

## PRISONS IN PARADISE

Proceedings of the fifth Asian and Pacific conference of  
Correctional Administrators  
Kingdom of Tonga, 24-27 July 1984



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## INTRODUCTION

The strength and continuing influence of the Asian and Pacific Conference of Correctional Administrators was demonstrated again at its fifth meeting when seventeen nations accepted invitations to participate at the conference in Tonga from 24 to 27 July 1984. The origin and development of the Asian and Pacific Conference of Correctional Administrators is available in previous reports and need not be repeated here; but the foundation and growth of an organisation of correctional administrators covering an entire region of the world with many very different countries is still rare. In fact the Asian and Pacific Conference remains the first regional conference of its kind after five years of existence. Its work has aroused interest internationally and its reports and recommendations, contained in the various publications which have been issued following the annual conference, now provide a library of data on correctional work in a variety of cultures which have hitherto received little attention in correctional literature. Perhaps inevitably, but nonetheless limitingly, correctional material published has been highly concentrated in the West and therefore mainly concerned with correctional problems of the developed countries of the Western hemisphere. Conference publications help to redress that imbalance.

In holding its fifth meeting in Tonga, the conference objective was not merely to shift attention to the smaller islands of the Pacific but also to probe the experience of corrections in these relatively peaceful areas of the world. These are islands where, generally speaking, crime is fairly well contained by family and clan loyalties and where imprisonment does not usually mean complete isolation, enforced idleness or a dramatic change of life-style. These are socially integrated areas where imprisonment is only a deterrent because of the stigma which it implants and because of the generalised and unmistakable public support for the way in which prisoners are convicted and treated. The 'dark figure' for crime is low and the ample discretion given to the police to avoid prosecuting where possible, reduces the 'labelling' effect of a conviction and makes it difficult for those eventually imprisoned to believe that they are scapegoats or victims of the system. Everyone knows the system, knows what they have done and knows what the authorities have done to avoid imprisonment until it becomes inevitable. For such reasons, procedures which might be desirable in corrections elsewhere might not be desirable here. For example, it is axiomatic that there be a careful segregation of young and old in penal institutions, yet in Tonga the prison authorities believe that they need to house the older and younger offenders together because, in this kind of society, the older person by tradition is the guide and mentor of the younger one. In prison there is no danger that that older person's guidance will be criminal because the older inmates understand - and being reconciled to their stigma in society - generously accept the responsibility to help the younger ones avoid the kind of lives which have brought them into prison. Clearly the numbers involved also affects the standards and the ways in which these are differentially conceived by the different countries. There are barely 100 prisoners altogether in Tonga whereas other countries attending the conference like Korea had 49,000, Japan about 46,000 and India many more. Nevertheless

even in these larger countries of the Asia and Pacific region, they are able to make much more use of the social expectations and beliefs influencing family and community life which are typical of the smaller communities. That is why crime tends to be lower in these larger countries of Asia - even where they are industrialised - and why their corrections are, in general, less troublesome than in the West. Even in the larger penal institutions of Asia, group-orientation, dormitory living and even group treatment can be more effective than in the highly individualised and conflict-ridden penal institutions of the West. However, as this report shows, communal loyalties can also be a problem when the sense of unity explodes in outrage and another community may be attacked.

In connection with the agenda, therefore, the aim of this fifth congress was to distil, insofar as possible, some of the lessons which could be learnt from Pacific experience; and this purpose will be readily discernible in the discussions of the agenda items which follow. In delving into these new areas of values and looking for hints for improvement of correctional work in the basic principle of family and community life, the Asian and Pacific Conference was continuing a tradition well established amongst prison administrations which have been seeking to improve the conditions of their inmates and to reduce the level of recidivism since the first meeting of prison administrators in Europe in 1846, that is long before the world had a Red Cross, any Geneva Conventions, or even a League of Nations. It was seeking at this fifth conference to give more body and meaning to the United Nations Standard Minimum Rules for the Treatment of Prisoners which, contrary to popular belief, did not arise from any of the post-war concern with human rights but developed from meetings of penal administrators as members of the International Penal and Penitentiary Commission in 1929. Only in 1955 were these principles adopted by the United Nations. It is recognised of course that in seeking to unravel some of the intricacies of social and individual relationships which are incorporated in problems of human behaviour and which both generate and restrain the need to punish offenders, this fifth conference was looking for new ground in correctional theory and practice. The conference realised that it might be years before any limits to improvement which it might discover could be tested and substantiated. However, this kind of experimentation for future improvement is what the Asian and Pacific Conference of Correctional Administrators is all about.

#### ELECTION OF OFFICERS

In accordance with past procedure the Conference unanimously elected The Honourable George 'Akau'ola, Minister of Police and Prisons in Tonga as Chairman of the Fifth Conference and as a Co-Director on the Council of the Conference.

## OPENING ADDRESSES

Message of welcome by the Governor of Vava'u, The Honourable Ma'afu Tupou.

Very few international conferences are held in Vava'u and when it was first suggested that the Fifth Asian and Pacific Conference of Correctional Administrators hold their annual meeting here, much interest was generated, not only for the rareness of the occasion, but because so much trouble was taken to discuss a matter of very little concern to us who believe that an answer has been found to penal servitude.

Of course international news all too frequently brings to the fore events concerning prisons and the treatment of offenders, and I would venture to say that it may be a critical issue in one or two metropolitan countries represented today. But as I have had no occasion to enquire into the administration of the Vava'u prison, I cannot in all honesty grasp the significance or problems related to prisons. All my ideas on this subject have been gleaned from the annual report from the Minister of Police and Prisons to His Majesty in Privy Council and Legislative Assembly.

The policy of governing and administering departments whilst respecting historical principles and the deeply rooted mores of the Kingdom which is Polynesian in culture and style, has prevented to a great extent the conflict which would emanate from foreign culture and reforms directly opposed to what we feel can be acceptable to our way of life.

Your agenda paper makes interesting reading in that the uninitiated, who so readily criticise the policy of correctional administrators, suddenly realise the many and varied activities which beset prisons as a matter of course rather than as exceptions. These problems are being scientifically tackled to find a course of action acceptable to all concerned. Obviously, those convicted would opt to remain out of prisons and therefore a sensible stand must be taken when considering their demands. Administrators have an unreasonably difficult lot insofar that criminals are detested worldwide but no one wants to see a brother or father imprisoned. Moreover, the media provide excellent and lurid coverage of prison tension but do not want to be involved once a desperate situation arises.

I am told, by those who know, that correctional administrators have to be skilled fortune tellers to keep their respective organisations sailing through treacherous reefs on an even keel, with fortitude and confidence. In Tonga, I am inclined to take this with a pinch of salt for the Minister in control, The Honourable 'Akau'ola, does not seem perturbed or to lose any sleep. Perhaps he has learned to live with it. Almost certainly, however, a policy has been introduced which keeps all concerned boxing the compass on a mild and glassy sea.

It has been a long way to travel to Vava'u for our Japanese, Indian, Korean and Sri Lankan friends, and, with the cost of

travel, expensive for all. Thank you for coming and may fresh views assist you all to look at your individual problems from yet another window.

Whilst in Vava'u, please accept our hospitality and do not hesitate to make your needs known to my colleague the Minister who will, one does not hesitate to say, be sure to fulfil your requirement.

I therefore, on behalf of His Majesty's Government, formally declare the Fifth Conference open, and hope you will find answers in your deliberations to the very complex but increasingly important worldwide problem of how to treat our brothers and sisters who have erred or strayed from the straight and narrow. May compassion, justice and proper concern be ever in your hearts throughout this week. Thank you.

Ma'afu Tupou

Response by Mr T.G. Garner, C.B.E.,  
Commissioner of Correctional Services, Hong Kong

I wish to say how delighted and pleased I am to be here with you all in this beautiful Kingdom of Tonga. I am sure that in saying this I also speak for all my colleagues from overseas as well as for those who would wish to be here but cannot due to pressing duty engagements.

We are all most appreciative and indeed most grateful for the expense, the time and the trouble plus the reception and transportation arrangements that the Government of Tonga have gone through and arranged in order to host this conference. I do hope that the fact that some 17 countries in the region are represented - which I believe is a record for participation in these conferences - will serve to show how important we consider it to be, and how thankful we are to the Government of Tonga.

The Fifth Asian and Pacific Conference which Your Excellency has opened this morning is yet another important milestone in corrections in the region and is now beginning to have international recognition outside of the region.

Corrections in this part of the world are shaping up to a point where in some aspects it can be said that we are leading. In any case it is an established fact that we do not consider there is a crisis in corrections in this area, far from it, the name of the task is corrections and we are getting on with it. This is contrary to what is happening in a number of other countries outside of this area, as we all well know.

I have within the last two weeks participated in a conference in the United Kingdom hosted by the Open University and the Home Office of the United Kingdom under the watchful eye of the Council of Europe as it involved participation by a number of European countries. The theme of the conference was 'Education in and after Prison' and I have been asked by all those countries which

participated to convey their best wishes and sincere greetings for a successful outcome of this conference.

When the Honourable 'Akau'ola agreed to recommend that his Government host the Fifth Asian and Pacific Conference we were all delighted and I assure you Sir, we have looked forward to this day for a very long time. Why? ... because we knew we would come to Paradise.

Now that we are in Paradise and so very pleased to be here we realise that we do have a task to perform and I am sure we will do our best to come to agreement on beneficial conclusions that will assist us all. The agenda is a full and difficult one but being in Paradise our task is made all that easier.

I have now come to regard this conference as an important and essential gathering which serves corrections in Hong Kong well and is important to our progress. I also regard my fellow participants not only as colleagues but also as brothers and sisters in this family of friends who want so much for man to be able to help man and so undo and correct some of the difficult problems we face in life, problems we know and refer to as prisoners.

Thank you,

T.G. Garner

## REPORT OF THE CONFERENCE

## PRELIMINARY DISCUSSION

Before moving to Item I of the agenda the Chairman suggested that it might be useful to go around the table quickly obtaining from participants an account of any outstanding events in their services since the Fourth Conference had gathered in New Zealand.

AustraliaNew South Wales

(a) The longest strike by prison officers in the State's history, extending over a period of five weeks, occurred in February 1984. During the strike the prisons were manned by executive staff, assisted by police.

Naturally some disruption to normal routine occurred, however resources were sufficient to ensure that meals were distributed, and that showering and exercise of inmates took place.

The strike was seen by the departmental administration as the culmination of a long period of industrial unrest, and the opportunity was taken to negotiate with the union a set of procedures to be followed on future occasions in the event of disputation. The general industrial climate had improved significantly as a result.

(b) Introduction of a computer, which will hold the complete records of all prisoners, parolees and probationers is well advanced.

Provision to meet the cost of the hardware component, expected to be in the vicinity of \$2.3 million, has been made in the 1984-85 estimates of expenditure.

(c) The construction of a new prison hospital at the Long Bay complex of prisons has commenced. It is estimated to cost \$17 million and is scheduled for completion within two years.

When it becomes operational the hospital will handle all but the more specialised medical services for inmates, and will also accommodate prisoners certified mentally ill or who have been remanded for psychiatric observation.

South Australia

South Australia provided each country with a copy of its 1982-83 Annual Report which highlighted many positive developments. However, there had been two problems during the year.

A major fire at the Yatala Labour Prison on 22 March 1983. The fire arose from a riot and it destroyed A division of Yatala Labour Prison, a cell block of 214 beds built about 1860. This persuaded the government to think seriously about rebuilding. The cost of replacing A division is estimated at \$4 million but an additional \$25 000 had to be spent on overtime payments to staff and \$19 000 worth of consumables were destroyed.

About three weeks ago there was a mass escape of six prisoners from the major institution - an escape relevant to the discussion to come on Item I of the agenda because the escape was recorded by the TV cameras; and the escapers demonstrated a method of dealing with razor ribbon wire. They took only 40 seconds to surmount a 5 metre fence protected by two separate rolls of razor ribbon wire - using a chrome legged table 2-1/2 metres in length. The razor ribbon coils were about 2 metres across and the table enabled the prisoners to scramble over two of these. Some of them had cuts of course but all made it. One prisoner was shot by the guard on the tower but two bullets went through his body without hitting bones or vital organs. There was a car driven by one of the prisoner's lady friends waiting for them on the other side. All were recaptured within three days.

### Fiji

Colonel Buadromo advised the conference that he had attended all previous meetings (except the first one in Hong Kong) in his capacity as Permanent Secretary of the Department but that he was here at the Fifth Conference as the substantive Commissioner of Prisons.

Since February this year the direction of treatment in the Fiji prisons had changed, the idea now being to give more attention to prisoners. Two prisoners were now playing inter-club rugby in Fiji and they went out from the prison for this - something that had not been done before and which was probably unacceptable till now. The Department is now trying to find administrative authority within the existing law to allow it to develop the idea of weekend leave.

Escapes have been a bit of a worry because the country does not have the resources for all the surveillance equipment likely to be discussed under Item I. However, there is a wide measure of tolerance. If a person wants to escape he escapes and generally the motivation for escape comes from the outside - some domestic crisis or a local festival incites him to escape. The prison service does not pay too much attention to it.

### Hong Kong

The past year has been one of the service's best. It has seen the completion of almost all the outstanding projects that the Correctional Services Commissioner planned when assuming office some 12 years before. All major projects have now come on stream and the latest include a maximum security prison with accommodation

for 500 prisoners. This prison is equipped with a solar energy plant, an extensive closed circuit television system involving 153 cameras and an infra-red intruder detector alarm system. It has the most up-to-date plant in its workshops with a helipad nearby. A new medium security prison for 350 young offenders. A new half-way house with accommodation for 120 and a new workshop complex in Stanley Prison. The Staff Training Institute has been greatly expanded and training facilities now include a hospital ward for nursing training, a model court room and a control room equipped with a closed circuit television system.

### Indonesia

Reported a continuing lack of resources to instal the equipment which would be discussed in Item I. The correctional services in Indonesia get little priority.

### Malaysia

After one escape by five prisoners during the year razor wire was fixed on the top of the prison wall. There had been no other escapes from inside the prison. The service is erecting two semi-open prisons, one especially for drug addicts. There will be 1000 to 2000 inmates at each of these two new institutions. Within the new government policy of co-operative enterprise all the workshops in one prison had now been taken over by private firms in co-operation with the prison staff. Just a week ago it had been possible to hold a workshop in descriptive and creative writing for some 70 prisoners. The service is planning a centre for higher learning for the children of staff and the Director will be a prisoner - a former government minister who has completed three years of a twenty year sentence. A few other prisoners with good educational backgrounds will be chosen to work with him. In another project 40 prisoners are allowed out of the prison to work in a local plantation. They go there by air conditioned bus and take a picnic lunch. They are well paid. After deducting the fares for the transport and the cost of the lunch each prisoner working on the plantation will earn about \$US5. Seventy per cent of this is for the prisoner, 15 per cent goes to the government and the other 15 per cent goes into the prison welfare fund.

The people in the countryside are very happy with the inmates and staff. At the approved school for boys a start has been made in the development of professional football. Twenty-five selected boys are being trained by correctional officers who are ex-international players. They are kept to strict and regular training and also they take the usual educational classes and some typewriting. It is hoped that some of these will prove to be of the calibre to become professional footballers.

During the year the Director-General took 16 senior prison officers on a tour of the prisons in South Korea, Hong Kong and Thailand. They were well received by the members of this conference responsible for corrections in those countries and were



extremely impressed by all they saw. The Director-General himself was invited to tour prisons in the United States for three weeks this year and found the comprehensive tour very instructive.

The Malaysian prison service has entered the Guinness Book of Records since a prisoner using only his finger (no brushes) painted pictures across the outside of the prison wall to a length of 864 ft 11 in. - beating the existing record for the longest wall mural by 9 ft.

### New Zealand

New Zealand has been under considerable pressure this year with descending staff ceilings and a great deal of union dissatisfaction. A new psychiatric unit is being established within the maximum security prison near Auckland because the hospitals will no longer accept psychiatrically disturbed criminals. Another problem now arising is the larger numbers of prisoners seeking segregation from others for their own safety or peace of mind. Ten to twenty per cent of inmates are now asking for segregation and it is becoming difficult to do this. However there has been one fatality in recent years so they have to try. During the year progress has been made with the regional prison concept and there has been a good response to the attempt to keep prisoners within their own districts.

A riot at Invercargill Youth Prison last year was quickly quelled by the use of gas.

More positively the service is considering the use of micro-computers within the education system.

### Sri Lanka

The conference was provided with a detailed account of the activities of the Tamil Tigers (a terrorist group) which led to the detention of a number of them who had complained of being kept in army detention barracks and were moved to the prison. Feelings ran high when explosions in the north of Sri Lanka took the lives of more policemen and army personnel. A state of emergency was declared as a result of which the workshops at the prison were closed and the usual Saturday regime applied. This meant that prisoners were not locked in their cells but could wander freely in the corridors. The prison was surrounded by the army to deal with any outside attack for the purpose of rescuing the Tigers. Suddenly a group of Sinhalese prisoners broke into the inner cell block where the Tigers were detained and beat to death 27 of them. There was an official inquiry and the usual inquests but there was insufficient evidence to charge any prisoners and the staff was cleared of any collusion. The army had been called in but had refused to fire - which naturally encouraged those leading the attack on the Tigers. It was very significant however that no other Tamils in the prison had been attacked. It was a case of the communal violence outside the prison spreading within but

though the massacre had been regrettable and could not be justified it was far less savage and much more controlled than the inter-communal violence which had raged on the outside of the institution. Only the suspected Tigers who the other prisoners thought were getting away with murder had been attacked.

After the incident all the remaining Tamil Tigers were removed from Colombo to a small prison in a Tamil district. There were no more than six officers on duty and no thought was given to security because it was, after all, a Tamil area. The Tigers descended on the prison, rescued their own men, chased away other prisoners and took the prison guards. Two hundred prisoners walked out. The Tigers came back subsequently to take away a woman whom they had left behind on the previous occasion.

The total number killed in all these incidents was 51.

#### Other countries

On this morning of the conference, delegates from India, Singapore, Kiribati, Macau and Thailand had not yet arrived due to disruption of airline services.

Other country representatives had either nothing particular to report as an event since the last conference or else they felt that they had provided all the details necessary in the written reports they had submitted.

#### THE USE OF TECHNOLOGY IN PRISONS

Across the region the use of technology varied from fairly high sophistication in the developed areas like Australia and New Zealand to the basic or very rudimentary facilities in some of the smaller islands of the Pacific with very limited resources. It was quickly apparent in the discussion that there was no necessary correlation between the level of technology and the levels of either security or containment. Even in countries which had been experimenting with high-grade electronic controls, comprehensive TV closed circuits and infra-red intruder detection devices there was some experience that improved inmate/prison officer relationships were to be found in the smaller institutions in which such advanced surveillance systems had not yet been introduced. It had been observed that electronic systems or advanced forms of communication which reduced to a minimum the opportunities for direct contact between officers and inmates interrupted not only the development of good personal relationships between prisoners and staff but sometimes interfered with the flow of information vital to proper care and security in an institution. For such reasons the application of technological aids to correctional work needed careful scrutiny. Technical efficiency might sometimes be detrimental to the basic human relationships on which the smooth running and essential order of a prison might depend.

Such observations were not intended to detract in any way from the value of improved communications, better information systems or routine aids to record keeping becoming available via

computers. Hong Kong had carefully divided its written contribution into compartments of the service within which the technology was being improved. Whilst there might be room for misgivings for example between security, classification and control in some countries there could be no restriction about the need to instal as much new technology as resources would permit to keep the prison industries competitive and to provide the best possible training for inmates who might need to seek work in industries equipped with advanced technology. In Hong Kong the introduction of a computerised typewriter for Chinese characters meant that this had to be exploited by the prisons for the benefit of both officers and staff. South Australia had experience of both high technology in Yatala prison where frontline officers had little direct personal contact with prisoners and smaller country institutions where there was greater reliance on officer/inmate contacts. At one small low security institution in South Australia where advanced technology for maximum containment and security was not used, long time-serving serious offenders temporarily placed there had complained at the pressure of the responsibility placed upon them not to escape.

Fiji needs technology most in the form of vastly improved communications through the prison system to reduce, in effect, the virtual autonomy which 'governors' of prisons have enjoyed for a long time. The service would like to centralise authority and improve the flow of information from the headquarters to the separate institutions - and from these institutions to the centre. The need for a complaint on request for an interview by an inmate to be known to the Commissioner as soon as possible was stressed. If technology could facilitate this it would be of great individual service to the inmate himself. Sri Lanka expressed itself as happy with the staff/prisoner relations which it has established and content to proceed with care as far as the advanced technology is concerned.

Korea, like Hong Kong, divided its contribution to this subject into the use of technology in classification and security and its use in education, vocational training, psychiatric treatment, etc. On the security side they have infra-red detectors, closed circuit TV, and metal detectors for the searching of inmates as well as portable radio phones for use by the staff. At the moment no problems have arisen on the human relations side and they take great care to introduce outside community volunteers to ensure good contact with the inmates and to improve inmate/guard relationships. Western Samoa observed that its real need was for assistance with improved communications. It reported that it would be receiving technical aid from Australia to improve the communications network this year. Escapes came under discussion because it was believed that too much attention could be devoted to using advanced technology to prevent escapes. Whilst, obviously, containment and security were important this could distort perspectives. As one participant put it: if prisons were asked to contain monkeys they could guarantee no escapes. Since they contained human beings, risks had to be taken to keep the system human and viable - and escapes had to be expected. Malaysia had dispensed with towers at the largest and newest prison in Kajang and, following

Japanese practice, had heightened the walls. They were concentrating on advanced technology in the various co-operative enterprises and prison industry was now completely operated in conjunction with private business.

As a general conclusion arising from discussion of this item of the agenda the following statement was approved without dissent:

This conference looked forward to having the resources to take full advantage of modern technology in the prisons, particularly in keeping prison industry and vocational training competitive. However, the conference believed that in the Asian and Pacific context all proposals for such new technology should always be measured according to its likely effect on the human relations within penal institutions. Contact between the staff and the inmates should be paramount and should never be displaced by a reliance on equipment for inmate control. This is consistent with this conference's belief in the need for effective correction in the general context of rehabilitation.

#### THE ROLE OF VOLUNTEERS IN PRISONS IN RELATION TO PROGRAMS FOR INMATES

Volunteers are used throughout the region to a greater or lesser extent. Some countries feel that they need greater public support and would like to have more volunteers coming into the prisons and helping to organise programs. Other countries showed rather more wariness about voluntary groups which often begin with great zeal and then allow the visiting to drop off. Thus, in Hong Kong, a group fired with enthusiasm quickly fell away when asked to help make contact with psychiatric cases of special difficulty.

New Zealand has three very important types of committee on which the local communities are represented: (a) classification, on which committees public volunteers are called upon to decide not only what category the prisoner should be given but whether he is suitable to be retained in the penal institution in their area, (b) programs for prisoners and (c) arrangements for early release. These committees would become more important with recent changes in the law. Actually, New Zealand faced the problem earlier of having prison staff so satisfied that they had a good program that they did not feel volunteers were really necessary. With the new changes in the law, restoration and reintegration is the theme and volunteers will become more important. Amongst religious visitors there was a confrontation (now sorted out) between the Roman Catholic and World Council of Churches chaplains and the Colson Prison Fellowship. The Colson Prison Fellowship, which appeared to be well endowed, had sponsored activities in most prison systems of the region, with rather chequered results. In some countries the initial zeal had not been maintained.

South Australia has extended the traditional use of voluntary prison visitors to involve them in emergency situations. A special panel of volunteers is set up. Persons selected from this panel are then called in as impartial observers when trouble arises in the prison. It has worked particularly well. New South Wales said it was in the process of appointing official visitors to two institutions on a trial basis and paying them a small retainer for their work. In that State, over the years one of the problems has been the large numbers of volunteers who seek entry to the prisons for a variety of reasons but who very quickly lose interest.

Thailand has many religious groups which ask to visit prisoners. Most of these religious groups are in competition however and they gradually demand to be allowed more and more time to proselytise. The practice is therefore to limit permission to those who are registered organisations. Thailand also has voluntary parole officers and two fund-raising bodies - one committee which has raised more than 4 million baht for the prison hospitals and another which has raised over one million baht to help parolees. In Thailand too, on an informal basis, influential officials take an interest in the prisons. The conference was told of a provincial governor who himself conducted visitors around the local prison which he helped on a regular basis. Thailand made the point that the use of volunteers in the prison was a two-way educational process. Often the form of aid could be transformed by the advice of staff into something of more lasting value, for example instead of giving cakes to inmates, teach them how to make them. Indonesia too exercises control over its religious visitors; they have to be registered with the Ministry of Religion. However, generally speaking Indonesia would welcome more voluntary public support for their work.

Western Samoa described a system of prison visiting which interested the meeting. There the representatives of the various religions are allowed into the prison to talk to the prisoners. Occasionally members of Parliament come down to talk to the prisoners and officers of the Attorney-General's Department come in to advise prisoners in the law and to help them to understand how they broke the law. Also chiefs of the villages frequently visit the prison to talk to their own villagers who are incarcerated when the number of them seems to be growing. India pointed out that amongst its prison visitors there are frequently members of federal and state parliaments and often judges and magistrates took a special interest in prison visiting.

Not all the countries of the region had the same kind of tradition of voluntary aid in prisons. Fiji mentioned that, in that country, the public view had once been that when a person was sentenced to prison he would get solitary confinement, hard labour and bread and water. The churches are usually the first sources of voluntary aid and guidance. However, the question of competition between them quickly arises. In Fiji this has been dealt with by appointing a Fiji Council of Churches chaplain who co-ordinates the work of the religious ministers who seek entry to the prisons. There are also a number of women's groups which provide volunteer services. There is now more public interest in Fiji and the use of volunteers will be extended.

Hong Kong on one occasion had confronted the problem of missionary zeal with a specific task which petered out gradually. It had also considered a proposal to establish a prison preventers organisation interested in having hardened offenders lecture others in the outside community on their experiences, with a view to deterring those who might be tempted to run such risks. This proposal was referred to the Discharged Prisoners' Aid Society which now has at least one ex-prisoner gainfully employed lecturing in the community on his experiences. New South Wales too had experimented with a Parramatta group of prisoners going out to lecture and also bringing young people into prison for a day. These programs, though well publicised and enthusiastically started, did not justify their high hopes.

In Sri Lanka there are no officially appointed prison chaplains but there are voluntary ministers for each religion. Volunteers are engaged for education in the prisons, the classes being held after working hours. There is a Prisoners' Welfare Association and volunteers also come in to prepare the prisoners for release and after-care. Rotary, Lions clubs and other social service organisations are allowed to visit inmates; and recently a transcendental meditation group from Switzerland has been seeking facilities. Similarly in Malaysia, a local Lions Club takes out a group of prisoners every month to see a local factory and they usually provide them with a good lunch before returning them to the prison.

The prison service in Malaysia announces in the local papers that it would accept volunteers, saying that on certain conditions the prisoners will be allowed out - but there has been no great response. Mention was made of a Brother Yim and a Sister Katrine who travel around the various institutions in the country providing comforts for all inmates on special feasts or at times of celebration. The Director-General has given them both letters establishing their credibility and soliciting for them the help of local officials. The members of non Muslim groups cannot go to each other's services and Muslims are not allowed to go to any other religious service; the other religions are not allowed to evangelise Muslims.

Japan described its use of volunteers in religious guidance by chaplains (1352 in 1983) advisory counselling by experts in various fields, academic education by qualified teachers, vocational training guidance by professionals and skilled workers from industry, medical services by doctors, support for educational and recreational functions by rehabilitation aid organisations, consolatory visits by entertainers, etc.

Korea, operating under its great goal of the Socialisation of Corrections, involves all ranks of society in a variety of correctional activities. There is a Voluntary Visitors Committee with 1609 volunteers throughout the country taking an active part in inmates' guidance. Details of their work is contained in the written paper submitted by Korea. There is also a Religious Guidance Committee with 1201 members from 167 religious groups. Help is also given by volunteer groups to the prisoners on release from custody.

Kiribati, attending the conference for the first time, explained that it had a total population of 58 000 people and that there were four prisons - two at the centre and two in the outside districts. The average number of prisoners is 90 and they have had problems of administration for the small group of correctional officers. First it was with the police; then it was transferred to the Ministry of Health, then moved again to the Ministry of Home Affairs. Now it is back with the police. Volunteers are not used in the prisons in Kiribati except the missionaries who go into the institutions on Sunday to conduct services. On Sundays, inmates are allowed contact with visiting relatives through the surrounding wire.

In India, volunteers have to work through the respective prison authorities in the different states; but there are prison visitors officially appointed who are often MPs, judges and lawyers. Recently a humanitarian organisation associated with a person called Mr Kaiser in Lausanne, Switzerland and known as Terres des Hommes (a sub-organisation which is known as Sentinelles and is run by an Englishman called Mr Tim Bond) has been given permission to work in the prisons amongst young offenders. These organisations are about to initiate their activities in the prisons of West Bengal.

Singapore does not rely on volunteers for the treatment and rehabilitation of offenders serving a custodial sentence. This is regarded as a professional responsibility devolving on the staff of the institutions. There is, however, an important Singapore After-Care Association, a voluntary body, for the help and guidance of released offenders. The Singapore Anti-Narcotic Association also provides counselling for drug addicts released from drug detention centres. These people get religious and social counselling largely from volunteers recruited from the community. However, it should be noted that those addicts held for treatment on this program are not convicted offenders. They fall into a special category under the Narcotics Law. Another agency that uses volunteers is the prison welfare service which is under the Ministry of Social Affairs and which is responsible for after-care of certain categories of discharged prisoners.

It was not easy to sum up such a wide ranging debate but basically the use of volunteers to foster and develop programs in penal institutions and to prepare prisoners for release was endorsed. It was believed to be fundamental to the aims and objectives of rehabilitation.

At the same time there were reservations about the sudden surges of zeal by volunteers or special interest groups which had had no long-term effect. This had happened with interest groups too frequently for the correctional administrators to open the prisons too readily or without due caution. Experience showed that, properly used, volunteers could not only maintain community contact for prisoners but could have a positive effect on their rehabilitation, especially in preparation for or in the provision of after-care. Moreover, there were new and creative roles for volunteers to play as experience in Western Samoa, South Australia and Thailand had demonstrated. Some other countries of the

region were anxious to extend the use of volunteers and to follow such patterns of aid for inmates.

Nevertheless, the responsibilities of administration in prisons made it necessary for those carrying such responsibilities to scrutinise with care the requests received from 'volunteers' since the term did not always connote the aid to and benefit of prisoners which most people automatically believed. Furthermore, in the Asian and Pacific region where the voluntary work traditions of the West were not directly applicable, the more direct influence of families, clans and community leaders was a better construction of the word 'volunteer'. Keeping the offender in contact with the community was a more substantial and longer term task than exposing him to groups of temporary enthusiasts.

#### PROBLEMS OF THE PHYSICALLY AND MENTALLY HANDICAPPED IN PRISONS

The problems of the physically and mentally handicapped in prison presented themselves very differently across the region. As far as the mentally handicapped are concerned there are small socially integrated societies which provide a kind of tolerant and supportive relationship for persons who, in a more complex and developed society with more highly developed services, might get into trouble with the law. It is very suggestive that the more serious cases arise in the countries with the more developed services.

The physically handicapped are a more general problem however. A detailed survey which was provided by Japan (and which appears in the paper included in this report) showed that the physically handicapped as a proportion of total inmates in the penal institutions quite faithfully reflected the proportion of physically handicapped to the total population, that is about 22 to 24 per 1000 persons. At 31 mentally retarded per 1000 inmates and 20 psychotics per 1000 the prison proportion seems much higher than that of the general population. Japan has medical prisons to deal with many of the problems presented by the physically and mentally handicapped but most are dealt with in the ordinary penal institutions. Japan cannot deal with a difficult case of physical or mental handicap by means of a pardon as Thailand often does. Hong Kong and Korea too cannot handle the case in this way.

Malaysia did not regard the physically handicapped as much of a problem: they had just a few prisoners in wheelchairs and these presented no difficulty for the prison service yet. In Thailand the physically handicapped present no problem because it is the tradition of the Thai people - even those who are imprisoned - to help each other. They help especially those with physical disabilities. One physically handicapped foreigner in a wheelchair sent to prison on a drug charge preferred to be housed with Thai prisoners rather than with foreigners because he got far more help from the Thais. Again there are not many identified mentally handicapped in Thailand. If the person is dangerous or likely to



be harmful to himself he will go to the mental hospital, but this is overcrowded and there is a waiting list. A person may have to wait six months or even a year for admission. When a prisoner with a mental problem just cannot be handled in the prison he is pardoned. This is possible because on release he is quickly absorbed by the community, his immediate family or relatives providing the care required. Similarly, Kiribati reported no real problem with the physically or mentally handicapped. One prisoner injured by being shot during a strike had been released on licence. There are no mentally handicapped people in the prisons.

Fiji mentioned about seven prisoners who appear regularly on the daily sick parade. They are either hypochondriacs or merely trying to avoid the regular work detail. In Fiji if a prisoner is mentally certified he is transferred to the mental hospital. They find the physically handicapped a problem. One man was paralysed from the waist downwards when he entered the prison and he sought compensation from the government, which he did not get. He was released from prison, however, and stood up and walked from the gates. Sri Lanka had a man who had to be carried around for six years. He claimed he was paralysed after being shot by the police and sought compensation. Two days before his release, however, he began to walk. New South Wales had a person who for years feigned blindness and who endured many specialist examinations without his faking being discovered. Suddenly, however, when the chance of a job outside the prison emerged he miraculously recovered his sight. A more serious problem for New South Wales is the mentally retarded who are not easy to place.

