convicted for minor drug offences, their quick repatriation rids our prisons of a potential problem. For those convicted and imprisoned for longer periods, some of whom include couriers arranging major drug shipments in transit, the prison authorities ensure they are closely watched throughout their sentences.

The smuggling of drugs into prisons is not a problem, but measures have been taken to control any difficulties. The most obvious source of drug supplies is through visitors. Prison regulations allow any prison officer with grounds for suspicion to search or cause to be searched any visitor, and should the visitor refuse to permit this, admission to the prison can be denied. The Fiji Prisons Act and Regulations provide ample legal means to carry out searches of prisoners and visitors, and to deny visits and seize unauthorised articles from both. Contact visits are permitted prisoners other than maximum security, high risk and non-privileged prisoners. Strict supervision is maintained.

The Prisons Act gives officers of the Prisons Service the power to arrest without warrant any person carrying, bringing in or taking out of prison any prohibited article. The limited definition of 'prohibited article' however means that consideration will have to be given either for a more specific definition to include drugs or to provide for a separate definition.

On reception, each prisoner is thoroughly searched and all articles removed from him/her. The prisoner may have returned only such property as the officer in charge of the prison may direct. Parcels received by prison staff are subjected to thorough checks and only authorised items are passed to the prisoner. In respect of searches, whether on admission or at other times, the prison regulations provide that :

'The searching of a prisoner shall be conducted with due regard to decency and self respect and in as seemly a manner as is consistent with the necessity of the discovering any concealed article. No prisoner shall be stripped and searched in the presence of another prisoner.'

The words underlined above provide for conducting body and cavity searches; however it would be a very rare occasion that a cavity search would be necessary, and would be chiefly for suspected concealment of drugs.

The problem of drugs grown on the premises or 'dropped' in the prison area has not yet been experienced; however vigilance of staff and frequent searches of prisoners, building, grounds and outside work areas are accepted and practiced. The use of dogs

is still in the experimental stage, although consideration may be given to the use of dogs for drug detection in prisons.

The level of prescription of medication for prisoners is generally closely monitored. Prison officer medical orderlies are employed in most prisons and supervise the issue and consumption of medication, most of which with the exception of antibiotics is in liquid form. There have been no known serious problems in this area, and cooperation by medical authorities is extremely good.

Organised crime relating to drug trafficking has not been experienced in Fijian prisons. Illicitly obtaining drugs by bribery or corruption of officials cannot be ruled out, however. Corruption of prison officials is uncommon, and one case which came to light recently involved a prison officer who tried to obtain a confession from an inmate on behalf of a 'client'. The officer was of course tried and imprisoned.

It is agreed that rehabilitation and treatment of drug users is not seen as the role of prison authorities, whose prime function is 'humane containment'. The use of other agencies is seen as being of assistance to the Prisons Service in the treatment of drug abusers in prison. The 'prevention is better than cure' attitude is taken seriously, and the Prisons Service is looking to its counterparts abroad to share their experience and to train officers from this part of the world in handling the potential problem of drug offenders.

Some of the recommendations from participating countries in previous meetings of correctional administrators relate to difficulties with which Fiji could be faced in the event of drug abuse becoming a problem in the prisons, and these will be given due consideration in respect of their feasibility for application in Fiji.

HONG KONG

TOM GARNER CBE

ITEM I : DEVELOPING PUBLIC AWARENESS OF CORRECTIONS

In recognising the importance of public awareness and support, the Department has put increasing emphasis on publicising its work in recent years. This can best be illustrated by the establishment of its own public relations unit in 1974. The unit is headed by a professional senior information officer on secondment from the Government Information Services Department. He is assisted by two information officers and other supporting staff.

The unit coordinates all activities in relation to publicity and public relations. It advises the Department on the most effective use of the publicity media in achieving departmental objectives. It handles enquiries both from the press and members of the public and issues press releases on incidents which may occur in institutions. The unit also arranges press conferences and briefings and prepares handouts for major activities and functions of the Department. In addition, it organises recruitment campaigns career talks and exhibitions, and assisted by the Government Information Services, produces recruitment posters, leaflets and fact sheets.

Measures to enhance greater public awareness of correctional work

A) Via the mass media :

a) Press cuttings

Press cuttings of public views and press commentaries appertaining to the service are extracted from the daily press, collated and circulated among all senior staff, and where necessary, rejoinders are made to correct inaccurate information appearing in newspapers. Information on all major incidents occurring in prisons is immediately passed by the superintendent to the senior information officer to enable him to quickly put out the correct version of what has happened, based on his professional experience and understanding of how this Department functions.

Press conferences are arranged from time to time to brief the media on departmental policies and to review its work. The Commissioner himself meets the press on some of these occasions.

b) Publication of major departmental events

Whenever there is a major departmental function such as the Department's Annual Inspection, a passing-out parade, or the opening of a new institution, a full coverage by the mass media will be arranged. This includes a press release through local newspapers as well as publicity through television and radio programmes. Apart from the use of the mass media, community leaders and other prominent persons are invited to attend such functions where they have the opportunity to meet senior correctional officers and discuss with them the work of the Department.

c) Press visits to institutions

Occasional visits to correctional institutions are organised to give the press an up to date picture of the Department's activities, enabling them to make an objective and accurate

report on its activities. This is often accompanied by television coverage, normally released as a highlight during news programmes. Special television films have been produced both as documentaries and as drama series to publicise the work of the Department. Feature articles are also written for newspapers, and photographs are found to play a substantial part in helping the public to obtain a visual impression of the programmes and activities of the Department.

d) Miss Hong Kong pageant

Since 1981 the Department has sponsored officers to participate in the Miss Hong Kong Pageant. One participant reached the semi-finals in 1981, and another was a finalist in 1983 and won the title of Miss Friendship. The participation of Correctional Services officers in this beauty contest has attracted much publicity for the Department, particularly as the semi-finals and final are broadcast live and are very well received by local audiences. Title holders have a public relations responsibility and through Miss Friendship the image of the Department can be effectively projected.

e) Autumn Fair

The Autumn Fair at Stanley is one of the popular annual events organised by the Department. Products for sale are made by inmates in their spare time and range from furniture to rattanware, toys, embroideries and other handicrafts. The high quality attracts a big crowd, and most of the stalls are sold out within a few hours of opening. Total income from the Fair in 1982 amounted to over HK\$321,000, with a net profit of more than HK\$268,000. The proceeds of the Fair are donated to various charitable and welfare organisations including the 'Prisoners' Welfare Donation Account', catering specifically for the welfare of prisoners. Apart from raising funds for worthwhile causes, the Fair provides an opportunity to remind the public of the achievements of the service. Specially designed calendars with photographs showing major events and activities of the Department are sold at the Autumn Fair and sent to related organisations and interested bodies both locally and abroad.

f) Talks and exhibitions

Senior officers of the Department attend luncheon meetings, seminars or other gatherings of agencies and organisations to give informal talks. Career talks are also given to final

year students of local universities, colleges and secondary schools. During 1982 career talks were given to 1,880 students in 13 different schools. Career exhibitions and recruitment campaigns are also regularly carried out throughout the year at schools, colleges, universities and public places. (see pages 47 and 48.)

g) Community Service carried out by inmate labour

The acceptance of ex-offenders by society is a crucial factor in successful reform and during the year, 44 community projects were carried out by inmate labour, including road repair and other maintenance works which were mostly arranged through District Officers to help villagers in rural areas. Numerous examples may be cited, such as the building of an office for one village and the construction of a van track for another. A further project completed during the year was the restoration of an ancient fort on Lantau Island. The high standard of the finished work and the industrious working attitude displayed by the inmates have won the appreciation of members of the public.

h) Publications

Another effective measure to publicise the activities of the Department is through publications. The Correctional Services Department publishes its own annual report which is available in all public libraries and tertiary institutions. A fact sheet providing general information is available for free distribution at all District Offices and government departments. The Department also publishes its own quarterly newsletter, the 'Guardian'; which although mainly intended for internal circulation is also distributed to some outside organisations.

RECRUITMENT CAMPAIGNS AND CAREERS EXHIBITIONS HELD DURING 1982

VENUE	NO OF VISITORS	ENQUIRIES	LEAFLETS DISTRIBUTED	APPLICATIONS FOR POSTS
Chai Wan Community Centre	1,030	900	910	31
Western District Community	750	600	630	12
Tai Hang Tung Community Centre	690	500	530	16
Kwun Tong Community Centre	1,010	850	870	35
Ngau Tau Kok Community Centre	410	300	330	18
Lek Yuen Community Centre	140	80	85	2
Princess Alexandra Community Centre	1,680	1,500	1,510	128
Wong Tai Sin Community Centre	870	750	760	28
CDO(KT) Ngau Tau Kok sub-office	61	61	61	36
CDO(KT) Sau Mau Ping sub-office	13	13	13	8
CDO(WTS) Tung Tau sub-office	48	48	48	29
CDO(SSP) Main Office	43	43	43	31
CDO(WC) Main Office	68	68	68	33
CDO(E) Main Office	22	22	22	5
CDO(S) Main Office	21	21	21	8
CDO(KT) Yau Tong Office	15	15	15	6
Edinburgh Place (Outdoor Activities of Careers' 83)	10,000	2,000	6,000	60
Morse Park Football Pitch No. 3 (MST Show)	1,000	300	850	50
TOTAL :	17,871	8,071	12,766	536

Careers Exhibitions

VENUE	NO OF VISITORS	ENQUIRIES	LEAFLETS DISTRIBUTED
Hong Kong Polytechnic	4,200	2,000	4,200
Carmel English School (Careers Convention)	4,000	1,000	3,000
Hong Kong Baptist College	3,000	1,000	2,400
Tsuen Wan Town Hall	14,000	8,000	10,000
Chinese University of HK	1,100	350	1,100
University of Hong Kong	3,500	1,200	3,500
City Hall (Careers 83)	3,200	1,000	2,500
	<hr/>		
TOTAL	133,000	23,550	86,700
	<hr/>		

ITEM II : NOVEL AND NEW PROGRAMMES IN THE REGION

The Detention Centre Programme for Young Adults

This programme originated in the British penal system as far back as the early 1950s. It was intended largely as a deterrent punishment to replace short-term imprisonment for young offenders under 21. The concept was to provide short-term disciplinary training modelled on the army disciplinary centres with a strict regime of discipline and demand so that young offenders having undergone the 'short sharp shock' institutional treatment could be brought to their senses. How this effect could be achieved by such a system was not clear except that it was based on the assumption of deterrence and rehabilitation so that the youngsters involved would leave with a real sense of awareness of the gravity of the offence, and the determination not to repeat the experience, and others having heard about it would not want to be sent there. As experience was gained in running detention centre programmes, the rationale of this type of treatment became increasingly clear, and improvements introduced included professional social services to enhance its effectiveness.

One of the basic inadequacies common among criminals is their inability to delay the gratification of some of their immediate needs. Treatment therefore will only be meaningful if it is able to cause the recipients to recognise that their unlawful behaviour will not be tolerated within society; and that they must satisfy their needs within accepted norms. In other words, it must instil a sense of responsibility in the offender so that he pursues a lifestyle that does not deprive others of the same right. A demanding and rigorous detention centre regime as a means of control serves this purpose in the correction of young offenders.

Development of Detention Centre Training in Hong Kong

The Detention Centres Ordinance became law in June 1972. It provided the courts with an alternative in dealing with young male offenders aged 14 and under 21 whose characteristics and personal circumstances would make a term of imprisonment or any other forms of penal treatment less effective. The period of detention was subject to a minimum of one month and a maximum of six months after discharge. As a result of the success of the programme, reflected by a consistently high non-reconviction rate, it was decided to provide corrective training for young adult offenders. The consideration was that whilst a period in a detention centre would be an effective deterrent to young offenders, a sentence of one to three years' imprisonment, the norm for many offences, would be less cost effective and less likely to be successful. The Detention Centres Ordinance was therefore expanded to cover the older age group, and the Detention Centres (Amendment) Ordinance

was gazetted in December 1976. The Young Adult Section became operational in August 1977 in Sha Tsui Detention Centre.

The period of detention was modified to allow for a minimum of 3 months and a maximum of 12 months. The longer period of detention is based on the rationale that the older and more mature the offender, the longer he may take to adjust to and progress through each of the three stages of the programme. In considering the extension of the age limit, the opportunity was also taken to review the period of aftercare under a supervision order for detainees on release from a detention centre. When the Detention Centres Ordinance was first enacted, the period of statutory supervision for dischargees was six months, during which they were liable to be recalled for breaching any of the conditions in their supervision order. Of those reconvicted, the larger percentage of breaches were found to occur between the seventh and eleventh months following release, and consideration was given to extend the statutory supervision to cover the vulnerable period. In August 1977, an amendment to the Detention Centres Ordinance extended the period of supervision for all detainees from six months to one year following discharge.

Selection of Detainees

The Detention Centre Ordinance stipulates that where a person who is a young offender is found guilty of a relevant offence, the court may make a detention order against him if it is of the opinion that the circumstances of the case and his character and previous conduct warrant that he undergo a period of detention in a detention centre in lieu of any other sentence. A relevant offence here means an offence punishable by imprisonment other than for non-payment of a fine, but not an offence for which the sentence is fixed by law. Young offender means an offender of over 14 and under 25 years of age (we now refer to offenders of 21 to 24 years of age as young adults). A court may only make a detention order if the Commissioner of Correctional Services reports that the offender is suitable for detention and that a place is available for him. For this purpose, the court may remand a person in the custody of the Commissioner of Correctional Services for a period not exceeding 3 weeks for the preparation of a suitability report. Young offenders thus remanded are detained in the Sha Tsui Detention Centre. In general, the aim has been to select in particular the young, physically fit, violent, first offender who thinks that crime is an easy way to get rich and whose background is such that they respond to a short but vigorous and demanding programme. Those who have deep-rooted involvement with triads (Chinese secret societies) or gangs, or who have previously served other custodial sentences are considered unsuitable as the 'short, sharp shock' treatment is only effective if the offender has not previously been exposed to other forms of institutional custody since it had been found that involvement with triads or gangs is

one of the main sources of recidivism. During the remand period, an intake officer interviews the young offender and conducts home visits to assist in compiling a report on his social history for the selection board chaired by a senior office from headquarters. Before it is decided whether a young offender is suitable for detention centre training, he is interviewed and all relevant information is considered.

The Detention Centre Training Programme

On admission to a detention centre, the offender is located in the young adult section catering for those between 21 to 24. The daily routine calls for total involvement and unceasing activity except for rest period, meal breaks, and recreation. There is no vocational training because the period of detention is too short. Strenuous physical labour, foot-drill and physical education form the main part of the programme. Great emphasis is placed on strict discipline and hard work. Detainees are required to address staff with courtesy and maintain the highest standard of personal hygiene and tidiness. Communication between detainees is prohibited except during approved hours of the day. The programme is at all times brisk and firm, and staff never allow a detainee to get by on second best. Maximum effort is demanded at all times and no excuse is accepted. However, care is taken that no detainees are stretched beyond the limits of their ability. Complete medical fitness is therefore required before tasks are allocated and the medical officer's recommendations apply to both work and physical education. Frequent medical checks are carried out by the medical officer to ensure that a detainee continues to be fit to cope with the strenuous programme. In addition, a team of medical officers from the Medical and Health Department make unannounced visits to the centre every six to nine months to monitor the system and carry out a comprehensive medical examination of every detainee. Staff are also trained to be sensitive to the responses of detainees, particularly signs of fatigue. They take a personal interest in each detainee and through daily contact endeavour to find out how best he can be helped.

The rigorous training is supplemented by remedial education in the evening conducted by qualified teachers who follow an approved syllabus to develop basic intellectual skills and social consciousness. Detainees also participate in group and individual counselling for developing insight into their personal problems and motivating them to become useful and law-abiding members of the community. Detainees go through three 'grades' in training and progress to a higher grade through good performance. Each detainee starts in grade I and spends at least the first week in the induction wing to help him to settle down and prepare him for participation in the programme. During this period there are no privileges. He is informed of the purpose of training, his rights and responsibilities, and the various requirements, rules and regulations. A member of the staff is assigned as his counsellor to assist him with his adjustment or any problems he may have.

The superintendent of the institution twice a month interviews each detainee and reviews his progress, and at least once a month every detainee appears before a board of review chaired by a senior superintendent from headquarters. Other members of the Board include the superintendent of the centre, a member of the aftercare unit, and the staff most closely connected with his training. On these occasions, the detainee is informed of his shortcomings, strengths and other aspects of training which are considered necessary.

Promotion from grade I through grade III are determined by the monthly board of review, and depend amongst other things on the detainee's performance at work, physical education, foot-drill, general attitude, dress and deportment. Providing his progress reports are satisfactory he may be reported to grade II. This intermediate grade allows for very limited privileges in the form of organised ball games at weekends and use of library facilities. The detainee's progress is monitored to ensure no drop in standards following promotion. The Board will review progress and make recommendation for promotion to grade III. This is the pre-release grade. Privileges are still few, but now detainees can also participate in evening activities, and read newspapers. Recommendations for release are made when a detainee has made positive progress so as to make further training unnecessary. Release is followed by 12 months statutory supervision by professionally trained after-care staff of the Correctional Services. Breaches of discipline are dealt with by a disciplinary report adjudicated by the superintendent. If found guilty the offender may be awarded one or more of the following punishments :

- a) solitary confinement for a period not exceeding 14 days;
- b) forfeiture of privileges for a period not exceeding one month;
- c) reduction of grade;
- d) a caution.

In practice an award of separate confinement is not normally made as this enables individuals to avoid the demanding daily routine.

Psychological Services

A clinical psychologist is posted to the centre to provide assessment and therapeutic services for detainees manifesting unusual adjustment problems. Experience tells that emotional problems are the most acute during the initial two weeks. While young adults who are socially more mature experience less adjustment difficulties initially, they are more defensive and sceptical and hence

less open and sincere. There is therefore a need for a comparatively longer period of detention for this group receiving counselling in order to elicit a genuine effort to change.

Communications and Visits

Detainees may receive one visit each week, and also have additional visits on application to the superintendent. A detainee is advised on admission that he can be visited only by declared visitors such as parents and immediate family members. Visits are allowed every day with the majority of visits taking place at weekends. Detainees are also permitted to write one letter a week to any approved person and may receive all letters sent to them. The writing of letters home is compulsory. Communications and visits are vital in re-establishing family ties which in many cases have become strained or non-existent. Parents and relatives have the opportunity of discussing any concern about the detainee with members of the staff.

Aftercare

Aftercare plays an important role in the social reintegration of the dischargee. Aftercare commences soon after an inmate is admitted and includes individual casework aimed at building a solid foundation of confidence and friendship between the inmate, the family and the officer on aftercare duties. The latter provides solid support to both the detainee and his family, and helps those under supervision overcome obstacles to their rehabilitation. Thus a sound relationship is establishment long before discharge. During the one year of aftercare supervision following discharge, the officer continues to maintain contact through visits to the home and place of work, offering advice and counselling as necessary and ensuring that the terms of the supervision order are followed. Failure to comply with any condition may result in recall of the supervisee for a further period of training.

Analytical Summary

Since the inception of the young adult detention centre programme in August 1977 to the end of April 1983, the courts had remanded a total of 1,591 individuals into the custody of the Commissioner of Correctional Services to assess suitability for training in a detention centre. (See table, page 55.) Of these, 359 were admitted into the young adult section of the Sha Tsui detention centre and 285 have completed their training and been released under supervision. Of the 234 who have so far completed the statutory supervision period, 221 or 94.44 per cent were not reconvicted. A study was carried out to identify the factors related to the reconviction of the dischargees, the criterion being whether they were reconvicted of any criminal offence within three years after their date of discharge. The result indicates

that amongst the 104 young adults under investigation, 90 or 86.5 per cent successfully completed the three-year follow up period. This group appears to be older, with no previous conviction record, with a higher educational attainment, and were usually detained for a shorter period of time. (The period of detention for young adults is indeterminate, ranging from a minimum of 3 months to a maximum of 12 months. The actual length of detention depends on the progress of individual detainees.)

YOUNG ADULTS REMANDED FOR REPORTS AS TO THEIR SUITABILITY
FOR DETENTION CENTRE TRAINING (1.8.77-30.4.83)

a) <u>Number found suitable for detention centre training:</u>	
i) Sentenced to detention centre, (young adult section)	359
ii) Sentenced to detention centre, (young offenders section)	33
iii) Not sentenced to detention centre	353
	<hr/>
	745
b) <u>Number found unsuitable for detention training</u>	846
<u>Total number remanded for suitability report</u>	<u>1,591</u>

REASONS FOR UNSUITABILITY FOR ADMISSION

a) Physically unfit	314
b) Drug dependent	102
c) Poor background history (e.g. long triad/ gang affiliations or too criminally sophisticated	289
d) Not eligible, previous custodial sentence	112
d) Other	29
	<hr/>
TOTAL	846
	<hr/>

Factors related to reconviction :
Young Adult Section of the Detention Centre Programme

104 young adult discharges were released between 17.3.78 to 39.4.83, and all of them were followed up for three years from date of discharge.

Age on admission

Age	Total no. cases	no. reconvicted	Reconviction rate (%)
21-22	68	14	20.6
23-24	36	-	-

No. of previous convictions

Nil	66	6	9.1
1	24	4	16.7
2	10	3	30.0
3	4	1	25.0
Total	104	14	13.5

Length of stay in detention centre

3-8 months	29	4	13.8
8-12 months	75	10	13.3
Total	104	14	13.5

ITEM III : YOUNG OFFENDERS IN CORRECTIONS

As at 1st January 1983, the total number of persons under custody in Prisons and Correctional Institutions was 8,173. The table on page 58 shows that the number of males and females aged under 17 in custody is 688 and 38 respectively. The ratios of juveniles to the penal population are 1 to 10.40 in the males and 1 to 7.57 in the females. The ratio of male and female young offenders (aged 20 and below) compared with the penal population is 1 to 3.55 and 1 to 1.32 (1,723 male and 140 female young offenders). The number of admissions during 1982 totalled 9,472 with a breakdown into age groups and sentences shown in the table at page 59. It can be seen that 727 out of a total of 9,472 are children and young persons (aged 16 and below) forming 7.6 per cent of the total admissions in 1982. In addition, 1,965 young offenders (aged 20 and below) were admitted during the year, which is 20.7 per cent of the total admissions.

The criminal justice system in Hong Kong provides the courts with a wide variety of options when dealing with young offenders including both custodial and non-custodial sentences. In Hong Kong there are altogether 13 institutions accommodating young offenders detained under various Ordinances.

SOCIAL WELFARE DEPARTMENT INSTITUTIONS

The Social Welfare Department operates residential institutions to give effect to the directions of the courts in accordance with the Juvenile Offenders Ordinance, the Reformatory Schools Ordinance, and the Problem of Offenders Ordinance. These institutions provide academic, pre-vocational, social and recreational training for children and juveniles and provide institutional care for young persons in need of protection.

Place of detention (remand home)

Under the Juvenile Offenders Ordinance, the court may order a juvenile offender to undergo a specified period of detention in a remand home where the programme includes formal education instruction. A juvenile offender in a remand home can be released at any time on the recommendation of a probation officer, and is then subject to supervision by him for the remaining period of the order.

Probation residence and probation hostel

The Probation of Offenders Ordinance empowers a court to place an offender at liberty under the supervision of a probation officer for a period of one to three years. As a condition of a probation order, probationers aged 16 to 21 may be required to reside in

an open probation hostel for a maximum of one year. Such hostels emphasise career guidance, the proper use of leisure, and financial and social responsibility. Hostel residents may take up outside employment during the day. Probationers aged 7-15 may be required to reside in probation homes or residential accommodation.

Reformatory schools

The Reformatory Schools Ordinance provides for a male juvenile offender to be committed to a reformatory school for an indeterminate period of one to five years' residential training or until he reaches the age of 18. An offender may be released on licence at the discretion of the Director of Social Welfare and subject to such conditions as he thinks fit.

Detainees in correctional institutions by age group

	Male	Female	Total
YOUNG OFFENDERS			
Age 7 - 13	108	4	112
14 - 16	580	34	614
17 - 20	1,035	102	1,137
total	1,723	140	1,863
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ADULT OFFENDERS			
Age 21 - 29	3,444	102	3,546
30 - 39	1,607	41	1,648
40 - 49	568	24	592
over 49	505	19	524
total	6,124	186	6,310
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Admission of offenders into various correctional programmes in 1982

Correctional Services Department

Social Welfare Department

	Imprisonment	Drug Addiction Treatment Centre	Training Centre	Detention Centre	Boys and Girls Home	Total
YOUNG OFFENDERS						
Age : 7 - 13	-	-	-	-	91	91
14 - 16	121	53	140	193	129	636
17 - 20	467	167	232	309	63	1,238
total	588	220	372	502	283	1,96
ADULT OFFENDERS						
Age : 21 - 29	2,867	581	-	72	4	3,524
30 - 39	1,557	452	-	-	-	2,009
40 - 49	706	269	-	-	-	975
over 49	738	261	-	-	-	999
total	5,868	1,563	-	72	4	7,507

CORRECTIONAL SERVICES DEPARTMENT INSTITUTIONS

The Correctional Services Department has six institutions, and also two young inmate sections (one male, one female) within the drug addiction treatment centres for the care and reformation of young offenders. These institutions function under the Detention Centres Ordinance, the Training Centres Ordinance, Drug Addiction Treatment Centres Ordinance, and the Prisons Ordinances, and comprise four distinctly different programmes.

An offender must be a drug dependent at the time of admission before being eligible for a drug addiction treatment centre. Suitability for detention centre means that the offender must be certified as physically fit to take part in rigorous physical exercises; mentally sound, and score average or above in an intelligence test, with no previous experience in prison or a training centre. By law, the court cannot sentence any young man to a detention centre unless he is considered suitable.

Detention centre programme

Under the Detention Centres Ordinance, a person between 14 and 20 sentenced to a detention centre can be detained for a minimum period of one month to a maximum period of six months. The period of detention for a person aged 21-24 is for a minimum of 3 months to a maximum of 12 months, and the programme followed is described under agenda item II: novel and new programmes in the region.

Training centre programme

Under the Training Centres Ordinance, a person sentenced to detention in a training centre can be detained for between 6 months to 3 years. On admission, he spends the first 2 weeks in an induction unit where he is instructed on daily routine, his rights and privileges, the rules and regulations etc. so as to adapt more easily to the new environment. An orderly and regular routine, combined with the personal influence of members of staff and educational and vocational instruction form the basis of the programme. Vocational training is on a half-day basis and is conducted by qualified instructors. The trades available range from radio and television servicing and vehicle repair, to a subject such as domestic science for the girls. The other half of the day is spent in educational classes given by qualified schoolmasters recruited by the Correctional Services Department. Schooling follows a syllabus planned in accordance with the requirements of the Education Department. The system operating in a training centre enables the management to arrange classes according to educational standards and vocational training skills. Special and individual programmes are provided for handicapped and slightly retarded inmates, and facilities are available to assist the small number who require tertiary education.

To improve general fitness, physical education sessions are held from Monday to Saturday for those who are classified fit by the medical officer, with classes conducted by qualified staff. Psychological services provide therapeutic assessment and counselling for inmates to identify adjustment problems. This is conducted immediately after admission of an inmate and continues until his release. Those who exhibit problems of adjustment or deep-seated personality difficulties are given in-depth follow-up counselling.

