

23rd Asian and Pacific Conference of Correctional Administrators

Hong Kong, 7 – 12 December 2003

CONFERENCE REPORT

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Introduction

This report is a summary of the proceedings of the Twenty Third Asian and Pacific Conference of Correctional Administrators (APCCA) held in the Hong Kong Special Administrative Region of the People's Republic of China, from 7 to 12 December 2003. The conference was attended by senior representatives of correctional services of 22 jurisdictions in the Asia and Pacific region. Generally, it was attended by the Chief Executive, Commissioner or Director General responsible for corrections in each nation or territory, often accompanied by other staff. The conference was hosted by Mr Kelvin SY Pang, Commissioner of the Correctional Services Department of Hong Kong SAR.

This was the third time that the APCCA had met in Hong Kong, but the first since the handover to China. The very first APCCA meeting was held in Hong Kong in 1980 and a second meeting in 1993. The idea for the first meeting developed from discussions between the then Director of the Australian Institute of Criminology and the then Commissioner of the Hong Kong Prison Service. Since 1980, the conference has assembled every year apart from 1990. In the period to 1993, the conference was assisted by the Australian Institute of Criminology. In the period from 1993 to 2001, it was supported by Professor David Biles (who had also been involved in earlier conferences), as APCCA Coordinator. In 2001, APCCA established a permanent secretariat, with responsibilities shared between Hong Kong (China) and Singapore. Professor Biles remained as Rapporteur for the 2002 Conference but decided to step down in 2003. His enormous contribution to the APCCA is most gratefully acknowledged and APCCA wishes him and Mrs Julie Biles the very best for the future.

After the first assembly of the conference in Hong Kong, the conference subsequently met in Thailand (Bangkok), Japan (Tokyo), New Zealand (Wellington), the Kingdom of Tonga, Fiji, the Republic of Korea, Malaysia, Australia (New South Wales and Victoria), India, China (Beijing), Australia (South Australia), Hong Kong, Australia (Northern Territory), Japan (Tokyo and Osaka), New Zealand (Christchurch), Malaysia, Canada, China (Shanghai), Australia (New South Wales), Thailand (Chiang Mai) and Indonesia (Bali). Over this period the conference developed a significant history of traditions and conventional practices. For example, it has always been accepted that the host has the right to select those to be invited. As a matter of tradition, the host nation has also provided hospitality as well as logistical support and an appropriate venue. At this conference extensive and generous hospitality was provided by Commissioner Pang and all of his staff were extremely professional, energetic and good-willed.

An important event in APCCA's history was the signing of a Joint Declaration by all the jurisdictions who were present at the 2002 conference in Bali, Indonesia (Appendix J). A number also signed up after the Conference (see Appendix K). The Joint Declaration, which was the product of the deliberations of a Working Party, sought to place APCCA on a firmer and clearer footing for the future whilst not detracting from its positive and established traditions.

Key features of the Joint Declaration included a statement of general goals, the establishment of a new Governing Board (in place of the former Advisory Committee), formalisation of the APCCA fund and provisions relating to the appointment and responsibilities of the Rapporteur / Co-Rapporteur.

At this Conference, Dr Neil Morgan, Director of Studies at the Crime Research Centre at the University of Western Australia took over as Rapporteur, having previously served as Co-Rapporteur since 1997 (other than in 1998). Mrs Irene Morgan, Legal Research Officer with the Parole Board of Western Australia, who had also assisted in the production of reports from the previous three conferences, was the Co-Rapporteur. Their role was somewhat enhanced from previous years. As well as producing this report, with the assistance of the Hong Kong CSD, they played a greater role as facilitators of discussion (summarizing agenda item themes during the Conference sessions and acting as facilitators during the specialist workshops). Overall, there was a higher level of discussion than at previous conferences.

There were two other successful innovations. The first was the involvement of two leading academic criminologists. Professor Roger Hood of Oxford University and a Visiting Professor at Hong Kong University, delivered a commentary on Agenda Item Two (Prisoner Complaints and Grievances) and Dr Roderic Broadhurst of Hong Kong University co-facilitated a specialist workshop on ‘Succession Planning.’

The second was that more jurisdictions used ‘Powerpoint’ presentations, a development that was welcomed by delegates. It helped to structure the presentations and also ensured more effective communication for those delegates (the majority) for whom English is not the first language.

An important tradition that has developed within the framework of the APCCA is that of visiting correctional institutions. This is a useful complement to formal discussions and is generally greatly appreciated by participants as a practical method of exchanging ideas. For this conference, visits were arranged to the Pak Sha Wan Correctional Institution, Shek Pik Prison, Sha Tsui Detention Centre and Lai Chi Rehabilitation Centre.

A further tradition of the APCCA that was established at the first meeting in 1980 is for a summary report of the conference proceedings to be drafted while the conference is in progress. Following that practice, a draft version of this report was circulated to all delegates on the evening before the final day of the conference. This was based on both the oral presentations made by delegates and the written papers. Reports on Agenda Item Four and the two specialist workshops were distributed to delegates two weeks after the conference. The Rapporteur / Co-Rapporteur then coordinated suggestions for amendment to the draft and the report was finalised at the end of January 2004.

Opening Ceremony

The opening ceremony of the conference was preceded by a welcome reception in the Congregation Hall of the Hong Kong Scout Centre. The ceremony itself was conducted at the conference venue – the Gordon Wu Hall of BP International House. The guests of honour were escorted into the hall by a piper and speeches were made by Mr Kelvin SY Pang, Commissioner of the Hong Kong SAR Correctional Services Department and the Honourable Ms Elsie Leung Oi-sie GBM, JP, Secretary for Justice of the Hong Kong SAR.

Welcome Remarks by Commissioner of Correctional Services, Mr Kelvin S Y Pang, CSDSM, JP at the Opening Ceremony

The Honourable Elsie Leung, Secretary for Justice,
The Honourable Ambrose Lee, Secretary for Security,
Mr Adi Sujatno, Director General, Directorate General of Corrections, Indonesia,
Dr Morgan and Mrs Morgan,
Distinguished delegates and guests,
Colleagues,
Ladies and gentlemen,

As Confucius, the great Chinese teacher, has said “It is a great pleasure to welcome friends from afar”, so I have much pleasure, as the host of this conference, in welcoming you to the Opening Ceremony of the 23rd Asian and Pacific Conference of Correctional Administrators today.

On behalf of the conference, I wish to thank the Honourable Miss Elsie Leung, the Secretary for Justice and the Honourable Mr Ambrose Lee, the Secretary for Security of the Hong Kong Special Administrative Region, for being here this morning. Your presence signifies the strong support the Hong Kong SAR Government has given to this conference.

This is the third time the APCCA has taken place in Hong Kong. You will recall that the formation of the APCCA arose from a series of far-sighted discussions in 1979 amongst a number of prison chiefs in the Asia-Pacific region and the Director of Australian Institute of Criminology, whose visionary eyes saw the need for regular meetings of correctional administrators in the region to exchange ideas, share experiences and discuss matters of common concern. Twenty-three years ago, i.e., in the year 1980, Hong Kong had the honour of hosting the inaugural conference. Today, building on the strength of cohesion and commitment among members, the APCCA has become a healthy young adult with

strong credentials. We set up the APCCA Fund in 1997 to receive voluntary contributions from members to support the Conference. We established a permanent secretariat in 2001 to handle conference business between annual meetings. And we signed the Joint Declaration in Bali, Indonesia last year to put this regional grouping on a more formal and professional footing.

As a founding member of the APCCA, the Hong Kong Correctional Services Department is delighted to see the APCCA grow from strength to strength. The Department is privileged to contribute to its management by serving as the APCCA Fund Administrator, co-hosting the Conference Secretariat with the Singapore Prison Service, and taking up the role of Governing Board Chair for the current year. In so doing, the Department has benefited from the professional sharing and networking opportunities provided by the APCCA. We will continue to leverage on this regional forum in our endeavour to achieve the Department's Vision of being an internationally acclaimed correctional service.

In closing, I would like to thank Dr Neil Morgan and his wife Irene for agreeing to serve as Rapporteur and Co-rapporteur of this Conference. With their professional assistance, I am sure that a high quality record of the conference will be produced for our reference. I also wish to thank the Organising Committee for their hard work in making this Conference possible. Last but not least, may I offer the services of myself and my staff, particularly the liaison officers and those working with the in-house secretariat, to ensure that you have all the tools and facilities you might need in order to make this Conference a success. After a day's hard work at the Conference, remember to take time out to enjoy Hong Kong. Thank you.

Speech by Secretary for Justice, Ms Leung Oi-sie, GBM, JP at the Opening Ceremony

Secretary for Security Mr Ambrose Lee,
Commissioner Mr Kelvin Pang,
Director General of Directorate General of Corrections, Indonesia, Mr Adi Sujatno,
Dr Neil Morgan and Mrs Morgan,
Distinguished delegates and guests,
Ladies and gentlemen,

I am delighted to have been invited to officiate at the opening ceremony of the 23rd Asian and Pacific Conference of Correctional Administrators. This is the third time this conference has been held in Hong Kong and the first time since the reunification with China in 1997. Some 25 jurisdictions are represented here today, and I have no doubt that all of those attending will benefit enormously from the sessions and the exchanges. I warmly welcome all the delegates on behalf of the Government of the Hong Kong Special Administrative Region.

Hong Kong's Correctional Services Department enjoys a fine reputation at the

international level, and one that is richly deserved. The Department has, in many areas, pioneered the latest techniques in the treatment of offenders, and the range of its facilities is considerable. It is well able to cope with the needs of particular offenders, no matter how demanding these may be in physical, linguistic, dietary, or other terms.

The contribution the Department makes to our criminal justice system is profound. It advises courts on the viability of various sentencing opinions. It provides a host of programmes to those committed to its care. After-care services of the highest quality are arranged in order to facilitate the successful reintegration into society of those who have paid their debt to society. The staff of the Department are all highly trained and forward looking, and keen to tap into the latest thinking at the international level.

The Correctional Services Department is firmly wedded to the notion that wherever possible punishment should be combined with rehabilitation. Progressive modes of dealing with those sentenced by the courts are deployed to the extent that this is feasible and in the interests of the community and the offender. During your visit I hope you will have the opportunity to see something of the operation not only of our traditional prisons, but also of those dedicated institutions which place the emphasis of their programmes upon the particular needs of individual offenders.

The ways in which training centres, drug addiction treatment centres, detention centres, reformatory schools and rehabilitation centres operate all reflect the importance which we in Hong Kong attach to the reform of offenders, particularly those who are young and who can more easily be pointed in the proper direction for the future. It cannot be right to regard the rehabilitation of the young offender as a consideration distinct from the protection of the public. The two things are intrinsically linked. The criminal justice system must aim to rehabilitate young offenders in particular, not least because reformation of that type removes the danger to the public from those who are not yet hardened in criminal ways.

The debate over whether punishment or rehabilitation best serves the interests of the community is as old as the criminal justice system itself. Prison systems must surely seek to ensure that those who pass through are better persons when they leave than when they enter, and are thus less of a threat to society. Hong Kong is fortunate to have in place a penal system which keeps inmates gainfully occupied, and which seeks thereby to develop responsibility, teamwork and, perhaps most importantly, confidence. Most inmates in due course will face the challenge of reintegration into society, and if that is to be successful they must be properly prepared.

These are important concepts, and not all agree on the best way forward. Different societies may have different needs. The APCCA has for over 20 years provided those concerned with the treatment of offenders in the Asia and Pacific Region with a valuable forum in which to exchange ideas and experiences, and to identify the most effective strategies for the future. As each of you applies your various perspectives to the issues under consideration this week, you will, I know, be interested to learn more of the way in

which the penal system of Hong Kong has evolved in a constructive and enlightened way in recent times.

I wish you all a successful conference. I hope as well that you have the time to see something of Hong Kong and to learn more of our role as Asia's World City. It is with pleasure that I now declare this conference open.

After the speeches concluded, the APCCA symbols were formally handed over from Mr Adi Sujatno, leader of the Indonesian delegation, to Mr Kelvin Pang. The symbols are a Fijian war club and an Indian brass lamp. The Fijian war club may be associated with aggression and violence but its significance is that it is a sign of peace, harmony and civilisation when it is surrendered to another person. The Indian brass lamp is a symbol of learning and enlightenment. Together, these two symbols embody the enduring values of the APCCA.

The Conference was also honoured by the presence at the opening ceremony and the welcome dinner on the Monday evening, of the Honourable Mr Ambrose Lee Siu-kwong IDSM, JP, Secretary for Security of the Hong Kong SAR. Mr Lee delivered the following speech at the welcome dinner:

Welcome Speech by Secretary for Security, Mr LEE Siu-kwong, IDSM, JP, at Welcome Dinner

Good evening Commissioner Pang,
Distinguished delegates and guests,
Ladies and gentlemen,

It gives me great pleasure to have the opportunity to welcome you to this evening's dinner in honour of all delegates and guests attending the 23rd Asian and Pacific Conference of Correctional Administrators.

Hong Kong is honoured to play host to this important event. The presence of some 100 delegates from over 20 countries at this year's conference underscores the determination of correctional administrators in the Region to establish stronger ties and closer co-operation with each other for the betterment of the services that each provides.

Being Hong Kong's Secretary for Security, I am in no doubt as to the importance of correctional services to the safety and internal security of a community, which in turn have a direct bearing on social stability and economic prosperity. As senior professional correctional managers, therefore, you have a key role to play in contributing to the well-being of your countries through shaping your countries' policies and practices pertaining to the treatment of offenders.

Managing offenders is never an easy task. Operating today in a fast-changing environment, we cannot assume that old methods will always solve new problems and meet new challenges. And I believe it is for this main reason that you gather annually at the APCCA for inspirations and the cross-fertilisation of new ideas.

You have a five-day conference, with a heavy agenda and visit programme. While the formal sessions are of course important, experience from international conferences of this type tells us that insights and co-operation opportunities frequently crop up in the corridors or through informal exchanges of views at social functions. Therefore, I hope you will find this welcome dinner and other social activities hosted by my Correctional Services colleagues both enjoyable and fruitful. I hope you will also find time in the evenings to enjoy Hong Kong's beautiful night scenes. To those who can afford the time to stay longer, don't miss the chance to enjoy our city's shopping and many other tourist attractions and take home wonderful memories of Hong Kong, Asia's World City.

Last but not least, I would like to take this opportunity to welcome also some of our local community leaders who are here this evening and who have volunteered so much of their time and effort in helping with offender rehabilitation. In Hong Kong, we place much emphasis on community partnership in helping offenders to turn over a new leaf. Without this community partnership, our rehabilitation work would not be half as successful. I would like, therefore, to take this opportunity to express my appreciation to those involved and to thank them for their contribution.

So, without further ado, let me wish you all an enjoyable evening and a most successful conference in the next few days. Thank you.

Agenda Item One

National Report on Contemporary Issues in Corrections

1. INTRODUCTION

Following the practice which was first introduced in 1997, all delegations presented National Reports on Contemporary Issues in Corrections. At this conference, for the first time, the Rapporteur provided a thematic summary at the conclusion of the presentations. The content of the presentations continues to vary between participating nations, reflecting the economic, socio-political and cultural diversity of the Asian and Pacific region. The papers acknowledged a wide range of issues facing correctional administrators. Many of these are familiar but a number of themes either have emerged or become stronger. This review highlights these trends which include:-

- Increasing focus on inmates' reintegration/'re-entry' into the community;
- Knowledge development initiatives for prison staff;
- Greater collaboration with relevant agencies and the community in the rehabilitation and reintegration process;
- Raising public awareness.

The review concludes by identifying some of the future challenges that are faced across the region.

2. SOCIO-POLITICAL CHANGES AND ECONOMIC CONSTRAINTS

As in previous years, the conference revealed the various ways in which broad socio-political and economic factors affect organisational structures, service delivery and the demographics of the prisoner population, and also how such changes impact on correctional administrators and staff. Legislative and procedural changes in many jurisdictions such as China, Japan, Korea, Mongolia, Singapore, Hong Kong (China), Malaysia, Cambodia, Kiribati and Fiji have provided a new directional force with respect to the needs of individual inmates, respect for human rights, the delivery of quality services, and the implementation of correctional and rehabilitation processes.

Financial resources remain a key issue in all jurisdictions. For example, in Fiji, the lack of adequate funding has resulted in a staff/prisoner ratio of 1:9, which poses a threat to prison security and which far exceeds the United Nations Minimum Standard of 1:4. In Thailand, the staff/prisoner ratio has deteriorated over the past decade from 1:10 to 1:20. However, despite financial constraints, some other jurisdictions have been able to obtain limited funding to implement new strategies. In Vietnam, the Government has allocated about US\$60 million to upgrade its prisons. In Japan, a private advisory committee called the "Correctional Administration Renovation Council" was constituted in March 2003 to discuss prison administration reform. Mongolia's democratic reforms in the 1990s resulted in a re-assessment

of policies in the prison system with a focus on human rights, the market economy, an approach to world standards and improvements in court processes through a new ‘Court Decision Execution of Law’, which came into force in September 2003.

Prisoner health is a continuing issue in some jurisdictions. In preparation for a possible outbreak of Severe Acute Respiratory Syndrome (SARS), the *Quarantine and Prevention of Disease Act* was invoked in Brunei to protect staff and inmates. In Cambodia, Canada, Malaysia and Vietnam, prisoner health and contagious disease management (AIDS/HIV) remain a concern. The rate of federal offenders known to be living with HIV or AIDS was 1.8% at the end of 2001 and Canada is concerned since the number has increased by nearly 100% since 1994. Steps have been taken in the respective nations to establish health clinics, to upgrade prison hospital facilities and to improve the training of medical staff. The spread of tuberculosis is a continuing problem in Mongolia with a fatality rate of 295 prisoners per year. Fortunately, the problem has decreased by 75% over the past three years with the establishment of a prison tuberculosis hospital.