At this point Mr Garner of Hong Kong who is Vice-Chairman of an organisation for the physically handicapped in that country - as well as being the Commissioner of Correctional Services - warned the conference that the disabled were not usually malingerers and that in general the physically disabled needed greater consideration than they usually received either from prison staff or the general public. Some of the physically handicapped were admitted into prison after being injured as a result of an attempt to escape at the time of arrest or being involved in a shoot-out with the police. For the physically handicapped Hong Kong uses volunteers and the available community facilities to the utmost. When necessary, prisoners are transferred to outside facilities where they can be fitted with and trained to use prosthetics. Hong Kong also thought that geriatrics might be included amongst the disabled. New Zealand interposed to ask what the meeting thought about regarding pregnant women amongst the disabled since they needed special help. Hong Kong also mentioned the consideration which needed to be given to prison officers who might have become physically disabled in the course of their work. They too need special consideration and if given appropriate duties and the necessary facilities they can function as well as anyone else.

Some participants thought that as regards the malingerers there was something wrong if these could not be fairly well identified by the doctors; others observed that the many compensation cases in the civil courts demonstrated frequently the

extent to which doctors could be misled. Amongst the mentally handicapped, in addition to those admitted to prison with mental illnesses as a result of which they might have committed the crime, there are those who may become mentally ill whilst in prison. Here it was the psychological effect of imprisonment itself which might need attention.

South Australia reported that that State had general legislation to ensure that buildings would be constructed with ramps, self-opening doors and specially constructed toilets for the disabled. At a new prison opened in April 1984 South Australia has made provision for these. As to the mentally handicapped there is a group which in South Australia is thought to belong to the 'grey area'. These are those who are emotionally or psychologically intractable. It is difficult to know what to do with them. New Zealand is now installing its own psychiatric unit to deal with these. Hong Kong erected such a facility several years ago. However, some cases are impossible to cope with even in specialised units. New Zealand quoted the case of a woman who made 40 attempts to commit suicide before eventually succeeding. At 13 she had witnessed her father cutting her mother's throat. Such cases challenged the ingenuity of those responsible for their care.

The Criminal Code of Korea provides that the mentally handicapped offenders shall not be punished or, if punished, will be given reduced sentences. The same code decrees the reduction of sentences passed on deaf mutes. At present, the mentally handicapped are a mere 0.3 per cent of the total prison population. Other details are given in the paper attached to this report.

Macau has no facilities for the physically and mentally handicapped but uses voluntary help and community facilities wherever possible. Singapore referred to the old Borstal system of a pre-sentence report being required before a person was accepted by the prison system for admission to the institution. This had been restricted to young people between the ages of 16 and 21 but maybe it had a more general application. Pre-sentence reports before committal to prison could avoid penal institutions being saddled with cases they could not deal with. In Singapore the prison hospital had also been gazetted as a mental hospital and could receive those found to be unfit to plead.

As medical services extend and become increasingly complicated the responsibilities of prison staff for the physically disabled and the chronically ill who cannot be kept in hospitals can be expected to increase. Expectations will also rise so that a prisoner's rights to appropriate care will become more firmly established. Similarly as mental illnesses are better understood and the extent of mental illness in the population generally is better appreciated the obligations on penal institutions may be expected to increase. All this was complicated by the general trend to clear hospitals and health institutions in favour of community care. Whilst, in the smaller, socially integrated communities of the Asian and Pacific region such cases sent out of mental hospitals and specialised medical facilities could be

easily absorbed, they are more likely to be neglected in developed countries where integrated communities do not exist. The result will be that they will get into trouble and sooner or later end up in the prisons. Unless they can in some way stem the flow, the prisons at the end of the line of social care may expect to find its obligations to the physically and mentally handicapped increasing.

#### MECHANISMS USED BY VARIOUS JURISDICTIONS TO MONITOR CRIME AND INCIDENT RATES IN PRISON SYSTEMS

Discussion of this subject clearly distinguished the countries which have had problems arising from incidents in the prisons from the countries which in general do not have to suffer a detailed scrutiny of the routine in the prisons. For countries like Malaysia, Sri Lanka and Thailand, the need to monitor incidents which occur within the prisons in any detail for annual reports is unnecessary. Indeed it would be a disturbance of the delegated authority which the superintendents of the institutions enjoy to deal with such incidents in accordance with the Prison Regulations. In such countries, if the incident is serious it is a breach of the law of the land and the police will investigate and decide whether to lay charges. If it is less than this the official action to be taken is at the discretion of the Superintendent, with reporting to the Director-General or the Commissioner in appropriate cases. To investigate every incident, follow up every assault would be to magnify the incident and to interfere with the responsibilities of the staff to maintain order.

Thailand pointed out that violence is as normal in prison as it is in a school. As schoolboys will assault each other so will prisoners. Also prisoners incarcerated for stealing might be expected to steal in prison. In all this the public interest is low except when deaths occur. Other participants made the point that there was little real public interest in what happened in prisons, but that a number of special interest groups led the public interest.

Elsewhere, however, there are countries where the prison administrators are being constantly asked to account for incidents which have occurred. Special interest groups might make capital out of the events and Ombudsmen might have to be satisfied. This involves a vast amount of internal administrative work so that a system of internal reporting informs the public of the real extent of these occurrences and simplifies later investigations.

The meeting took note of Appendix 8 in the Annual Report of the Department of Correctional Services in South Australia. The tables here giving accounts of 'Escapes, Assaults and Other Incidents' were greatly appreciated by those countries which felt the need for such a careful monitoring. Hong Kong, India and Macau felt they could adopt this system of reporting with required modifications and New Zealand said that they would be taking it back for consideration. Other countries too were to give consideration with a view to modifying it for their own require-

ments. The subject was of such interest that the suggestion was made that the next meeting of the conference in Fiji should adopt the 'Investigation of Incidents in the Prison' as an item for the agenda. It was also mentioned that the Australian Ministers of Corrections meeting recently in Brisbane had decided to ask for a special study to be made in Australia of death, suicide and self-mutilation in prison. Some thought that there was a need for prisons to record incidents in prisons for publication with a view to providing the facts on which a broader public interest can be aroused so as to bring the influence of special interest groups into proportion. Others thought that this kind of routine incident reporting served to educate staff and the mere fact that an incident is automatically reported made it easier to handle subsequent investigations by the police or the Ombudsman.

New South Wales observed that there were probably a lot of incidents taking place in the prison that they did not know about. A comprehensive reporting system, which operates 24 hours a day seven days a week, was introduced approximately five years ago. All incidents of escape, assault, and events of an unusual nature, are reported to the central administration immediately. This system, in fact, is very similar to that adopted in South Australia, though instructions to senior staff have not been documented in the same detail. New Zealand thought that this situation would get worse as advanced technology removed the guard from the inmate.

Fiji obtained the help of New South Wales to set up an investigation system. They have a Staff Officer (Security) who is at headquarters, that is outside the institution. This officer investigates each incident and reports to the Commissioner. Fiji is happy with this system.

Finally, New Zealand informed the meeting that it had a Freedom of Information Act which allowed prisoners to ask for information from their files. The result has been that prison officers are now far more cautious than before about the way they make reports. They will record facts only and the system frequently loses the benefit of their opinion. Two administrations in Australia have similar laws and a third (New South Wales) is soon to get its own Freedom of Information Act.

Generally, the method used by South Australia had been received with great interest. The in-depth instructions were particularly appreciated. The sharing of method which will follow across the region reflects the value of the Asian and Pacific Conference even though there is modification according to local needs.

#### THE DEFINITION OF RECIDIVISM

As expected, the precise definition of recidivism was found to differ considerably across the region. In New South Wales 'recidivism' has significance only in relation to the calculation of remission. It is less if the prisoner has served a three month term of imprisonment anywhere in Australia. So called 'first

offenders' coming to prison for the first time have sometimes been in fairly constant touch with police, courts and probation officers. This is especially the case with countries which have many alternatives to imprisonment. Fiji for example with few alternatives may have drunk and disorderly persons who are reconvicted and therefore technically recidivists but who are very different from the breakers and enterers. In some countries there are drug addicts frequently convicted who swell the numbers of 'recidivists'. A person successfully rehabilitated after a prison sentence for violent or serious property crime might become a recidivist by committing a completely unrelated offence, such as a drunk driving offence. Malaysia allows persons previously fined and those alternatively sentenced in default of payment of fine to be classed as a first offender. Those convicted of drug offences in Malaysia are counted as 'recidivists' whereas drug offenders in Hong Kong sent to a drug addiction treatment centre are not regarded as recidivists because no conviction is recorded. India made the point with several illustrations that a person convicted for the first time was not always a first offender; he may not have been caught before. Indonesia treats a person with a previous prison record as a recidivist. Japan suggested that from the viewpoint of criminal law a definition of recidivism might be: 'When a person, who has been convicted of a crime, commits a crime again within a certain term.'

The fact that recidivism is a perspective term tended to complicate the discussion. Thailand showed that recidivists adapt themselves better and faster to prison conditions and South Australia and New Zealand gave instances of successes achieved with repeater offenders who when labelled 'recidivist' might be considered incorrigible. It seemed that at present the recidivist label might be applied indiscriminately.

Underlying the discussion was the question of whether the term 'recidivism' had any meaning at all. With so many legal, administrative and social definitions of the term, it may not serve any purpose in statistical terms. The conference felt that whatever the reason for other constructions of the term 'recidivism' (for example, legal for the imposition of an additional sentence, social for the purpose of treatment) there was value in developing a purely penological definition of 'recidivism', that is, a need for prison administrators to know whether the offender had been convicted and sent to prison before. The conference unanimously endorsed a common definition of recidivism for penological use in the region, viz:

Recidivist means that the person has been  
convicted and has been to prison before.

The conference observed that available Interpol information on the previous records of foreign prisoners was not made known to correctional administrators responsible for the custody and care of such foreign inmates in some countries. It thought that where possible this situation should be corrected if only to avert problems likely to arise in the prisons where past records were not known or suspected.

## GENERAL BUSINESS

Under this heading the conference discussed the arrangements for the next meeting in Fiji. It was confirmed that the 1986 meeting would be in Korea, the 1987 meeting would be in Singapore, the 1988 meeting would still be in Australia and the members unanimously approved a proposal by Sri Lanka that the 1989 meeting be in Sri Lanka. For the Fiji conference in 1985 the agenda was decided as follows :

1. Investigation of incidents in the prison
2. Facilities and programs for female prisoners
3. Extent of the use of necessary force in prison
4. Recruitment and developmental training
5. The changing responsibilities of correctional administrators to meet new demands

There was some discussion as to the dates and generally the most convenient date seemed to be about mid May 1985 - taking account of the meeting of Commonwealth Correctional Administrators in Hong Kong in March 1985 and the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders to be held in Milan, August/September 1985.

Mr Garner withdrew whilst the question of his retirement the next year was considered. Members of the conference unanimously confirmed that Co-Directors, that is those who had hosted a conference or had been nominated Co-Directors by the conference, should be regarded as Co-Directors in their personal capacities and not merely as a consequence of their office. This meant that Mr Garner could attend the future conferences as a Co-Director, at his own expense, in his personal capacity apart from any invitations extended to Hong Kong. The same situation would apply with other Co-Directors. Mr Garner rejoined the meeting and thanked the members for their consideration.

## ADOPTION OF THE REPORT

The conference went through the various items of the agenda as they appeared in this report making such amendments as they thought necessary. As published this report has the approval of the participants of the Fifth Conference.

AUSTRALIA

THE USE OF TECHNOLOGY IN PRISONS

New perimeter technology being considered for New South Wales

Any electronic detection system installed around the perimeter of a maximum security institution will only detect an escape attempt. It will not prevent it happening.

Electronic detection equipment must be seen as only one component in any perimeter protection system that operates without armed officers manning the towers.

The basic components of such a system are as follows:

1. A reliable electronic detection system suitable for the location in which it is installed. It must have a high detection rate and a low false alarm rate.
2. A security control room manned by a senior officer who can monitor the detection system and dispatch a mobile team to apprehend any escapee.
3. A sterile zone around the inmate accommodation/industries areas.
4. Physical barriers to delay escapes after they have been detected to allow time for the response team to reach the location of the escape attempt.

There are a number of types of perimeter detection systems available. Most of them have either been installed or tested by the Department. None of them, in my opinion, is entirely satisfactory. If they are to be sensitive, they must be inherently unstable. This unfortunately usually results in a fairly high false alarm rate. It is possible however, by choosing systems to suit particular locations, to minimise false alarms.

The basic types of perimeter motion detection systems currently available in Australia are listed below:

1. Closed circuit television (Installed at Parramatta, Maitland and Bathurst)

This consists of fixed low-light cameras looking along the walls of the gaol in the sterile zone.

Advantages: Does not require a large sterile zone. Areas of permitted movement in view of the camera can be masked out. The operator in the control room can see what caused the alarm and can take the appropriate action.

Disadvantages: High false alarm rate due to paper blowing, grass/weeds, moths around lamps and steam, etc. In fact, anything that moves will set off the alarm.



## 2. Microwave (Installed until recently at Mulawa)

Consists of a transmitter and receiver each about the size of a shoe-box on a 1 metre pole. Anyone walking through the beam sets off the alarm.

Advantages: Relatively cheap and effective in a large, flat, sterile zone.

Disadvantages: needs a wide, very flat area to work effectively. Waste material, grass, etc., blowing through the beam causes false alarms. Cannot easily be used in conjunction with razor tape.

## 3. Israeli Fence (Installed at Cessnock)

This system combines a perimeter fence and an electronic detection system. The fence wires are tensioned so that any attempt to cut or climb the fence sounds an alarm. In theory it is fairly easy to defeat this system although in practice at Cessnock it has detected almost all escape attempts.

Advantages: The system combines both perimeter protection and detection.

Disadvantages: A fairly unsophisticated system consisting of normally open circuit switches operated by the taut wires of the fence.

## 4. E Field (Installed on a trial basis around Katingal in 1979)

This system also consists of a light fence with wires mounted on insulators. An electric field is generated around the wires. Any motion near the fence is meant to set off an alarm.

Advantages: None apparent.

Disadvantages: During the trial, the system proved to be unreliable and unstable. The installation by Wormald was removed at no cost to the Department.

## 5. E Flex

This system is made by the same company as number 4, Stellar. It too is marketed in Australia by Wormald. It consists of a microphonic cable attached to an existing chain-link fence. The signal is processed to 'listen' for the characteristic sounds of cutting or climbing.

A trial installation was made at Katingal in July 1981. It proved very successful and the system has been recommended for installation at Cessnock.

Advantages: A fairly inexpensive system that can be quickly installed on existing chain-link fences.

Disadvantages: Not many of our institutions have chain-link fences. The fence must be high enough to deter jumping over without touching the fence.

#### 6. Pulsed Infra-red Beam

The system consists of a vertical column of infra-red emitters and receivers. They work in pairs to form an invisible-light curtain. Anyone trying to pass between the two columns would break one or more of the beams.

Advantages: Not affected by moving metal close by (compare microwave beams affected by razor tape). Inexpensive and easy to install.

Disadvantages: False alarms in dense fog, snow or very heavy rain. Birds and debris blowing through beams will cause alarms.

#### 7. Seismic Sensors

Underground sensors are laid in two lines along the sterile zone to be protected. One line acts as a discriminator to ignore any general underground noise in the area such as traffic on a nearby road.

A trial installation of this system was made by S.I. Security at Katingal in 1982. The false alarm rate was so high that the system was disconnected and removed at no cost to the Department.

Advantages: Invisible.

Disadvantages: It seems to react to any underground noise and so could not be used in most gaols as there is always a fair amount of activity around them.

#### 8. H Field

A buried cable system that creates an invisible field above the cables. Anyone walking over the cables should set off an alarm.

Advantages: It is invisible once the surface has been restored (for example the grass regrown).

Disadvantages: The field of influence only extends about 1 metre above the cables. It is likely that in our situation the inmates would realise the limitations and location of the system and by-pass it during an escape attempt.

### THE ROLE OF VOLUNTEERS IN PRISONS IN RELATION TO PROGRAMS FOR INMATES

In the State of New South Wales a number of voluntary organisations are subsidised by the Department of Corrective

Services and are active in prisoner welfare and after-care services.

#### Association of Civil Rehabilitation Committees

This organisation of volunteers was established in 1951 to provide a comprehensive prison and after-prison welfare service.

These committees have gathered a network of 400 volunteers from 20 committees around the State.

The volunteers visit prisons and

- (a) establish friendships by regular visits,
- (b) assist inmates in letter writing,
- (c) provide transport services for visitors,
- (d) provide a range of half-way houses of various types according to the needs of the ex-inmate, and
- (e) conduct a family care centre at the Long Bay Complex for mothers with children visiting the prison. Children are cared for by volunteers whilst mothers are visiting inmates.

Staff salaries are paid by the Association from the subsidy granted by the Department of Corrective Services.

#### Prisoners' Aid Association of New South Wales

Prisoners' Aid as a voluntary agency commenced in 1904 and has developed branches where prisons are located. This organisation has developed counselling, court work, employment opportunities, prison visits and accommodation programs.

This organisation has also been in the forefront of providing special services to Aboriginal prisoners and ex-prisoners in the form of a half-way house and the employment and training of Aboriginal welfare officers.

A number of smaller agencies have developed in the last decade providing services to prisoners and their families. These have been initiated on a needs basis and provide most useful services. They are mainly in the form of accommodation for released prisoners and provision of accommodation for families who require this service when visiting prisons in country areas.

The Department of Corrective Services allocated \$362 000 in the last financial year to approved non-Government agencies as assistance for the services they provide.

In 1980 the Department of Corrective Services established its own welfare branch and has located welfare officers in most prisons and has given a welfare service to all prisoners.

In effect all prisoners have access to welfare officers. The welfare officers are able to refer or introduce inmates to appropriate people and services. The value of the resident

welfare officer is the continuity provided and the officer being available on a daily basis.

### Chaplaincy Service

This includes the conducting of services of worship, the administration of the sacraments to inmates and their families, baptism, marriage, funeral services and confession.

The chaplain's welfare role is shown to include a spiritual dimension as well as the material needs which he may meet. He is also involved in personal and group counselling, seeking to assist the inmate in coping with difficulties encountered in and outside prison. Through this assistance it is intended to help that person recognise, apply and appropriately change values and attitudes which underlie the issues confronted. This can include moral and spiritual counselling as well as the traditional areas dealt with by other professional groups. The chaplain works in co-operation with other helping professions.

An increasing number of inmates are members of faiths other than Christianity. The chaplain is always ready to contact the appropriate religious leader to ensure religious ministrations to followers of all faiths.

### Minister's Advisory Committees

At many centres where prison institutions are located, committees comprised of prominent local citizens have been established at the invitation of the Minister. These committees meet with the prison superintendent on a regular basis, and assist the Department in gaining acceptance of new programs in the surrounding community. In addition, they have provided valuable assistance in identifying those community projects which can be undertaken by prison labour without incurring union or public resistance.

### PROBLEMS OF THE PHYSICALLY AND MENTALLY HANDICAPPED IN PRISONS

Although problems arise that relate to both categories of handicapped prisoners, reference is made to each of the categories when commenting on the problem.

#### Identification

- (a) **Physically Handicapped.** At the time of their initial reception into the prison system, it is required that all prisoners be seen by a member of the prison medical staff. Prisoners are not subjected to a complete medical examination at this time. Medical staff will make an observation and ask the prisoners whether they suffer from any ailment or disability, and if they do, have they been taking any prescribed medication.

This procedure is usually adequate in the identifying of those prisoners who have a physical disability or ailment.

A further opportunity for identification comes on the following day for those who are received at times other than the weekend, when a delay is incurred until the following Monday, where the prisoners are interviewed individually by a reception committee.

The problem that may occur with this category of prisoner is that he/she may not divulge a particular ailment, for example cardiac conditions, muscular ailments, etc. This would be the exception rather than the rule as prisoners tend to over-emphasise medical conditions and seek the maximum of medical care.

- (b) Mentally Handicapped. The problems that arise with this category at the time of reception is of concern, in that it is essential for their immediate placement into a safe location.

Senior medical staff and psychologists are aware that medical personnel who attend prisoners at the time of reception are not medically qualified to the extent that they can differentiate between a person with a minor mental handicap, or an educationally dull person or someone under the effect of drug abuse.

Many of these mentally handicapped slip into the system, and we do not become aware of their problem until an incident occurs.

#### Placement (Accommodation)

- (a) Physically Handicapped. The Department does not have any special facilities other than hospital areas for these prisoners upon their initial reception. Those with mobility disablements are placed (where possible) in ground level cells. If they require assistance with movement, dressing and hygiene, and are not sick they are placed with another prisoner assessed as being dependable.

Placement after classification of the physically handicapped is dependent on the extent of disability.

- (b) Mentally Handicapped. Areas for placement upon reception are limited and these tend to be a protection facility that will ensure the prisoner's well-being.

If not immediately identified, and the prisoner is placed into the regular accommodation wings, he is prey for the gaol predators once it is realised that he is vulnerable and officers are constantly reminded to be aware of any sign that would indicate vulnerability.

Placement after classification is limited, and although efforts are made to provide all facilities that should be available to prisoners in normal discipline, these prisoners are generally held in areas under close supervision, and their movements about the prison are curtailed as a result.

### Employment

- (a) Physically Handicapped. This again is dependent on the extent and type of disability, but there are no special areas of employment identified for them.
- (b) Mentally Handicapped. As with physically handicapped, there are no special areas provided.

However, in a sense the mentally handicapped are further disadvantaged in that they cannot be safely allowed into the normal gaol community to undertake even menial tasks of employment which they may be capable of doing.

### Programs

- (a) Physically Handicapped. Educational programs are available which contribute to the betterment of the physically handicapped, though because of the nature and restrictions of the prison environment there is little that can be provided by way of facilities that could enable them to improve or learn new work skills.
- (b) Mentally Handicapped. There are more programs available to this category than the physically handicapped. Special Care Units have been set up within both male and female institutions and medical staff combine with custodial officers in a team approach to the management of inmates selected for placement in these areas.

### Medical Facilities

- (a) Physically Handicapped. The prison medical service can provide much of the requirements for these prisoners. This again is dependent on the extent of the disability and it is recognised that gaol hospital facilities for those who require constant medical supervision are limited.
- (b) Mentally Handicapped. A new assessment unit for those with symptoms of mental illness has almost been completed at Long Bay. It will be administered by custodial and medical officers under the control of a psychiatrist and he will be responsible for deciding admissions and discharges from the unit.

### Environment

- (a) Physically Handicapped. It is difficult to provide a suitable environment in the older prisons. However, the newly constructed institutions, for example Parklea, Cessnock, are work orientated, and the relatively few inmates in this category usually can be placed at some form of employment.
- (b) Mentally Handicapped. This category of prisoner is severely restricted for placement and the only facilities available at present are within the older gaols.

### Community Association

- (a) Physically Handicapped. Many of this category can be accommodated in the normal discipline areas in most of our institutions.
- (b) Mentally Handicapped. Most of these require constant observation and supervision at a level that unfortunately does not allow for progression to low security institutions.

A problem common to both categories is that if the prisoners are not capable of fending for themselves, or if they display any form of handicap that can be exploited, they become the target of the gaol predators. This could result in their being physically and sexually abused and/or they themselves adopting an unacceptable behavioural pattern. For this reason, where the handicap is severe they must be detained in a restricted area away from the normal gaol population.

### Summary

Although there are problems associated with the management of physically handicapped prisoners and the implementation of rehabilitative programs for them within our present institutions, the Department is able to provide for their requirements to some extent.

The problems are recognised and remedial action is being taken as funds and staffing resources become available.

As is the case with any correctional system there is room for improvement in the provision of more suitable facilities, but it must be noted that many factors, such as

- (a) numbers involved,
- (b) security requirements,
- (c) diversity of individual requirements; and
- (d) staffing needs

would incur expenditure of funds that are not readily available.

The problems of the mentally handicapped, although similar to those of the physically handicapped, require far more attention, evaluation and consideration.

### Remedies

Improvements to accommodation, work areas, activities centres and medical facilities will assist in the alleviation of some of the problems that are encountered by the physically handicapped.

As for the mentally handicapped, it is clear that the problems may be more difficult to resolve.

However, recent amendments to the legislation provide for the transfer of persons sentenced to imprisonment to community-based institutions which will provide more favourable and

beneficial rehabilitative programs than those which can be made available in prison.

#### MECHANISMS USED BY VARIOUS JURISDICTIONS TO MONITOR CRIME AND INCIDENT RATES IN PRISON SYSTEMS

In New South Wales, arrangements were made in 1980 with the Commissioner of Police to have a number of police officers (presently four) to be seconded full-time to the Department of Corrective Services for the purpose of investigating allegations of a criminal or quasi-criminal nature occurring within the prison system. Such allegations may involve prisoners and/or prison staff. Incidents of the nature described are referred to the police officers for investigation, and where available evidence suggests that a criminal offence has occurred, the matter is prosecuted before the courts.

Departmental instructions require superintendents to report all incidents of assault (whether inmate on officer or inmate on inmate) to the local police authorities, and to provide assistance to investigating police with their enquiries. Directions have also been issued on such aspects as securing the area of the alleged attack, seeking medical examination, photographing suspected weapons, etc.

Where a prisoner has been identified as the assailant, arrangements are made for his segregation pending investigation by police.

In those circumstances where the assault is of a minor nature, and police action in a criminal court is considered by the police to not be warranted, the breach of discipline is adjudicated upon by the Visiting Justice or superintendent pursuant to powers conferred under the Prisons Act.

At times complaints are made by or on behalf of prisoners some time after the alleged assault. All allegations, whether made by the inmate, another prisoner, custodial officer, Ombudsman, etc. are investigated.

A senior officer (with experience at senior superintendent level) is rostered on duty each weekend and on public holidays. All allegations of assault, escapes, incidents of an unusual nature, etc. are reported to him by telephone, and he is responsible for ensuring that appropriate action is taken in relation to the matter.

The Corrective Services Commission as well as the Minister's Press Secretary, is made aware of these incidents and kept informed of developments.

All assaults (physical and/or sexual) or incidents of an unusual nature are reported to the Corrective Services Commission and resultant action against those responsible is monitored at Commission level.



## THE DEFINITION OF RECIDIVISM

Recidivism is generally considered to be a return to crime following imposition of a penalty for some previous crime.

Recidivism rates are rates (often expressed as percentages) of those penalised for crime who offend again within a specified period.

Measures of recidivism rates vary widely. The measures may use different index events (arrest, conviction, prison sentence of various minimum lengths) to define those who have suffered a penalty.

The outcome can also vary in the same way. Usually re-offending cannot be measured reliably as offences often go undetected. Thus 'official events' such as re-arrest, re-conviction or re-imprisonment are used.

In measurement of recidivism rates, it is recommended that:

- (1) the index event (initial penalty) be clearly defined;
- (2) several follow-up periods be used (6 months, 12 months and 2 years);
- (3) the follow-up period exclude any time in custody where offences are much less likely to be committed; and
- (4) several different outcome events (for example reconviction, mandatory re-imprisonment, mandatory re-imprisonment for at least 90 days) be used.

Thus, sound description involves calculation of several clearly defined recidivism rates.

Recidivism rates are often quoted for samples or populations of prisoners as percentages of those who have previously been in prison. This can be quite misleading. For example, a study of male sentenced prisoners in New South Wales found that one-third were sentenced to at least one period in prison within a period of 2 to 2-1/2 years after release. The National Prison Census shows that around 60 per cent of prisoners have previously served prison terms. The difference is due to recidivists being more likely to be in prison on a given day than first-timers.

It is difficult to compare programs or even the results of different research studies because of the different procedures used to measure recidivism. Thus, the use of several outcome events and follow-up periods for any given application is recommended to facilitate comparison.

## THE USE OF TECHNOLOGY IN PRISONS

The South Australian Department of Correctional Services has during the 1980s made increasing use of technology within prisons. The objectives behind increasing use of technology are:

1. to improve overall security within prisons,
2. to improve the safety of staff and prisoners through better monitoring of movement of prisoners, and
3. to minimise or eliminate some jobs previously undertaken by correctional officers. These jobs could be characterised as boring and tedious. The Department has only begun to address this objective.

### Closed Circuit Television Surveillance Systems

A CCTV system consisting of 44 cameras (25 internal and 19 external) fed to eight monitors via sequential switching, was installed at Yatala Labour Prison in December 1980. A telesentry unit was installed at the same time to selected cameras. A breach of the telesentry automatically brings the picture from this camera on the monitor screen creating a pulsating visual and audible alarm. CCTV (DOME) hidden cameras have been installed in the workshops at Yatala Labour Prison.

A son-alert system (cell door alarm) was fitted to internal cameras covering cell blocks. This system is activated during closed periods. If a cell door is opened one half inch, an alarm sounds in the cell block and the control room and automatically brings the picture from the camera to the monitor screen. Video recording equipment was added to this system during 1981.

A similar CCTV surveillance system using less cameras, but containing telesentry, son-alert and video recording, was installed at H.M. Gaol, Adelaide, during 1981. Additional CCTV equipment now monitors the contact visit lounge.

A CCTV system consisting of five cameras fed to two monitors in the central officer station, was installed in the Women's Centre in 1982.

A single camera fed to an internal monitor was installed at the Port Augusta Gaol to cover some otherwise blind spots to the main entrance barrier and surrounds during 1982.

### Ring Master Intercom Unit

A Ring Master Intercom Unit was installed in Yatala Labour Prison and H.M. Gaol, Adelaide, during 1981. These units allow hands-free operation for verbal contact and allows the control officer to speak to all stations at the same time.

### Paging Units

Paging units are issued to, and worn by, senior staff at both Adelaide Gaol and Yatala Labour Prison during their tour of duty. The pager, when activated, sounds an alarm and allows a 20-second audible message to be received. (This is a one-way transmission only.)

### Belt Alarms

Belt alarms were introduced to the security and discipline divisions of Yatala Labour Prison late in 1981. All officers during their tour of duty within these divisions wear a belt alarm unit.

The belt alarm unit is activated by outward pressure of the stomach muscles of the wearer. When activated, an alarm is raised in a central control area within the division.

It is proposed to issue all industrial training officers in the new industrial complex at Yatala Labour Prison with an alarm of this type.

### Infra-red Eye Ball Units

Four infra-red eye ball units were installed at the Women's Centre during 1979 to cover outer cell windows. Difficulties were experienced caused by weather conditions, birds, domestic animals, cats, etc., creating false alarms. These units are still in use, but a greater reliance is placed on the CCTV system.

### Metal Detectors

Hand-held metal detectors were issued to barrier officers at Yatala Labour Prison and H.M. Gaol, Adelaide, in 1981 as an aid to the searching of inmates going to and from workshops to cell block areas.

A Bayliss series C weapons detector (walk-through) was installed at the main entrance to H.M. Gaol, Adelaide, and the front gate area of Yatala Labour Prison in 1982. A hand held metal detector is used in conjunction with this unit.

The unit at H.M. Gaol, Adelaide, is successful, but, unfortunately, the unit at Yatala Labour Prison is subject to constant movement to allow vehicular traffic through the main entrance and this has caused considerable maintenance to be carried out on this unit. This problem will remain until we have a pedestrian entrance only into Yatala Labour Prison.

Another Bayliss walk-through unit is used to screen all prisoners before and after contact visits during weekends at Yatala Labour Prison.

### Portable Two-way Radios

Portable two-way radios of various kinds have been in use in South Australian prisons since 1970. A complete overhaul of

our radio system took place in 1980-81 and is still on-going. All old radios of various brands were withdrawn and Motorola MX350 UHF portables issued to all institutions. Motorola MX350 + 91 D. alarm portables were issued to Yatala Labour Prison, Northfield Prison Complex and the Dog Squad.

Improved radio coverage has now been obtained through the commissioning of a repeater station in the Adelaide Hills.

#### Personal Duress Alarms

A minicom duress alarm base and repeater station was installed in Yatala Labour Prison and 50 personal duress alarm transmitters for the use of officers were supplied to Yatala Labour Prison.

### THE ROLE OF VOLUNTEERS IN PRISONS IN RELATION TO PROGRAMS FOR INMATES

#### Background

The United Nations Standard Minimum Rules underscore the need to eliminate the isolation of prisoners from their community. The South Australian Department of Correctional Services views volunteer participation as one method for reducing the isolation.

#### Volunteers in Prisons

In the South Australian Department of Correctional Services, the Programs Branch is concerned with the provision of health (physical and psychological), educational, sporting and recreational facilities for prisoners and, in a very limited way, offenders with a non-custodial penalty.

Psychology students and graduates from the University of Adelaide and Flinders University of South Australia form a significant group of volunteers. Some students are fulfilling practicum requirements for post graduate degrees in clinical psychology. Others have completed training and have been unable to find employment. In 1979, cadetships, by which the Public Service provided salaried training opportunities for psychology graduates, were abolished.