All inmates are encouraged to take an active part in the indoor and outdoor recreational activities, and hobby classes in the evening include guitar playing, folk song and music appreciation, Chinese calligraphy, chess playing, drawing and painting, and for girls, precision marching. Boys in the Cape Collinson Correctional Institution may be permitted to join the brass band and pipes, and there is a pipe band and a precision marching team for girls in Tai Tam Correctional Institution. These teams perform regularly at departmental ceremonies and various public functions.

Progress in the training programme is closely monitored, and every inmate appears monthly before a board of review chaired by a senior superintendent based at Correctional Services Headquarters. Other board members include the superintendent of the institution, a member of the aftercare section, and staff closely connected with the inmate's training. He is briefed on his progress during the past month and is invited to put his own views about the training. Promotion to a higher grade is determined by this board and is dependent on the inmate's effort and performance. Recommendations for release are made by the board only when it is considered that an inmate has reached his peak and that employment or a place in full-time studies has been arranged.

Drug addiction treatment programme for young offenders

Under the Drug Addiction Treatment Centres Ordinance, a person sentenced to detention in a drug addiction treatment centre can be detained for treatment for a period of between 4-12 months. During the remand period, offenders receive symptomatic treatment for drug withdrawal syndrome consisting of tranquilisers, vitamin supplements, antispasmodics and sedatives when necessary. Persons between 14-20 on admission are classified and assigned to the young inmate section. On satisfactory completion of induction, an inmate is assigned to a particular type of productive work based on his previous work experience, skill and aptitude. Inmates also attend compulsory remedial educational classes conducted by qualified teachers, and participate in recreational activities organised in the evenings and weekends, including both indoor and outdoor games.

To combat dependence on drugs, psychological treatment given in the form of therapeutic counselling, both in groups and individually, is conducted on a regular basis throughout the period of treatment by operational staff and members of both the aftercare section and the psychological unit. An inmate's physical progress and changes in general attitude are closely observed. At least once a month, as in other programmes already described, each inmate appears before a board of review of discuss his progress.

Young prisoners' programme

Although Section 109(A) of the Criminal Procedures Ordinance imposes restrictions on the imprisonment of young offenders, a considerable number of serious offenders are still sentenced to prison. The Correctional Services Department has long recognised the need for a complete corrective process for young offenders sentenced to imprisonment, with an environment conducive to their correction. This involves :

- a) assigning prisoners aged between 14-20 on conviction to institutions specifically classified to accommodate only young offenders; and
- b) operating a routine and programme based on half-day educational classes and half-day vocational training with strong emphasis on discipline. Since a young prisoner only serves two-thirds of the term of imprisonment subject to good performance, the syllabus for each prisoner is planned in accordance with the length of sentence.

Encouraging results have consistently been obtained by young prisoners taking the City and Guilds of London examination for telecommunication technicians. Other offenders study for accounting qualifications. The success of this approach is reflected in the small number reconvicted for further offences.

GENERAL CHARACTERISTICS OF THE PROGRAMMES

Once an offender is in the care of the Commissioner of Correctional Services, the aim is to correct delinquent behaviour. This cannot be achieved without a well-formulated correctional programme devised for the special needs of young offenders who are generally energetic and volatile. All programmes incorporate the following characteristics :

Compulsory education. While an adult is required to be engaged in useful work for not less than six hours and not more than ten daily by virtue of Prison Rule 43, the time engaged by a young offenders in educational classes is classified as 'work';

- b) Strong emphasis on self-control and discipline. In order to develop self-control, staff supervision is gradually relaxed as an inmate progresses through the various stages of the training programme. Periods of leave may also be granted at a later stage when supervising officers may observe and assess how self-control is exercised. Daily footdrill sessions which form the basis of discipline and teamwork are incorporated into the routine. Smoking is not allowed.
- c) Statutory aftercare. All young offenders are subject to a period of statutory aftercare supervision upon release. Non-compliance with conditions in a supervision order may result in the offender being recalled for a period of further training.

Aftercare services

Aftercare services are provided by qualified staff of the Correctional Services Department and commence from the day an inmate is admitted. The programme consists of three integrated and interrelated stages, forming a thorough-care system. The three stages are induction, in-centre care, and aftercare. During the induction and in-centre stages, an understanding based on confidence and friendship between the inmate, the family and the aftercare worker is established. Such a relationship has proved to be of paramount importance in aftercare supervision. Cases are allocated according to the geographical zones in which inmates live. On admission, the aftercare worker in charge of a zone will automatically take up the cases of inmates who live there and will be responsible for them throughout the three stages, maintaining a continuity of relationship.

The 'Never Again Association' operates in every institution. Family members are invited to a series of meetings where the after-care worker is the group leader, and both inmates and families have ample opportunities to communicate with one another. Rather than requiring an ex-inmate under aftercare to return and report to an office, the aftercare worker of the Correctional Services Department regularly visits the supervisee either at his work or home where his progress is closely monitored. The length of supervision and liability to recall varies according to the ordinance under which the offender is sentenced.

INCREASE IN YOUNG OFFENDERS AND SUCCESS RATES OF PROGRAMMES

In recent years there has been a marked and continuous increase in the number of young offenders admitted to the custody of the Correctional Services. The causes of this are complex, and it must

be remembered that the reasons for relapsing into crime are very often outside the penal system and rest with society itself. Nevertheless, the most reliable method of measuring the success of a correctional programme is by the non-reconviction rate of those released under supervision.

CURRENT SUCCESS RATE FOR YOUNG OFFENDER PROGRAMMES

Programme	Success Rate	
	Male	Female
Detention Centre		
Young Adult Section	94.30%	--
Young Offender Section	94.27%	--
Training Centre	62.97%	90.18%
Drug Addiction Treatment Centre		
Young Inmate Section	68.75%	71.97%
Imprisonment	75.49%	66.67%

A supervisee who completes the requisite supervision period without subsequent reconviction is classified as a successful case. However, in the case of Drug Addiction Treatment Centres, a successful case must remain drug-free in addition to having no record of reconviction or recall during the statutory supervision period.

ITEM IV : THE PROBLEM OF DRUG OFFENDERS IN PRISON

In Hong Kong, dependence on narcotic drugs has existed since its foundation, with opium as the main drug of abuse. However during the early 1950s a new situation was precipitated by the tremendous influx of immigrants from China, including heroin chemists from Shanghai, and addicts who induced drastic changes in the local trafficking and drug abuse patterns. Thereafter the swing towards heroin became more apparent, replacing opium as the main drug and thus becoming Hong Kong's greatest social and economic problem. Social order is undermined by those addicts who resort to criminal pursuits in order to support their habit, thereby assisting in the preservation and reinforcement of the addict subculture in the drug trade. Such problems are inevitably reflected within the prison community and during the 1950s and 1960s the number of drug abusers within the prison population stood at 90 per cent irrespective of the type of offence for which they were committed, with some 50 per cent being admitted for offences involving narcotics, mainly for possession of small amounts.

Prior to 1959 the government agencies with anti-drug responsibilities were the police, Preventive Service and Prisons Department; the former two engaged in law enforcement while the latter researched into the treatment of drug dependents serving sentences of imprisonment. In 1959, the Government of Hong Kong published a White Paper, 'The Problem of Narcotic Drugs in Hong Kong' which was laid before the Legislative Council. This resulted in the establishment of the Narcotics Advisory Committee in the same year to coordinate policies to which executive departments, the police, the Preventive Service (now known as the Customs & Excise Service) and Prisons Department (now the Correctional Services Department) should work together against drugs. In 1965, a further committee, the Action Committee Against Narcotics (ACAN) was inaugurated. Nine government departments and seven voluntary agencies were involved, aimed at a much greater degree of practical cooperation and exchange of information and ideas. Their first major achievement was the legislation of the Drug Addiction Treatment Centres Ordinance in 1968, enabling a court to sentence an addict and convicted of an offence punishable by imprisonment, to an addiction treatment centre for a period of between 6-18 months, and on release subject to a compulsory period of one year aftercare supervision. The first drug addiction treatment centre was established at Tai Lam Chung where the Department continued its active role in the treatment and rehabilitation of drug addicts backed by legislation. In January 1974, the Narcotics Advisory Committee and the then Action Committee Against Narcotics were replaced by the Action Committee Against Narcotics which was given new and strengthened terms of reference, making it the sole advisory instrument of the government on all matters relating to drugs in Hong Kong.

Population Trend

In 1971, 85 per cent of all inmates in prisons were dependent upon narcotics, heroin being the main drug of abuse; and 47 per cent of all those sentenced were for narcotic offences. However in 1976, these figures had fallen to 4,737 (47 per cent) and 4,366 (43.47 per cent) respectively. Whilst the numbers convicted and sentenced for narcotic offence had decreased, the number of drug dependent persons in the prison population had fluctuated to a low of 1,430 (24.11 per cent) in 1981 of which 1,191 (20.08 per cent) were for drug-related offences. Factors which could be associated with this were high prices for drugs resulting from seizures made by the police and the customs and excise; poor crop results and efforts to stem the production and supply in the originating country. High prices and scarce supply caused more drug abusers to use methadone maintenance clinics.

The dramatic drop in the price of drugs over the last two years indicates that drugs are more readily available in Hong Kong following a bumper crop in the Golden Triangle. Consequently this is reflected in the prison population figures, showing an upward trend for 1982, with 30.81 per cent found drug dependent on admission. Comparative figures on convicted prisoner admissions showing numbers committed for narcotic offences and drug dependents within the prison population are shown on page 73. The tables on page 82 show the number of persons prosecuted under the Dangerous Drugs Ordinance and subsequently convicted, together with drug seizures and price for the period 1965-1982. These tables indicate the extent of the drug scene in Hong Kong and conclude that the market price dictates the trend in the number of prosecutions for offences under the Dangerous Drugs Ordinance.

Up to the 1950s the high percentage of drug dependents admitted to prisons brought associated problems of attempts at illicit trafficking and continued drug abuse into the custodial environment. It gave rise for opportunists within the penal population to attempt to introduce narcotic drugs into the prisons, including the recruitment and connivance of unscrupulous staff to carry in the drugs; obtaining the assistance of prisoners who, upon discharge, arranged and deposited drugs at places outside the institutions where inmates were engaged in various working groups. It was also not uncommon for drugs to be sent through the mail in hollowed-out sections of books, or other items which it was hoped would escape detection when examined prior to distribution to the prisoner. Prisoners who had leave of absence prior to completing their sentences were also known to have attempted to smuggle in drugs by concealing them inside their bodies.

A matter of growing concern was also found in the centres which housed those remanded in custody and which presented a continual

battle of wits between prisoners and the administration. Given that a drug dependent's main aim was the pursuit of drugs to subsist his habit and that the numbers admitted to custody were high, it was inevitable that they would try all means of illicit trafficking, ranging from self-introduction by concealment in private clothing, on their body or insertion in the external orifices, to arranging with visitors to conceal the drug in permitted articles (cigarettes; paper-wrapped confectionery; tubes of toothpaste etc) handed in for transmission to the prisoner. All items received were invariably of different brands and therefore destined for the inmate for whom they had been sent.

Preventive Measures

In 1958, research commenced at one prison into the treatment of drug-dependent prisoners, involving the selection of convicted prisoners found drug dependent on admission, serving sentences ranging from several weeks (later revised to a minimum sentence of 6 months) up to a maximum of 3 years irrespective of their offence and, for the next decade treatment was provided for in excess of 15,000 convicted prisoners. This work established that drug dependency could be treated in a custodial environment, and culminated in the enactment of legislation for a compulsory treatment programme - the Drug Addiction Treatment Centres Ordinances in 1968. This effected the removal of large numbers of persons from the prison population, the majority of whom were convicted for simple possession of narcotic drugs mainly for personal consumption. This person could be termed the real addict and removal from the prison environment eased some of the problems for the management who were now left with the drug dependents convicted of more serious offences, either in connection with the drugs trade or not drug-related but serving relatively longer sentences. A categorisation and classification system of both prisoners and establishments enabled the administration to house the prisoners found suitable for employment in outside work groups in minimum security establishments. This further reduced the possibility of trafficking in drugs by breaking the contract with prisoners requiring more secure conditions.

Prisoners who are found to be drug dependent on admission to prison and suffering from withdrawal symptoms are given every assistance in detoxification and clinical withdrawal by hospitalisation or outpatient treatment. Psychological support and counselling is carried out by staff until the prisoners become stabilised. This service was expended when psychologists were introduced into the service. Experience has shown that drugs enter institutions either carried by the prisoner himself or in permitted articles intended to reach him. To ensure that preventive measures are fulfilled, a comprehensive searching system has been devised, and all articles deposited for prisoners and the prisoners themselves are meticulously searched on admission, after visits, and when moving from one location to another. Conveyance of drugs into prison by prisoners remanded in custody from the courts called for drastic measures, and it was found necessary to introduce the digital

rectal examination. Subjecting a person to this type of examination may appear undignified or an infringement of human rights, but if the problem is to be eradicated, it is essential.

Urinalysis has proved to be an effective means in the detection of drugs amongst the penal population. Although introduced at the time when drug addiction treatment centres were set up, the use of thin layer chromatography was extended to the prison population. Checks by random sampling cover all inmates within an institution over a specific time period. Notwithstanding the accuracy of the tests, the method was lengthy and time-consuming, therefore in 1981 enzyme multiplied immuno-assay technique (EMIT) urine assay machines were purchased. Though costly to operate (HK\$4.50 per test) these are both very sensitive and efficient, and can cope with 65 results per hour. Once dirty urine is detected, the government chemist carries out a further test by thin layer chromatography, and provides a certificate that is legally acceptable as positive proof of the presence of morphine. Out of 54,648 tests conducted on persons in custody, only 28 have proved positive (tests conducted on known addicts on the day of admission are excluded). Therefore urinalysis is important in identifying and discouraging drug abuse in a custodial environment.

Security was further developed by the setting up of a security section in each institution in 1974 to oversee all aspects of security including the introduction of drugs into prison. This produced a wide intelligence network centered on the Department's headquarters to collect, collate and disseminate the information.

Staff training constitutes a very important factor, not only during initial basic training, but continued at institutional level through an ongoing in-service training programme to instill an awareness of the problems associated with the trafficking of drugs. Lectures on all aspects of security and the functions and objectives of the security section are included. Emphasis is also placed on the prevention of corrupt practices involving staff, and talks are given regularly by staff members of the Corruption Prevention Department of the Independent Commission Against Corruption which was formed in 1974.

The department is committed to ensuring a drug-free environment within its institutions, and should a prisoner be found either in possession of drugs or smoking a drug, the case will be dealt with by the police according to the law. In 1969, in a judgement handed down on a prisoner appealing against a sentence of two and a half years' imprisonment for possession of dangerous drugs for the purpose of unlawful trafficking whilst in prison, the appellate division of the Supreme Court considered and held that the possession of drugs whilst in prison is a serious offence, and

there was nothing to justify interfering with the sentence imposed. In the same year, existing legislation in the Prisons Ordinance dealing with the introduction of unauthorised articles into prison, including drugs and the supplying of the same to prisoners, was reinforced, making the offender liable on conviction to a fine of HK\$1,000 and imprisonment for six months. In 1974, the penalty was revised to a fine of HK\$2,000 and imprisonment for 3 years, and an additional section specifically related to staff was added to the legislation with a similar penalty.

In 1973 amendments to the Prisons Ordinance and prison rules were formulated to contribute to the tightening up of prison security and discipline and give legal backing to operational strategy. These changes strengthened the provision concerning the possession and introduction into a prison of prohibited articles by clearly specifying such articles. Prior to this it was necessary to show intent that articles introduced were being conveyed for a prisoner. To implement the use of the digital rectal examination, amendments to the Prison Rules authorised the medical officer and qualified nursing officers to search any external orifices of a prisoner and cause a prisoner to submit a urine specimen for analysis.

Legislation had existed giving the head of the institution power to search any staff member if he suspected that the person was trafficking in prohibited articles, but a timely revision now gave him the power to detain and hand over the person to the police if he had reason to believe that an offence had been committed. Having enacted legislation, it was considered necessary to have the means to deter prisoners from taking drugs inside a prison, and the prison rules were amended so that if a prisoner is found to have without reasonable excuse traces of a dangerous drug within the meaning of the Dangerous Drugs Ordinance in a sample of his urine, he is guilty of an offence against discipline. The medical officer is the sole authority within an institution to prescribe medication for a prisoner. Since some medicines do contain ingredients likely to result in a positive urine sample, extreme care is taken to ensure that a prisoner has not received such medication before a charge is preferred.

Where cases are referred to the police for prosecution before the court the offender is normally charged with simple possession; however, there are occasions where the amount of the drug is sizeable and he may be charged with possession for the purpose of unlawful trafficking. Both charges fall within the ambit of the Dangerous Drugs Ordinance. In dealing with such cases, the law does not differentiate between possession of a dangerous drug on a person in the street or possession within the confines of an institution. In consequence, sentences passed by the courts on the latter do not always reflect the gravity of the offence committed, and at times fall short of proving to be an effective deterrent to would-be offenders. In such cases the Department has stood firm

in seeking a review of other forms of judicial intervention. Maximum penalties under the Dangerous Drugs Ordinance provide for a fine of HK\$10,000 and imprisonment for 3 years for simple possession, and a fine of \$500,000 and imprisonment for 3 years for possession for the purpose of unlawful trafficking. Both sentences relate to a summary conviction; regrettably maximum sentences are rarely handed down by the courts. A substantial sentence is desirable and considered essential where persistent and hardened drug abusers attempt to introduce narcotic drugs into a custodial environment.

The majority of drug seizures in penal institutions since the implementation of the preventive measures in 1974 were found concealed in body orifices, or swallowed and later regurgitated by prisoners whilst undergoing admission procedures; in the last three years all were found in this manner. Seizures made are reflected in table below :-

Year	No. of seizures	Quantity in grams	Referred to police
1975	67	134.1	66
1976	21	36.6	21
1977	23	22.6	23
1978	14	39.7	14
1979	10	46.8	10
1980	4	2.7	4
1981	22	27.7	22
1982	29	6.7	29

In addition, surprise checks, searches and unannounced urinalysis, and the intelligence network have effectively ensured that trafficking attempts are minimal and inevitably detected.

Action Committee Against Narcotics

Terms of reference :

1. To advise the Governor on the policies to be adopted to interdict the illicit traffic in dangerous drugs into and through Hong Kong and to keep these policies under regular review.
2. To advise the Governor on the measures necessary to eradicate drug abuse from the community.
3. To be the channel for advice to the Governor on the appropriate allocation of resources to ensure the implementation of government policies.
4. To ensure coordination and cooperation between government departments and voluntary agencies in Hong Kong working toward the implementation of these policies and to enlist public support for them.
5. To keep under review programmes and projects being undertaken by government departments and voluntary agencies directed at implementing government policies to ensure that they are effective.
6. To draw the attention of government to those policies, programmes, projects, laws and procedures which in the opinion of the Committee should be changed in order to implement government policies more effectively.
7. To advise on any matter referred to it by the government or from any other appropriate source which may be concerned either directly or indirectly with the implementation of government policies.

Membership : Chairman

Ex-officio members : Secretary for Security
Director of Medical and Health Services
Commissioner of Customs and Excise Service
Commissioner of Police
Director of Social Welfare
Commissioner of Corrective Services
Commissioner for Narcotics
Representative of Finance Branch,
Government Secretariat
Representative of Social Services Branch,
Government Secretariat

Unofficial members : One unofficial member of the Legislative Council
Four unofficial members appointed by H.E. the Governor

Admission of drug dependents and non-addicts to prisons
1976-1982

Year	Number of convicted prisoners	No. committed for narcotic offences	No. of drug dependents	% drug dependents for non-drug related offences
1976	10,043	4,366	4,737	3.70
1977	6,950	2,406	2,847	6.34
1978	5,431	1,799	2,860	10.54
1979	4,766	1,225	2,047	17.25
1980	4,663	885	1,297	8.83
1981	5,932	1,191	1,430	4.03
1982	6,456	1,306	1,989	10.58

Drug seizures and price of no. 3 heroin, 1972-1982

Year	Opium	Morphine	Heroin inc. base	Cannabis	W'sale price no 3. heroin HK\$ per 100g*
1972	5,118	551	73	15	500
1973	2,328	388	69	17	800
1974	4,735	285	95	6	2,500
1975	422	143	186	54	1,800
1976	3,553	291	164	87	3,700
1977	147	98	179	19	4,600
1978	205	47	333	1	4,600
1979	125	12	148	12	22,900**
1980	86	2	114	39	12,700
1981	141	1	158	8	7,500
1982	187	14***	348	55	4,100

NB : Drugs seized are shown to the nearest kilogramme
No 3 heroin is the prevalent drug for heroin smokers in Hong Kong, having a purity of approximately 25-28 per cent.

* US\$1 = approximately HK\$7 in July 1983

** The price of no. 3 heroin rose dramatically after June 1979 and reached a peak of HK\$23,000, but by the end of 1982 had fallen to about HK\$4,100

*** Includes 9 kg. of morphine base.

Source : Hong Kong Narcotics Report 1981 published by ACAN.

NUMBER OF PEOPLE PROSECUTED UNDER THE DANGEROUS DRUGS ORDINANCE*

Year	Sect. 4	Sect. 6	Sect. 7	Other D.D. offences	Total	Cases convicted
1972	8	37	1,548	15,123	16,716	15,954
1973	1	10	1,558	18,370	19,939	19,540
1974	58	13	1,714	16,655	18,440	17,743
1975	172	38	1,824	11,831	13,865	13,210
1976	368	15	3,103	9,427	12,913	11,657
1977	205	22	2,069	6,683	8,979	8,048
1978	235	19	2,137	6,541	8,932	3,749
1979	107	5	1,811	4,189	6,112	6,423
1980	138	5	1,856	3,718	5,717	4,721
1981	176	11	2,376	4,946	7,509	6,787
1982	235	29	3,138	6,223	9,625	8,560

NB : Section 4 - trafficking in a dangerous drug
Section 6 - manufacturing a dangerous drug (heroin)
Section 7 - possession of a dangerous drug for the purposes
trafficking

* Dangerous Drugs Ordinance, Cap. 134, enacted January 1969

Source : Hong Kong Narcotics Report 1981 published by ACAN

INDONESIA

AHMAD ARIF

ITEM I : DEVELOPING PUBLIC AWARENESS OF CORRECTIONS

The national corrections service has established an information centre coordinated by the Bureau of Public Relations at the Department of Justice in Jakarta. This centre is trying to make the public aware of the function of corrections, and to explain its aims in comparison with the former colonial prison practices. It is responsible for producing pamphlets and other publications to be distributed chiefly to libraries both public and university, government agencies and private organisations. Talks and slides also form part of presentations by the centre, and attempts are made to keep the media informed and to obtain cooperation from the Department of Information for broadcasting and televising programmes on corrections.

The correctional service also receives the full support of the Institute of Criminology attached to the University of Indonesia in Jakarta which helps in developing public awareness and encouraging public participation in correctional efforts.

ITEM II : NOVEL AND NEW PROGRAMMES IN THE REGION

What is considered new for Indonesia may not seem new at all for other countries in the region. For example :

- (a) the establishment of a central coordinative body in 1971 in our efforts to centralise an integrated attack on delinquency and crime;
- (b) as mentioned in item I, formation in 1981 of a special directorate responsible for care and rehabilitation of young offenders;
- (c) substitution of our own correctional system based on the Indonesian way of life and needs for that of inherited colonial prison practices.

At a conference of the national correctional service in 1964 at Lembang, West Java, a correctional system based on our cultural outlook, ideology and philosophical beliefs was established. This has already been described in previous reports of this conference.

Constant efforts are being made to improve the national correctional system. Two major problems are the lack of sufficient qualified correctional personnel and the lack of rehabilitative facilities. The majority of correctional institutions were built decades before independence and are now obsolete, but the prison service is not high on our list of national priorities and we suffer from an inadequate budget.

Efforts are being made to overcome these difficulties by :

- a) establishment of a correctional staff college for younger elements of the service;
- b) reshaping the correctional service according to present-day needs and staffing it with the best personnel available;
- c) issuing manuals for the treatment of offenders and other aspects of corrections for prison staff;
- d) organising seminars and workshops in cooperation with the universities and social welfare organisations;
- e) informing the public on corrections, and seeking public support and participation for improvement in the system.

ITEM III : YOUNG OFFENDERS IN CORRECTIONS

In Indonesia, persons 15 years and upwards constitute the youthful offenders in our institutions and are kept in separate facilities. We adhere to the principle of segregation between young and old to protect our young people who are immature. They must be carefully guided towards growth and maturity by professional staff.

To give more careful attention to the problem of juveniles and young offenders, our correctional service reshaped the organisational structure in 1981 by developing a special directorate for the care and treatment of young offenders. This directorate is headed by Mr Ignatius Soedaerwo, a senior official who had five months' training in corrections under the New Zealand Department of Justice in 1975.

Correctional institutions for the young are categorised between 15-18 years for juveniles, 18-21 years for juveniles, and between 21-27 years for young adults. As with Korea and other countries in the region, our treatment programme in boy-scouting has also had positive effects upon the behaviour of young offenders who have participated several times successfully in our annual national jamboree.

ITEM IV : THE PROBLEM OF DRUG OFFENDERS IN PRISON

Like other countries in the region, Indonesia is not immune from drug offenders, especially since it is situated near the 'Golden Triangle'. With the alarming growth in the smuggling of dangerous drugs and illicit trafficking, and the increase of drug abuse amongst young people, drugs have been declared a national problem since 1971.

Previously the social and legal aspects of the drug problem were tackled individually by organisations such as law enforcement agencies, the health services and social welfare agencies, but the need was seen for a nationwide programme of concerted action, and therefore a central coordinating body was established in 1971 for the organisation and coordination of programmes to deal with the drug problem. This gave rise to narcotics legislation in 1976 whose implementation requires more intensive training of all personnel including correctional staff. Adequate recruitment and special training is essential to furnish correctional staff with the knowledge of the misuse of narcotics and the capability to identify dangerous drugs, together with the ability to recognise modes of clandestine operation used by drug offenders in prison.

ITEM V : PRISON HEALTH SERVICES

Indonesia is not as fortunate as some other countries in having sufficient medical services and facilities in institutions for diseases or mental cases. The correctional services are still dependent upon the Department of Health with occasional doctors' visits to institutions. Common diseases are cared for by nurses, but serious cases are sent under escort to neighbouring public hospitals and kept under guard.

Not all institutions possess infirmaries and health clinics, and only some have dental facilities, so especially on the outer islands the available local hospitals are depended upon.

ITEM I : DEVELOPING PUBLIC AWARENESS OF CORRECTIONS

The correctional administration in Japan has always recognised the importance of public understanding and cooperation, and has held public relations in high regard. Needless to say, in promoting public relations the authorities should pay thorough consideration to protecting inmates' human rights and respecting the security system of institutions, which is particularly necessary when the mass media may be allowed access to the materials kept by institutions.

Correctional Exhibition

Even before World War II, exhibitions and sales of products were often held at prisons throughout the country, but their main objective then was for purely commercial reasons. In 1945, a nationwide exhibition and sale of prison products took place at the official residence of the Prime Minister, and in 1959 a national exhibition and sale was arranged on an annual basis with the purpose of promoting public understanding of prison labour. Since the early 1970s, the exhibition has been one of the central events of the nationwide crime prevention campaign held under the auspices of the Ministry of Justice to deepen public understanding not only of prison labour but the whole correctional administration. In addition the following activities have been organised:

- a) the exhibition and sale of works produced by vocational training in juvenile training schools;
- b) exhibition of an imitation cell or room for inmates of a prison or juvenile institution;
- c) sampling by the public of a prison meal;
- d) demonstration of various tests carried out by psychologists in juvenile classification homes;
- e) advise on delinquency problems by psychological and other specialists;
- f) pictorial exhibitions of correctional activities with photographs, video tapes etc.