3. CRIME TRENDS

The increasing number of prisoners who have been convicted of drug-related offences is a major concern in most jurisdictions including Australia, Brunei, Fiji, Japan, Korea, Macao (China), Malaysia, Sri Lanka, Thailand, Tonga, Vietnam, Pakistan and Canada.

As noted by the Indonesian delegate, globalisation of crime has impacted on the “scale, forms, types of crimes and offenders as in the cases of transnational crime, organized crime, white collar crime, economic crime and other conventional forms of crime. As a result, there is a sharp increase in the number of offenders and prisoners inducted in the correctional institutions including the ever worrying cases of drug offenders”. In Indonesia, the number of drug-related prisoners has risen from 2,073 in 2001 to 9,902 in 2003 (a 377% increase), and attention has therefore been given to the development of special drug institutions, substance abuse treatment programmes for inmates and training for prison staff to handle the changing prison population. Sri Lanka shares the same problem with 45% of its prisoners being incarcerated for drug-related crimes.

The distribution of drugs in prison is a major concern for most countries as it affects the security of the institutions, creates problems regarding the transmission of infectious diseases, and has implications for the health and safety of the community. In Canada, one of the impacts of the presence of gangs in institutions is the distribution of drugs within institutions exacerbated by links with outside criminal organisations. Thus, efforts are being made not only to rehabilitate offenders through treatment programmes and counselling, but also to sever the chain of drug distribution and to further evaluate mechanisms such as testing for infectious diseases, use of drug dogs, and search protocols.

In Cambodia, there has been an increase in gambling, alcohol consumption and drug use. These activities have been linked with the commission of offences such as theft, armed robbery,

domestic violence and gang rape, and two-thirds of Cambodia's inmates have been convicted of these offences. In Sri Lanka, drug addicts have turned to theft and burglaries to feed their drug addiction.

By contrast, other countries in the region have somewhat different crime trends. In Hong Kong (China), the increasing crime rate has been attributed to an increase in the number of 'quick cash crimes' (such as snatching, pickpocketing, shop theft and theft from vehicle) and 'anti-social crimes' (for example, serious assault, assaulting police officer, arson and criminal damage). However, in Kiribati, 25% of prisoners have been convicted of murder, followed by those who have been convicted of sexual offences (24%) and violence against the person (18%). In the Philippines, offences against the person are a continuing and growing problem.

In Canada, in contrast to many other countries, the crime rate, including violence, has been generally declining since the early 1990's and now stands at about the same level as 1979.

4. PRISON POPULATION

(a) Continuing upward trend

Generally, the imprisonment rate in participating nations has been increasing over the years and this trend continues. Apart from the Cook Islands, Canada, Macao (China), Thailand, Korea and Vanuatu, there has been an increase in the imprisonment rate in all participating nations. In Canada, the number of incarcerated offenders has been declining in recent years, and in 2000/2001, it was about 10% lower than 1996/1997. The decline in the prison population in Thailand was due to its Government's successful collaboration with various private and public agencies to resolve the overcrowding problem. In Korea, the recovery of the economy resulted in a decrease of the number of inmates. However, the reduction in number has not resolved the problem of overcrowding in both countries as the overall number of inmates is still at a high level.

In Australia, prison population trends vary between different parts of the country. The Northern Territory has the highest imprisonment rate (549 prisoners per 100,000 population), followed by Western Australia, Queensland and New South Wales (198, 183 and 155 per 100,000 adult population respectively).

(b) Reasons for the upward trend

Looking back on previous years' statistics, it is depressing to note that the prison population has generally been increasing each year. It is therefore important to identify the main reasons for this upward trend:-

➤ *Changing trends in crime*

In some regions, there has been an increase in the number of prisoners who have been convicted of drug trafficking, possession of drugs, drug abuse and drug-related offences

(for example, theft, burglary, and robbery). As discussed above, in many countries (including Indonesia, Brunei, Sri Lanka, Thailand and Malaysia), drug-related crimes are on the increase. This has caused an increase in the prison population – as shown by Indonesia’s four fold increase in the number of prisoners convicted of drug related offences over the last three years.

➤ *Changing trends in sentencing and sentence enforcement*

In some jurisdictions, there is evidence that the courts have been imposing longer sentences on convicted offenders. In New Zealand, the increasing prison population reflects a range of factors, including a growing number of remand prisoners, longer sentences for some types of offences, and possibly more rigorous fine enforcement. In other countries however, the majority of prisoners are serving longer sentences – for example, in Macao (China), 51% of its prisoners are now serving sentences of seven years or more. However, in Canada, the average sentence length for federal offenders has been steadily decreasing.

➤ *Legislative and policy changes*

In Malaysia, Thailand and a number of other jurisdictions, Government policies to control crime and a zero tolerance approach to drug offending have been a major contributing factor in the increased prison population.

➤ *Influx of illegal immigrants, people smugglers and foreign prisoners*

Jurisdictions such as Hong Kong (China), Macao (China) and Malaysia have a large number of illegal immigrants in their prisons. Prior to recent international transfer agreements, Thailand had a large number of foreign prisoners from Nigeria, whilst the Northern Territory (Australia) has experienced problems with people smugglers over recent years.

5. STRATEGIES TO OVERCOME OVERCROWDING

Increases in the prison population have generated problems of overcrowding in prisons in the Philippines, Brunei, China, Indonesia, Mongolia, Vietnam, Pakistan, Macao (China), Malaysia, Kiribati, and Sri Lanka. The problem is particularly severe in Malaysia’s female prison which has an overcrowding rate of 431%. Malaysia’s other prisons are also operating beyond capacity at a rate of between 103% and 241%. Japan’s female prison is operating at 125% of the authorised capacity. In Hong Kong (China), some of the women’s facilities have been operating at 55% to 135% above authorised capacity, whilst the prisons for men often operate at 14% to 48% above capacity. In Singapore and the Philippines, prisons operate at 44% and 87% above recommended capacity respectively.

The majority of nations have explored new initiatives and strategies to alleviate some of the problems. They include the following:

(a) Bail and court processes

Jurisdictions such as India, Sri Lanka, Cambodia and Pakistan have a very large remand population and hence, there is a need to develop strategies to expedite the court process. India is actively devising procedures to speed up the disposal of cases, but it remains the case that only around a quarter of India's prisoners have been sentenced. Macao (China) has successfully reduced its prison population to a certain extent through the expanded use of bail. By contrast, new laws on bail in New Zealand and Australia have had the opposite effect, with legislation to restrict the grant of bail.

(b) Non-custodial sentences

The availability and use of non-custodial options vary across the nations. However, there is a clear consensus that the use of non-custodial options (such as community supervision, community work, electronic monitoring and periodic detention) should be expanded. China, India, Indonesia and Thailand make comparatively little use of non-custodial sentences and have expressed a desire to introduce a wider range of options. In Cambodia, non-custodial sentences are limited to fines, suspended sentences and conditional release but a new draft Penal Code is in the pipeline to extend non-custodial sentences. Similarly, Thailand is considering the implementation of work release orders and electronic monitoring, whilst Malaysia has introduced community service orders and established community attendance centres.

As a result of legislative changes in 2002, New Zealand's community sentences (periodic detention and community service) have been merged under the umbrella of community work in order to provide greater flexibility in the management of offenders.

(c) Expanded prison capacity and refurbishment of facilities

As stated succinctly by Pakistan, "Overcrowding impedes the effective implementation and adherence to the required standard facilities". Therefore, most jurisdictions acknowledge the need to expand prison capacity by building new prisons and/or refurbishing current prisons to accommodate the inmates. For example, in 2001, a new prison was opened in Brunei to accommodate first-time offenders with the aim "to achieve lower rate of recidivism through specialised rehabilitative approach and environment". New prisons have also been built in Vietnam, Korea and the Philippines, whilst a newly constructed prison complex is expected to be fully completed in 2008 in Singapore. In Hong Kong (China), the development of a new co-location prison complex has been proposed with "shared manpower, facilities and infrastructure to achieve economy of scale" in order to "meet the projected demand up to the year 2015". Macao (China) is planning to build a new prison to absorb an anticipated increase in the number of prisoners, and in Indonesia a drug institution has been specifically constructed to meet the needs of drug offenders.

Refurbishment and improvements to prisons are ongoing projects in Thailand, Korea, Vietnam, Macao (China), Malaysia, Pakistan and Mongolia. In Vietnam, the Government has committed US\$60 million to upgrade its antiquated prisons. New Zealand is implementing plans to

construct four new prisons.

(d) Expanded schemes for early release, boot camps and educational programmes

The national papers reveal that a range of early release mechanisms have been adopted as a means to alleviate overcrowding. Some jurisdictions, including Indonesia, Vietnam and Thailand have offered amnesties, national day remissions and pardons. In Vietnam, during the President's special amnesty in 2002, 6,233 prisoners were released. In Thailand, offenders with drug problems are increasingly being accommodated in boot camps rather than traditional prisons, and selected prisoners are being released on special parole to undertake pre-release activities.

Singapore, however, made the important point that crime prevention strategies are at least as important. That country has run innovative education programmes for 'at-risk' youths with the aim of preventing an increase in crime rates and a consequential increase in the prison population.

In some countries such as New Zealand, Canada, Australia, Indonesia, the Philippines and Sri Lanka, parole schemes are used to release eligible prisoners. A new Parole Act was introduced in New Zealand in 2002 to restructure the administration of parole under one national Parole Board. Korea continues to expand the operation of parole schemes successfully. China and Malaysia have actively explored this concept, with Malaysia aiming to implement a parole scheme by the end of 2004.

6. OFFENDER DEMOGRAPHICS

Once again, all the reports made reference to the demographic characteristics of prisoners. Canada reported that: "Changes to the offender risk and need profiles include increases in offenders with problems related to violence, substance abuse, communicable diseases, other physical and mental illnesses, cognitive impairments and association with organised crime and gangs" and noted that an increasing number of leaders of criminal organisations are being held in prison. In addition, 11% of Canada's prison population suffers from some form of psychiatric illness, and this figure is rising.

(a) Women

The rate of female prisoners varies greatly amongst the regions. Tonga, Fiji and Kiribati have the lowest rate at 1.5%. The proportion of female prisoners in countries such as India, Indonesia, the Philippines, Cambodia, China, Japan Australia, New Zealand and Korea is generally in the range of 3% to 7%. In Malaysia, Brunei, Singapore, and Macao (China), the range is broadly between 8% and 15%. The highest rate (between 19% and 20%) is recorded in Hong Kong (China) and Thailand.

Although female prisoners usually represent a relatively small proportion of the total inmate

population, their population is generally increasing at a faster rate than the male population. One reason for this is the increasing number of female offenders being convicted of drug offences and/or drug-related offences. Therefore, there is a need to transform the management and accommodation of female prisoners, taking into account their specific needs.

(b) Age

Several papers, such as Australia and Canada, identified an increasing problem with an ageing prison population. Since 1995, the number of prisoners in the 50-year or more age bracket has risen by 27% in Canada, calling for the provision of enhanced chronic and palliative care for its prisoners.

Brunei, Indonesia and Malaysia have a growing number of younger prisoners who fall within the 18-30 year age group. This is attributable to rising unemployment in these countries and problems with drug abuse. In the Philippines, 60% of the prisoners are aged between 22-39 years. The younger age profile of offenders in these countries will affect the nature of offender management in the future.

(c) Indigenous Prisoners

Once again, Australia, New Zealand and Canada noted the continuing over-representation of Indigenous peoples in their prison populations. For example, Indigenous people constitute only 2% of the Canadian population, but they represent about 18% of the incarcerated population. In Western Australia, Indigenous people constitute around 4% of the State's population but over a third of the prison population. In other parts of Australia, Indigenous people are also massively over-represented in prison. In New Zealand, although the Maori people constitute 14.5% of the country's population, they represent 49.8% of prisoners serving prison sentences and 44.7% of those serving community-based sentences.

Conscious efforts are being made by the three countries to reduce this figure – for example, by seeking to deliver culturally appropriate treatment programmes, working in partnership with Indigenous communities, and training staff to interact with the Indigenous prisoners, communities and service providers. Canada and New Zealand appear to be significantly further advanced than Australia in this regard. In Canada, culturally designed 'healing lodges' have been built to assist the reintegration process and New Zealand has been actively implementing a comprehensive Maori Strategic Plan. All three countries have expressed concern that the rate of Indigenous over-representation seems likely to increase rather than decrease as a result of demographic trends and socio-economic considerations. Clearly, much remains to be done to implement culturally appropriate programmes and to engage with Indigenous communities to help to reintegrate prisoners and to try to develop innovative alternatives to incarceration.

(d) Foreign Prisoners

The 2001 APCCA Conference Report included a detailed review of the issues regarding foreign prisoners and the international transfer of such prisoners. Hong Kong (China) continues to be the leader in terms of signed agreements, but other countries such as Thailand, Australia and Japan have been actively pursuing the same.

Korea, Macao (China), Japan and Malaysia have a large number of foreign prisoners and note that steps need to be taken to overcome problems such as language barriers, customs and separation from families, in order to facilitate the rehabilitation process. Macao (China), for example, has a large number of foreign prisoners from China, Thailand, Taiwan and the Philippines.

7. SENTENCED AND UNSENTENCED PRISONERS

The country papers revealed wide variations around the region with respect to the percentage of unsentenced prisoners ('remandees'). Brunei has the lowest figure (3%) whereas India has the highest (76.5%). India reports that although it is relatively easy to obtain bail, the ratio of remandees to sentenced prisoners is 3:1. The figures for Sri Lanka and Indonesia are relatively high at 51.6% and 39.7%, respectively. The variation is partly due to the different investigative procedures, legal requirements, rules on bail, and criminal justice procedures and traditions that apply in each country.

On average, the percentage of remandees varied between 10% and 30% in countries such as Macao (China), Kiribati, Hong Kong (China), Mongolia and Malaysia. The remand population in New Zealand has increased by 160% between 1991 and 2003. In some jurisdictions such as Cambodia, Brunei, Singapore and Tonga, the rates have decreased from the previous year but the percentage of remandees in Australia, Fiji and Hong Kong (China) has increased. The rate remains static in Japan (17%) and Korea (37%).

8. MANAGEMENT AND REHABILITATION OF INMATES

There is strong evidence of an increasing commitment across the region to an approach to offender management that seeks to integrate both 'in care' and 'out care', to help prepare inmates for life upon release and to ease their re-entry into the community. The ultimate aim is to reduce recidivism rates. As summed up by Cambodia, the role of correctional services is to "protect society by confining prisoners and detainees in a safe, secure and hygienic/humane environment which permits rehabilitation in order that they may return to society to lead meaningful lives". Canada and Australia echo the same sentiment stating that the gradual release of offenders and structured forms of supervision and intervention are the best way to help offenders succeed in their reintegration, and thus contribute to safer communities.

There is now a marked shift in most countries to focus on a 'risk and needs' assessment of the

individual prisoner's suitability for a range of rehabilitative, cultural, and educational activities. Underlying such assessments is the goal of increased public safety and protection. This approach also raises issues regarding the protection of human rights, the delivery of treatment programmes and vocational training for inmates, the training of prison staff, and the development of mechanisms for inter-agency collaboration between the private and public sectors.

Plans are under way in Fiji, India, Australia, Singapore, Hong Kong (China), New Zealand and Canada to provide more effective rehabilitation and treatment programmes to better meet the needs and skills of inmates. In Western Australia, a comprehensive 're-entry project' has been implemented which seeks to address offenders' needs in a holistic and multi-agency manner. Thailand, Tonga, Brunei, Malaysia, Mongolia, Vietnam Sri Lanka, Philippines, Cambodia, Fiji, Sri Lanka, Singapore and Kiribati have implemented new schemes for the gradual reintegration of prisoners into the community.

Singapore Prisons Department has developed what it terms a 'seamless throughcare' concept, focussing on four key areas to "assist inmates to reintegrate into society, upon their release, as responsible and productive citizens" through collaboration with strategic partners and the community. Vocational and educational training programmes (for example in carpentry, urban-farming, welding, computer technology, home decorating, plastering) are being delivered to enhance the employment prospects of inmates following their release into the community. Some countries such as Malaysia, Thailand, Hong Kong (China), Singapore and Sri Lanka offer holistic programmes which include stress management, music therapy and meditation.

Thailand, Australia, Hong Kong (China) and Canada have conducted further evaluations on risk assessments and the needs of offenders and Hong Kong (China), Indonesia, Singapore and Malaysia have developed new substance abuse treatment programmes. Pakistan aims to provide treatment and vocational programmes to its inmates as far as possible, but the lack of financial resources has hampered progress.

9. KNOWLEDGE DEVELOPMENT INITIATIVES FOR PRISON STAFF

Staff development and training is an integral aspect of every organisation. Professional exchanges between Canada and Hong Kong (China) in 2001 proved to be a fruitful experience and a means of sharing and learning new ideas and practices. In July 2003, Hong Kong (China) signed a Memorandum of Understanding with Singapore to promote "staff exchanges, research and study projects, e-forum and bilateral seminars". Malaysia has embarked on inter-agency collaboration with local and foreign higher education and training institutions to upgrade the knowledge and skills of its prison staff.