The psychology volunteers work under the close supervision of departmental psychologists and are involved in most aspects of psychological services: psychological, educational and industrial assessment of prisoners and offenders in the community and the design and implementation of treatment programs. There is minimal involvement in the selection and training of correctional officers. The Department complies with the requirement of the Public Service Association, the industrial organisation of which government employed psychologists are members, that volunteers do not perform duties which would displace salaried psychologists or weaken demand for further appointments.

The Department has the appropriate mechanisms for establishing the legal status of psychology volunteers (for example, indemnity against liability).

Regular volunteer visits are provided by several privately funded organisations, for example, 'self-help' mental health groups and 'Alcoholics Anonymous'.

Recently the Department began appointing activities officers who assume responsibility for co-ordinating recreational, sporting and welfare programs. Volunteers have had limited input into these endeavours.

South Australia faces the constant threat of bushfire during summer. For some years prisoners have formed fire-fighting units within the community-based Country Fire Service and have supplied an indispensable service.

Some prisoners at Cadell Training Centre, a low security rural prison, have been integrated into sporting teams based in the surrounding community. The prisoners' participation is viewed as extremely valuable.

#### Volunteers in the Community

The branch of the Department which deals with community corrections has used volunteers to supervise offenders in probation and parole for some years.

The community corrections branch uses volunteers in the Adelaide-based Court Information Service. The Service is based in the local court and supplies information and assistance to persons facing court appearances for criminal offences.

#### Conclusion

The Department is endeavouring to establish liaison with social service agencies in order to increase the level of volunteer participation in prisons. For example, it is planned that some trainee clergy for the Adelaide College of Divinity will be able to fulfill field experience requirements through placements in prisons. The trainees will be supervised by prison chaplains.

#### PROBLEMS OF THE PHYSICALLY AND MENTALLY HANDICAPPED IN PRISONS

##### Background

The United Nations Standard Minimum Rules stress the need for equivalence between standards of health, education and welfare within prisons and those within the general community. To this end, the South Australian Department of Correctional Services is a client department to which government agencies (for example, education, health) serving the community also provide programs within prisons.

In South Australia, the Department of Correctional Services and health welfare departments follow the philosophy of 'normalisation'. The implication of 'normalisation' for the Department of Correctional Services is that, wherever possible, a handicapped offender who has been given a prison sentence, should be housed in a correctional institution. The special needs of the handicapped prisoner should be catered for by the Department of Correctional Services and contracted service departments.

At present, intra-departmental liaison is not developed fully and there are some inadequacies in facilities for the handicapped.

### The Physically Handicapped

Until recently no correctional institutions had been constructed with the physically handicapped in mind. However, most South Australian prisons have leant themselves to basic modifications for such items as wheelchairs. The one or two non-ambulant prisoners that have been in South Australian institutions in recent years have been accommodated and cared for with little apparent disadvantage. Such prisoners have participated in normal educational and work programs.

In March 1984, a new low security prison was opened for 40 male prisoners in Adelaide. This prison comprises ten 4-man self-contained cottages and is part of the larger Northfield Prison Complex. One of the cottages has been designed and constructed for the non-ambulant physically handicapped prisoner. The cottage has improved access, lower benches and support rails for those confined to wheelchairs.

### The Intellectually Handicapped

Most intellectually handicapped prisoners present few difficulties. Special educational and other programs can be provided for such prisoners. However, those intellectually handicapped prisoners who display violent behaviour pose considerable problems for prison managers.

The Department has access to a secure psychiatric hospital which adjoins Yatala Labour Prison, the high security prison for the State. This hospital (Northfield Security Hospital) is a ward of Hillcrest Hospital, a psychiatric institution catering for the general community.

The Security Hospital accepts admissions of the violent intellectually handicapped during acute problem phases. However, the present thinking is that, in the long term, the disruptive, intellectually handicapped prisoner is better managed within the prison environment. This will necessitate the establishment of special environments within the prison staffed with specially trained correctional officers as well as specialist consultants, for example, psychologists who will establish on-going programs. Eventually, it is hoped that the violent intellectually handicapped prisoner may be managed within the normal prison regime.

### Conclusion

Inconsistencies still exist between the level of care supplied by government agencies to prisoners and the community. The Department is involved continually in the upgrading of facilities and programs for the handicapped.

For its part, the Department recognises the need to provide more special living areas for the handicapped in existing and future prisons. Also, the training and involvement of correctional staff are being upgraded.

### MECHANISMS USED BY VARIOUS JURISDICTIONS TO MONITOR CRIME AND INCIDENT RATES IN PRISON SYSTEMS

In July 1982 the South Australian Department of Correctional Services implemented a standard system for the reporting of unusual events, so as to obtain the appropriate level of executive attention, anticipate and forestall any potential for political embarrassment through accurate and speedy briefings of the responsible Minister, and facilitate the appropriate disposition of the incident and any culpable perpetrators.

The 'Incident Reporting Service' is governed by Departmental Instruction Number 4. It establishes two categories, Class A and Class B, into which reportable events will fall. Category A incidents are those which must be reported directly, and without delay, to the responsible Division Head, or to the Executive Director. This category comprises such events as deaths or attempted suicides, escapes of prisoners from custody, hostage situations, outbreaks of prisoner indiscipline, major fires in any departmental operating location and industrial action by staff members. Category B incidents are similar, but of lesser urgency which permits a more routine notification.

The Incident Reporting Service operates in this manner:

1. At any departmental operating location (for example, institution, office, court or hospital) an event is determined by the officer in charge to be a Reportable Incident.
2. If the Reportable Incident is categorised as Class A, the Director, Operations or Director, Community Corrections (as applicable), or, if unavailable, the Executive Director is notified immediately by telephone.
3. After reporting a Class A Incident as above, or as soon as practicable after the occurrence of a Class B Incident, the details of the incident are called in (in accordance with an established format) to an automatic recording device which operates from a special confidential, telephone number.
4. The report is immediately typed (reports received during non-duty hours are typed first thing in the morning) and

assigned its own docket. The docket is sent to the relevant Branch Head and copies are sent to the originating institution, the investigations section and certain specified administrative officials.

All incidents which involve violations of the criminal law are immediately referred to the police by the officer in charge at the scene. A weekly consolidation of incident reports is circulated throughout the Department. An analysis of the year's experience is made in the Department's Annual Report (see Attachments 1 and 2).

#### THE DEFINITION OF RECIDIVISM

Recidivist: 'One who relapses, especially one who habitually relapses into crime' (Shorter Oxford English Dictionary).

In pursuing definitions of recidivism, two classes of problems are of particular interest. These are:

1. How do we define relapse?
2. How long and extensively do we follow-up?

#### Relapse

A number of alternatives are available as measures of relapse. These include re-arrest, reconviction and re-imprisonment, either for any period or only for a period greater, say, than six months. These measures of relapse are listed in increasing order of severity. However, re-imprisonment could occur through an action which breaches parole conditions but which would not constitute an offence. Similarly, re-imprisonment could occur through fine default. Some separation of these types of failure is desirable, as is separation of different offence types when another offence occurs.

It is unlikely that one particular measure of relapse will be satisfactory for all purposes. Recidivism studies are often made to gauge the effects of different treatment programs or degrees of parole supervision. In these instances, program success may be indicated by some reduction in the degree or frequency of offending by some individuals who have established a criminal behaviour pattern. In some programs the choice of recidivism rate as a measure of success may be questioned. Other non-criminal measures of behaviour may be more appropriate; however, gaining agreement on such alternative measures of success has proved difficult.

#### Follow-up

Questions also arise about the follow-up period for recidivism. Again, it is unlikely that one particular period will be universally accepted. Follow-up periods will also depend on the purposes of any investigation or the patience of the



investigator. One New South Wales study <sup>1</sup> indicated that the rates of failure are higher for the first two or three years after conviction but decrease rapidly after that.

More modern statistical techniques allow an approach to failure rates which does not tie itself to a particular time period. Using these techniques the focus can be placed on the pattern of recidivism over time. A secondary advantage is that all the data collected can be used no matter how short is the period at risk.

A final point of interest concerns the geographical area over which follow-up occurs. Recidivism rates should include offences or imprisonments in all States within a country such as Australia because of the mobility of offenders. This is rarely done because of the administrative difficulties involved in checking across jurisdictions.

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1 Two Studies of Recidivism, Research Report 6, New South Wales Bureau of Crime Statistics and Research, October 1977 (page 4).

## DEPARTMENT OF CORRECTIONAL SERVICES

Departmental Instruction No. 4  
Re-Issued 17/6/83

Head Office Contact: Office  
Manager

Telephone: 212 5852  
D.C.S. 418/82

INCIDENT REPORTING SERVICE1. OBJECTIVES

- 1.1 To implement an Incident Reporting Service which will provide a systematic, more efficient, accurate and economic transmission of information.
- 1.2 To reinforce and give effect to the need to account for incidents which occur within the programs operated by the Department.
- 1.3 The system will ensure quick and accurate recording of communication of urgent matters which may be of public concern and consequently of political sensitivity. Police contact will be accelerated, and at the same time, economies in typing and administration will be effected.

2. SCOPE

This instruction applies to all officers in charge (either permanently or in an acting capacity) of institutions, district offices and all other programs within the Department.

3. INSTRUCTION

On 27/7/82 a telephone answering device will be in operation at Head Office to record all incoming communications. The number 51 2465 is 'CONFIDENTIAL' and should be used in the circumstances as described herein.

3.1 Classification of Information

All information transmitted to Head Office will be categorised into two classes.

## 3.1.1 Class A - Includes:

- . Deaths (prisoners, probationers, parolees, persons undergoing community service and officers)
- . Escapes
- . Breaches or attempted breaches of a prison from outside
- . Attempted escapes
- . Hostage situations
- . Serious assault upon staff, prisoners and other departmental clients
- . Serious injuries upon staff, prisoners and other departmental clients
- . Major fires
- . Serious breaches of the criminal law
- . Serious industrial demonstrations outside departmental facilities
- . Prisoner strikes, disputes or refusal to eat
- . Unlawful introduction of contraband (arms or narcotic drugs)
- . Attempted suicide
- . Serious incidents of sabotage

Where a Class A matter relates to a probationer, parolee or person undergoing community service, the Department is interested particularly where the incident occurs while the person is under supervision or is attending or leaving from supervision.

## 3.1.2 Class B - Includes:

Matters which the Superintendent, District Probation and Parole Officer or Probation Officer believes should be brought to official notice but are not specifically covered within Class A.

3.2 Incident Reporting Procedures

In the event of an occurrence of a Class A Incident, the matter should be reported immediately to the Director Operations; Assistant Director Probation and Parole; or Executive Director.

3.3 Incident Classes

- 3.3.1 Class A Incidents are to be reported immediately by telephoning the nominated officers or if they are not available, the Executive Director.

When the call has been completed, telephone the Incident Reporting Service on 51 2465 and dictate details to the machine in the numerical sequence as shown on the Daily Incident Report Form, a copy of which is attached.

You will commence recording immediately after hearing the following message:

This is the Department of Correctional Services (after hours) Incident Reporting Service. After the completion of this recorded message please supply the information in the numerical sequence as shown on the Daily Incident Report Form.

\* Please do not pause for longer than three seconds as the machine automatically closes down after a break of four seconds.

3.3.2 Class B Incidents must be telephoned directly to the Incident Reporting Service as soon as possible after the incident. It is not necessary to telephone the nominated officers or Executive Director.

### 3.4 Details of Information Required

In reporting all incidents the following 'CORE DETAILS' are to be provided:

#### 3.4.1 Core Details

- (a) date and time of incident;
- (b) full names of staff and persons involved;
- (c) prisoner, parolee, probationer, person undergoing community service and date of birth;
- (d) names of witnesses;
- (e) conviction details;
- (f) parole eligibility date.

In addition to the 'CORE DETAILS' which are required for all Incident Reports, the following information should be provided for each specific incident category.

#### 3.4.2 Deaths - staff, prisoner, etc.

- (a) probable time, location and cause of death - description of circumstances resulting in death;
- (b) next-of-kin, names and addresses (obtainable from records, visits or correspondence cards);
- (c) time that police were notified and by whom;
- (d) whether next-of-kin have been notified.

#### 3.4.3 Suicide Attempts

- (a) method by which attempted, location and presumed reason for attempt;
- (b) how attempt was detected and by whom;
- (c) extent of injuries sustained;
- (d) details of medical treatment provided and by whom;
- (e) next-of-kin names and addresses (obtainable from records);
- (f) whether next-of-kin have been notified.

#### 3.4.4 Escapes

- (a) length of time prisoner has been at the prison from which he has escaped;
- (b) full details of escape, that is specific location and route;
- (c) time at which escape was detected and by whom;
- (d) the time the police were notified and by whom;
- (e) next-of-kin names and addresses;
- (f) presumed reason for escape (if any reason has been suggested by the circumstances of the incident).

#### 3.4.5 Attempted Escapes

- (a) length of time the prisoner has been at the prison from which he attempted to escape;
- (b) full details of attempted escape, including a description of materials (if any) which were used;
- (c) time of which attempt escape was attempted and by whom.

#### 3.4.6 Hostage Situations

- (a) name of person or persons taken hostage;
- (b) status of hostage, staff members or member of public;
- (c) length of time hostage held;
- (d) name of negotiator;
- (e) full details of 'hostage situation' giving a description of the area in which the situation occurred if extent of injuries (if any) to personnel involved including the hostages or the 'hostage takers'.

#### 3.4.7 Assaults and Other Serious Related Incidents

- (a) name of assailant/s (if known);
- (b) extent of injury;
- (c) details of medical treatment provided, and by whom it was provided;
- (d) action taken by police and/or departmental officers.

#### 3.4.8 Other Breaches of Criminal Law

- (a) provide full details of the alleged breach;
- (b) if the matter concerns an alleged breach of law, when the police notified, and by whom.

#### 3.4.9 Contraband (Arms or Drugs)

- (a) nature of contraband;
- (b) provide full details of where the contraband was found;
- (c) was the contraband found as a result of normal procedures within the prison or because of a special operation;
- (d) indications of how the contraband was brought into the prison.

#### 3.4.10 Prisoners Strikes

- (a) number of prisoners involved;
- (b) issue in regard to which prisoners were on strike;
- (c) extent of strike (that is industries, services, which are incapacitated or reduced);
- (d) names of prisoners (if not a mass action).

#### 3.4.11 Sabotage in Industry

- (a) provide full details of extent of damage to machinery, or other government property;
- (b) estimate cost of repairs.

### 3.5 Daily Incident Reports

3.5.1 Early on each week day, a typist will collate all information received overnight and prepare a typed form of such, for the information of the Executive Director. An appropriate officer will examine the report to ensure that the necessary information is properly provided. If necessary, the prison or district office which made the report, will be contacted for additional or omitted information. A courtesy copy will be forwarded to the originating district office or prison in due course. This courtesy copy will be regarded as the preliminary report.

3.5.2 When an incident is reported on an Incident Reporting Service in regard to a Category 'A' event, supporting documentation and additional reports which provide greater detail should be forwarded to Head Office in the usual manner. If possible photographs should be included.

### 3.6 Weekly Incident Summary

Each Monday morning an appropriate officer in Head Office shall prepare a weekly 'Incident Summary', which shall be forwarded to all prisons and district offices for information.

Your co-operation in ensuring this service is effectively used will be appreciated. Proper use of this service will improve the Department's capacity to provide quick and accurate information to the Minister thereby reducing the possibility of the Department being criticised for inactivity.

EXECUTIVE DIRECTOR  
DEPARTMENT OF CORRECTIONAL SERVICES

INCIDENT REPORT FORM

- (1) Location.....(2) Date.....(3) Time of Incident.....
- (4) Reporting Officer.....
- \* (5) Class of Incident.....
- (6) Staff involved.....  
 (Full Names)  
 .....  
 .....  
 .....
- (7) Client/Inmates  
 Involved      1.....  
                              2.....  
                              3.....  
                              4.....  
                              5.....
- (8) Conviction/Probation/  
 Parole Details    6.1.....  
                                      6.2.....  
                                      6.3.....  
                                      6.4.....  
                                      6.5.....
- (9) Witness details if any names.....  
   .....  
   .....
- Incident (Full Details).....  
   .....  
   .....

\* This information to be provided for all incidents reported. Further specific details depending on the type of incident can be obtained in D.I. No. 6, Section 3.



ESCAPES, ASSAULTS AND  
OTHER INCIDENTS

The 1982-83 year provided a high number of incidents of all kinds. Although reliable comparative data are available for escapes in past years this is not the case for assaults and other incidents. The introduction of the incident reporting system at the beginning of the year has provided a consistent system of recording incidents. This will enable reliable comparisons to be made in future.

ESCAPES

Seventeen persons escaped during the year. This is not significantly higher than the average number of 13.9 over the past 15 years. The figure is well below the highest recorded number of escapes (32) in 1972.

The detailed breakdown of persons escaping and incidents of escape over the past five years is indicated in the table 1 below.

Table 1: Escape statistics 1979-83

Year ending 30 June	79	80	81	82	83
Persons Escaping.....	14	24	6	7	17
Incidents of Escape.....	9	16	5	6	13
Daily average prison population...	795	839	861	813	819
Escape Rate (1).....	1.76	2.86	0.70	0.86	2.08

(1) Escape rate is calculated as  
persons escaping per year

$$\frac{\text{persons escaping per year}}{\text{daily average prison population}} \times 100$$

Table 2: Escapes by institution 1982-83

Institution	Yatala Labour Prison	Adelaide Gaol	Cadell Training Centre	Port Augusta Gaol	Port Lincoln Prison	Mount Gambier Gaol	Womens Rehab. Centre	Northfield Security Hospital
Persons Escaping....	10	2	2	1	0	1	0	1
Incidents of Escape.	7	1	2	1	0	1	0	1
Daily Average Prison Population.....	312	235	108	61	35	19	21	28
Escape rate.....	3.21	0.85	1.85	1.64	0	5.26	0	3.57

Yatala Labour Prison experienced the highest number of escapes of any institution although there were higher escape rates at Mount Gambier Gaol and Northfield Security Hospital, both registering a single escape. The escape at Northfield Security Hospital was the first recorded at that institution.

All of the 17 escapees in 1982-83 have been recaptured.

## Assaults on Staff

The introduction of the incident reporting system in 1982-83 has allowed the Department to establish a base year for data on a range of incidents. Assaults on departmental staff are particularly serious incidents which are worthy of separate treatment. Assaults for previous years have not been recorded in a systematic way but the available past data strongly indicates that

1982-83 was a year which was notable for the number and severity of attacks on staff.

The number of persons involved - 15 prisoners and 23 staff was high considering there were 10 incidents of assault. Two serious incidents at Yatala Labour Prison accounted for the involvement of 9 prisoners, 14 staff and the loss of 256 staff working days. The data is summarised below.

Table 3: Assaults on staff

Institutions Reporting Assaults	Number of Incidents	Number of Prisoners	Number of Staff(1)	Working days lost to 30.6.83(2)
Yatala Labour Prison..	7	12	18	266
Adelaide Gaol.....	2	2	4	2
Cadell Training Centre	1	1	1	0
Total.....	10	15	23	268

(1) Staff assaulted included one employee of the Public Buildings Department.

(2) On 30.6.83 three staff were still absent from work as a result of assaults.

Table 4: Other Incidents in Prisons

In addition to escapes and assaults on staff there were other types of incident which were reported during the year. These are summarised below:

Type of Incident	YATALA LABOUR PRISON	ADELAIDE GAOL	CADELL TRAINING CENTRE	PT. AUGUSTA GAOL	PT. LINCOLN PRISON	MT. GAMBIER GAOL	WOMENS REHABILITATION CENTRE	N.S.H.	TOTAL
<b>Assaults:</b>									
Prisoner on Prisoner .....	15	—	3	—	—	—	—	—	18
Sexual Assaults .....	2	—	1	—	—	—	—	—	3
Accidental Injuries .....	4	1	—	—	1	1	—	—	7
Suicides .....	1	2	—	—	—	—	—	—	3
Other Deaths .....	2	1	—	—	—	—	—	—	3
Fires .....	8	2	3	—	—	1	—	—	14
Self Mutilation/Attempted Suicides .	21	4	—	5	1	2	1	—	34
Drug/Alcohol Incidents .....	9	1	15	1	—	2	—	—	28
Attempted Escapes .....	4	—	—	—	—	—	—	1	5
Total.....	66	11	22	6	2	6	1	1	115

This is the first year in which the Department of Correctional Services has collected and reported incidents in the above form. The incidents indicate the range of management problems which exist in prisons.

They indicate that at times prisoners can be a danger to themselves and other inmates as well as to staff. A disproportionately high percentage (57%) of incidents occurred at Yatala Labour Prison while Cadell Training Centre reported the highest number of drug and alcohol related incidents.

In addition to the above there were 12 incidents reported by Probation and Parole staff.

SOME SOUTH AUSTRALIAN RECIDIVISM FIGURES

National Prison Census 30.6.1983

TABLE 9 - NUMBER OF PRISONERS BY JURISDICTION, SEX AND KNOWN PRIOR ADULT IMPRISONMENT UNDER SENTENCE

Prior Imprisonment	NSW	VIC	QLD	WA	SA	TAS	NT	ACT	TOTAL
MALES									
Yes	2140	1201	1016	864	519	136	179	9	6064
No	1367	680	638	573	212	66	52	6	3594
Unknown	44	42	13	-	13	1	26	-	139
<b>TOTAL MALES</b>	<b>3551</b>	<b>1923</b>	<b>1667</b>	<b>1437</b>	<b>744</b>	<b>203</b>	<b>257</b>	<b>15</b>	<b>9797</b>
FEMALES									
Yes	66	33	19	31	10	3	4	-	166
No	116	37	23	35	10	3	3	-	277
Unknown	-	3	-	-	-	-	3	-	6
<b>TOTAL FEMALES</b>	<b>182</b>	<b>73</b>	<b>42</b>	<b>66</b>	<b>20</b>	<b>6</b>	<b>10</b>	<b>-</b>	<b>399</b>
TOTAL PERSONS									
Yes	2206	1234	1035	895	529	139	183	9	6230
No	1483	717	661	608	222	69	55	6	3821
Unknown	44	45	13	-	13	1	29	-	145
<b>TOTAL PERSONS</b>	<b>3733</b>	<b>1996</b>	<b>1709</b>	<b>1503</b>	<b>764</b>	<b>209</b>	<b>267</b>	<b>15</b>	<b>10196</b>

TABLE 9A - PERCENTAGE OF PRISONERS BY JURISDICTION, SEX AND KNOWN PRIOR ADULT IMPRISONMENT UNDER SENTENCE

Prior Imprisonment	NSW	VIC	QLD	WA	SA	TAS	NT	ACT	TOTAL
MALES									
Yes	60.3	62.5	60.9	60.0	69.8	67.0	69.6	60.0	61.9
No	38.5	35.4	38.3	40.0	28.5	32.5	20.2	40.0	36.7
Unknown	1.2	2.2	.8	-	1.7	.5	10.1	-	1.4
<b>TOTAL MALES</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
FEMALES									
Yes	36.3	45.2	45.2	47.0	50.0	50.0	40.0	-	41.6
No	63.7	50.7	54.8	53.0	50.0	50.0	30.0	-	56.9
Unknown	-	4.1	-	-	-	-	30.0	-	1.5
<b>TOTAL FEMALES</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>-</b>	<b>100.0</b>
TOTAL PERSONS									
Yes	59.1	61.8	60.6	59.5	69.2	66.5	68.5	60.0	61.1
No	39.8	35.9	38.7	40.5	29.1	33.0	20.6	40.0	37.5
Unknown	1.2	2.3	.8	-	1.7	.5	10.9	-	1.4
<b>TOTAL PERSONS</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

NOTE: These figures indicate only those existing prisoners who were previously imprisoned. They are not in a form which gives desired information about recidivism rates.

COOK ISLANDS

### Introduction

In the world today (as has been the case for time immemorial) the objectives that are normally decided upon by correctional institutions in the discharge of their functions have often been two-fold in purpose. One purpose is to solve existing problems. Another is to achieve a state of efficiency where all concerned would derive some benefits. Unfortunately however, the technologies available or employed by some correctional institutions do differ, and so do the attitudes prevailing, which greatly influence policy and strategy. This is due to natural endowment and administrative capabilities of correctional institutions (among other reasons). In this paper, focus will be on the five agenda items stipulated.

### THE USE OF TECHNOLOGY IN PRISONS

Finance has always been a major impediment in our prison service in the Cook Islands. It debars our wishes for computers, let alone cameras. Technology is reduced to mere brain, pen and paper.

We do not photograph prisoners for recording purposes because we do not have a camera. Nor do we employ the fingerprinting technology because we do not have the expertise necessary. But we do have a video and can afford film projectors and the usual office equipment such as a typewriter, telephone (no intercoms) and calculators.

Despite these deficiencies we have, nevertheless, managed to function in a way classifiable as efficient, although it lacks sophistication.

For a period of 20 years of self-government however, our prison service has improved in efficiency, although the use of technology may be regarded as minimal.

Moreover, the need for more sophisticated technological equipment and know-how has not been too serious because geographical, financial and population factors do not warrant more moves towards the technological arena when other substitutes or similar solutions are possible and adequate.

### THE ROLE OF VOLUNTEERS IN PRISONS IN RELATION TO PROGRAMS FOR INMATES

Ministers of religion and lay-preachers often volunteer to minister to the spiritual needs of inmates (and indirectly perhaps, of some officers too). They hold prayer meetings, biblical film nights and so on. These were designed as part and parcel of our rehabilitation program. Bible donations from religious organisations are common.

Apart from volunteers for religious reasons, we do not have any other form of volunteers because of the absence of manufacturing prison industries on a big scale.

We do promote cottage industries such as the manufacture of musical instruments - ukuleles, pate and things of ornamental orientation, aimed for the tourist trade. This is however insignificant in terms of production figures.

#### PROBLEMS OF THE PHYSICALLY AND MENTALLY HANDICAPPED IN PRISONS

The problems of a physically handicapped prisoner are easily identifiable. But not so easily are the problems of the mentally handicapped prisoner.

At present, the United Nations Charter on Human Rights has been adopted as the guiding principle in the treatment of prisoners. More emphasis on those principles are accorded the physically and mentally handicapped.

Those who are physically handicapped are allocated duties that are physically feasible for him (or her) to discharge. The mentally handicapped are often directed to physical chores or duties.

A person is regarded as mentally handicapped if by personal observations it is determined that that prisoner is mentally retarded through lack of comprehension or other means. But if a prisoner is declared to be of unsound mind by a medical officer (doctor), he would be admitted to mental custody and he (or she) will be transferred to the Health Department Mental Hospital.

Physically and mentally handicapped prisoners have never been of concern to our prison administration because we rarely have such intakes. Most or all prisoners are healthy both physically and mentally.

#### MECHANISMS USED BY VARIOUS JURISDICTIONS TO MONITOR CRIME AND INCIDENT RATES IN PRISON SYSTEMS

The source material used in the Cook Islands for monitoring crime and incidents is our normal statistical records. Another dimension ought to be mentioned, namely that of the coconut wireless which can be an effective system in the detection of crime. This system is most effective when potential offenders talk about committing the crime and it often becomes known to the administration.

#### THE DEFINITION OF RECIDIVISM

Recidivism (as is understood in our Cook Islands prisons) refers to re-admission of the same person as a prisoner for the same or other offences.

In this context, recidivism is analogous to incidence of admission of offender in prison (not in court) after the first admission. In other words, a repeat, a re-admission, a regular, and such terminologies are related synonyms of recidivism.

Cases of recidivism are so irregular in our prisons that it renders it an insignificant problem. After all, how else can we be assured of a job if such a problem is totally non-existent? God in his own wisdom must have foreseen such possibilities, therefore, we must learn to co-exist with whatever mother nature has in store for us.

FIJI



FIJI

Colonel M. V. Buadromo

## THE USE OF TECHNOLOGY IN PRISONS

The Fiji Prisons Service so far has never installed any type of electronic perimeter security surveillance system.

### Video Recorder

The Emergency Control Unit has a portable camera and a video recorder. The use of this camera not only provides a record of the incident that can be used in any subsequent enquiries, but also they actually help control the incidents being recorded.

The camera and recorder are also used at the Staff Training Centre.

### Metal Detector

The Maximum Security Prison has a hand-held metal detector for screening inmates and visitors.

### Tone/Voice Radio Paging

The Maximum Security Prison has a radio installed in the control room.

### Communications

The prison service uses radio channels in both the VHF and UHF bands. Radio is used in the Naboro complex to communicate and help officers in party control during work on the farm.

### Radio Facilities Provided

- (i) A VHF radio repeater station was provided at Naboro radio work site in 1977 with a remote control unit at the Minimum Security Prison office.

The radio repeater provided communications within and up to 10 km distance of the prison complex through hand-held portable sets.

- (ii) Four Pocketphones, hand-held portable sets, were also provided complete with a battery charger in October 1978 to work through the repeater in (i).
- (iii) A fixed station working on police channels for communication with the police was provided in May 1981.

### Radio Facilities Available at Present

- (i) VHF repeater and its remote control unit are operational.
- (ii) Two hand-held portable sets are in operation in the Minimum Security Prison.

### Proposals for Extended Radio Coverage

In order to link Naboro with Suva Prison (operations rooms) and Nasinu Prison, fixed stations will be required at all of the three locations.

For the local area of about 10 km from the fixed station and Naboro Prison Complex, hand-held portable sets are limited because of their low power and rather ineffective antennae.

The hand-helds working to the fixed stations at Nasinu and Suva will need to be reversed channelled to enable them to talk to the fixed local area station. But the hand-helds operating in this mode to the local fixed station will not be able to talk to each other and their range will be limited.

The hand-helds working in Naboro area on the other hand will be working through the repeater providing a greater coverage area than in the above mode.

### Radio Communications Between Prisons and Police

All the radio sets with the exception of the hand-held sets for Suva and Nasinu areas can be fitted to operate on the police channels as well. However, police channels will only be made available if the Commissioner of Police agrees in writing.

### Protective Equipment

The establishment of an Emergency Control Unit would mean acquiring various protective equipments to be used in emergency situations.

The following equipment has been placed on order:

- (a) 1 Federal gas gun
- (b) 1 fogging machine
- (c) 11 riot helmets with face shields
- (d) 11 polycarbonate riot shields
- (e) 11 riot batons
- (f) 11 ballistic vests
- (g) 1 Federal gas mask with megaphone

### THE ROLE OF VOLUNTEERS IN PRISONS IN RELATION TO PROGRAMS FOR INMATES

The Fiji Prisons Service is fully aware of the fact that it cannot succeed without the understanding and full participation of the community in relation to treatment programs for inmates.

The transition from prison to the community must be bridged and made easier by encouraging community involvement and making use of the community resources in the caring of people. Some of those in custody are so isolated that they have no ties with their families or friends.

A volunteer has a unique appeal: he is unpaid and comes to the prison because he wants to and for no other reason. The aim is simply to give the prisoner regular contact during his sentence with a sympathetic and sensible person with whom he can talk in a free and friendly manner about matters of personal and general interest, unconnected with the prison staff.

Volunteers are interested in those they visit as men and women not as prisoners; they neither moralise nor discuss offences and punishments, and the work has a special appeal for those who want to help prisoners during their sentence. The re-integration of the offender within the community is another field in which the individual citizen will always have a part to play.

A prisoner looks at a volunteer as a friend who knows and accepts his story of past failure, and is willing actively to help him to a more successful future. It is someone to whom the prisoner can turn for guidance and advice on matters often outside the range of the official agencies.

A volunteer's main strength lies in the fact that he has a status which the prisoner has temporarily lost, and that he is willing to use it for the prisoner's benefit, for the prisoner's biggest loss is usually his self-esteem, the most profound consequence of imprisonment.

The Fiji Prisons Service has encouraged and invited voluntary organisations and individuals to be much more involved in the programs for inmates.

The roles and responsibilities of volunteer workers differ from one country to another. In Fiji, religious bodies under the auspices of the Fiji Council of Churches are actively involved in religious guidance, counselling, etc. to prisoners for their rehabilitation. They also offer their share of contribution through assistance to offenders discharged from prison who have no suitable homes and work to go to.

The Fiji Council of Churches has appointed a part-time prison chaplain who co-ordinates the programs of visits by these church groups. In addition to this the prison chaplain attends to requests from prisoners in the form of counselling and spiritual guidance. He is also a member of the reception and discharge board of institutions at the Naboro Prisons Complex.

Every Friday, in the female prison, representatives from the Methodist Handicraft Centre teach inmates the art of making handicrafts and sewing.

The Fiji Prisons Service is aware of the fact that apart from these religious organisations there is very little concern shown by individuals and other organisations in the rehabilitation of offenders.

Offenders come from the community and to the community they will return. It is only proper that the community be educated in its responsibility towards its own social casualties.

The Fiji Prisons Service fully endorsed this need and is working towards areas in which to educate the community so as to solicit their support and participation in assisting offenders. In doing this we are anticipating more involvement from volunteers in the treatment programs of inmates in prison in the not too distant future.

#### PROBLEMS OF THE PHYSICALLY AND MENTALLY HANDICAPPED IN PRISONS

##### Mentally Unsound

There are three categories of criminal mental patients and observation patients:

- (a) Convicted prisoners who have become mentally disturbed during their imprisonment.
- (b) Convicted prisoners found to be guilty but insane at the time of commission of the offence.
- (c) Unconvicted prisoners found to be insane and unfit to plead their defence.