In 1981 the exhibition was renamed the National Correctional Exhibition, the twenty-fifth exhibition being held in June 1983. Japan's correctional administration system is divided into eight regional areas supervised by Regional Correctional Headquarters, and the headquarters sponsor a regional correctional exhibition in cooperation with other regional institutions along the lines of the national one.

Publications

'Keisei' (Penal Policy) - 'Kesai' has been published monthly by the Japanese Correctional Association since 1888, and is aimed at correctional officers. It enjoys a wide distribution, and is circulated free to those within the correctional services, research institutes, criminal justice agencies etc.

'Correctional Administration in Japan' (Lawyers Association Journal - Japan's current prison system had its inception in the legislation of the 'Kangokusoku' (the Prison Law) of 1872. In 1971, an outline of contemporary correctional administration was introduced under the title of 'Correctional Administration in Japan' in the Lawyers Association Journal to commemorate the centennial of the modern prison system in Japan. It was well received by both professionals and public, and since then an update has been printed each year.

Two further publications are put out by the Japanese Correctional Association. 'Kurushimi to Yorokobi to' is a collection of stories written by correctional officers about their professional experiences for an annual contest sponsored by the Corrections Bureau. 'Juvenile Re-establishment' (Tachinaoritsutsuaru Shonentachi) is a collection of young peoples' accounts of life in juvenile institutions and on release. Both have been very well received by the general public.

'Corrections' and 'Penal Systems Tomorrow' are two pamphlets outlining the activities of the correctional administration. 'Penal Systems Tomorrow' was prepared for public information when new legislation, the proposed Penal Institutions Law was being introduced. The 'White Paper on Crime' published annually by the Ministry of Justice contains detailed information on the administration of criminal justice, and has been used as a text-book of criminal policy at many universities.

Volunteer Organisations

In Japan there are several private organisations which support the correctional administration :

1. The Japanese Correctional Association - founded as a private organisation in 1888, now has approximately 20,000 members. Its main objectives are :
 - a) research into corrections and penal systems;

- b) to collect material on correctional works, and to publish books on related subjects;
- c) to promote public interest in the prevention of crime;
- d) to cooperate with the correctional administration;
- e) to maintain contact with international organisations of crime prevention and overseas correctional and penal institutions;
- f) to make awards to those who have made outstanding contributions to correctional works;
- g) to promote the welfare of correctional personnel.

2. The Correctional Welfare Association

This association was established in 1971 with the support of one of the leading Japanese companies to aid the prevention of crime and delinquency, the rehabilitation of offenders and the promotion of juvenile welfare.

The main objectives are :

- a) to send correctional and probation officers to study overseas, and to invite to Japan specialists in the field of corrections and related areas;
- b) to provide correctional institutions with films for inmates;
- c) to support and subsidise sports activities for inmates in correctional institutions;
- d) to research various subjects in correctional administration;
- e) to publish a monthly journal, 'Crime and Delinquency'.

3. Federation of Volunteer Chaplains Organisation

Since the Constitution of Japan stipulates the separation of state and religion, the government is prohibited from employing prison chaplains as public officials, and so volunteers register as prison chaplains in various institutions to provide religious guidance in their own sects as required. The Federation consists at present of 1,662 volunteer chaplains. In addition there are 1,721 volunteers registered as prison visitors who assist with social welfare, education, after-care, and other activities for inmates.

4. Practical use of mass media

Since the mass media has such a great effect on the general public it is important to use them to promote public understanding of corrections. Journalists are invited to report on all special events concerning corrections, and the Corrections Bureau makes a point of cooperating if the media apply for permission to collect material in a correctional institution, bearing in mind the aim and quality of the programme concerned. In 1978 the Corrections Bureau established the correctional video-tape library to keep tapes relating to corrections which had been used for television purposes. These now amount to more than 100 and have been used widely.

5. Community use of educational facilities

In recent years, correctional institutions open their sports facilities for community use, and when planning a new institution the administration often includes community use of facilities.

6. Correctional officer participation in public activities

Correctional officer participation in cultural events or sports competitions has great public relations value. Many correctional officers excel at judo or kendo (Japanese fencing) since this forms part of their training, and they often represent the community in regional or national matches, or coach youngsters in the community.

7. Information trips to institutions by the general public

An information tour of correctional institutions is a valuable means of developing public awareness. Superintendents of prisons and juvenile institutions are authorised to permit such tours, and in recent years more and more people have participated, some institutions receiving more than 2,000 visitors a year.

AGENDA ITEM II : NOVEL AND NEW PROBLEMS IN PRISON

Revision of the prison law

The bill devised for the new Penal Institution Law to revise the present Prison Law is awaiting consideration by the Diet (Japanese Parliament). The present prison law dates from 1908 and is outmoded. The proposed new law incorporates the following principles:

1. To prescribe the rights and duties of inmates and clarify the scope of limits on inmates' conduct, i.e.
 - a) to guarantee reading of books, correspondence, receiving visits as the right of inmates;
 - b) to guarantee freedom of religion, including private worship;
 - c) to proclaim the principle of maintaining order and discipline and to specify the conditions for regulating inmates' behaviour;
 - d) to improve the procedure of investigating inmates' grievances.
2. To establish the standard of living of inmates for clothing, food etc. and to improve hygiene and medical care;
3. To improve prisoner rehabilitation, e.g.
 - a) to carry out correctional treatment on an individual basis;
 - b) to promote rehabilitation through work release, day release, and home leave (within 7 days);
 - c) to assure the right of remuneration for inmates' work in prison, and the right of workers' compensation for injury.

Improvement of institutions and facilities

The Japanese economy has developed rapidly since the 1960s, and rapid progress has been made in the urbanisation of the suburbs with a tendency towards a centralisation of the population. As a result, local governments and those who live close to correctional institutions feel that their existence hinders urban development in the area, demanding that these institutions be moved. This means that the suitability of sites and proposed living conditions for both inmates and staff and families must be carefully considered. It is also important that detention houses should not be situated in rural areas far from the courts. The following are examples of how we have tackled these problems :

1) High rise institutions - Nagoya Detention House :

Citizens living around the Nagoya Detention House demanded it should be moved as its bad appearance, - especially the high grey walls around the prison

gave a feeling of oppression and detracted from the beauty of the city, it was maintained that eventually this would hinder from the development of the neighbouring areas. A plan was formulated for reconstruction, incorporating the following features:

- a) the new high-rise detention house would be built without the traditional surrounding wall, and would be designed to blend with the neighbouring area;
- b) a police box where a certain number of policemen would be stationed was incorporated in the design;
- c) there would also be a lawn area, and tennis courts for community use.

The new Nagoya Detention House was completed in March 1983. It has 12 stories above ground and 3 below, and is covered with cream tiles so that it resembles an office block or an hotel.

2) Building used by several agencies

Another measure is the construction of a building to be used jointly as a detention house and as offices of other agencies of the Ministry of Justice such as a public prosecutor's office. There are 24 such buildings for minor detention houses.

3) Re-siting in a remote area

As Japan is geographically narrow, it is difficult to find suitable places for large-scale prisons in urban areas, and new institutions must sometimes be sited in remote rural localities. An example of this is the Tsukigata Prison which was established in an agricultural area in Hokkaido, the northern part of Japan, to replace the Nakano Prison in the centre of Tokyo which had been abolished.

Changes in the operation of the prison industry

Prison industry employed a daily average of 43,000 prisoners in 1982 and is divided into three categories; production, vocational training, and maintenance work. Production consists of two systems, one is the state-account system under which all or part of the raw materials and facilities necessary for work are provided by the state and the resulting products sold on the open market. The materials for production are funded out of the state budget, 4,000 million yen (approx. Y210 = A\$1) being allocated in 1982. Under the other system all raw materials and facilities

necessary for work are provided by a contractor who pays the state the cost for inmate labour. In July 1983, a new system of operation has been introduced under which the Japanese Correctional Association offers the raw materials to the prison, pays the state costs for the inmates' labour, and markets the products throughout the country. In this way the state does not require a large budget, and since this system is not bound to the state budget the rotation of funds becomes possible. (According to the state budget system revenue and expenditure are separate so that proceeds from prison industry cannot be used as funds).

Age distribution and training of staff

The age distribution of correctional officers has not always been balanced. In 1975, 55.4 per cent of prison staff were over the age of 40 because many officials in their twenties had been in the prison service since the end of the war. However in the past few years those officials have retired on reaching the age of 60, and in 1982 the age distribution can be seen to have changed greatly:

29 years or under	- 27.8 per cent
30-39 years	- 31.2 per cent
40-49 years	- 16.4 per cent
50 years or over	- 24.6 per cent

However the average age of prisoners increases each year. The rates of admitted prisoners who were 29 years or under was 51.1 per cent in 1970, 39.3 per cent in 1975, and 25.1 per cent in 1981.

In the Japanese prison system, officials in charge of maintenance of discipline and custody of inmates are traditionally expected to act as leaders in correctional treatment and as counsellors for prisoners. When experienced officials retired and inexperienced younger officials were recruited, this along with the increase in the age of prisoners caused the fear that discipline and prison administration could not be maintained effectively. However the prison administration has to train these new young officials quickly to replace those who have retired, and special attention has been given to various training methods for this staff in addition to regular training courses at the Training Institute for Correctional Personnel. For example :

- a) manuals for duty performance are prepared by each institution according to the institution's special needs, and these are distributed to recruited officials who are required to keep a training diary which is examined

by instructing officers. Prison accidents of various kinds are shown and free discussion is recommended on various matters. Judo and kendo training are also intensively carried out.

- b) Case study sessions led by senior staff are held for recruited officials to discuss their experiences. The knowledge of senior staff are incorporated in booklets for training purposes, and role-playing by experienced staff is demonstrated to teach treatment techniques.
- c) Selected executive staff are asked to act as counsellors for young officials so they may receive guidance in their new private and official life as soon as possible. Recreational and sports activities are encouraged, and an executive officer is appointed in charge of the unmarried dormitory where bachelors are usually required to live. A leader is sometimes chosen from the unmarried men in the dormitory so that they may train themselves in a life of self-discipline.
- d) Women prison staff are not recruited from among those who pass the civil service examination like other government servants, but are usually interviewed by the warden of a women's prison and given a screening test. It was felt that a nationwide examination for recruitment of women staff had few merits because women prison staff only numbered about 500 and were deployed in five women's prisons in Japan. However the policy to abolish unreasonable discrimination by sex has recently advanced in various fields, and open examinations for women staff began in 1981. In that year, about 50 women out of 500 passed, 22 of them being recruited. Sixty per cent of those who passed the examination were university or junior college graduates. Women officials recruited in this way prove better and abler, but it is feared they will leave work after three or four years as in Japan most women devote themselves to housekeeping when they marry. It is therefore urgent to provide better working conditions so that they continue to work after marriage.

ITEM III : YOUNG OFFENDERS IN CORRECTIONS

Special procedures for juvenile case

In Japan, a young offender under 20 years or age is defined as a juvenile, and his offence is dealt with according to juvenile law, under which protective measures are given priority in juvenile cases, and the family court has jurisdiction over those cases. For the institutional treatment of juvenile offenders, the law also provides for committal to a juvenile training school

under the Ministry of Justice or to a child education and training school and a home of dependent children under the Ministry of Health and Welfare in lieu of imprisonment. The family court is authorised to refer a juvenile of 16 years of age or more to the public prosecutor for ordinary criminal proceedings if it finds that punishment is necessary for the nature of the offence and the personality and environment of the juvenile. However, for most juvenile offenders, indeterminate sentences of comparative lesser severity are given with a shorter period of eligibility for parole, and are served in specially established prisons. Treatment in such facilities may be continued up to the age of 26. The number of young offenders from 1975 to 1981 is shown at page 87. The number and rate per 1,000 of the population have increased except for the upper age juvenile group (18-19 years of age) and the young adult group (20-24 years of age).

According to the Prison Law and other related laws, protective and educational considerations are given to the treatment of young prisoners, especially that of juvenile prisoners. As previously noted, sentences of imprisonment with or without forced labour for juvenile offenders are served in special prisons for them. Furthermore, the Prison Law, the Prison Law Enforcement Regulations and the Ordinance for Prisoner's Progressive Treatment Stage provide the following the following considerations for treatment :

- a) No juvenile prisoner shall be placed under solitary confinement over 3 months at any time;
- b) clothing for juvenile prisoners shall differ to that of general prisoners;
- c) special consideration shall be given to their food;
- d) those placed in solitary confinement shall be medically examined once every 30 days;
- e) their living quarters in the sick ward or while under medical treatment shall be separate from other prisoners;
- f) both visits and correspondence may be increased;
- g) they shall not be disciplined by having their food reduced;
- h) an appropriate amount of labour may be fixed for each prisoner;
- i) all young prisoners shall receive education;
- j) sports and other activities for juvenile prisoners are allocated special consideration.

Corrections in Japan are based on the philosophy of individual treatment, and a classification system has been encouraged whereby young prisoners are separated from others and are given suitable programmes. There are eight classification centres in Japan, one in each correctional region. They admit newly-convicted male prisoners under 26 with a term of one year or more and with no previous experience, and a thorough assessment is made of the personal and environmental problems involved. Young prisoners are divided into two categories, under 20 years of age and between 20-25, and are allocated to one of nine juvenile prisons throughout the country.

Juvenile prisons differ from adult prisons in their provision of the more active use of educational facilities, thus instead of the security section there is a security and guidance section, and a vocational training section instead of the industry section.

The aim of vocational training is to aid rehabilitation through acquiring proficiency in various trades. The total number of prisoners who obtained certificates and qualifications through such training in 1981 was 1,007.

Qualifications and licences received by prisoners through vocational training in juvenile prison (1981)

Item	No.	Item	No.
Participation certificate, various skills	220	Instal. fire pre-vention equipment	22
Welding	195	Others	19
Qualified skill trade (abacus)	167	Laundryman	18
Poisonous material handler	76	Seamanship	15
Auto mechanics	70	Wireless telegrapher	9
Electricity wirer	59	High volt. electricity wirer	6
Bookkeeper	58	Cooking	3
Barber	35	Agricultural technician	2
Boiler operator	33		

The employment situation of prisoners from juvenile prisons in 1981 who underwent vocational training is shown on page 88.

NUMBER AND RATE OF JUVENILES AND YOUNG ADULTS INVESTIGATED
BY THE POLICE FOR NONTRAFFIC PENAL CODE OFFENCES BY AGE GROUPS
(1972-1981)

Year	Child Offenders	Lesser Age Juveniles	Mid Age Juveniles	Upper Age Juveniles	Young Adults
1975	35,600	48,424	44,086	24,581	53,373
1976	34,536	48,484	44,443	22,974	49,031
1977	35,337	51,585	43,625	24,236	47,475
1978	40,918	60,334	51,101	25,616	45,808
1979	41,681	66,264	51,774	25,574	42,493
1980	53,883	80,253	58,184	28,134	42,398
1981	67,906	94,178	64,549	26,672	41,794

EMPLOYMENT SITUATION OF RELEASED PRISONERS BY VOCATIONAL TRAINING (1981)

<u>EMPLOYMENT OBTAINED</u>	Machinery welding etc.	Operation Construct. Machinery	Elect. wirer	Auto- mechanics	Printing mimeogr.	Boiler operator	Seamanship /wireless	Barbering /laundry	Cook etc.	Gardening Farming	TOTAL
Machinery assembly/ repair	29	3	1	18	2	6	1	2	1	1	64
Construction	20	63	2	2	2	2	1	6	2	8	108
Electricity	1	1	16	1	1	1	-	-	-	-	21
Operate mobile machinery	2	4	2	5	2	3	4	2	1	1	26
Other skilled works	13	16	5	4	12	3	-	-	-	1	54
Barber, laundry	-	-	1	-	2	1	-	17	-	-	21
Other service industries	5	5	1	4	3	2	1	3	1	1	26
Clerk, salesman	1	3	2	-	4	-	-	1	1	-	12
Farming, fishing	5	5	2	2	3	-	1	2	1	4	25
Labouring etc.	5	6	-	-	1	-	-	3	1	-	16
Unemployed	3	4	1	-	4	-	-	4	-	-	16
Unknown	3	2	-	2	2	1	-	4	2	-	16
	87	112	33	38	38	19	8	44	9	17	405

ITEM IV : THE PROBLEM OF DRUG OFFENDERS IN PRISON

In Japan drug abuse is primarily based on stimulant drugs. The first prevalence of drug abuse, especially stimulated-related offences in Japan, peaked in the 1950s and was then followed by a long period of calm. But an increase in the number of offences has been observed again since 1970, and whilst previously all abused stimulants were produced internally they are now mostly smuggled in from overseas by underworld syndicates.

Drug abuse has penetrated a wide range of social classes, and is obviously reflected in the composition of offenders committed to prisons and juvenile institutions. In 1972, the total number of convictions for drug-related offences was 463 or 1.6 per cent of total admissions during the year. In 1982, however, the number rose sharply to 8,063 or 25.7 per cent of total annual admissions. According to the daily census at the end of 1982, the number of drug-related convictions was approximately 12,000, or a quarter of the prison population. The figures also show a sharp increase in the number of drug-related female offences. Female statistics show that there were only 11 convictions for drug-related offences which resulted in committal to prison in 1972 (1.9 per cent per annum of all admissions) while in 1982 the number increased to 588 or 52.5 per cent of annual admissions.

Members of underworld syndicates make up a large proportion of drug users in prison. Underworld syndicates are closely connected with trafficking in drugs and so the number of members arrested for drug-related offences has increased, with a corresponding rise in the number of their members in prison. In 1972 there were only 295 underworld-affiliated inmates convicted for drug offences in prison, while in 1982 there were 2,891. Although the total number of underworld-affiliated inmates is growing, their proportion is decreasing, and in 1982 it fell to approximately 36 per cent, highlighting the fact that drug abuse is widely spread over the general public. A new characteristic common to both sexes is a tendency towards recidivism. Drug-user offenders on parole or on a suspended sentence are very likely to repeat offences and be committed to prison.

Correctional Treatment of Drug-user Offenders

The main objective of the treatment of these offenders is to make them realise the serious effect on both mind and body, and to make them resolve not to use drugs on release. Since the social background of each offender varies, as does motive, frequency of abuse and degree of dependency, individual programmes should be set up on the basis of a careful analysis of an inmate's problems. Treatment for drug-related offenders in prison is being developed and used on a trial basis, and emphasis is placed on the

pharmacological evil of stimulants since addicts are ignorant of the harmful influence that drugs have upon mind and body. Efforts are made to enlighten them by lectures and audio-visual aids; specific subjects are chronic poisoning symptoms, flashbacks, reciprocal tolerance phenomena etc. Group counselling and discussion, case histories, and the adverse effect that drug abuse has not only on the mind and body of the inmate, but also upon their family and work all play a role.

To assure effective and continuous treatment, cooperation is indispensable among divisions within each institution, and special training programmes for officers on the effects of drug and treatment techniques are necessary. Teaching aids used are mainly slides, audio and video tapes, and inmates' newsletters. With few materials on the market appropriate for the inmates, it is necessary to develop materials in cooperation with the related authorities. However a drawback to the effectiveness of treatment programmes is that the majority of offenders in prison are those sentenced to imprisonment with forced labour who have a legal obligation to work eight hours a day, and any other correctional activity including special guidance for the drug-dependent has to take place outside working hours.

Since many addicts obtain stimulants from underworld affiliates, it is essential for them to sever their connections with underworld elements to avoid exposure to drug abuse. They are shown the undesirable aspect of the underworld through the realities of underworld crimes such as the sex and violence closely connected with drug abuse. It is desirable to separate traffickers from abusers, first offenders from recidivists, underworld affiliates from non-affiliates, and addicts from casual abusers. Treatment programmes based on categorisation promise better results. However in institutions for hardened offenders where a large number of inmates are underworld affiliates, grouping can be extremely difficult if there are affiliates to antagonistic syndicates in the same group.

To prevent the introduction of contraband including stimulants into prisons, all offenders and their personal belongings are closely searched on admission. Particularly detailed investigation is made into drug-dependent prisoners on admission and both mail and articles sent in are thoroughly inspected during their prison term. If any illegal drug is detected in a correctional facility, the warden must report to both the crime investigation authorities and the supervision authorities. The latter will investigate the case and furnish other correctional facilities with information.

ITEM V : MEDICAL AND HEALTH CARE SERVICES IN PENAL INSTITUTIONS
IN JAPAN

The General Trend of Disease

In 1947, the Japanese penal institutions had a death rate of 1608.4 per 100,000 average prison population. This dropped sharply to 567.8 in 1950 and has continued to decrease ever since. This compares with 1,087.6 in 1950 and 622.0 in 1980 for the general population. The constant decline of the death rate both inside and outside penal institutions can be attributed to the gradual improvement in living standards and the environment together with the fact that prisoners who fall seriously ill are given a stay of execution of sentence and are transferred to outside hospitals.

In 1950 Japanese penal institutions showed a higher death rate from tuberculosis than the national average. However since then the rate has declined sharply both in the institution and the community, although tuberculosis is still one of the major diseases faced by Japanese penal institutions. In 1980, 3 inmates died of tuberculosis and 154 out of 1,363 hospitalised inmates were suffering from a relatively advanced form of the disease.

According to the statistics for 1980, major causes of death for people between 15 and 29 years of age were accidental death and suicide, followed by heart disease and cancer. Between the ages of 30 to 39, suicide, accidental death and cancer were the highest-ranking, and between those from 40 to 70, the three major causes of death were cancer, cerebrovascular disease and heart disease. This pattern is the same for inmates of penal institutions, with the exception of accidental death, and has remained similar for the last 30 years. It is apparent that diseases frequently found in middle and older ages such as cerebrovascular disease and cancer will increase as a result of the lengthening of life expectancy.

The Medical Care and Classification Section of the Corrections Bureau, Ministry of Justice, deals with all matters related to medical and health care services in correctional institutions throughout Japan, and the medical and classification section of each regional corrections headquarters gives guidance and supervision to medical services of the institutions in the region. Depending on its size and function, each penal institution has a medical unit with a doctor(s) and nursing and medical technical staff who provide approximately the same medical services as an outside infirmary or hospital. To promote more effective medical services in penal institutions, the Corrections Bureau has recently established seven medical centres throughout Japan along the lines of a medical centre in the community, and inmates who need special treatment or care are transferred

to one of these medical centres. In addition, five penal institutions are designated as medical prisons to meet more specialised medical needs. These are classified into three categories according to their functions; two are the general hospital-type institutions, and another two are specialised in the treatment of chronic mental disease. The last is exclusively for lepers; this however only has five inmates and has had no new admissions for a number of years.

The numbers of medical staff in penal institutions are as follows :

Doctors	226	Radiologists	20
Pharmacists	35	Dieticians	16
Qualified Nurses	20	Clinical and Lab. Technicians	202

Penal institutions are able to request doctors at public or private hospitals to come and treat inmate patients in special cases. Alternatively if a patient needs emergency care or highly-specialised treatment which only certain hospitals can provide, they may be transferred to such hospitals.

Mental illness

Since those suffering from mental disorders are acquitted by the court, the number of inmates whose mental state is seriously disturbed is few. However inmates with deviant personalities who are diagnosed as psychopaths are usually not judged mentally incapable. During their time in prison they are apt to become chronic troublemakers, and some of them may show similar symptoms to those suffering from mental illness. Various treatments including pharmaceutical therapy and psychotherapy are applied to inmates in this category but a definitive treatment has not yet been found, and inmates with psychopathic tendencies therefore remain a serious problem.

Some long term prisoners, especially life prisoners, may become mentally disturbed after admission and are likely to be indifferent to the medical treatment provided with their symptoms becoming chronic. In one medical prison, the number of those with life sentences who are chronic schizophrenics is 20 per cent. However many mentally disturbed inmates who were treated in medical prisons have recovered sufficiently to be released into society as normal citizens or transferred to another penal institution. Some however are not cured before the end of their sentence, and in these cases the head of the institution can apply compulsory hospitalisation on notice to a prefectural governor.

Physical disease

As previously mentioned, cerebrovascular disease and heart disease top the death rates in and outside institutions. The number of those with hypertension and diabetes is also increasing, both of which are closely related to cerebrovascular and heart disease. To cope with these, the Corrections Bureau has been paying special attention to improving the food services in penal institutions by salt-free diets, lessening carbohydrate content of staple foods and providing nourishing side dishes.

Cancer, which has become one of the chief causes of death in Japanese society will be equally prevalent in penal institutions, and to check its early stages, penal institutions provide group stomach examinations for long-term inmates, and uterine cancer examinations for female inmates. Some inmates suffering from cancer have benefited from this early diagnosis but it is not sufficient to prevent the disease, and highly specialised medical techniques and treatments such as radio-therapy and a tele-cobalt unit should be incorporated into the programme.

To cope with the diversification of disease in penal institutions, medical centres should introduce and expand medical facilities and provide equipment such as an artificial kidney unit, therapy unit, ultrasonic diagnosis apparatus, and radiographic equipment. With extended life expectancy the problem of the aged will become more serious, and penal institutions will receive more aged inmates needing special protective care. Measures to deal with this situation should be provided for by retraining paramedical staff such as occupational or physio-therapists and psychiatric social workers.

Dental care

Within recent years penal institutions have found an increasing number of inmates needing dental care. The number of inmates with deteriorated teeth resulting from the repetitive use of stimulant drugs has also increased since 1975. However many penal institutions have great difficulty in retaining enough dental staff to meet this need because of a shortage of qualified dentists throughout the country and because many penal institutions are located far from large cities or universities and cannot attract a sufficient number of practitioners; there is also poor budgetary support for dental care programmes.

Medical staff

The ratio of medical doctors to inmates is not inadequate when compared to that of the community, but many doctors employed in penal institutions are also practising medicine outside or are

engaged in research. Consequently the number of medical doctors who devote their full time to the penal institutions is relatively small, and some are consequently suffering. This could be due to the low salary offered or the lack of advantage for professional advancement, and there are also difficulties in the working environment and problems caused by prisoner-patients. To remedy the situation, in 1961 the Corrections Bureau introduced a system of correctional medicine scholarships. A medical student intending to become a doctor in a correctional institutions may receive a loan of 29,000 yen monthly for a four-year scholarship. The loan is forgone if he is employed as a prison doctor for a certain specified time after graduation. Unfortunately very few who graduated from this programme actually joined the correctional service upon completing their medical course, most of them preferring to repay the loan.

The shortage of qualified nursing staff is also prevalent in penal institutions. To cope with this, the Corrections Bureau established in 1966 the Assistant Nurse Training Institute attached to the medical prison in Tokyo. Twenty trainees are selected annually on a national basis from among correctional officers and train for two years at the Institute to become qualified assistant nurses. Graduates from this institute totalled 269 at the end of March 1981, but the shortage still persists and the Bureau is considering increasing the number of trainees.

