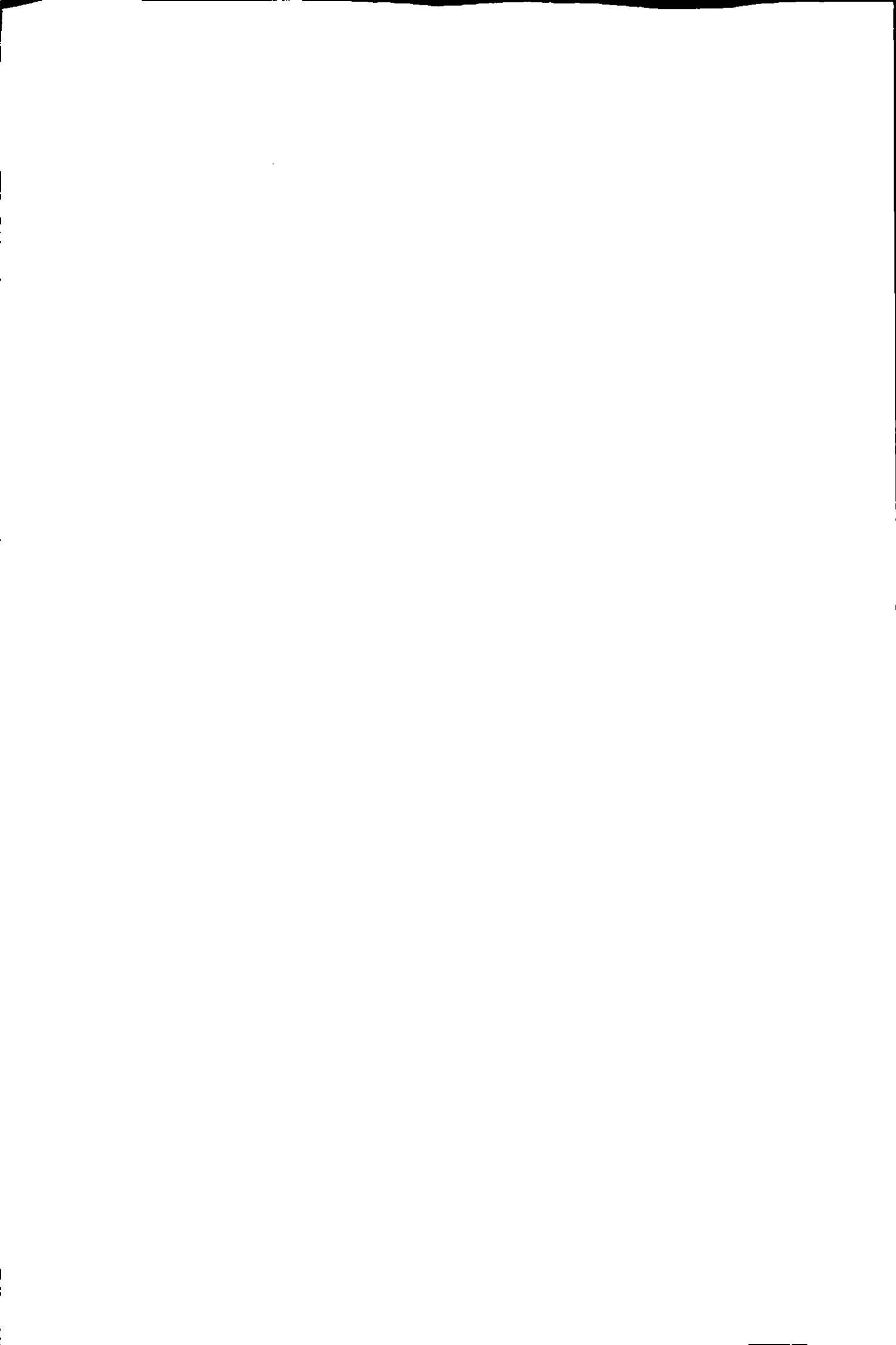

CORRECTIONS

IN ASIA AND THE PACIFIC

Record of the Twelfth
Asian and Pacific Conference
of Correctional Administrators
Adelaide, South Australia
October 1992





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Australian Institute of Criminology