Observation patients are prisoners, convicted or unconvicted, whose conduct has created a suspicion that they may be mentally disturbed.

Category 1: When the officer in charge has reason to believe that a prisoner is of unsound mind he will immediately inform the medical officer. If the medical officer is of the opinion that a prisoner is of unsound mind and that it is necessary or expedient that the prisoner should be removed to the mental hospital, the medical officer shall sign a certificate. The certificate will be forwarded to the Minister by the officer in charge. The Minister may, by written order, direct that the prisoner be removed to the mental hospital.

However, if the medical officer is of the opinion that the prisoner should be removed to the mental hospital for observation purposes to determine whether the prisoner is mentally unsound or not, the medical officer will prepare the necessary certificate which shall be sent to the supervisor of prisons who will direct the removal of the prisoner to the hospital for observation for a period not exceeding 14 days.

If the prisoner is proved to be mentally unsound during observation, the superintendent of the mental hospital will prepare a certificate which will be forwarded to the Minister by the officer in charge of the prison where the prisoner came from. The Minister may direct that the prisoner be permanently removed to the mental hospital.

Category 2: Where a court, during the process of a hearing or trial, forms an opinion that the accused is of unsound mind, the proceedings will be adjourned and the court may order that the accused be detained in custody for a psychiatric report to be arranged with the mental hospital.

Category 3: When a court makes a finding that an accused was guilty of the act or omission charged but was insane at the time, the order for detention will be made by the Governor-General on the recommendation of the court. Mentally unsound persons are isolated in cells and are kept under close guard.

#### Problems with Mentally Handicapped

- (a) There are very limited facilities for accommodation for this type of prisoner.
- (b) More officers have to be rostered to keep this type of prisoner closely guarded.
- (c) Officers are not trained to handle these prisoners.
- (d) The prisoners become noisy and disturbed at times.
- (e) They also become destructive.
- (f) They can also become violent if not properly handled.

#### Physically Handicapped

Many physically handicapped people are sentenced to imprisonment. Because of their disabilities, the prison service is faced with the problems of trying to send these people back to society better persons than when they came in as well as maintaining them in prison.

There are very limited accommodation facilities for the physically handicapped. Most of them are housed in the same accommodation as the rest of the prisoners.

Dumb, deaf and blind prisoners need special treatment. However, staff are not trained to handle these prisoners. When problems arise they are treated like the others who have no body deformities. Because of the limited facilities available, most of these prisoners have to be taken to institutions outside the prison for specialised treatment. More officers will have to be deployed in taking these prisoners for treatment.

There are prisoners who need regular and expensive medication. Since not all drugs are prescribed free, the prison will find difficulty in trying to retain an ample supply of drugs for every prisoner with the little funds it has been allocated. The same goes for other items such as hearing aids, crutches, etc.

These prisoners tend to disrupt the smooth flow of the daily routine of a prison and may well cause frustrations amongst staff and prisoners. Prisoners with asthmatic, cardiac and epileptic conditions will have to be closely watched at all times. There is a tendency for staff to care more about security than the general physical conditions of the prisoners. Certain physically handicapped prisoners are prescribed special diets. Rations will have to be purchased and prepared separately.

A physically handicapped prisoner may be released from imprisonment by the Minister if:

- (a) the life of the prisoner is likely to be endangered by continued imprisonment,
- (b) he will not survive his sentence, and
- (c) he is totally and permanently unfit for prison discipline.

The prisons system will tend to direct itself towards the physical and mental conditions of these prisoners more than to their moral deformities. Our system would therefore fail to achieve its objectives in attempting to correct these prisoners.

Unless suitable facilities are provided and specialised staff employed, the prison will continue to face the above problems.

#### MECHANISMS USED BY VARIOUS JURISDICTIONS TO MONITOR CRIME AND INCIDENT RATES IN PRISON SYSTEMS

In the Fiji system it is often unusual for inmates to be engaged in criminal activities once they are admitted to any prison institutions. This is not to suggest that there are no untoward incidents but generally, in our view, the types of offenders who inhabit our gaols are not as aggressive and sophisticated as, say, those imprisoned in developed countries.

Nevertheless, one of the most important factors in the proper administration of correctional institutions is the need to be more attentive and be more receptive to different kinds of situations at all times. Complacency should not in any way blur our vision from anticipating any unusual occurrences. To adequately cater for such situations, clear and specific instructions should be laid down in order to quell any uprising or other criminal activities and disturbances occurring in the prison institutions.

Some of the methods in existence have proven to be very effective, and offer substantial assistance in the monitoring of crimes and other incidents in prison institutions. In this paper I shall endeavour to talk on two of these methods which I hope will in some way throw some light on the areas under discussion.

#### Security Search

One of the methods used to monitor crimes and other incidents in prison institutions is the application of security searches. From our practical experience, this method proves to be successful in the confiscation of contraband and other prohibited articles which are most likely to be used in the commission of crimes. This method is demonstrated by the process of searching the whole body of a suspected prisoner who is believed to be concealing any lethal or similar weapons which are intended to be used for unlawful purposes. It must, however, be

clear that the various steps taken should not in any way at all degrade the personalities of those inmates involved and should be done with strict decency and self respect as outlined in the Fiji Prisons Regulation, Section 51 which I quote:

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 discovering any concealed article. No prisoner shall be stripped and searched in the presence of another prisoner.

The exercise cannot guarantee the actual eradication of crimes and other incidents in the prison system but would to a certain degree possibly assist in the orderly running of the general administration of the correctional institutions.

### The Segregation System

This is a factual innovation now being employed in most developed countries. Once it is known that the offender on admission has been employed by the police as an informer, he or she will be separately accommodated from the general class of inmates. In the American system this method is termed as 'safe custody' and the success of this exercise would again depend on the offender himself and the facilities available in institutions.

This type of arrangement is cumbersome and tedious. Nevertheless, it provides a sanctuary for those who have brought to light some of the under-surface dealings and reduces the likelihood of them being made the victims of other people's criminal activities in prisons.

### THE DEFINITION OF RECIDIVISM

It is difficult to refer to this work in isolation but it is often associated with the frequency with which inmates return to prison. In order to give a more vivid meaning to this subject, I intend to quote from the Fiji Report of the Royal Commission on Treatment of Offenders at paragraph 44 of its report which has this to say:

The idea that prison should rehabilitate prisoners has always had some appeal. But considerable disenchantment has become apparent in recent years to the increasing evidence that treatment or rehabilitative programmes in prisons have little or no effect on recidivism, that is return to prison rate. In Crime and Justice in Australia, a book edited by David Biles, it is stated that after a very detailed view of all available reports published from 1945 to 1967, Robert Martinson concluded that with few and isolated exceptions, the rehabilitative efforts reported so far, have had no appreciable effect on recidivism. This and similar assessments of the effectiveness of rehabilitation (or rather lack of it) has led to a

more modest and understandable aim in certain countries which proposed that even if we cannot reform prisoners we should take all necessary steps to prevent the prison experience from deforming them. We might add that the consequences of not attempting at least by persuasion to reform or educate the prisoners will be more serious than the disappointment from results achieved so far.

It is worth noting that the method used in determining recidivism in penal institutions could be very misleading and ambiguous at times. As an example, an offender who repeatedly comes in to prison for a combination of crimes, for example traffic and drug offences, cannot be judged accordingly as being recidivist in the sense that they cannot be rehabilitated. For as I see, most of the crimes involving traffic and drugs are normally committed during the abnormal period, the period at which the offender's mentality is saturated with alcohol and other related drugs.

Furthermore, because of the non-availability of other alternatives at the judge's and magistrate's disposal in Fiji, these unfortunate men and women are committed to serve their punishments behind bars. Often in Fiji's case, we hear of magistrates and judges saying that they will be failing in their duties if they do not impose custodial sentences. This in essence merely suggests that there is no other opening available which they can use besides committing the offenders to prison. Society, therefore, does not, in this regard, recognise any other punishment except imprisonment for dealing with offenders. High recidivism rates would not exist if offenders involved with petty offences like those mentioned above were treated within the communities through other alternatives.

As an example, in the Western countries, USA, Canada, New Zealand and Australia, there are many programs besides imprisonment which take care of offenders involved in stimulant drugs and other alcoholic offences. From our understanding these offenders would not normally pass through the prison system as in our case and consequently this would register greater variations on the statistics indicating recidivism rate. Further to the above, first offenders or those who receive fine penalties are not normally committed to prison unless the offence is very grave or they deliberately do not wish to pay the fine imposed.

But since there is no other provision in the Fijian legislation which would allow the judges and magistrates to exercise their own discretion, these unfortunate offenders eventually find themselves in penal institutions over and over again, contributing to a high recidivism rate. Another important factor which is to be borne in mind is that recidivism could also be caused by the notion that imprisonment is no longer a deterrence. To illustrate this I intend to quote from the United Nations Advisory Commission on Criminal Justice Standards and Goals, Corrections 1973, which makes the point clearly:



The failure of major institutions to reduce crime is incontestable. Recidivism rates are notoriously high. Institutions do succeed in punishing, but they do not deter. They protect the community, but that protection is only temporary. They relieve the community of responsibility by removing the offender, but they make successful reintegration into the community unlikely. They change the committed offender, but the change is more likely to be negative than positive. It is no surprise that institutions have not been successful in reducing crime. The mystery is that they have not contributed even more to increasing crime. Correctional history has demonstrated clearly that tinkering with the system by changing specific program areas without attention to the larger problems can achieve only incidental and haphazard improvement.

It is evident that institutions could also deform the characters of individuals rather than correcting them. Whilst it isolates the offenders and serves as a social condemnation of anti-social behaviour, it can to some extent instil hatred, total rejection and more aggressive attitudes which could subsequently lead to the violation of the law and then the deterrence of imprisonment does not exist any longer. This coupled with other factors would certainly contribute to a high rate of recidivism.

HONG KONG

K.L. Poon, Tang Wai-Kong and R.G. Andry

MECHANISMS USED BY VARIOUS JURISDICTIONS TO MONITOR  
CRIME AND INCIDENT RATES IN PRISON SYSTEMS

The Correctional Services Department of Hong Kong deals with its prisoners and inmates under the Prisons, Detention, Training and Drug Addiction Treatment Ordinances covering both adult and young offenders (starting from 14 years upwards).

The department works alongside the Police Force, the Independent Commission Against Corruption (ICAC), the Judiciary, other Government departments, and such organisations as the Fight Crime Committee and the Action Committee Against Narcotics in an endeavour to maintain law and order in Hong Kong.

Non-recidivism figures compare more than favourably with those elsewhere (for example, 94 per cent of the Detention Centre inmates and 67 per cent of the Drug Addiction Treatment Centre inmates were not re-convicted and in the case of the Drug Addiction Treatment Centre inmates, remained drug-free as well within one year of follow up. The non-recidivism rate was 63 per cent for Training Centre inmates after a three-year follow-up period). Although the standard of behaviour is high whilst such persons are serving a sentence or are under supervised after-care, there are, however, some who commit further crimes or disciplinary offences whilst in custody (for example, in 1983, there were 7269 such cases constituting an average of 20 per day out of an average daily penal population of 7894, amounting to 0.25 per cent).

To monitor and bring about a reduction of such infractions, the following mechanisms are employed: (A) Preventive Measures; (B) Disciplinary Proceedings; and (C) Correctional Treatment Programming. Each of these, when administered, can be seen to have an effective 'physical-environmental' and a 'human' component since they involve the constructive interaction between both staff and prisoners in a correctional setting.

Preventive Measures

- (i) Prisoner Categorisation. All prisoners on reception and when required thereafter, appear before a Classification Board to be given appropriate security classifications, ranging in descending order from A to D, thereby denoting the necessary degree of security and staff vigilance. Similarly, all penal institutions, accommodation, and workshops are appropriately graded, based on carefully laid down rules, making it thus possible to match high security risk prisoners with high security institutions.
- (ii) Physical Preventive Measures. This involves the provision of secure gates and locks and fences, and in maximum security institutions, observation towers, the creating of 'sterile areas' and the use of closed circuit television

and radio communication systems for instant reactions should trouble arise. Handcuffs and security buses are used for the safe custody of inmates during their travels between institutions or to or from courts. To prevent injuries occurring during fights, halls are provided with furniture made of fibre glass. Eating utensils are made of plastic as are spectacle frames to prevent them from being used as serious weapons or for self injury. Bells and whistles help with instant communication in case of emergency, and observation panels in doors make vigilance easy.

- (iii) Prevention and the 'human' Aspect. Vigilance is maintained by staff keeping records in a prisoner's movement book, and location books are kept throughout, being especially important for night patrols. Muster counts are made at regular hours and lock-up master sheets are kept for checking purposes. Weekly physical examinations are made to check for injury marks (in case of assaults or fighting) and if found, then injury and explanatory reports are required. Mainly to prevent bullying by inmates, the staff monitors daily issues of meals and rations and standard purchasable items. Regular searches (including body-searches, if necessary) are made and metal detectors are used during spot-checks. This is mainly to prevent trafficking, dealing in contraband or acquiring unauthorised articles which could be used for illegal internal bartering and blackmail. Gambling is strictly banned since unpaid debts would quickly lead to outbreaks of unrest, friction and further offences. Incoming mail and parcels are inspected and visits monitored to prevent smuggling and plotting. Canteen purchases can be made of approved goods, which are carefully checked to ensure that nothing is concealed inside.
- (iv) Prevention - Subversive Activities and Anti-Triad Units. High security risk, category A type prisoners in single cells, especially if affiliated to triads or gangs, are extra-carefully watched. Such vigilance also covers visits by family members, and normally no ex-inmate is allowed to visit those still in custody. Prisoners who are affiliated with triads or gangs are kept apart from those without such connections. If necessary, their records are carefully searched for existing associations among them. Intelligence and Anti-Triad Units in institutions advise superintendents on security aspects and a central intelligence reservoir exists for this purpose.
- (v) Controlling Violent Prisoners and Segregation Units. In case of violence, a prisoner can be specially dealt with through temporary relocation at the Superintendent's discretion according to carefully laid down rules and subject to frequent reviews. Monitoring is maintained through visits by Justices of the Peace, and senior departmental staff from Headquarters. When necessary, medical officers, psychologists and chaplains assist with positive measures.

- (vi) Staff and Prevention. Only carefully selected staff are recruited who are regularly trained and re-trained throughout their career to ensure that they function according to rules and professional ethics. Further, staff are regularly inspected and advised as to appropriate behaviour. A complaints system is channelled through an independently established 'Complaints Investigation Unit'. In very serious cases suggesting the commission of a crime the police may be asked to investigate.

#### Disciplinary Procedures

- (i) Prisoners. Once an infraction of discipline has occurred, certain disciplinary procedures (laid down in the Prison Rules) need to be carried out to re-establish order. Prisoners may be placed on report, when they have the right to defend themselves according to the rules of evidence as well as call witnesses. If found guilty, they may be subjected to loss of privileges, confinement, forfeiture of earnings or loss of remission. Appeal procedures exist and are clearly explained to the offender after the adjudication.
- (ii) Staff. Discipline of staff is similarly maintained, and if infringed is firmly dealt with through disciplinary proceedings prescribed in the Prisons Ordinance. If corruption is suspected, the ICAC is called in to take action.

#### Correctional Treatment Programs and Rehabilitation

Whilst preventive measures are merely cautionary and disciplinary measures salutary, it is considered essential to 'treat' whenever infractions occur in the hope of eradicating a basic malaise. To this effect, carefully drawn up treatment programs are instituted for different types of offenders by diverse specialised staff who work in teams (such as psychologists, welfare workers, divisional staff, chaplains, masters, etc.). After-care services, especially for young offenders and drug addicts, are also provided. At the more elementary level, prisoners are given the opportunity to engage in sports, not only to build up their physique but also thereby to help foster the development of a healthy mind.

At a more sophisticated level, guidance and counselling is given by after-care and welfare officers, chaplains, medical officers and psychologists.

Basic and further education is provided. All prisoners classified to be physically fit by the medical officer are fully employed in gainful industries or in community or domestic services.

#### Staff Alertness and Efficiency

Throughout, staff is constantly trained via refresher and developmental courses held at the Staff Training Institute or in

the various institutions, and monitored by senior officers, to ensure the upkeep of high standards of conduct and efficiency.

### Conclusion

It can be seen that preventive measures, disciplinary proceedings and the installation of Correctional Treatment Programs (including after-care) form a tri-partite supportive system to help minimise the occurrence of crimes, offences and incidents inside penal institutions and beyond. Staff is carefully selected, trained and supervised and team work is carried out by correctional staff and various other specialists in a department which has aptly changed its name in 1982 from Prisons to Correctional Services Department. The aim is to reduce recidivism, fight crime, and ensure that custodial infractions in Hong Kong are kept to a minimum through vigilant surveillance by a highly motivated and trained staff.

INDONESIA

#### THE USE OF TECHNOLOGY IN PRISONS

In order to meet the evergrowing challenges of tomorrow's complexities, the use of technology in the field of corrections is considered very vital indeed. Especially if we expect our Correctional Service to function as well as desired in carrying out its mission more efficiently and successfully.

In my opinion, the utilisation of the latest and most up-to-date equipment, such as modern armaments and security equipment, metal detectors, electronic utilities in communication and security areas, computer technology and other sophisticated materials, should be exploited to the fullest extent in our field of corrections.

Particularly the use of computer technology in prison, in order to be able to collect and store effectively all the necessary data and important information concerning inmates, is indeed a very idealistic situation.

Computer technology would also allow us to conduct effectively more adequate research studies and to acquire the necessary evaluation on our treatment and rehabilitation programs. Up to the present time, various programs of treatment and rehabilitation are still empirical by nature in Indonesia, mostly based upon experiments or merely based on a trial and error method.

Unfortunately, however, under the existing circumstances, I am not in the position to elucidate much on this agenda item, since in actual practice Indonesia is not yet blessed with the privilege of affording any such kind of modern technology in our correctional institutions. We have still to cope with a rather inadequate budget at our disposal, and at present the Correctional Service in my country is still far from the top of our national priority list.

#### THE ROLE OF VOLUNTEERS IN PRISONS IN RELATION TO PROGRAMS FOR INMATES

As surely will be the case in other countries as well, in our national endeavour to prevent and combat crime in general, the Correctional Service in Indonesia believes in treatment of offenders for social rehabilitation. However, in carrying out this mission, we feel it is almost impossible to execute our treatment and rehabilitation programs successfully in the absence of society's co-operation and participation. In other words, without voluntary assistance by private individuals, voluntary associations or social welfare organisations from free society, our rehabilitation efforts seem almost an arduous task. On the other hand, to involve members of our society voluntarily in the treatment programs for inmates in our prisons is in fact also not easy.



Factual data reveal that the general public, especially people in our urban areas, are somewhat self-centred and indifferent, seemingly apathetic and careless about correctional institutions or correctional work. To first involve volunteers from the general public, we have to ask ourselves certain questions.

One of the problems in this case is: what categories of people should be persuaded to provide willingly some of their time and attention to work together side by side with our Correctional Service? How do you approach devoted citizens who are in a favourable position to contribute their assistance and services productively?

Also another question is: how to program constructively, and conduct effectively, a joint co-operation with volunteers in our rehabilitation efforts. What aspects of these programs are to be handled by volunteers from society who are mostly untrained in the vocation of corrections and rehabilitation? How to combine and blend those aspects harmoniously in co-operation with our own professionally trained correctional personnel, complementing and supplementing each other in actual practice?

In this connection, we feel first and foremost an urgent need to acquire the necessary understanding and appreciation from the general public on the goals as well as the various rehabilitation programs of our correctional system, especially since the Correctional Service has changed the old prison practices of almost isolating inmates behind prison-walls into a more humane correctional system. Through various kinds of programs and activities of assimilation and socialisation, we try to keep inmates in constant contact with members of the outside free world, avoiding isolation and alienation.

Therefore, in order to gain public interest and care, we established not long ago an Information Centre within the organisational structure of our Correctional Service. This Centre of our Service is working in close co-operation with the headquarters of the Bureau of Public Relations at the Department of Justice in our capital city of Jakarta, also with the Department of Information.

Through the activities of this Centre, we are trying to make the general public aware of the values of correctional treatment and rehabilitation efforts of inmates. Necessary information and clarification is given by the Centre on the 'Pemasyarakatan' system of corrections, which is based upon our national aspirations and state philosophy. The values and benefits our correctional efforts could have for both the advantage of the individual citizen as well as for the well-being of society as a whole are explained in a meaningful manner. An attempt is made to convince the general public that inmates under our care represent a potential resource of human force, essential for the national development of the country. Society is reminded that inmates are after all human beings and also our very own fellow members of society to be cared for. The Centre tries continuously, through maintaining close communication with the public, to arouse care and understanding and to explain our

efforts to society at large. The challenges our Correctional Service has to face, the problems we possess, the handicaps we have to overcome, and the needs we have to fulfil are emphasised.

The Centre particularly aims at gaining concern from social welfare organisations, and especially from the right people in society, in order to mobilise volunteers to assist us in our correctonal efforts. It aims to attract and encourage them to take an active interest in joining hands with the Correctional Service in implementing rehabilitation programs.

In this case, a meaningful helping hand from suitable voluntary organisations as well as from responsive and well-respected private citizens of integrity, who are willing to sacrifice some of their time to care for inmates in our prisons for voluntary work, and eventually also to take the trouble to find employment or access to vocational assistance for discharged prisoners in our free society.

#### PROBLEMS OF THE PHYSICALLY AND MENTALLY HANDICAPPED IN PRISONS

The mentally handicapped are not merely a medical problem. They are in fact also a social problem. In addition, as far as criminal justice is concerned, they are a judicial problem as well. According to stipulations of the criminal code in Indonesia, the clear and obvious mentally retarded offender and borderline cases are committed by our courts to mental institutions for medical care and attention, especially for hospitalisation and psychiatric treatment.

In fact, the problem of crime and delinquency cannot be completely separate from conditions of mental health. Not only Indonesia I believe, but almost every country and society suffers much from the negative effects of all kinds of misbehaviour or anti-social conduct by its citizens, especially from those adults and juveniles who are mentally defective, suffering from psychological disorders or emotional disturbances.

As one's intelligence and mental condition are basically influenced by biological, psychological, educational or socio-cultural factors, it is understandable that especially the emotional and psychological factors are the most significant to be considered, particularly for those inmates who, after being convicted and committed into our prisons from free society, turn out to be mentally handicapped.

As is presumably also the case in other countries, we in Indonesia feel obliged to think of and to find better methods of special treatment and guidance for these mentally handicapped in our prisons. The need is felt for a close co-operation with the Department of Health and the Department of Social Affairs in our country in efforts to assess the personality, potentialities and abilities of the mentally handicapped in prisons in order to detect their emotional and mental condition. In this case, it involves counselling services from professionals such as

psychologists, psychiatrists and social workers, conducting a more psychological approach in the treatment of inmates under our care.

As prison administrators, I am sure all of us do agree that we are more interested in treatment than in punishment of inmates. Diagnoses, segregation and rehabilitation efforts are our main concern in our present-day methods of treatment in prisons. In this connection, in order to treat inmates in Indonesia in adherence to our adopted humanitarian treatment philosophy of 'Pemasyarakatan', we feel obliged indeed to understand the individual inmate concerned as much as possible. We must try to have a thorough and complete understanding of the individual inmate, especially of those who, after being committed by the court into our prisons, turn out to be mentally handicapped.

It has been revealed that low level economic status, lacking even the basic necessities of life, is closely related to crime and delinquency. In our society, most parents of the mentally handicapped in our prisons live below the poverty line.

This environmental condition of the low income group in society results in several shortcomings, such as lack of nutrition and lack of proper nourishment for the family, lack of attention to the pre-natal period, sometimes resulting in prematurity of birth, lack of prevention from post-natal diseases, and several other kinds of shortcomings.

Consequently, the chances and tendencies of becoming of low average intelligence, and even of becoming mentally unstable in later years, has been found to happen more prevalently in such state of affairs. Constant family depression, haunted by further conditional deteriorations, lack of educational facilities, ignorance, and eventually lack of parental affection, also have declining effects on the process of adult maturity in later years.

In such an environment of neglect, it is hard to find seeds of discipline, sense of duty, awareness of obligation and other values of life among the family members. Most of the under-privileged, caused by emotional and educational shortcomings, suffer from personality disorders unable to differentiate clearly between good and bad as they grow up in social life.

Quite similar personality and emotional problems are not merely caused by the above-mentioned shortcomings, but sometimes also by physical defects; even if born in better social and economic conditions.

Such physical defects and disfigurement may sometimes produce a certain inferiority complex within the individual concerned, very often developing into unstable and emotionally negative compensatory behaviour. In some cases therefore, the deformed physical appearance of inmates may also produce psychological disturbances, similar to those who are mentally handicapped.

Nevertheless, the axiom that treatment of such cases in our prisons ought to be preceded by adequate study and diagnosis, is considered very important for the accurate understanding of handicapped inmates in our prisons, mentally as well as physically handicapped. A thorough and complete understanding is necessary in order to be in the position to program and to conduct special methods of treatment and guidance in assisting these handicapped individuals making their adequate psychological adjustments to social life.

Fortunately, in our correctional efforts to counter-balance the physically and mentally handicapped in our prisons from their emotional problems, and in our efforts to find psychologically better methods of special treatment in rehabilitation programs for inmates of such kind, the Correctional Service in my country has received a helping hand of professional guidance from psychologists, social workers and other professionals from the Department of Health as well as from the Department of Social Affairs. All of us are seriously interested and vitally concerned with this problem.

#### THE DEFINITION OF RECIDIVISM

In our penal system in Indonesia, sentences of temporary punishments range from a minimum of one day to a maximum sentence of 15 years, not to exceed a consecutive time-span of 20 years.

According to the present stipulations of our Criminal Code, repetition of certain specific offences of the same or similar nature (legally defined by the Code as 'recidivism') is considered to be an aggravated circumstance for increased sentencing, meaning that recidivism is subject to an addition of one-third on top of the maximum basic sentence of temporary imprisonment threatened by law, particularly for offences of physical violence against persons, offences against someone's honour or good name, and offences against property or goods.

To receive this addition on top of the basic threatened maximum sentence certain conditions must be fulfilled, such as:

- (i) repetition of specific offences of a similar nature,
- (ii) previous conviction by court for the same offence, and consequent committal into prison to serve out the sentence, and
- (iii) the repeated offence has occurred within a time span of five years after release from prison, or serving out the previous sentence, for the same offence.

Recidivism in itself really undermines the authority of the existing legal order. It is in addition also detrimental to the public peace and general security. It is even considered to be much more dangerous to certain particular interests of individual as well as social safety.

Legal sanctions of any kind do not have any deterrent effects at all upon the offender concerned who repeats such behaviour. His proneness to continue his anti-social behaviour is shown when he commits further similar offences.

Similar offences, which are being committed within the stated consecutive time span of five years after release from prison are considered very serious indeed. In this connection, the general public must be protected by measures of keeping the repeater away from society for a longer term than usual. Hence, the addition of one-third upon the basic maximum sentence of imprisonment by the court is quite justified according to our criminal law at the present time.

Recently, however, certain trends of thought have emerged in my country to broaden the scope of the presently existing legal definition of 'recidivism' as stated by our Criminal Code. Recidivism is thought of as not merely repeating previous similar or particular offences, but also includes those chronic offenders with several prison records who commit any kind of criminal offences.

However, as far as our Correctonal Service is concerned, although there will actually never be a 'one best way' of dealing with the recidivist, it is still our duty and obligation to think of better methods of treatment for these chronic repeaters in our prisons.

We must also intensify various rehabilitation efforts geared to those individuals who seem to have at least some potentiality for correction. We must never give up hope trying to transform these characters into reasonable citizens who are capable of adapting themselves to ordinary life. After all, one of the criteria of success or failure of our correctional efforts is in fact : recidivism.

JAPAN

## THE USE OF TECHNOLOGY IN PRISONS

### Applicability of Technology in Prisons

Modern science and technology have achieved an astonishing advancement and development. Especially, the technology based on electronic engineering has been influencing all the aspects of our daily life.

Introducing this technology to prison operation can bring more efficient and economical correctional administration. However, it is important to realise that the application of technology in prisons should not interfere with the correctional treatment based on day-to-day contact between staff and inmates that is the fundamental philosophy of Japanese correction.

New technology can be applied to those works of a mechanical nature in prisons that involve less personal interaction, such as computing, recording, storing, searching, description, communication, simple decision, surveillance, etc.

### Application to Security and Custody

To keep safety and order in correctional institutions is a principal requirement for the treatment of inmates as well as protection of society. Thus, security and custody are the most important responsibility of correctional institutions. In Japan, correctional officers are not only responsible for keeping security and custody, but also for providing inmates with guidance, consultation and advice through daily contact with them.

In consideration of the important role of guards, mechanisation has been introduced to those areas of security and custodial works that do not depend much on the personal interaction. One example of mechanisation in those areas is the Total Surveillance System which covers watching, alarm and other surveillance works.

The configuration of the Total Surveillance System is:

- (1) central surveillance desk and monitor panel,
- (2) television cameras for surveillance of outer walls,
- (3) television cameras for surveillance of workshops,
- (4) television cameras and abnormal noise detecting devices for monitoring cells,
- (5) television cameras for monitoring cell block corridors,
- (6) UHF wireless telephone units,
- (7) alarm units with emergency bells, and
- (8) trip wire units for detecting escape attempts.

Effectively combined use of these equipments has contributed to increasing the efficiency and competency of security and custodial works in our prisons.

### Administration of Office Works and Technology

In Japan, factory automation has been accelerated, and nowadays robot machines are working in many factories, some of which are not manned at all. Remarkable improvement of computers has led to office automation in the 1980s. In prison administration, we also have been automating our offices to rationalise and mechanise office work. Thus, about one-third of our correctional institutions have already installed mini-computers, word processors and other equipment which is in operation for various purposes.

At present, they are used in the following work:

- (1) Accounting, making reports and papers, prison industry accounting and storage control, and statistics.
- (2) Information on inmate movements (prison population, room assignments, work assignments, etc.)
- (3) Gathering, filing, generating and referring information on individual prisoner's records.
- (4) Control of information on gang group members and their allocation.
- (5) Information control of problematic prisoners.
- (6) Records of rule violations and disciplinary punishments.
- (7) Listing releasing inmates.
- (8) Listing various committee members and committee record-keeping.

Office automation can bring benefits such as a decrease in manual work and cost of office work administration, proper information control, quick and accurate data processing, and other related matters. For the better and wider use of this equipment, job analysis (process analysis and method analysis) is necessary. Along with this analysis, a comprehensive assessment of what are essential tasks in daily business and what kind of tasks can be put into the office automation equipment, is also required to develop office automation.

### Educational Activities and Technology

Education in prisons is mostly based on humanistic interaction between staff and inmates. Because of this, application of new technology is limited to assisting roles in effective teaching of knowledge and training of technical skill. That is, technological innovations are only used as a supportive measure of educational activities. Equipment in frequent use are automated broadcasting units, televisions, videotape recorders, overhead projectors and other audio-visual devices.

### Classification, Medical Treatment and Technology

Classification involves gathering, recording and filing information concerning each individual inmate and processing data for treatment and other correctional programs. Currently, developing a personality assessment system with the use of computers has been one of the most interesting projects. It is called Computer-aided Classification (CAC) system. Individual



data concerning intelligence, personality, attitude and behaviour of each inmate are put into the computer for processing, assessing, wording and recording. Amongst the works of classification, computers can be used to score and analyse psychological tests with comparative ease, but have difficulty diagnosing personality disorders and criminal tendencies. Although we realise the limitation in the use of computers, efforts are still being made to develop a more competent classification assessment system suitable for computers.

Application of new technology to medical fields in society is also remarkable. One example of this is an Intensive Care Unit (ICU). Development of the ICU has also relied heavily on advancement of electronic engineering, especially that of computers. Facilities of artificial kidney, radiation therapy, rehabilitation and others as well as ICU have been introduced into correctional medical service. Since those inmates have been increasing who are senile or partly paralysed because of traffic accidents, cerebral haemorrhages, and other accidents or diseases, adequate medical facilities are still being installed.

#### Future Prospects

Introducing new technology is expensive for prisons, but the following problems should also be given priority for consideration:

##### (1) Staff Training

In adopting new technology, staff who can make full use of it must be trained accordingly. In our Regular Advanced Course for senior officials at the Training Institute for Correctional Personnel, a training seminar in computing is to be given from this year on. Thus, 80 senior officials who are able to make use of computers will join the correctional staff every year.

##### (2) Work Analysis and Software Development

Various software must be developed for different functions of the correctional service after a work analysis of our correctional system and the assessment of its possibility for mechanisation and data processing is made. At present, efforts are being made to develop adaptable software at each correctional institution.

#### THE ROLE OF VOLUNTEERS IN PRISONS IN RELATION TO PROGRAMS FOR INMATES

The ultimate aim of programs for inmates is to promote their correction and rehabilitation. Correctional institutions keep in touch with the organisations and volunteers of various fields such as education, occupation, health, medical care, religion, social welfare, etc., which are closely connected with the correction and rehabilitation of inmates, and try with their support and co-operation to help inmates maintain and normalise their relations with free society.