Cambodia and Kiribati are actively seeking to employ suitably qualified staff to develop and deliver treatment programmes to inmates. Whilst most nations such as Malaysia, Vietnam, Canada, Singapore, Sri Lanka Fiji, Hong Kong (China), Macao (China), Australia, New Zealand, Brunei and Japan have some funding to implement training programmes for prison

staff, other countries (such as Pakistan and Tonga) have been seriously impeded by financial constraints.

10. COMMUNITY PARTNERSHIPS AND PUBLIC AWARENESS CAMPAIGNS

Collaboration between the government sector, interest groups and the community is viewed as an important strategy to assist the reintegration process of released prisoners by providing aftercare support. This can also help to alleviate problems of overcrowding in prisons. The majority of countries are already involved in inter-agency partnerships and cooperation at different levels.

For instance, Fiji is currently engaged in three reviews with international agencies such as AusAID, in order to “advance the level of professionalism, effectiveness and efficiency on the Fiji Prison Service in order to be vigorous and active in approaching and dealing with offenders”. Indonesia and India have outsourced the provision of programmes to staff and inmates, to non-government organisations.

Some countries including Pakistan and China called for further guidance and involvement from APCCA members to share experiences and best practice models with respect to reforms in the administration and provision of correctional services, the development of training programmes and staff exchange visits.

Public awareness campaigns are being conducted through the media by Singapore, Vietnam, Sri Lanka, Macao (China) and the Philippines to project a positive image of inmates, and to explain the roles of correctional services and the importance of aftercare support from the community.

11. SUMMARY AND CONCLUSIONS

Over the past five years, it is noticeable that the level of detail in all the country papers has increased greatly. The statistics are more comprehensive and the quality of discussion is improving each year, providing a wealth of information from which all countries can learn. There is also a growing openness to discuss problems and a genuine wish to share ideas.

The papers suggest that the following issues will be the most challenging problems faced by the majority of countries:-

- Rising prison population.
- Worsening overcrowding.
- Continuing economic constraints with an adverse impact on staff resources.
- A rise in drug-related offences and in the number of offenders with serious drug problems. This has already caused a rise in the prison population in some countries, most notably Indonesia. Across the region, it is of particular concern that amphetamine based drugs have become the drug of choice for many young people. As pointed out by New Zealand, such drugs can severely affect peoples’ behaviour and this has clear implications for prison

systems management in the future.

- Generally, the percentage of remand prisoners seems to be increasing (India faces the most dramatic problem in this regard with only a quarter of its prisoners being sentenced).
- Increases in the number of female prisoners and foreign prisoners.
- The need to change offender management strategies to deal with an increasing number of younger prisoners as well as an ageing population.
- Management problems caused by groups of prisoners who require different needs. (In Canada, this includes prisoners who suffer from some form of mental illnesses and various gangs in prison. Korea noted that younger prisoners are less respectful of traditional boundaries).
- The over-representation of Indigenous prisoners continues to be a challenging problem for some countries.

These pressures - and especially the increasingly complex offender profile - will require countries to develop new approaches to security, health, programme intervention, community support and inter-agency collaboration.

However, some positive developments are evident. For example:-

- Canada, Thailand and Korea have experienced a decline in prison numbers.
- Across the region, there is a stronger focus on rehabilitating and reintegrating offenders (rather than on punishment), and on garnering community support.
- Along with this, there is a greater commitment to human rights issues, with upgrades in prison standards and facilities, and amendments to prison laws. Several jurisdictions have already amended their prison laws and others now have stronger external accountability structures. For example, Korea now has a Human Rights Commission and many Australian jurisdictions now have independent prison Inspectors. In India, the Government has formulated a National Action Plan for Human Rights Education with respect to inmates and Japan has embarked on a ground-up review.
- Engaging the community and relevant agencies is seen as an important way to assist rehabilitation and reintegration processes.
- Some jurisdictions (including China, Hong Kong (China), Singapore and Canada) have signed Memoranda of Understanding in order to exchange ideas and to facilitate staff exchange programmes.

It is noticeable that the quality of information and discussion at APCCA conferences has improved significantly over recent years. This suggests that APCCA has played a useful role in promoting regional moves towards secure, humane and effective prison systems. It provides a useful basis upon which to build further regional collaboration in a number of areas, including prison standards, training, parole systems, non-custodial sentences and other areas of correctional endeavour.

Agenda Item Two

Dealing with Prisoners' Complaints and Grievances

1. INTRODUCTION

The topic of prisoners' complaints and grievances has only been discussed once at a previous APCCA meeting, in Beijing, China, in 1991. It aroused a great deal of interest at this conference and formal presentations were made by Australia (South Australia), Fiji, Hong Kong (China), Macao (China), Japan, Korea, Philippines, Thailand and Vietnam.

The Conference was honoured by the participation, in this session, of Professor Roger Hood, Visiting Professor at Hong Kong University and a leading world figure in the fields of penology and criminology. Professor Hood CBE QC FBA has recently retired as Professor of Criminology at Oxford University but remains Emeritus Professor of Criminology and Emeritus Fellow of All Souls College, Oxford University. Following the country presentations, Professor Hood presented a review of the topic and, in conjunction with the Rapporteur, led the ensuing conference discussion.

There are many differences across the region in terms of the processes for grievance resolution. The papers were of a high standard and provide much detail. This thematic review draws out the key themes that emerged from the papers and conference discussions. The country papers may be consulted for a comprehensive description of each jurisdiction's procedures.

2. INDIVIDUAL AND SYSTEMIC COMPLAINTS: PREVENTION IS BETTER THAN CURE

Prisoners may have grievances on a wide range of issues and the primary focus of the papers and presentations was on the formal processes for addressing what may be called 'individual' complaints or grievances; in other words, complaints dealing with matters that relate to the prisoner's own personal circumstances. However, two important points may be made. First, 'prevention is better than cure'. Consistent with this view, many papers stressed the importance of positive staff/prisoner interaction in the units/wings of a prison. As Mongolia put it, "personal or individual interactivity with each prisoner is the basis to prevent complaints and grievances." The Singapore delegation went further and commented that it is better to have a "proactive mechanism to find out what's wrong, not merely to respond to complaints." To that end, Singapore has introduced a number of initiatives, including an Inmate Suggestion Scheme (rewarding inmates for good suggestions) and upgraded systems for reciprocal feedback between the prisons and prisoners' families about an inmate's progress and wellbeing.

Secondly, individual complaints may be reflective of 'systemic' issues, either within a particular prison or across the prison system as a whole (for example, prison conditions, health, hygiene or food). It is important to be able to identify such systemic issues and effective management

responses to them can lead to a reduction in the number and intensity of individual complaints. Some systemic issues can be identified by keeping effective data and undertaking trends analysis on the nature and number of individual complaints – a point that was stressed in the Canadian report. However, other systemic issues are not likely to be revealed simply by analyzing trends in complaints. For example, a prisoner’s complaint should, in essence, involve a claim of unfair treatment compared with other inmates. Such claims are most unlikely to be upheld if they involve a uniform practice or conditions that apply to all prisoners.

In recognition of this, some jurisdictions (notably Australia and the United Kingdom) have therefore established prison inspectorates to examine systemic issues. These inspectorates generally operate separately from individual grievance procedures. In some jurisdictions, they report to the relevant Department head or to the Minister, but in others they operate quite independently of the corrections department (for example, in Western Australia, by reporting directly to Parliament).

3. GENERAL PRINCIPLES AND RECENT INITIATIVES

All jurisdictions regard prisoner grievance procedures as a vital component in good modern prison management. The papers revealed that, in many jurisdictions, major changes have occurred since 2001, or are pending. They include Hong Kong (China), Australia (Western Australia, Queensland, Tasmania, South Australia and New South Wales), Japan, Korea and New Zealand. China stated that it is gathering information on all complaints and will be analyzing this in order to identify areas for improvement in both legislation and prison administration.

There are a number of related reasons for this vigorous process of reform. First, there are strong ‘prison management’ reasons. Good order in prisons does not simply involve procedures for disciplining prisoners but also includes giving prisoners fair and expeditious opportunities to resolve complaints and grievances. Indeed, it is clear that prisoners are often more aggrieved by an inability to air their concerns effectively than they are by a rejection of a complaint provided that the process has been fair. Put another way, a fair process is often at least as important as the result. Thus, Malaysia wrote that “receiving, evaluating, investigating, recording and taking action on complaints and grievances” is directly linked to the “fundamental responsibility of prison administration in secure custody and control; and both Fiji and Thailand commented that the level of complaints is one indicator or ‘mirror’ of performance. As many of the papers pointed out (including Brunei, China, Macao (China), Japan, Korea, Malaysia, Thailand and Vietnam) poor prisoner grievance procedures can generate a level of frustration, distrust and tension. At worst, these tensions can contribute to mass indiscipline and serious disturbances (see also Agenda Item 4).

Secondly, there is a ‘human rights dimension’. By the very nature of imprisonment, prisoners lose many of the freedoms and privileges enjoyed by other citizens. However, it is increasingly acknowledged that this does not mean that they lose the right to be treated fairly and with due process. Thus, several papers stressed the rights of inmates and Canada linked this directly to

its Charter of Rights, stating that the aim of grievance procedures is to “uphold an offender’s fundamental right to be heard, to appeal and to seek redress.”

Some jurisdictions (including Canada, Australia, New Zealand and Korea) gave a third, and related reason; namely, that effective grievance procedures can reduce the prospects of prison administrators facing costly litigation through the courts.

The phrase ‘internal grievance procedures’ refers to processes within a prison or within the prison department itself, up to and including the Chief Executive Officer. The phrase ‘external grievance procedures’ refers to a range of processes that involve outside agencies. They include relevant government ministers, ‘Visiting Justices’, the courts, accountability agencies such as the Ombudsman, and other Commissions or tribunals (such as human rights committees).

The descriptions of grievance procedures in the national papers suggest that internal procedures sometimes operate within a rather different paradigm from external mechanisms. External processes are often based on a fairly formal process of ‘adjudication’ – in other words, with an independent third party sitting in judgment on the complaint. Internal grievance procedures tend to involve less formal forms of conflict resolution, and some jurisdictions (such as Western Australia) have made a policy shift towards various forms of mediation and negotiation.

Overall, there was a clear consensus that, wherever possible, grievances should be resolved internally and at the lowest possible level.

4. TYPES OF COMPLAINT AND COMPLAINANT

In broad terms, the sources of complaint / grievance were common across the region and included issues such as prison conditions and hygiene, health service provision, access to treatment programmes, visits and family welfare issues, food, exercise, and staff/prisoner or prisoner/prisoner interactions.

However, there appear to be some jurisdictional differences in terms of the proportion of complaints that fall within any given category. For example, in Canada, most complaints involve conditions/routine, prisoner interaction, programmes and pay. In Brunei, however, the major areas of complaint appear to be health and food (especially from those with special dietary needs). A number of jurisdictions (including Japan and Korea) commented that the number of complaints has been increasing but part of this is no doubt due to improved complaints procedures. Some also noted the existence of what Korea called ‘habitual petitioners’ and the Northern Territory (Australia) called ‘serial complainants’.

5. THE NEW HUMAN RIGHTS FRAMEWORK

As noted earlier, and in previous APCCA reports, the past decade has seen an increasing regional focus on human rights standards, including those that are contained in instruments such

as the United Nations Standard Minimum Rules for the treatment of prisoners. The conclusion in the papers was that the emphasis on human rights has generally been of benefit but that it has also created points of tension. For example, the delegate from Fiji spoke of difficulties that have arisen with respect to the recently established Office of the Director of Human Rights. These include a lack of clear protocols in some areas and a concern that this may undermine the authority of prison management.

The Korean delegation provided a particularly interesting case-study. Traditionally, most prisoner grievances in Korea have been dealt with internally. However, in May 2001, the Human Rights Commission Act was enacted and the Commission commenced operations in November 2001. This has had a major impact on corrections as well as other areas. A new internal process has been developed called the Inmates' Grievance Resolving Team, and prisoners are entitled to appeal to the Human Rights Commission against decisions of this Team. There have already been many appeals to the Commission, though few have been successful. The Human Rights Commission is said to have proved a 'trustworthy overseer of correctional institutions' and to have brought 'great reformation in corrections.' However, it was also suggested that the Commission has tended to place more weight on the position of inmates than on the 'human rights of sound citizens and victims' and that the balance may need to be redressed.

6. STRUCTURE OF INTERNAL GRIEVANCE PROCEDURES

(a) General

Throughout the region, and consistent with the principles outlined above, the basic objective is to resolve issues at the block / unit / wing management level. This means that complaints are usually made first to the shift officer or the unit/block officer. If not satisfied with the outcome, prisoners can then take the case further up in the hierarchy – usually to the governor/superintendent/warden of the prison; then to the next level of management; and, finally, to the Chief Executive of the Department.

Several papers also emphasised that it is important to ensure that prisoners have adequate information, in their own language, about their rights and responsibilities with respect to grievance procedures. In many jurisdictions, this information is provided in prisoner handbooks that are given to prisoners on reception. It can also be provided in the form of posters in living units.

(b) Specialist Complaints Investigation Units

The primary focus in Hong Kong (China) is on effective internal review and a strong Complaints Investigation Unit (CIU) lies at the core of their system. The unit is headed by a superintendent and staffed by trained investigation officers. The operations of the CIU are monitored and overseen by the Correctional Services Department Complaints Committee (CSDCC), which is chaired by the Civil Secretary of the Hong Kong Correctional Services

Department (a civilian official) and comprises very senior staff. The system was first ISO certified in 2000 and further attained ISO Version 9001:2000 in 2002 with a focus on continuous improvement and customer satisfaction.

(c) Inmate Grievance Committees

Some jurisdictions have established special committees to consider prisoner grievances rather than leaving the matter to individual officers at different levels of prison management. These committees take various forms and have different levels of involvement by prisoners and by people external to the correctional agency. In Korea, the new Inmates' Grievance Resolving Team mainly comprises senior correctional staff, preferably those with relevant tertiary qualifications but it may also include invited specialists such as doctors and other professionals.

In Australia, the Philippines and a number of other jurisdictions, inmate committees of different sorts have been established (sometimes called 'peer support groups'). Although peer support groups do not have any formal role in adjudications, they can provide advice to both prisoners and prison management and have proved a useful conduit for bringing systemic issues to the management attention.

The Canadian model gives the greatest weight to prisoner input to the formal adjudication process. Around 10% of prisons have established an Inmate Grievance Committee, which consists of an equal number of staff and prisoners and a non-voting Chair (who may be either a staff member or an inmate). The role of such committees is to consider certain categories of complaint and to offer advice on those complaints to the 'Institutional Head' (ie the superintendent).

(d) Professional Standards Units

Another growing phenomenon is the establishment of stronger professional / ethical standards mechanisms and units within correctional departments. Again, these developments take different forms, but they now exist in several jurisdictions, including parts of Australia, Canada, Hong Kong (China), New Zealand and Singapore.

7. APPEALS FROM INTERNAL DECISIONS TO OUTSIDE REVIEW BOARDS

In addition to allowing prisoners to make separate petitions directly to outside agencies, it is possible to develop schemes whereby prisoners can appeal from internal decisions to an independent external review body. This does not appear to be common in the region but Canada provides an example of such a mechanism. It has established 'Outside Review Boards', consisting of independent community members, to review decisions of institutional heads.

8. EXTERNAL GRIEVANCE MECHANISMS

Different legal, cultural and historical factors across the region mean that there are considerable variations in the extent to which external accountability agencies (including the courts) are involved in monitoring or regulating prisoner grievance procedures. However, although there is not uniformity across the region, there are many similarities.

(a) Visiting Justices and Official Visitors

A large number of jurisdictions have, by legislation, officially designated ‘Visiting Justices’ and/or ‘official visitors’ for their prisons. In some jurisdictions (including Brunei, Malaysia and Macao (China)), Visiting Justices play a multiple role. They adjudicate in disciplinary proceedings against prisoners but also act as an avenue for prisoners’ complaints and may also be ‘inspectors’ of general prison standards (commonly being required to inspect their allocated prisons on a monthly basis). Although Visiting Justices have an important potential role, concerns have been raised that their various duties are not readily compatible (e.g. hearing disciplinary matters but also being an avenue for complaints); and that the tasks are too onerous for a part-time person.

In some jurisdictions, the role of the Visiting Justice may therefore be complemented by the appointment of ‘official visitors’ who play no role in adjudications. This is the case in most parts of Australia. For example, in New South Wales, official visitors are said to have a ‘problem solving and examining role.’ Official visitors also aim to reflect, where possible, the prisoner population profile; for example, Indigenous people and people from different language groups. India’s prison visitor scheme provides an avenue for prisoners to request assistance on a range of care and welfare matters. The visitors also seek to monitor compliance with prison rules and human rights.

(b) Ombudsman and Related Offices

Several jurisdictions, particularly those which have tended to adopt Western legal structures, have an office called the Ombudsman (also sometimes known as the Parliamentary Commissioner). Fiji, all Australian jurisdictions and New Zealand have established such an Office and prisoners tend to be one of the largest complainant groups. In many jurisdictions, the Ombudsman will not examine the merits of the case but only considers issues questions of ‘maladministration’, especially whether the prisoner’s internal complaint was properly handled. Furthermore, the Ombudsman can generally only make recommendations to the relevant Department and cannot direct changes to a decision or to procedures. Some of the authority of the Office comes from the fact that it also reports directly to Parliament and can bring major deficiencies to public attention in that way. The New Zealand Ombudsman has broader powers and is able to review the appropriateness of decisions as well as procedural issues.