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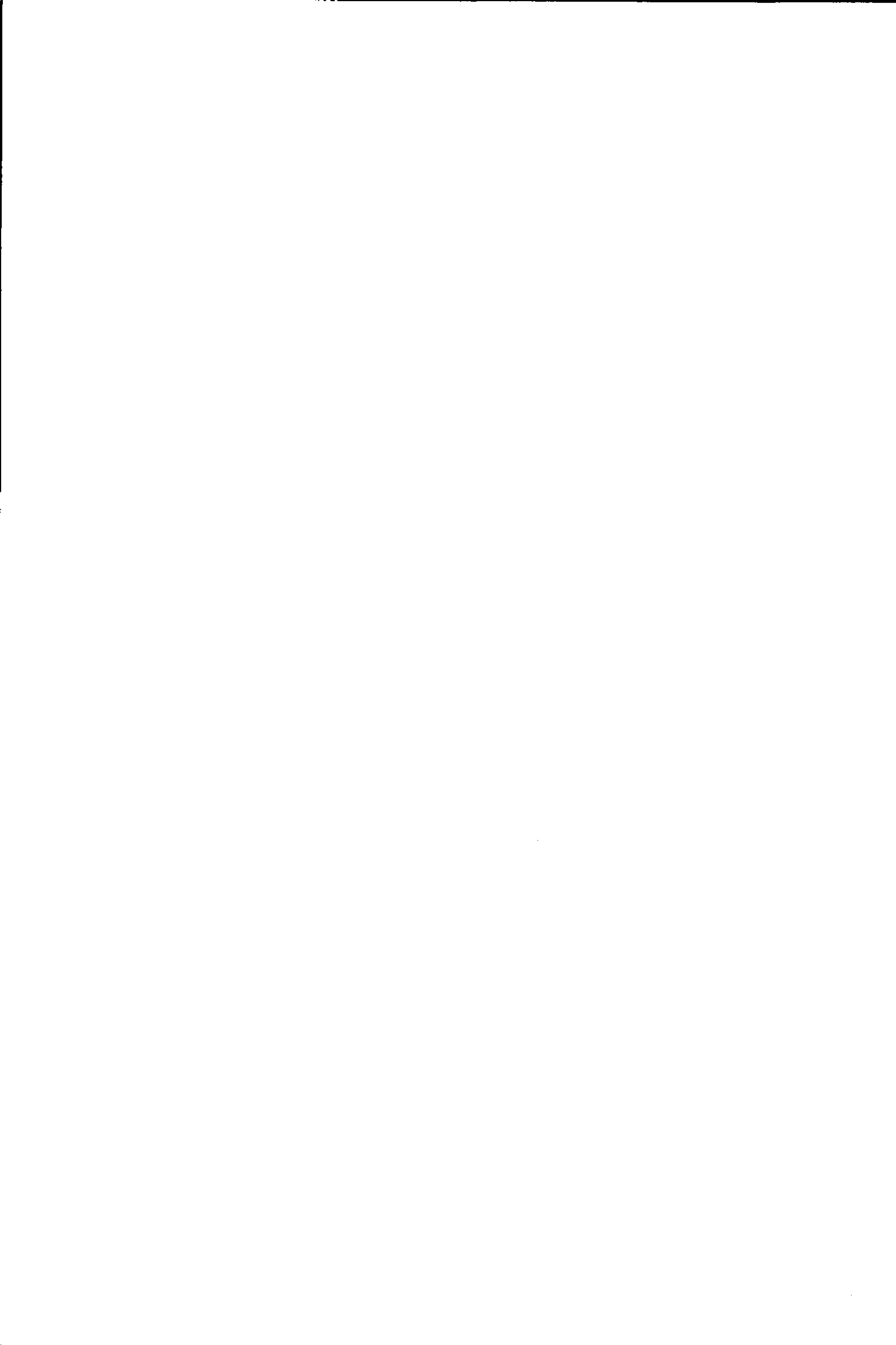
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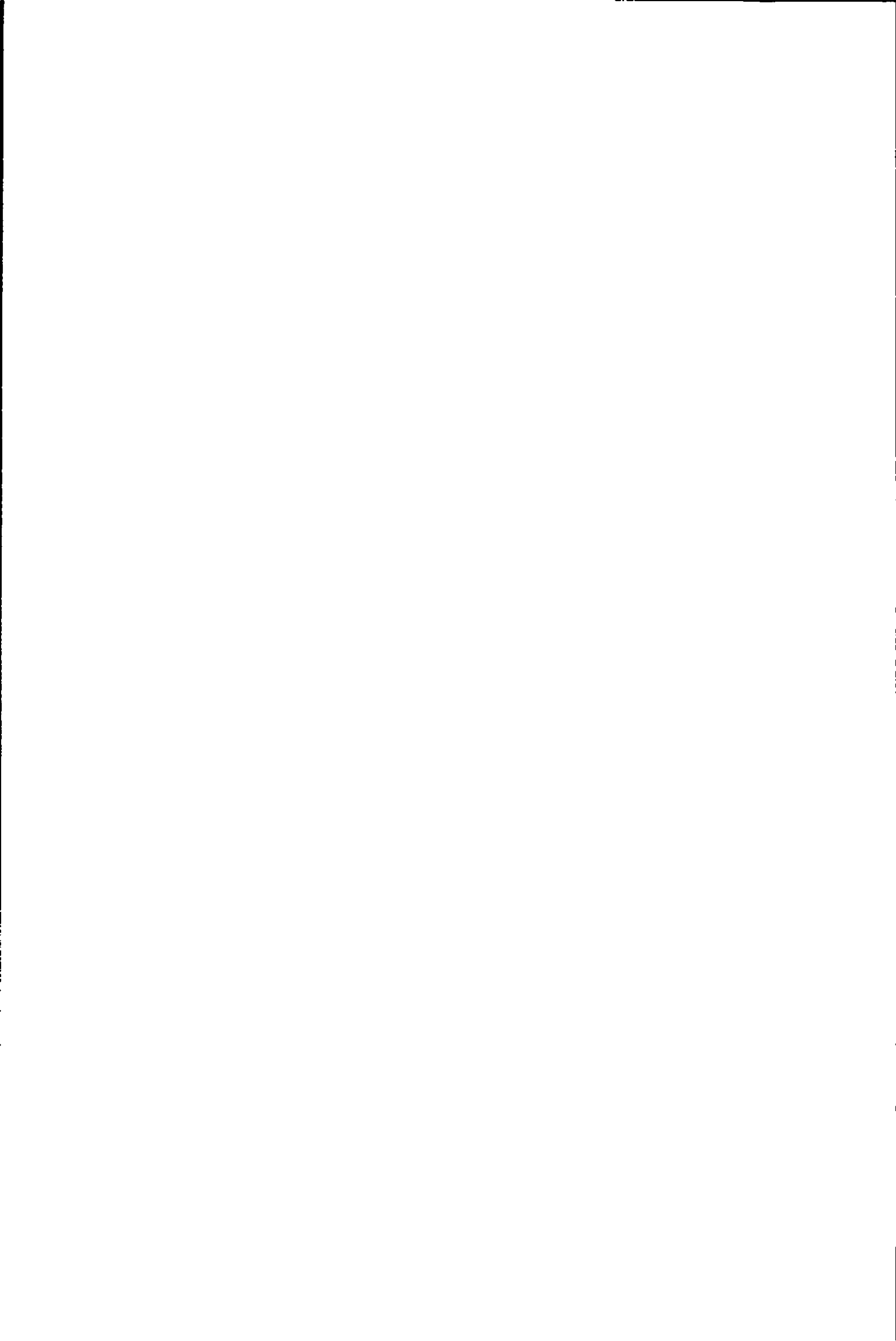
The original draft report of the proceedings of the conference was hurriedly prepared whilst the conference was being held. That draft was revised to take into account comments made at the final session of the conference and also made in writing in the following two months. This report is intended to provide a summary of the discussion that occurred during the formal conference sessions, but no attempt has been made to provide a comprehensive picture. Much more detailed information is contained in the background papers that were prepared by all delegations. The summary may also be seen as reflecting the particular interests of the rapporteur.

David Biles
Deputy Director
Australian Institute of Criminology



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Introduction

This report is the summary of the Twelfth Conference of Asian and Pacific Correctional Administrators held in Adelaide, South Australia, over the period 18–24 October 1992. The Conference was attended by senior representatives of seventeen nations in the Asian and Pacific Region, generally the Chief Executive responsible for Corrections in each nation, including the Heads of all eight Correctional Services Departments in Australia. The Conference was also attended by a representative of the Economic and Social Commission for Asia and the Pacific and a representative of the Australian Institute of Criminology. A full list of participants is provided in Appendix A. The first meeting of the Asian and Pacific Conference of Correctional Administrators (APCCA) was held in Hong Kong in 1980. The idea for that meeting developed from discussions between the then Director of the Australian Institute of Criminology, the late Mr Bill Clifford, and the then Commissioner for the Hong Kong Prison Service, Mr Tom Garner. Since 1980 the Conference has been held each year, apart from 1990. Throughout that period the Australian Institute of Criminology has provided coordination, secretariat support and general advice.

After the first Conference in Hong Kong, in subsequent years the conference met in Bangkok, Tokyo, New Zealand, Tonga, Fiji, the Republic of Korea, Malaysia, Australia (New South Wales and Victoria), India and China. Over this period the Conference has developed a significant history of traditions and conventional procedures. Even though the Conference has no formal constitution or rules of procedure, it has always been accepted that the host for each conference has the absolute right to select the invitation list. Furthermore, the Conference is relatively inexpensive compared with many other international meetings as all participants in APCCA gatherings pay for their own airfares and accommodation. As a matter of tradition, the host nation generally endeavours to provide some hospitality as well as an appropriate venue for each formal meeting.