Volunteers in our correctional institutions take part in many of the treatment programs organised by the institutions, and play an important role in the activities of correcting and rehabilitating offenders. They usually assist correctional officials, but in religious activities they perform the main role because correctional officials are prohibited from any religious activities.

The main activities facilitated by volunteers are religious guidance by chaplains, advisory counselling by experts in various fields, academic education by qualified teachers, vocational training/guidance by professionals and skilled workers from private industry, medical services by doctors, supports to educational and recreational functions by rehabilitational aid organisations, consolatory visits by entertainers and so on.

#### Religious Guidance by Chaplains

Religious guidance (programs to correct inmates morally according to religious doctrines) had been provided for all inmates since 1872 by officially employed chaplains together with volunteer chaplains. But our new Constitution of 1946 prohibits public administrations from offering religious education and services to inmates. So, since then, the non-official volunteer chaplains sent by religious organisations and approved by the superintendents of correctional institutions have been providing religious guidance to inmates. Religious guidance by these volunteer chaplains guarantees freedom of religion, a fundamental human right laid down in the Constitution, and the chaplains' humane maturity as well as wide knowledge has a good effect on the mental health and moral consciousness of the inmates.

The aggregate number of these chaplains in Japan as of 1983 was 1352 and the average membership of a chaplains' association organised at each correctional institution was 18. Buddhism provides over 60 per cent of the chaplaincy, followed by Shintoism, Christianity and other denominations in this order. In 1983, 8204 group religious guidances and 6444 individual religious guidances were conducted in total at 74 correctional institutions.

#### Advisory Counselling by Experts in Various Fields

The volunteer visitors (prison visitors) system, a system of commissioning non-official experts to help inmates solve such problems as mental distress and planning their post-release life, began in 1953.

The superintendent of Regional Corrections Headquarters, an intermediate supervisory organ for correctional institutions placed in each of the eight correctional regions, commissions volunteer visitors from among those experts whom the committee for screening volunteer visitors and the superintendent of each institution recommend. The term of volunteer visitors is two years and is usually renewed.

Most of the inmates' problems are caused by frustration and antagonism due to imprisonment. Therefore, advisory

counselling by non-official experts is often more effective than that of correctional officials. The volunteer visitors system has the merit of lessening the tension in the correctional setting and of promoting the interest of the general public in corrections by involving more citizens in the programs for inmates.

The aggregate number of volunteer visitors as of 1983 was 1103 and the number per institution was 15. They are classified by profession as follows: 204 qualified teachers (18.5 per cent), 202 literary workers (18.3 per cent), 190 rehabilitational workers (17.2 per cent), 145 priests (13.1 per cent), 84 lawyers (7.6 per cent), 75 social workers (6.8 per cent), and 203 of other professions (18.4 per cent). About 20 per cent are female.

The items and frequencies of advisory counselling by these volunteer visitors in 1983 were as follows:

(1) Individual Counselling

- . Counselling concerning legal affairs (divorce, compensation for consolation or damages, succession to property, etc.): 388
- . Counselling concerning personal affairs (psychological matters, planning of post-release life, etc.): 1150
- . counselling concerning parole (arrangements for domicile in preparation for release, etc.): 833
- . Counselling concerning family problems (adjustment of relations with inmates' family members, problems on living and medical expenses of inmates' family members, etc.): 364
- . Counselling concerning vocational questions (post-release employment, informational guidance on licences and certificates, etc.): 914
- . Counselling concerning other miscellaneous matters: 770

(2) Group Counselling and Guidance

- . General education (traffic safety education, drug abstention guidance, alcohol abstention guidance, group work activities for mentally-disordered inmates, bookkeeping, abacus calculation, calligraphy, braille, lettering, and lectures on such items as current topics, economic problems, job, morals, etc.): 3202
- . Recreational and hobby guidance (brass band, literary arts such as tanka and haiku, or Japanese poetry, paintings, sports such as soccer, baseball, etc.): 2339
- . Other miscellaneous group counsellings and guidances: 1041.

Academic Education by Qualified Teachers

About 6 per cent of inmates in our correctional system have not finished compulsory education (six-year primary education plus three-year secondary education). Even among those who have finished compulsory education, there are quite a few who are poor in academic achievement. Correctional workers possessing a teacher's licence usually hold academic classes, but the

educational staff is not sufficient. Therefore, we commission non-official volunteer teachers to have classes for inmates. Thirty volunteer teachers helped us give academic education on a part-time basis at twenty-four institutions in 1983.

#### Vocational Training and Guidance by Members of Private Industry

In our correctional institutions, not only prison industry but also various kinds of vocational training are carried out. In these vocational training programs, inmates are encouraged to obtain job qualifications or licences authorised by the Government. Correctional specialists are mainly in charge of vocational training, but, if necessary, we commission paid professionals and skilled workers from private industry to help our vocational training and guidance on a part-time basis. Seventy-four such people from private industry provided inmates with vocational guidance and training at thirty-seven institutions in 1983.

#### Medical Services by Doctors

The Government has the obligation and full responsibility to provide inmates with medical services and health care. In our correctional system, 520 medical-paramedical staffs (226 doctors and other medical and paramedical staff members such as dentists, pharmacists, X-ray technicians, dietitians, clinical and hygienic examination technicians, nurses, etc.) engage in medical service. But they are not enough to provide complete medical care at every institution. Consequently, we enlist medical doctors and dentists who practise in the vicinity of correctional institutions to help and complement our medical services on a part-time basis. One hundred and thirty-one such paid specialists engaged in medical care at fifty-six correctional institutions in 1983.

#### Supports to Educational and Recreational Functions by Rehabilitational Aid Organisations

Educational and recreational occasions in correctional institutions are athletic meetings, various competitions, lectures, birthday parties, group outings, field trips to the community facilities, etc. and some of them are carried out outside the wall. These events are often carried out with the aid and help of various organisations in the community. The Women's Association for Rehabilitation Aid is typical of this kind of organisation. It engages in the prevention of crime and rehabilitation of offenders in the community by supporting correctional treatment through consolatory visits and participation on various occasions in correctional institutions.

#### Consolatory Visits by Entertainers

Volunteer entertainers and voluntary troupes of entertainers make visits to correctional institutions to comfort and console inmates. The importance of their visits has been widely recognised because such entertainments as popular music concerts, plays, classical arts are sure to enrich the lives of inmates and to provide them with an incentive to rehabilitate

themselves. The average frequency of such visits to each of seventy-four correctional institutions was 6.4 in the year of 1983.

#### Other Activities by Volunteers

In the field of rehabilitational services, 52 500 volunteer probation officers with various backgrounds are appointed as part-time government officials. Their main duty is to co-operate with full-time probation officers in supervising parolees and probationers. In relation to institutional corrections, they play an important role, indispensable for the rehabilitation of inmates, by surveying and adjusting the social environment for each inmate in preparation for his or her release.

Two non-profit foundations take part in correctional services. One is the Japanese Correctional Association founded in 1888 and the other is the Correctional Welfare Society founded in 1971. These two organisations engage in various activities beneficial to correctional treatment: the offer of materials for correctional education, donation of books and recreational appliances, and support to various correctional contests. Lately, Prison Industry Co-operation Division was set up within the Japanese Correctional Association to procure a sufficient and stable supply of prison works. The division has been offering raw materials for prison industry and marketing the products.

#### PROBLEMS OF THE PHYSICALLY AND MENTALLY HANDICAPPED IN PRISONS

##### Physically Handicapped Inmates

(1) Statistics. According to the statistical data provided by the Corrections Bureau of the Ministry of Justice, the total prison population as of 1 February 1983 was 45 558, among which were 1001 physically handicapped inmates. It means that there were 22 physically handicapped per every 1000 inmates. The breakdown of the physically handicapped shows that there were 181 with visual difficulties, 134 with aural problems, 20 with speech dysfunction or articulation disorder, 624 with limb-trunk trouble or disability, 30 with cardiac, renal, or respiratory malfunctions, and 12 with multiple disorders. Comparison of the data with the result of a survey conducted on 29 February 1980 finds that the number of the inmates with limb/trunk trouble or disability increased remarkably. The prisoners with a renal malfunction also increased from 5 to 10, due to a reason given later. The inmates in the other categories either have decreased or are staying almost the same.

As for the physically handicapped in free society as of 1 February 1980, the statistical data provided by the Ministry of Health and Welfare indicate that there were 1 977 000, aged eighteen or older. This makes 24 per every 1000 population. There were 291 000 with visual difficulties, 280 000 with aural problems, 1 072 000 with limb/trunk trouble or disability, 184 000 with either cardiac, renal, or respiratory malfunctions, and 150 000 with multiple disorders.

The comparison of the correctional data with the statistics of the general public, in respect to the ratio of the number in each sub-category to the total figure, is as follows:

Category of Disorder \ Percentage Population	Visual	Aural	Limb/Trunk	Internal (Cardiac/Renal/Respiratory)	Multiple	Total
Prison Inmates*	20.5	14.2	53.6	7.6	4.2	100
General Public**	14.7	14.2	54.2	9.3	7.6	100

\* As of 29 February 1980

\*\* As of 1 February 1980

The comparison shows that the percentage of prison inmates with visual difficulties is about 6 per cent larger than that of the general public. The proportions of prison inmates and the general public with aural problems are the same, as are the ratios of prison inmates and the general public with limb/trunk trouble or disability. It also shows that there are slightly more people in the general population with internal disorders and with multiple disorders.

To look at the ratio of those people with a first grade handicap (totally incompetent to engage in labour and to live without the help of other people) and a second grade handicap (competent to engage in highly limited labour) to the total number of the handicapped, it is 12.4 per cent in prison and 32.8 per cent in the general population. This reveals that there are three times as many heavily handicapped people in the general population as in prison.

The ratio of those with first and second grade handicaps to the total number of the handicapped in each sub-category is as follows:

Category of Disorder \ Percentage Population	Visual	Aural	Limb/Trunk	Internal (Cardiac/Renal/Respiratory)	Multiple
Prison Inmates*	14.0	18.0	10.2	5.6	25.7
General Public**	53.2	28.2	28.5	19.6	48.7

\* As of 29 February 1980

\*\* As of 1 February 1980

The table shows that there are undoubtedly more heavily handicapped people in the general population.

(2) Current Treatment. In our correctional system, an individualised treatment plan is organised for each physically handicapped inmate. It aims at lessening or eliminating his or her physical handicap, recovering the ability to lead a normal daily life and to engage in labour, and helping the inmate learn skills to complement his or her handicap by treating the inmate under the same living conditions as those of the other healthy inmates as much as possible.

The inmates with minor physical disorders are treated in general correctional institutions in the same way that other normal inmates are treated.

According to the Prisoners' Classification Rules promulgated in April 1972, sentenced prisoners with serious dysfunction of both arms, both legs, eyesight, hearing, etc. are categorised as 'Class S'. They are provided with special protective treatment and necessary medical care in general correctional institutions. They usually engage in light work either individually or in a group.

Those who have a motor dysfunction of the limbs as the after-effect of traffic accident injury, cerebrovascular disease, malignant neoplasm surgery, etc., are committed or transferred to either Hachioji Medical Prison or the medical branch of Osaka Prison. They are provided with rehabilitative measures such as physical therapy and occupational therapy together with internal/surgical treatment.

Accompanying the development of medical technology, the number of civilian patients in need of dialysis increased sharply from 1826 in 1971 to 36 379 in 1980. This situation has been projected on prison inmates. In 1980, seven offenders were given a stay of execution of sentence due to their need for dialysis since there was no correctional facility with a dialysis unit in those days. To our regret, some of those hospitalised offenders made a nuisance of themselves and were considered inappropriate for hospitalisation from the viewpoint of public safety. Consequently, Hachioji Medical Prison and the medical branch of Osaka Prison were provided with dialysis units of a capacity of four in 1980 and 1983, respectively. Therefore, at present, eight patients can be and are treated, while some ten more patients as of June 1984 are awaiting dialysis in correctional facilities under the stay of execution of sentence.

#### Problems of Treatment

Rapid medical progress has made it possible to save the lives of those who would have been helpless in early days. As a result, the number of the inmates in need of rehabilitative treatment like physical therapy, due to the after-effects of cerebrovascular disease, traumatic injury, etc. is increasing. The number of prisoners in need of special treatment like dialysis is also increasing. Besides, with the greying of the general population, there are more aged inmates in need of special protective treatment than before.

In accordance with the technological and institutional development of rehabilitative medical care in society, sufficient medical appliances and facilities, as well as paramedical staff including physical therapists, occupational therapists, and psychiatric social workers are looked forward to in correctional institutions.

### Mentally Handicapped Inmates

(1) Statistics. According to the statistical data offered by the Corrections Bureau of the Ministry of Justice, the total prison population as of 20 December 1983 was 43 953, among which were 3363 mentally handicapped inmates. That is 77 mentally handicapped per every 1000 inmates. A breakdown of the mentally handicapped shows that there were 1349 mentally retarded (31 per 1000 inmates), 890 psychotics (20 per 1000 inmates), and 999 psychopaths (23 per 1000 inmates). The remainder were 125 neurotics.

As for the number of the mentally retarded in the general population, which are the only statistics available, a survey conducted by the Ministry of Health and Welfare suggests that there were 312 600 at their own homes (3 per every 1000 population) as of 1 October 1971, while there were 43 700 in either hospitals or some kind of protective institutions at the same date. The total figure was 356 300 (3.4 per every 1000 population).

The frequency of the mentally retarded in prison population (31 per every 1000) is, therefore, about nine times as large as that in the general population. In respect to the severity of retardation, statistics reveal that the lightly retarded and the moderately retarded make up 90 per cent and 10 per cent of the total mentally retarded in prison, respectively. On the other hand, the lightly retarded and the moderately retarded make up 41.7 per cent and 31.7 per cent respectively in the general population, and the remainder 26.3 per cent are the heavily retarded. A comparison clearly indicates that the ratio of the lightly retarded is overwhelmingly larger in prison than in free society.

(2) Current Treatment. Under the Prisoners' Classification Rules, which have been effective since 1972, sentenced offenders with either moderate or severe mental retardation (I.Q. 49 or lower) in need of specialised treatment are to be committed to medical prisons, while the lightly retarded (I.Q. 50 through 69) are to be treated in general correctional facilities. There are four medical facilities throughout the country specialising in the treatment of mentally handicapped inmates. They are in Hachioji, Okazaki, Johno, and Osaka. All of them are located in the geographical centre of each region. Okazaki Medical Prison accommodates mainly the mentally retarded and provides them with careful treatment and training.

About 70 per cent of mentally retarded inmates are engaging in labour together with other prisoners in general correctional facilities, and they are adapted to collective treatment by and large. It has been recognised that prison



environment is suitable for the lightly retarded from the standpoint of training, and that living guidance and education in correctional facilities are, in fact, effective for them.

The aforesaid medical facilities also accommodate psychotic inmates. Psychiatric treatment provided in those four facilities stands comparison with that in free society. Patients in a stage of remission and mild cases are treated in general correctional facilities either individually or in a group. Necessary medicine and regular medical examination are provided in general facilities.

(3) Problems of Treatment. During trial, mentally handicapped offenders are closely examined by experts with respect to mental condition and competence. Those who are judged mentally incompetent to stand culpability will be excluded from the criminal justice system. As a result, very few inmates have severe mental disorders in correctional facilities. On the other hand, psychopaths are judged totally competent to stand culpability in almost all cases. Some of them develop quasi-psychotic symptoms in correctional facilities, due to a sudden change of living environment and/or mental distress. Although pharmacotherapy and psychotherapy are applied to those psychopaths, they are not very effective. Psychopathic inmates tend to become a cluster of troublemakers in correctional facilities. Besides, the prevalence of stimulant drug abuse in our society since 1975 has brought more drug abusers into prisons. Stimulant-related offenders occupied 26 per cent of the total population of newly-sentenced prisoners in 1983. Among them are quite a few abusers afflicted with pharmaceutical sequeli and still incapable of extricating themselves from dependency. Therefore, the early development of medicinal therapy for the prevention of relapses of pharmaceutical sequeli is hoped for. The exploration of therapeutics for the elimination of dependency and treatment techniques for addicts is also an urgent matter.

Some long-termers, especially life prisoners who were judged mentally competent in trial, either contract or have a relapse of schizophrenia, and they tend not to respond to medical treatment, becoming chronic patients. In one of the medical prisons specialising in the treatment of the mentally disordered, schizophrenic life prisoners occupy nearly 20 per cent of the total population at present. The exploration of therapeutics and treatment techniques for these chronic patients with life sentences, who are actually incompetent to stand the execution of sentence, seems to be our task for the future. It is no use releasing them on parole since it is very difficult for them to find an appropriate therapeutic environment even in free society.

There are quite a few prisoners in medical correctional facilities who come to be in a stage of remission while they are serving their sentences. These inmates are able to go back directly to society without serious problems after they have served their sentences. On the other hand, it is also true that there are inmates who have to discontinue medical treatment, due to the expiration of sentence. In this case, the superintendent of the correctional facility notifies the governor of the prefecture, where the patient's home domicile is, of his or her

release in accordance with the Mental Health Law. Upon reception of the notification, the governor refers the case to two or more psychiatrists for mental examination. The governor has authority to hospitalise the case for medical treatment if necessary. Continuation of medical treatment for these ex-offenders is very important for the prevention of the aggravation of their disorders and of recidivism. Therefore, reinforcement of close liaison with related agencies and institutions has to be promoted further.

Finally, in order to strengthen the medical treatment system within correctional facilities, augmentation of the medical/paramedical staff, especially psychiatrists and nurses, is necessary. It is preferable that nurses get special training for medical treatment in correctional facilities. Occupational therapy should be reinforced by introducing specialised therapists into each medical facility. The adoption of a regular examination/treatment system by itinerant specialised doctors is now under consideration for general correctional institutions.

#### MECHANISMS USED BY VARIOUS JURISDICTIONS TO MONITOR CRIME AND INCIDENT RATES IN PRISON SYSTEMS

##### General View

Correctional services in our country are administered by a systematical and hierarchical organisation headed by the Minister of Justice. Each correctional institution is managed by its superintendent with authority and responsibility given by the Minister, and monitoring of matters pertaining to the management of correctional institutions is done as part of general supervision by the competent authorities within the system. No third party organisation system such as a visiting committee or prison judge system which controls management of correctional institutions in other countries is applied to our correctional system. By the way, the Correction and Rehabilitation Council is the organisation to investigate and discuss important matters concerning administration of correctional and rehabilitational systems in consultation with the Minister of Justice. Men of learning and expertise outside the correctional system are appointed members of this Council, but they are not authorised to monitor or supervise correctional administration. Its main function is to help improve the correctional system by supplying correctional practitioners with necessary knowledge, experience, and ability. While the Prison Law prescribes inspection by judges and public prosecutors, this system intends to authorise penal judges and public prosecutors to inspect correctional institutions in order to obtain the necessary information to perform their duties and to confirm the proper execution of sentences. This is not considered as a monitoring system of prison administration.

##### Monitoring Mechanisms within the Correctional System

(1) Emergency Reports. Emergency reports made by superintendents of penal institutions are one way of monitoring crimes and incidents in our correctional system. The Correctional Urgent Report Rules (Directions of the Minister of Justice, 1971)

stipulate that superintendents of correctional institutions have a duty to make urgent reports to both the Director-General of the Corrections Bureau and the superintendent of Regional Corrections Headquarters by telegram or telephone when such incidents occur as crimes and accidents of the correctional personnel, natural calamities, injuries to staff caused by inmates which will take more than two weeks to be cured, disorders, riots, work stoppage, escapes, seizure of inmates by outside persons, unnatural deaths, killing and injuries, fire, subversive activities against correctional institutions, sending or throwing in of dangerous objects and trespass on the compounds of institutions. When such crimes and accidents occur in correctional institutions, the Director-General of the Corrections Bureau and the superintendent of Regional Corrections Headquarters receive information immediately and take counter-measures.

(2) Inspection by Authorised Visiting Officials. The Minister of Justice has the right to give an order to or to supervise superintendents of correctional institutions, if necessary, to maintain adequate correctional administration. As one form of this supervision, the Prison Law prescribes the tour of inspection by the Minister of Justice. According to this system, the Minister sends officials periodically to correctional institutions to inspect their administration. Compared with other general inspections, its most characteristic point is that these visiting officials stipulated in the Prison Law are given the right to meet inmates in person who have complaints and dissatisfaction about their treatment. The tour of inspection must be made at least once every two years for each institution.

(3) Inspection by Regional Corrections Headquarters. Regional Corrections Headquarters, intermediate supervisory organs, also make inspections regularly of correctional institutions besides the above mentioned inspections. (The whole country is divided into eight blocks, and a Regional Corrections Headquarters is established in each region.)

Superintendents of these Regional Corrections Headquarters have authority not only to administer their own Headquarters under supervision of the Minister of Justice, but also to supervise the superintendents of correctional institutions within jurisdiction to ensure effective correctional administration. The superintendent of each Headquarters ought to make a tour of inspection for each correctional institution within the area more than once a year as one form of executing his rights.

The function of this inspection includes not only surveillance of the institutions but also giving advice to superintendents of the institutions. But unlike the tour of inspection made by the Minister of Justice, superintendents of Regional Corrections Headquarters are not authorised to meet inmates or to investigate their complaints. They are under obligation to report the results of inspection to the Director-General of the Corrections Bureau.

(4) Inspection by Superintendents of Correctional Institutions. Superintendents of correctional institutions must make an inspection of their own facilities based on the authority given to them to administer institutional affairs and direct the staff.

According to this system, the superintendent himself/herself or certain staff members designated by the superintendent inspect branch institutions and extramural camps under jurisdiction. All divisions and sections except those to which a designated inspector himself/herself belongs are inspected, too. This inspection must be made periodically once every six months and the result is reported to the superintendent of the institution.

#### THE DEFINITION OF RECIDIVISM

Recidivism or recidivists should be defined differently according to the purpose of making the definition.

In criminal law, recidivism is in many countries regarded as a necessary condition for augmenting punishment or in some countries for taking a security measure. Therefore, the definition for this purpose should be made, following the principle of legality, on concrete and objective factors.

Our Penal Law, for instance, stipulates as follows:

- Article 56. (Second Crime). When a person who has been sentenced to imprisonment at forced labour, commits a crime again within five years from the day on which the execution of the former sentence was completed or remitted, and is to be sentenced to imprisonment at forced labour for a limited term, this crime constitutes a second crime.
2. The same shall apply when a person who has been sentenced to death for a crime of the same nature as one punishable by imprisonment at forced labour, commits a crime again within the period provided in the preceding paragraph which shall run from the day when the death sentence was remitted or from the day when the execution was completed or remitted after the death sentence was commuted to imprisonment at forced labour, and he is to be sentenced to imprisonment at forced labour for a limited term.
  3. When a person has been sentenced for cumulative crimes in which any crime punishable by imprisonment at forced labour is included, he shall be deemed to have been sentenced to imprisonment at forced labour in the application of provisions relating to a second crime even though such crime is not the gravest.

Article 57. Punishment for a second crime shall not exceed twice the maximum term of imprisonment at forced labour provided for the crime.

Article 59. (Third or Further Conviction). The provisions concerning a second crime shall be likewise applicable to a person who is convicted for the third or further time.

Thus, it may be properly concluded that as a matter of criminal law, recidivism should be defined on objective factors. However, objective factors themselves may differ from country to country according to their penal policy. For instance, there can be differences as to whether the prior disposition as a prerequisite to recidivism should be limited to imprisonment only or include other sanctions, or how many years should elapse to exclude a person from recidivism even though he commits a crime again.

Taking into consideration what has been mentioned above, we may make, from the viewpoint of criminal law, such definition of recidivism or recidivists common to all countries as follows:

When a person who has been convicted of a crime commits a crime again within a certain term, he is a recidivist.

Apart from the criminal law definition, there can be the penal policy definition of recidivism.

In a country with the principle of rehabilitating criminals through removal of their anti-social trait, the penal policy definition of recidivism will be as follows:

If a person who has been convicted of a crime and inflicted with some disposition commits a crime again owing to his anti-social trait, he is a recidivist.

In our corrections, the criminal law definition of recidivism or recidivists has nothing to do with treatment or classification of convicted prisoners. Although a majority of recidivists defined in the Penal Law are in fact classified into B (those with advanced criminal tendency), some are in A (those with less criminal tendency). On the contrary, a considerable number of first offenders are actually classified into B. For instance, a high-rank member of an organised gang will be classified as B even though he is a first offender.

REPUBLIC OF KOREA

## THE USE OF TECHNOLOGY IN PRISONS

For a long time the attempt has been made to explain the causes of crime as being derived from individual factors or social factors. Sometimes penologists have emphasised the importance of only one aspect, but generally a combination of factors are thought to be involved. The causes in crime come from an individual and social environment. Yet the objective of eliminating criminality scientifically and effectively by clarifying the causes of crime remains important to many in this field.

In Korea, from the earliest times, enforcement plans for correctional education and for making the most of technology have been regarded as particularly important. New techniques have been developed to enhance the effectiveness of corrections through the introduction of psychiatry, psychology and sociology. These have been brought into practical use in classification and therapy. It is convenient therefore to discuss the use of technology in Korean prisons by dividing it into the two aspects of individualised treatment and security.

### Classification

The Korean prisons attempt to achieve a scientific diagnosis of inmates on the basis of the knowledge of psychology, sociology, pedagogy, psychiatry, etc. The aim is to get a better understanding of the individual characteristics of inmates. The results of such diagnosis are then used practically as foundations of individualised treatment plans. There is a classification office in each institution and a classification section especially in maximum security institutions.

(1) The methods and techniques used for classification are as follows:

- \* Intelligence test
  - . Brief intelligence test, Korean Wechsler Intelligence Scale, etc.
- \* Character test
  - . General character test
  - . Rorschach test - Individual test: Test cards  
Group test: Film slide type  
Rorschach testing machine
  - . The Thematic Apperception Test
- \* Vocational Aptitude test
  - . Tools: Twenty two types including general vocational aptitude testing machine
  - . Test paper: General Aptitude Test Battery
- \* Psychiatric measurement: Electroencephalogram

## (2) Operation of Classification Institution

Korea, under its Progressive Treatment Regulations, has operated a classification system and a progressive treatment system but the treatment of inmates by group and grade according to the classification was found insufficient. Accordingly the authorities designated a certain correctional institution to be wholly responsible for classification. Here a new classification system is being tried out.

To extend this plan across the nation it is proposed to divide the country into four districts; namely, the Seoul-Incheon district, the Central district, the Yeong-Nam district, and the Ho-Nam district; and to designate one institution in each district as a classification institution. This District Classification Institution will become wholly responsible for the classification of all inmates accommodated in the institutions of the district concerned.

Education

Korean penal institutions provide for inmates different levels of education covering the courses of primary, junior and senior high schools and vocational training. All kinds of equipment - amplifiers, tape recorders, slide projectors and VTR projectors, etc. - are in regular use.

(1) Academic Education. Korean prisons provide organised classes according to the courses of elementary school, junior and senior high schools and they help inmates to prepare themselves for the qualification examinations conducted by the Ministry of Education for the various levels of schooling. In this work of preparing for public examinations, audio-visual educational materials and other types of equipment such as recorded tapes, video tape recorders, film projectors, etc. are widely used in correctional institutions.

In particular, juvenile inmates who are suspended from attending school due to their custody are helped by being allowed to take advantage of correspondence courses for Junior and Senior high schools in the juvenile correctional institutions. A lot of inmates pass the qualification examinations for admission to high school or college. They are allowed to attend schools after they are released on parole.

(2) Vocational Training. The vocational training provided is divided into general vocational training and intensive vocational training.

Qualified instructors are employed to take full responsibility for the technical training of inmates. The training covers both theory and practice and prepares all the trainees to take the qualification examination for skilled workers. Inmates who have the acquired licences of skilled workers are encouraged by the grant of privileges such as rises



in remuneration, more lenient treatment and an early release on parole.

(3) Intensive Vocational Training. Intensive vocational training centres are established in three correctional institutions. These centres aim at training high-grade skilled workers for the advanced industrial society. Inmates who are qualified as trainees are collected from the correctional institutions throughout the country and housed together in the training centres for the purpose of obtaining qualifications as skilled workers. If certain inmates fail to obtain the qualifications for skilled workers on the first examination, they may be given a second opportunity. A number of inmates take part in the National Vocational Training Competition each year and frequently win various kinds of prizes including gold medals after competing with skilled workers from the outside society.

(4) Spread of Farming Techniques. Korea is traditionally an agricultural country, so inmates who intend to engage in agriculture (some from rural communities) are helped to acquire modern farming techniques. This training is given in farming, stock raising and forestry correctional institutions.

### Psychiatry

At present Korea offers inmates various kinds of psychiatric treatment in its correctional institutions - such as psychoanalytic therapy, individual counselling, behaviour therapy, group counselling, group activities, etc.

However, there is some difficulty in this field due to the insufficiency of specialists and due to the restriction of circumstances in penal institutions: but every effort is made to develop psychiatric treatment techniques with the aid of psychiatrists in the outside society and by the recruitment of full-time psychiatric staff.

### Security

Scientific technology has been introduced into Korean prisons to improve the levels of security. The following devices are in use:

- \* Infra-red Detector. An automatic alarm device has been installed on the wall of one of the maximum security institutions to supplement the function of the guards in the watch towers.
- \* Monitoring Cameras. Three hundred and twenty-two monitoring cameras have been installed in thirty-two important places in the correctional institutions such as cells of inmates who are under close surveillance or in the corridors of cell buildings.
- \* Metal Detectors. There are two types of large-sized and small-sized metal detectors in Korean correctional institutions to assist in the searching of inmates by correctional officers.

- \* Walkie-talkie (portable radiophone). As inmates' outside activities are extended, such as outside works, community visits, etc., portable radiophones are used to enhance the security measures.

#### THE ROLE OF VOLUNTEERS IN PRISONS IN RELATION TO PROGRAMS FOR INMATES

The present correctional policy in the Republic of Korea is being carried out vigorously under the great goal of the Socialization of Corrections. Recognition that the problem of corrections for inmates is not only a problem for correctional authorities, but also a problem for the general public is taking root in Korea.

It is an almost universally accepted precept that all ranks of society should become involved in all sorts of correctional activities. Voluntary Visitors Committees and Religious Guidance Committees composed of religionists, educationists, lawyers, social workers, businessmen, etc., provide the drive for more public participation in correctional activities.

Voluntary Visitors Committees. These committees date from 1970, when interested persons in the community such as religionists, lawyers, businessmen, etc. took part in the educational activities of the local correctional institutions and began to support them by regional groups. At present, there are 1609 volunteers throughout the country, all of whom are taking an active part in inmates' guidance activities. During one year, in 1983, they established sisterly and brotherly relationships with 5505 inmates, counselled 6938 inmates, helped 151 inmates find employment, donated 37 132 educational books and delivered hundreds of educational lectures for inmates, etc.

Counselling. This is the general duty performed by voluntary visitors. They lay the main stress on the delivery of knowledge, the solution of problems, on psychotherapy, according to their various fields of expertise. They also aid the authorities concerned with advice concerning the inmates' treatment.

Establishment of brotherhood and sisterhood relationships. This has been a very effective field which has produced excellent results. Volunteers have helped to purify the offender's mind by a caring affection, perceiving that offenders are generally those who have grown up in surroundings which lack affection due to the broken homes, family troubles, etc. Through regular visits (once a month on an average) voluntary visitors serve inmates usually with comforts and counselling, and they also offer guidance of a religious nature and economic assistance.

Educational lectures. Lectures are given to inmates on an average of once a week by voluntary visitors.

Guidance of special talents. Prison visitors visit inmates regularly to guide them in the development of their

special talents and abilities - such as calligraphy, drawing, athletics, music, embroidery, etc.

Donation of educational tools and materials. Voluntary visitors donate various kinds of audio-visual materials including TV, VTR, etc. and books for general education to be used for the education of inmates.

Assistance to released prisoners. Prison visitors provide various forms of support activities such as employment guidance, support for settlement and stability of livelihood, guidance of a religious nature, personal requirements, etc.

Religious Guidance Committees. This is a system which was established by the religionists who had been supporting the enlightenment projects for inmates as members of the Voluntary Visitors Committees. They introduced this system in order to promote the projects more positively by the power of religion. The pattern of operation is similar to that of the Voluntary Visitors Committees, but its members are principally composed of religious ministers, Buddhist priests, Roman Catholic priests, and other leading members of the different associations of the various religious denominations. They concentrate on missionary work and on guiding the spiritual life of inmates.

At present there are 1201 members of Religious Guidance Committees from 167 religious groups throughout the country who are playing an active part in the religious development of inmates.

Guidance of religious doctrine. In order to guide inmates in their religious doctrines, members of the Religious Guidance Committees visit correctional institutions weekly or run bible classes in the correctional institutions. Ninety per cent of all convicted inmates throughout the country have become believers in religions or are learning religious doctrines with much interest.

Number of convicted inmates who believe in religions

(As at 31 December 1983)						
Religion	Total	Protestant	Buddhist	Roman Catholic	Others	Inmates without religion
Population	30 715	13 650	7592	6128	289	3056
Percentage	100	44.4	24.7	20	0.9	10

Note: Others are those who believe in religions originated from Korea such as Cheondo-Kyo, Daejong-Kyo, etc.

Lectures for edification. The members of Religious Guidance Committees deliver lectures to all the convicted inmates every week regardless of their denomination.