REPUBLIC OF KOREA

CHONG KUN KIM

ITEM I : DEVELOPING PUBLIC AWARENESS OF CORRECTIONS

Considering that the offenders are in penal institutions because of the failure of judicious guidance by family, school and community it is impossible to lay the full responsibility for their correction and rehabilitation on the correctional agencies alone. There must be a mutual cooperation system between the correctional authorities and the community. It follows too that the development of the community's understanding and awareness of the work of corrections, as well the encouragement of public participation in the work of the correctional department is of great importance. In this connection, the correctional authorities of the Republic of Korea aimed the administrative policy of 1983 at the 'socialization of correctional activities', and it now puts a variety of programmes into practice to achieve this aim. The following is a summary of the main activities :

Voluntary Visit Committee System

A voluntary visit committee is established in all prisons, and is composed of 1,093 people throughout the country who are interested in the correction of prisoners, amongst them

psychiatrists, social workers, lawyers, clerics, etc. Of great importance for prevention of recidivism is the religious guidance provided by the clergy. This is shown in the low rate of recidivism of released prisoners who have taken to religion. Amongst 2,107 persons released with a religious orientation between January 1980 to December 1982, only 142 returned to prison, showing a recidivism rate of 6.7 per cent; in the case of parolees only 9 amongst 523 returned to prison, showing a rate of 1.7 per cent. Since most of the guidance is provided by clerics' voluntary services their efforts to help the prison service are greatly appreciated. As a result, the Ministry of Justice has increased the numbers of committee members from 357 in 1982 to 1093 in 1983. It also established the 'Religious Guidance Committee for Inmates' in March 1983 composed of 1,282 clerics. The Ministry of Justice also holds an annual 'Religious Guidance Members Discussion Meeting', and each correctional facility hold a quarterly practical business conference of the religious guidance committee, awarding decorations and commendations to the members who show good results.

Correctional Prize Scheme

In the Republic of Korea, the correctional prize system was inaugurated in 1983 under the auspices of the Ministry of Justice, the main newspapers, including the Seoul Shin-Mun, and the Korean Broadcasting Corporation. Its aim is to increase community understanding of the correctional administration, and encourage clerics and other specialists to broad community participation in correctional activities. There are three categories of prize; the Grand Prize and the General Prize for correctional personnel, and the Special Prize for clerics and voluntary workers.

Exhibition of Prison Industry and Art

In 1983 in Seoul, capital of the Republic of Korea, there will be an exhibition of prison industry products and art, which will then make a nationwide tour to stimulate public interest in corrections.

Publication of Informational Books

A book, 'The Solitude of the Watch Tower' has been published, and a second edition is being prepared. It is a collection of the cases of officials with successful results in their efforts to rehabilitate inmates of institutions. It has been used to educate officials and as a correctional text-book

for prisoners. Publication of this book aims to promote the understanding of correctional officials and their activities and ensures that the successful results of their work become known to the public.

Study Tour Groups of Correctional Institutions

The lack of confidence in the knowledge of correctional administration has been an obstacle to its development and effectiveness. It is important for the community to understand this type of administration, and for this reason the correctional system should be opened to the public. Observation tours should be permitted not only for academic research but for public information and education. As a first stage a study tour group of correctional facilities was formed by 250 college students with professors from seven universities in the Seoul-Incheon districts. The results have been so good in developing a deep and affirmative concern about the correctional administration that the plan is to extend the system step by step to the general public.

ITEM II : NOVEL AND NEW PROBLEMS IN THE REGION

In the Republic of Korea it is felt that most juvenile crime is caused by the lack of social consciousness in the individual offender. The correctional services for juvenile inmates are therefore aimed at helping the individual to see himself as a component of society. In this respect the Republic of Korea has turned to the Boy Scout movement. It tries to give inmates the spirit of boy scouting which has been used for the social education of youth throughout the world. It fosters sound national ideas by helping young people to adjust to their circumstances under solid guidance.

The first troop composed of prison inmates was the Chung-eui Troop of the In-Cheon Juvenile Correctional Institution, formed in 1953 and affiliated with the International Boy Scouts Organisation the following year. Since then this work has spread throughout all institutions. Scouts participate in annual winter and summer camps, and carry out field training to encourage cooperation and development. The correctional effect of all this on juvenile delinquents has been enormous. Of 1,002 scouts released over the past two years, only 87 have reoffended - showing a recidivism rate of 8.5 per cent. Nevertheless some difficulties have been experienced in running Boy Scout troops due to the lack of experienced leaders. As a result all leaders must take the Scouts Leader course at the Central Boy Scout Training Centre.

Reorganisation of the Correctional Management System

In the Republic of Korea the correctional administration is supervised by the Director General of the Bureau of Correctional Administration, the subsidiary organ of the Minister of Justice. This however is to be revised as follows :

- a) the Office of Correctional Administration will be enlarged into the Correctional Headquarters to strengthen its control;
- b) the Commissioner will be appointed by the correctional personnel instead of the prosecutor;
- c) the number of correctional officers will be increased and reorganised.

It is also intended to enact a Correctional Public Service Law in 1983 with the following provisions :

- a) correctional officers will belong to a special public service group;
- b) the ranks of correctional officers will be increased from 8 to 11;
- c) the law will provide a special merit promotion system for the employment of correctional specialists.

Relaxation of Security Service

Since security guards have been obliged to work a 24-hour duty schedule, the authorities will now have to allow them to work an 8-hour duty (three shifts a day), to improve their working conditions, and to relax their heavy responsibilities by increasing the ratio of security guards to inmates from 1:7.5 to 1:5, with an increase in the number of correctional officers from 1984.

Establishment of Correctional Facilities

- a) New Open Correctional Institution
The Republic of Korea had good results in promoting rehabilitation and preventing recidivism through operating an intermediate prison (Su Won Correctional Institution) and now plans to set up an open correctional institution. Because a special system of treatment for negligent drivers or other professionals has become an urgent problem with the continual increase of traffic offenders,

the authorities are developing a plan to provide work and vocational training aimed at inducing a sense of responsibility, and a work-release system for developing their feelings of community sense and ability to support themselves.

New Women's Correctional Institution

There is a detailed project to open a women's correctional institution. It is acknowledged that education and vocational training available for women has been inadequate since they are segregated from male inmates within prison.

Staff Employment and Training

Correctional officers must be given all-round education and training. Scholarships are awarded to students majoring in correctional administration and associated subjects with the object of employing them when they graduate. In addition it is proposed that newly-recruited correctional officers start duties once they have undergone the necessary education and training, and that newly-appointed correctional officers and senior officers should also undertake regular courses (4-12 weeks for the former, 16-52 weeks for the latter). Correctional personnel with 3-5 years' experience will take advanced training courses of two weeks' duration to improve their classification, budgeting, and medical service skills.

Improvement of Staff Welfare Organisations

Two welfare organisations, the 'Correctional Officers' Welfare Fund' and the 'Correctional Officers' Scholarship Fund' operate for the benefit of correctional staff, and subsidise school expenses, living expenses where necessary, and tuition fees for those staff who are studying. As these organisations have not been run on a permanent basis there are certain operational problems. It is therefore proposed to establish a permanent, independent office to amalgamate the two funds to be managed by salaried, full-time personnel. More emphasis would be put onto profitable projects to enable the range of beneficiaries to be expanded.

Welfare Officer System

To improve welfare services for inmates in the prison and the juvenile reform and training school, it is planned to establish a welfare officer system to provide instruction and vocational guidance in preparation for the inmates' return to society. A team of three to five welfare officers will be organised for each correctional facility and managed by the director of education. The aim will be to provide an all-out guidance system and to maintain close cooperation with both voluntary visitors and religious guidance committees. The welfare team will collaborate with regional public service agencies and after-care organisations, and deal with requests for protection, job-producing projects, legal aid, and medical relief where necessary.

ITEM II : YOUNG OFFENDERS IN CORRECTIONS

In law, the term 'juvenile delinquent' applies to the following :

- (1) Juvenile Offenders (between the age of 14-20) :
i.e. those who have committed crimes and have legal responsibility;
- (2) Lawbreaking children (between the ages of 12-14) : i.e. those who have committed acts which would be criminal if committed by adults. They do not carry legal responsibility;
- (3) Pre-delinquent age juveniles (between the ages of 12-14) i.e. those who are deemed to be prone to commit crimes by reason of their behaviour, such as persistent disobedience to the reasonable dictates of their parents and guardians, running away from home without good cause, association with criminals or immoral persons etc. (Article 4 of the Juvenile Act);
- (4) Misbehaving juveniles (under the age of 20) : i.e. those with a habit of impairing their own or others' moral character through drinking, smoking, the use of mortal weapons, fighting, and being disrespectful to women;
- (5) Dependent juveniles : i.e. those who are deemed to be in need of supportive assistance under the provisions of the 'Child Welfare Act' or under 'Article 4 of the Enforcement of Police Duty Law' by being treated cruelly, neglected, or deserted by their parents.

Trends in Juvenile Crime

There has been an increase in juvenile crime during recent years in Korea. Trends in juvenile offences have generated serious concern, particularly as juvenile crimes have become systemised, brutal and violent. There is also a tendency for juvenile offences to become more serious in character so that violent offences now account for approximately 47.6 per cent of all juvenile crime.

The youthfulness of juvenile delinquents has been steadily increasing since 1978, with juvenile delinquents under 15 showing a 2.7 per cent increase for 1980-81, and juvenile offenders between 18 and 19 decreasing by 5.2 per cent. Female juvenile delinquents decreased from 1977, but are again increasing. The percentage of female to male juvenile offenders rose from 6.0 per cent in 1980 to 6.7 per cent in 1981.

Analysing offences by type, the violent offences (assault, bodily injury, blackmail, intimidation etc) occupy 42.9 per cent of all crime, the serious offences, (murder, robbery, arson etc.) 5.8 per cent, and the economic offences (theft, fraud, embezzlement etc.) 36.6 per cent. Compared to five years ago, violent offences show an increase of 68.4 per cent; major violent offences show an increase of 96.0 per cent, and the economic offences show an increase of 10.3 per cent. Among the major violent offences, robbery (133.2 per cent), rape (85.2 per cent), and murder (7.5 per cent) have increased markedly over the last five years. This is thought to be due to a decline in the stability of juveniles resulting from the spread of affluence, the change from the large family system to a nuclear one, and the substitution of material values for traditional ones.

Young Offenders by Types of Crime

Year	1977	1978	1979	1980	1981
Murder	80	64	64	88	86
Burglary	783	716	875	1,822	1,826
Rape	1,702	1,650	2,093	2,278	3,152
Arson	49	38	45	28	59
Violence	39,008	36,292	38,704	40,446	36,590
Larceny	27,239	21,131	19,855	26,929	30,183
Injury	1,342	1,341	1,303	1,278	1,203
Blackmail	178	172	196	290	271
Intimidation	26	19	25	33	47
Embezzlement	680	653	563	543	545
Gambling	515	245	197	198	159
Pilfering	951	838	636	936	1,012
Fraud	632	618	689	667	788
Other	10,545	11,523	14,880	12,426	13,015
TOTAL	83,730	75,300	79,240	87,962	88,936

Young Offenders by Age

Year	Juvenile Delinquent	Under 14	14-15 years	16-17 years	18-19 years
1977	83,730	2,641	9,914	28,536	42,639
1978	75,300	2,163	8,415	24,233	40,439
1979	79,240	2,103	8,426	22,864	45,847
1980	87,962	2,643	12,322	27,038	45,914
1981	88,936	3,298	14,197	29,590	41,851

Treatment of Juvenile Delinquents

A) Police Detective Unit

The police-detective unit investigates juvenile delinquents' circumstances and the fact of the delinquency, and passes them to the prosecutor as necessary.

B) Police Juvenile Unit

Instead of merely examining the facts surrounding a crime or justifying proceedings against pre-delinquent age juveniles, the police juvenile unit investigates the motive and cause as well as those aspects of juvenile delinquency which denote the possibility of reoffending, and takes into account the age, mental state, environment and characteristics of young delinquents. The unit is intended to provide juvenile delinquents with adequate guidance and counselling, maintaining contact with parents and guardians of delinquent juveniles and other social agencies as necessary.

Since 1968, the unit has been working on a project to predict the causes and trends of juvenile delinquency. In relation to this project the unit undertakes the following tasks to aid in controlling the increase in delinquency :

- a) counselling and consultation with the juvenile;
- b) supervision of the juvenile in conjunction with his parents or guardian, his school or workplace;
- c) patrols in crime-ridden districts by policemen and members of the Youth Guidance Committee;
- d) delineation of off-limit areas to minors;
- e) protection against criminal influences;
- f) protection of dependent juveniles (runaway or deserted children);
- g) control of violators of the minor protection law and the child welfare law.

C) Public Prosecutor

The district public prosecutor's office and its branches are expected to assist in delinquency prevention, and provide a control plan adapted to regional circumstances ranging from research into the causes and trends of juvenile problems to practical measures. This is carried out in cooperation with police stations, protective agencies, aftercare service committees, educational committees and other social groups. Public prosecutors deal carefully with juvenile delinquents. Long term and heavy punishment may be imposed upon delinquents who show no wish to be rehabilitated, and who are guilty of serious crimes.

However, a system of suspended charge is adopted for minor offenders who are willing to reform. In this case, the prosecutor may decide to suspend the charge on condition that the juvenile delinquent submit himself to the guidance of the civilian guidance committee. Civilian guidance committees were started at Kwang Ju district public prosecutors' office in 1978 and have since spread all over the country. Committee members are familiar with the circumstances of a particular region; they are usually respected citizens who have the confidence of the public. They are appointed by the Minister of Justice or the chief of a district public prosecutors' office. At the end of 1981, the number of committee members amounted to 2,691. They hold an honorary appointment without recompense for a two-year term after which they can be reappointed. They can be dismissed if they are found negligent. During 1981, 4,070 juveniles were placed on a suspended charge and submitted themselves to guidance from these committees. The number of recidivists (i.e. those who re-offended or failed under supervision) amounted to only 87 people, a failure rate of 2.1 per cent.

Juvenile Reform and Training School

The Juvenile Reform and Training School is a special education facility accommodating juvenile offenders, law-breaking children and pre-delinquent juveniles who are transferred from the care of the Juvenile Department of the Family Court and District Courts. The Reform and Training School stresses a correctional rather than a punitive approach. It aims to improve character and conduct of those committed to care by basic education, vocational training and medical care. At the present time there are eleven juvenile reform and training schools in the Republic of Korea. Each has four divisions; general affairs, educational affairs, classification and guidance, and a medical division. There are also three advisory committees to a school: dietary administration, classification and examination, and release and parole committee.

Average annual population of juveniles in reform and training schools

1977	2,115
1978	1,757
1979	1,512
1980	1,550
1981	2,191

Correctional education aims at the improvement of character and behaviour. It develops self-reliance and an understanding of democratic citizenship through the following policies :

- . Growth of a law-abiding and self-supporting spirit
- . Emotional stability
- . physical training and the improvement of physical conditions,

all of which help juvenile inmates to a successful return to the community. Juvenile inmates undergo 15 days' education together with classification and examination techniques which give them the orientation necessary for adjustment to the institution. Before leaving the school there is a further fifteen days' pre-release education course incorporating counselling and preparing for rehabilitation.

Academic Education

Juvenile inmates range between the ages of 12-20. They are classified into ten grades according to the decision of the treatment and screening committee :

- a) a civil course for the illiterate over the age of 16;
- b) elementary course to sixth grade;
- c) junior-high course to ninth grade.

Special classes are also provided for those who are older, middle school graduates, and delinquents who while in school apply for the qualifying exams and continue studying. The educational curriculum applied is that of a regular school under the Ministry of Education, which permits 33-38 school hours each week. At an early stage in their imprisonment inmates have to accustom themselves to the basic behavioural patterns of speaking, eating, and sleeping on a regular routine. They are helped to appreciate the observance of public morals, national etiquette and social norms. As time passes, the correctional system guides the inmates towards a self-government system and group activities to increase their sense of participation and an ability to form desirable human relationships and exercise self-discipline.

Conditional Release

Article 7 of the Juvenile Reform and Training School Law provides for the superintendent to release inmates with the permission of the Minister of Justice when it is felt that rehabilitation is complete. Those with good correctional records are permitted

conditional release by the Minister of Justice providing that they observe certain conditions during a period of one year. According to Article 6, inmates may be placed in the juvenile reform and training schools up to the age of 23. Length of stay is divided into three stages, minimum (within 6 months), medium (6-12 months), and maximum (over 12 months). However, inmates with an excellent conduct record, those with a disease or any other justifiable reason for an earlier release are permitted a certain elasticity in their length of stay.

Juvenile Detention and Classification Home

The juvenile detention and classification home attached to the Ministry of Justice is an institution which in conformity with Article 7 of the Juvenile Law, accommodates and protects juvenile delinquents committed by the juvenile department of the court. There are three homes in Seoul, Dae Gu and Dae Jeon; elsewhere the juvenile reform and training schools carry out the work of the homes. The homes are divided into four divisions under a superintendent; the general affairs division, classification division, observation and guidance division, and the medical centre.

Juveniles are assessed and classified, enabling data to be collected on factors contributing to juvenile delinquency. The data also aids in the presentation of information on juvenile protection cases to the Juvenile Department of the Court and the establishment of programmes for correctional treatment of offenders in the juvenile reform and training schools. Classification is conducted by officers who have professional knowledge and are acquainted with specialist-related sciences such as psychology, psychiatry etc:

- a) A minimal form of classification is provided for minor juvenile offenders. This is conducted through reports of individual interviews, psychological tests, behavioural observation, medical examination and consultation with parents;
- b) selective classification is provided for difficult offenders. This is conducted via the psychological, clinical and psychiatric diagnosis in addition to the minimal classification above;
- c) Intensive classification is provided for the most difficult juvenile offenders. This involves a detailed diagnosis by two classification officers in cooperation with specialists in psychology, and is in addition to selective classification.

Annual population of juveniles consigned to homes and training schools from the Juvenile Department of the court between 1977-81

Year	1977	1978	1979	1980	1981
Bu San	1,981	1,704	1,072	1,255	1,518
Gwang Ju	954	697	761	795	980
Chun Cheon	510	176	217	229	206
Dae Jeon	1,048	671	642	662	852
Jeon Ju	379	205	211	189	549
Cheong Ju	-	15	197	211	313
Seoul	4,362				
Seoul*	-	4,398	3,960	5,185	4,775
Dae Gu	1,453	1,134			
Dae Gu*	-	-	1,137	1,036	1,109

* Juvenile Detention and Classification Home

Juvenile Correctional Institution - education programmes

The Republic of Korea has two correctional institutions for the treatment of juvenile offenders, situated in Incheon and Kimcheon. First offenders with terms of more than six months and who have completed more than elementary education are accommodated in Incheon, and both recidivists and those who have not completed elementary education are sent to Kimcheon. Those who pass the age of 20 whilst in the care of these institutions are transferred to adult prisons. The institutions provide education programmes from elementary school for those who need it, through to junior and senior high school according to the Educational Prescription for Convicts decree of 1969. In addition, special training courses are available for those preparing to take the entrance exams for junior and senior high schools and college. Especially notable is an inmate in Kimcheon juvenile correctional institution who achieved top honours in the entrance examination for junior high school in the Kyung Buk region in 1981, and the senior high school there in 1982 and 1983. In addition, 13 juvenile inmates in 1982 and 26 in 1983 were successful in their college entrance examinations.

Senior High School Correspondence Courses

The first classes accredited by the Ministry of Education, the correspondence course at senior high school level, were established at Jeimulpo Senior High School (where 30 juvenile inmates attended classes) and since the beginning of 1982, at Kimcheon Jung An senior high school. In this way inmates do not have their

education interrupted if they are imprisoned and needy juveniles get an opportunity to follow a regular educational course. At present participants number 90 in Incheon and 100 in Kimcheon. Lectures are given at the institutions by teachers from the senior high schools, and writing materials, radio, TV etc. are available.

Boy Scout Education

The Chung-eui troop of Incheon juvenile correctional institution was affiliated with the International Boy Scouts Organisation in 1954, being the first troop in the world history of boy scouting to be composed of prison inmates; this was followed by the Wharang troop affiliating with the scouts of the Republic of Korea in 1957. Boy scout activities have had a beneficial effect on the juvenile inmates involved, and those who have joined the boy scout movement adapt well to society after release and reoffenders are few.

Vocational Training

The Public Vocational Training Institute attached to the two juvenile correctional institutions of Incheon and Kimcheon in 1969 have provided inmates with training programmes in architecture and machinery. By the end of 1982, 5,080 inmates had acquired licences or grades of skilled worker.

Public Vocational Training

The training is aimed at acquiring the certificate of assistant or second grade skilled worker. The following training is available : weaving; barbering; tailoring; printing; type-setting; carpentry; radio and television assembly; welding; lathe and metal work.

Vocational Training supported by Private Enterprise

Since 1978, Incheon juvenile correctional institution has established electric welding, lathe and metal work training, with all facilities, teachers and material costs subsidised by the Dae Woo Heavy Industrial Company, a private enterprise. Since 1982 a total of 1,035 inmates have been trained, with 475 acquiring the certificate of assistant skilled worker.

Future Plans

Vocational training has made such a large contribution to correctional education that it is intended to increase the annual number of trainees and augment training equipment with the support of big business enterprises and social enterprises.

ITEM IV : THE PROBLEM OF DRUG OFFENDERS IN PRISON

In the Republic of Korea it is forbidden to deal in narcotics without a licence or contrary to the Narcotics Control Law. Those who do not fulfil the necessary conditions are forbidden to possess, import, produce, prescribe, deal in narcotics or use them for research, and there are heavy penalties for contravening this law. As a result there has been an enormous decrease in drug offences, and in April 1983 the number of convicted drug offenders numbered 218, or 0.6 per cent of the total prison population of 31,331.

Recently however there have been cases of youths committing assault and burglary whilst under the effect of sniffing glue, or using hallucinogenics, anaesthetic drugs etc. Inmates in correctional facilities and their workshops would inhale glue which resulted in their fighting and committing acts of sabotage. The law on poisonous and dangerous substances was therefore revised and provision made for arrest and punishment for the deliberate inhalation of hallucinogenic adhesives and the marketing of such products. Following a request from the government, the Korea Advanced Institute of Sciences and Technology has produced a range of new adhesive substances which are non-hallucinogenic. In addition to this, all adhesive materials in correctional institute workshops are now used under the direct control of the competent staff.

ITEM V : PRISON HEALTH SERVICES

The First United Nations Congress in 1955 adopted the Standard Minimum Rules for the Treatment of Prisoners which include the basic standards to be observed in prison health services such as accommodation, personal hygiene, clothing and bedding, food, exercise and sport, medical services etc. The Republic of Korea has made the utmost effort to improve its environments and the administration of medical services in compliance with these rules. Every prisoner is provided with clothing and a separate bed suited to the season and to personal health conditions. Every prisoner is provided with food of a nutritional value adequate for his constitution, age, and his daily labour. Each prison has a dietary administration committee which provides advice on the management of inmates' diet, and decides on the type and quality of supplementary foods and on their nutritional content. Overall calories given to each inmate every day amount of 3,100 calories, i.e. 400 more than the 2,700 calories required by the UN Food and Agriculture Organisation.

Owing to the high population rates and close living conditions in prisons, epidemics prove a great danger to inmates. As a result, new building and reconstruction of accommodation facilities are under way with full consideration being given to climatic

conditions, and to the cubic content of air, minimum floor space, lighting, heating and ventilation. Every inmate is given a regular physical check or when occasion requires it, and cases of infectious disease are segregated immediately and treated with the assistance of public agencies like medical centres.

In accordance with a doctor's diagnosis, every patient is treated either as an in-patient or an out-patient. A sick-call is held at least twice a week in the workshops and housing quarters, and in addition an inmate may call on a doctor at any time. Necessary medical treatment is available within the institution for almost all cases. However when the case is impossible to treat within the institution the patient is sent to a civil hospital to be cared for.

New inmates are given a thorough physical check, and mental ability, psychological and physical defects, constitution and rate of growth are tested by prison doctors. Follow up checks are performed twice a year for adults and quarterly for juveniles, at the time of transfer, at the beginning and end of disciplinary punishment, or as otherwise needed. For the early detection of tuberculosis annual chest X-rays are taken. Those who are suspected of having the disease are segregated and treated. However more serious cases are transferred to Masan correctional institution. All lepers are transferred to Sorokdo prison camp. Psychiatric patients require specialised facilities, and are transferred to the Masan correctional medical institution for treatment.

Inmates who are pregnant or in childbirth, and the old and infirm are treated as quasi-patients with full consideration of their physiological and psychological needs. They receive a reduction or exemption from labour, supplies of special foods, provision for proper exercise, and in-patient treatment and medical care in civil hospital if necessary.

Every inmate is permitted at least one hour's suitable exercise in the open air each day, weather permitting, and inmates in solitary confinement may receive two hours' a day. Athletic games are also held periodically. Adequate facilities for bathing and showering are provided at regular intervals. The frequency is decided by the warden according to the type of labour performed by the inmate, varying from once every five days between June and September, and once every seven days between October and July.

ITEM I : PRISON INDUSTRY IN THE REPUBLIC OF KOREA

There are prison industries in 30 prisons which aim to encourage rehabilitation by teaching the inmate a trade. Profit from the industries is transferred to the national treasury and goes towards training facilities and providing a savings fund for inmates after release. To aid the management of prison industries, a law was passed in 1961 creating a special account for prison industries by detaching their income from the general account. This was followed by a law governing the use of prison products in 1962 which decreed that goods and merchandise produced by prison labour should be supplied principally to the State and local public agencies or institutions. When the prison industry was inaugurated in 1962, annual income was approximately 40 million won. (NB : US\$1= approximately 798 Korean won in November 1983.) In 1982 it had increased to 8,043 million won of which 2,938 won were spent for prison needs and 3,260 million won for official use.

Most prison industries operate under government management, but so as to reduce the number of unemployed inmates and to increase income there is an interest in involving private enterprise. This means that part or all raw materials and facilities necessary for work are provided by the contractor who pays the cost of the labour of inmates directly to the State. In 1982, this type of industry employed on an average 4,253 workers a day or 22 per cent of the total prison workforce of 19,293. Income exceeded 830 million won or 60 per cent of the total amount for 1982 of 1,380 million won.

Inmates employed in prison industry are rewarded with a gratuity on release rather than a wage. This gratuity is calculated on their daily working hours and based on their grade of working skill and their correctional records. However it may be partly spent by the inmate on necessities while in the institution or sent to support his family. Inmates are employed at a lower rate of pay than workers outside but the level of gratuity has increased year by year in proportion to the increase in revenue. In 1982 the highest amount awarded to an inmate was 1,365,000 won, and a number of inmates have received over 1 million won.

Vocational Training

Article I of the penal administration law prescribes that inmates may take technical training to prepare them for their eventual return to society. Public vocational training institutes in accordance with the basic vocational training law were accredited by the Ministry of Labour and since 1963 have been attached to 26 prisons for the training of inmates. In the Republic of Korea, prison industry is divided into three categories : public vocational training (elementary, skilled, and selective), supported training, and on the job vocational training.

Selective vocational training is carried out in the vocational training institutes attached to the prisons at Yong Deung Po, Chung Joo, and Kim Hae. Here inmates are provided with training in eight different types of trade, including carpentry, door frame construction etc. so as to acquire a licence or reach a senior grade of skilled worker. Selected trainees are drawn from among inmates with basic skills throughout the country. In the case of supported vocational training, eligible trainees are selected by big business enterprises and given training in skills suitable for the industrial sector, for example welding, lathe turning, operating heavy machinery etc. Inmates who acquire a licence or who achieve the grade of skilled worker may not only be released on special parole but can also find guaranteed employment with the sponsoring company.