A further tradition that has developed within the framework of APCCA gatherings is that of visiting relevant correctional institutions. Visits to institutions are seen as providing an appropriate contrast to formal discussions and are generally greatly appreciated by participants as a practical method of exchanging ideas. For this the Twelfth Conference, visits were arranged by the Department of Correctional Services to the Yatala Labour Prison, the Northfield Prison Complex, the Adelaide Remand Centre, the Mobilong Prison, the Cadell Training Centre and the Port Augusta Prison.

Delegates expressed their warm appreciation to the host of the conference, Mr John Dawes, Executive Director, Department of Correctional Services,

South Australia, and his staff for his courtesy in giving permission and making the necessary arrangements for these visits to take place.

A further tradition of APCCA, one established by the late Bill Clifford, is for a summary report to be prepared while the conference is in progress. This report is an attempt to maintain that tradition.

Opening Ceremony

After a welcoming cocktail party on the evening of Sunday, 18 October 1992, the Conference was formally called to order the following morning by Mr David Biles, Deputy Director of the Australian Institute of Criminology. Mr Biles called for nominations for the position of Conference Chairperson and Mr John Dawes was nominated by Datuk Mohd. Yassin bin Hj. Jaafar from Malaysia, seconded by Mr Apolosi Vosanibola from Fiji. There being no other nominations, Mr Dawes was welcomed to the position of Chairman by acclamation.

Mr Dawes then delivered an address of warm welcome to all delegates. He expressed his deep appreciation of the vast distances that many of the delegates had travelled to come to Adelaide and also referred to the long history of APCCA. Mr Dawes then drew attention to the two symbols of APCCA which were displayed in the centre of the conference location. The first of these is a Fijian war club, similar to a parliamentary mace, that was presented to the Conference by the representative of Fiji in 1985. The second is a symbolic brass and wooden lamp presented to APCCA by the representative of India in 1989. Both of these symbols of the Conference had been brought to Adelaide by the previous hosts, the delegation from the People's Republic of China. Mr Dawes drew attention to the relevance of both symbols to the work of the Conference.

Mr Dawes then introduced to distinguished delegates the staff of his Department who had worked tirelessly in the preceding several weeks to ensure that the Conference would be a success. He drew particular attention to Mr Leigh Garrett, Mr Mark Mackie, Ms Lisa Radetti, Ms Diane Young and Ms Glenys Madigan. Mr Dawes also warmly acknowledged the support that had been provided by the Governments of New South Wales and the Northern Territory. Towards the conclusion of his remarks, Mr Dawes referred to the fact that it was necessary for the Conference to elect a rapporteur and he proposed from the chair that the position be held by Mr David Biles of the Australian Institute of Criminology. This motion was seconded by a number of delegates with the delegate of India, Mr B K Das, being formally named as the seconder.

In accepting his election to the position of rapporteur Mr Biles also gave his personal welcome to the delegates attending the Conference. He also outlined the plans that had been put in place for the preparation of this report. Mr Biles then drew attention to the fact that there would be a number of business items to be discussed at the end of the Conference, including the selection of a host for the thirteenth APCCA in 1993 and the proposal that a small executive or advisory committee be established to handle conference business between formal meetings. He also requested that in informal

discussions during the period of the Conference that consideration be given to appropriate agenda items that could be subjects of discussion during the 1993 and later conferences.

In concluding his remarks Mr Biles drew attention to the fact that the second APCCA Newsletter had been recently published with the assistance of the representatives from the Republic of Korea. He expressed his appreciation of this assistance as well as the work of the Editor of the Newsletter, Mr Tom Garner. Mr Biles indicated that if possible in the near future an attempt would be made to collect prison statistics for the Asian and Pacific Region and that these may be published in future editions of the Newsletter. The Chairman, Mr Dawes, then resumed control of the meeting and guided the distinguished delegates through the discussions of the four substantive agenda items which are summarised in the following pages.

As a separate part of the formal opening ceremony, overseas delegates were again warmly welcomed by representatives of both the Governments of the Commonwealth of Australia and South Australia at the conference dinner which was held in the evening of Monday, 19 October 1992. The South Australian Minister of Correctional Services, the Honourable Bob Gregory, MP, spoke on behalf of the South Australian Government, and the Honourable Peter Duncan MHR, Parliamentary Secretary for Justice, spoke on behalf of the Commonwealth of Australia. Both of these distinguished Speakers spoke of the honour bestowed on Adelaide, and on Australia, by the presence of such a wide range of high ranking delegations from many different nations in the region.

Agenda Item 1

Prisoner Health Issues

All delegates to the Conference agreed that an important part of the duties of prison authorities was to ensure the health of prisoners by the provision of hygienic living conditions and appropriate medical facilities, including medical staff. The discussion guide, reproduced as Appendix B of this report, suggested that under this agenda item consideration be given to the treatment of drug addicts, the appropriate management of prisoners suffering from AIDS and the prevention and response to deaths in custody. All delegates in their oral presentations to the Conference and in their written papers addressed these three issues.

With the exception of the Democratic People's Republic of Korea and the very small Pacific Island nations, such as Tonga and Kiribati, there was general agreement among delegates that the presence of drug addicts in prison and other persons convicted of drug-related offences cause very significant management problems. For example, the delegate from Malaysia reported that nearly 45 per cent of all of the prisoners in his system were classified as drug addicts and a further number, approximating nearly 15 per cent, had committed drug-related crimes. If these offenders were not held in his prison system his total population of inmates would be reduced by more than one-half. The delegate from Hong Kong also reported that drug related offenders constituted a very significant proportion of the prisoners in the Hong Kong system and he described in detail the treatment regime which was followed in that jurisdiction. In detailed discussion of this matter he indicated that as many as 60 per cent of the drug offenders who went through a treatment program did not return to prison in the subsequent twelve months. This seemed to be somewhat higher than was claimed by other jurisdictions.

One of the delegates from Australia, specifically Queensland, reported that about 70 per cent of the prisoners in that system had been involved with some level of substance abuse. Following the presentation of these and other statistics, an interesting discussion developed on whether or not it was appropriate to provide chemical support to prisoners suffering from withdrawal to the use of illegal drugs. A prison medical officer from Thailand reported that in his country only minor tranquillisers would be provided in the first stages of withdrawal, but in some other Asian nations no chemical support is provided. In contrast, some Australian authorities reported very considerable use of different types of medications which were provided to assist a prisoner through the acute stages of withdrawal from drugs. There were differences, however, between Australian jurisdictions on the question of whether methadone maintenance should be provided for former heroin users.

All delegates agreed that maximum effort must be made to keep drugs out of prisons by the maintenance of strict security. The delegate from Canada reported that the use of specially trained dogs to detect drugs in prisons had not been particularly successful in terms of locating illicit drugs but the evidence seemed to suggest that the presence of ferocious looking dogs seemed to deter people from bringing drugs into the prison system. The delegate from China reported that in his country the careful searching of all persons coming into the prison system, and the enforcement of a no smoking policy, aimed to ensure that very few drugs came into the prison system.