Another model, adopted by Canada, is the appointment of a specialist Correctional Investigator. Prisoners can complain directly to the Correctional Investigator, who is independent of the Correctional Services and reports directly to the Solicitor General (Government Minister

Responsible for the Correctional Service of Canada). Unlike the Ombudsman, the Correctional Investigator can consider the merits of a case.

(c) The Courts

Courts across the region have different roles according to the constitutional structure. In countries with a formal Bill of Rights (such as Fiji and Canada), the courts may be able to hear applications directly from prisoners on a range of matters that fall under the broad ‘human rights’ banner. This might include, for example, consideration of whether certain practices constitute ‘cruel or unusual punishment.’ However, in many jurisdictions, courts have a more restrictive role and, like the Ombudsman, are confined to the question of whether proper processes have been followed.

(d) Human Rights and Other External Agencies

Prisoners generally have access to the same avenues for grievances and concerns as other citizens. These include writing to legislative representatives and contacting agencies with responsibility for human rights, anti-discrimination, privacy, health and alleged corruption.

For example, in Australia, prisoners may complain to anti-discrimination boards in every State and Territory. Across the region, prisoners should also have unfettered and confidential access to anti-corruption offices, such as the Independent Commissions against Corruption in Hong Kong (China) and New South Wales (Australia). Another regional trend is the establishment of Human Rights Commissions of various sorts. Canada and New Zealand have, for a number of years, had such a body and, as noted earlier, Korea now has an active Human Rights Commission. In Malaysia, a human rights body called the Suhakam has been appointed within the jurisdiction of Parliament. The Suhakam has investigated a number of complaints by prisoners and has also visited a number of prisons. India has established State and National Human Rights Commissions which investigate prisoners’ complaints and areas of concern such as deaths in custody. Staff in India are also given specific training in human rights.

9. ACCESSIBILITY AND CONFIDENTIALITY

This review has already noted that accessibility and confidentiality are key ingredients of a fair and effective grievance procedure. It should also be borne in mind that prisoners’ complaints may often be of a sensitive nature – either because they involve personal matters (such as health) or because they involve criticism of officers who have daily authority over them. It is therefore important to give adequate attention to questions of accessibility and confidentiality.

In terms of internal complaints (verbal or written), the general principle is that the officer to whom the complaint is made should discuss the matter only through appropriate formal channels and not with other staff.

In terms of external mechanisms, it is becoming common practice across the region to provide

prisoners with an easy and confidential way to contact the relevant agency. The mechanisms include the following:

- Ready access to complaints forms in living units
- Mechanisms for written complaints to be sent in confidence to the relevant external agency. The most common method involves the use of special sealed envelopes that cannot be tampered with and / or locked letter boxes
- Subsequent communications between the prisoner and the agency should be privileged and unmonitored
- Toll free, unmonitored telephone calls to relevant agencies. (Often these can be pre-programmed into modern prisoner phone systems and should not be counted as part of a prisoner's normal phone call allowance.

The delegation from New Zealand pointed to the problems that can arise out of the fact that there may be several different avenues through which prisoners can pursue complaints. For example, a prisoner may send to a Human Rights body a complaint that is more properly a matter for internal procedures. Agencies need to develop appropriate protocols and practices in such areas, not only to ensure that prisoners' complaints reach the appropriate destination but also to ensure efficiency and timeliness in the process.

10. EVALUATION AND TRENDS ANALYSIS

Although all papers stressed that grievance procedures play an important role in reducing the risks of bad behaviour, few formal evaluations appear to have been conducted. In Western Australia, a preliminary evaluation of a new pilot grievance procedure (now adopted in most of the State's prisons) suggests that it had a beneficial impact in a number of ways, including a reduction in the number of charges for abusive language (and similar offences) and improved prisoner demeanour. Canada strongly values the analysis of prisoner grievance trends as a means of testing the atmosphere in prisons. Macao (China) commented that, although there have been no formal evaluations, inmates appear to be generally satisfied with the procedures that are in place. Japan anticipates that its grievance procedures will be subject to a detailed formal evaluation as part of a review of correctional administration by a group of independent, non-Government experts called the Correctional Administration Renovation Council.

The most comprehensive surveys have been conducted in Hong Kong (China), linked to the ISO accreditation processes. The results of the surveys are impressive – with around a 90% satisfaction rating by both complainants and those against whom complaints had been made. These findings strongly confirm the view that people will respect fair processes even if they do not achieve the result that they wanted.

11. CONCLUSION: SOME HALLMARKS OF GOOD PRACTICE

There was consensus at the Conference that fair and efficient grievance procedures are essential to good prison management; they help to promote a positive prison culture, to enhance discipline and to reduce the risks of serious disorder and promote prisoners' legitimate rights. With monitoring, they allow the identification of some systemic problems and help reduce the risks of costly litigation.

Although there are significant regional differences, it was possible to identify several principles that would be regarded by APCCA members as core elements of good practice. They include the following:

- Resolving grievances at the lowest possible level
- Simplicity in grievance procedures
- Timeliness in processing and considering complaints
- Information packages for prisoners
- Accessibility of both internal and external processes
- Where appropriate, mediation and negotiation as the focus of internal proceedings
- Appropriate levels of confidentiality
- Appropriate levels of independence in investigation and decision making
- Avoiding negative consequences / repercussions for prisoners who make complaints
- Effective and appropriate mechanisms for communicating decisions
- Appropriate appeal mechanisms
- Timely responses by prison management to identified trends

Across the regions, a complex range of new grievance schemes are being introduced - internal and external, individual and systemic. However, it is important not to lose sight of the basics. First, as Singapore said, a proactive approach to finding out problems is likely to pay dividends rather than relying on simply reacting to complaints. Secondly, governors /superintendents / institutional heads still play a most important role. This is not simply because they play a role in dealing with formal complaints but because they can, to some degree, set the tone of an institution and can thereby demonstrate that the system treats prisoners' complaints seriously and respectfully. As Singapore pointed out, a superintendent's daily round is an important safety valve and one hallmark of management responsiveness. Ultimately, as Malaysia and Korea pointed out, the most important thing may not be the design of a system but its implementation and the qualities of the people who work in the system.

Agenda Item Three

Promoting Desirable Prison Officer Culture and Behaviour

1. INTRODUCTION

The issue of prison officer culture has arisen indirectly during discussions at a number of recent APCCA conferences. Generally, this has been in the context of discussions about recruitment and training, which were agenda items in Malaysia in 1997 and Indonesia in 2002. Back in 1989, in India, the conference also discussed the changing role of correctional staff. However, this is the first time that the topic has been an agenda item in its own right. It presented an opportunity to explore such questions as what we mean by ‘prison officer culture’ in different jurisdictions, the importance of a good culture to effective prison management and how it can best be developed and enhanced. Brunei, China, Hong Kong (China), Malaysia, New Zealand, Philippines Singapore and Thailand made formal presentations on this topic. The Rapporteur summarised the main themes and an animated discussion ensued.

This paper first discusses a range of contextual issues surrounding the meaning of ‘prison officer culture’ and the challenges of the changing penal environment. It then outlines some of the strategies that have been adopted across the region to promote a ‘healthy culture’.

2. WHAT IS ‘PRISON OFFICER CULTURE’ AND WHY DOES IT MATTER?

Prison officer culture is not an easy concept to define or describe. Broadly speaking, the culture of prison staff is an unwritten code of general beliefs, values and attitudes that can have a profound influence on behaviour. Such cultural values often form a primary reference point for staff in their daily work and appear to be regarded by some staff as at least as important as the formal rules and procedures relating to their job. Hong Kong (China) encapsulated the importance of prison officer culture in the following way: “Culture is a system of shared beliefs that determines how people act. It pervades every organisation and permeates down through each level. Naturally it bears direct impact on the way members behave and affects tremendously the organisation’s efficiency.” Korea wrote that “understanding correctional office culture and behaviour is meaningful for ensuring safe custody and good order in prison because their culture and behaviour decide their attitude towards inmates and correctional administration.”

Consequently, prison officer culture can play a major role in prison administration. A positive culture can assist correctional systems to achieve their goals but an antagonistic culture may hinder – or, at worst, undermine – key correctional objectives and reforms. As the delegation from Brunei said, it is important, but difficult, to address such attitudes as “It’s not my job” or “If it’s not broke, why fix it?”

The papers revealed a good deal of agreement on the notion of ‘prison officer culture’ but there were also some differences of emphasis. All agree that there must be discipline in a prison

system but New Zealand commented that “the more rigid and authoritarian the environment, the more negative the outcome for prisoners.” Malaysia, on the other hand, said that “enforcing punishments and strict discipline ... is viewed as a positive culture.”

During discussions, the delegation from New Zealand also challenged other delegates to consider whether administrators really want one homogenous ‘culture’ given the diversity of occupations and function in correctional organisations. He suggested that some degree of diversity of **culture** may be a good thing provided that there are certain core shared **values** within the organisation.

3. ROLE CONFLICTS AND THE CHANGING CLIMATE OF IMPRISONMENT

Traditionally, as noted by Hong Kong (China), prisons have been ‘closed institutions, operating at the periphery of society.’ Historically, prisons operated in a highly bureaucratic, hierarchical and rigid manner in which prison officers’ roles were clear, as were the boundaries between staff and inmates. As a result of this work environment, prison staff across the globe often developed what Hong Kong (China) called a “unique culture.... They communicated in jargon, identified themselves as custodians and functioned in a way which emphasised coercive authority, toughness and social distance from inmates.”

These traditional roles have increasingly been questioned as a result of a number of factors, each of which carries different weight in different jurisdictions:

(a) Changing Penal Policy

All papers referred to the fact that prison officers must now play dual or multiple roles. They are no longer simply custodians but are working in an environment where the focus, increasingly, is on rehabilitation and delivering a human service. This is exemplified in many jurisdictions by changes to the title of the relevant department. In Hong Kong (China) for example, the Prisons Department was renamed the ‘Correctional Services Department’ in 1982.

Korea and Malaysia, amongst others, noted that these changes have caused considerable conflict and confusion as they cut to the core of the prison officer’s job, and Canada pointed out that they can affect a person’s career structure. They can also create ‘generational’ issues in that the entrenched attitudes of older staff, if not addressed, may conflict with those of more recently appointed staff. Nor is it easy to address such issues because the older staff, used to operating in a particular way and within a particular environment, may be unwilling to change their working habits. New Zealand suggested that this may be because some of these staff may have become very cynical as a result of being in the industry for too long. Hong Kong (China) experienced similar problems: “for fear of losing status and power in the hierarchy, most prison officers remained the way they were, clinging tightly to the custodial rather than the human service role.”

The delegate from the Philippines made an important observation in this context, with respect to

jurisdictions that ‘are not so developed.’ Whilst recognizing the importance of changes in penal philosophy in setting aspirations and future directions, he stressed that the first stage was to ‘just go about doing the basics and to do them right.’

(b) Changing Prisoner Population Profiles

The National Reports on Contemporary Issues at recent APCCA conferences have tracked some significant changes in prisoner population profiles. Most jurisdictions have seen an increase in the number of offenders serving sentences for offences of violence, sexual offences and serious drug offences. In addition, there are now more elderly prisoners and more female prisoners.

In some jurisdictions, these population profile changes are impacting on prison officer culture and creating new challenges. Japan and Korea, for example, stated that they have an increasing number of high security prisoners and more prisoners who are difficult to manage. In Japan, this is occurring at the same time as an increase in overcrowdings, with the result that prison staff feel at greater risk and under increasing stress. In Korea, too, there is clear evidence of higher stress levels at higher security institutions.

The Philippines delegation noted that an increase in the number of ‘moneyed’ prisoners, some of whom have vast wealth through the illegal drug trade, is posing very serious problems of manipulation and corruption.

(c) External and Media Pressure

Across the region, there appears to be increasing scrutiny of prisons by the media, pressure groups and independent accountability agencies. A number of papers and the presentation by Thailand drew attention to the fact that, if these accountability issues are not properly managed, they can contribute to a ‘siege mentality’ on the part of prison staff and may serve to reinforce negative self perceptions and attitudes.

Against this backdrop, five broad conference themes emerged in terms of strategies that may be adopted to address and promote positive prison officer culture:

- Mission and vision statements
- Corporate cultural change
- Recruitment, training, supervision and professional development
- Improving the work culture / environment
- Public relations

4. VISION AND MISSION STATEMENTS

It has become common for correctional authorities to develop vision and / or mission statements. A number of delegations argued that carefully written mission statements provide a valuable starting point for promoting official goals, for ensuring that staff have a clear focus on their core

obligations, and for assisting public understanding. Canada, Hong Kong (China), New Zealand and Singapore have a particularly strong focus on this. Hong Kong (China) developed its Vision Mission and Values (VMV) in 1996. It crystallises the goals of the Correctional Services Department and requires staff to focus on providing a “decent and healthy environment and comprehensive rehabilitative services in a secure, safe, humane and cost-effective manner.” The paper from Singapore also demonstrated how strongly its mission statement principles permeate into all aspects of policy development and into the Department’s expectations of staff.

It is important to note, too, that many jurisdictions (including Australia, Hong Kong (China), New Zealand and Singapore) have now supplemented their vision / mission statements with a stronger framework for promoting and enforcing professional and ethical standards. However, as Canada pointed out, such initiatives are likely to prove more difficult in those jurisdictions with a strong union movement.

5. RECRUITMENT, TRAINING, SUPERVISION AND PROFESSIONAL DEVELOPMENT

It is obvious that good recruitment and training practices are integral to the development of a positive culture amongst prison staff. This topic was discussed in detail at the 22nd APCCA in Indonesia in 2002, and reference should be made to the Report of that Conference. For the purposes of this report, it is sufficient to make a few brief observations.

First, in terms of recruitment, correctional departments across the region are seeking to recruit better qualified staff and to ensure clear, objective and transparent selection criteria. Brunei, China, Mongolia, Malaysia and Thailand were just some of the jurisdictions to stress the importance of initial recruitment procedures. Overall, the focus is no longer so much on an applicant’s size or physical strength (though fitness is still an important factor), but more upon attitude, aptitude and outlook.

There was some discussion about the merits (or otherwise) of psychological testing for recruits but there was no clear consensus of opinion. The Australian Capital Territory and New Zealand suggested that there probably is merit in properly constructed psychological tests and New Zealand said that such tests are applied not only to recruits but also to management positions. Singapore uses a range of psychometric tests and the leader of the delegation stated that, after the first two years, the results appear promising. However, he made the important observation that psychometric tests are of little use unless you are clear what you are looking for. In Singapore, psychometric tests are administered when recruiting new prison officers. The tests are designed to determine the existence of desired behavioural requirements and critical competencies essential for the successful performance of important job tasks as prison officers. Canada, on the other hand, does not employ psychological testing. The delegation stated that, because of the amount of information that is publicly available (on the Internet and elsewhere), they believe that applicants can prepare the ‘right’ answers and that tests may therefore not reveal their true values and beliefs. Consequently, they have found it useful to ask applicants how they have dealt with difficult scenarios in previous positions and then to validate their

responses with their nominated referees.

Secondly, several papers made the point that staff attitudes, morale and culture can be improved by providing positive training and professional development opportunities. This takes various forms across the region, including sponsorship to undertake educational courses. It should also not be forgotten that staff must feel confident in their core custodial role and that refresher training in basic skills may usefully contribute to their morale and sense of well being. Given the current ‘severe working conditions’ outlined earlier, Japan has therefore provided security-focused training with respect to “martial arts, self defence, the use of restraints and emergency responses.”

A third and significant theme was the importance of adequate staff supervision – both as a form of support and as a form of checking. The Philippines delegation commented that this was essential if dangers of corruption are to be addressed and noted that this is one aspect of management that can be improved even at times of economic constraints. China went a stage further, stating that the promotion of a positive culture may call for recalcitrant officers to be subject to ‘restraint mechanisms’ including punishment.

6. CORPORATE CULTURAL CHANGE

There is a tendency for some critics to regard prison officer culture as a self-contained problem. However, prison officers work within a structured organisation and, as the Japanese report noted, they still operate in an environment where, by law, they must obey their superiors. Consequently, in understanding ‘prison officer culture’, it is essential to consider the total corporate culture, including the roles and attitudes of management and head office. In the words of Brunei, a ‘strong supportive corporate structure’ is essential.

In recognition of this, several jurisdictions have embarked on ambitious strategies to cement corporate policy. They include Hong Kong (China), New Zealand and Singapore. Hong Kong (China)’s Corporate Cultural Change Project commenced in around 2000, with the appointment of consultancy services to advise the Department on its corporate culture. Recognising the vital importance of communicating corporate policy to prison officers themselves, the Department established a steering group and selected a number of staff as ‘Change Agents’ for each institution. This was followed by a detailed process of staff surveys, survey evaluation, workshops and consultations. On the basis of this information, key priority areas were identified and each institution was required to draw up an action plan and to implement strategies to address these areas.

It is interesting to note that many of the ensuing initiatives in Hong Kong (China) have been relatively simple but they appear to have contributed to a much improved officer culture. They have included more frequent meetings between management and staff; encouraging staff to express their views; giving staff greater recognition for their services (for example by letters and monthly presentations); renovating canteens and installing home theatres; providing internet access in the officers’ Mess; and simplifying administrative procedures relating to matters such

as keys and sick leave applications. In parallel with its Corporate Cultural Change Project, Hong Kong (China) has also developed a specific set of initiatives designed to ensure a comprehensive customer-focused approach.