Annual number of inmates employed in prison labour

Year	No. of convicted prisoners	Inmates employed	Inmates receiving education	Inmates unemployed	Inmates not employable
1978	30,584	24,155	837	1,995	3,597
1979	26,463	23,792	858	1,002	811
1980	21,118	20,474	2,965	1,672	2,007
1981	30,293	21,328	4,887	1,805	2,273
1982	30,149	22,114	5,252	1,471	1,312

Inmates employed by category of work

Type of work	1978	1979	1980	1981	1982
Carpentry	1,696	1,694	1,820	1,735	1,739
Printing	1,539	1,635	1,652	1,497	1,659
Dressmaking	355	295	537	744	756
Metal work	264	325	297	256	258
Weaving	281	271	176	205	242
Other	10,067	12,816	9,158	10,324	10,639
Maintenance work	9,953	6,756	6,834	6,567	6,821

Public vocational training

<u>Training</u>	<u>Period</u>	<u>Institution</u>	<u>Type of Training</u>
Elementary	3 months	All	brick piling and plastering
Elementary	6 months	All	26 types including building, carpentry, tiling etc.
Elementary	1 year	All	furniture-making, radio and TV assembly
Skilled	6 months	All	7 types including building, dressing, carpentry,
Skilled	1 year	All	furniture-making

Selected vocational training

6 months	Yong Deung Po, Kimhae, Chung Ju	6 types including welding, brick piling etc.
1 year	Yong Deung Po, Kimhae, Chung Ju	window-making, lathe turning

Supported vocational training

3 months	Dae Jeon	car driving
6 months	Incheon	electric welding, lathe turning, milling
1 year	Kim Cheon	car repair

ITEM II : INNOVATIONS IN CORRECTIONS AT THE CADEIA CENTRAL
(CENTRAL GAOL)

Since the Cadeia Central (central gaol) in Macau was established in 1912 there have been no notable innovations in corrections. There have been no programmes aimed at moral or social treatment, reformation or rehabilitation. The inmates merely received punitive custodial care, and some became less human and more ingrained in crime. Simple law-breakers fell into the hands of professional criminals, making it difficult to disentangle themselves from more serious trouble later on.

As the socio-politico-economic situation of neighbouring countries changed, the once moderately simple life in Macau was affected. Many young people were especially affected by the impact of these changes. They reacted in various ways, some of them anti-social; some became excited and happy; others became restless and discontented, wanting things beyond their means.

This Portuguese-governed Chinese territory is constantly beseiged by western and oriental influences due to its attraction to tourists. Macau is one of the oldest European settlements in the orient whose history still pulsates through the territory after more than four hundred years. When China reopened her doors to foreign visitors, Macau was used as a gateway. Now the territory is a boom town for tourism. Means of communication and transport have been greatly improved. Legal gambling and the annual grand prix draw an international crowd. Knowing that Macau law is lenient to criminals, unscrupulous people come to Macau with the intention of doing illegal business and other criminal acts. The maximum penalty meted out in court is 24 years of imprisonment, with a possibility of parole after half the sentence.

Illegal immigrants came to the territory looking for freedom and an easier life. No sooner did they arrive than they were disillusioned. Many ended up behind bars because they were naive and fell into the wrong hands. Triad society members are always on the lookout for new members to use in their unlawful activities. The rate of unemployment in Macau is high because of the limited industry. The majority of the population, 95 per cent of which is Chinese, have only attained primary education. Those who are literate and know at least two languages can easily obtain jobs in banks and offices, but those who experience hardship in finding means of subsistence become willing accessories to crime. Some admitted to crimes on behalf of others in order to be assured that their children could continue going to school and their family members be financially supported while they served a sentence in prison.

It is not possible for most residents of Macau to migrate as they fail to fulfil the immigration requirements, and yet people from China continue to come into the territory. The population is growing fast and tension in overcrowded areas of the territory is mounting. There is a significant need for public recreational facilities and the youth in particular need a place where they can channel their unbounded imagination and energy with a purpose.

The people of Macau are accustomed to a way of life which is characterised by conflicting values. Their personal religious beliefs no longer guide their moral behaviour. Insidious pressures of modern life in a gambling city and the lack of attention to the needs of many young people have become matters of great concern and are regarded as contributing to the increase of criminal offences in the territory. Almost 60 per cent of the prison population in Macau are between the ages of 16-25. The prison population has increased steadily since the prison was opened in 1912; by the end of January 1982 there were 230 prisoners, and fourteen months later there are nearly 500.

The biggest problem is space. The worst problem which requires drastic measures to resolve it is the insensitivity of some prison staff members to the legitimate needs of the inmates. Those who have worked for a long time with the inmates become callous. They know that eventually after their release from the prison these prisoners will be re-entering the same criminal or underground environment. Little attempt at rehabilitation can be expected since no such programme is introduced to the inmates.

Sometimes inmates meet with inconsistency in the demands of some staff members. Even though they were already under a punitive sentence from the court, organised graft and corruption thrive in the prison premises. It took a newcomer to the prison administration to see objectively what has been going on for years in the prison.* A long-overdue updating of prison rules and regulations was necessary. Primitive custodial care of inmates was reviewed in the light of the socio-politico-economic and moral conditions outside the prison to which the inmates have to return.

These innovations were seen as threats by some people who had gained profitable extra income through an abuse of authority and trust, and many inmates disliked the change because their power over other inmates was terminated. Reaction took the form of a brief riot and a hunger strike in late September 1982 which happened immediately after it was announced that visits were to be limited to two close family members every week. This happened as the result of an incident in which a letter was apprehended containing a warning to be more careful in bringing in drugs as the last supply brought into the prison was lost. Articles brought

*Dr Cordeiro Dias has been with the Macau Correctional Services since 1981

in were not carefully checked and visitors were not controlled. Anyone was free to visit an inmate as long as they knew his name.

Children and juveniles under 17 years of age wishing to visit a relative must now be accompanied by an adult to protect them from being used as messengers or conveyors of drugs, extortion money and notes. A visiting room was renovated for more controlled communication between inmates and relatives. A transparent bullet-proof glass now separates them, and communication is by telephone. An air-conditioning unit was installed to provide comfort and proper ventilation.

To achieve better results from imprisonment the services of social workers were obtained and the inmates can now avail themselves of individual social and pastoral counselling. Family counselling is also available. A system was devised to enable the inmates to contact the prison director, the social workers and medical officers by a written application form. Whenever necessary home visits are made to gain a better understanding of the inmate and to help prepare him for discharge from prison. Parole is now also made easier for deserving inmates. It is strictly forbidden to give money or gifts to any staff member for the purpose of obtaining parole or other benefits for the inmates. The social workers also made sure that inmates with no relatives to visit them were not neglected. Warm clothes were given to all in the wintertime, and fibre-glass beds were ordered and quilts distributed to all prisoners. Methods of food distribution have also improved, and there was a special dinner for all during the Chinese New Year, and Easter baskets during the Easter festival.

A questionnaire in Portuguese, English and Chinese, with over fifty questions was circulated to inmates to obtain more information on their needs. This was also aimed at stimulating their thinking and interest in developing intangible values. The response to the questionnaire was one hundred per cent as inmates knew that the questions were meant to improve their living conditions in the prison. (Sample pages of this questionnaire are attached at the end of this paper, on page 116.)

As part of the revised regime, inmates are required to take active participation in the improvement of their living conditions. Each cell is provided with cleaning materials. At the beginning of the clean-up campaign some prisoners were organised to plaster and paint the cell walls. The plumbing system were repaired and the water supply improved.

A small open area in the prison yard was converted into an outdoor sportsground where inmates can play basketball, volleyball or badminton, and there is now a library where the prisoners may borrow reading matter in Chinese, Portuguese and English. In

June 1983, more than one-fifth of the prison population was engaged in making artificial flowers, wicker-basket weaving, metal work, woodcraft, Chinese calligraphy, kitchen and maintenance work.

The religious needs of the prisoners are also being met. Two pastoral ministers of different Christian denominations visit the inmates regularly, and Eucharist is held every Sunday for Catholics. In addition, a Buddhist monk or nun is sought for the care of non-Christian inmates, and a plan for an ecumenical place of worship in the prison is being considered.

A prison for women will be ready for occupation soon, and a programme of activities introduced into their daily timetable as soon as they transfer. They will also all be issued with a uniform. Although the male inmates do not wear uniform inside the prison, they wear one whenever they appear in court or go to the hospital. It used to be a drab grey in colour, dank and musty in odour, apart from being dirty, and the inmates looked wretched in them. Now the inmates have been issued with new uniforms with monogrammed white shirts and dark brown trousers which are washed each time they are work, and as a result they carry themselves with more self-respect and dignity. Trustworthy inmates are now occasionally allowed out for educational trips to build their self-confidence and to keep in touch with reality outside the prisons, especially if they have a long sentence.

The objective in creating these innovations in corrections is to enhance the inmates' desire to become more respectable and considerate for others. They are urged to be active in their own rehabilitation so as to become socially adjusted, responsible people when they leave the prison to return to their families.

ANNEXE A

SAMPLE PAGES FROM QUESTIONNAIRE USED AT THE CADEIA CENTRAL, MACAU
(English version)

1. Age _____ 2. Sex _____ 3. Religion _____
 2. Nationality _____ Place of birth _____
 3. Is your situation in Macau legal or illegal?
 4. What kind of identification card do you possess?
 5. Civil status _____ If married, do you have a
marriage contract? _____
 6. How many children do you have? How old are they?
 7. Are your parents still living? How old are they and what do
they do?
 8. How many brothers and sisters do you have? Among your brothers
and sisters, in what number do you belong?
 9. How long have you been in prison?
Have you received your sentence yet?
How long is your sentence?
What crime were you accused of?
Did you act alone in the crime?
How many companions did you have in the crime?
Did you use any weapon in the crime?
 10. Do you think you are unjustly imprisoned?
 11. How many times have you been in prison before?
 12. If injustice was done to you, please comment more on this.
- In total the questionnaire comprises fifty questions

ITEM IV : THE PROBLEM OF DRUG OFFENDERS IN PRISON

Usually when people are committed to prison for theft or robbery they cease to commit criminal activity during their time inside. Unfortunately this is not so for those imprisoned for trafficking in drugs, and there is a continuous battle against drug offences in prison as prisoners find themselves in a position where they can enlist more followers into the drug ring. Prisoners of various criminal professions and levels of offence are placed with convicted drug pushers and traffickers, addicts, triad society members and young first offenders. Inmates on remand mix with prisoners in the cell block, and come into contact with triad leaders contending for dominance in the prison.

The present structure of the Macau prison was designed to accommodate 100 inmates convicted for not more than two years and who required normal surveillance. It now holds more than four times that number. Located in the middle of a residential area, it is surrounded on three sides by public roads. The prisoners are separated from the community by walls which are not high enough to prevent contraband goods from being thrown over them.

In earlier days, due to the minor nature of crimes which inmates had committed, strict control of articles passing in and out of the prison was not exercised. At the reception area was an air of camaraderie between guards on duty, inmates and visitors, and an official inspection of the goods passing into the prison was dispensed with. This resulted in the inadequately-trained prison staff not being able to control the passing of drugs.

Trafficking and drug abuse rank second to robbery in the list of offences at the Cadeia Central; extortion of money and theft rank sixth and seventh.

Percentage of criminal offences as at April 1, 1983

	%
Robbery	39.17
Trafficking and abuse of drugs	13.40
Helping illegal immigrants	13.05
Murder and homicide	8.24
Falsification of public documents	8.21
Extortion of money	6.87
Theft	6.52
Other	4.54

Statistics on drug-related offences are not available, but the percentage of drug offenders is very high. Although robbery remains the chief offence, problems engendered by drug offenders are very real. Triad leaders try to control both drug trafficking and their cellmates, and many quarrels between inmates have been sparked by disagreement over drugs. As an example there were two drug-related incidents on consecutive days in June 1983, and a brawl developed between rival triad societies trying to acquire control over drug dealing in prison, resulting in two inmates being hospitalised.

The solution to the problem of trafficking and abuse is elusive. Drug traffickers operate in a network even within the prison. When one of them is caught he is tight-lipped for fear of retaliation both inside and outside. This is understandable because Macau is a small city and everyone knows everyone else. To recognise the methods by which the drugs reach the prisoners helps to diminish their access. Positive means have been used to stem the influence of the traffickers over inmates. The social workers in the newly-established Prisoners' Social Assistance are very helpful in this regard through their contact with the inmates and their relatives.

Measures to break the monotony and boredom experienced by inmates and from which they seek to escape through drug abuse have been introduced, and some inmates are now engaged in prison industry on a small scale, (21.36 per cent in June 1983). There is now a considerable curtailment of drug trafficking and abuse, but this is a long way from reorganising the prison in Macau. The chief aim at the moment is to relieve the congestion of prisoners, to provide them with more meaningful work and activity, and to train personnel. As most of the prison staff have lost credibility before the inmates it will take some time before a new image will emerge to win their trust and confidence.

ITEM V : PRISON HEALTH PROVISION AND PROBLEMS AT THE CADEIA CENTRAL DE MACAU

Health provision for the inmates at the Cadeia Central is improving. Under an arrangement made with the director of health services and the government hospital, a doctor sees the sick inmates regularly and a male nurse comes five afternoons a week. First aid is rendered to the inmates by a staff member for simple emergencies, otherwise they are taken to the hospital or the day clinic for consultation and treatment. Dental treatment is carried out at the government hospital by appointment. This arrangement is acceptable but insufficient.

Complications arise from some inmates and their relatives who prefer Chinese medicine and ways of treatment as at present the doctor and nurse who attend the Cadeia practice western medicine.

The law provides that a sick prisoner may be attended by a doctor of his choice under the approval of the administration, but this practice can be used to establish unlawful contact and to continue illicit activities. Chinese inmates comprise 96.95 per cent of the prison population, and the majority of them are accustomed to Chinese medical treatment. At present a practitioner in Chinese medicine is being sought to work part time in the Cadeia. A few minor problems are foreseen as this service has not been available before. It is not possible to have two separate rooms for Western and Chinese medical clinics, and consultation and treatment will have to be set on different days for the two medical practices. Some prisoners explicitly request acupuncture treatment. If this is not possible, they request an acupuncture set as a couple of the inmates practiced acupuncture prior to their conviction. However allowing acupuncture needles to be handled by prisoners may endanger security since they can be turned into weapons.

Due to the cramped condition of the prison some dermatological ailments are difficult to control and are aggravated by the usual high humidity which is characteristic of Macau weather. Medical officers accustomed to the aseptic cleanliness of a hospital find it difficult to work in the prison without the convenience of their own offices. The problem is that there are always many prisoners who seek medical attention. Those who see the doctor or the male nurse sometimes complain that they are not given enough time, but because of their confinement in prison it is sometimes difficult to satisfy their need for attention. Their suffering is real and they need help, but the great majority of them need counselling rather than medical treatment. Some of them develop psychomatic ailments where it would be unwise to treat them with pharmacological products when they need someone to listen to them or with whom they can talk. It is also not always easy to distinguish between genuine and feigned illness, and there are some inmates who pretend to be sick so as to leave their cells.

MALAYSIA

DATO'IBRAHIM BIN HAJI MOHAMED

The work of the Prison Department of Malaysia is rehabilitative rather than punitive. Its main functions are :

- a) to give effect to the decision of the court by holding the prisoner in custody until his due time of release;
- b) to undertake the secure, well-ordered and humane containment of those committed to custody;
- c) To rehabilitate offenders so that they can return to the community as law-abiding and socially productive persons.

In Malaysia some quarters of society do not understand the function of prisons in a modern society. Many still hold hazy ideas that prison conditions are grim; prisoners are engaged in stone-breaking or similar menial tasks, and inmates are deprived of basic necessities such as opportunities for vocational training, education or recreation. One segment of society perceives prison as symbols of old-style repression and human indignity and another regards Malaysian prisoners as being pampered, living in correctional institutions resembling hotels.

Several measures have therefore been taken to give the public a better understanding of prisons. The department has adopted a more liberal policy of permitting responsible journalists and government officers to visit institutions. Occasionally the Director-General of Prisons accompanies journalists on such visits to explain the efforts at rehabilitation and to show the construction work being done by inmates in building new prisons. Undoubtedly there is now a better rapport with pressmen, and from the various series of articles the public has learned more about prisons, the problems involved, and the plans of the department. Others such as university students engaged in research, service clubs such as the Rotary clubs, police trainees and legal officers have also been permitted to visit the prisons.

From time to time, penal institutions participate in local fairs organised at state level. Here products and handicrafts made by inmates are exhibited and sold to the public. As these are of a high standard and are sold below market price, public response has always been very good. On numerous occasions the department has won prizes for the best stall. During these shows prison officers also distribute information booklets about prisons as well as informing the public about the various treatment and rehabilitation programmes of the department.

Currently the department is actively engaged in the task of the rehabilitation of drug addicts. In the various penal institutions inmates committed for drugs or drug-related offences number almost 6,000, constituting about 42 per cent of the prison population. The prison department has discovered that drug programmes founded on discipline, with a humanitarian, religious approach and counselling with the aim of rehabilitation can achieve much. Several prisons have staged a number of shows at municipal halls in which prisoners participate in singing, cultural dance, and pantomime. These shows aim to enlighten the public on what the prison department is doing to treat addicts, to underline the evils of drug abuse and to solicit public cooperation in the social reintegration of drug addicts. These shows have been well attended by the public.

The successful reintegration of the offender into society is a primary aim of all prison systems, and for this close cooperation is needed between the department and the public. An attempt at co-operation has been made through involvement with community service projects. For instance, at Alor Star prison there is a pre-release scheme for prisoners with good records who are engaged in tasks such as clearing the mosque and hospital grounds, building and maintaining houses for the poor, homes for the mentally-retarded, erecting bus stops etc. It is hoped that by this prisoners can make a contribution to the local community and dispel mistrust and suspicion.

In line with the emphasis on community service and drug rehabilitation, the department has launched a telephone hot line service. Ex-drug dependents release from prisoners and members of the community are encouraged to use these for counselling or help in problems relating to drug abuse. To date seven penal institutions have implemented this programme.

Provision has also been made in the prison legislation for each prison to have a board of visiting justices. This board consists of senior government officers or prominent members of the community who are appointed by the State Secretary. Members will visit the prison once a month, inspect and visit all sections of the prison, hear any complaints and draw the attention of the head of the institution to any flaw in administration. They are also free to make suggestions to the Director General of Prisons or the head of any institutions on matters relating to the prisons.

Another example of public participation in corrections is the Discharged Prisoners' Aid Societies which are run on a voluntary basis by civic-minded citizens to help discharged inmates. Assistance rendered may be in the form of a railway ticket, a small sum of money for the ex-prisoners to purchase basic tools to start a small business, or contact with employers to give job opportunities to ex-inmates. However it must be said that these

bodies do not function without experiencing problems. Generally speaking, the lot of the ex-prisoner in Malaysian society is a difficult one. A prison record is a life-long handi-cap and its subject a 'marked man' in society. No matter how genuine the reformation, the ex-prisoner remains a prisoner of his past record long after the crime has been expiated. An ex-convict is usually barred from many forms of employment such as the civil service or large well-established firms, and if employed, is taken only as a last resort. Foremost in the problem of enlisting the public to play a role in the treatment of offenders is to produce a favourable change in the attitude towards inmates.

The Prison Department holds proud records in sports. In the years following independence, the first Director General of Prisons displayed much enthusiasm in sports and was determined to improve the department's image through staff participation. As a result, the department was one of the first to produce sportsmen of international standing. For many years prison officers represented the country at international competitions such as the Olympic Games, Asian Games, and the South East Asian Games. The Prison Department had the best football team in the country and was champion in the FAM (Malaya Cup) for many years. Today, prison officers are still active in sports at various levels.

The ASEAN Prison Sports Meetings were held in 1980 in Singapore, in Malaysia (1981) and Bangkok (1982) and it is felt that this is a good way of fostering regional cooperation.

Several advantages have accrued from these activities :

- a) the public has become more aware of the existence of the Prison Department;
- b) prison personnel have opportunities to meet people outside the prison service. Valuable contacts have been forged with various departments and organisations with whose assistance jobs opportunities have been found for ex-inmates;
- c) the rehabilitative programmes for inmates have benefited from prison officers who excel in sports and act as instructors and organisers in the various activities of the inmates.

ITEM II : NOVEL PROGRAMMES OR INNOVATIONS IN THE REGION

The years after 1975 were critical for the Prison Department. Almost all the prisons in the country suffered from overcrowding. The inmate population had outstripped its original capacity, and prisons meant for 600 had to accommodate over 2000 inmates. This situation prompted the department to act fast and dispense with

the traditional practice of erecting buildings through contractors and to experiment with the use of prison labour in construction work. This started at Alor Star Prison with great success and additional dormitories were completed within six months. Had it been done by the usual method time and cost would have doubled. Later renovations and extensions were carried out with minimal supervision by prison officers, and today prison labour is used not only in small renovation projects within the prisons but also includes plans to build totally new institutions.

The Marang Open Prison was started in 1981; it has been carved out of virgin jungle by 20 prisoners. At the present moment, approximately 100 prisoners serving sentences ranging from 6 months to 7 years are involved in the project of developing the 83-hectare prison complex. This task is being undertaken by inmates and prison personnel with no professional qualifications in construction, but who are hard-working and with a sense of commitment. In these projects inmates work in open conditions with minimum supervision yet so far there has only been one escape. The department also plans to turn portions of penal institutions into tourist resorts with a range of facilities such as restaurants, lakeside chalets, and sporting facilities.

Joint Venture Schemes

Since 1981 the Prison Department has run a joint venture scheme to manufacture goods. There are six firms participating in this scheme; they are required to provide all industrial machines, equipment and tools, to furnish the raw materials and provide expert instruction for the inmates. The firms are also required to pay rental of the prison workshop, water and electricity bills, regular salaries on the same scale as outside the prison and insurance cover for inmates together with trade allowances to prison officers involved in this scheme.

The six participants in this scheme are the following :

Afasia Knitting Co	Penang prison	Knitting of sweaters
Eastern Garment Co	Penang prison	Stitching garments
Creative Industries Co	Penang prison	Furniture
Serumpun Mislā Bakery	Penang prison	Bread
Swasta Jaya Co	Alor Star prison	Hollow blocks and drains
Austin Lady Gloves Co	Kajang prison	Industrial leather gloves

The industries under this scheme are run under the Prison Trust account for handicrafts, and profits are divided amongst the Malaysian government, the Prison Department and inmates participating in the scheme. Of the salaries received by inmates, 15 per cent contribute towards meal expenditure; 15 per cent go to the Prison Trust Account for handicrafts; and 70 per cent go to inmates and their canteen expenditure. Inmates participating in this scheme can spend up to \$40 a month buying approved articles from the canteen. In July 1982, inmates employed under the joint venture scheme numbered as follows :

Afasia	169
Eastern Garments	285
Serumpun Mislá	13
Creative Industries	45
Swasta Jaya	15
Austin Lady	5

Total income for the first four companies for 1982 was as follows (amounts in Malaysian dollars) :

Afasia	\$39,981.87
Eastern Garment	\$61,781.48
Serumpun Mislá	\$2,897.00
Creative Industries	\$12,975.00

The Prison Department has submitted proposals to the Ministry of Home Affairs for approval to expand this scheme throughout Malaysia as it has proved so successful. In the future, new prisons will be designed to comply with the requirements of private firms who are keen to participate in the joint venture scheme.

Advantages under this scheme are many. Inmates are able to earn more than under the traditional prison industry schemes as they are paid at an equivalent rate to workers in industry, and 70 per cent of their earnings is credited to their savings. They are also able to benefit from learning trades which they can practice in the outside market, having already gained industrial experience whilst serving their prison sentences.

ITEM III : YOUNG OFFENDERS IN CORRECTIONS

The Juvenile Courts Act, 1947, provides for the care, protection and rehabilitation of children and young delinquents including the establishment of juvenile courts. A juvenile offender under the age of 18 who commits an offence not punishable with death may be dealt with under this Act as follows :

- a) admonishment and discharge of the offender;
- b) discharge of the offender upon his entering into a good behaviour bond in compliance with court orders;
- c) committal of the offender to the care of a relative or other suitable person;
- d) ordering parent or guardian to execute a bond to exercise proper care and guardianship;
- e) placing the offender on probation under supervision of a probation officer or other suitable person;
- f) ordering the offender to an approved school such as a Henry Gurney school;
- g) ordering the offender to pay a fine, compensation or costs.

However a young person (between 14-18) with an offence punishable with prison under the Juvenile Courts Act 1947, may receive from the court any term of imprisonment which could be awarded by a Sessions Court, or if the court considers its powers inadequate it can commit him to the High Court for sentence.

The division of Probation and Approved School Services of the Department of Social Welfare is responsible for running the institutions for the treatment of juvenile delinquents of which there are three types: remand home, probation hostel and approved school. Young offenders can also be sent to prisons or committed to Henry Gurney Schools which are administered by the Prisons Department. During 1982, 38,017 inmates were admitted to prison. Of these, 19,441 or 51.1 per cent were convicted; and 2,617 of these were under 21.

Convicted Prisoners by Age (annual admissions)

Age Group	Male	Female	Total	Percentage
Below 21	2,508	109	2,617	13.5
21-29	11,034	240	11,274	58.0
30-39	3,642	104	3,746	19.3
40-49	1,319	62	1,381	7.1
49-59	311	10	321	1.6
60+	95	7	102	0.5
Total	18,909	532	19,441	100.0

In December 1982 there were 12,289 prisoners held in various prisons throughout the country. Of these, 8,490 or 69.1 per cent were convicted; and 985 or 11.6 per cent of prisoners in December 1982 were under 21.

Convicted Prisoners by Age (December 1982)

Age Group	Male	Female	Total	Percentage
Below 21	945	20	985	11.0
21-29	4,791	51	4,842	57.0
30-39	1,732	37	1,769	20.8
40-49	645	22	667	7.9
50-59	172	11	183	2.2
60+	42	2	44	0.5
Total	8,347	143	8,490	100.0

In Malaysia particular attention is paid to the treatment of young prisoners and to their segregation so as to aid rehabilitation and minimise the dangers of contamination; there is a special prison at Sungai Petani to cater for young offenders. The rehabilitation programme for young prisoners may be summarised as follows :

- a) opportunity to participate in vocational and educational programmes;
- b) remuneration for work;
- c) normal working hours;
- d) hygienic working conditions;
- e) counselling and religion;
- f) avenues to voice grievances to heads of institutions or visiting justices;
- g) visits by legal adviser;
- h) health and medical services;
- i) recreational facilities.

The Juvenile Courts Act of 1947 and the Henry Gurney School Rules, 1949, provide for the administration of the Henry Gurney Schools by the Prisons Department. They are also known as Borstal Schools or Advanced Approved Schools, and their system provides a variety of institutions and regimes to cater for the different types of offenders. At present in Malaysia there are five of these schools in operation :

- a) Henry Gurney School, Telok Mas, Malacca;
- b) Henry Gurney School Two, Bandar Hilir, Malacca
- c) Dusun Dato' Murad, Ayer Keroh, Malacca
- d) Henry Gurney School for Girls, Batu Gajah, Perak
- e) Henry Gurney School, Kepayan, Sabah.