With regard to general deterrence in the community, the delegate from Malaysia reported that even though there had been a slight reduction in the number of drug offences coming to notice in the past year this reduction was not large enough for his Government to consider changing its policy of imposing the death penalty on serious drug traffickers.

Discussion of this item revealed that for the majority of delegates at the Conference the major drug problem related to opium, or its refined form heroin, but the representatives of Japan and the Republic of Korea reported that their major drug problems related to amphetamines, while the delegates from New Zealand and Fiji reported that alcohol was the most serious cause of social harm leading to imprisonment. Informal discussion towards the conclusion of this session also revealed some interesting differences in emphasis in relation to the treatment of drug addicts in prison.

The second sub-item considered related to the management of HIV/AIDS infected prisoners, and again there were significant differences in the reported extent of the problem in different nations. For example the representative of the Democratic People's Republic of Korea reported that no AIDS-infected prisoners had been identified in his country. Also no cases had been found in the prison systems of Macau, Tonga and Kiribati. Most other nations, however, reported that the number of identified cases of prisoners suffering from HIV/AIDS was 'very few'.

In contrast, the delegate from Malaysia reported that in recent years over 800 cases had been identified of prisoners suffering from HIV/AIDS and he warned that the numbers were likely to increase, both in his country and elsewhere, unless more rigorous action were taken to prevent this occurrence.

The question of whether or not prisoners identified as suffering from HIV/AIDS should be segregated revealed some interesting differences of approach. The majority view seemed to be that, as far as possible, these prisoners should be engaged in normal prison programs but that they should be segregated from other prisoners at night. A few delegates indicated, however, a policy of full segregation was followed in their jurisdictions, sometimes at the request of the prisoners themselves. Interesting differences were also revealed in relation to the prevention of the transmission of HIV/AIDS with the provision of condoms and clean needles or bleach. Only the representative of Canada reported that in the federal system in his country condoms had recently become available, but no delegate reported that clean needles were available to

prisoners in their jurisdictions. It was reported, however, that bleach is available to inmates in New South Wales correctional centres.

All delegates agreed, however, that the prevention or reduction in the numbers of HIV/AIDS infected prisoners was most effectively pursued by a policy of providing educational programs for both staff and inmates. Details of educational programs were provided by many delegates.

In relation to deaths in custody, all delegates agreed that the prevention of deaths by the maintenance of health and making appropriate provision for responding to emergencies was an important aspect of prison management. Many of the delegates supplied statistics relating to the number of deaths in their jurisdictions with particular attention being paid to the number of deaths resulting from suicide. Virtually all delegates reported that suicides that had occurred in prisons were as a result of hanging rather than self-inflicted harm. In contrast, self-inflicted harm that proved to be non-fatal was most characteristically in the form of 'slashing up' with a sharp instrument. It was suggested that women prisoners in some institutions were particularly prone to this form of behaviour.

All delegates agreed that deaths in prison from whatever cause should be treated very seriously indeed and that if there was any suspicion of lack of appropriate care it was necessary for the fullest possible independent examination to be conducted.

The sensitive notification of next-of-kin was also mentioned as a relevant aspect of a prison management response to deaths in custody. For example, the delegate from Indonesia reported that if a death occurred in prison in his country the relatives were invited to remove the body from the prison for burial outside and this was seen as more humane than the alternative. As far as the prevention of suicide in prison is concerned, the delegate from New Zealand reported that the establishment of an assessment procedure in a high security institution in his country had reduced the incidence of suicide quite markedly. Similarly, the delegates from Japan and Macau reported that efforts had been made to keep the number of suicides in prison in these countries to an absolute minimum. From a number of different countries the statistics seemed to suggest that a prison death rate of approximately 0.2 per cent per annum from all causes of death seems to be fairly stable, with some delegates reporting that this was a marginally lower rate than occurred in equivalent populations outside of prison.

Two of the Australian delegates, representing Western Australia and South Australia, reported that in their jurisdictions there had been very careful attention given to the implementation of the recommendations of the Royal Commission into Aboriginal Deaths in Custody but neither was able to report a consequential reduction in the death rate at this time.

Agenda Item 2

New Developments in Community Corrections

Both the discussion on the Conference floor and the material contained in the discussion papers provided by delegates indicated that the term 'Community Corrections' was used in many different ways in different jurisdictions. In some nations, such as Malaysia, it was apparent that the term was used to apply to those aspects of prison management which had some degree of community involvement. At the other extreme, some nations, such as all Australian jurisdictions, New Zealand and Macau, use the term almost exclusively to apply to non-custodial corrections. In other words, the latter group of delegates saw Community Corrections as quite separate from prison management.

In addition to that significant difference between delegates at the Conference, the information supplied indicated that the actual numbers of persons in each nation who were the subject of community, or non-custodial, correctional orders, compared with the numbers of persons in prison, varied very considerably. It seemed that in a number of nations in the region the number of offenders serving Community Correctional Orders at any time was relatively lower than the number of people in prison. In other nations, however, the statistics revealed that the number of persons undergoing community based, or non-custodial, orders was six or seven times as high as the number of people in prison. These very large differences, in both the use of terminology and in the actual numbers of cases being dealt with in different ways, provided a basis for wide-ranging and stimulating discussion between delegates.

Discussion of this item also revealed a number of quite unique programs in different nations. In Thailand, for example, apart from the relatively wide use of probation and pardon as a means of reducing the length of stay in prison, penal settlements, which included the offenders' families, were seen as part of pre-release preparation. It is also of interest to note that in Japan and the Republic of Korea significant numbers of cases avoid the possibility of custody by being subject to disposition of minor cases by the Police and suspension of prosecution, as well as a provision known as 'Exception for Juvenile Delinquency Cases'. Also, in the People's Republic of China, it was reported that 13 per cent of all convictions resulted in the suspension of the sentence imposed.

The available information suggests that in the majority of nations represented at the Conference various mechanisms are available to reduce the length of time that offenders spend in custody, such as the use of amnesties in the Democratic People's Republic of Korea, provision for extra-mural work in

Fiji, and the use of remissions in some, but not all, Australian jurisdictions. Parole was also mentioned as a mechanism for early release in many nations including New Zealand, Canada, Thailand, the People's Republic of China, the Republic of Korea and Macau.

A further interesting difference between the nations represented at the Conference stems from the fact that in a number of nations non-custodial penalties, or treatment in the community, is apparently not seen as part of the responsibility of prison or correctional authorities but may be the responsibility of some other public agency, such as welfare departments. For example, in Hong Kong community programs are provided by other agencies while the Hong Kong prison service provides for after care, release under supervision and pre-release employment. Also, among the proposals being considered for the future in Malaysia is the suggestion that offenders sentenced to periods of not more than six months be diverted to the welfare system rather than to be seen as the responsibility of corrections authorities. The delegate from Macau reported on the range of community corrections options in his jurisdiction including the 'Replacement of Fine by Working Days' which he saw as not equivalent to the Community Service Orders which were used in other jurisdictions.