Establishment of Brotherhood and Sisterhood. Through personal ties or collective relationships between religious groups and workshops or dormitories, they are actively engaged in consolatory visits, guidance of religious doctrines, exchange of letters, etc.

Religious counselling. The members of Religious Guidance Committees counsel inmates to help them solve any personal conflicts and to establish a sense of values or ethics.

Aid for released prisoners. On an inmate's release from prison the members of Religious Guidance Committees introduce him to the churches most conveniently situated to the place where the inmate is living. They will provide the released prisoners with money for their support and sometimes they may send selected released inmates to special seminaries for further training.

The inmates' freedom of religion is fully guaranteed in the correctional institutions of Korea. In each correctional institution every inmate is encouraged to have a religion if possible. Buddhists set up an image of Buddha and Roman Catholics set up their statues in the correctional institutions. When an inmate's daily schedule is over he often joins others in the study or practice of religion. Inmates can be heard singing a hymn and the sound of a wooden gong is familiar in the dormitories of every correctional institution. In almost all the correctional institutions, certain dormitories are set aside for the housing of inmates who believe in the same religions. They are allowed to perform religious services and to lead a communal religious life in their dormitories. This system has been producing excellent results. Research has shown that devotion to a religious belief has proved to be a most effective reform amongst all the various educational methods conducted in the correctional institutions. It has been most successful in helping released prisoners adapt to life in society outside and it seems to help them avoid the commission of further offences. The recidivism rates of inmates who are believers and those who are non-believers are shown below.

Research results on recidivism rates

Category	Released	Recidivist	Rates Percentage
Believers	2107	142	6.7
Inmates who acquired licences of skilled workers	4188	405	9.6
Boy Scouts	1022	87	8.5
Successful applicants to the qualification examination for high school or college entrance	173	19	11

Note: Research conducted between 1 Jan. 1980 and 31 Dec. 1981.

### Social Gatherings of Voluntary Prison Visitors

Social gatherings of voluntary prison visitors are held regularly to provide volunteers who are devoting themselves to the reformation and guidance of inmates with comforts and encouragement.

These social gatherings are held annually in the ten regions throughout the country. Especially, meritorious volunteers are given letters of appreciation by the Minister of Justice in recognition of their services. These gatherings are excellent opportunities for correctional authorities to exchange views and information with volunteers. The gatherings are widely reported in the media to enable the public to appreciate the work being done - and to share in it as far as possible.

### PROBLEMS OF THE PHYSICALLY AND MENTALLY HANDICAPPED IN PRISONS

The Criminal Code of Korea specially provides that mentally handicapped offenders shall not be punished or their sentences shall be reduced. And also it is stipulated in the Criminal Code that the criminal acts of deaf mutes shall be the reasons of reduction of sentences. When physically or mentally handicapped persons are imprisoned the correctional authorities take such special and separate measures for the protection and help of such disabled inmates as might be necessary.

The present state of accommodation, treatment and problems of the physically and mentally handicapped inmates in Korea are outlined briefly below.

#### Present state of accommodation

The average daily population of inmates is 50 876 from January 1984 through May 1984, and among them the mentally handicapped are 154; this is 0.3 per cent of the total population of inmates. The national statistics for the physically handicapped are not yet prepared. The reason is that total number of inmates in each institution is fluctuating and diverse because the limits of the physically handicapped are obscure.

The physically handicapped inmates are cared for so that they may not feel any discrimination or inconvenience due to their disability. Where possible they are housed in an infirmary or in a designated place. However, the mentally handicapped are housed in an infirmary of each institution before a sentence is decided, and when the sentence is decided they are housed in an institution designated for the purpose. Here they receive special treatment from psychiatrists or they are given special protection by the correctional officers who are wholly responsible for them.

Masan Correctional Institution located at Masan, is specially designated to receive the mentally handicapped and consumptive patients. These are collected from other institutions throughout the country and accommodated at Masan. At the moment

there are 78 mentally handicapped inmates in Masan Correctional Institution.

### Treatment

The handicapped are excluded from the progressive treatment system. First, in order to discover who are the mentally handicapped, questionable inmates receive an immediate examination from outside mental specialists. Inmates who are diagnosed as mentally handicapped are housed in the infirmaries with first priority and put under the treatment of the medical doctors of the institutions concerned.

To prevent unexpected accidents or self-injury likely to be caused by the mentally handicapped, there are arresting ropes, handcuffs, chains and gags for violent inmates. Also to follow the movements of such inmates more closely they are put on the special surveillance list and usually their movements are followed with TV monitors at all times.

In the last decade (1973-83) prison incidents such as suicide, murder and bodily injury against inmates caused by mental handicap have numbered no more than six.

### Problems

(1) The facilities for the physically handicapped are still unsatisfactory, so they feel inconvenience in leading institutional life with healthy inmates. Designated special institutions for the mentally handicapped are needed which have enough medical specialists and specialised facilities. Not enough of such facilities are yet available.

(2) The employment guidance for the handicapped is not smooth. Accordingly, it depends upon volunteers or organisations for social welfare.

(3) Above all, national political consideration is required for the constant treatment of the mentally handicapped who are also criminal. The Korean government has been using national or private mental hospitals to handle them, but a special mental hospital for the criminal mental patient is planned to be built before long.

### MECHANISMS USED BY VARIOUS JURISDICTIONS TO MONITOR CRIME AND INCIDENT RATES IN PRISON SYSTEMS

In Korea, crimes and incidents in correctional institutions are under the direct jurisdiction of the Correction Bureau, Ministry of Justice.

Accordingly, all kinds of crimes and incidents in affiliated local institutions are monitored and analysed in the Correction Bureau.

What should be considered in discussing inmates' crimes and incidents is to establish their standards and scopes.

There are two kinds of occurrences which need to be considered - first the criminal offences which are such whether committed inside or outside institutions - and breaches of regulations which apply only within the institutions. Drinking, smoking, movement without leave in an institution, making or possessing any articles without permission, and attempting to escape from confinement are what may be called incidents only in the correctional facilities. Escape however is probably the one offence which is a crime - and an incident since it is usually forbidden by the criminal code (escaping from lawful custody) as it is prohibited by institutional regulations.

#### Standards of illegality

Inmates are obliged to observe the intrinsic qualities of confinement, maintenance of order and all kinds of administrative measures intended for the purpose of education as well as the related provisions of the criminal law; and the violation of any of these matters is treated as an incident.

Inmates newly admitted are, first of all, notified of the regulations to be observed in prison life and are given the opportunity to familiarise themselves with the regulations during admission orientation. Pamphlets or brochures containing regulations and matters to be observed in prisons are kept in the dormitories and workshops, and it is ascertained through daily inspection whether or not inmates observe those regulations.

#### Investigation of incidents

Investigation begins when a clue to violation is found. There is an investigation section of the security division of each correctional institution.

During the period of investigation, a suspected inmate is prohibited from working, and if necessary he is solitarily confined to the investigation room. The period of investigation allowed is limited to 10 days, and when it ends, the suspect is referred to the disciplinary committee according to the circumstances of the case.

#### Disposal of incidents

Should an incident prove to be a crime a report is forwarded to the prosecutory authorities and handled under the direction of the public prosecutor. In this case, it is usual that the inmate concerned is tried again for this further offence - and additional sentences are imposed on him. If it is found that the inmate did not commit a crime but that he violated Regulations on Inmates Discipline and Disciplinary Punishment, he is sent over to the disciplinary committee in the correctional institution concerned. The disciplinary committee is composed of three to five senior staff.

The procedure of the committee is similar to the judicial procedure. The suspected inmate has the right to attend the committee and answer to the questions of the members of the

committee. The committee decides the kind of disciplinary punishment which should be imposed upon the inmate in the light of the evidence submitted, the statements received - and especially any extenuating circumstances.

The types of disciplinary punishment are solitary confinement, suspension of work for two months or less, suspension of physical exercise for five days or less, and prohibition of reading books for three months or less and a warning.

Solitary confinement may be imposed upon the inmate for no more than two months. Suspension of reading may be imposed for no more than three months. If the violation is light, there may only be an admonition or warning given at the discretion of the warden.

### Report and statistics

Each correctional institution reports the statistics of crimes and incidents which occurred in it to the Correction Bureau, Ministry of Justice. And the Correction Bureau integrates and analyses the statistics of all the incidents, using the information in developing the inmates' treatment policy. Inmates who were punished for the violation of various regulations reached 6.5 per cent of the total correctional population in 1980, but no more than 2.6 per cent in 1983. This clearly shows that inmates are inclined to observe order and to adapt themselves to the regime in correctional institutions.

It is considered that repeated Saemaul (New Community) moral education and the individual guidance counselling conducted by welfare officials and members of Religious Guidance Committees contribute greatly to the conformity of correctional institution inmates.

### THE DEFINITION OF RECIDIVISM

Article 35 of the Korean Criminal Code provides a definition of repeated crimes. It is as follows:

A person who, having been punished with imprisonment or severer punishment within three years after the day on which the execution has been completed or remitted, shall be punished as a repeating offender. Punishment for a repeated crime shall be twice the maximum term specified for such crime. Therefore, from the academic point of view or in case of demanding a penalty and pronouncing a sentence, a person who fulfills the necessary conditions mentioned above is regarded as a repeating offender.

But there is another definition used within correctional institutions. To distinguish the number of offences committed and make statistics of repeated crimes for the treatment of inmates



in the correctional institutions, a repeating offender is anyone who has been to prison previously - or who was given a suspended prison sentence. That is to say, regardless of the period required till a second offence is committed, the offender who served a term of imprisonment in the past or who received a suspension of execution of a prison sentence is regarded as a repeating offender.

Offenders are classified into second offender, third offender, fourth offender, etc. according to the number of times that they are admitted to the correctional institutions or placed under probation with imprisonment or severer punishment including the present sentence in execution.

Accordingly, criminal records do not include punishment with fines, though both imprisonment and imprisonment with forced labour are included in the calculation of the number of records.

Number of convicted inmates by frequency of commitment

Year	Frequency					
	Total	1st offender	2nd offender	3rd offender	4th offender	5th offender or more
As of 31						
December 1981	32 694	12 758	8381	4286	2738	4531
Percentage	100	39	26	13	8	14
As of 31						
December 1982	31 632	12 048	8034	4218	2794	4538
Percentage	100	38	25.4	13.4	8.8	14.4
As of 31						
December 1983	30 715	11 149	7215	4009	2884	5458
Percentage	100	36.3	23.5	13	9.4	17.8

MACAU

## THE USE OF TECHNOLOGY IN PRISONS

We are living in a 'technocratic' age and the use of modern technology, especially in large institutions, has become common. In correctional institutions it is widely employed as a means of surveillance on prisoners' activities and of communication with staff members. The use of technology reduces the number of staff on duty and minimises the stress experienced by the prison wardens as they try to be alert in their posts.

The type of technology used varies widely from simple to sophisticated devices according to the physical make-up of the institution, the nature of prisoners under surveillance whether it be for maximum or minimum security.

We should use technology with caution so as not to eliminate personal contact between prisoners and staff. If contact with prisoners is depersonalised, the consequences can be seriously damaging to the correctional program because what we have in the gaol are people who have feelings and they need to be treated as persons independently of what they did before their incarceration.

In order to compensate for the impersonal machines which are used in the institution, we should have staff members who are trained to be 'caring' so as to encourage the inmates' rehabilitation.

At the Macau Central Prison we use telephones as a system to control visits to prisoners. Unbreakable glass separates the inmates from visitors and they communicate by means of telephones. In this way, they see and hear one another but physical contact is impossible. Passing of drugs, dangerous articles and messages for criminal intents during visits are lessened remarkably. Visits are monitored by one staff member who sits unseen in an unbreakable glass cubicle. This system is used only when the crowd is large during regular visiting hours.

To counteract the negative aspect of this technological control system, special visits with family members are arranged on individual cases with the social workers. During these family reunions for birthdays or anniversaries, they may celebrate together with cakes and soft drinks which the visitors bring with them. When family members become dangerously ill, the prisoner is accompanied to the hospital. Prisoners are accompanied to attend funeral services in funeral parlours and may even go to the burial grounds if it is not too inconvenient for the prisoners' security.

Special alarm systems and telephones are installed in various sites in the prison and particularly at the watch towers.

The laundry is equipped with washing machines so as to provide work for the inmates and train them in the care of machines.

As a recreational facility the prisoners are provided with a television set and video tapes.

Cassette recorders are available to prisoners on special request. Those who are taking correspondence courses make use of this. However, these machines may not be taken into the cells.

#### THE ROLE OF VOLUNTEERS IN PRISONS IN RELATION TO PROGRAMS FOR INMATES

Volunteers in prisons play an important role in linking inmates to the outside world. They bring hope and encouragement to the inmates and help ease the tension of being cooped up behind bars by relating with normal people. I presume that many of us are familiar with the cases of long-term prisoners who become completely alienated from other people. Life has lost meaning for them and they become either apathetic and indifferent or rebellious, causing much trouble for themselves and for others.

Life outside the gaol keeps going on and many changes in the society and environment evolve. The volunteers help much by keeping the prisoners in touch with realities going on there. This will enable them to take a realistic approach to life's problems and difficulties when they will eventually leave the gaol at the end of their conviction or when they will be sent out on conditional liberty.

However, volunteers have to be carefully selected and appointed because of their close contact with prisoners. They have to conform to some criteria as to maturity, stability, commitment and seriousness of purpose, common sense, some certain amount of sense of humour and pleasant disposition so as to be truly helpful to the inmates.

Caution is exercised in the selection of volunteers as some people may pretend to offer help in order to accomplish their selfish interests, to infiltrate the prison for political reasons, to get even with prisoners or so as to maintain contact with former members of the underworld.

In the Macau gaol most of the volunteers come from religious groups. They are instrumental in restoring peace of mind and heart among the inmates. They do this through study group meetings, instructions, prayer groups and by simply listening to their grievances which is a process of ventilation and catharsis. It is most helpful to many of the inmates when they feel they are understood and accepted.

Through the volunteer Catholic chaplain, Catholic prisoners relieve their consciences from excessive guilt feelings to open them up for more positive measures in their personal rehabilitation. Reconciliation among prisoners has been brought about through dedicated volunteers.

Individual volunteers come regularly. They are able to reach 23.18 per cent of the 578 prisoners each week. Other volunteer groups come for events such as Christmas, Chinese Lunar New Year and Easter to contact and give special treats to all the prisoners in small manageable groupings.

Volunteers are urged to observe prison regulations so as not to interfere with the general direction and order of life in the gaol. They may not take messages, letters and articles to and from the prisoners. Although we want to boost the morale of the inmates, the fact remains that the place they are in is still the gaol.

As we deal with this item on volunteers in prisons, how about looking at it the other way around? How about the correctional institutions sending out volunteers from among the inmates to help residents of other institutions such as the elderly, the mentally and physically handicapped? This will raise the awareness and concern of the inmates about other people's needs.

#### PROBLEMS OF THE PHYSICALLY AND MENTALLY HANDICAPPED IN PRISONS

Fortunately we do not have many cases of mentally and physically handicapped persons in the Macau gaol. We have one case of hemiplegia. He is in the custodial ward of the government hospital since we have no facility for such a condition in the gaol. He is going through physiotherapy treatment. He has been sentenced to 23 years in gaol.

There are two prisoners who were afflicted with polio in their childhood and since they can go around with ease in spite of their limping, they are treated just like everybody else.

It is to be expected that sometimes we will be faced with the need to take into our custody prisoners with mental and physical handicaps. Inasmuch as we are able to, accommodations for such cases should be provided in the gaol.

For the expansion of the Cadeia Central de Macau plans are being considered to provide for the needs of the physically and mentally handicapped prisoners. Prisoners suffering from lung ailments and other debilitating conditions who need not be hospitalised need provisions in the gaol.

Drug dependent prisoners are other handicapped people who need our attention in the gaol. As these people need special treatment in the correctional institutions we hope that we will be able to meet their needs in Macau in the near future.

#### MECHANISMS USED BY VARIOUS JURISDICTIONS TO MONITOR CRIME AND INCIDENT RATES IN PRISON SYSTEMS

Crimes committed in the gaol are referred to the court or the Judiciary Police which is the official investigating body of the Macau District. Information is passed on to the person in

charge of social affairs regarding incidents which happen in the gaol.

If it is considered that the case may be investigated in the gaol, some staff members may be appointed for this matter. We have a right to do an independent investigation in the gaol and create a special process for this. Depending on the result of the investigation, proper punishment is meted out to the culprit who is found guilty with proper documentation.

At present we use various communication media for communicating information about incidents in the gaol. This is done to avoid distorted presentation of news items. I think that sometimes conflicting information is passed on to the public if prison officials refuse to entertain their questions. But of course, there are confidential matters which need to be withheld from the press.

#### THE DEFINITION OF RECIDIVISM

We apply the term 'recidivism' for all criminal acts which merit another conviction besides the first one incurred. Independently of what he did, a person is considered a 'recidivist' if he is convicted more than once.

**MALAYSIA**

Dato'Ibrahim bin Haji Mohamed

THE USE OF TECHNOLOGY IN PRISONS

This topic will be discussed under three headings, namely:

- (i) Treatment Technology
- (ii) Security Technology
- (iii) Industrial Technology

Treatment Technology

The work of the Prisons Department of Malaysia is mainly rehabilitative in nature. Its role is threefold:

- (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, and
- (c) to rehabilitate offenders so that they can eventually return to the community as law abiding persons.

The essentials of penal administration are provided for in the following penal legislations: Prison Ordinance, 1952 and Prison Rules, 1953.

The general principles of penal administration can be summarised as follows:

- (a) Discipline and order shall be maintained with fairness but firmness and with no more restriction than is required for safe custody and to ensure a well ordered community life.
- (b) In the control of inmates, prison officers should seek to influence them through their own example and leadership so as to enlist their willing co-operation.
- (c) At all times, the treatment of inmates shall be such as to encourage their self respect and a sense of personal responsibility so as to rebuild their morale, to inculcate in them habits of good citizenship and hard work, to encourage them to lead a good and useful life on discharge and to fit them to do so.

The elements of the treatment technology in Malaysian prisons may be summarised as follows:



- a. Reception Board
- b. Classification System
- c. Medical Attention
- d. Progressive Stage System
- e. Vocational Training
- f. Earnings Scheme
- g. Education
- h. Religious Instruction
- i. Recreation
- j. Counselling
- k. Community Service Programs
- l. Pre Release and Aftercare Programs

### Security Technology

One of the fundamental responsibilities of prison management is the secure custody and control of inmates. This is universally prescribed by law, society and public opinion. Although at times such a concept may seem at variance with the concept of rehabilitation, it is doubtful that any correctional program can afford to ignore this reality. For, it has to be realised, in the final analysis, services and facilities for rehabilitative treatment can operate effectively only in a climate where there is good control of inmates.

In the Prisons Department of Malaysia, its security technology can be said to encompass the following:

- a. A system of classification of inmates
- b. Inspection of security facilities by senior officers
- c. A system of counting inmates
- d. Control of firearms
- e. Control of contraband
- f. Control of keys
- g. Control of tools and equipment
- h. Locking devices kept in good working condition at all times
- i. Provision of security at the gates and across the walls
- j. Special emergency plans for riots, escapes, fire fighting and emergency lighting
- k. Operation of a constructive program of inmates' activities covering work, recreation, education, religion, counselling and good staff-inmate relationship

In addition to the above-mentioned, there are also the following:

- a. Emit machines for the purpose of screening drug addicts (urine tests)
- b. Machines for the purpose of screening incoming parcels of inmates
- c. Internal alarm system (bells which could be triggered in the event of emergency) and external alarm system (hot line) which has direct linkage to the nearest local police station.

- d. Joint riot exercise with the police
- e. Joint fire drills with the local fire brigade
- f. Narcotics dogs for the purpose of sniffing drugs in prisons
- g. Firearms such as Mk.5 rifle, and Stirling sub machine gun for guard duty at various prison posts, and 0.38 special Colt revolvers and 0.32 Smith and Wesson revolvers for escort duties
- h. Two units of Prison Light Strike Force consisting each of eight well trained men
- i. Prison walls. Old penal institutions have walls which are 16 to 18 feet high and reinforced with German needle cluster barbed wire. In contrast, the new prison walls of Kajang Prison are 22 feet high and with bulbous top to prevent escapes.
- j. Buffer zone. Areas immediately surrounding the prison walls are kept as a buffer zone and no structures may be erected without prior approval from the prison authorities. This is to enable a clear view area and for the security of the prison from the outside.
- k. None of the prisons in Malaysia are installed with sophisticated gadgets or equipment which would require every visitor going into the prisons to be stripped of his or her belongings made from metal, etc. The Malaysian Prison authority does not wish to subject visitors to prisons to such a routine which can be embarrassing to the visitors as well as to the authority. So far nothing has happened which could jeopardise the security at various prisons and prisoners/visitors relationship is very good.

### Industrial Technology

In the correctional system of Malaysia, prison industry forms an integral part of the program of rehabilitation of offenders. Its objectives may be summarised as follows:

- a. Rehabilitation of inmates through vocational training
- b. Training of inmates as far as possible in marketable job skills
- c. The development of sound working habits
- d. To increase the revenue of government and the prison welfare fund thus reducing the cost of prison expenditure

Inmates are provided with wide opportunities to equip themselves with a form of skill/trade or to enable them to maintain or upgrade a skill already acquired prior to admission in prison in a selected trade in order that they may secure employment upon discharge.

The following trades are available for inmates training:

- a. Carpentry
- b. Printing and bookbinding
- c. Shoe repairing
- d. Tailoring
- e. Metalwork and welding
- f. Laundry
- g. Sock knitting
- h. Brasswork
- i. Towel knitting
- j. Mattress making
- k. Motor mechanics
- l. Radio and T.V. repairing
- m. Cake making
- n. Orchard farming
- o. Vegetable gardening
- p. Fish rearing
- q. Boat making

As opposed to the emphasis on traditional type of industries as mentioned above, since August 1981 the Prisons Department of Malaysia has been moving in the direction of joint venture schemes. This new approach has three main advantages, that is, better remuneration for inmates, training in relevant marketable skills and revenue for the Government and prison welfare fund.

Under this arrangement, the Prisons Department provides the labour supply (inmates) and workshops (within the prison) whereas private companies provide the machinery and expertise and takes care of marketing the products.

Currently, several firms participate in the said joint venture schemes.

Afasia Knitting Co.	Penang Prison	Knitting of sweaters
Eastern Garment Co.	" "	Stitching of garments
Creative Industries Co.	" "	Wood furniture
Serumpun Miska Co.	" "	Bakery
Arisa Enterprises	A.Star Prison	Hollow bricks and drains
KEDA	" "	Cane furniture
Ghuzaila Enterprise	" "	Bakery
Ummah Co.	Sg.Petani Prison	Bakery
Industeri Biskut	Kajang Prison	Bakery and biscuits
I.T.T. Transelectronics	Penang Prison	Electronic gadgets
Suhana Co.	SHG. Melaka	Bakery
Tong Ah Garments	Taiping Prison	Workers' garments
Confer Co.	Kajang Prison	Panelling wall and furniture
INB Engineering Co.	" "	Foundry, cement mixer, tumbler, and others
Kajang Vermicelli Co.	" "	Beehoon and instant mee

Progress and profits have been favourable and there are plans to expand the scheme to most penal institutions.

In addition to the above-mentioned, there are also cattle rearing, which was started in 1980, and plastic industry, started at the beginning of 1984.

#### THE ROLE OF VOLUNTEERS IN PRISONS IN RELATION TO PROGRAMS FOR INMATES

In Malaysia, in the field of rehabilitation of offenders, volunteers play an important role. Their activities are summarised as follows.

It is of utmost importance that prisoners discharged from prisons after completing their terms of imprisonment be successfully reintegrated into the mainstream of the community. For this reason, in almost every state of the country are to be found Discharged Prisoners' Aid Societies. These bodies are run by civic-minded citizens and aim to facilitate the re-entry of the ex-offenders into the community as law-abiding and socially productive individuals. These societies render assistance to ex-offenders in a variety of ways. This could take the form of job placements, provision of new clothing, railway fare or the provision of a small sum of money to enable ex-offenders to purchase some basic tools to initiate a small business. Some Discharged Prisoners' Aid Societies have halfway houses which also serve as a workshop for inmates who are still looking for jobs after their release. Over the years many prisoners have benefited from the services provided by these voluntary bodies.

For inmates serving prison sentences, mental and moral support through the cultivation of religious sentiments is especially important. In this area, volunteers also play a significant role in imparting religious values to inmates in prison in addition to the religious teachers provided by the government. Volunteers from various religious faiths visit penal institutions with a view to conducting services or providing religious talks to inmates. An important reformative agent, religious instruction as provided by government employed religious teachers or volunteers can be seen as an important aspect of rehabilitation which has been of help to many inmates.

It is an established fact that recreational and extra mural activities not only contribute towards physical and mental well-being but also provide a constructive means of spending leisure time and help inmates to relieve tensions, anxieties and monotony. To minimise the feelings of isolation and the effects of segregation amongst inmates, friendly games with teams of other outside organisations or voluntary bodies and prison staff are encouraged.

In Malaysia, there are also individual members of the public or voluntary bodies who take a keen interest in the affairs of inmates in prisons. Frequently they make donations to the prisons in the form of festival cakes, fruits, T.V. and magazines.

Of late, particularly at Pudu Prison, Lions and Lioness Clubs have been active. They have organised re-orientation

programs with a view to speeding up the integration of prison inmates into society. In the main, their re-orientation programs take the form of outings for inmates who are about to be released and these have proved to be a success.

The pilot project was initiated in 1983 when six women inmates of Pudu Prison were taken out on a picnic and sightseeing tour of the capital city. All the inmates were dressed in civilian clothes and given a brief taste of freedom and were accompanied by a couple of custodial officers who wore civilian clothes.

Encouraged by the success of the pilot project, currently Lions and Lioness Clubs followed up with a couple more such outings early this year and the clubs are planning more educational activities such as tours to factories or offices during the second half of this year. They also plan to provide career guidance to inmates. The clubs are also in touch with prisoners who have been released and efforts are being made to find them jobs.

The Prisons Department believes that allowing inmates to see the outside world before completion of their terms will boost inmates' enthusiasm to return to society. It is hoped that more service clubs or organisations will participate in similar programs in other parts of the country.

Apart from contributions made by the Lions and Lioness Clubs, mention must also be made of the contribution rendered by the Acupuncture Society of Malaysia. Since the year 1983, this society has provided assistance in the form of free acupuncture treatment to drug addicts in Pudu Prison.

#### PROBLEMS OF THE PHYSICALLY AND MENTALLY HANDICAPPED IN PRISONS

Medical services play an important role in the Prisons Department of Malaysia. Every effort is taken to ensure that inmates receive adequate medical attention. For this reason, all penal institutions in Malaysia have a resident hospital assistant, a prison dispensary and a sick bay to cater for inmates with minor health problems such as common cold, influenza, cough, scabies, etc. A government doctor visits the prison normally twice a week. For serious illnesses, inmates will be rushed to the outside hospital for treatment.

Great importance is attached to medical treatment. It is provided for in the Prison Rules, 1953:

#### Rule 18 Medical Examination

- (1) Every prisoner shall as soon as possible after his admission be separately examined by the Medical Officer, who shall enter on the prisoner's record particulars of the state of health of the prisoner.

- (2) No prisoner shall be put to labour until the Medical Officer has certified that he is fit for such labour.
- (3) Every prisoner shall be examined by the Medical Officer before being discharged or removed to another prison and no prisoner shall be removed to another prison unless the Medical Officer certifies that the prisoner is fit for removal.
- (4) A prisoner due for discharge who is suffering from any acute or dangerous illness shall be transferred to a government hospital.

Rule 241 Attendance at Prison

The Medical Officer shall, if necessary, attend at the prison daily.

Rule 242 Examination of Prisoners

The Medical Officer shall examine every prisoner as early as possible after admission and make in the prison records the entries required by Rule 18. He shall examine every prisoner before he is made to undergo labour. He shall examine every prisoner sentenced to punishment for any prison sentence before any such punishment is carried out and certify whether in his opinion such punishment can be inflicted without the probability of serious injury being caused thereby.

Rule 243 Case Book Journal

The Medical Officer shall enter in a Case Book, to be kept in the prison and accessible to the Officer-in-Charge an account of the name, disease, state and treatment of every sick prisoner. He shall keep a journal in which shall be entered day by day his comments on the state of the prison and prisoners.

Rule 244 Prisoners Mentally Unsound

The Medical Officer shall report to the Officer-in-Charge the case of any prisoner whose mind has been or appears likely to be unjuriously affected, and give such written directions in the case as he may think proper. He shall report in writing the case of any prisoner appearing to be mentally disordered.

## Rule 245 Sick Prisoners

The Medical Officer shall report in writing to the Officer-in-Charge the case of any prisoner to which he thinks it necessary on medical grounds to draw attention, and shall make such recommendation as he deems needful for the alteration of the discipline or treatment of the prisoner or for the supply of additional articles to the prisoner.

## Rule 246 Prisoners Unfit for Prison

Whenever the Medical Officer is of the opinion that the life of a prisoner will be endangered by his continuance in prison or that a sick person will not survive his sentence or is totally and permanently unfit for the prison discipline, he shall state his opinion, and the grounds therefor, in writing to the Officer-in-Charge, who shall forward the same to the Director General of Prisons.

## Rule 55 Quadrennial Reports on Prisoners

- (1) The Officer-in-Charge of a prison shall every month, prepare a report on every prisoner who has during the previous month completed four, eight, twelve, sixteen or twenty years of his sentence, or, having served seven or more years of his sentence has attained, or is believed to have attained, the age of sixty years.
- (2) Each such report shall include
  - (a) a statement by the Officer-in-Charge on the work and conduct of the prisoner; and
  - (b) a statement by the Medical Officer on the mental and bodily condition of the prisoner with particular reference to the effect of imprisonment on his health.
- (3) The Officer-in-Charge shall forward every such report to the Director General of Prisons who shall enter thereon any recommendations he may desire to make and forward it to the State Pardons Board within which the offence, of which the prisoner was convicted, was committed or deemed to have been committed for the purpose of Clause (15) of the Federation of Malaya Agreement, 1949.

- (4) The Yang Di Pertuan Agong (the King) or His Highness the Ruler may remit the residue of the prisoner's sentence or may direct at what later time or times the case shall again be submitted for his consideration and in that event he may at any later date either remit part or the residue of the prisoner's sentence.

In respect of prisoners of unsound mind, the Prisons Ordinance, 1952 also makes the following mention:

Section 35 Prisoners of Unsound Mind

- (1) Whenever a prisoner undergoing a sentence of imprisonment or sentenced to death appears to a Medical Officer to be mentally disordered, he may direct that such prisoner be removed to any mental hospital and there be detained and such order shall be an authority for the reception of the prisoner and for his detention therein until removed or discharged as hereinafter provided.
- (2) Where a prisoner is detained in a mental hospital under the provisions of this Ordinance and is, in the opinion of the visitors for such mental hospital, no longer mentally disordered, the visitors shall report accordingly to the Director General of Prisons who shall direct the return of such prisoner to the prison whence he was removed or to any other prison in the country to be dealt with according to law.

THE DEFINITION OF RECIDIVISM

In Malaysia, the recidivism rate among convicted prisoners admitted to prisons for the year 1983 is as follows:

Previous Prison Committals	Male	Female	Total	Percentage
First time	10 703	592	11 295	55.9
Second time	4370	77	4447	22.0
Third time	2211	25	2236	11.1
Fourth time	1139	10	1149	5.7
Fifth time	458	5	463	2.3
Sixth time	215	3	218	1.1
Seventh time	129	0	129	0.6
Eighth time	92	0	92	0.5
Ninth time	55	0	55	0.3
Tenth time	46	0	46	0.2
More than ten times	64	1	65	0.3
Total	19 482	713	20 195	100.0



From the above table it can be noted that 55.9 per cent are first timers, 22.0 per cent are second timers, 11.1 per cent are third timers while 11 per cent are fourth timers and above.

In Malaysia, the Prisons Department has discovered that programs founded on discipline and with a humanitarian approach and with the aim of rehabilitation can achieve much. To date, it is felt that efforts directed at rehabilitation have been very encouraging for the relapse rate is fairly low.

Also, it is felt that the Malaysian prison system has a deterrent effect. The Prisons Ordinance and Rules empower all heads of penal institutions to punish offenders who constantly cause trouble or breach prison regulations. The following disciplinary punishments may be meted out:

- a. Reprimand
- b. Segregation
- c. Removal or reduction in earnings grade
- d. Reduction or delay in stage promotion
- e. Forfeiture of privileges
- f. Forfeiture of remission
- g. Committal to solitary confinement and restricted diet
- h. Recommendation to the Ministry of Home Affairs for award of corporal punishment

It should be noted that in Malaysia there is a lack of alternatives to imprisonment except for fines. Also, there is no probation system (for adult offenders) and no parole system (for both young as well as adult offenders).

The Malaysian prison authorities are particularly concerned with the category of prisoners recidivating second time and above. With a view to reducing this figure, the department has some plans to strengthen or upgrade its counselling program, religious instruction program, pre-release program and possibly seek to introduce a transcendental meditation program. It is hoped that all these measures will put the department on more solid ground insofar as recidivism is concerned.