Section 39 of the Juvenile Courts Act 1947 reads :

- 1) Where a young person is found guilty of any offence punishable with imprisonment and it appears to the Juvenile Courts :

- a) that the offender is not less than 14 and is under 18 years of age; and
- b) by reason of the nature of the offence or or the offender's criminal habits or tendencies or association with persons of bad characters, it is expedient that the offender should be subject to detention for such term and under such instruction and discipline as appears most conducive to his reformation and the repression of crime,

it shall be lawful for the Court to send the offender to a Henry Gurney School.

It is obviously impossible to train youths for freedom under conditions of detention so at the schools the inmates live in open conditions with the minimum of supervision and security under a regime based upon trust, responsibility and self-discipline. Borstal training aims at developing the inmate's character and provides scope for personal decision and self control. There is more opportunity for the inmate to develop as an individual than in a prison setting with restricted scope for decision-making.

Initially an inmate of the school is placed on general labour or domestic duties. Later he will learn a trade according to his capabilities and the facilities available. The chief trades are :

Carpentry	Tailoring
Shoe repairing	Cloth weaving
Motor mechanics	TV and radio repairing
Welding	Rattan work
Boat making	Laundry
Bricklaying	Painting
Poultry	Music and bandsmanship
Orchard farming	Cockle breeding

Inmates are encouraged to join the school band, police cadets, St John's Ambulance or boy scouts.

An important feature of the school system is the relationship between staff and inmates, and for that reason the house system is practiced. The school is divided into hours or units for administrative and rehabilitative purposes, and each house is divided into dormitories with a housemaster and assistant housemaster who are responsible for the mental and moral development of each inmate. There is a system of grades based upon conduct and work through which an inmates progresses. Promotion involves extra responsibility as well as more pay and privileges. Reduction in grade or delay in promotion is one of the most common forms of punishment.

Towards the end of their time in the school inmates may be given the opportunity of five days' leave at home to help them return to ordinary terms with their families. This also allows them to establish contact with the welfare officer who will be supervising aftercare, or with a potential employer. Normally an inmate is released after return from home leave. The Director General of Prisons may shorten the period of detention or release any young person on licence upon certain conditions. The inmate then appears before the Institution Discharge Board which studies each case to ensure the inmate is ready for release, and that conditions (e.g. home, family, job) are conducive. The board meets once a month to make its recommendations to the Director-General of Prisons who then approves the release. Inmates are normally released on licence unless they have attained the age of 21. An inmate so released is under the care of a welfare officer. A period of supervision after release is regarded as integral to the borstal sentence, and any breach of supervision requirements may result in the licence being withdrawn.

Inmate population of Henry Gurney Schools is as follows :

Teluk Mas	531
Ayer Keroh	137
Banda Hilir	98
Batu Gajah	21
Kepayan	40

ITEM IV : DRUG OFFENDERS IN PRISON

In mid-1983 the prison population numbered 15,219 of which 6,164 were drug offenders; addicts numbered 4,873, and addicts and pushers 506 and 785 respectively. To aid rehabilitation, Seremban Prison has been converted to a special prison for convicted drug addicts with sentences of six months and over. In other prisons, drug addicts with sentences less than six months are segregated and undergo a programme of intense physical exercise.

To date approximately 169 prison officers have received intensive training in drug counselling through the expertise of two counselling experts made available by the US government, and seven prisons have established hot-line telephone services with a view to providing the public and ex-inmates with counselling and information on drug abuse.

In 1980 the Kuching Drug Detention and Rehabilitation Centre was opened to cater for addicts who are ordered by the court to undergo treatment, and work is under way for the construction of the Jelebu Drug Detention and Rehabilitation Centre which when completed in 1986 will house about 1,000 addicts.

The Prison Department has discovered that drug programmes founded on discipline with a humanitarian approach can achieve much. Some of the main features are:

- a) the programme places much emphasis on discipline and self-discipline, and is designed to induce a sense of self-confidence, responsibility and respect for the law, elders and parents;
- b) drug prisoners who are newly admitted to the prison are not permitted to work in the workshops and are locked in their cells most of the time (except for exercise, meals and baths) so that they can meditate upon their errors and decide to amend their negative lifestyle;
- c) before breakfast, all drug prisoners are required to sing the national anthem, pledge an oath of loyalty to the nation, and recite the oath of hatred for drugs;
- d) to help inmates shed the drug habit quickly they are prohibited from smoking;
- e) facilities for counselling and guidance are provided.

Cases of drugs discovered in the prisons have increased from 38 in 1980 to 104 in 1982, although in most cases the quantity of drugs found is small. In cases where the amount involved is large, inmates are reported to the police and will be charged in court. This however is a slow and lengthy process.

Visitors entering prisons are searched, and willingly comply with this ruling. The Prison Department views efforts to smuggle drugs into prison seriously, and several measures have been taken to curb any attempts. All heads of penal institutions are directed to give talks and reminders about the dangers of drug abuse to staff and inmates, and issue warnings that attempts to smuggle drugs into prisons will face stern disciplinary and court action. Daily searches and surprise searches are carried out on all grades of

prison staff entering or leaving the prison, and a monthly copy of searches forwarded to the Ministry of Home Affairs. Checks are made of both inmates and cells by prison officers and of inmates returning from court or hospital. Incoming parcels from inmates' relatives are also thoroughly checked.

Prison staff or inmates who supply information leading to the arrest and conviction of a drug smuggler receive a reward of between M\$100-\$300, or in the case of prisoners a remission of sentence ranging from one week to one month. With a view to curbing undesirable activities, all newly recruited prison officers are required to sign a letter stating that should they be arrested for drug taking or trafficking, disciplinary action will be instituted against them.

ITEM V : PRISON HEALTH IN MALAYSIA

Every effort is taken to ensure that inmates receive adequate medical attention and all prisons in Malaysia have a resident hospital assistant, a prison dispensary and a sick bay to cater for minor health problems. A government doctor visits the prison twice a week, and for serious illness inmates will be taken to hospital for treatment. All health regulations are in accordance with the Prison Rules formulated in 1953.

NEW ZEALAND

W.J. GARRETT

ITEM I : PUBLIC AWARENESS OF CORRECTIONS

Penal Policy Review 1981

In 1981 a comprehensive review of all New Zealand penal policy was carried out which included submissions from interested members of the public. The Review Committee's report stated that 'a number of the submissions emphasised the widespread public ignorance about penal issues and about the way prisons and other sanctions worked and what they hoped to achieve.' The Review Committee has become increasingly aware of the need for more effective public relations by the Justice Department, and as a result several moves have been taken towards improving public relations in accordance with the Review recommendations.

Published material

The New Zealand Justice Department provides a wide range of publications on corrections, and general information is regularly updated for inmates' visitors. Some institutions have their own handouts providing information, and head office has a brief description of each institution, its security rating, cell accommodation, industries and facilities available on request. In October 1982, a press officer was appointed to the Justice Department to concentrate on penal and probation matters with particular emphasis on the more positive aspects of the prison officer's role. It is proposed to issue a brief press release detailing all future promotions, transfers, or accomplishments of prison staff to newspapers covering the circulation of the relevant institution. The press officer also advises superintendents on working with the media, providing articles and news releases aimed at increasing public awareness of penal policy thinking, and monitoring the media for references to the department and its policies.

Relationship with local community

The Review Committee recommended a more positive approach by senior officers of the department and prison staff in moving into the community through service organisations and educational institutions. In some areas this is already being done; in particular the superintendent of Manuwatu Youth Institution which specialises in community parole programmes and remedial and vocational training of offenders up to 23 years has made the promotion of public interest a firm priority since the institution's inception in 1979. Institutions are encouraged to carry out voluntary projects such as painting premises of voluntary organisations, constructing public walkways in native reserves and helping in civil defence emergencies. Senior staff, chaplains, education and welfare officers address local community groups, and individuals and organisations often respond by becoming involved in their local institutions. Members of the community may elect to take inmates on day paroles, sponsor them to attend Outward Bound which is a three-week course of confidence-building outdoor pursuits, or they may be able to employ inmates who are approved for work parole.

A working party set up by the Policy Review Committee to examine the value of input from volunteers and voluntary agencies accepted the worth of volunteers in the penal system. Groups and individuals who currently work with the Manuwatu Youth Institution and several others are outlined as follows :

New Zealand Prisoners' Aid and Rehabilitation Society has a long history as a strong supporting group. Its representatives work closely with penal institutions in meeting the needs of inmates and families during sentence and after release.

Sports Clubs - inmates participate in local sports competitions, and games may be played either at the institution or in the community.

Alcohol and Drug Addiction Centres conduct courses and may provide individual support for inmates during their sentence which can be followed up on release.

Local Maori Maraes (communities) are responding to the interest taken in their affairs, and inmates are often paroled to attend cultural functions, e.g. festivals, Maori language classes etc. Carving classes are available in several institutions.

Educational Institutions - teachers' colleges, community colleges and universities provide tutors for some classes. Contact between inmates and these groups promotes mutual confidence and provides inmates with greater opportunities to relate to people who might assist them on release. However a major problem in maintaining community contact is the cost involved in travel.

Christian Churches - have been consistently in the forefront of involvement in penal institutions in New Zealand. The Roman Catholic Church has its own chaplaincy and provides a part-time chaplain to each institution. The National Council of Churches cooperates by operating a full time chaplaincy in many institutions, with part-time chaplains in other smaller prisons. The department pays the salaries of the full-time chaplain and pays a contribution to the church where a part-time appointment is involved. Chaplains play a vital part in encouraging the participation of local church congregations in institutional activities, including a church parole scheme whereby inmates are sponsored on parole to attend church and spend time with the sponsor and their family.

Prison Fellowship of New Zealand

This is a Christian organisation with a small paid staff which trains volunteers from the communities around prisons to visit inmates and befriend them and their families. Support is often maintained after the inmate's release. This organisation originated in the USA and branches are now active in many countries.

Full Gospel Businessmen's Fellowship is an international movement with branches active in some institutions. They visit institutions regularly for fellowship evenings and some members take an individual interest in particular inmates.

ITEM II : NOVEL AND NEW PROGRAMMES AND PROBLEMS IN THE REGION

Three major innovations in the last few years are :

- a) legislative changes to abolish an indeterminate sentence for young offenders, and legislation to allow the release of women who give birth while in prison;
- b) administrative reorganisation to provide improved medical arrangements, improved conditions of inmates improved management of forestry operations; and
- c) action taken to enquire into the needs of psychiatrically disturbed patients.

Introduction of corrective training and abolition of Borstal and detention centre training

In April 1981 legislation was enacted to abolish the sentence of Borstal training which was an indeterminate sentence with a maximum of two years imposed on those between 15-20 convicted of a sentence punishable by imprisonment. This was due to increasing concern that indeterminate sentences cause tension due to uncertainty, and created anomalies through inconsistencies of sentence length. Every person sentenced to Borstal training was detained until release by the Borstal Parole Board, usually after 3-12 months of sentence. Injustices were also evident on occasions when Borstal training was ordered for a young offender when an adult offender could not have been sentenced to more than three months. Apart from community-based sanctions, young offenders may now be sentenced to imprisonment in a youth prison for a definite time, or corrective training, which is effectively two months in a strict quick-tempo regime.

Corrective training was introduced in April 1981, replacing detention centre training which was also effectively a strict two-month sentence but used only for young male offenders. Under the detention centre regime, programmes of a remedial nature had been developed which were designed to help offenders with personal problems and disabilities. Nevertheless, reoffending rates were high and it was considered that a new approach was warranted. The emphasis of the new sentence was placed on reducing offending through a punitive but fair sentence. Of importance, but secondary to the programme of vigorous physical activity is a programme of counselling and social skills training in the evenings designed to assist an inmate on his release. A senior officer in consultation with specialist staff may remove trainees from the daily programme for education or counselling where there is a special need. The sentence applies to females as well as males.

Nursing staff and inmate medical records

In 1979 a occupational class of nurses with no custodial function was created to provide a nursing service comparable to that available in the community, a requirement of the UN Standard Minimum Rules for the Treatment of Prisoners. A new inmate medical record system has also been introduced using standard hospital forms, thus enabling more complete, permanent records to be kept.

Psychiatrically disturbed offenders

The management of psychiatrically disturbed offenders needing secure accommodation has been of concern for some time both to the Prison Service and to hospital boards. An interdepartmental working party on psychiatrically disturbed prisoners and remandees submitted a comprehensive report in December 1981, including proposals for a special open unit for psychiatrically disadvantaged prisoners who had undergone treatment in a psychiatric hospital.

Polynesian offenders

Unfortunately there is a very large percentage of Maoris and Polynesians in New Zealand institutions, with high reoffending rates. For that reason full support is given to the Tu Tangata programme initiated by the Department of Maori Affairs, encouraging Maoris to take an interest in their kinship ties, language, culture and tribal history. Community officers are engaged on work with prisoners and parolees in the Auckland area, and schemes have also been introduced at various prisons including the Waikeria and Manawatu Youth Institutions, to encourage Polynesian inmates to become more involved in the culture and affairs of their own community. At Manawatu this includes weekend parole to live on local maraes. Most institutions have well-attended Maori culture groups.

Groups

1982 saw a rise in gang activity in the community with a corresponding increase in gang members in prison. Superintendents usually make every effort to treat gang members the same as other inmates, but outbreaks of gang rivalry and intimidating tactics required special care, especially in placing inmates. Superintendents promote the acceptance of penal institutions as neutral territory, and gang insignia may not be worn. Inmates with gang leadership potential or troublemakers are kept in medium security institutions.

Mothers and children in prison

Although Penal Institutions regulation 55 provides that 'any female inmate who gives birth to a child, or who on admission has

a child less than six months old, may keep the child with her until proper provision is made for its care', it has seldom been the department's practice either to receive a young child along with a female offender, or in the case of an inmate who gives birth to bring the baby into prison after birth in a maternity home. Where inmates give birth while in custody this department's general policy has been that mother and baby separation should not occur unless there is no practical alternative.

Prior to April 1981 those inmates who gave birth during sentence and wished to keep their baby were usually paroled for the remainder of their sentence, a special condition of that parole for a specified period of time. Legislation which came into force in April 1981 provides a discretion for the Minister of Justice to 'direct the release on a specified date of any inmate who has given birth to a child'. There are provisions for the Minister to fix conditions covering such release, such as residence at a community home or at an approved private address under the supervision of a probation officer. This amendment gave unambiguous legislative authority for a policy which has been adopted for many years.

Accommodation of transsexuals and transvestites in penal institutions

In New Zealand a child's sex must be registered at birth and subsequent 'sex changes' cannot be taken into account. The department is legally obliged to keep inmates who were born male but have since had sex change operations, in male institutions. In some of the larger ones it is policy to hold transsexuals and transvestites in a separate area for their own protection. However this is not an adequate long-term solution, and it would be useful to know how other jurisdictions deal with the accommodation of transsexuals and transvestites in penal institutions.

Marketing of forest production

Because of the high potential earning capacity of the large forestry enterprises being developed at several prisons, a Forestry Board of Management has been set up so that private enterprise management techniques and expertise could be used in planning silviculture programmes and marketing. This consists of a Justice Department officer, a Forest Service officer, superintendents of three prisons, one private citizen experienced in forestry management and marketing, and a chairman who is a private citizen experienced in the management of large enterprises. The Board's terms of reference ensure that maximum use is made of prison labour.

ITEM III : YOUNG OFFENDERS IN CORRECTIONS

Summary of 1982 receptions

	<u>Male</u>	<u>Female</u>	<u>Total</u>
Total receptions*	11,297	739	12,036
Individual persons under- going sentence	4,706	312	5,018

* including multiple receptions of the same person but excluding transfers.

Security classification

<u>Adults</u>	<u>Male</u>	<u>Female</u>
Maximum	198	-
Medium	951	-
Minimum	544	-
	<hr/>	<hr/>
Total adults	1,693	-
<u>Youths</u>	<u>Male</u>	<u>Female</u>
Medium	397	-
Minimum	356	-
	<hr/>	<hr/>
Total youths	753	-
<u>Remands</u>	264	15
Total in custody as at June 1983	2,710	123

Age structure of prison population by percentage

Age group	Male	Female	Total
15	1.3	2.6	1.4
16	5.6	7.3	5.7
17	8.7	11.5	8.8
18	9.2	10.1	9.2
19	8.6	8.4	8.6
Overall youths 15-19	33.4	39.9	33.7
20-24	31.0	31.0	31.0
25-29	14.2	14.0	14.2
30-34	7.4	7.0	7.4
35-39	4.7	3.0	4.6
40+	9.3	5.1	9.1
Overall adults 20+	66.6	60.1	66.3

This table shows the age structure of prison population with percentages calculated as an average for the years 1974-81. This is done by dividing the number in the given age group by the total prison population of the same sex. On average 33.7 per cent of New Zealand's prison population are youths, i.e. aged 15-19. The female population tends to be younger, with 39.9 per cent of females under 20 and 33.4 per cent of males under 20. In New Zealand just under 50 per cent of those in prison are aged 18-25. However it is not necessarily true that most crimes are committed by this age group. It could be that crimes are committed by older age groups who are not apprehended, convicted or sentenced to imprisonment as often.

The following figures for the average rate of imprisonment per 10,000 in that age group in the general population were calculated by dividing the number in each age group who were imprisoned by the number in that age group in the general population. Rates for each of the eight years were taken and averaged to produce an overall rate. The figures are then age-specific as opposed to crude rates based on the whole population. Individuals most likely to be imprisoned are males aged 18 years. Over the years 1974-81 this group has had an average rate of imprisonment of 74 per 10,000 of the general population of 18-year olds. A comparison of overall youth and adult rates of imprisonment shows that youths have an average rate of imprisonment of 53 per 10,000 whereas adults are imprisoned at a rate of 17 per 10,000.

Average rate of imprisonment per 10,000 in that age group
in the general population, 1974-81

Age group	Male Admission Rate	Female Admission Rate	Total Admission Rate
15	19	2	9
16	80	6	44
17	125	10	69
18	136	9	74
19	132	8	72
Overall youths			
15-19	97	7	53
20-24	106	6	57
25-29	54	3	28
30-39	28	2	14
40+	10	0	5

There is no standard definition of child, youth or adult in New Zealand. There are instead different definitions in different contexts. For the purposes of the Children and Young Persons Act which provides preventive and social work services for children and young persons, the limits are as follows: children: under 14, young persons: between 14-16, and adults 17 and over. Children cannot be charged with any offence except murder or manslaughter and may be sentenced to imprisonment if convicted of these charges. A young person can be charged with any offence. In the penal institutions context the important distinction is between youths (under 20) and adults (20+).

New Zealand has four corrective training institutions for those between 15-19, providing a rigid regime of hard work and strict discipline for young offenders as an alternative to imprisonment. This sentence is effectively two months but can be extended up to one for poor conduct and work effort. There are also four youth institutions for those under 20 sentenced to imprisonment, and 17 penal institutions for adults. Each corrective training institution shares the administration and staff of an adult institution.

Within the Prisons Division, special institutions have been set aside for inmates under 20 who have been sentenced to imprisonment so as to segregate them from more mature and experienced offenders. These institutions are generally allocated resources for the training of inmates.

ITEM IV : THE PROBLEM OF DRUG OFFENDERS IN PRISON

The social problems associated with the supply of and addiction to hard drugs have become more apparent in New Zealand over the last decade. The government has responded with measures designed to promote the detection and deterrence of drug trafficking, and accordingly Parliament has passed strong punitive sanctions for those caught and has granted the police extensive powers of apprehension.

Convicted drug suppliers presented a considerable challenge to the New Zealand prison systems prior to 1981 because the system was created to cater for a different type of inmate. Serious drug offenders tend to be more intelligent and sophisticated than other inmates and manipulate the system to their advantage. They tend to gravitate to those jobs in prison with the most status and privileges, where supervision is minimal. These factors were considered to have contributed to the increase in the number of drug-related incidents in prison in the late 1970s and led to a new policy on placement of drug offenders being introduced in 1981.

Another factor in dealing with serious drug offenders is that the Department is now confronted with the problem of protecting drug offenders who have helped the police in the prosecution of others. Such inmates frequently request segregation for their own protection, and because of the seriousness of the charges usually involved, extra precautions must be taken.

In the light of increasing drug-related incidents in prisons in the late 1970s and growing political and public concern, it was decided that there should be a period of careful containment and control to ensure such inmates became 'distanced' from outside operations. At least two and a half years in maximum or medium security was considered a reasonable period, and in October 1981, Cabinet endorsed the policy that convicted drug offenders sentenced to five or more years' imprisonment should spend at least two and a half years in medium security (or higher) before transfer to minimum security is considered. By containing sentenced drug dealers much more control of visitors and movements is possible which restricts opportunities to make deals in prisons. All offenders sentenced to five or more years are seen by the Prisons Parole Board who make recommendations for release. At a serious drug offender's first appearance before the Prisons Parole Board the board may be asked to consider whether minimum security conditions should be risked.

New instructions help prevent the introduction of illicit drugs into penal institutions in gifts and parcels. Sentenced inmates can now only receive cakes and biscuits as gifts at Christmas and photographs, books and periodicals. Any other gifts of fruit, hobby materials etc. must be purchased by the institution from

money deposited by relations and friends.

An amendment to the Penal Institutions Act introduced in 1979 provides that an inmate may be directed to submit to a sputum test, finger swab or to supply a urine specimen.

Prison superintendents agree that the above measures have effectively reduced the incidence of drug abuse in penal institutions evident in the late 1970s. It is recognised that contact visiting is sometimes exploited as a method of smuggling drugs into prison. However contact visiting has always been permitted in all New Zealand penal institutions and from a humanitarian point of view the department would not want to interfere with this. It is considered preferable to maintain search procedures and provide incentives for good behaviour. There is however provision at several institutions for physical separation of visitors from inmates in cases where a serious threat to security or control is deemed to exist.

Prisoners committed for drug offences
as a percentage of total prison population

	Males	Females
1970	0.8	1.2
1971	1.1	2.1
1972	1.2	2.9
1973	2.2	2.8
1974	2.2	2.9
1975	4.0	5.4
1976	4.2	5.3
1977	3.7	6.1
1978	3.6	6.2
1979	4.6	9.0
1980	4.8	4.1

Source : Penal Policy Review Report, pp 225 and 229
Justice Statistics Bulletin 1981.

ITEM V : PRISON HEALTH SERVICES IN NEW ZEALAND

The New Zealand Justice Department's aims to provide inmates with a health service comparable to that available in the general community in compliance with the United Nations Standard Minimum Rules for the Treatment of Prisoners.

In mid 1983, New Zealand had 20 penal institutions with some 2832 inmates. In March 1983, medical staff employed were as follows:

full-time registered nurses	14
part-time registered nurses	23
part-time medical officers (i.e. doctors)	24

Most institutions have a full-time nurse available and doctors visit anything from once a week to once a day depending on the size of the institution. All medical officers also have private practices in the community as none are full-time employees of the department. The part-time Director of Penal Medical Services in Head Office provides general oversight of institution medical facilities and the appointment of medical officers.

Two full-time psychiatrists are employed to work with the three prisons and the probation service in the Auckland region. Other institutions are serviced by consultant psychiatrists on a part-time basis. Management of psychiatrically-disturbed prisoners presents a serious challenge to prison authorities. Effective treatment of mental disorder is difficult in a prison environment and the presence of mentally-disordered inmates creates problems of control and inconvenience to others. The Mental Health Act provides for disturbed prison inmates in need of psychiatric care and treatment to be transferred to a psychiatric hospital.

An inmate may apply in writing for voluntary admission to a psychiatric hospital with agreement of the hospital superintendent, the Secretary for Justice, and the Director of Mental Health. If the hospital wishes to discharge the patient before the completion of his sentence, he must be returned to prison. Inmates who make voluntary applications for transfer to a mental hospital are usually those whose emotional state requires management by persons with psychiatric training and in appropriate facilities. Voluntary applications are not usually made by inmates suffering from a psychosis, e.g. schizophrenia or marked depressive psychosis. Most mental hospitals only admit psychotics responsive to treatment.

However there has been an increasing reluctance on the part of hospital boards to take such offenders, as progress in psychiatric treatment has enabled psychiatric hospitals to abandon their roles as secure asylums. Psychiatric hospitals not only have mixed sex

wards, but are often unable to provide secure conditions for the protection of staff, patients and public. Following recommendations made by an interdepartmental working party recently, it seems likely that an institution will be established especially for psychiatrically-disturbed prisoners who have received hospital treatment.

PAPUA NEW GUINEA

LEO KUABAAL

ITEM I : DEVELOPING PUBLIC AWARENESS OF CORRECTIONS

The need for a more effective public relations procedure has been recognised and some recommendations made. However, with the many other demands on resources throughout the Correctional Service and indeed the nation, this has been a luxury which has not been developed. The major problem which springs from this lack of any formal official information is that when there are problems and incidents within institutions, the media reports tend to be ill-informed, and at times deliberately biased for political or personal motives. Whilst there are very few major incidents, when these do occur the press is prone to seek comment from a variety of sources due to the lack of a formal channel. An example of this problem is a recent breakdown of a septic sewerage system requiring the temporary closure of a provincial institution. This is a relatively minor internal problem, yet the press had comments from provincial health staff, the provincial premier, the National Minister for Justice and the Minister for Correctional Services. There are no organisations, voluntary or semi-official, to assist in the improvement of public understanding or participation in the work of institutions, and these will need to be encouraged.

Institutional staff participate in sporting fixtures, and most institutions of sufficient size field a team in local soccer and rugby fixtures. There is also an annual sports competition between all 23 institutions throughout the nation which is held at different venues. There have also been visits by staff of one of the larger institutions to a village some distance away, and correctional officers and their families were billeted over the weekend, and played sport and generally enjoyed the company of the local people. Later, villagers returned the visit and were billeted close by the institution. It is hoped to continue this exchange with other villages to allow them to obtain a better understanding and knowledge of correctional staff. There is also a correctional services pipe and drums band. In 1983, band finances have been restricted, but efforts are being made to keep it going. In past years it was of good standard and performed creditably in competitions in Australia. As finances permit, and with a new band-master, more public performances will be staged.

ITEM II : NOVEL AND NEW PROBLEMS IN THE REGION

There are two types of prison in Papua New Guinea. The major corrective institutions, of which there are 23 at present, are staffed by permanent staff. They are all under the Corrective Institutions Service and the average detainee population is about 4,500.

There are also some 89 'rural lock-ups' throughout the nation for short-term detainees with sentences of less than two months which are staffed by casual staff and run by the provincial departments. The occupancy of these lock-ups is uncertain; for periods of time they may be empty and then have a sudden influx of inmates, especially in the highland fighting areas where large numbers of warriors can be arrested at one time. Whilst they ease the overcrowded institutions, they are considered unsatisfactory. To some extent they are a carryover from colonial times when prisoners were used on road-making and general town cleaning. Some provincial and national politicians favour their continued existence, considering them a source of cheap labour for local activity.

Their use is contrary to the spirit of the Standard Minimum Rules, and the cost of the labour is excessive when the cost of guarding them is taken into account, and when there is a ready supply of labour otherwise available. It is hoped they will be abolished shortly and that detainees will be held in proper institutions.

Plans are being developed for the long-term structure of the Corrective Institutions Service. Some of the present institutions are small and uneconomical to run, as well as limiting activity for self-help projects and the rehabilitation of detainees. A reduction in the number of institutions from 23 to 14 is being considered, with a minimum of 300 detainees and a maximum of 1000 which will allow for the optimum staffing level at each institution, enabling them to operate food gardens, cattle, pig and poultry production to make them self-sufficient.