In very small nations such as Kiribati and Tonga, the information supplied suggested that informal arrangements were made with Church groups for offenders to be guided in the community after release from prison. This could be seen as an informal, but just as effective, mechanism for the provision of parole support to discharged prisoners.

After formal presentations had been made by all representatives, one of the Australian delegates, specifically from Queensland, made an additional presentation which outlined the range of 'front-end mechanisms' including probation, intensive community supervision, home detention and fine option orders as well as 'back-end mechanisms' which included a work camp scheme, home detention and parole. Some discussion occurred as to whether or not the people participating in the work program, perhaps known as 'community prison' should be counted as prisoners or as persons serving community correctional orders. This presentation also included an illustration of the graduated release, or correctional continuum concept, from maximum to low security in the custodial environment, moving on to lower levels of supervision after release from full time custody.

Many delegates sought further information about a number of programs involving the non-custodial treatment of offenders and also indicated that plans were being considered in their own nations for policy developments in this broad area.

Agenda Item 3

Private Industry and Prison Management

As with the previous agenda item, discussion of this topic produced a very wide range of views and reported practices. In very small jurisdictions, such as Tonga and Kiribati, the delegates described the range of constructive occupations which were pursued by prisoners in those countries. The delegates from India and Macau also reported that there was no private sector involvement in prison industries in their countries. For most other countries, however, delegates provided much detailed information about cooperative arrangements which involved private industry working hand in hand with prison authorities in the provision of manufacturing activities.

It would seem that for most nations in the Asian and Pacific Region, prison industries could be divided into two types: those which were solely operated and controlled by the prison authorities themselves, and those which involve joint arrangements with private industry. In the latter category, the arrangements described by the delegate from Singapore were especially interesting. In that nation an organisation known as SCORE, Singapore Corporation of Rehabilitative Enterprises, is of central relevance. All private industries in Singapore prisons are managed by SCORE which is advised by a board comprising a cross-section of business people and professionals with representatives from other relevant agencies such as the Institute of Technical Education (formerly known as the Vocational Industrial and Training Board). A similar organisation in Canada, CORCAN, was described by the delegate from that country. Such organisations are said to ensure that normal commercial practices are pursued in prison industries. The likelihood of unfair competition with manufacturing industries in the normal community is very significantly lessened by selecting products that will not create unfair competition with the business sector.

Even in nations with no significant private industry in the community, such as the People's Republic of China and the Democratic People's Republic of Korea, there was full support for the notion that prisoners should be required to work at constructive activities in order to improve their probability of readjustment in the community after release. It was also suggested that work helps to reduce the possibility of escapes and also contributes to the maintenance of the health of prisoners. The delegate from New Zealand described how in his country the skills acquired while a prisoner was engaged in prison industries could result in recognition by external authorities and therefore increase the employability of the offender after discharge to the community.

The delegate from Japan explained that approximately two-thirds of all the work projects undertaken by prisoners in his country involve some degree of private sector participation. Similarly, the delegate from Indonesia reported that in his country there were several contracts for private industry to assist with production by prisoners. The delegate from Malaysia described in some detail the arrangement for the provision of prison industries in his country. Prison industries have expanded greatly in recent years but there is still not sufficient constructive work for all prisoners to engage the time and efforts of all prisoners. Therefore prisoners are selected on the basis of the fact that they are of good character and health and have at least six months to serve before they become eligible for participation in prison industries. Those that are selected can earn reasonably significant incomes which are held in trust for their release. The delegate from Fiji also reported that with regard to prisoner earnings, even though in his country there was no private sector involvement in prison industries, those prisoners that participated in sugar cane harvesting received the same rates of pay as would workers in that industry in the normal community.

On the subject of prisoner payment schemes, the delegate from the Republic of Korea described the different approaches for the organisation of prison industry in his country and also reported that prisoners may be paid a maximum of \$US4 per day. He also indicated that the products of prison industry were largely directed towards State use and self-support with the income derived from such products being paid into a special account which enabled prison industries to be managed with some degree of flexibility. One of the Australian delegates, specifically from New South Wales, also described the new developments in his jurisdiction in relation to private sector involvement in prison industries. He reported that this involvement had opened up markets for new products and had also provided many more jobs for prisoners than was previously the case. He explained that in New South Wales a Corrective Services Industries Council had been established with a view to gaining the expertise of business leaders and also avoiding conflict between the prison system and the commercial world. He and other Australian representatives admitted, however, it had not been found possible in that country for all prisoners to be provided with meaningful work.

The subject which provoked the highest level of interest under this agenda item, however, was that of privatisation of prisons or contract management. Delegates from India, Canada and Hong Kong had all expressed some reservations about the notion of private prisons before one of the delegates from Australia, specifically Queensland, gave a detailed account of developments in his jurisdiction. This delegate outlined the recent history of correctional policy and practice in Queensland and then described in some detail the operation of two significant correctional institutions which were currently under private control, or contract management, in his jurisdiction. He also mentioned that five out of the seven community corrections centres in Queensland were also operated under a contract arrangement. He explained that the privatisation of

prisons was introduced into Queensland to provide competition with the traditional public prisons, to effect cost savings, to bring about cultural change, and to provide a guide to what was required in the future. In relation to the third of the reasons for privatisation, he drew attention to some evidence which showed that private prisons in Queensland seemed to be approximately 20 per cent less expensive than equivalent prisons being run by Government agencies.

The presentation from Queensland also included a detailed description of the type of contract that was entered into between a private company and the relevant Government authorities. It was suggested that such contracts needed to be quite specific in regard to the performance standards that had to be achieved while leaving maximum flexibility to the contractor in the way in which he would achieve those standards. The contracts themselves, it was suggested, should include detailed statements describing the type of management that was acceptable, the record systems needed, the clothing to be provided, the authority to discipline prisoners, the arrangements for operational support in relation to such considerations as transport and the use of central dog squads, and also how compliance with the contract would be monitored. With regard to the latter consideration it was suggested that monitoring requirements change markedly over the period of a contract with random or periodic audit replacing full time monitoring after the initial period. Other issues mentioned were the liability of the contract for the property of the government and also the provision of public liability insurance. The liability of the contractor for prison escapes was also mentioned.

In response to this detailed description a number of delegates, specifically those from Japan and India, posed a number of searching questions which sought clarification of the basis for use of contract management in government prisons. It was clear from some aspects of this discussion that a number of delegates felt some degree of unease about the notion of offenders being punished by persons other than direct employees of the State. In response to this general observation, the two representatives of Queensland argued that the liability still rested with the government authorities even when the specific tasks were carried out by agents of the government under contract.

It was observed by the Chair towards the end of the discussion of this agenda item that the issues could not be resolved in one conference session but he also expressed the view that a very high level of interest had been established by this discussion and that further meetings of APCCA may care to pursue this matter further.