7. IMPROVING THE WORK ENVIRONMENT

The preceding paragraph has shown some of the ways in which Hong Kong (China) has sought to enhance prison officers' work environment. Some of the same basic approaches have also been used in other jurisdictions. Brunei, India, Malaysia, Singapore and Thailand have all sought to provide greater recognition and rewards for good staff (including, in Thailand, the 'Good Guy in Corrections' award and, in India, the President's Correctional Medal). In view of the findings from a staff survey, Singapore remains concerned at the number of staff who feel reluctant to 'speak up' but a number of initiatives appear already to have improved the situation; with 69% of staff in 2003 (as opposed to 64% in the original survey) being prepared to speak out.

There was also a growing recognition that the promotion of a positive prison officer culture will necessarily involve a consideration of an officer's family needs and responsibilities. Singapore has made particular efforts in this regard after staff surveys revealed that only 52.3% of staff said that the demands of their job did not affect their well-being (for example, physical health, mental health, well-being and social interactions). Interestingly, Korea has changed its shift regimes to make the job less disruptive to family life.

8. PUBLIC RELATIONS AND PROMOTIONS

Traditionally, part of the problem in promoting a positive prison officer culture has been negative media perceptions of the job and the culture. These perceptions and stereotypes also tend to be reinforced in the movies. A number of jurisdictions have therefore embarked on vigorous public relations campaigns to try to redress the balance. Canada, Hong Kong (China) and Singapore would appear to have had the greatest success to date in this difficult area.

9. CONCLUSION

'Prison officer culture' is not easy to define and it can be very difficult to undo a bad officer culture. Across the region, jurisdictions face rather different issues, ranging from corruption to resistance to change. Despite the jurisdictional differences, similar strategies are being adopted in many places. Perhaps the most significant development is that a more holistic approach is often now in place. Prison officer culture is no longer seen as a problem that exists in isolation, but as an issue that needs to be addressed in a firm and holistic manner, including strong corporate direction, a concern for the needs of family as well as the staff themselves, and a focus on media and public relations strategies.

Agenda Item Four

Major Prison Disturbances: Causes and Responses

1. INTRODUCTION

Major prison disturbances are commonly regarded as a glaring failure of prison management. Consequently, this is not only a topic of enormous significance to all prison administrators, but is also a very sensitive issue. It is therefore important to record the frank and candid manner in which delegates spoke – often revealing insights into the differing dynamics of prison disorder across the region and some differences in emphasis with respect to responses to major incidents. It was particularly instructive to hear accounts of how specific incidents developed and of their outcomes / resolution.

At worst, major disturbances and incidents have resulted in the deaths of staff or prisoners. For example, staff were killed in a major prison riot in Singapore in the early 1960's and, much more recently, in Thailand and the Philippines. Over the past five years, prisoners have been killed in Fiji, Pakistan and the Philippines. However, it is important to record that events of this magnitude are uncommon and isolated; and prison disturbances are clearly not endemic or commonplace in any jurisdiction.

China, Hong Kong (China), Fiji, Indonesia, Malaysia, Pakistan, the Philippines, Singapore and Thailand gave formal presentations on this topic. The Rapporteur summarised the main themes and delegates then discussed the topic.

2. DEFINITIONS

It is not uncommon for the normal routine of prisons to be disrupted either by minor incidents or by incidents that are serious but only involve disputes between individuals or groups of prisoners. These can include:

- *Prisoners' rivalry* (including fights involving individuals or gangs, hidden weapons, bullying and intimidation).
- *Individual prisoners' protests* by means such as refusing to work, refusing to obey orders, climbing on the roof or hunger strikes.
- *Strikes*, where groups of prisoners refuse to work.

There is no easy or pre-defined dividing line between incidents of this sort and 'major disturbances'. It is certainly not simply a matter of numbers. For example, in one case reported

by Thailand, over 1000 prisoners at one prison went on strike but there was ‘no turmoil.’ On the other hand, in some cases, smaller groups (of, say, 30-40 inmates) have been responsible for significant disturbances.

Another example of definitional difficulties, in both official and media reports, is provided by the serious disturbance at Western Australia’s major maximum security prison (Casuarina Prison) on Christmas Day 1998. The media, prisoners and staff almost invariably refer to this as the ‘Casuarina Riot’ but the official investigation team and management reject the label ‘riot’. This is because, in their view, the incident was not primarily triggered by underlying grievances nor motivated by a desire for systemic change, but was the more spontaneous outcome of a set of specific circumstances, including the fact that prisoners had obtained access to large quantity of drugs. In essence, therefore, the dividing line between minor incidents, major disturbances and riots is largely a matter of degree and may, to some extent, involve a choice of label.

As Hong Kong (China), Singapore and several other jurisdictions pointed out, however, ‘minor’ incidents involving individuals and non-violent group protests can escalate to become major disturbances if they are not promptly and effectively addressed. An example of such apparent escalation is provided by the Hei Ling Chau Drug Treatment Centre incident in Hong Kong (China) in June 2000. There was tension between a small group of around 10 Vietnamese inmates and local prisoners over a number of matters, including what the local prisoners saw as preferential treatment for the Vietnamese. An unplanned attack by a group of Vietnamese on one local man escalated to a group fight and the Vietnamese inmates retreated to their dormitory. Hundreds of local inmates then set it alight, attacked staff with stones, and set up barricades with gas cylinders. Order was only restored by force.

3. CAUSES OF MAJOR DISTURBANCES

It is not possible to generalise about the causes of prison disturbances because each one reflects a particular set of issues and factors at the institution in question. Every major disturbance also takes its own specific course. Quite often, major incidents seem to reflect a number of factors and there is rarely a single cause. Broadly speaking, the conference papers and presentations revealed three main sets of factors: those that relate to the attitudes and behaviour of individual prisoners; those that involve systemic issues within the particular institution or within the prison system itself; and broader socio-political influences.

(a) Prisoners’ Attitudes and Behaviour

The papers generally took the view that the most significant factors behind major incidents relate to systemic issues (see below). However, there are also a number of concerns with

respect to the attitudes and behaviour of prisoners:

- *Anti-authoritarian attitudes* on the part of prisoners were not generally identified as a major factor, but do have significance in specific contexts. China, Hong Kong (China) and Korea, for example, raised the issue of prisoners who increasingly question the legitimacy of their incarceration. Fiji faces problems with respect to a group of high profile prisoners who attempted to overthrow the government, regard themselves as political prisoners, and do not respect traditional boundaries.
- *Rivalry between prisoner groups* can contribute to tension and serious disorder. Several jurisdictions (including Canada, India, Indonesia, New Zealand and the Philippines) mentioned ethnic groupings and gangs as growing problems. This is a difficult area because prisoners sometimes form rather loose affiliations for reasons of personal safety and for an enhanced sense of security rather than as a ‘threat’ to the good order of prisons. However, in terms of the specific incidents that were discussed at the conference, ethnic tensions clearly played a role in the Hei Ling Chau incident in Hong Kong (China). The delegation from Indonesia also referred to the problem of ‘social jealousy’ between inmates from different socio-economic backgrounds.
- *Access to Drugs / Alcohol* can be another factor. In the Casuarina incident in Western Australia, prisoners obtained prescription drugs that had not been adequately secured. In New Zealand, a serious incident occurred in 2003 after prisoners got access to alcohol.

(b) Systemic / Structural Causes within the Prison System

Although prisoners’ behaviour is a factor in some serious incidents, the conference papers showed that it would be dangerously complacent to ignore the underlying ‘structural’ or ‘systemic’ factors that generally exist in cases of major disturbances. These factors vary in both degree and content between jurisdictions but may well include some of the following:

- *Prison conditions, including overcrowding.* Fiji, Pakistan, Indonesia and Malaysia all mentioned this as a very significant factor. In the words of the Fiji delegate, a serious incident in 1980 was ‘a case of sheer neglect.’
- *Access to services* such as health services, treatment programs, and education.
- *Issues surrounding daily prison life*, including visits, food, welfare services and other aspects of prisoner wellbeing.

- *Boredom* through lack of work or other things to keep prisoners occupied: there was a strong consensus in the country papers (see also the report on Workshop One) that work provides an important outlet for prisoners' energy and skills.
- *Due Process and Access to Justice*. The papers identified two aspects to this problem. First, as mentioned by Malaysia and Pakistan, remand prisoners can become frustrated by delays in the processing of their cases and, as a consequence, long periods held on remand. (This intersects with other causal factors because remand prisoners tend to have less access to work, education and treatment programmes). Secondly, as discussed under Agenda Item Two, poor prisoner grievance procedures can be a significant source of tension.

(c) Socio-Political Influences

The oral presentations by Fiji and the Philippines vividly demonstrated that broader socio-political developments can also influence the climate in prisons and may be a major factor in serious disturbances. In the Philippines, some prison incidents have coincided with political upheaval. In Fiji, political turmoil in 1997 and 2000 appears to have directly influenced not only the timing of prison disturbances but also the form that those disturbances took. In 1997, political tensions between Indigenous Fijians and Indian Fijians spilled over to the prisons and in one case, Indigenous prisoners marched on Government House to voice their protests. In 2000, a combination of civilian and military forces took over the Parliament and took the Prime Minister and some of his colleagues hostage. Shortly afterwards, there were a number of disturbances in the country's prisons, marked by a strategy of hostage taking (or attempted hostage taking) and the use of hostages to back up political demands.

4. CONTAGION

Research in both Europe and North America has pointed to the problem of contagion: in other words, a major prison disturbance at one prison may have a 'knock-on' effect in other prisons, with disturbances breaking out across the system. Within the Asian and Pacific region, there have been mixed experiences with respect to contagion. In some jurisdictions (including Australia and New Zealand), it does not appear to have been evident to any significant extent, with disturbances usually being confined to one prison. However, there was strong evidence of a contagion effect in Fiji, the Philippines and Thailand. It was shown by both the close timing of incidents and similarities in the form that disturbances took. For example, in Thailand, following one incident in which a truck was hijacked by prisoners (with apparent initial 'success') a number of similar incidents occurred within a short timeframe.

5. PREVENTIVE STRATEGIES

It is obvious that the best way to deal with major disturbances is to prevent them arising in the first place. This point was made in numerous papers, from which at least four preventive strategies could be identified:

- *Addressing the systemic issues* identified above, such as living facilities, food, education and work.
- *Staff recruitment and attitudes* are important to running a fair and responsive prison system. This was the primary focus of the presentation by China and also featured prominently in a number of other country papers.
- *Intelligence* is very important in identifying issues, groups and individuals of concern. The Australian paper called this ‘the most important policy.’ Malaysia referred to its increasing focus on intelligence as a means of identifying ‘high risk inmates’, and Indonesia to the importance of strong intelligence networks in order to challenge the inmate ‘code of silence.’
- *Contingency Training and Planning* assumes particular significance, not least because, through most of the region, serious disturbances are rare events. It should include regular refresher training for prison staff, strong advance contingency planning and simulated exercises. Singapore showed part of an interesting video of one such simulated training exercise in which a section of one prison was first isolated and then brought under control by force.

6. RESPONDING TO INCIDENTS

As the paper from China stated, even the best preventive strategies cannot guarantee that prisons will be free of serious disturbances. When incidents do occur, three main options are possible, and they were outlined very clearly in the Hong Kong (China) paper. They are ‘dialogue and negotiation’, the ‘tactical response’ and the ‘waiting response.’

(a) Dialogue and Negotiation

Many papers stressed that the first stage in dealing with any major disturbance is to engage in dialogue with the prisoners and to attempt to resolve the matter by negotiation. This means that prisons departments must be able to call upon people with effective and professional negotiation skills. Some jurisdictions mentioned that this may involve collaboration with police services or other agencies.

Although dialogue and negotiation are the agreed starting point, there are obviously limits to which prison administrators will be prepared to negotiate. Some jurisdictions appeared to be more prepared to accede to prisoners' requests than others. In one case in Thailand, for example, the authorities agreed to prisoners' demands that the prison governor should be replaced – a decision that would seem most unlikely in many jurisdictions. In Fiji, at the time of the political upheavals of 1997 and 2000, prisoners were allowed to march to Parliament offices to make their protests without being arrested or forcibly detained. After making their views known (and, on one occasion, being given a cup of tea with one of the nation's leaders), they returned to the prison.

(b) Tactical Response

The core goal of a tactical response is to reclaim the prison by force. Singapore made a powerful video presentation of a simulated tactical response exercise. Generally, this is the task of prison staff but the precise structural arrangements differ between jurisdictions. It is also important, as far as possible, for prisons to have agreed protocols with police, fire and ambulance services – especially as fire is a regrettably common facet of prison protests. For this reason, joint simulation exercises may be desirable.

The presentation from Thailand raised another interesting point. They noted that prisoners themselves had, on more than one occasion, played an important role in returning control and good order to a prison.

(c) Waiting Response

A number of papers noted that some incidents will die down simply as a matter of time. However, it is uncommon for prison administrators simply to leave an incident without attempting to enter a dialogue or negotiation. It may therefore be better to see the 'waiting response' as a component of the other two strategies rather than an option in its own right.

Dialogue and negotiation and tactical responses are therefore the most common approaches. They are not mutually exclusive and tend, in practice, to work together. However, the tone of

the papers and presentations indicated that different jurisdictions may place rather different weight on each strategy. This may be a reflection of geographical and cultural factors as well as staff training / resources. For example, the presentations by Fiji and Thailand (with their strong focus on negotiation and waiting) contrasted with the presentation by Singapore (including the video), in which there was a quick and firm tactical response.

7. SPECIALIST RESPONSE GROUPS

There are different levels of response capacity. Onsite prison staff provide the first line and should have the capacity at least to 'hold' a situation for a period of time. Many jurisdictions also have more specialised units, usually called something like the 'Emergency Response Team' (Korea), the 'Critical Incident Response Team' (New Zealand) or the 'Tactical Response Group' (parts of Australia). Often, these groups are based at an appropriate central location (or locations) so that they can reach the site in question at short notice.

There is general agreement that such specialist groups have an important role but there are a number of issues surrounding their capacity and organisation:

- Local staff must also have sufficient training and it would be dangerous to rely too heavily on specialist groups. This is especially important if prisons are scattered around a jurisdiction. For example, in the 1960's incident in Singapore, it was difficult to get back up to the island on which the prison was located. Western Australia's emergency response team is based in Perth, several thousands of kilometers from some of the State's regional prisons (though it is interesting to note that the major disturbances in Australia have generally been in metropolitan prisons).
- There are dangers in placing too much reliance on specialist groups if there is a contagion problem; they cannot be in several places at once.
- Several papers (including New Zealand) commented on the need to prevent specialist groups becoming unaccountable 'elites' who regard themselves as above normal prison rules and regulations. To this end, it is important to ensure that members of such groups do not lose contact with the realities of daily prison life.

8. POST-DISTURBANCE MANAGEMENT

Although the papers focused mainly on the causes of major disorder and the restoration of order, it is important not to neglect the question of what to do after order has been restored. First, there

will generally be a range of issues surrounding prisoner discipline – including the use of internal disciplinary charges and the referral of more serious matters to outside courts. Tensions will inevitably be running high, so it is important also to ensure that staff use appropriate official channels and do not resort to unofficial forms of ‘punishment’ or revenge.

Secondly, since prison disturbances often reflect a failure of prison management, there may need to be appropriate management responses. Depending on the circumstances, these may include enhanced physical security measures and / or improved staff/prisoner relationships.

Thirdly, the needs of prison staff should not be forgotten. Serious disturbances, especially when they result in a loss of control, are a frightening and psychologically damaging experience and can profoundly affect the capacity of staff to work and to feel safe at work. For this reason, a number of jurisdictions, including New Zealand, have established specialist teams to provide support to staff.

9. CONCLUSION: ‘SAY A LITTLE PRAYER’

The delegation from Thailand encapsulated the issues in this area with the amusing but perceptive observation that prison administrators should ‘say a little prayer’ each day. The presentations at this conference showed that prisons run smoothly when prisoners are co-operative and that, if tensions rise too high, on site staff have only a limited capacity to prevent disturbances.

Specialist Workshop One

Prison Industry Partnership

1. INTRODUCTION

This workshop involved presentations by New Zealand and Hong Kong (China), followed by a number of questions and comments from other participants. Mr Mark Byers delivered the New Zealand presentation and Mr Daniel Hui Tak-fuk delivered the presentation by Hong Kong (China). The two presentations can be found on the APCCA website.

Both jurisdictions have a strong and systematic approach to the question of prisoners' work and actively seek to promote partnerships to enhance employment opportunities, both in prison and upon release. However, there are several points of difference in terms of the types of partnerships that have been developed and, consequently, the type of work that is offered. In particular, Hong Kong (China) focuses on partnerships with government departments whereas New Zealand has been more actively pursuing private sector partnerships. This summary outlines the key themes that emerged from the papers and the ensuing discussions.

2. WHY IS PRISON WORK IMPORTANT?

There was a strong consensus that work plays an important role, both in the management of prisons and in assisting the rehabilitation of prisoners. The aim is, as far as possible, to develop a structured day for prisoners, of which work is a key component. The papers drew attention to the benefits of prisoners' work:

- Reducing the risks of boredom and unrest
- A sense that the offender is repaying a debt to society
- Promoting a pro-social, normal environment in prisons
- Providing work skills that can assist the person in seeking employment upon release.
- Making some contribution to the costs of imprisonment and reducing public expenditure

In the words of the Hong Kong (China) paper, "prison employment provides a cost effective way of managing and rehabilitating prisoners."

However, as the New Zealand delegate pointed out, work commitments may also need to be balanced with educational and treatment programmes. He commented that issues of literacy and numeracy pose major barriers to many prisoners, so the aim is to "wrap employment around training and basic educational / computer skills."

The Hong Kong (China) system however offers vocational training programmes mainly for the young offenders and voluntary remedial education for adults.