Organisationally the present service is unsatisfactory. The 'officer' ranks are employed in the Public Service whilst 'other ranks' are employed under a separate Act which gives them markedly inferior conditions and no prospect of a career path to a reasonable level. Action is being taken to revise conditions for all staff under a completely separate Correctional Service, leading to improved working conditions, career path development, and more effective training which generally should improve the educational quality and the social morale of all members.

Given the present economic climate these changes may take a considerable time, but some progress is being made. It would appear that as development takes place throughout Papua New Guinea the

need for institutions will increase. The ratio of population total to detainees in any province shows the influence of development on crime, especially where modern western influence moves into traditional village areas.

Province	Population of province	Detainee ratio to population
Eastern Highlands	227,180	388.21
Western Highlands	262,886	398.31
East New Britain	133,530	436.09
Central	240,003	495.00
New Ireland	67,705	529.77
West New Britain	89,229	544.98
Chimbu	179,490	615.48
Southern Highlands	235,647	651.32
Northern	77,273	675.46
Morobe	310,526	684.88
North Solomons	128,890	873.24
East Sepik	220,903	887.00
Enga	164,476	955.15
Madang	211,209	990.60
Gulf	64,167	1045.00
Western	78,881	1121.58
West Sepik	114,119	2282.00
Milne Bay	127,841	2316.00

(National average ratio 734.96)

Generally people are sentenced to the nearest institution, and there are institutions in each of the provinces so that the ratio of detainees reasonably reflects the crime in that area. To some extent, ratio is related to the stage of development within the province, but this is not the sole reason for differences. Some of them must be due to the traditional nature of the tribal groups in that province and also to the high concentration of population. In the undeveloped areas there is a very small police presence and little population movement due to lack of roads. Crime as such is not the crime of the statute books, but rather a breaking of the village customs, and is solved within the local village group. As development takes place the roads are built, more outsiders move in and the cash economy springs up. The police presence is increased and statute book crime grows.

Whilst there is major tribal warfare in Eastern and Western Highlands and Chimbu, development of commercial agriculture to any major extent has only happened in Eastern and Western Highlands, Southern Highlands, Enga and Chimbu. The people of Southern Highlands and Enga are of similar nature and the development of commercial agriculture here is only recently progressing, but the

ratio is likely to rise markedly over the next few years. In Central Province (Port Moresby area) there is a high concentration of itinerants, and considerable commercial development. In East New Britain, West New Britain and New Ireland there is some expansion, especially the development of oil palm projects which encourage migration. On the other hand, Bougainville Copper has been active in North Solomons for many years and has reached a stable stage so that the ratio may not vary greatly.

The site of the large Ok Tedi Mining venture in Western Province which is now a very underdeveloped area will also bring together a number of difference peoples and introduce various developments into the area including a cash economy, alcohol etc. The ratio is expected to alter significantly as this happens and the whole social climate changes.

ITEM III : YOUNG OFFENDERS IN CORRECTIONS

The tables below and on page 146 show the break up of detainees by sex and age in Papua New Guinea. 'Juvenile age' is under 18, with adult status at age 18.

The age group 18-25 constitutes the largest group by number but also has the highest ratio to total population. The ratio of detainees to total population in the age group 18-25 was 1 : 30. However if this group is considered in the light of total population it only makes up 6.4% but accounts for almost 50% of the male detainee population. Considering the very high percentage of population in the under 18 age group it seems clear there will be a major increase in the number of offenders in the group 18-25 over the next few years. It should be noted that rural lock-ups are used for persons sentenced to less than two months, and not all these figures are included. There are several church organisations which care for juveniles and the figures for these are not available. They would have inmates whose offences are of a less serious nature, with a population which would not exceed more than 200-300 at the most.

NUMBER OF YOUNG OFFENDERS, PAPUA NEW GUINEA (1982)

	Male	Female	Total
Under 18	812,918	720,331	1,533,249
18 to 25	191,216	169,213	360,339
Over 25	571,628	537,511	1,109,139
	<hr/>	<hr/>	<hr/>
	1,575,672	1,427,055	3,002,727
	<hr/>	<hr/>	<hr/>

NUMBER OF OFFENDERS BY PERCENTAGE, 1982

	Male %	Female %	Total %
Under 18	27.1	24.0	51.1
18 to 25	6.4	5.7	12.0
Over 25	19.0	17.9	36.9
<hr/>			
	52.5	47.6	100.0
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DETAINEE ADMISSIONS ON REMAND

	Male	Female	Total
Under 18	1441	125	1566
18 to 25	4333	423	4756
Over 25	3375	278	3653
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	9149	826	9975
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NB : Persons on remand are discharged on return to court so may appear more than once in the above table. If convicted they will also appear in the table below.

DETAINEE ADMISSIONS ON CONVICTION

	Male	Female	Total
Under 18	2088	137	2225
18 to 25	6236	896	7132
Over 25	5805	739	6544
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	14,129	1,772	15,901
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ITEM IV : THE PROBLEM OF DRUG OFFENDERS IN PRISON

It would appear that Papua New Guinea does not have the drug-user problem which is found in other countries. Traditionally the Papua New Guinea culture did not make use of drugs, and even alcohol was unknown. There would seem to be very little use of hard drugs, and cannabis seems to be mainly related to the expatriate population, though there have been a few cases of people importing this drug in small quantities, seemingly for their own use, and there is some cultivation of cannabis in certain remote areas, again for expatriate needs or for export rather than home use. In any event, from a commercial point of view the market in Australia would be far more lucrative than in Papua New Guinea.

Some major quantities of drugs have been seized, but it would appear that Papua New Guinea is used more as a transit point than a market. The police have a reasonably effective drug squad which maintains surveillance over drug movement and use, and major problems seem to have been avoided. There is therefore not the problem of drugs coming into prisons. Those few users of cannabis who are incarcerated would almost certainly have their sources cut off at the time of arrest.

There is provision for a full body search on admission and also for visitors to be searched. There is restriction on gifts which are passed through a correctional officer, inspected, and then handed to the detainee. Whilst foodstuffs may be consumed during visits, any items apart from toothbrushes and soap must be taken away by the visitor. All visits are under supervision, and the correctional officer can seize any item passed between visitor and detainee. It would seem that there is little chance of drugs entering an institution, especially as possession or smoking of any type of cigarette is prohibited and a close watch ensures that even these are not passed during visits. Total detainees for drug offences, either user or trafficker, would not exceed 4 to 5 at any one time, or less than 0.11 per cent of the total detainee population.

SINGAPORE

QUEK SHI LEI

ITEM I : DEVELOPING PUBLIC AWARENESS OF CORRECTIONS

The recruitment drive of the Singapore Prison Service

Singapore's correctional service has suffered from a bad image in the public mind for many years. In mid-1982 it was decided to remedy this by participating in an exhibition on careers available to school leavers with the aim of launching a recruitment drive and enlarging the public concept of correctional work.

A main committee of Home Ministry officials and an exhibition committee was established to oversee all necessary developments, with a nine months' planning period. As correctional matters are mostly sensitive, general dissemination of information is considered in appropriate. In view of these conditions, the committee charged with organisation had no precedent to follow.

It was decided that the theme of the exhibition was 'Today's Prison Service', and would take place for a week in June, 1983. Based on the need to recruit 74 rehabilitation officers and 60 custodial officers, those with the following educational qualifications were sought :

- Custodial Officers : basic education ranging from primary school-leavers to Ordinary Level;
- Rehabilitation Officers : 'Advanced' Level standard or tertiary qualifications with a preference for social work.

Rehabilitation and the role of a rehabilitation officer featured strongly in the exhibition, and several types of presentation were used including visionary aids and a display of inmates' products. The exhibition received favourable comment from both the press and visitors, who numbered over 19,000.

ITEM II : NOVEL AND NEW PROBLEMS IN THE REGION

Implications of inclusion of social work methods in correctional work in Singapore

In 1980, the Cabinet, concerned at the high and consistent recidivism rate of 35-40% carried out a study of the causes. These were as follows :

- a) the practice of giving attention individually to inmates on an ad hoc basis in specific problems did not permit the extension of assistance to other areas which could contribute to their rehabilitation;
- b) overcrowding in the major institutions;
- c) shortage of staff against approved strength by approximately 20%;
- d) education, religious activities and recreation were programmed, but participation was dependant on voluntary applications.

The study recommended that each offender be accorded individual attention through a multi-disciplinary approach from the start of his sentence or detention till after release. This would involve :

- a) social casework and group work in a professional relationship with the living unit officers and the prison welfare officer;
- b) work training and certified vocational courses;
- c) academic education where applicable;
- d) religious instruction, counselling and services;
- e) physical education and recreational programmes.

At the institutional level, casework and group work procedures need to be incorporated into the existing system of treatment. There is a need for staff to be redeployed, and their functions redefined. Appropriate training for social work must be provided for them.

At the staff level, correctional officers will have to draw upon their knowledge and update their interpersonal skills to cope with the new system and procedures. For inmates, the increased intensity of interaction with the staff through casework may involve the inmate in conflict with the sub-cultural norm of 'staying their distance from authority'.

ITEM III : YOUNG OFFENDERS IN CORRECTIONS

The predominance of young offenders and young adults amongst the prison population is present in Singapore as in many other countries. The laws in Singapore do not lay full responsibility for offences on young offenders as shown in the Penal Code CAP 103, The Children and Young Persons Act and the Criminal Procedure Code.

The sympathetic approach in our laws has been assimilated from British legal sources and practice which has been compounded by new knowledge and understanding of the factors contributing to offences by young people. Delinquency has been defined as 'an outlet for hostility engendered in a people that is subjugated or has been deprived of gratifications which are vitally needed.' There appears to be a general acceptance of this definition in reference to young offenders and delinquent acts which are viewed as attempts by young people to vent a hostility caused by deprivations of their needs. Absence of criminal intent and inability to exercise rational control are inferred, and are seen as consequences of insufficient maturity.

The penal code states that the legal age begins at seven years. However if the court finds that a child older than seven years but under twelve is insufficiently mature on commission of an offence he is exempt from prosecution. The Children and Young Persons Act defines

ITEM IV : THE PROBLEM OF DRUG OFFENDERS IN PRISON

After the War, Singapore's prison population contained a small minority who had become addicted to the use of opium, morphine or Indian hemp prior to admission to prison. The larger part of them were in early to middle age, and their numbers were less than 200 at any one time and declining. In 1955 an opium treatment centre was established on an offshore islet south of Singapore, and addicts were transferred there for treatment until it closed down in 1973 as only a handful of them remained.

However at the end of 1973, the government focused its attention on the emergence of two forms of drug misuse, ganja smoking, and methaqualone pill taking. The abuse of these gave rise to the Misuse of Drug Act 1973. Heroin addiction was first noted in 1974, and by 1976 there were approximately 4,000-5,000 addicts. In 1977 the first operation against drug misuse was launched, and 2,600 drug abusers were detained in drug centres. By 1980 the number of known abusers was in the region of 10,000, although after this date the problem appeared to be contained. Fewer new addicts were discovered by arrest, and the drug centres accommodated a majority of relapse cases. As of April 1983 the drug population under treatment was approaching 3,500.

In Singapore, therefore, we are fortunate in having a relatively healthy climate in our prisons. Although approximately 20% of inmates are committed for drug or drug-related offences, they have not been particularly active at planning or organising smuggling activities or practicing drug abuse.

ITEM V : PRISON HEALTH SERVICES IN SINGAPORE

For security reasons, Changi Prison Hospital was upgraded in 1974 to cope with most of the cases in prisons. There are now X-ray facilities, an ECG machine, and an operating theatre, enabling most cases to be handled. The prison hospital has both an intensive care ward and a psychiatric ward, and there are a number of psychiatric observation rooms where assessment of patients is assisted by psychiatrists from Woodbridge Hospital. Provision also exists to summon other consultants when necessary, and when an inmate cannot be treated at the prison hospital he is transferred to one outside.

Every inmate is medically examined on admission, on transfer, and on release. Those suffering from chronic diseases like asthma, diabetes, epilepsy, and mental disorders are put on regular treatment.

The medical officer regularly makes rounds of the prison; and epidemics (chicken-pox, measles) are prevented by isolation on discovery. Both sanitation and catering arrangements are inspected as typhoid and cholera are spread through food, and all food handlers must be screened. Inspection of living conditions is also important as in overcrowded and unhygienic conditions, scabies is very common. There is also a dental clinic in the prison which functions twice a week.

ITEM VI : PRISON INDUSTRIES - THE SINGAPORE EXPERIENCE

In 1955 a Prison Industries Division within the Prisons Department was set up, giving a distinct structure to the role of prison industries in the rehabilitation process. This was staffed by an industrial manager and complement of craft-trained staff. The rehabilitative value of prison industries was recognised by the 1960 Prisons Inquiry Commission which recommended an expansion of prison industries, and a strengthening of management together with an introduction of a suitable accounting system and a system of charging consumers.

In the sixties, the social effect of the rapid industrialisation of Singapore resulted in a rising trend of admissions into the prisons, with a correspondingly large demand on the Prison Industries Division to meet the training and work needs required. In 1974 a Prison Reorganisation Committee was formed which recommended that the Division be reorganised into a statutory, semi-autonomous body to give it greater flexibility in its operation and the provision of vocational and technical training. As a result, the Singapore Parliament passed the Singapore Corporation of Rehabilitative Enterprises Act 1975, giving birth to SCORE. A Board of Management was appointed, including personalities from public and private sectors, and experienced industrialists in various fields.

The main functions of the Corporation are as follows :

- a) to manage and maintain industrial or vocational training institutions and other institutions for the employment or industrial or vocational training of prisoners;
- b) to provide or secure the provision of employment or facilities for such training and to organise programmes therefor;
- c) to provide technical training in skilled trades for suitable prisoners;
- d) to promote the vocational skills of prisoners;
- e) to require any prisoner to work pursuant to Section 50 of the Prisons Act;
- f) to advise the Government on all matters relating to the provision of industrial or vocational training and technical training in trades for prisoners.

The Corporation's immediate task was to employ as many as possible of the 1,040 inmates who were unemployed in early 1976. Besides embarking on an expansion of traditional industries like canework and laundry, it devised a scheme whereby the private sector participated in the work programmes. By the end of its first fiscal year, employment of inmates was no longer a problem. Some 3,572 or 89% of inmates had meaningful work as against the 1975 figure of 1,820 or 45%.

The Corporation felt that not enough emphasis had been placed by the former Prison Industries Division on encouraging good work habits. In the past, the tempo of work was hardly of the 'industrial' kind, and as a result, many discharged prisoners found it difficult to attune themselves to an eight-hour day on an outside job. They were unaccustomed to assembly line methods of production prevalent in outside industries. To change this attitude, inmates have to be trained in appropriate industrial skills allied with the ability to exercise work discipline which will reduce any incentive to go back to crime.

The Corporation set this exercise of work discipline as a prime objective. Actual working conditions are brought into the prisons, and prisoners taught to account for their productivity like normal production workers. They work the normal eight-hour day (44 hours a week) with the introduction of modern production line methods in the prison workshops. As prisoners cannot receive on the job experience outside prison walls, and because it was felt that private industries could offer a wider and better range of industrial training, private manufacturing companies have arranged to set up factories in the prisons under corporation supervision. These private enterprises provide technical know-how, supervisory staff, equipment and material. The corporation is responsible for labour management, earnings structure, industrial safety and health, and promotions. today, seven private enterprises have set up 13 manufacturing facilities in five penal institutions, providing employment for about 800 inmates, including :

- a) manufacture of rosewood furniture. This is a very skill-intensive industry which involves intricate carving, expert staining and skilled polishing. The final product is an exquisite traditional-style piece of furniture.
- b) manufacture of wooden knock-down furniture where skill is required in operating modern wood-working machines;
- c) assembly work such as bicycle-part assembly and electronics component assembly; and
- d) garment-manufacturing, manufacture of jeans, and knitted woollen garments.

These industries complement the Corporation's traditional industries of the manufacture of cane furniture, printing and book-binding services, laundry services, bakery, metalwork and tailoring services where some 2,500 inmates are employed. A hard-working inmate in an industrial workshop can now earn \$150.00 a month compared to the maximum of \$40-00 an inmate earned before the establishment of the Corporation. The Prisons Department has also introduced a compulsory savings scheme whereby each inmate must save at least 40% of their earnings in the Post Office savings bank. Immediate family members can with the inmate's consent draw on these savings to help their upkeep while the inmate is serving his sentence.

Investment in plant, equipment and facilities in the prisons during the past four years has been considerable. Private enterprise invested an estimated S\$2 million in equipment and machinery, fixtures and technical personnel, and the Corporation and Government together contributed S\$850,000 to build additional workshops. Acquisition of new equipment and machinery and upgrading existing facilities cost another S\$1,045 million.

Products and services generated from the prison industries are not given any preferential treatment by Government or any organisation, and competes with other industrial organisations. It is a fact that given the make-up of the labour force and the security constraints and limitations, productivity in the prisons still lags very much behind outside industries, and this lower productivity has affected to some extent the competitive edge of the products and services of prison industries.

SRI LANKA

J.P. DELGODA

ITEM I : DEVELOPING PUBLIC AWARENESS OF CORRECTIONS

A concerted effort has been made in Sri Lanka in recent years to change community attitudes towards the offender. The Department of Prisons feels that a favourable community attitude is essential for the success of rehabilitation programmes carried out while the offender is in prison, and these would be wasted if the offender encounters a hostile attitude in society on his release.

An attempt has been made at coordination between various branches of the criminal justice system, i.e. the prisons, police, judiciary and the probation department which previously operated independently. Joint workshops and seminars with participation from all branches are now held, and police officers lecture at the department, and officers from the department in turn are invited to lecture at the Police Training School. Prison officers are also encouraged to address service clubs and women's organisations on rehabilitation programmes.

The following steps have also been taken :

1. Establishment of a centre for research and training in corrections together with programmes to educate both public and prison officers :

All new recruits to the Department are given a basic training, and all officers receive in-house training on promotion, and are regularly called up for further training.

2. Publicity for prison programmes through newspapers, radio and television :

The mass media are frequently used by the Prison Department in their bid to inform the public. Earlier tight security measures and restrictions resulted in the press reporting only escapes or unfavourable news.

3. Creating opportunities for the public to participate in prison programmes :

A recently begun voluntary supervision scheme has allowed members of the public to participate in the programmes for the rehabilitation of offenders as volunteers attached to each of the prisons in the island. They are briefed by each prison superintendent, and prisoners who wish to have their assistance meet them shortly before discharge. There is also a Prisoners' Welfare Association run by volunteers, which assists in aftercare and rehabilitation. A government grant and funds raised by the Association are used to assist prisoners and their families.

4. Coordination with social services organisations :

The Department invites social service organisations such as the Lions Club, Rotary International, the Boy Scout movement, etc. to participate in prison programmes. Sri Lanka is reputed to have the first prison scout group in the world, and several prison scouts attended the recent world jamboree hosted by Sri Lanka.

Soroptomists, the international club of women professionals, are involved in conducting classes in cookery and sewing for women prisoners, and their annual exhibitions feature items produced by women prisoners. Not only have various organisations participated such as the Mahila Samithi (Women's Organisation) participated in prison programmes, but several prison officials have joined these organisations, thereby creating a two-way interest.

5. Sales and exhibitions :

Two large exhibitions of handicraft and industrial and agricultural produce were held recently, and were visited by over 15,000 people.

6. Participation of prisoners in community projects

A number of voluntary community service projects such as the construction of roads, repairs to school buildings, and the clearing of canals are carried out by 'shramadana' (donation of labour). The Prison Department uses available manpower by sending prisoners to join in these shramadana programmes on weekends and holidays.

Prisoners are also trained in first aid by the St John's Ambulance Brigade and are sent to attend at religious festivals and functions where large crowds gather. Prisoners are also sent to participate in national celebrations and festivals, and take part in blood transfusion campaigns, and national tree-planting campaigns.

7. Commencement of a prison newspaper

With the assistance of World View International a prisoner's newspaper was started last year. Copies of the paper containing news of prisoners, staff and departmental matters are sent to all prisons and lock-ups as well as interested outside organisations. Prisoners are both involved on the editorial board and in the submission of articles for publication.

8. National Association for the Prevention of Crime and Delinquency

This Association was started on the initiative of the Department of Prisons and has held a number of seminars which have been addressed by both the Commissioner and senior officials of the Department.

9. New and unconventional programmes :

Recently, prisoners have participated in the annual Perehera (procession) at Kandy. This is an important festival held in the temple of the Tooth Relic. Prisoners from the nearby open prison camp participate as flag-bearers or carry lamps, and requests have been made for prisoners to take part in the annual festivities of several other temples in the country.

Another annual activity is the prisoners' Poson Perehera in Colombo where about 350 prisoners join in a procession to mark the introduction of Buddhism to Sri Lanka. This procession is made up of prisoners carrying lanterns and flags, together with dancers and elephants and is watched by thousands of members of the public.

Prisoners also put on public performances and shows, sometimes with the assistance of the Lions Club or Jaycees, and the Department now has a Kandyan dancing troupe.

ITEM II : INNOVATIONS AND NEW PROBLEMS IN CORRECTIONS IN SRI LANKA

1. Introduction of home leave

In 1974, home leave was introduced into the prison system. Prisoners with less than two years before discharge or who have served 6 or more years in prison qualify for a period of 7 days home leave every six months. Already a total of 837 prisoners have benefited, with only one defaulter. A social report on the prisoners is prepared by the prison welfare officer to enable the superintendent to recommend home leave. The licence board also uses home leave as a test release before sending the prisoner out on licence.

2. Process of licence hearing

In 1975 a process of licence hearing was introduced whereby the prisoner is allowed to attend the meeting of the licence board when a licence is granted or refused. In this way the prisoner can know at once what his shortcomings are, and how to improve so as to earn release on licence.

3. Introduction of work release

In 1974 work release was introduced. Under this scheme, 943 prisoners have qualified for work release, with only 80 cases where the order was revoked. Prisoners are thus enabled to collect money to assist them on discharge.

4. Introduction of open work camps

Prior to 1974, almost 75% of total admissions were for terms under 6 months. With the introduction of open work camps, even second-timers sentenced to terms under two years are sent within two weeks of admission to these camps where they are trained in agriculture and animal husbandry.

A further experiment involves ten prisoners close to discharge who are living without supervision in small watch huts on a ten-acre coconut estate. Their job is to maintain the estate, and to prevent theft, and they are paid a lump sum on discharge while the profits from the estate are used for rehabilitation projects.

5. Formation of a Prisoners' Co-operative Society

A co-operative society of discharged prisoners proficient in masonry and carpentry was formed in 1974 to provide work on several departmental building projects for discharged prisoners. Remand prisoners in Sri Lanka are not required to work, but with the shortage of skilled masons, volunteers are permitted to join discharged prisoners already working on departmental projects.

6. Unesco branch clubs

Prisoners are allowed to form Unesco branch clubs and may attend the national convention of Unesco clubs in Sri Lanka. The clubs conduct programmes for prison inmates, including running educational classes for illiterate prisoners.

7. Open Remand Prisons

Because of acute overcrowding within the remand sections of prisons, an open remand centre was started near the open prison camp at Pallekelle for remand prisoners to take part in agricultural

activities and enjoy open conditions under minimum security. However there have been some escapes from the centre and at this stage there are no provisions for further open centres, although a medium security remand centre may be planned.

8. Family Rehabilitation Centre

In 1981 a Family Rehabilitation Centre was opened for prisoners with more than two years for discharge to live with their wives and families in separate housing units. The Centre is run under one welfare officer, and with one custodial officer. Prisoners are employed on a government farm under a work release scheme, and maintain their families out of their wages. Children attend a nearby school, and each family is given a plot of land to cultivate in their leisure time.

9. Settlement of discharged prisoners

As large numbers of Sri Lankan prisoners come from an agriculture background, an old farm has been taken over for discharged prisoners to cultivate. It is proposed to run this on cooperative lines, with the prisoners becoming the eventual owners.

10. Voluntary supervision of discharged offenders

There is no legal provision for the supervision of discharged offenders, but a voluntary scheme was started in 1975. Each prison in Sri Lanka maintains a list of suitable volunteers available to prisoners. Under this scheme, 869 prisoners have had the benefit of assistance and guidance from these volunteers on their release into the community.

11. New problems

A marked increase in crimes of violence (bank robberies, armed hold-ups etc.) has recently become noticeable, with a consequent admission of more violent offenders. Some enter prison with several cases pending, and labelled as high-escape risks. Many institutions have no facilities for large numbers of this category of offenders, and it has become necessary to construct maximum security sections in several prisons.

In the past year, a number of prisoners have been admitted for terrorist activities and the prisons are holding several terrorists both during remand and after conviction. The present terrorist movement is allied to the political demand for the establishment of a separate state in the northern and eastern parts of the country.

ITEM III : THE TREATMENT OF YOUTHFUL OFFENDERS IN SRI LANKA

In Sri Lanka the Department of Probation and Child Care Services administers both adult and juvenile probation. Institutionalised treatment of offenders between 16 - 22 is the responsibility of the Department of Prisons and consists of treatment in a correctional centre and treatment in a Borstal institution (established 1940).

Offenders are committed to the institution under the Youthful Offenders Ordinance for a fixed period of three years. Before committal, the Court calls for a report regarding the offender's suitability for such training. In a large majority of cases those committed to Borstal are probation failures. Although the period of detention in such an institution is three years there is provision for offenders to be released after one year, along with provision for a period of compulsory after-care.

NUMBER OF INMATES ADMITTED TO THE TRAINING SCHOOL
FOR YOUTHFUL OFFENDERS, 1972-82

Year	Admission	Daily Average Population
1972	177	278
1973	185	257
1974	157	234
1975	199	384
1976	194	410
1977	118	366
1978	110	271
1979	82	203
1980	72	182
1981	97	167
1982	95	197

Academic education and vocational training is provided, with inmates receiving half a day's education in the basic skills. Vocational training consists of pig, cattle and goat-rearing, and the cultivation of fruit and vegetables. This takes place on a large open farm where training school inmates are employed under minimum security.

Industrial training is available in the following subjects :

Tailoring	Carpentry
Weaving	Masonry
Laundry	Paper-making
Motor Mechanics.	

Religious instruction, scouting activities and sports are all catered for. The institution has made a name for itself in both boxing and wrestling, producing several national champions. Hobbies and handi-crafts are encouraged, as are concerts, art and music. Inmates also participate in voluntary community development projects, working alongside the local villagers.

The second mode of treatment for offenders between 16 and 22 is the treatment of such offenders in correctional centres. One of these institutions has both an open and closed section; the other is exclusively open. Long term youthful offenders are detailed in the enclosed section of the correctional centre at Dalupotha, Negombo. Medium term offenders, short term offenders and offenders with less than two years for discharge are located in the open section of this institution which is situated on a coconut estate, providing an excellent setting for an open institution. Vocational training is similar to that provided by the Borstal institution.

The other centre is a completely open one, situated at Taldena, and this is for youthful offenders who have been committed a second or third time to sentences under two years. This is an open farm in a rural area, and all inmates are employed in agriculture and animal husbandry.

Programmes for youthful offenders envisage their total separation from adult offenders. There is more emphasis on recreational activities and academic education. Both institutions have a welfare officer whose job is primarily to encourage the ties between the offender and his home.