Agenda Item 4

International Cooperation in Corrections

Delegates from all nations in the region without exception gave their full and enthusiastic support to various forms of international cooperation in relation to the administration of corrective services. For some nations, however, support for international cooperation was largely directed towards the conduct of international conferences and visits of inspection by senior correctional officials. On the other hand delegates from other nations in the region were able to specify many different aspects of international cooperation.

The first sub-topic that was considered under this broad agenda item related to staff training in corrections. Delegates from a number of nations, particularly in the Pacific area, expressed their support for exchanges of staff between themselves and neighbouring nations. They also expressed their appreciation of the opportunities provided by some of the larger nations for their junior staff to participate in training courses provided, for example, by Japan, Singapore, Malaysia, New Zealand and Australia. Reference was also made to the Government Fellowship for Overseas Study provided to senior staff in the Republic of Korea. This was seen as worth adapting by other countries in the region.

The idea of training being enhanced by international visits of inspection was elaborated upon by the delegate from China who indicated that large numbers of visitors from foreign countries had visited prisons and prison farms in his country. He also welcomed suggestions for further visits and indicated that these could be negotiated through the normal diplomatic channels.

Also in regard to training, wide appreciation was expressed by a number of delegates of the value of the courses provided by the United Nations Asia and Far East Institute for the Prevention of Crime and Treatment of Offenders (UNAFEI) in Japan. One delegate suggested that perhaps the Australian Institute of Criminology could volunteer to extend its services to include a regional training institute. On the other hand, the delegates from New Zealand and Macau expressed the view that staff training in corrections was more appropriately conducted in one's own country, if necessary with assistance being provided from other nations. In addition, reference was also made to the proposal emerging from the South Pacific Meeting of the Heads of Prison Services for a regional training program for middle-level officers not more than thirty-five years of age.

In relation to international cooperation, as far as information was concerned, there was widespread appreciation of the fact that APCCA now had a newsletter which was printed and circulated by the authorities in the Republic of Korea. It was also suggested that information could be circulated further

particularly with regard to statistics, reports of programs, legislation and even plans of institutions. It was also suggested that annual reports should be exchanged. The delegate from India suggested that the United Nations role in relation to crime prevention and criminal justice, including corrections, should be enhanced by a more effective and comprehensive exchange of information. He also referred to the value of the United Nations Congresses and of the work being done by the regional institutes of the United Nations.

The third topic that was considered under this agenda item was that of the international transfer of prisoners. Discussions of this sub-item revealed some interesting differences between attitudes and practices within the region. Of the seventeen nations represented at the Conference only four—namely Thailand, Canada, Hong Kong and Fiji—had had direct experience with the international transfer of prisoners. They all saw international transfer as a small but important part of the work of corrections. The delegate from Thailand, for example, reported that in his country there were approximately 2,000 foreign prisoners from twenty-four different nations. This causes some problems for the Thai correctional authorities as there were frequently difficulties with language, diet and a general appreciation of the culture. He also reported that his country had negotiated transfer agreements with a number of different nations and was generally very supportive of this program. Similarly, the delegate from Canada was able to report reasonably large numbers of prisoners being transferred both to and from Canada in relation to a significant number of other nations.

Discussion of this sub-item revealed that at least four other nations—namely China, India, the Republic of Korea and Australia—were currently exploring or considering the possibility of negotiating treaties in relation to international transfers. The delegate from Australia reported that the Standing Committee of Attorneys-General in this country had recently given it's unanimous support for this notion.

On the other hand, the delegates from two nations at the Conference—namely Malaysia and New Zealand—indicated that they were not particularly keen to support international transfers at this time. In particular, the delegate from Malaysia reported that even though some 24 per cent of the prisoners in Malaysia were persons from foreign countries, the general view in his country was that if they were transferred to their home countries they may not be required to serve the sentences that had been imposed upon them. He did, however, indicate that it might be possible in the future for transfer arrangements to be negotiated with countries with similar judicial and correctional systems such as Singapore and Brunei. However, after general discussion of the possibility of international transfer of prisoners provoked such wide interest, a number of delegates present at the Conference suggested that this topic be given further consideration at later meetings of the group.

Conference Business

In opening discussion of this item, the Chairman of the conference, Mr John Dawes, drew attention to the fact that it was necessary before the Conference disbanded to endeavour to identify a Host for the thirteenth assembly of the Conference, to consider the proposal for the establishment of a small executive or advisory committee and also to identify possible agenda items at future conferences.

Host for 1993 Conference

The Chairman called for expressions of interest from conference delegates in hosting the thirteenth assembly of APCCA in 1993. Mr Eric McCosh, the leader of the delegation from Hong Kong, offered to host the Conference in his country at that time and his offer was accepted with enthusiastic acclamation. Mr McCosh later explained that the actual timing of the conference was likely to be October or November 1993.

Proposal for a Small Executive or Advisory Committee

The Chairman invited the representative of the Australian Institute of Criminology, Mr David Biles, to explain the reasoning behind this proposal. Mr Biles then gave a brief outline of the Conference pointing out that, in the view of its original founders, the great strength of this Conference was its total informality. It had no constitution, no bank account, and no formal rules or regulations. The Conference had, however, developed a number of traditions which were very broadly respected by all delegates. Mr Biles pointed out that in recent years it had been necessary on two separate occasions for him to make decisions about the location of conferences and the agenda items to be discussed, and he suggested that if such occasions developed in the future it would be very helpful to have the advice of an elected group. He also suggested that an executive or advisory committee should be responsible for any APCCA business that required decisions between the formal meetings of the conferences.

Mr Biles proceeded to explain his view that the executive or advisory committee would be extremely valuable in determining the limits of the Asian and Pacific Region in as far as invitations are concerned, even though it has been always recognised that the host of each conference has the right to invite or not invite representatives at his or her discretion. He also suggested that the presence of a small executive or advisory group would be of considerable assistance to the person nominated as the Host of the next Conference. He

went on to explain that it may not be necessary for an executive or advisory committee to actually meet, but it was essential for them to be in touch from time to time by way of correspondence or fax.

Mr Biles then suggested that an executive or advisory committee should comprise the outgoing Chairperson of the Conference, the in-coming Chairperson of the Conference, three others representing a spread of geographical regions and political systems, as well as a representative of the Australian Institute of Criminology. He then suggested that informal discussions with delegates had given broad support to the idea that the three elected representatives should come from China, Malaysia and Fiji. This group was later expanded to include a representative from India and therefore a seven person committee was proposed. This proposal was carried by acclamation at the meeting with the normal APCCA Advisory Committee.

Agenda Items for Future Conferences

The Chairman invited delegates to propose items that might be considered by the Conference in 1993 and future conferences. The following list of nineteen proposals was received with the name of the proposing Nation being indicated in parentheses after each topic.