3. WHAT SORT OF WORK?

As shown in the two papers, best practice seeks to link prison employment with rehabilitation. This means that, as far as possible, the type of work that is undertaken should aim to enhance prisoners' prospects of obtaining employment upon release. Consequently, the preferred type of work will vary between different jurisdictions. In all jurisdictions, prisoners are employed on what New Zealand called 'internal self sufficiency activities' such as prison cleaning, laundry, kitchen and grounds maintenance.

However, beyond these routine tasks, there are differences. For example, many New Zealand prisons provide work and training in areas of agricultural production (including pork and milk production), and other farming and forestry skills. Hong Kong (China), however, stated that their main aim is to provide generic skills so that ex-prisoners can access a range of employment opportunities; and common forms of work include hospital laundry, furniture making, sign making, fiberglass products, printing, book lamination, envelope making, garment and knitwear, metal work and precast concrete products.

The type of work that is offered to inmates also reflects the types of partnerships that have been entered between correctional departments and government and private sector agencies.

Hong Kong (China) also chooses orders that are conducive to building up confidence and training on employability skills.

4. GOVERNMENT SECTOR PARTNERSHIPS IN HONG KONG (CHINA)

Hong Kong (China)'s regime is firmly based on strong long-term links with government departments:

“Our penal population is quite stable. And the demand for prison-made goods for government internal consumption is sufficiently large to keep our entire penal population occupied.... We treasure a close, long-term business relationship with the government departments The government as an organisation has many family members. We sell our goods/services to other members ... and we also buy goods/services from other members.”

Conference delegates were able to observe some fine examples of inmates' work, including high quality 'Gortex' shoes/boots for police and correctional services staff, road signs, concrete kerbing and plastic rubbish bins.

In Hong Kong (China), government departments are able to source products directly from the market or 'in house'. However, there are 'preferential administrative arrangements':

“Normally, when the manufacture of such products is within our capability, the departments are expected to give us some priority. In other words, the government instead of buying the end products will buy the materials for making such products.”

These preferential arrangements have proved to be stable over a number of years and Mr Hui stated that, if they were to be withdrawn, the prison system might face difficulties because prisons are, by their very nature, less flexible than private businesses.

Since the focus in Hong Kong (China) is on government rather than private sector partnerships, “we are not running a business... But we are operating like a business because our client departments will not give work orders to our inmates if the delivery/cost/quality of our offers are not as favourable as those of our competitors in the commercial sector. We are operating like a business because we will not be able to impart employability skills to our inmates if they are not employed in a 'real-world' workplace setting where people work with responsibility, diligence and cooperation.”

5. PARTNERSHIPS IN NEW ZEALAND

In July 2001, New Zealand issued an 'Inmate Employment Policy' which articulated the Department's strategic directions, and which has been actively implemented. Unlike Hong Kong (China), there is no preferential arrangement with government agencies and the basic philosophy can be described as 'private sector commercial'. The commercial focus is seen as important in promoting continuity of employment within prisons and enhancing prisoners' prospects of gainful employment upon release:

“Setting a commercial objective will ensure that prison industries are self-sustaining. Where industries have been run on a non-commercial basis in the past, they have often met with failure and poor performance. Because non-commercial industries are not self-sufficient, they are often cut back in times of financial stringency or closed down when they make a loss. Most importantly,

commercial industries provide a suitable environment in which inmates can develop a constructive work ethic and commercial skills applicable to post-release employment.”

Pursuant to this philosophy, the Department identifies two key areas - ‘commercial activities run by prisons’ and ‘commercial industries run in co-operation with the private sector.’ Examples of initiatives under this commercial approach are in the areas of dairy products and small pig farming (where the Department has become one of the country’s major producers). Prisoners have also been employed in manufacturing pre-cast concrete cells for use in a new prison.

However, whilst the aim may be continuity, Mr Byers pointed out that prison industries are subject to the same pressures as normal commercial enterprises. Consequently, retrenchments have resulted in some areas as a result of over-spending.

The commercial flavour of New Zealand’s operations flows directly to the management structure that has been adopted. Inmate employment is under the control of the Chief Financial Officer (rather than being subsumed under general prison services) and a product based structure has been employed, with managers in each of the core areas of employment. The Inmate Employment Advisory Committee is also integral to the corporate structure. This committee is akin to a Board of Directors and advises the Chief Executive on strategic directions and risk management. It also has a role in approving major capital projects. The Committee’s membership includes more private sector than public sector members and a representative of Trades Unions.

6. QUALITY CONTROL

Quality control is important in both systems. Mr Hui pointed out that although preferential administrative arrangements exist in Hong Kong (China), customers still demand high quality products. In New Zealand, the competitive focus means that quality control is essential to the very survival of the industries. Both jurisdictions have therefore explored mechanisms for benchmarking performance and quality control, and laundry and sign making services in Hong Kong (China) have ISO accreditation.

7. COUNTERING CRITICISM

Efforts to improve prisoners’ employment can encounter criticism from a number of sources. These include criticisms that prisoners are ‘taking away work from community members’; or

that prisons are a source of ‘unfair cheap labour.’ These criticisms take different forms in different jurisdictions, depending on factors such as the strength of the union movement or the International Labor Organisation. Hong Kong (China) has to some extent averted criticism by concentrating on government rather than private sector partnerships: “When the economy of Hong Kong (China) is in its present condition, it is not prudent to involve the private sector in employing inmates through privatisation which may produce significant adverse effect on the job opportunity and wage level of local workers.”

In New Zealand, the Inmate Employment Advisory Committee plays an important ‘public relations’ role because of its diverse membership (including trade union and private sector representatives). In addition, the Department has forged strong links with relevant industry associations and seeks to explain the benefits of the system through the media.

8. RELEASE TO WORK

Another interesting feature of the New Zealand system is that some inmates are released during the day to work with private sector employers. They receive commercial remuneration but have amounts deducted to cover board and lodging and to contribute to victim compensation.

In Hong Kong (China), certain prisoners are approved to take up gainful employment in the country during the daytime and return to a hostel managed by the Department at night under the Pre-release Employment Scheme in the last 6 months of their sentences. Some prisoners are released under supervision at the mid-point of their sentences to take up open employment under the Release under Supervision Scheme.

9. CONCLUSION

This Workshop provided some fascinating insights into the arrangements for prisoner industries in two quite different jurisdictions. Despite these structural differences, many of the future challenges are broadly similar. They include:

- Improving quality and competitiveness.
- Enhancing the links between employment and training.
- Developing work opportunities for all categories of prisoners.
- Evaluating the outcomes of initiatives.

Specialist Workshop Two

Training and Succession Planning for Senior Correctional Managers

1. INTRODUCTION

The Workshop was attended by delegates from a number of countries and was chaired by Mr Kelvin Pang, Commissioner of the Correctional Services Department of Hong Kong (China), with Dr Roderic Broadhurst and Mrs Irene Morgan. A formal and comprehensive powerpoint presentation was given by Mr Tai Kin-man (Superintendent (Human Resource) of Hong Kong Correctional Services Department). Mr Tai highlighted the following issues:-

- Development of core competencies for Correctional Services Department (CSD) staff.
- Formulation of career profile for CSD staff.
- Training and succession planning for senior officers.
- Other initiatives to groom CSD senior officers for succession purposes.

After the presentation, the participants were given the opportunity to ask questions on issues arising from the presentation, with responses from Mr Pang, Mr Tai, Dr Broadhurst and Mrs Morgan. The participants were then divided into two groups to allow more in-depth discussion, and the groups were facilitated by Dr Broadhurst and Mrs Morgan. Both groups engaged in discussion on a range of themes on succession planning, which drew upon the presentation provided by Hong Kong (China).

The main themes can be outlined as follows.

2. VISION AND GOAL

All participants agreed that the success of an organisation was dependent upon the leadership of senior management and that the common goal was to fulfill the department's 'Vision, Mission and Values (VMV)'. As stated by Mr Tai, while the "VMV, like a lighthouse, sets clear direction and objectives for the Department, correctional managers at the top act as captains giving sailors guidance and instruction to sail ahead".

However, a number of participants also pointed out that, although written goals are important, it is far more important to ensure that those goals are in fact *achieved*.

3. CURRENT PROBLEMS

(a) The ‘age bulge’

Some countries such as Macao (China), Hong Kong (China) and Australia (Queensland and Western Australia) identified an “age bulge” problem. A large number of Queensland and Western Australia’s senior managers fall within the 50+ age group. The impending retirement of these senior managers (and hence, a future loss of leaders) means that strategies need to be put into action to recruit and groom potential leaders as soon as possible. At the other end of the spectrum, Macao (China) has a much younger-aged staff holding senior positions. These younger leaders face the challenging role of steering the ship in the right direction.

(b) Respect and loyalty for seniority

Although the required leadership skills may be absent in some senior managers, they are nevertheless often respected for their seniority and experience.

(c) Changing skills for the job and restructuring of the organisation

It was agreed that the recruitment of quality senior managerial workforce is an “ongoing process responding to the changing societal needs and demands” and the restructuring of the organisation. Thus, the skills required of a senior manager is constantly changing which makes the role a demanding and challenging one. Moreover, there are different roles of senior management (prisons, community corrections and rehabilitation). Today, senior managers are not merely administrators and managers. They are expected to be leaders to direct and motivate fellow officers to achieve the vision and goals of the organisation. However, these problems can be overcome with holistic training and the development of a career development plan for all staff members (discussed below).

(d) Different leadership styles adopted by each country

Each country adopts a different leadership style to suit the respective needs of its organisation and society.

4. QUALIFICATIONS VERSUS EXPERIENCE

Is it necessary for senior managers to have an academic qualification (for example in corrections, criminology, criminal justice, penology or management)? There was general agreement that having an academic qualification is an advantage, but that having a qualification

does not necessarily make a person a leader. What makes a successful senior manager is a person who successfully combines personality, integrity and professionalism with management and leadership skills.

5. KEY COMPETENCIES

In its presentation, Hong Kong (China) defined ‘competencies’ with reference to the “knowledge, attributes, attitude and skills needed by all employees of the organisation to perform a job effectively ... [which] ... serve as a common operating platform to go with the Department’s vision, mission and values for the implementation of various human resource strategies.”

Both groups identified the following competencies which are necessary for a good and effective leader:-

- Strong communication skills
- Resource management skills
- Interactive and coordination skills
- Decision-making skills
- Integrity and professionalism
- Inner personal quality
- Enthusiasm and an appetite to lead and succeed
- Motivational skills
- Political sensitivity in order to implement policies
- Strategic skills
- Good public relations skills
- In touch with the needs of staff
- Accountability
- Leadership and procedural skills

6. SYSTEMS TO IDENTIFY LEADERS

It is important to identify the core competency requirement for each rank of personnel staff (and not just senior managers) within the organisation in order to create a link between the various ranks and to ascertain the promotion potential and leadership qualities of each staff member. In Hong Kong (China), Thailand and Singapore, potential leaders are identified at the early stages of his or her career. Each country has its own method of identifying potential leaders:

- Leadership programmes to identify and develop a pool of leaders.

- Participation in and monitoring through training programmes.
- External educational and professional links with various universities and other training institutions.
- Availability of academic scholarships.
- Cooperation with other governmental agencies for postings and secondments. For example, Singapore has implemented a “Talent Management Scheme” to provide wide exposure for staff in areas such as police, defence, immigration, and narcotics. A similar scheme also exists in Hong Kong (China). Such postings provide opportunities for staff members to network with other agencies, and to gain knowledge and experience in a different field.
- Overseas exposure through staff exchange programmes and training attachments.

7. KEY TRAINING NEEDS

Key training needs were identified in the following areas:

- Effective communication skills.
- Staff management skills.
- Public relations and external relationship building skills.
- Crisis management (security, prison disturbance, fire, and emergency).
- Understanding of different cultures and learning different foreign languages in view of the increasing number of foreign prisoners in prisons.
- Teamwork.
- Policy design to foster creative and strategic thinking.
- Leadership training.
- Clarification of roles to make efficient and effective use of resources.

8. FORMULATION OF STAFF CAREER PROFILES

Successful succession planning involves the development of a career profile for each individual staff member within the organisation, so that staff members at each rank will be able to:-

- Know the competencies to be achieved for promotion consideration;
- Identify the related training and development courses available at different stages;
- Understand the posting measures for exposure and experience enhancement; and
- Have a clear picture of the promotion prospect of his/her respective rank.”

This will enable staff members to “map out” their respective career paths, and enhance their leadership and strategic management capacities to undertake more challenging positions in the

future. Equally, it assists the organisation in resource allocation, acknowledges the needs of the individual, identifies relevant training programmes, and identifies potential leaders.

9. COMPETENCY-BASED PERFORMANCE APPRAISAL

The purpose of a competency-based performance appraisal is to review, reinforce, record, monitor, and identify the needs and achievement of the individual staff member. It identifies the values, behaviours, attitudes, knowledge and skills of the individual, in order to achieve excellence in service. Importantly, with respect to succession planning, it serves as a tool to groom potential leaders and provides opportunities to reward the individual for his or her achievements by way of promotions.

10. CONCLUSION AND THE ROLE OF APCCA

The member countries viewed APCCA as a valuable forum which provides a number of benefits and opportunities with respect to succession planning:

- Sharing of ideas
- Friendship
- Staff exchanges
- University involvement
- Comparative information and studies
- The website will provide a tool for the exchange of information, interaction and continuity of networking between members.

Succession planning goes hand in hand with delivering the training needs of staff members at all levels of the organisation. As succinctly put by Hong Kong (China), the “development of core competencies, career profiles and competency-based performance appraisal system are ways to enable staff members to know their strengths and limitations for proactive actions to bridge the gaps and move up the career ladder in the profession”. Additionally, senior managers can act as role models for the entire organisation, and the system assists them to identify potential leaders and to groom them appropriately.

Conference Business

INTRODUCTION

APCCA meetings in recent years have been advised by an Advisory Committee which, as a matter of practice, has met on the afternoon prior to the commencement of the annual conference to consider matters of APCCA business. Following the adoption of the APCCA Joint Declaration at the 22nd APCCA meeting in Indonesia, the Advisory Committee was transformed into a more formally constituted Governing Board. The Annual Conference remains the ultimate authority for governing the affairs of APCCA and the Governing Board acts essentially in an advisory capacity to the Conference.

The Governing Board met on Sunday 7 December to discuss a number of issues of significance to both the 23rd Conference and to APCCA itself, and to consider possible recommendations to the Conference.

The meeting of the Governing Board was preceded by a meeting of the APCCA Finance Committee.

FINANCE COMMITTEE MEETING: 7 DECEMBER 2003

See Appendix M.

MEETING OF THE GOVERNING BOARD: 7 DECEMBER 2003

Under the Joint Declaration, the Chair of the Governing Board is the Conference host. Mr Kelvin Pang, Commissioner of Hong Kong (China) CSD welcomed people to the meeting. He then confirmed details of:

- **The current membership of the Governing Board** [New South Wales (Australia); Canada; China; Hong Kong (China); Indonesia; Japan; Philippines; Singapore; Sri Lanka and Thailand].
- **APCCA membership** as constituted by the 27 parties who have signed up to the Joint Declaration. These are Australia (the jurisdictions of ACT, New South Wales, Northern Territory, Queensland, Tasmania and Victoria); Brunei Darussalam; Cambodia; Canada; China; Hong Kong (China); Fiji; India; Indonesia; Japan; Kiribati; Republic of Korea; Macao (China); Malaysia; Mongolia; New Zealand; Philippines; Singapore; Sri Lanka; Tonga; Thailand; Vietnam.

Discussion then moved to the following agenda items

1. APCCA Secretariat Report

The Singapore delegation briefed the Board on the activities of the APCCA secretariat in the past 12 months, including the finalisation of the report of 22nd APCCA, the production and distribution of newsletters, the collation of APCCA statistics and the maintenance of the APCCA website. The Secretariat's report is included as Appendix H to this Report.

The Governing Board resolved that the Secretariat report should be tabled to the Conference.

2. 22nd APCCA Report

The Governing Board noted that there are a number of discrepancies between the report of 22nd APCCA that is on the APCCA website and the printed version of the report that was distributed. This is because, by oversight, and due to communication difficulties, a number of amendments to the draft report were not incorporated in the printed version.

The Governing Board resolved to recommend to the Conference that the website version of the 2002 report should be adopted as the official version of the 2002 Conference Report.

3. Governing Board Elected Membership

Clause 14 of the Joint Declaration contains a set of detailed rules relating to membership of the Governing Board. These include various categories of membership (the host and the last three hosts; four elected members; a rotating membership based on Conference attendance; and the secretariat hosts).

The Governing Board discussed the question of how the process of elections should be conducted and considered a proposal that had been developed by Hong Kong (China) for consideration. However, it was agreed that the proposal should also be considered in a wider context where some jurisdictions might end up satisfying more than one category of membership.

The Board therefore established an ad hoc committee to consider the issue and to report back to the Conference at its final business meeting. The ad hoc committee comprised Singapore as Chair (as the next host), Canada, China, Hong Kong (China) and New Zealand. (Subsequent to the Governing Board meeting, the Australian Capital Territory also joined the ad hoc committee)

4. Report on the Administration of the APCCA Fund

The Chair welcomed the fact that China, Mongolia and the Solomon Islands had made their first voluntary contributions during 2002-2003 and that voluntary contributions over that period were the highest ever. He commented that the fund was in a healthy shape, with a surplus of

US\$54,002.

The general rule is that the host and previous host will audit APCCA fund reports. However, Hong Kong (China) is both host and fund administrator. Therefore:

The Chair recommended, and the Board agreed, that the report should be audited by Indonesia and China and then presented to the Conference.