ANNUAL ADMISSION OF YOUTHFUL OFFENDERS TO PRISON 1972-1982

YEAR	NUMBER OF ADMISSIONS
1972	4542
1973	5092
1974	3305
1975	4321
1976	2876
1977	2811
1978	3193
1979	2711
1980	2458
1981	2223
1982	1346

ITEM V : PRISON HEALTH PROVISION AND PROBLEMS IN SRI LANKA

In Sri Lanka, the Prisons Ordinance provides for a medical officer for every prison. He is employed by the Department of Health Services

temporarily attached to the Prison Department.

Colombo has a prison hospital with a capacity of 180 beds; a senior medical officer, an assistant medical officer, two registered medical practitioners and a dental surgeon are attached to this hospital. Medical specialists from the General Hospital in Colombo visit regularly.

Other large prisons in Sri Lanka have hospitals with full time medical officers, assistant medical officers, male nurses and dispensers. Hospital attendants are prisoners who receive training in the prison hospitals. The smaller prisons and work camps have infirmaries, and medical officers visit regularly. Any prisoner taken ill in these places is sent to the local civil hospital.

The Prisons Ordinance authorises the medical officer to monitor the supply of pure and wholesome food, an adequate supply of drinking water, and water for cooking, washing and general sanitation. The medical officer must examine every convicted prisoner on admission to determine whether he is fit for hard labour. He can also recommend to the Commissioner the release of any prisoner whose life he considers to be endangered as a result of further imprisonment. The medical officer can also recommend the removal of any sick prisoner to an outside hospital, civil or mental, for specialised treatment.

In practice, the medical officer sees every convicted prisoner on admission and every remand prisoner who complains of illness. Where full time medical officers are available, they visit the prison daily. In addition to the facilities provided by the government, any unconvicted prisoner may be treated by his own medical officer at his own expense, and if removed to a public hospital, may undergo treatment at his own expense.

However, there is a general shortage of doctors in the country, and certain stations which had full time medical officers now manage with part time visiting medical officers. There is also an acute shortage of psychiatrists and although there is financial provision for a full time psychiatrist for the department, it has been necessary to manage with visiting psychiatrists and treatment for prisoners in outside mental hospitals. Allied to this is a shortage of trained nurses which affects both the Prison Department and several prison hospitals.

None of the prison hospitals have surgical facilities, and prisoners requiring such treatment are sent to outside hospitals where security is reduced to a minimum. As a result, a large percentage of escapes take place when prisoners are sent to outside hospitals and clinics. Officers performing duty in outside hospitals cannot be adequately supervised, and tend to be distracted, allowing the prisoner to escape from custody.

In Sri Lanka, facilities are provided for Ayurvedic (native) treatment in consultation with the medical officer of the institution. In Colombo, an Ayurvedic physician visits the prison to treat such patients, and on his recommendation prisoners who need hospitalisation are admitted to the government Ayurvedic hospital.

Medical officers can vary the normal diet of prisoners as necessary, and can replace the prisoners sleeping mat by a bed or mattress, as required.

It might therefore be stated that the basic framework is available in Sri Lankan prisons for the provision of facilities and safeguards to ensure the health and treatment of offenders requiring medical attention.

THAILAND

DHAVEE CHOOSUP

ITEM I : DEVELOPING PUBLIC AWARENESS OF CORRECTIONS

In Thailand, no specific budgetary support is available from the Government for public relations activity of the Prisons Department, but several measures have been used to improve and encourage public participation in correctional work.

1. Annual exhibition of prison products : this is held annually in Bangkok over a ten-day period, and participated in by more than 100 prisons and correctional institutions. One of the major purposes is to enable people to become more aware of the correctional service, and to support vocational training of prisoners by buying the products on sale. The most recent sale, in February 1983, resulted in an income of 71.9 million baht (US\$3,595,000); 50% of the net profit is given to prisoners; correctional staff receive 15%, and the rest goes to the prison fund. Success of the exhibition depends largely on good cooperation with the mass media, which is widely used before and during the exhibition.

2. Recruitment and training of voluntary parole officers : the Department of Corrections has run a programme of voluntary parole officers since 1977 which enables the Department to cope with the problem of the shortage of professional parole officers. Over 1,000 voluntary parole officers have been recruited, receiving two days' training before being sent to work. In Bangkok, approximately 221 voluntary parole officers have been trained. In other provinces, a total of 3,830 participants have been trained since 1977, and it is hoped that by 1984 each district will have at least two voluntary parole officers.

3. The use of inmates in community work : since 1980 the Department of Corrections has run a programme for inmates to work in the community. Under this programme, a convicted prisoner who has not committed an offence prohibited by the Penitentiary Act of 1980, and whose existing term of sentence does not exceed 2 years, is eligible for selection. Before being released to work in the community, inmates undergo military-style discipline, and are trained until it is judged they are ready to work in the community. Each prisoner receives a day's remission of sentence for each day of work that he does. Inmates whose total days of remission equal the remainder of their term of sentence are released, but remain under supervision of parole officers until the termination of their sentence. Accumulated days of remission

can be revoked in the case of a breach of discipline. In 1982, departmental earnings from inmates' work totalled approximately 15 million baht (US\$750,000).

The introduction of inmates' community work enables the Department to earn income, and also alleviates the problem of overcrowding. A great deal of support from the public has been gained by the cleaning of drainage pipes in the Bangkok metropolitan area. The sight of well-disciplined, uniformed inmates, the good relationship between prison staff and inmates, and the quality of the finished work has created a good deal of support for the Prisons Department. In some areas of Bangkok, garbage collection has also been handed over to the Department.

4. Visits to prisons and correctional institutions : several times a year the Department of Corrections arranges visits to certain prisons and correctional institutions for the mass media. Since the introduction of these visits, the relationship between department and media has become much better, and has resulted in departmental activities being extensively publicised.

These familiarisation visits are also extended to the public, especially school and university groups.

5. Publication of correctional pamphlets and reports

Occasional pamphlets, annual reports and correctional journals are published and distributed by the Department of Corrections, and aids to understanding such as video tapes, photographs and press releases are distributed to related organisations. The Department has a specific division to deal with this.

ITEM II : NOVEL AND NEW PROBLEMS IN THE REGION

The primary goal of the Department of Corrections is to provide public protection by attempting the prevention of recidivism. Modern corrective philosophy, standards and procedures have been introduced to extend rehabilitative concepts. However, the two main obstacles are :

- (a) The increasing prison population : this has been increasing since 1975, with resultant overcrowding in most prisons in the country. It causes many difficulties for the Department of Corrections in applying the United Nations Standard Minimum Rules for the treatment of prisoners;
- (b) Lack of adequate staff : In 1983 the staff-inmate ratio averaged 1:10 which is far from the ideal ratio. The lack of adequate staff causes high resignation rates and requests for transfer due to the heavy responsibility borne by prison officers.

An attempt to alleviate these problems has been made by encouraging community work by inmates; introducing the granting of amnesties on certain occasions; by a sentence remission system; by permitting the payment of fines by instalments as an alternative to imprisonment, and by repatriation of foreign prisoners.

RATIO OF CORRECTIONAL OFFICERS TO PRISON INMATES

	Total correctional staff	Total prison officers	Daily average of inmates per annum	Ratio of officers to inmates
1976	6,019	5,707	65,219	1: 11
1977	7,445	7,132	66,788	1: 9
1978	8,702	8,311	69,797	1: 8
1979	9,146	8,320	68,329	1: 8
1980	9,342	8,875	74,743	1: 8
1981	9,342	8,875	73,464	1: 8
1982	9,442	8,975	71,387	1: 8

Granting of Amnesties

The Department of Corrections requests the prerogative of a royal pardon for important national events (see table below). This has been used to release a number of prisoners, and is granted by the king on a compassionate basis. Traditionally this royal pardon benefits prisoners classed as mentally defective or insane, or physically defective, and is dependent on the type of crime committed.

Date	Pardon or release	Remission	Event
Jan 1977	13,351	22,306	Marriage of HRH Crown Prince
Dec 1977	17,459	23,010	HM the King's birthday
Feb 1979	12,033	32,158	Promulgation of 13th constitutional law; ordination of HRH Crown Prince
Oct 1980	16,174	29,661	Birthdays of HM the Queen; HM the King's mother, and HRH Crown Princess Sirinthorn
May 1982	18,438	36,188	Rattanakos bicentennial celebration
Total	102,416	187,342	

Most inmates today are short term prisoners, due to the lack of alternatives to imprisonment provided for by the criminal code which limits judges' options. This has led directly to overcrowding in the prison population. The Department of Corrections has introduced the idea of fines as an alternative to imprisonment to the Committee of Criminal Justice Coordination, urging a revision of the legislation.

Annual competition in prison development

While on a visit to the prisons, the Prime Minister commented on the cleanliness and the tidiness he found. This state of affairs has been incorporated into departmental policy and an annual competition instigated between the various prisons with inspection teams visiting each prison to judge the prison layout, prison health, maintenance of the buildings, discipline of both officers and inmates etc.

Agreement on repatriation of foreign prisoners

After visiting prisoners at Klong Prem Central prison, the American consulate made several recommendations to the Department of Corrections on the treatment of foreign prisoners which led subsequently to an exchange scheme with the United States similar to that existing between the United States and Mexico. The principles of the agreement derived in part from the United Nations Standard Minimum Rules and the Recommendations from the Sixth United Nations Congress on the Prevention of Crime (1980), e.g.

The exchange of prisoners shall be commenced by a request from the government of which the prisoners are citizens or nationals;

The exchange of prisoners shall only be effected under approval by the government of the transferring country;

The probability that exchange of prisoners will contribute to the social rehabilitation of the prisoner or otherwise be in his best interests.

Certain other factors were taken into account :

development of humane, effective rehabilitation in the correctional system;

improvement of relations with any country proposing such an agreement;

international cooperation on matters of corrective service in accordance with UN recommendations. Treaties for the exchange of prisoners was widely supported at the Sixth UN Congress in 1980.

cost of special arrangements and treatment for the increasing number of foreign prisoners in Thailand would be minimised by transfer to their home country.

Foreign inmates detained in 31 institutions through Thailand
by country (year ending 31 December, 1982)

Argentina	1	Indonesia	13
Australia	19	Iran	3
Austria	4	Italy	31
Bangladesh	3	Japan	6
Belgium	3	Laos	135
Brazil	2	Malaysia	27
Burma	192	Netherlands	2
Cambodia	2	New Zealand	2
Canada	7	Pakistan	17
China	33	Peru	1
England	9	Portugal	25
Finland	1	Saudi Arabia	5
France	32	Singapore	6
Germany	16	Spain	12
Greece	3	Sweden	1
Hong Kong	15	Switzerland	4
India	4	United States	30
		Vietnam	9

668

Thailand has already signed treaties with the USA, Canada, France, Spain and Italy and these are awaiting ratification. They specify :

- a) Prisoners who are entitled to an exchange must be convicted prisoners who in the territory of either country have been convicted of a crime and sentenced either to imprisonment or a term of condition release, parole, probation or some other form of supervision without confinement;
- b) The offence for which the prisoner was convicted and sentenced in one country is one which would also be punishable as a crime in the other country;
- c) The prisoner is a national of the receiving country not the transferring country;
- d) At least six months of the prisoner's sentence remaining to be served at the time of the request for transfer;
- e) No further or other legal proceedings relating to the offence or any other offence be pending in the transferring country;
- f) In deciding upon the transfer of a prisoner, each country shall consider the factors of the social rehabilitation of the prisoner and the nature and severity of the offence;

- g) The transferring country shall retain exclusive jurisdiction regarding the judgements of its courts, the sentence imposed by them, and any procedures for revision, modification, or cancellation of such a judgement or sentence, shall put such measure into effect;
- h) Each country shall establish by legislation or regulation procedures necessary to give legal effect within its territory to sentences pronounced by courts of the other country and each country agrees to cooperate in the procedures established in the other country.

ITEM IV : THE PROBLEM OF DRUG OFFENDERS IN PRISON

After legal opium smoking was abolished in 1958, the use of heroin became rapidly widespread. This addiction is illegal, and with the increased numbers of offenders has become one of the most crucial problems confronting the Department of Corrections.

It was disclosed by the Medical Services Department of the Ministry of Public health that in 1982, 33,226 persons in Bangkok and 22,449 in other provinces sought treatment from state-run and privately-owned medical centres. Over 7,000 of these were students, and the rest youths who had dropped out of school. 88.9% of those who sought treatment were addicted to heroin; 6.6% to opium; 1.4% to marijuana, and 1.14% to other categories of drugs. In Bangkok, 97.% of drug addicts used heroin. Fifty-three percent of those who underwent medical treatment were employed and earning an average of 2,890 baht (\$US144) per month, while 26.6% were jobless. However, this figure comes from official records; many other addicts refuse to seek treatment. In 1982, there were 9,983 drug-addicted offenders (users and pushers) or 19% of convicted prisoners, amounting to 52,225 persons.

Six special correctional institutions with an accommodation capacity of 1,000-2,000 inmates have been built to provide drug offenders with medical and rehabilitative treatment. Four of these are in the centre of Thailand (1 of them for women), and the other two are in the north and north-east. In addition to managerial problems, drug abuse still occurs in these specialised institutions, as within the prisons. Drugs are smuggled into prisons and correctional institutions by both prisoners and their relatives, and also by corrupt correctional staff. In 1981, five correctional staff were punished for drug smuggling. Although no contact visits are permitted and intensive searches of prisoners, their visitors, and staff are allowed in Thailand, the problems of smuggling remains and is aided by indifference and carelessness on the part of officials, and the prevalence and easy purchase of drugs both inside and outside correctional institutions. To deal with the problem more effectively, the following should be taken into consideration :

- (a) those responsible for searches must be carefully selected. They should be both active and dedicated, and since their duties usually create enemies, they should be well-protected and rewarded. They should also be able to be transferred to other kinds of work for a period of time.

- b) Staff cooperation is most important in dealing with drug smuggling, and high-ranking officials such as governors or superintendents must be involved in any attempt to remedy this problem.
- c) Those who are careless or corrupt should receive severe penalty ties as a deterrent to others.
- d) Tactics such as the use of inmates or staff as informers or frequent unscheduled searches of inmates and dormitories should be used.
- e) Cooperation of all related agencies, especially the police, is also necessary. As long as drugs are abundant outside it is very difficult to prevent them from being smuggled inside.

Recidivism amongst drug-addicted offenders has become another major problem, and about 50% of these offenders return to correctional institutions. This may result from lack of treatment in the community. According to law, drug-addicted offenders are released from institutions as soon as their term of sentence expires. There is no aftercare supervision and they are free to return to their former habits.

It is proposed that the regulations be amended in such a way that institution treatment for six months be provided for all offenders, together with the establishment of in-community treatment for one year where offenders will be closely supervised by staff. During this period offenders will receive both assistance and advice, and will undergo a weekly urine test. If the result is positive they should immediately be detained in an institution for another six months before receiving the in-community treatment. If after one year of community treatment the urine test remains negative they can then be absolutely released.

ITEM V : PRISON HEALTH SERVICES IN THAILAND

Prison health services are specified in the Penitentiary Act, 1936 and the related ministerial regulations, i.e.

- i) Medical officers must examine a newly-admitted prisoner on the state of his health;
- ii) A sick or pregnant prisoner shall receive proper medical treatment;
- iii) If a medical officer considers any prisoner who becomes sick would not improve satisfactorily in prison, the Director-General of the Department of Corrections may allow such a prisoner, subject to any conditions deemed proper, to be treated in any other place outside the prison;

- iv) If a prisoner liable to be punished owing to a breach of discipline is found to be sick, or if any other reasonable cause is taken into consideration, such punishment may be deferred;
- v) Every prison must have its own full-time doctors or medical officers. If no full-time doctors are available, part-time doctors should be introduced.
- vi) A newly-admitted prisoner must be separated from other prisoners for medical examination on the day of admission. If this is not possible, the examination should be carried out as soon as feasible.
- vii) A prison must be inspected by a doctor every three days with regard to prisoners' sanitation and environment.
- viii) Prisoners' physical cleanliness, their clothes, and their cells should be maintained.
- ix) Every prisoner must bath, and should have his hair and nails cut and his beard and moustache shaved.
- x) Every prison must have its own medical clinic or hospital with medical staff for treatment of sick prisoners.
- xi) A prisoner who is a drug addict, pregnant or with a new-born baby should be regarded as a sick person.
- xii) Meals served to all prisoners must be examined by a doctor, and if not possible, by a prison officer. Those which are contaminated or unsuitable should not be eaten.
- xiii) Meals served to prisoners should be cooked by prison officers and inmates within the prisons. These people must be examined and approved by a doctor.
- xiv) If flogging has been used as a disciplinary measure it should immediately be stopped if a doctor considers the prisoner could not stand such action. He should be examined by a doctor afterwards, and if suitable, medical treatment should be provided. (NB : This disciplinary punishment has been abolished since 1948.)

Many of these measures are not however effectively in operation owing to the shortage of both staff and finance. It is not possible at present for the Department of Corrections to have its own full-time doctors or medical officers attached to every correctional institution. The only solution is to use part-time or visiting doctors and to have departmental nurses or assistant nurses attached to the prisons. If this is not possible, officers

will be selected and trained to work in their place.

It is also impossible for the Department to establish prison hospitals in all prisons, and each prison probably has only a small medical clinic or nursing home, although hospitals have been established in some big prisons in Bangkok. There is also one central prison hospital to serve all sick prisoners sent from elsewhere in the country for medical treatment. This is in Klong Prem Central Prison, Bangkok, and it has a capacity of 385 beds. It consists of 4 full-time doctors, 4 full-time dentists, 8 full-time nurses, and 11 other medical staff. At present it holds 385 patients, and sick prisoners who are unable to be treated are sent to outside hospitals if their cases are judged serious.

Inadequate medicines and equipment pose an additional problem. The amount of finance provided by the government amounted to 353,000 baht (US\$17,650) in 1983, while estimated expenditure is approximately 1 million baht (US\$500,000). The only way to alleviate this problem is to seek public donations, and this has been done since 1982, but the amount received is far from adequate.

The overcrowded prisons with which the Department is confronted has impeded segregation of newly-admitted prisoners from the others. This also has an affect on prisoners' hygiene and sanitation but could be alleviated by government use of non-custodial measures for short-term prisoners.

TONGA THE HON. GEORGE AKAU'OLA

ITEM I : DEVELOPING PUBLIC AWARENESS OF CORRECTIONS

It is necessary to stress that the Kingdom of Tonga implements a prison regime based on rehabilitation of offenders. A rehabilitated prisoner who is discriminated against outside has an exceptionally difficult time in remaining reformed. Therefore it must be understood no stigma attaches to being an ex-prisoner, and a recidivist would rouse the ire of his immediate family and no more. The system as practiced cannot be greatly improved, but amenities and living conditions are spartan; hard labour means at least 8 hours' hard work, e.g. hoeing or planting crops, and leisure time could well be expanded. To add one interesting twist to this structured organisation, capital punishment is very much alive; three murderers were executed by hanging in 1982.

In order to maintain the current level of awareness the following measures were adopted:

Construction

Depending largely on availability of manpower, the prison construction team will, if supplied with plans and material, build a 1,000 square foot dwelling house for T\$600 (\$T1 = A\$1).

Food Crops

Taro, yams, tapioca, coconuts etc. and a large variety of vegetables and pawpaw are sold either at the prison office or local markets at cost price in order to supply fresh food to families with a low income. A ton of root crop sold in this way would bring in a profit of approximately T\$20, whereas competitively the same ton could bring in T\$800-T\$900.

Cash Crops

A vanilla plantation at the Vava'u prison of Ha'alefe will be exporting 2 tons of dried vanilla beans twice a year by 1985, valued today at T\$100,000, for an overhead of T\$5,000. A further cash crop scheme involving the planting of over 10,000 kava plants for local and overseas consumption, is valued at T\$10 per plant for an outlay of T\$150 for the crop. Other cash crops include bananas for New Zealand, ground nuts for local consumption and copra for the Australian market as coconut oil.

These schemes are publicised by radio and by families and friends of the prisoners. Production of these crops is no mean accomplishment when the prison population per year is around 500 in a population of 100,000.

AGABE Association

This is a registered association of ex-prisoners, members of the general public and serving or past prison staff and families who aim to collect funds for improving prisoner facilities. It meets irregularly, usually about once in six weeks in a populous area, to drink kava, the traditional Tongan ceremonial drink which is completely non-alcoholic but a tranquiliser. The kava is supplied by the prison department and sold at these meetings by the cup. Contributions from members or friends and non-members (nobody is excluded from meetings although when the business commences only members may speak or vote) usually range from one cent to one dollar per cup. Small flax baskets of roasted pork, chicken, fruit and root crops are also offered by the prisons and sold to the highest bidder at the meeting. Naturally prices are highly inflated to attain the desired end - funds for prisoners. The Minister of Police and Prisons is patron and the Superintendent of Prisons the president.

Prison Visiting Committee

This is a voluntary organisation started some six years ago by a New Zealander who obtained assistance from the New Zealand Christian Businessmen's Association to improve spartan prison amenities. The chairman is the Prime Minister, HRH Prince Tu'ipelehake. The committee sponsors popular radio programmes featuring prison news, singing and prayers by prison staff and inmates. His Royal Highness also preaches at the prison chapel.

Christian Fellowship Visits and Meetings

Once a week everyone in the prison is involved in sport, and from three to five visiting volleyball teams and three bus loads of supporters mingle together. Admission is by written application and is approved in advance by the superintendent. Sports grounds are outside the enclosed prison buildings so that body searches are conducted afterwards for weapons and other prescribed articles. Gifts of food and cigarettes are retained by the prisoners.

Every Sunday morning a compulsory service is held with the officiating minister selected from many of the denominations established in Tonga, provided that there is an adherent of that denomination serving a sentence. In the afternoon, services are conducted by Christian Fellowship groups and as many as 500 people from four different villages may intermingle with the population of Hu'atelitoli General Prison, which may total one hundred at any one time. Similarly on public holidays and at Christmas, thousands of wellwishers pour into the prisons throughout the kingdom bringing gifts of food and clothes, and with words of encouragement to turn over a new leaf and hurry home.

The Minister of Police and Prisons, with the consent of His Majesty in Privy Council, makes regular use of the Constitution of Tonga which provides for remission of sentence or any part thereof, or even the royal prerogative of pardon, which is based on individual merit, not on legal guidelines as in the United Kingdom. Usually about a dozen hard workers recommended by the superintendent and a small staff committee are granted licence by Privy Council every year to complete their term of imprisonment at home.

Injury caused by one prisoner to another is a serious offence and may merit the cat o' nine tails, which is still a part of 'authorised prison equipment', but seldom used for infringement of prison rules other than that of causing injury. The last occasion was in 1977. However the courts may sentence male prisoners convicted of rape to be whipped (a maximum of 21 strokes, although seldom more than 16) in addition to normal imprisonment.

The public accepts these measures, although alarm may set in if used more frequently in the former case; it is unlikely that criminal rapists will cease to be so punished by the courts for the public favours a punishment which is seen to prevent repetition of a crime abhorrent to this society. These measures pose the question of how far can rehabilitation be developed without creating an unacceptable level of insecurity. The rate of escapes is two per year for the past six years; in every case the prisoner was going home to obtain money to pay off his fine which in lieu of payment was imprisonment, and he was generally caught breaking back into the prison.

Tonga's rehabilitation success rests on a delicate balance between imprisonment and rehabilitation, a regime of hard work, with all rules and regulations based on principles understood and accepted by the community. For 1982, five out of approximately 500 convicted criminals were reoffenders.

ITEM II : NOVEL AND NEW PROBLEMS IN THE REGION

Tonga's early expatriate administrators declared that all non-Tongans sentenced to penal servitude must be sent to the Crown colony (now Dominion) of Fiji. It was not until some 30 years ago that through new treaties of friendship between the United Kingdom and Tonga the practice ceased. For many years after, no non-Tongans or expatriates were imprisoned in Tonga, although many crew members of visiting ships have attested to the undesirability of spending a night at police cells in Nuku'alofa or Vava'u.

It was interesting to note the behaviour of a Fijian citizen, three US citizens and two West Germans serving penal servitude at a Tongan prison, existing on local food, working to standing rules, and participating in social and church meetings and fellowships. The Fijian, in for fraudulent conversion, was a model prisoner and left the gates as he had entered, quietly and full of remorse. The Americans, two convicted on a drug charge and one for murder, brought some problems never before encountered locally. One prisoner refused to eat and commenced, ostensibly a long slide into death by starvation. The prison staff was horrified, and Tongan prisoners divided into letting him die to expiate his crime of murder, or urging that the doctors force feed him.

Prisoners are permitted to talk to one another and with warders, provided they work efficiently and properly, so the subject of starving to death overshadowed all else as this type of direct resistance to prison authority was unknown in Tonga. However, a solution to this attempt at starvation was found and the prisoner failed to die, or even lose more than 10 lbs.

But many prisoners now realised that expatriates were somehow different. American drug offenders, from day one, were determined to examine every order carefully, act as slowly as possible, do nothing whenever possible, and expound human rights to any convenient ear. Soon several older inmates, all recidivists, started to emulate the Americans, and the superintendent found that there were problems likely to cut across the Tongan rehabilitation scheme.

It seemed a good opportunity to expose the expatriates to a good dose of Tongan culture, albeit prison style. Matters grew worse before improving, and more and more prisoners were showing signs of slacking and were slow to respond. But more mature prisoners, reaching their sentence and ready for home, took a hand. Temporarily recalcitrant inmates were bundled aside, but these

senior prisoners were vigorously counselled and made to toe the line. With some complicity from prison officials they rearranged work groups so that the expatriates were always in a group composed exclusively of mature prisoners determined to convert to christianity two lost souls. The result was that one American 'went native' whilst in prison and was released early as a model prisoner. The second ended his term a better man but puzzled as to how a prison could be run by such an incompetent lot of warders who hardly set eyes on him, let alone supervise his group.

The two Germans kept to themselves at the beginning, obviously deeply shocked at the length of their sentences. However the Tongan prisoners took them in hand and they have conformed, attending every prayer meeting, and in return teaching other inmates carpentry, maths and science.

ITEM IV : THE PROBLEM OF DRUG OFFENDERS IN PRISON

There has been no drug trafficking in Tongan prisons. The prison population is so small that it would be impossible to possess prohibited drugs without prison staff immediately becoming aware of it. No prisoner receives special privileges emanating from personal or sponsored wealth, and any dispensation granted to a prisoner is based solely on physical or mental handicap.

Searching of prisoners, cells and property is a daily occurrence, and personal searches are conducted whenever a prisoner leaves the enclosed prison. There is no history of a prisoner resisting a body, cell or property search.

DRUG OFFENDERS SENTENCED TO IMPRISONMENT, 1978 - 1982

Year	Offenders	Offence	Penalty
1978	1	Possession of Indian hemp	6 months with hard labour
1981	2	Selling dangerous drugs;	20 years hard labour, \$6,000 fine
		Possession of dangerous drugs	12 years' hard labour
1982	1	Possession of Indian hemp	6 months' hard labour

FINE OR OTHER PENALTY, 1976 - 1983 (February)

Year	Offender	Offence	Penalty
1976	1	Growing Indian hemp;	Fined T\$300
1978	1	Growing Indian hemp;	Fined T\$100
1979	1	Selling dangerous drugs;	Fined T\$50
1982	4	Possession Indian hemp;	Fined T\$100
		Ditto	Fined T\$60
		Ditto	Imprisonment for one day;
		Ditto	On appeal