1. HIV+/AIDS and Drugs in Prison (Malaysia).
2. International Cooperation in Corrections (Malaysia).
3. Juvenile Justice, Judicial and Treatment Considerations (Macau).
4. Human Rights of Prisoners (Democratic People's Republic of Korea).
5. The Effective Rehabilitation of Offenders (Democratic People's Republic of Korea).
6. The Correctional Treatment of Different Types of Criminals (China).
7. The Use of Technology in Prisons (Fiji).
8. The Interaction Between Offenders and Corrections Staff (Canada).
9. Strengthening Support of Corrections by the General Community (Canada).
10. The Management of Mentally Ill Offenders (Canada).
11. The Definition and Management of Dangerous Offenders (Australia).
12. Involving the Community in Corrections (Australia).

13. A Workshop Designing an Ideal Correctional System (Australia).
14. Regional Standard Guidelines for Corrections (Australia).
15. International Management Indices for Corrections (Australia).
16. Measuring the Effectiveness of Corrections (Australia).
17. The International Transfer of Prisoners (Australia).
18. Legislation in Corrections (India).
19. The Custody and Treatment of Remandees (India).

The Chairman indicated that a short meeting of the just established Advisory Committee would be held in order to determine an order of priority from these proposed agenda items.

Other Business

The Chairman invited discussion or comment on any other item or general business relating to the Conference, and the delegate from Tonga sought clarification of the length of appointment of members of the Advisory Committee. In response, it was suggested that as the Advisory Committee was only responsible for business between the meetings of the Conference their length of appointment would be no longer than one year. However, a person joining the Advisory Committee as a Chairman would be appointed for two years and the representative of the Australian Institute of Criminology would be permanent.

The representative from Tonga also proposed that the Advisory Committee should devote some time to endeavouring to define the limits of Asia and Pacific as far as invitations to the Conference are concerned.

Before closing this particular session of the Conference, the Chairman reminded delegates that one of the traditions of APCCA was to endeavour to have a draft available to all delegates before departure for their home nations, and he suggested that, if possible, a draft report would be delivered to all delegates by later that evening for consideration on the final day of the Conference.

Closing Ceremony

After opening the final session of the Conference, the Chair called upon Mr Biles to report on the meeting of the Advisory Committee which had been elected by the full Conference the previous morning and had held its first meeting in the afternoon. The Advisory Committee comprised Mr John Dawes (1992 host), Mr Eric McCosh (Hong Kong, 1993 host), Datuk Mohd. Yassin bin Hj. Jaafar (Malaysia), Mr Apolosi Vosanibola (Fiji), Mr Wang Mingdi (China), Mr B K Das (India) and Mr David Biles (AIC).

Mr Biles, who was appointed as Convenor of the group, reported that it had decided that it would largely carry out its work by fax but that it would probably have one short meeting in Kuala Lumpur in either July or August 1993 to assist and advise the Hong Kong authorities with their preparations for the thirteenth assembly of APCCA. It was also agreed that if any meetings of the Advisory Committee were held, all the members would travel at their own expense.

Mr Biles reported that the Advisory Committee had given very careful consideration to the nineteen proposals for agenda items that had been recorded at the previous day's meeting. He said that the Committee had been able to amalgamate a number of the proposals and, after considerable discussion, had decided on the following four topics for 1993:

1. The Rights and Treatment of Unconvicted Prisoners;
2. Public Awareness and Support for Corrections;
3. The Effective Treatment of Different Types of Offenders; and
4. International Cooperation in Corrections.

Finally, Mr Biles reported that the Advisory Committee had given some preliminary consideration to the vexed question of defining Asian and Pacific for the purposes of the Conference but this matter was not resolved at this first meeting.

At the invitation of the Conference Chairperson, the full assembly of APCCA accepted the report of the Advisory Committee meeting and endorsed its selection of four agenda items for 1993.

The meeting then considered the draft of the report of the Conference and commended Mr Biles and the support staff for the work that had been done in preparing this draft. A number of minor amendments were suggested by delegates. The Chair then explained that a second draft would be forwarded to all members within the next two weeks to provide a second opportunity for detailed consideration of the draft.

At the conclusion of these formalities, delegates from Australia, India, Fiji, ESCAP, the Republic of Korea and Hong Kong all gave warm thanks to the South Australian authorities for the work that they had done in the preparation of this conference and expressed their admiration for the high level of organisation and for the warmth of the hospitality. The delegate from the Republic of Korea expressed the hope that all members present would be able to attend the thirteenth assembly of the Conference in Hong Kong in 1993, and he also appealed to all delegates to give their support to the APCCA Newsletter. The Chair, Mr John Dawes, then thanked all delegates for their support and active participation in the Conference. He wished them a safe and happy journey to their home countries and then formally declared the Conference closed.

Appendix A

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Appendix B

Discussion Guide for the Twelfth Asian and Pacific Conference of Correctional Administrators

David Biles¹

One of the traditions of APCCA is for participating nations to prepare short papers on the agenda topics that have been selected for each conference. These papers are then copied and made available to all delegates at the conference. The papers provide the basis for the actual discussion at each conference, and the complete sets of papers provide a useful resource that may assist with staff training or be used to provide general information.

Another tradition is for some participants to preface their papers with introductory statements which present the basic facts about their correctional systems. While this is not specifically requested, it is useful for the reader to have some general information about each system such as the numbers of prisoners, the numbers of offenders serving non-custodial orders, and so on, as well as a short description of the political system of the nation.

The actual length of the papers is a matter for the delegates to decide themselves, but it is suggested that papers need not be very long. The most important thing is to draw attention to those aspects of the agenda items which are of particular interest to each nation. (In order to facilitate the copying of papers for distribution it is suggested that if possible they should be prepared on plain paper approximately the same size as this discussion guide.)

The following notes may assist with the preparation of the papers on the four agenda items selected for the twelfth assembly of APCCA in Adelaide in October 1992.

I. Prisoner Health Issues

This is a potentially and extremely broad and complex topic, but three particular themes seem to require special consideration. First, many correctional administrators in the region have indicated that they would like to discuss how many drug users, including addicts, are included in the prison

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populations of many nations. Some prison regimes provide treatment programs for drug addicts which are compulsory and rigorous, while others offer only counselling to prisoners who volunteer to participate. In some systems, methadone maintenance is available for heroin addicts, but in others this is not allowed. Similarly, there are differences in the extent to which testing for illegal drugs is undertaken in prisons and in the measures that are pursued to prevent drugs entering prisons. It is suggested that national papers could review some or all of these questions.

Secondly, a matter of increasing concern is the extent to which prisoners may be HIV-positive or suffering from the AIDS virus. It has been suggested that prisons may be very dangerous as far as HIV/AIDS is concerned due to homosexual contact and the possible use of illegal drugs. Whether this is true or not depends on the level of control that is exercised over the behaviour of prisoners. It is also relevant to note that the true extent of the infection will only be known, both in prisons and in the community, when there is very extensive testing, and this can be very expensive. As far as prison administrators are concerned, in addition to taking all appropriate steps to prevent the spread of the infection, the major challenge is to decide what to do with prisoners who are found to be HIV-positive. Many questions arise: should they be segregated, allowed only in single cells, restricted in their contact with other prisoners, and so on? Also, should there be any restriction on who is told the results of HIV testing? An exchange of views on these questions will almost certainly be of considerable interest.