5. Preparations for 24th APCCA, Singapore

The Singapore delegation gave a brief presentation on preparations for the 2004 Conference. The Conference will be held from 3rd to 8th October 2004. The delegation also mentioned a number of possible changes that they are considering for the 2004 Conference to promote more discussion between participants. They will be giving further consideration to the format over the next few months but have suggested that:

- Delegations should, as far as possible, prepare their presentations on Agenda Item One in a powerpoint format according to a standard template.
- The format for Agenda Items 2-4 may take a different format, perhaps involving smaller group discussions followed by discussion by the full Conference.

The Conference will also coincide with a major exhibition of IT – based security.

The Board noted the Singapore delegation's report and the progress that has already been made towards the 2004 Conference.

6. Review of the Appointment of the APCCA Secretariat

Hong Kong (China) and Singapore were appointed as co-hosts of the APCCA Secretariat at 21st APCCA for a two year period. Thus, it was time for the Governing Board to consider the appointment of the Conference Secretariat. Hong Kong (China) and Singapore explained their roles and the Chair asked if any other jurisdictions were interested in taking over that responsibility but there were no offers.

The Board resolved to recommend to the Conference that Singapore and Hong Kong (China) should continue to serve as co-hosts of the Conference Secretariat.

7. Rapporteur Services

The Board discussed the current arrangements for Rapporteur services. These basically involve payments from the APCCA fund to the Rapporteur of US\$7,500 and to the Co-Rapporteur of US\$2,500. In addition, it has been the tradition for the hosts to pay for travel and accommodation costs. However, governments in many jurisdictions have found it increasingly difficult to justify such payments under tight fiscal management rules.

There was some discussion of whether the APCCA fund itself could provide such funding. The fund clearly does not have the capacity to meet full travel and accommodation costs. Dr Neil Morgan and Mrs Irene Morgan (Rapporteur and Co-Rapporteur for 2003) explained that they appreciated the dilemma and that they were open to discussion. They suggested that there may be ways to reduce costs in some areas such as accommodation, provided that the Rapporteur / Co-Rapporteur are provided with adequate working facilities.

The Board resolved that the APCCA fund should be used to assist the Rapporteur and Co-Rapporteur's travel arrangements to a maximum combined total of US\$5,000 per annum. This will involve the host preparing a budget proposal for the Finance Committee's consideration.

8. Appointment of Ad Hoc Agenda Committee

As at previous APCCA meetings, an ad hoc agenda committee was appointed to consider topics for the 2004 Conference. The Committee members were China, Fiji, Hong Kong (China), Korea, New Zealand and Singapore.

9. Speakers for Agenda Items 2-4

Speakers were selected for Agenda Items 2-4 (see the reports of those Items)

10. Any Other Business

- (a) The Chair drew attention to the fact that this Conference was involving the services of the Centre for Criminology at Hong Kong University. In particular, Professor Roger Hood (a Visiting Professor from Oxford University) would be assisting on Agenda Item Two and Dr Roderic Broadhurst would be assisting at one of the Workshops.
- (b) There was a brief discussion of the hosts for future conferences. Korea confirmed that it will host the 2005 Conference and New Zealand that it will host 2006.

FIRST CONFERENCE BUSINESS SESSION: 8 DECEMBER 2003

The first Conference business session consisted of the following items from the Governing Board meeting:

1. APCCA Secretariat Report

Mr Chua Chin Kiat, head of the Singapore delegation, presented the report of the APCCA secretariat. This report was accepted with acclamation by the Conference.

2. APCCA Membership

The Chair, Mr Kelvin Pang, confirmed the current APCCA membership, as listed in the record of the Governing Board (above).

3. Report of APCCA Fund Administrator

The Chair reported that the APCCA Fund Administrator's report had been audited by China and Indonesia, as determined by the Governing Board; and had been confirmed as correct. The report was then accepted by the Conference.

4. Elected Membership of Governing Board

The Chair informed the Conference that the Governing Board had established a sub-committee to consider the process of election of Board members.

5. Rapporteur Services

The Chair reported on the deliberations of the Governing Board with respect to the subsidy of rapporteur services for future conferences (see above).

SECOND CONFERENCE BUSINESS SESSION: 12 DECEMBER 2003

The second conference business session covered a number of matters that were outstanding from the Governing Board meeting and also a number of new items

1. 22nd APCCA Report

The Chair advised the Conference of the discrepancies that had been identified between the printed and website versions of the 22nd APCCA Report and of the Governing Board's resolution that the website version should be adopted as the official version.

The Conference unanimously endorsed the Governing Board's resolution.

2. Ad Hoc Committee on Governing Board Elected Membership

Following the Governing Board meeting on 7 December, the ad hoc committee met on 10 December to discuss the process of elections to positions on the Governing Board. Mr Chua Chin Kiat of Singapore provided the Conference with a comprehensive briefing on this matter

and the membership for 2003/2004 was then finalised.

The Conference:

- *Unanimously endorsed the proposed election process (see Appendix N)*
- *Confirmed that the Governing Board membership for 2003/2004 is Singapore (Chair), Canada, China, Hong Kong (China), Indonesia, Japan, Malaysia, Mongolia, New Zealand and Thailand.*

3. APCCA Secretariat

The Conference thanked Singapore and Hong Kong (China) for their excellent work and resolved to endorse the Governing Board's recommendations that

- *Singapore and Hong Kong (China) should continue to serve as co-hosts of the APCCA Secretariat.*
- *Hong Kong (China) should continue to be the APCCA Fund Administrator*

Mr Chua Chin Kiat of Singapore informed the Conference that, in order to enhance the quality and quantity of information that is on the APCCA website, the Secretariat would be uploading all country papers (unless countries expressed a written contrary desire); and would be seeking to include copies of the Prisons Acts and Regulations from all jurisdictions as a resource.

The Conference endorsed these proposals

4. Appointment of Rapporteur and Co-Rapporteur

The Conference unanimously endorsed the Governing Board's recommendation that Dr Neil Morgan and Mrs Irene Morgan be appointed as Rapporteur and Co-Rapporteur for the Conference for a period of three years, on the financial arrangements recommended by the Board.

Since their appointments for the 2003 conference were an ad hoc arrangement arising from Professor Biles' decision to stand aside. Consequently,

It was further agreed that their appointments should commence from 2003/4 (i.e. covering the 2004, 2005 and 2006 conferences)

Brief resumes for Dr Neil Morgan and Mrs Irene Morgan were tabled to the Conference (See Appendix O).

5. APCCA Membership

The Chair reported that Western Australia and South Australia had signed the APCCA Joint Declaration on 8 December, bringing APCCA membership up to 29 jurisdictions (See Appendix K).

6. Agenda Items for 24th APCCA

Dr Morgan reported that the ad hoc Agenda Committee (comprising China, Hong Kong (China), Fiji, Korea, New Zealand and Singapore) had met on 11 December 2003 and had discussed a range of possible topics for 24th APCCA in Singapore. He further explained that, at the Singapore conference, some of the agenda items would probably be discussed using a different format such as small discussion groups. For this reason, five agenda items rather than four had been selected.

Dr Morgan further stated that he and Mrs Morgan had already started discussing the 2004 Conference arrangements with the Singapore delegation, and that further discussions would be held during 2004 to ensure that any new arrangements meet the evolving needs of the conference whilst also respecting its established traditions.

The conference topics are as follows:

- Agenda Item 1: *National Reports on Contemporary Issues* (for which the Secretariat and the Rapporteurs will develop a template).
- Agenda Item 2: *The Roles of Community / Public Sector Agencies and Families in Successful Reintegration.*
- Agenda Item 3: *Preventing and Containing Infectious Diseases*
- Agenda Item 4: *Management of Public Expectations in the Treatment of Offenders*
- Agenda Item 5: *Practices in Dealing with the Diverse Cultural and Spiritual Needs of Inmates*

The specialist workshops will cover two or three of the following topics:

- 1: *Resolving Ethical Conflicts amongst Prison Officers*
- 2: *Innovation Within Correctional Settings*
- 3: *Communication and Public Relations: Ways to Gain the Support of Media, Politicians and the Public*

7. Future Hosts

Singapore, Korea and New Zealand are the confirmed hosts for 2004, 2005 and 2006 respectively.

During the course of the Conference, Vietnam offered to host APCCA in 2007, the Philippines in 2008 and Western Australia in 2009.

The Conference thanked all these jurisdictions for their offers and for the level of continuity that is thereby assured for APCCA.

8. Votes of Thanks

China, Fiji, Korea, Malaysia, New Zealand and Singapore formally thanked the Chair, the conference organisers and the Rapporteur/Co-Rapporteur. There was a strong sense that this had been an extremely successful conference in terms of the programme organisation and the quality of presentations, debates and discussion. This had been enhanced by the visits to institutions, the splendid hospitality and the enjoyable social events.

9. UNAFEI

At the conclusion of the formal conference business, Professor Shinkai of UNAFEI gave a presentation on the role and structure of UNAFEI and some background information on the programmes and seminars that it offers. He then provided the conference with some valuable comparative statistics on the use of imprisonment around the world and stressed the importance that UNAFEI places on the use of non-custodial sentences and standards in corrections.

Closing Ceremony

A Guard of Honour entered the conference venue and marched onto the stage.

The Rapporteur, Dr Neil Morgan then made a brief speech. He noted that this was the first APCCA Conference for many years which had not been served by Professor Biles, and he recorded the Conference's appreciation for Professor Biles' enormous contribution. He went on to say that this had been an extremely successful conference by all measures, including the record number of countries that had attended and the quality of the formal papers, presentations and discussions. The atmosphere had been relaxed and this had generated a most positive learning environment. He paid particular tribute to the skills of the Chairman, Mr Kelvin Pang, who had not only ensured that business was completed in a timely manner but had also allowed delegates ample opportunity to speak. On behalf of all the delegates, Dr Morgan then also thanked the members of the Hong Kong Correctional Services Department for their professionalism and attentiveness, including Mr Kwok Leung Ming, Mr Samson Chan, Mr Mathias Chan, Miss Pearl Tie and all the liaison officers. Finally, he thanked the Conference for honouring himself and Mrs Irene Morgan with the appointment as Rapporteur and Co-Rapporteur. He promised to work closely with future hosts to ensure that APCCA develops but also retains its sound traditions and continuity.

Mr Kelvin Pang, Conference Chair and Commissioner of the Hong Kong CSD, then delivered the following address:

Distinguished delegates and guests,

As Romeo said to Juliet in Shakespeare's famous play, "Parting is such sweet sorrow", I would like to say a few words as the conference host and Chair of the APCCA Governing Board to make the close of this year's conference. I shall be brief so as to give you all a longer break this afternoon to tour around this city before joining us for the Farewell Dinner at Stanley in the evening. That is the sweet part. For those who have to hurry back home and are not able to come to the Farewell Dinner (that is the sorrow), I wish you all the best and a safe journey home.

We have spent almost a week at this conference to put our heads together for the benefit of our profession. Your active participation and unfailing wisdom have made the event productive and meaningful. I am sure that the conference has not only strengthened our regional ties, but also generated new insights and inspirations that help individual

jurisdictions address more effectively the current and future challenges. I would like to ask those of you who are not APCCA members to take this opportunity to join us by signing the APCCA Joint Declaration. You can contact the in-house conference secretariat for details before you leave Hong Kong, or the APCCA Conference Secretariat after you have returned to your countries.

The year long preparation for this conference has paid off resulting in a successful event. In closing, I would like to thank you all for the support and cooperation extended to me as Chair of this year's conference. Also, I must thank Dr Morgan, Mrs Morgan, the Organising Committee and the in-house secretariat for the good work they have done; staff of the Hong Kong Correctional Services institutions and units for all the arrangements made for the conference; and all the liaison officers who embody the hospitality of Hong Kong, which I hope will bring good memories to our guests for years to come.

According to the APCCA Joint Declaration, Singapore, the host of the next Annual Conference, will become the Governing Board Chair upon the conclusion of the current conference. The moment has come for me to pass this honour to Mr Chua Chin Kiat, Director of Singapore Prisons Service. I am confident that he will carry out the duties most efficiently and effectively and I am sure that all of us will continue to render our support and co-operation to him and the Singapore Prisons Service, as you have so kindly done for Hong Kong over the past year. I am now pleased to call upon Mr Chua to come onto the stage for the handover of the APCCA symbols, which, as a tradition of the APCCA, have been passed from one conference to the next. Mr Chua, please.

Mr Pang then invited Mr Chua Chin Kiat of Singapore, the host of the 2004 Conference, to come to the stage. The APCCA symbols were formally handed over by Mr Pang to Mr Chua for safe keeping. Mr Chua made a brief speech in which he thanked the Hong Kong Correctional Services Department for the 2003 conference. He noted that 2004 would be a particularly significant year, given the opening of Stage One of the new Changi Prison complex, and offered a warm welcome to people to attend the 2004 conference in Singapore.

The Chair declared the 23rd APCCA to be formally closed and the Guard of Honour removed the symbols from the Conference venue.

Appendix A

List of Participants

Australia (ACT)	Mr James RYAN (Head of Delegation) Executive Director ACT Corrective Services GPO Box 158 Canberra ACT 2601 Australia
Australia(NSW)	Mr Philip RUSE Executive Director Community Offender Services Dept of Corrective Services New South Wales 88 Hunter Street Newcastle 2300 Australia
Australia(SA)	Mr Peter SEVERIN Chief Executive Dept for Correctional Services GPO Box 1747 Adelaide SA 5001 Australia
Australia (WA)	Mr Terry SIMPSON Executive Director Prisons Division Department of Justice GPO Box F317 Perth, WA 6841 Australia
Brunei Darussalam	Mr Haji Ahmad HAJI DULLAH (Head of Delegation) Director of Prisons Prisons Department Ministry of Home Affairs Jalan Jerudong BG 3122 Brunei Darussalam

Brunei Darussalam	Mr Haji Md A'Isamuddin JUNA Chief Officers (Head of Research Section) Prisons Department Ministry of Home Affairs Jalan Jerudong BG 3122 Brunei Darussalam
Cambodia	Mr Sokhan SAMKOL (Head of Delegation) Director of Cambodian Prisons Department Prisons Department The Ministry of Interior Norodom Blvd Phnom Penh The Kingdom of Cambodia
Cambodia	Mr Lenin HOV Deputy Director of Prisons Department Prisons Department The Ministry of Interior Norodom Blvd Phnom Penh The Kingdom of Cambodia
Canada	Mr Don HEAD (Head of Delegation) Senior Deputy Commissioner Correctional Service of Canada 9th Floor 340 Laurier Ave. West Ottawa Ontario Canada K1A 0P9
Canada	Mr Doug McMILLAN Director General for Performance Management Correctional Service of Canada 5th Floor 340 Laurier Ave. West Ottawa Ontario Canada K1A 0P9
China	Mr LIANG Gang (Head of Delegation) Deputy Director General Prison Administration Bureau Ministry of Justice No.10 Chaoyangmen Nandajie Chaoyang District Beijing China 100020

China	Mr LIANG Zhenlin Director General Prison Administration Bureau Guangxi Autonomous Region Ministry of Justice China
China	Mr XIAO Qianhua Deputy Director General Prison Administration Bureau Sichuan Province Ministry of Justice China
China	Mr GAO Zebo Division Director Prison Administration Bureau Ministry of Justice China
China	Ms ZHAO Yang Program Officer Department of Judicial Assistance and Foreign Affairs Ministry of Justice China
Fiji	Mr Aisea TAOKA (Head of Delegation) Commissioner of Prisons Fiji Prisons Service P.O. Box 114 Suva Republic of Fiji
Hong Kong (China)	Mr Kelvin PANG Sung-yuen (Conference Chair) Commissioner Correctional Services Department Headquarters 24/F, Wanchai Tower No.12 Harbour Road Wanchai Hong Kong

Hong Kong (China)	Mr KWOK Leung Ming (Head of Delegation) Deputy Commissioner Correctional Services Department Headquarters 24/F, Wanchai Tower No.12 Harbour Road Wanchai Hong Kong
Hong Kong (China)	Mr Daniel HUI Tak Fuk General Manager Correctional Services Industry Correctional Services Department Headquarters 24/F, Wanchai Tower No.12 Harbour Road Wanchai Hong Kong
Hong Kong (China)	Mr SIN Yat Kin Senior Superintendent Correctional Services Department Headquarters 24/F, Wanchai Tower No. 12 Harbour Road Wanchai Hong Kong
Hong Kong (China)	Mr Dick YEUNG Senior Superintendent Ma Po Ping Prison / Tong Fuk Centre 31 Ma Po Ping Road Lantau Island Hong Kong
Hong Kong (China)	Mr TAI Kin Man Superintendent Correctional Services Department Headquarters 24/F, Wanchai Tower No.12 Harbour Road Wanchai Hong Kong

India	Mr Anil SINHA (Head of Delegation) Director Bureau of Police Research and Development Block No.11 4 th Floor, CGO Complex Lodhi Road New Delhi – 110 003 India
Indonesia	Mr Adi SUJATNO (Head of Delegation) Director General of Correction Directorate General of Correction Jalan Veteran No.11 Jakarta Pusat, Indonesia
Indonesia	Mr Mardjaman Secretary of Directorate General of Correction Jalan Veteran No.11 Jakarta Pusat Indonesia
Indonesia	Mr Ceno HERSUSETIOKARTIKO Head of Regulation and Report Section Directorate General of Correction Jalan Veteran No.11 Jakarta Pusat Indonesia
Indonesia	Mr Ambeg Head of Program Development and Report Division Directorate General of Correction Jalan Veteran No.11 Jakarta Pusat Indonesia
Indonesia	Mr Djoko MARDJO Superintendent of Cipinang Prison Directorate General of Correction Jalan Bekasi Raya Timur No. 170 Jakarta Timur Indonesia