MALAYSIA  
Prison Population (all types of inmates)  
31 May 1984

Prisons	Male	Female	Total
Kuala Lumpur	3308	-	3308
Taiping	1783	-	1783
Penang	1956	74	2030
Johore Bahru	1595	-	1595
Alor Setar	986	15	1001
Pengkalan Chepa	553	16	569
Seremban	529	-	529
Kuantan	305	-	305
Sungai Petani	101	-	101
Kajang	249	125	374
Marang	104	-	104
Sarawak	518	16	534
Sabah	1025	11	1036
<b>Total</b>	<b>13012</b>	<b>257</b>	<b>13269</b>

  

Henry Gurney Schools	Male	Female	Total
Telok Mas	455	-	455
Ayer Keroh	107	-	107
Melaka	75	-	75
Batu Gajah	-	32	32
Kepayan (Sabah)	45	3	48
<b>Total</b>	<b>682</b>	<b>35</b>	<b>717</b>

  

Popoc Rehab. Centres	Male	Female	Total
Pulau Jerejak	582	21	603
Muar	221	-	221
Batu Gajah	268	-	268
<b>Total</b>	<b>1071</b>	<b>21</b>	<b>1092</b>

  

Centres of Protective Custody	Male	Female	Total
Taiping	79	35	114
Sarawak	-	-	-
Sabah	-	-	-
<b>Total</b>	<b>79</b>	<b>35</b>	<b>114</b>

  

Drug Rehab. Centre	Male	Female	Total
Kuching	48	1	49

  

<b>GRAND TOTAL:</b>	<b>14892</b>	<b>349</b>	<b>15241</b>
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NEW ZEALAND

THE USE OF TECHNOLOGY IN PRISONS

Staffing restrictions and increasing inmate numbers and the demand for a higher degree of efficiency in administering penal institutions have caused the Prison Service to look towards modern technology to overcome problems and improve performance.

New Zealand is at present evaluating micro-computers and it is expected that the first of these will be introduced to institutions by March 1985 with all institutions being equipped within three years. These micro-computers will be used to perform general office accounting and inventory functions now being performed manually.

The Courts Division and Head Office of the department have for some time been linked to a central computer recording system, shared with the Police and Transport Departments, where inmates' records are stored. Until recently access to these records by penal institutions could only be gained by using terminals at local courts. The Prisons Division is now installing terminals in penal institutions to enable greater use to be made of this facility which has the advantage of being able to be used as a message switching (telex) service between offices where terminals are installed. Savings in time, toll calls and even typing services have been found to be worthwhile.

The age of technology has been recognised in the field of education for both prison inmates and staff. A pilot computer-based teaching program for inmates was introduced to Arohata Youth Institution with pleasing results and the department intends introducing a further program at Manawatu Youth Institution.

Video equipment is used at the Prison Staff Training College as part of the officer training program and this is being extended to the point where video equipment is being installed at institutions to enable local use of training modules prepared by the college. This equipment is also used for inmate recreation where video tapes provide an alternative to films, being cheaper to hire and with a wider selection available.

Technological advances in prison industries have been slower and less certain. The most modern and sophisticated equipment is considered for purchase but the highly skilled, trained, and motivated operators often necessary are seldom available. Furthermore, the need to provide labour intensive employment must be weighed against the often labour saving nature of modern equipment which, while improving production, would negate a policy of providing constructive work opportunities for all inmates.

Modern technology has also been utilised to provide security at a number of institutions. The country's only maximum security prison is controlled by closed circuit television with motorised grille locks and a public address system which is also used as an intercom. T.V. surveillance is also provided in the

maximum security unit at the country's largest receiving institution and there is microphonic surveillance of visits in the booths reserved for the highest risks at these institutions. Body scanners are in general use in security institutions as an aid to preventing the introduction of weapons or escape material via visitors and in addition at Auckland Maximum Security Prison to prevent the transmission of home-made weapons from the industrial workshops. In addition, the following systems are presently being investigated:

- Radio transmitters and receivers for alarms and paging,
- Outdoor infra-red security beams,
- Outdoor movement detectors,
- Microphonic fence protection, and
- Perimeter surveillance systems.

#### THE ROLE OF VOLUNTEERS IN PRISONS IN RELATION TO PROGRAMS FOR INMATES

In 1981 New Zealand carried out a comprehensive review of penal policy which included submissions from interested members of the public. In its report, the Review Committee chaired by a High Court judge stated that it was essential for the community to be involved in institutional life and that ideally the prison should be seen as part of the local community. The committee went on to say 'with one or two outstanding exceptions, this is far from being the case at present, with society's expectation that imprisonment by itself will "cure" the offender of anti-social behaviour. If reformation and rehabilitation can be promoted at all it must be from real life experience, not by isolation from the real world'.

A working party set up by the Review Committee to examine the value of input from volunteers and voluntary agencies accepted the worth of volunteers in the penal system. Following a recommendation of the Penal Policy Review Committee a pilot study involving three prisons is presently being run. These draw the inmate population from the surrounding region and put much emphasis on involving community groups, agencies and individuals in the programs.

Formal provision has been made for community participation at a number of levels. Individual volunteers work on a one to one basis with inmates who can be paroled to their care on a daily basis for counselling and support. The institutional committee which develops personalised programs with the inmates has a community representative as well as prison and probation staff, as does the committee which recommends work release applications. In addition, the Minister of Justice has appointed an Advisory Committee to each pilot prison comprising a number of community representatives as well as departmental personnel to provide an interaction between the department and the responsible local community, to make recommendations on policies and programs and to involve the community to an appropriate degree in programs within and outside the prison.

The involvement of volunteers has been pursued for some years at Manawatu Youth Institution which specialises in community parole programs and remedial and vocational training for young offenders and is to be a focus at another youth institution (Waikeria) in the forthcoming year.

A number of voluntary organisations have had an association with prisons programs over a number of years. Perhaps the most long-term of these is the Prisoners' Aid and Rehabilitation Society which assists inmates, ex-inmates and their families.

#### PROBLEMS OF THE PHYSICALLY AND MENTALLY HANDICAPPED IN PRISONS

As in any community, there are a number of handicapped inmates in the New Zealand prison population.

##### Physically Handicapped

Depending on the degree of physical handicap, those sentenced to imprisonment are likely to be retained in receiving institutions in the main centres where there is a variety of employment available and close to any medical support which may be necessary. Most institutions have a full-time nurse available and doctors visit from once a week to once a day depending on the size of the institution.

Few inmates have major physical handicaps. There have been two instances recently however. A young paraplegic requiring daily attention was recently sentenced to life imprisonment. He was initially confined to the medical block of the receiving institution because of his medical status but was soon moved to general cell accommodation as he can perform all perambulatory movements such as getting from wheelchair to bed, etc. While likely to require further surgery for his condition, he is presenting no real management problem and is undertaking study and is employed on light duties in an industry workshop within the institution.

In 1981 a tetraplegic received a sentence of 18 months imprisonment. Because of his total dependence on others, he was moved to New Zealand's only full-time prison hospital. Substantial modifications to existing facilities were however necessary as was the recruitment of extra staff who had to receive special training. His physical and mental condition deteriorated following reception as a result of natural causes and confinement in the hospital environment and early release was eventually approved.

Waikeria Youth Institution has introduced a remedial program for the physically handicapped in which individual training goals are set for these inmates. Participants are recommended to the program by the medical officer, nursing staff and supervising officers and each program is formulated on an individual basis. The program is carried out for one hour daily

Monday-Friday and attendance takes precedence over work and other institutional routines. There are five main categories catered for:

1. Asthmatics and respiratory ailments
2. Injury rehabilitation
3. Muscular development
4. Back problems
5. Physical/mental handicaps. (Psycho-motor co-ordination and development)

The sentence of Corrective Training was introduced in April 1981 for offenders of 15-20 years. Inmates are subjected to an exacting regime with the emphasis on hard work, a fast tempo and alertness and accordingly a certain standard of fitness is necessary. There is no pre-sentence medical examination and persons both physically and mentally handicapped have on occasions received this sentence with which they have no prospect of coping. In these circumstances the Secretary for Justice can direct pursuant to the Penal Institutions Act that such trainees serve their sentence in a youth prison. This provision does not receive frequent use as the judiciary are in most cases well aware of the nature of the sentence.

#### Mentally Handicapped

The mentally sub-normal often fit well in an institutional environment and generally pose no great behaviour problems in prison. They are usually allocated to a work situation within their limited capabilities and under the supervision of an officer who will take a close and personal interest. They make little progress however towards personal improvement in prison and on release are often less able to cope thus increasing the chances of re-offending. To counter this, a departmental working party recommended in 1981 that part of an existing prison be set aside for three general types of psychiatrically disturbed prisoners, including the mentally sub-normal, to provide a supervised and caring environment in conditions of minimum security. Since then there has been a shift in policy by psychiatric hospitals which now means that more violent and disruptive psychiatric cases are kept within the prison system. As a consequence an increase is foreseen in the suicide rate and violence.

Consideration is now being given to setting up a special secure psychiatric facility but whether it is run by the Health or Justice Departments has yet to be decided.

#### MECHANISMS USED BY VARIOUS JURISDICTIONS TO MONITOR CRIME AND INCIDENT RATES IN PRISON SYSTEMS

It is difficult to gauge the true incidence of crime within the prison system in New Zealand. Many assaults suffered by inmates are passed off as accidents because of the fear of retaliation if inmate victims make a complaint. Gang rivalry and associated intimidatory tactics amongst inmates are also evident but seldom culminate in a prosecution because of the lack of co-

operative witnesses. In spite of the special measures introduced to curb drug abuse in penal institutions and the particular vigilance of staff, it is evident there is still limited abuse. Wherever possible such incidents are prosecuted in the District Court but evidentiary requirements cannot always be met.

Generally, the degree of offending by inmates is measured by the incidence of internal charges under the Penal Institutions Act 1954 as advised in annual returns from institutions. A summary of these for the year 1983 is attached. Many of these are merely offences against discipline, for example, disobeying an officer's order rather than a crime as such, although some, such as assaults, are also criminal in terms of the Crimes Act 1961. The more serious of these are usually prosecuted in the District Court but no separate records are kept.

#### THE DEFINITION OF RECIDIVISM

We do not have any official definition of recidivism in New Zealand and it does not emerge as a problem administratively.

The need for a definition most often arises in a research context. Even here we do not have a fixed definition and it depends on the nature of the research question and the available information. However, we usually use a conviction in court as the measure of re-offending. Therefore we do not capture re-offending that is not brought into the criminal justice system. Variation in research definitions arise from consideration of such questions as whether to include traffic offences, or non-imprisonable offences, or Children's and Young Persons Court appearances, and what time period to allow re-offending to occur.

The Probation Division has said re-offending studies are most useful if they look at the seriousness of re-offending, and patterns of offending careers.

When Wi Tako was a prison for first offenders, its definition of a first offender was someone who had not previously been sentenced to custody or who had had only one term in a detention centre or one month or less in prison.

A related issue, though a bit off the point, is expungement of criminal record. The Penal Policy Review Committee recommended:

#### Part VI (Expungement)

##### Chapter 25

71(a) That publication of a conviction after the appropriate rehabilitation period (i.e. period without re-offending) be unlawful as provided in para. 438.

(b) That the rehabilitation period commence from date of release in custodial sentences and from date of conviction in others (para. 440).



(c) That the rehabilitation period be 5 years from its commencement, except when a 'direct relationship' exists, when it be 10 years for removal of disabilities (para. 444, page 166).

72(a) That save where a 'direct relationship' exists it be unlawful to discriminate against anyone with a criminal record in areas covered by existing human rights legislation (para. 451, page 168).

(b) That the 'direct relationship' test be available for 10 years following release or conviction as appropriate (para 452, page 168).

73. That enforcement proceedings in respect of unlawful publication or discrimination be provided under the procedures in the Human Rights Commission Act 1977 (para. 459, page 171).

1.1.83

to  
31.12.83

Institution	DISCIPLINE				Appeals Ag. Sup	TYPES OF MISCONDUCT										TYPES OF PUNISHMENT									
	Charges Supt.	Heard VJ	CT	IMP		Disob. Insol. Disresp	Assaults on Officers	Assaults on Inmates	Attempted Escapes	Unauth. Possess/ Transaction	Other		R. D Postponed	Forf. Privs.	Forf. Earnings	Cell Conf. or Excl. from Work									
	CT*	IMP**	CT	IMP		CT	IMP	CT	IMP	CT	IMP	CT	IMP	CT	IMP	CT	IMP	CT	IMP	CT	IMP	CT	IMP		
Arohata	96	100	5	3	-	45	26	3	-	-	5	-	-	18	19	38	50	74	18	-	67	10	12	40	24
Auck. Max.		285		21	12		229		9		8		-		52		8		39		42		127		13
Auck. Med.		142		3	26		65		-		8		-		29		43		3		97		15		25
Chch.	4	526	-	26	18	1	227	-	5	-	14	-	1	-	107	4	198	3	118	1	173	-	115	-	117
Chch. Women		187		13	7		138		7		7		1		29		19		-		60		49		43
Dunedin		61		8	2		23		-		2		2		17		25				34		5		16
Inv.	246	836	-	34	10	246	292	-	10	-	42	-	4	-	83	-	375	217	367	-	204	-	76	7	215
MYI		195		1	1		37		-		14		-		61		84		23		93		-		81
Mt Eden		325		4	1		190		3		6		4		95		45		6		120		100		180
Napier		17		-	-		4		-		3		1		6		3		1		4		-		-
New Plymouth		70		9	8		24		4		3		-		6		42		8		46		10		23
Ohura		31		-	-		18		-		2		-		4		7		-		11		8		2
RPF	815	85	5	11	9	11	13	1	4	8	1	2	-	40	21	761	47	802	1	-	62	-	4	21	39
Rolleston		49		1	3		21		-		3		-		14		12		6		34		3		10
TPF	1286	166	-	5	4	11	90	-	2	25	1	6	-	7	24	-	58	1187	23	-	99	-	34	-	26
WYI	4	506	-	4	-	3	451	-	1	1	41	-	-	-	38	-	3	2	17	2	423	-	18	-	195
Walkune		274		5	9		242		-		2		2		23		7		88		88		27		67
Wanganui		378		19	60		162		6		9		-		67		133		56		176		94		92
Wellington		205		5	8		51		3		14		-		50		92		10		85		9		89
Wl Tako		142		3	2		51		-		1		-		42		52		3		46		58		26
Sub-totals	2451 +	4580	10 +	175	180	272+2354	4 +	54	34 +	186	8 +	15	65 +	787	803 +	1303	2285 +	796	3 +	1964	10 +	764	68 +	1283	
Totals	7031		185		180	2626	58		220		23		852		2106		3081		1967		774		1351		

\* Corrective Training  
\*\* Imprisonment

SINGAPORE

## THE USE OF TECHNOLOGY IN PRISONS

The use of technology in our prisons is dictated by considerations of productivity and cost-efficiency. Our approach, as in many other areas, is to keep in line with the rest of Singapore and our application reflects prudence, not economics. Where a premium is placed on the need to maximise manpower usage and deployment, no organisation can afford to ignore the benefits that an updated technological capability can offer towards such an end. More often than not, the problem is how to relate costs involved to the austere, if not shoe-string budgets that many of our penal systems operate upon. I shall speak in our context, of the use of technology as manifested in security and administration.

Security

To speak of technology in the realm of prison security is not unlike planning an arms build-up for the defence of the country. The analogy is intended to underscore the importance of the role within the organisation of the prisons department. Within the penal institutions, primary allocation for updated technology must obviously be accorded to maximum security institutions. Thus our efforts in this area have largely concentrated on Changi Prison, which is our main maximum security institution. The reasons are compelling. The prison houses, inter alia, convicted long sentence offenders including those condemned to death. If staff were to be pre-occupied or unduly diverted by the accompanying custodial and security problems, they would neglect the equally important task of rehabilitating the prisoners. I shall therefore cite the developments in this prison as an example of our interest in the use of technology. It does not preclude our use or intention to use some of these devices in the other penal institutions, where appropriate. We have therefore undertaken an on-going program to mechanise the institution in various areas in order to enhance security. This program is scheduled for completion by the end of this year. Features of this program include:

- (i) use of closed-circuit television to improve surveillance and supervision in prescribed and ultra-sensitive areas,
- (ii) use of remote-controlled locks at strategic points - resulting in compartmentalisation of the prison into a number of zones. These locks, fitted into existing gates in the prison will be centrally controlled,
- (iii) x-ray scanning control system to improve security through easier identification of contraband and inmate sub-culture. Examination and searching procedures would be accelerated and the tedium of such operations in these areas would be alleviated. Affected areas are the laundry and main gate of the institution. To elaborate further

as an illustration, the use of the machine at the laundry is a case in point; some 60,000 pieces of dirty linen, viz. sheets, blankets and clothing mainly from public hospitals and laundered over a period of 16 hours each day. The equipment can, easily and much more speedily than a manual operation, scan through bundles of linen, and identify items secreted within, that would jeopardise security or undermine discipline. Hacksaws, weapons and other implements can be identified by the scanner. A smaller sized version is also used at the main gate area of the prison. This is primarily for the examination of items brought in by the inmate's relatives for the inmate's use,

- (iv) use of a portable panic alarm system: a staff member bearing such a device can set off an alarm at first sight of trouble long before a conventional alarm point at a designated post can be activated. It is especially vital in crowded areas when access to an alarm point can be difficult and deliberately encumbered and in instances where a staff member is assaulted,
- (v) other developments have included the automation of the entry doors of the main entrance area to the prison and the use of walk-through metal detectors for the examination of inmate's visitors.

As part of our build-up in the long term, we hope to be able to undertake the following:

- (i) installation of inertial sensors: these sensors would be installed on top of the inner perimeter wall and would enhance early detection,
- (ii) installation of an intercom system at the visits block. Under this plan, we hope to improve the supervision of the visits area, where inmates meet and converse with their next-of-kin visitors and relatives. Under the scheme, such conversations would be facilitated through an intercom system, installed in each of the visits cubicles. This would enable, amongst other things, a 'point-source' monitoring unit to be installed to monitor conversations of hardcore inmates and their visitors; particularly those suspected of contemplating illicit activities. Evidence relating to criminal activities perpetrated outside could also be derived from this source, upon which the police could act, in a preventive capacity,
- (iii) 'gang-locking' system - under such a scheme, all the cell doors in each floor level of prescribed areas could be centrally controlled. This would, apart from advantages accruing to security, also reflect savings in manhours of work.

#### Administration

Technology in this area is largely synonymous with computerisation. The advantages in using mechanised information

systems have weighed heavily upon the need for trained and skilled manpower to operate and utilise such systems. Computerisation enhances productivity through speedy processing and retrieval of information. It optimises manpower utilisation and obviates unnecessary paper work. It reduces possible human errors in data handling and is able to generate comprehensive statistical reports with unusual speed. More importantly, it is able to capture large quantities of data without any significant cost increase.

Currently two micro-computers are in use, one being at Prison Headquarters and the other at Changi Prison. The software at Changi is programmed to maintain the inmates' workshop attendance daily; to compile the inmate's weekly earnings and canteen purchases; to compile the monthly wage claims for the working inmates for submission to SCORE which represents the employer; to prepare inmate's monthly savings sheet for forwarding to the Savings Bank to credit the respective individual accounts. Such are some of the operational uses of the equipment at Changi. The software at Headquarters, on the other hand, has since built up a data base in respect of the convicted prisoners and criminal law detainees in our institutions. The software package has also been designed to handle documents that require regular updating such as compilation of the daily overall muster position of the institutions.

It is clear from the above that part of the modules for computerisation involves the socio-economic and criminal data of inmates; and wage and cash properties of inmates. Eventually, this is intended to be part of the department's sub-system that will be linked via a terminal to the main frame at Ministry Headquarters. Given that there will be other sub-systems linked to the main frame, the potential for efficient usage in terms of interface capabilities and on-line facilities would be enormous.

Perhaps the greatest potential for the use of technology in the future is in the area that I have not touched upon, viz., the field of rehabilitation. One need only think of advanced audio-visual aids or skills development programs for inmates that involve the assembly of high precision equipment to know that the possibilities are far from exhaustive.

In conclusion, I make no claim that our use of technology is a model for others to emulate. Far from it. Some of your jurisdictions are more advanced in application and, perhaps in sharing your experiences, we may conclude at the least that our ultimate objectives are identical.

#### THE ROLE OF VOLUNTEERS IN PRISONS IN RELATION TO PROGRAMS FOR INMATES

Volunteer participation in the rehabilitation of offenders have manifested itself in two ways. Firstly, there are those who are directly involved and render services in the prison itself. Secondly, there are those who are indirectly involved by becoming members of bodies that are committed to the rehabilitation of offenders as their main objective. Prisoners' Aid Societies

operating in various parts of the world come to mind, as an example of the latter kind.

The local equivalent of such a body is the Singapore After-Care Association (SACA). Formed to undertake the care and supervision of discharged prisoners after their release and to support any project deemed necessary for the rehabilitation of discharged prisoners, SACA's governing membership emanate from various walks of life, with a preponderance of legal officers and other civil servants. The Association today supports two full-time after-care officers who visit the prisons regularly and focus their attention on those categories of prisoners who are not serviced by other agencies. This in-care service scheme (involving both admission and pre-release stages) covers short-term prisoners, that is those who are serving imprisonment for terms ranging from six months to a year. This has proved to be a pragmatic approach and the Association has seen this to be of wider application as evidenced by the increase in the Association's work with the families of such prisoners. For those who are serving sentences of more than a year, a different in-house scheme is operative. This category of prisoners are assigned full-time prison welfare officers who do casework from the day of incarceration until discharge.

Additionally, the members of SACA also undertake activities to promote greater public consciousness about the rehabilitation of offenders. For instance, the Association organised a seminar on 'Key Issues in the Rehabilitation of Ex-Prisoners' last year that involved some 150 participants from a variety of organisations.

More emphasis is now being placed to involve volunteers directly in the rehabilitation program for inmates. A case in point is the treatment scheme for reformative trainees.

Under our laws, young offenders between 16 and 21 years of age can be committed for reformative training at our Reformative Training Centre. These offenders are committed under Section 13 of the Criminal Procedure Code, Cap 113, and can be released on licence under Schedule D of the same code. Schedule D provides that where the Board of Visiting Justices is satisfied that a reformative trainee has satisfactorily responded to his training and re-education, he could be released on supervision before the expiry of three years (but not before the completion of 18 months), subject to statutory supervision for the unexpired part of the overall four-year term. In practice, reformative trainees spend an average of 20-24 months under training and are put on licence under the statutory supervision of after-care officers for the remaining period. Such supervision as undertaken by such officers comes within the purview of the Ministry of Social Affairs. The officer assigned to a particular case interviews the trainee on admission, maintains an active file during the trainee's term in the institution and discusses with the subject his discharge arrangements during the closing stages of his detention.

Whilst formerly such a role was undertaken by a full-time officer, it is now being gradually assigned to a volunteer

officer. In December 1983 the Ministry of Social Affairs had formed a batch of 31 such volunteer prison welfare officers. After a suitable period of training and field experience, such volunteers may be gazetted to take on legal responsibilities in the supervision of charges placed under their personal care. These volunteer officers work under the general supervision of full-time welfare officers of the Ministry and the outcome of such a scheme involving volunteers remains to be evaluated in due course. If the scheme bears results, there are grounds to expect such an arrangement involving such volunteer officers to be expanded in due course to involve other categories of inmates who also require after-care, either on a voluntary or compulsory basis.

Finally, there are those volunteers who operate on the 'fringes' of the prison program for inmates. These include the lay preachers from various denominations who preside over religious services and provide religious counselling in some of our institutions on a regular basis. They perform a constructive and useful role in the prison, uplifting spirits and providing guidance for the distressed.

From the Voluntary Prison Visitor System operating in Japan to the Civil Rehabilitation Committees of New South Wales, Australia, organisations exist to articulate the role that volunteers can play in the overall effort to rehabilitate offenders. Although the aims are common, the endeavour for such citizen volunteers is not always rewarding and at times the results can be extremely discouraging. Such eventualities notwithstanding, there is cause for optimism in the thought that such bodies have continued to thrive and sustain their efforts.

#### PROBLEMS OF THE PHYSICALLY AND MENTALLY HANDICAPPED IN PRISONS

It is generally accepted that the number of physically disabled offenders who are committed to prison are few and far between. It is also generally believed that the courts exercise penal servitude as the last option in dealing with such cases and do so only in the absence of other penalties such as fines. It does not of course follow that our attention towards such a minority group is proportionately diminished vis-a-vis the other inmates who are in the mainstream of the institution. Our focus and objective instead is to ensure that they are provided with the amenities that would minimise any discomfort arising from their physical handicap during their term of sentence. With this in mind, such offenders are normally accommodated on the ground floor of the hospital wing of our main penal institution, Changi Prison. The hospital area houses the infirmary, is much less populated than the other areas of the prison, and therefore poses less obstacles in the daily routine of the life of the physically handicapped offender.

In March 1979 there was one male admission who was paralysed in both of his lower limbs. This 28 year old, who was an ex-university student, had been a polio victim during childhood years. He was convicted of seven counts of cheating and was



sentenced to nine months imprisonment. He was discharged in August 1979.

In December 1980, a 19 year old partial paraplegic was admitted to Changi Prison to serve a five year sentence for causing grievous hurt to two persons, and a 2-1/2 year sentence for possession of an offensive weapon. An additional eight year sentence was imposed on this offender for the manslaughter of a third person during the same incident. This particular offender was semi-disabled as a result of being shot by the police during the consequent scuffle with them when he was being arrested. As a result of his physically handicapped status, the additional penalty of six strokes of the cane was waived. This offender is currently serving a term in the hospital wing of the prison, and no difficulties have hitherto been encountered.

The second of the two groups under discussion, the mentally handicapped, represent a formidable category that can at times demand a close and cautious attention. I take the mentally handicapped to embrace the broad sense of the term, from the the mentally ill to the mentally retarded and including those of unsound mind. In dealing with the problems of the mentally handicapped, let us also bear in mind the problems that prisons staff can face in having to handle the mentally handicapped, specifically, those who are of violent or psychotic disposition.

In June 1974 a psychiatric ward was established at Changi Prison Hospital. This hospital is a gazetted mental hospital for the purposes of treating three categories of offenders who require psychiatric reference:

- (i) Accused persons remanded by the courts for psychiatric assessments and reports; this includes Assize Remands, that is those charged for capital offences. Such assessments are undertaken by visiting psychiatrists from Woodbridge Hospital, which is the Republic's main mental hospital.
- (ii) Convicted offenders who were not mentally ill at the time of commission of the offence but who currently suffer from mental illnesses from various causes. This includes those with previous mental illness records, and who have suffered relapses during their stay in prison. Such cases are detected during the process of classification which is undertaken at the time when the offender is admitted to the prison.
- (iii) Accused persons who have been detained at the Minister's Pleasure. In such cases, the accused has been charged in court but has been adjudged to be unfit to plead. He is therefore kept under an Order of the Minister for Law. Periodic assessments are made by psychiatrists and reports in respect of the subject's condition are forwarded to the Minister for Law accordingly.

Perhaps a graphic illustration of the position at Changi Prison Hospital would serve at this juncture. As of 15 July 1984

there are eight persons in the psychiatric ward who have been remanded by the courts for psychiatric examination and reports. Most of these have been charged with capital offences. In a separate ward of the hospital, seven are under treatment. These have been long-standing cases and most of them are long sentence offenders, with chronic ailments, generally schizophrenia. Of these one is serving a term during the President's Pleasure. A psychiatric review is undertaken on this subject on a six-monthly basis and forwarded to the Minister for Law for the purpose of determining his suitability for release. Another has been kept in the same ward for schizophrenia. This subject was charged in court for attempting to assault with a dangerous weapon. He was found unfit to plead and thereafter committed to the ward on an Order of the Minister for Law, in accordance with the provisos of the relevant Act. Additionally, from the remaining inmate population of the prison, some 20 odd inmates are escorted to the prison hospital daily to receive their medication for mental illnesses, most of whom are in the mild or controlled phase of the illness concerned.

In the case of convicted offenders whose mental illnesses are unresolved at the time when they are due for discharge, there is provision in the law to commit them for continued treatment or reference at the country's mental hospital, Woodbridge Hospital. This would require the certification of at least two medical officers before the procedure can apply.

Medication of cases in the psychiatric wards is administered by medical staff who are attached to the prison hospital on a full-time basis and work under the direction of a medical practitioner. This obviates the need for medical training of custodial staff deployed for duty at the prison hospital. Problems may arise from time to time when some of the cases have to be coaxed in order to consume their prescribed medicine. In other instances, the patient may take the pill, pretend to swallow it, but instead secrete it under his tongue and spit it out later. Such incidents do occur but are not overwhelming and can be solved through tact and patience. Invariably the patient returns to the daily routine of dosage. For such patients, the daily routine is kept to the norm wherever possible. Thus such inmates are encouraged and do receive regular visits from their next-of-kin or relatives. Where they have demonstrated violent tendencies on the day of such visits, attempts are made to advise and coax them. Additional precautions are taken and the visits session are allowed to proceed as far as possible.

My examination of this topic has perforce been limited. This has been chiefly because the demands in this area of our operation have been adequately accommodated by existing arrangements. No immediate expansion in this area is therefore foreseen, either in terms of the demand for such services or in enhancing the existing capability.

MECHANISMS USED BY VARIOUS JURISDICTIONS TO  
MONITOR CRIME AND INCIDENT RATES IN PRISON SYSTEMS

I should understandably approach the topic from an obvious, generalised basis. As most would agree, there would be a need to balance the interests of curiosity or instruction with the need to maintain confidentiality on the operational aspects or details involved that a discussion of the subject may demand. Then again, the need to be specific may not arise in a discussion at such a level as the present occasion.

Broadly speaking, detection and control of illicit activity in the prison system is done by the use of physical surveillance equipment such as CCTV, complemented by an intelligence gathering capability. There are two aspects as indicated - detection and control.

Detection involves physical apprehension of the culprits involved and prosecution for the offence at the appropriate level of authority, according to the gravity of the offence involved. Control, which is the more difficult of the two, involves identification and subsequent isolation of the 'inmate-barons' or 'kingpins' who often operate through their own network of proxies and elude detection. Even if detected, there is quite often scant visible evidence to sustain any charges against them. Segregation of such offenders from the general run of inmates then becomes the only option open to the institutional Head. It should be borne in mind that such a segregation or separation policy does not involve the dangerous or Category A prisoner only. The concept may also encompass the homosexual, the informer, and the prisoner whose nature of offence may so enrage the general prisoner community as to provoke them to set upon him at the earliest opportunity.

Continuous monitoring of activity has to be sustained, not only of activities within the institution, but also at the entry points, where the institution has access to incoming and outgoing traffic. Being key points in terms of the security of the institution, there logically has to be a greater concentration in terms of staff attention for these areas. For example, recently at our maximum security institution, background work by our staff revealed that an ex-inmate had planned to visit his colleague who was still serving time in the prison. This ex-inmate had perpetrated his intent by attempting to gain entry to the Visits Block where normally visit sessions between inmates and their next-of-kin are conducted. His mode of entry was to bear some other person's identity card and pass himself off as that other person. The attempt was detected and the offender was subsequently referred to the police and prosecuted.

Control, it appears, is the contributing factor in maintaining stability within the general prison community. For example, if gambling is accepted as a common illicit activity within the prison, the task would be to keep the level of this activity within manageable proportions, given that it cannot be completely eradicated. Inmate involvement in high-stake gambling or their subsequent inability to settle their losses have been

known to generate other disruptive consequences for the institution concerned. This is part of the fabric of prison sub-culture. Part of the solution here is to maintain regular checks of inmates' personal properties and the living areas, ensuring that such checks are as thorough as they are intensive. Such security 'sweeps' are a regular feature of the institutional routine. The frequency may vary from one season to another, depending on one's reading of the ground situation. It is in this context that the role of the intelligence system becomes crucial.

Preventive approaches form yet another aspect of the strategy to control and contain the peace within the prison. In this respect, the institutional grievance handling facility represents an important feature. The system or procedure for handling inmates' grievances must be adequate, clear and workable. It has to generate confidence amongst inmates that firmness is always accompanied by fairness. Such a system that is clearly accessible in terms of its outlook, would prevent inmates from going underground in order to solve whatever personal or pressing problems that they may have. Another preventive aspect is to institute a system of checks and counter-checks in cases where inmates' properties are handled or managed. Such arrangements would prevent fraud, losses or misappropriation.

By way of conclusion, I would cite as an example that one of our staff investigating teams once unearthed an inmate gang that had been operating within an institution and had been growing in numbers. The group had managed to develop its own hierarchy, complete with 'staff and line' functions and comprising active members and runners. The group had its members operating in 'key' areas of the institution such as the logistics office, laundry, and kitchen. When in the workshop area, one table was specially patronised by the group. Even the seating arrangement therein was pre-arranged for members of the group. They even made use of the admission block as a 'recruiting' centre, engaging one of the inmates thereat as an 'agent' who was authorised to offer inducements to selected new admissions to join the group. Some of the consequences of such a situation was that other inmates who failed to join or succumb to the demands of the group were either assaulted or threatened. Others joined the group to avoid being bullied, or because they felt that they had something to fall back on in times of difficulty, or for other reasons. It would be obvious that such a clandestine unit existing and being allowed to fester within an institution would in time undermine order and discipline within its precincts. In the final analysis it was staff alertness and sensitivity that prevented the situation from deteriorating.