The third theme that may be considered for inclusion under this agenda item is that of deaths in custody. This has been a matter of great interest in Australia as a result of the Royal Commission into Aboriginal Deaths in Custody which ran from 1987 to 1991, but it is also a matter of interest in many other nations. As any death in custody is seen as violating or contradicting the duty of care which governments have to all persons in their custody, and as such deaths may stimulate allegations of foul play, it is imperative that all reasonable steps be taken to keep deaths in prison to an absolute minimum. Prisoners who are ill or who display suicidal tendencies need to be given special attention, and medical staff and resuscitation equipment should be available in all institutions. Participants' papers could outline the extent to which this is true. Also it would be a matter of some interest to report on the total numbers of deaths that have occurred from different causes in recent years, and whether or not particular types of prisoners are found to be more at risk than others. It may also be of interest to report on the procedures followed in notifying the next of kin and for investigating and reporting upon all deaths that occur in the prison system.

II. Private Industry and Prison Management

This agenda item may be of particular interest to some nations, but of little or no interest to others. Those nations in the region which have little or no private industry may care to prepare papers which outline the nature and scope of prison industries in their systems, but those nations with large and diversified private industries may care, in addition, to outline any private involvement with the running of prison industries and even private involvement in the running of prisons themselves.

The concept of privatisation in corrections is relatively recent, but it has taken many different forms. At its simplest level, privatisation may involve no more than correctional administrators entering into contracts with individuals or organisations for the provision of specialist services such as medicine, dentistry or education. Under these arrangements, the specialist would provide the service in the prison for a fee and he or she would not be a member of the prison staff.

Other privatisation arrangements might include the establishment of private workshops or factories within prisons and the provision of some security services, such as escorts or perimeter guarding, by private security companies. At a more ambitious level, a private company may be contracted to operate a complete prison according to standards set by the correctional authorities. Under this type of arrangement the government might appoint an official who is responsible for ensuring that appropriate standards of nutrition, health care, education and training, recreation and work, and so on, are available to all prisoners. One type of arrangement between private industry and correctional administrators provides for the private industry to design and construct the prison as well as to operate them after completion. This approach avoids the cost of capital works to governments, but it may be seen as failing to accept proper responsibility for the care and punishment of those who offend against the laws of the state.

III. New Developments in Community Corrections

Many nations in the region have expressed an interest in exchanging views about different ways that offenders may be dealt with apart from sending them to prison. This approach is particularly attractive if it can be shown that it is less expensive than imprisonment, is more humane, and is just as effective in reducing crime.

The traditional non-custodial measures are probation and parole, but many nations have introduced other measures in recent years. Non-custodial measures may be divided into two different groups, those that may be imposed by the courts, commonly called 'front-end mechanisms', and those which involve the early release of prisoners, commonly called 'back-end mechanisms'.

It is interesting to note that correctional administrators are generally more interested in the creation of new back-end mechanisms, while judges and magistrates are more interested in having at their disposal the widest possible range of front-end mechanisms. It may also be noted that there is often vigorous debate about whether particular measures, such as home detention, should be available to the courts or only used as part of early release arrangements.

It would be of interest for papers discussing these issues to describe the non-custodial measures, both front and back-end, that are available in each nation, together with an indication of the numbers of offenders on each program compared with the numbers of offenders in prison. If any evidence has been gathered on the relative effectiveness of these non-custodial measures, that would be also of very great interest.

IV. International Cooperation in Corrections

There are a large number of issues that could be discussed under this heading, but possibly that which will be seen as most important is that of international cooperation in relation to training at a senior level. All nations or jurisdictions seem to be able to provide satisfactory training for junior prison officers and non-custodial correctional officers, but over many years there have been requests for advanced training for senior staff. As it is highly unlikely that funds could be found to establish a regional training academy for senior staff, the question is whether or not correctional administrators in the region can do more to help each other. For example, would it be helpful if senior officers more frequently visited other correctional systems in the region in order to learn of new developments and new techniques?

Similarly, would it be possible for the Economic and Social Commission for Asia and the Pacific (ESCAP), the Australian Institute of Criminology (AIC) or the United Nations Asia and Far East Institute for the Prevention of Crime and Treatment of Offenders (UNAFEI) to play more active roles? For example, in recent years the AIC has received visits from an increasing number of senior correctional officers in the region who have undertaken study and research at the Institute and it has coordinated arrangements for these visitors to inspect correctional facilities. Would there be any support for an expansion of this program, perhaps to the point of arranging more formal courses?

Apart from training, international cooperation in the region would be enhanced by a greater exchange of information—especially concerning legislation. Suggestions have also been made from time to time for the establishment of a regional newsletter which would carry general information about personnel and programs in corrections.

Another aspect of international cooperation that could be discussed in the conference papers is that of the transfer of foreign prisoners. This is a very complex and highly political issue but it would be of great interest to know if

any nations in the region have entered into treaties with other nations and, if so, to report on the transfer arrangements and how they work in practice. By way of background it would also be interesting to have an estimate of the numbers of foreign citizens who are in prison in each of the nations in the region. If this topic provokes significant interest, it may well be appropriate for it to be listed for further discussion on the agenda of a later conference.

As indicated in the introduction to this discussion guide, it is not necessary for long papers to be prepared. Succinct statements of national views on each of the topics would, however, be greatly appreciated.

Appendix C

National Participation in Asian and Pacific Conference of Correctional Administrators, 1980–1992

	1980 Hong Kong	1981 Bang kok	1982 Tokyo	1983 NZ	1984 Tonga	1985 Fiji	1986 Korea	1987 M'sia	1988 Aust.	1989 India	1991 China	1992 Aust.
Australia	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Bangladesh										✓		
Brunei						✓	✓	✓	✓	✓		
Canada	✓	✓					✓				✓	✓
China										✓	✓	✓
Cook Islands				✓	✓	✓		✓		✓	✓	
Fiji		✓	✓	✓	✓	✓	✓					✓
Hong Kong	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
India		✓	✓		✓	✓	✓	✓	✓	✓	✓	✓
Indonesia	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Japan	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Kiribati					✓	✓	✓	✓	✓			✓
Korea D.P.R.											✓	✓
Korea, Rep				✓	✓	✓	✓	✓	✓	✓	✓	✓
Macau	✓		✓	✓	✓	✓	✓		✓	✓	✓	✓
Malaysia	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Nepal										✓		
New Zealand		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓
Pakistan										✓		
Papua New Guinea	✓		✓	✓		✓		✓	✓		✓	
Philippines	✓	✓	✓				✓		✓	✓		
Singapore	✓	✓	✓	✓	✓		✓	✓	✓		✓	✓
Solomon Islands				✓				✓	✓			
Sri Lanka	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	
Thailand	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Tonga	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Vietnam											✓	
Western Samoa	✓			✓	✓							
TOTAL	14	12	14	17	17	17	18	17	18	17	19	17