I have briefly and generally discussed this topic in terms of the broad outlines in which it is enclosed. In finally concluding, I would like to underscore the importance of mechanisms to match and contain the element of dangerousness, which is a central concern and justification for such mechanisms in the prison system. Dangerousness relates to gaol conduct and behaviour.

As a continuing point for discussion let us not, as was once suggested, take the idea of dangerousness itself for granted. But not for the wrong reasons either. As was further suggested, 'it is often defined so as to be unhelpful, imprecise, circular, misguided or irrelevant for practical penological purposes. Moreover, it raises anxiety and is therefore particularly open to abuse'. Whilst those with a liberal stance may pursue similar sentiments and plump for a relaxation of control mechanisms, those who prefer to err on the side of caution may set aside such considerations as being academic and opt instead to spare no effort in maintaining measures thought as being necessary to maintain institutional peace.

#### THE DEFINITION OF RECIDIVISM

The problem of recidivism is a time-honoured issue that has caused concern from one place to another. It is studied in relation to success, that is, success in rehabilitating offenders who have been committed to the prison system.

Mention must therefore be firstly given to the term 'success'. In our context, it refers ideally to a discharged offender who is not subsequently recommitted to prison for some offence, for the remaining period of his normal life. Obviously, this may not be practical in terms of computation as it would appear that if an offender can remain clear of the law over a suitably long period of time, then it can be safely presumed that he is unlikely to relapse. It is this consideration that has brought into play the issue of recidivism, that is the determination of the number of discharged offenders who are recommitted to prison within a given period of time.

By convention, such a referred period is taken as five years and the rate of recidivism would refer to the number of persons who are recommitted to prison within five years of their discharge. It would be appropriate to verify whether this definition is applied internationally by reference to an appropriate body such as the relevant UN social defence agency. It should be evident however that to maintain such a rate over a regular period would require an adequate data bank/maintenance capability.

In our context, two concepts have been maintained, for their workability. Firstly, the number of admissions for a particular year who had previous convictions, are compiled as a percentage of the total number of admissions for the year. For example, in 1983, of the 4576 offenders committed to our prisons 37.1 per cent, or 1697, had previous convictions. This is in fact an appropriate approximation of the ideal as it would indicate the total number of relapses within the State, irrespective of any time-based constraint.

Our second point of reference is to measure the recidivism rate over a period on one year, that is the number of discharged offenders for one year who are recommitted in the next. This figure, in addition to the one indicated above is prompted by the

consideration that our annual budget submissions are undertaken, according to the norm, at one year intervals.

To many, such concepts may render 'crude' figures, that is, figures that are not refined in terms of a time-frame, or in terms of what constitutes a conviction and what does not. Further complications arise when different components of the criminal justice system apply different criteria in determining the term 'conviction' for the purpose of computing the recidivism rate.

For example, the Attorney-General's Office in our jurisdiction has stated that the following orders are not convictions:

- (a) a discharge not amounting to an acquittal,
- (b) a discharge amounting to an acquittal
- (c) a detention, and
- (d) commitment to a Drug Rehabilitation Centre.

Furthermore, in our prison context, the number of previous convictions does not include fines that have been imposed. To do so would be to unrealistically 'inflate' the figures. An offender who has paid a fine is one who has abjured himself of his offence and is not a liability to the State. A fine defaulter on the other hand is a definite social cost. The former should not figure in computations determining the recidivism rate of a particular society.

I should point out at this stage that as suggested elsewhere we may not have to be troubled by the legalities of the term 'conviction' and opt instead for the all-embracing concept of 'antecedent' and arrive perhaps at a broader-based computation for determining recidivism. Such an approach is again not without its share of problems. One conclusion to be drawn clearly, is that the definition of recidivism, unlike many other concepts in usage, is largely a question of the objectives involved.

Perhaps it would be appropriate for me to illustrate at this juncture by way of a small, but significant, study that was undertaken by our Department over a limited period of time recently.

The extent of recidivism was monitored amongst a selected group of offenders who had been discharged from prison between December 1981 and September 1982. These 70 offenders had been placed on a special after-care system comprising 12 months and their performance for the duration of the after-care period was evaluated. For the purpose of evaluation, the recidivism rate was given four interpretations. Firstly, there was the definition adopted by our Prisons Rehabilitation Co-Ordinating Committee, which is a joint committee comprising officials of two Departments, from two Ministries, who are jointly responsible for overseeing the implementation and progress of an upgraded offender rehabilitation treatment program. By this definition, a recidivist is one who is

- (a) convicted of a scheduled offence, and
- (b) whose sentence of imprisonment is one year or more or is committed to the Reformative Training Centre, and
- (c) committed to prison for second time.

Secondly, it was based on reconviction. Thirdly, it was considered in terms of re-admission to prison (except those admitted to prison in default of a fine). Fourthly, it was based on a set of stringent criteria which not only took into account convictions, but also embraced action taken under the Misuse of Drugs Act and the Criminal Law (Temporary Provisions) Act. Such action would include commitment for compulsory detention and rehabilitation in a Drug Rehabilitation Centre and police supervision, respectively. This fourth definition also included those who were on the wanted list by the police or the Central Narcotics Bureau and had subsequently absconded.

Quite predictably, there was a more than progressive increase in the recidivism rate, the broader the parameters used, as can be seen hereunder:

<u>Status</u>	<u>Relapse during After-care Period</u>	
	<u>Nos.</u>	<u>Percentage</u>
a. Based on PRCC definition	4	5.7
b. Based on re-admission to prison	7	10.0
c. Based on re-conviction	9	12.9
d. Based on re-conviction, action taken under MDA and CL(TP) and those wanted by police and CNB	16	22.9

As indicated, the above instance is limited in application as it is from a confined area. There is cause for optimism, nonetheless, for a separate study on the rate of recidivism conducted on a sample group of prisoners who were released over a two-year period, 1 January 1975 to 31 December 1977, and followed through five years respectively, up to 31 December 1980 and 31 December 1982, indicated that higher relapse rates were registered within the first two years of release before tapering off from the third year onwards. What does this mean? Are we to conclude that if we were to compute our relapse rates over a two-year period we would return higher and therefore less palatable results in our yearly records, than if we were to compute on a five-year time-frame? The issue highlighted is a pertinent one. Every jurisdiction would like to reflect low recidivism rates and high success rates in order to validate its programs and policies. There may be modifying factors as we move from one jurisdiction to another in arriving at such recidivism rates. Whether we are able to arrive at a standard definition of the term is not the issue. What is important is whether the rates when computed in one jurisdiction are readily comprehensible and convertible for the

purpose of comparison and evaluation in another jurisdiction. This would assist that other jurisdiction in assessing the cost-benefit implications of its particular rehabilitative programs/strategy.

Nigel Walker defines 'recidivist' in his book Sentencing in a Rational Society as an offender who breaks the law again after penal treatment. Whatever the norm that is eventually adopted, a workable term pre-supposes an adequate information system to support data collection, efficient co-ordination between the various elements of all the relevant agencies involved and finally, consistency in usage.



SRI LANKA

THE ROLE OF VOLUNTEERS IN PRISONS  
IN RELATION TO PROGRAMS FOR INMATES

The rehabilitation of criminal offenders is not a job that can be performed adequately by prison officials alone. The community has a role to play and in almost all countries community participation in prison programs is an accepted practice.

There are several reasons why it is desirable to obtain community participation in programs for the rehabilitation of offenders. In almost every country of the world the financial provision for prison budgets is very low on the priority list. Therefore, the financial provision for prisons in both men and material is always inadequate. Volunteers from the community is one means almost universally adopted to meet the shortfall. Although there may be certain jobs which cannot be performed by volunteers there are certainly several areas in which volunteers could be of assistance.

Involving the community in corrections is also a method of making the community recognise and fulfil its role in the rehabilitation of offenders. The community can be made to realise its obligation towards the discharged offender and to appreciate that it is in the interest of the community itself to assist in the rehabilitation of offenders. The community must be made to realise that rehabilitation of the offender is the best form of protection for the community. Rehabilitation offers the community a permanent and lasting solution to the risk that is presented by criminal behaviour. Therefore, in its own interest the community should help in the rehabilitation of offenders.

Volunteers from the community very often have more influence than officials and can assist in large numbers in efforts at rehabilitation or educational and training programs.

It is therefore almost obligatory on the part of prison administration to organise and utilise volunteers in prison programs. In the setting in Sri Lanka we have a large number of voluntary organisations assisting the department in a variety of programs.

The Soroptimist International is involved in programs for the rehabilitation of women prisoners in Sri Lanka. Volunteers from this organisation visit the female ward regularly and teach them needlework, cooking and flower making, etc. They also organise assistance for families of female prisoners, placement of prisoners' children and sales of needlework etc. to help discharged prisoners. Often organisations like the Lions Club, Rotary International and the Junior Chamber International have come in and organised activities such as dramas or literary contests or come forward to provide needy prisoners with free spectacles, books, tools, etc. On occasions, they have also come forward to train prisoners with skills which would enable them to

find employment readily in the community. Sri Lanka also has a voluntary supervision scheme for discharged offenders. Under this scheme nearly 3000 to 4000 persons have been selected to look after and assist prisoners after their discharge from prison.

Prisoners who are close to discharge are introduced to volunteers who meet them a few weeks before their discharge. They contact them and find out the problems which they might confront after their release and help them during the difficult days immediately after discharge. There is no legal provision for this scheme which is purely on a voluntary basis and with the consent of the prisoner who is prepared to accept the guidance of a respectable member in the community to which he is discharged on completion of his sentence.

Sri Lanka also has an association of volunteers known as the Prisoners' Welfare Society. This society consists of members of the community who are interested in prevention of crime and rehabilitation of offenders. The Prisoners' Welfare Association is a national organisation which operates through a number of sub-committees throughout the island. The association receives a grant from the government and also raises its own funds to help discharged prisoners. Discharged prisoners are given loans to buy tools or set themselves up in business. The association also provides assistance to the family and children of prisoners until they get financial assistance from the government. Volunteers are also utilised in Sri Lanka to conduct educational classes in prisons.

The scope of a volunteer from the community is not restricted by some of the official restraints placed on officials in their attempts to rehabilitate the offender. They can assist in finding employment or even in the supervision of parolees and discharged prisoners. They can achieve many things which the officials cannot achieve. While the official may be hindered by government regulations, interested volunteers can find solutions which are not restricted by government regulations and can therefore be extremely useful. It is, however, necessary that these volunteers should be given some form of training. They should be made aware of the rules and regulations of the institution and should always be closely supervised so that they work with administration. If this is not done they can create problems for the administration.

It will thus be seen that the employment of volunteers offers correctional administrators an excellent opportunity to remedy the shortcomings in the official programs. In Sri Lanka their services are extensively used and they have come forward to donate a large number of items which are so necessary in a prison.

#### PROBLEMS OF THE PHYSICALLY AND MENTALLY HANDICAPPED IN PRISONS

In every prison in the world there are some persons who are either physically or mentally handicapped. The prisons

regulations normally make no provision for any special facilities or special treatment for such persons but on humanitarian grounds prison administrators have always made necessary adjustments.

As the prison population consists of all types of persons, there is bound to be some people who are physically handicapped and also a large number of people who are mentally abnormal. It may perhaps be that their criminal behaviour stems from the abnormality. In any event such persons are often on the receiving end of jokes and ridicule by other prisoners. There may be a very few fellow prisoners who are prepared to sympathise with such persons.

In the case of physically handicapped persons it may be necessary to provide assistance for them to get about to obtain their daily needs. It is very seldom that such persons are provided mechanical equipment, such as wheel chairs. They are at the mercy of other persons who may help them along.

In the case of mentally handicapped persons, they present a different kind of problem in that their abnormal behaviour may provoke violence in a prison. There may also be certain offenders who are liable to exploit such persons for various reasons. There is also a possibility that the officers themselves may not appreciate the inmates' mental abnormality. It is also well known that such persons are liable to have fits of violent behaviour. It is therefore necessary that such persons should constantly be under surveillance.

Both these categories of offenders constitute a problem for prison administrators. Their numbers may not be large and therefore it may not be possible to have a prison for such persons but it may be possible to have them located in separate sections of a prison. The question of the degree of their responsibility is of course assumed to have been determined by court at the time of their conviction.

#### THE DEFINITION OF RECIDIVISM

In every prison system throughout the world there are some prisoners who revert to a life of crime. In Sri Lanka, an offender is classified as a recidivist if he is sentenced to undergo a term of imprisonment for three or more times. The offender who comes to prison once is called a first offender. On his being sentenced to serve a term of imprisonment a second time he is classified as a reconvict. On the third occasion he is classified as a recidivist reconvicted offender. In Sri Lanka, recidivist reconvicted offenders are located in a separate institution where they do not mix with the first offenders and the reconvicts. The long-term recidivist is invariably given some form of vocational training. Even in respect of the recidivist prisoners Sri Lanka follows a policy of taking them out of the prison as soon as possible. Even in the special recidivist prison selected prisoners are sent to work outside the prison walls. During normal working hours they receive their vocational training in workshops outside the four walls of the prison and go back to the prison in the evening.

Sri Lanka also has a separate Open Work Camp for long-term recidivists during the last year of their sentence. At this work camp they are given training in agriculture and animal husbandry. This is an open institution located in a coconut estate with just one dormitory for the prisoners. There is no boundary wall.

The rate of recidivism in Sri Lanka is approximately 40 per cent which means that 40 per cent of these admitted annually have had previous convictions. It also means that 60 per cent of the first offenders do not come back to prison.

THAILAND

## THAILAND

Somboon Prasopnetr

### THE USE OF TECHNOLOGY IN PRISONS

The use of technology in prisons has become an essential factor in correctional administration. Many countries, especially the developed ones, are very interested in its use. In these countries, several kinds of technology and sophisticated equipment such as computers, weapon detectors, closed-circuit television, microwave, etc. have been implemented in prisons in order to cope with prisoners more effectively. This technology and equipment, although costing a lot of money, has saved much time and manpower.

Thailand, being a developing country, is limited in the use of technology in prisons owing to a shortage of funds. At present, Thailand is unable to use weapon detectors, closed-circuit television and microwave equipment for custodial work in prisons although they are very much desired. This has created a burden for prison custodial staff who have to work harder for the same pay as staff in other sections.

However, the Department of Corrections, realising the importance of the use of technology in prisons, introduced a computer system into prisoners' registration procedures a few years ago with co-operation from the Ministry of Finance. Under this program, prison registrars from all over the country will be trained at the Correctional Staff Training Centre by experts both from the Department of Corrections and the Ministry of Finance for two to three weeks in order to enable them to use the computer in prisoner's registration. The program, when fully operational, will enable the Department to cope with prisoners' registrations more effectively.

In addition to the program, many sophisticated techniques are also implemented in most prisons in order to provide modern vocational training for prisoners. Under this program, a one-month training course is provided at the Correctional Staff Training Centre for prison vocational training staff. These officers will return to train prisoners in their own prisons. The purpose of the training is to instruct the prisoners how to use the equipment and to accustom them to sophisticated equipment which will be useful to them upon release.

Hot-line telephones and walkie-talkies are installed in some big prisons and correctional institutions in Bangkok. This enables the Department to communicate with prisons and correctional institutions more conveniently and quickly. In case there is an escape or a riot in any prison, assistance can be quickly requested from the police. The Department plans to use walkie-talkies in prisons all over the country by establishing relay stations in some parts of the country including Bangkok.

THE ROLE OF VOLUNTEERS IN PRISONS  
IN RELATION TO PROGRAMS FOR INMATES

The problem of prison overcrowding is one of the most crucial problems with which the Department of Corrections is confronted at present. This problem is caused by various factors but one of the most important is the use of imprisonment which has become very popular among the judges in Thailand. Although several kinds of non-custodial measures are available, imprisonment is still popularly used.

The Department of Corrections has operated some measures such as parole and sentence remission in order to alleviate the problem. Under such measures, an excellent-class convicted prisoner who has already served two-thirds of his sentence will be eligible for parole while a very good-class and a good-class will have to serve three-fourths and four-fifths respectively. Regarding sentence remission, a convicted prisoner's sentence will be reduced according to his class. An excellent-class convicted prisoner will get his sentence remitted five days a month while a very good-class and good-class will receive four days and three days respectively. In addition to the measures, a convicted prisoner who has participated in the public work program will also receive as incentive a day of sentence remission for every day of hard work in the community. Those who have been granted parole or whose accumulated days of sentence remission are equal to the rest of their terms of sentences will be released but shall have to remain under the supervision of a parole officer until the termination of their terms of sentences.

In operating the program of supervision, the Department is confronted with the problem of the inadequacy of professional parole officers. Although the problem has been solved by using prison guards who have been well trained as parole officers this does not effectively work since most of them are used to their normal roles as guards. In order to alleviate the problem, a program of voluntary parole officers was launched in 1977. Under this program, thousands of voluntary parole officers from all walks of life have been recruited and trained before being sent to work as parole officers all over the country. At present, there are 5230 voluntary parole officers with a final target of 12 168 persons. All of them will be recruited and trained within 1984.

The implementation of voluntary parole officers not only enables the Department to cope with the shortage of professional parole officers but also promotes and encourages public understanding and participation. These people who work on a voluntary basis and who understand and participate in correctional work will act as very good public relations officers for the Department of Corrections against any unreasonable accusations. They will try their best to defend the Department and to give useful information to the outsiders who are doubtful about some correctional activities. Moreover, in the case of a prisoner's escape, they will also be helpful to prison officers in informing about the escapees in their locality.



PROBLEMS OF THE PHYSICALLY AND  
MENTALLY HANDICAPPED IN PRISONS

In Thailand, problems of the physically and mentally handicapped prisoners in prisons and correctional institutions are not so serious. All prisoners will be equally treated by the staff. They are equally provided with educational and vocational training programs according to their desires. The physically and mentally handicapped prisoners are also specially protected by the staff. They are kept separate from the others as far as the circumstances allow and since their numbers are so small, it is not impossible to do so. Any prisoners who feel that they are not safe during their detention can ask for protection from the staff. In this case, they will be taken care of by the staff.

There are many reasons why the problem of mentally handicapped prisoners is not so serious in Thailand:

1. The use of dormitories instead of cells. In Thailand, all prisons and correctional institutions use dormitories where about 60-120 prisoners are kept together during the night. The use of dormitories instead of cells can reduce tension among prisoners which may be a major cause of mental disorder. In this circumstance, prisoners do not feel lonely since they have a lot of friends to chat with or to talk to.
2. The introduction of public work outside. The Department of Corrections, realising the problem of tension among prisoners, has introduced several kinds of public work outside prisons and correctional institutions. This measure enables prisoners to have a chance to change the atmosphere and release their tension.
3. Regular visits by prisoners' relatives. Thai society may be different from those of Western countries in that its people have a very close relationship with their own families. Even though they are grown up and have their own families they still adhere to the old ones. In case any members of the family are in trouble, they will not be neglected. This is the reason why prisoners in Thailand have a regular visit by their own families which will reduce tension during their detention.
4. Prison development. The Department of Corrections, realising that a bad atmosphere in prison causes tension among prisoners which may result in mental disorder, has arranged a program of prison development all over the country. Under the program, all prisons and correctional institutions will be divided into six groups according to their size and location and will compete with each other in cleanliness, tidiness, prison decoration, etc. The administrators of prisons who win the first prize in each group will be awarded diamond rings and will be sent for a study tour abroad at government expense.
5. Compulsory work program. In Thailand, all convicted prisoners are required by the law to work. Several kinds of work are available in prison according to needs. This program helps reduce loneliness which may cause tension among prisoners.

However, in dealing with the mentally disordered prisoners, some problems still arise:

1. The lack of psychiatrists and psychologists. At present, the Department of Corrections has not any psychiatrists or psychologists of its own. Although there are many psychiatric hospitals in Bangkok and in some big provinces, vacancies are usually unavailable. Mentally disordered prisoners have to wait until there is a vacancy. During this time, they are kept in a separate normal cell which is not specially designed for such persons. Moreover, owing to the shortage of staff, close supervision cannot be expected. In this situation, the prisoners may hurt or kill themselves at any time.

2. The problem of prison overcrowding. This problem makes the Department unable to separate mentally disordered prisoners from normal ones. They have to be kept in the same dormitories as the others. Under such circumstances, a prisoner's safety cannot be expected since they can be hurt or killed by the disturbed prisoners at any time.

3. A lack of psychiatric treatment in prisons. Owing to budget shortages and the lack of psychiatrists or psychologists in prisons, the mentally disordered prisoners are usually chained and kept separate from the others without any treatment. The main purpose of the separation is to protect others from being hurt or killed by the inmates but it does not protect the inmates from hurting or killing themselves. Furthermore, to chain and to put them in a separate cell without any treatment will cause their condition to deteriorate.

In order to alleviate the problems, a psychiatric prison, such as one which has been successfully operated in Hong Kong, should be established. But owing to the high cost of construction and the shortage of funds, the establishment of such an institution in Thailand cannot be expected in the near future.

#### MECHANISMS USED BY VARIOUS JURISDICTIONS TO MONITOR CRIME AND INCIDENT RATES IN PRISON SYSTEMS

Crime is a very important social problem in every country at present. In dealing with crime, responsibilities have been assigned to various organisations in the criminal justice system, that is, Police Department, Public Prosecutor's Department, the court and Department of Corrections. Mechanisms used by the police, the public prosecutor and the court to monitor crime may have a direct effect on the prison system, the details of which are as follows:

1. The Police Department is responsible for the arrest of criminals. Its duties and responsibilities may affect the prison system. Whenever the police are very active in their duties the numbers of arrested criminals will be increased. This will surely result in an increasing number of prisoners which may ultimately cause the problem of prison overcrowding. In this way, mechanisms used by the police to monitor crime will also have a direct effect on the prison system.

2. The duties and responsibilities of the Public Prosecutor's Department in prosecuting criminals may also have some effects on the prison system. The more the criminals are prosecuted the more they are likely to be imprisoned by the court. This will surely increase the numbers of prisoners in all prisons and correctional institutions.
3. The courts are responsible for the sentencing of criminals in their jurisdictions. Mechanisms used by the courts to deal with offenders may also have a direct effect on the prison system. The more the courts make use of imprisonment the more the numbers of prisoners are increased.

It is apparent that mechanisms used by the police, the public prosecutors and the courts in dealing with crimes and criminals may also cause problems in the prison system. In order to alleviate the problem, non-custodial measures have to be actively implemented with the consensus of the related organisations. Imprisonment must be regarded by the courts as a last resort. Other kinds of alternatives to imprisonment such as prosecution suspension, probation, suspended sentences of imprisonment, sentence remission and parole must be popularly and extensively used by the related organisations as far as the laws allow.

#### THE DEFINITION OF RECIDIVISM

The problem of recidivism has interested many criminologists and correctional administrators all over the world. It can be used as an indicator for the failure or the success of correctional administration. If the rate of recidivism is low it may be roughly assumed that the administration is successful. On the contrary, if the rate of recidivism is rather high, the administration may not be successful. So the problem of recidivism is very important and is very closely related to the failure or success of correctional administration in each country.

However, in studying recidivism, its definition must also be taken into consideration. At present, there is no consensus definition of recidivism, its meaning usually varying according to the opinions of related officials in each country. Some countries may define recidivism as a commission of a crime for the second time but others may define it as a second imprisonment. These varied definitions have caused different rates of recidivism in each country.

According to the Pocket Oxford Dictionary of Current English, recidivism means 'habitual relapse into crime'. This definition is too broad and leaves the problem of the interpretation of the words 'habitual relapse' so it is unsuitable to be used. In Thailand, recidivism has been defined by the Department of Corrections as 'a commission of a crime or an offence for which the offender has been sentenced to imprisonment for the second time'. The rate of recidivism will directly depend on a recidivist's imprisonment for more than one time. In other words, a second imprisonment is the main factor in the indication of recidivism in Thailand.

It is remarkable that the definition of recidivism may vary according to the social, economic and political conditions of each country. A definition which is suitable in one country may be unsuitable in another country. But if we want data or statistics on recidivism of each country to be collected in the same way, a consensus definition is needed. The achievement of such a definition will surely depend on very close and sincere co-operation from each country.

TONGA

THE ROLE OF VOLUNTEERS IN PRISONS  
IN RELATION TO PROGRAMS FOR INMATES

Volunteers by definition are persons who desire through selflessness or are motivated by a specific reason to put aside time in which to assist the prison authority to alleviate the burden of imprisonment for staff or inmates. Volunteers may receive a token gesture of appreciation: bus fare, a free meal, a basket of vegetables, or more generally, as in Tonga, a simple word of thanks; a labour of love, and compensation through a smile or acknowledgement of understanding on a prisoner's face.

The prison regulation and Act is the proper authority for determining the role of volunteer in the prison service. It may be strictly limited and bound by tight security or much more liberally interpreted. In my case, I have determined through experience that apart from persons mentally unbalanced or of loose moral character, the more volunteers the better, and their services are accepted as often as the work regime will permit. Reference to this seemingly outrageous declaration and its procedure is to be found in pages 170 and 171 of the Proceedings of the Fourth Asian and Pacific Conference of Correctional Administrators, New Zealand, 1983.

The volunteer fills a gap in the service created through lack of funds. Or so popular concept would have one believe. With respect, and I speak for the Pacific Way, this mental restriction merely preserves the attitude that a volunteer is a necessary link, for which there is no counterpart in the regime due to financial restrictions.

One also feels that in association with the foregoing is the thought of acceptance or sufferance of an intrusion into a regular and efficient service, by persons who are not wholly au fait with the policy and professionalism which shape the officer-prisoner relationship. This may well be true in large establishments of which I have no first-hand knowledge, but it does not hold true in the Pacific Way.

A regime which is punitive with a sprinkling - even a liberal sprinkling - of rehabilitation (and I have heard that 'rehabilitation' is more cynically referred to as 'wishful thinking') regards separation of the prisoner from the general public as a necessity. This was a serious mistake in Tonga's past history: for complete rehabilitation includes working with and associating with non-prison staff in a sensible and liberal manner.

At a prison meeting with staff three years ago I said that if I had one wish on prison matters, it was that I would wish to close all prisons in the Kingdom. Of course, one has no absolute control over one's neighbours' illegal activities, but in a period of worldwide unrest and demands for more correctional

institutions there is no plan or requirement in Tonga to open new prisons, apart from endeavouring to acquire more farm land to generate higher productivity and revenue. For this end alone, the decrease in the prison population in the Kingdom has an adverse effect on revenue, but it is surely a light in the dimly lit tunnel of prison administration.

How can this relate remotely to volunteers?

Their role in Tonga is not in the classroom, professional or job related. It is social. For a simple reason. The prison should relate as closely as possible to normal non-prison life if administrators believe that rehabilitation means adjusting the prisoner to believe, and in fact accept, that his current sentence was imposed for non-conformity and is a society imposition. The sentence meted out must be accepted if society is to exist under law and order. Rehabilitation must be accepted as the act of restoring confidence in a prisoner's ability to return home and be accepted, as a full and responsible member of the family, village and the public.

This is where the volunteer has a role in Tonga's prison administration.

Generally, the volunteer is either female or male, about 25 years of age, has passed Higher Leaving Certificate at college (minimum civil service entry qualification), married, holds a steady job or is self-employed as a farmer or in the fishing industry, and without exception, a member of good standing in an established religion.

Their function is to provide a good social balance, indeed solid reality, to men deprived by law of their freedom, although ultimately society will hold no debt account on their ledgers at the end of their enforced sojourn and indeed is fully prepared, without reservation, to welcome home prodigal sons.

Volunteers are screened by the Superintendent of Prisons and staff, including the chaplain. Fortunately this is a simple process because between them, the population is known to one and all. Application to be a social volunteer is simplified to avoid unnecessary paperwork and filing. A list is retained of persons willing to associate with prisoners daily after normal prison hours, on their social half days every Wednesday and Sunday and every public holiday, of which there are thirteen per year.

Activities supervised by volunteers include counselling, games, bible study, discussions on current events on every subject under the sun, in groups or singly; demonstration of practical aspects of agriculture or merely sitting around a kava bowl, drinking its content, smoking and making small talk.

After a hard day's work, for all prisoners are sentenced to hard labour unless exempted by the health ministry (rarely granted), to relax in such atmosphere, amongst people from many walks of life who represent the general public, it is very conducive to maintaining a balanced attitude and inner peace for

one suffering from an experience unknown to any but a fellow prisoner.

This traumatic experience holds true in many walks of life. A world renowned surgeon may know how to transplant internal organs of the body but he will never know the agony of soul, mind and body unless he too is on the receiving end.

This free association or fraternisation is a recent experiment in correctional administration dating back 16 years or so. Initial resistance from staff trained and involved in the more traditional style of prison administration was expected and met with a stern rebuke; more time than originally anticipated was spent on explaining the reason for this unorthodox departure, particularly when nearly 200 prison escapes were recorded over a twelve month period from a total of 500 inmates, causing a palpable tension; staff were exhausted from long hours, searches and recalcitrant prisoners who needed very close supervision: if escape was not possible then some inflicted ghastly wounds in order to be in hospital.

Volunteers were discouraged and indeed positively frightened by the prison environment. Floggings for infringement of regulations, solitary confinement and chaining of prisoners only heightened the impossible situation. This short description of previous policies illustrates the reaction to punitive confinement; the 'lock-em-up' style introduced under the supposedly more advanced Western orientated philosophy of imprisonment.

This was going against the traditional Pacific way of life. The Polynesian lived as family, a unit, a tribe within a nation. With the rationalisation of imprisonment the volunteer entered the picture with enthusiasm, a degree of dedication and an unregimented approach which became an invaluable adjunct to survival of the spirit and mind labouring under artificial conditions.

Of course, it may well be pointed out that the administrator's role is one governed by policy and instructions and ends once the inmate has collected his belongings at the office on departure; at best, continued to the half-way house.

In the context of Tonga where the half-way house (or the spirit thereof) is inbuilt and constitutes an ingredient of rehabilitation in prison, policy has dictated that the future of the prisoner is the concern of the administration; and what that entails must be performed in prison. Not only will this reduce recidivism, it will materially build up the character necessary to resume normalcy.

There is no fixed number of volunteers. The ratio per prisoner, to indicate a percentage for merely quantitative purposes, ranges in any one day from two to 80. In practice, depending on whether it is an individual or group activity, prisoners receive the attention they prefer and there is no desire by prison staff to overwhelm or suffocate personal choice, for there are loners and semi-antisocials as in any community. But



through observation, traditional upbringing and extrovert inclination, Tongans feel relaxed and contented when surrounded by friends.

Recidivism is very low, escapes average two per year and over the past five years, all escapes were technical in the sense that without exception, prisoners went home to secure money to pay off debts, as in civil cases or where they are imprisoned pending settlement of fines.

One keeps referring to Tongan conditions and thereby indirectly implying that such conditions may not prevail in other countries. This interpretation is correct. Not only is the prison population a small handful, but it is an homogeneous one and in the last 50 years only eight non-Tongans have ever been incarcerated locally. This is a factor to be taken into consideration when reading a paper of this nature.

I have great regard for the work performed by volunteers in the context of prevailing conditions in the Kingdom, and feel confident that such foreign impositions as imprisonment (Tongans in the good old days paused only to dispatch their prisoners to their final destinations with alacrity and, if one may say so, deadly accuracy) must, and I repeat must, adjust to traditional principles of government to which Tongans recognise, appreciate, becoming involved in and accept. Should volunteers cease to come to prisons and be involved, this country would rue the day in their deep concern to co-mingle sound Western principles with the best of Tongan or The Pacific Way.

WESTERN SAMOA

THE USE OF TECHNOLOGY IN PRISONS

Western Samoa Prison Service with its present development program can see no benefit from the use of technology. In small island nations such as ours, there is no security or complicated problems where the costly use of technology is required without first considering its priorities. Certainly the use of technology in any prison service is an advantage but one has to look at its necessity and the weight of benefits in comparison to costs. One must look at the question of the use of technology for each individual country in relation to its prison problems. There are certain fields of technology which are essential such as communication but these depend on the immediate need of each country.

THE ROLE OF VOLUNTEERS IN PRISONS  
IN RELATION TO PROGRAMS FOR INMATES

The role of volunteers in prison in relation to programs for prison inmates is of vital importance and one which needs to be developed to its fullest potential. I feel that role which can be played by volunteers in prison is of vital importance, particularly in the field of rehabilitation programs, youth programs for those under 21 and in the religious field in providing counselling.

PROBLEMS OF THE PHYSICALLY AND  
MENTALLY HANDICAPPED IN PRISONS

No doubt all of us here are faced from time to time with problems in relation to the physically and mentally handicapped in prison. It is a problem to which no-one can give any easy solution. In my country we seldom have any problem with physically handicapped inmates but we do with mentally handicapped people occasionally. In the latter cases assistance from the hospital is sought. The solution would be to detect the mental disorder at the enquiry stage where the courts could be advised. The charging authorities of course have the discretion to decide whether the acts of a person who is suspected of being mentally handicapped is known to him to be wrong thus avoiding unnecessary problems. For the physically handicapped, I feel the problems could be solved by advising the court on the difficulties faced by the prison staff if such person is to be sentenced to imprisonment. The court usually will take an understanding view.