Indonesia	Mr Satya PRATAMA Staff of Program Development Section Directorate General of Correction Jalan Veteran No.11 Jakarta Pusat Indonesia
Indonesia	Mr Purwo ARDOKO Prison Consultant Directorate General of Correction Jalan Veteran No.11 Jakarta Pusat Indonesia
Indonesia	Mr Mintarno PRAJOGO Prison Consultant Directorate General of Correction Jalan Veteran No.11 Jakarta Pusat Indonesia
Japan	Mr Takao YOSHIKAWA (Head of Delegation) Superintendent Osaka Regional Correction Headquarters No.2 Osaka Joint Government Building Annex, 4-1-67, Otemae, Chuo-ku Osaka 540-0008 Japan
Japan	Mr Taihei MIZUKAMI International Liaison Officer Correction Bureau Ministry of Justice 1-1-1 Kasumigaseki Chiyoda-ku Tokyo 100-8977 Japan
Republic of Kiribati	Mr Tuare IOANE (Head of Delegation) Superintendent of Prison Police and Prison P.O. Box 497 Betio Tarawa Republic of Kiribati

Republic of Korea	Mr Jong-Soo JUNG (Head of Delegation) Commissioner of Seoul Regional Correctional Headquarter Seoul Regional Correctional Headquarter 319-2 Shinjung 6 Dong Yanchun Gu Seoul Republic of Korea
Republic of Korea	Mr Hyun-Tae KIM Warden of Wonju Correctional Institution Wonju Correctional Institution 354 Musil Dong Wonju City Kwong Won Republic of Korea
Republic of Korea	Mr Nam-Sik HONG Chief of Security Section of Yeosu Correctional Institution Yeosu Correctional Institution 212 Shinhaeri Ganam Myun Yeosu KyungGi Republic of Korea
Republic of Korea	Mr Young-Hoon HA Correctional Supervisor Daejeon Correctional Institution 36 Daejung Dong Yousung Gu, Daejeon Republic of Korea
Republic of Korea	Mr Sung-Ho KIM Correctional Supervisor Correction Bureau Ministry of Justice Government Complex II, Kwacheon-shi Kyunggi-do 427-720 Republic of Korea
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Macao (China)	Mr Ioi On, Stephen NG Chief of Social Assistance, Education & Training Division Macao Prison Rua De S. Francisco Xavier S/N. Coloane Macao
Macao (China)	Mr Fernando PEDRO QUARESMA Social Worker Macao Prison Rua De S. Francisco Xavier S/N. Coloane Macao
Macao (China)	Mr Chit Kao LEI Social Worker Macao Prison Rua De S. Francisco Xavier S/N. Coloane Macao
Macao (China)	Ms Ka Nun, Karen VONG Senior Officer, Advisory Office Macao Prison Rua De S. Francisco Xavier S/N. Coloane Macao
Macao (China)	Mr Man Wai CHANG Senior Officer, Advisory Office Macao Prison Rua De S. Francisco Xavier S/N. Coloane Macao
Macao (China)	Mr Iun Cheng LAO Assistant Leader, Special Security Team Macao Prison Rua De S. Francisco Xavier S/N. Coloane Macao

Macao (China)	Ms Choi Lin, Kitty KONG Duty Officer Macao Prison Rua De S. Francisco Xavier S/N. Coloane Macao
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Macao (China)	Miss Weng Fun LAO Monitor Legal Affairs Bureau Youth Correctional Institution Est. de Cheoc Van No.1 Coloane Macao

Macao (China)	Mr Tang San IEONG Social Worker Legal Affairs Bureau Youth Correctional Institution Est. de Cheoc Van No.1 Coloane Macau
Macao (China)	Mr Man Chong CHAO Monitor Legal Affairs Bureau Youth Correctional Institution Est. de Cheoc Van No.1 Coloane Macau
Macao (China)	Mr Wai Man CHAN Monitor Legal Affairs Bureau Youth Correctional Institution Est. de Cheoc Van No.1 Coloane Macau
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Malaysia	Mr Supri HASHIM Superintendent of Prisons Malaysia Prison Headquarters Malaysia Prisons Department Bukit Wira, 43000 Kajang Selangor Malaysia
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Mongolia	Mr Khaltar PUREVSUREN Head Prison No.427 The General Executive Department of Court Decision Baga Toiruu-13 Chingeltei District Ulaanbaatar Mongolia
Mongolia	Mr Sharkhuu BULGAN Head of the Executive Service Darkhan-Uul Province The General Executive Department of Court Decision Baga Toiruu-13 Chingeltei District Ulaanbaatar Mongolia
Mongolia	Mrs Tsoggerel UYANGA Officer Responsible for International Relations The General Executive Department of Court Decision Baga Toiruu-13 Chingeltei District Ulaanbaatar Mongolia

Mongolia	Mr Damdinjamts TURBILEG Head of Political & Economic Section Consulate of Mongolia 3/F., Crystal Ind. Bldg. 71 How Ming Str., Kwun Tong Kowloon Hong Kong
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Philippines	Mr Dionisio SANTIAGO (Head of Delegation) Director Bureau of Corrections Department of Justice Office of the Director Bureau of Corrections New Bilibid Prisons Muntinlupa City Philippines
Philippines	Mr Joselito FAJARDO Assistant Director for Administration and Rehabilitation Bureau of Corrections NBP Reservations Muntinlupa City Philippines
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Singapore	Ms ONG Ee Choon Deputy Head Operations Control Singapore Prison Service 407 Upper Changi Road North Singapore 507658 Republic of Singapore
Singapore	Ms SHIE Yong Lee Head Research & Planning Singapore Prison Service 407 Upper Changi Road North Singapore 507658 Republic of Singapore

Singapore	Ms YEO Suat Lay Staff Officer Research & Planning Singapore Prison Service 407 Upper Changi Road North Singapore 507658 Republic of Singapore
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Thailand	Mr Praman KHUANRUECHAI Penologist Department of Corrections Nonthaburi 1 Road Muang District Nonthaburi Province Thailand 11000
Thailand	Mrs Sivakorn KURATANAVEJ Director of Foreign Affair Sub-bureau Department of Corrections Nonthaburi 1 Road Muang District Nonthaburi Province Thailand 11000

Thailand	Miss Piniporn CHOATPATSUMOL Penologist Department of Corrections Nonthaburi 1 Road Muang District Nonthaburi Province Thailand 11000
Thailand	Miss Chulanee KIRIRATANA Penologist Department of Corrections Nonthaburi 1 Road Muang District Nonthaburi Province Thailand 11000
Thailand	Mr Suchin DUMGRADEN Director of Legal Division Department of Corrections Nonthaburi 1 Road Muang District Nonthaburi Province Thailand 11000
Vietnam	Mr PHAM Duc Chan (Head of Delegation) Director of Correctional Department Department of Corrections Ministry of Public Security Ha Noi Vietnam
Vietnam	Mr NGUYEN Trung Binh Director of Prison Department of Corrections Ministry of Public Security Ha Noi Vietnam
Vietnam	Mr TRAN Manh Hung Director of Prison Department of Corrections Ministry of Public Security Ha Noi Vietnam

Mr CHOW Tak-wah	Senior Superintendent
Ms Doris CHOW	Senior Superintendent
Mr HUNG Wai-cheung	Senior Superintendent
Mr POON Wing-hong	Senior Superintendent
Mr WONG Tack-sing	Senior Superintendent
Mr YEUNG Ping-wing	Senior Superintendent
Mr YUE Bun-chiu	Senior Superintendent
Mr YUNG Kowk-leung	Senior Superintendent
Ms CHUNG Chi-lan	Superintendent
Mr Eric FUNG	Superintendent
Mr KWAN Ming-tak	Superintendent
Mr KWOK Chuen	Superintendent
Mr LAI Yiu-wah	Superintendent
Mr LAM Ka-yau, Mason	Superintendent
Mr LAM Kwai-sun	Superintendent
Mr LAM Lou	Superintendent
Mr LAW Hau-leung	Superintendent
Mr LAW Wai-fung	Superintendent
Mr LEE Sheung	Superintendent
Mr LEUNG Kwok-wing	Superintendent
Ms LI Lai-har, Angela	Superintendent
Mr LO Shek-shan	Superintendent
Mr MA Wai-yan	Superintendent
Mr MAK Chi-wai	Superintendent
Mr MIU Yin-man	Superintendent
Mr LAM Kam-sing	Superintendent
Mr P S CHIMA	Superintendent
Mr SIU Chi-wing	Superintendent
Mr TAM Shiu-ming	Superintendent
Mr TIN Man-yuk	Superintendent
Mr TSANG Chung-piu	Superintendent
Mr WONG Hon-to	Superintendent
Mr WONG Kai-cho	Superintendent
Mr YAU Chi-chiu	Superintendent
Mr YUM Pui	Superintendent
Mr CHUNG Hon-chee	Business Manager
Mr LEE Wing-hong	Business Manager
Mr LO Huen, Simon	Business Manager
Mr TSUI Chak-lin	Assistant Business Manager
Mr TUNG Lung-sang	Chief Industrial Officer
Mr WONG Wai-hung	Chief Industrial Officer
Mr CHAN Wai-ming	Chief Officer
Mr CHENG Kwong-mo	Chief Officer
Ms CHU Po-kum	Chief Officer
Mr CHUNG Wai-man	Chief Officer
Mr HO Chee-sing	Chief Officer
Mr HO YIU SUN	Chief Officer
Mr HUI Fu-kee	Chief Officer
Mr HUSSAIN Ahmed	Chief Officer
Mr KAN Chi-keung	Chief Officer

Mr LEUNG Koon-nam	Chief Officer
Mr LO Pui-wai	Chief Officer
Mr LO Yee-kin	Chief Officer
Mr TAM Siu-hung	Chief Officer
Mr TANG Chi-chiu	Chief Officer
Mr TANG Pui-yin	Chief Officer
Mr YIU Chiu-kit	Chief Officer
Mr YUEN Shu-fan	Chief Officer
Mr CHAN Ba-tak	Principal Officer
Mr CHAN Chi-keung	Principal Officer
Mr CHENG Ping-kai, Eric	Principal Officer
Mr CHEUNG King-cheung	Principal Officer
Mr CHOW Yuen-leung	Principal Officer
Mr CHUNG Wing-hang	Principal Officer
Mr FUNG Kam-kwan	Principal Officer
Mr FUNG Tai-ping	Principal Officer
Mr HO Chi-cheung	Principal Officer
Mr HO Kim-man	Principal Officer
Mr HO Pui-lam	Principal Officer
Mr KO Pun-ho	Principal Officer
Mr LAM Chung-hing	Principal Officer
Mr LAM Siu-wah	Principal Officer
Mr LAM Yan-kuen	Principal Officer
Mr LAU Chun-ming	Principal Officer
Mr LAU Wai-kuen	Principal Officer
Mr LEE Cheuk-hung	Principal Officer
Mr LEE Kwok-po	Principal Officer
Mr LEE Siu-kai	Principal Officer
Ms LEE Yuk-fung	Principal Officer
Mr LEUNG Kam-yan	Principal Officer
Mr LEUNG Tsan-ming	Principal Officer
Ms LEUNG Wai-chong	Principal Officer
Mr LIU Yuen-kwong	Principal Officer
Ms Caroline NG	Principal Officer
Mr POON Wai-choi	Principal Officer
Mr PUN Chi-leung	Principal Officer
Mr SHAM Sau-sing	Principal Officer
Mr SHUM Wai-kit	Principal Officer
Mr SIN Wing-hung	Principal Officer
Mr SO Chee-leung	Principal Officer
Mr SZE Wai-chung	Principal Officer
Mr TANG Kai-cheung	Principal Officer
Mr TONG Kwan-wah	Principal Officer
Mr TSE Siu-fung	Principal Officer
Mr WONG Chi-kwong	Principal Officer
Mr WONG Hei-man	Principal Officer
Mr WONG Man-kay	Principal Officer
Ms WONG Pitt-chi	Principal Officer
Ms WONG Wai-fan	Principal Officer
Mr WOO Ying-ming	Principal Officer

Ms YEUNG Chui-ping	Principal Officer
Mr YIM Wun-chuen	Principal Officer
Mr YU Kwok-sun	Principal Officer
Mr AU Wai-hong	Officer
Mr CHAN Kar-hang	Officer
Mr CHAN Kin-wah	Officer
Mr CHAN Optim	Officer
Ms CHAN Sau-wai	Officer
Mr CHAN Yuk-fai	Officer
Mr CHEUNG Cheuk-kuen	Officer
Mr CHEUNG Shu-yan	Officer
Mr CHOI Kam-wong	Officer
Ms CHOW Lai-yee, Ada	Officer
Mr CHU Ah-wah	Officer
Mr CHU Chi-choi	Officer
Mr HAU Chiu-wan	Officer
Ms IP Mei-king	Officer
Mr Kenneth TSANG	Officer
Mr KO Chin-lun	Officer
Mr KWOK Tak-shing	Officer
Mr LAI Chi-wai	Officer
Mr LAI Kam-wah	Officer
Mr LAM Shu-wai	Officer
Mr LAM Ying-wai	Officer
Mr LAW Ching-fun	Officer
Mr LEE Wai-kiu	Officer
Mr LEUNG Ka-lun	Officer
Mr LEUNG Kin-ip	Officer
Mr LEUNG Koon-kai	Officer
Ms LEUNG Sau-kwan	Officer
Mr LEUNG Wai-shing	Officer
Mr LEUNG Wing-kee	Officer
Ms LEUNG Yuet-han	Officer
Mr LI Tak-yam	Officer
Ms LI Wai-man	Officer
Ms LO Ngai	Officer
Mr LUK Yiu-man	Officer
Mr MA Hoi-pang	Officer
Mr MA Wang-cho	Officer
Mr MAN Ching-kit	Officer
Mr MOK Ho-lun	Officer
Mr NG Kwok-hong	Officer
Mr PUN Tak-mong	Officer
Ms SO Man-yee	Officer
Ms TAM Mei-ling	Officer
Mr TAM Wai-ting	Officer
Mr TANG Chan-wing	Officer
Mr TING Tak-kin	Officer
Ms TONG Ka-lai	Officer
Mr TONG Wai-bun	Officer

	Mr TSANG Hing-ho	Officer
	Mr TSE Kwok-wai	Officer
	Mr TSUI Siu-bong	Officer
	Mr TSUI Wai-chun	Officer
	Mr WAI Chi-keung	Officer
	Mr WAI Man-bon	Officer
	Mr WAN Chik-ho	Officer
	Mr WAN Wai-sing	Officer
	Ms WONG Lai-man	Officer
	Ms WONG Ngou-fung	Officer
	Mr WONG Pui-lam	Officer
	Mr WONG Wing-keung	Officer
	Mr WONG Yee-lap	Officer
	Mr WONG Yiu-chung	Officer
	Ms WONG Yu-ho	Officer
	Mr YEE Chiu-mun	Officer
	Mr YU Tat-lai	Officer
	Mr YU Wai-to	Officer
	Mr YUEN Ka-fai	Officer
	Mr YUEN Wai-san	Officer
	Mr CHAN Ten-hu	Industrial Officer
	Mrs LU CHAN Ching-chuen	Senior Clinical Psychologist
	Ms LUK Ming	Departmental Secretary
	Mr LEUNG Ho-yin	Chief Executive Officer
	Mr CHAN Wing-cheung, Stephen	Senior Statistician
	Ms Susanna TSE	Senior Statistical Officer
	Mr LAM Fai	Principal Information Officer

Rapporteur & Co - Rapporteur

Rapporteur	Dr Neil MORGAN Director of Studies, Crime Research Centre University of Western Australia 14-16 Parkway Nedlands Western Australia 6907 Australia
Co-rapporteur	Mrs Irene MORGAN Legal Research Officer Parole Board and Mentally Impaired Defendants Review Board 7th Floor Albert Facey House 469 Wellington Street Perth Western Australia 6000 Australia

Appendix B

Correctional Statistics for Asia and the Pacific 2003

Table 1

Prisoners by Gender and Imprisonment Rates, Asia and the Pacific, mid 2003

Territory	Male	Female	Total	General Population ('000)	Imprisonment Rate (per 100 000 population)
Australia	21 349	1 545	22 894	19 718	116.1
Brunei Darussalam	434	39	473	324	146.2
Cambodia	6 026	320	6 346	12 000	52.9
Canada ¹	30 469	1 604	32 073	31 081	103.2
China	1 473 000	67 000	1 540 000	1 270 000	121.3
Cook Islands	18	1	19	21	90.4
Fiji	967	15	982	775	126.7
Hong Kong (China)	9 841	2 438	12 279	6 816	180.1
India ²	262 990	9 089	272 079	1 027 000	26.5
Indonesia	75 387	2 866	78 253	213 000	36.7
Japan ³	65 561	3 941	69 502	127 350	54.6
Kiribati	65	1	66	84	78.1
Korea	55 633	3 780	59 413	48 500	122.5
Macao (China)	788	103	891	444	200.7
Malaysia	36 065	3 566	39 631	25 000	158.5
Mongolia	---	---	7 871	2 475	318.0
New Zealand	5 941	285	6 226	40 09	155.3
Pakistan (figures related to State of Jammu and Kashmir only)	689	30	719	2 500	28.8
Philippines	25 734	1 056	26 790	76 500	35.0
Singapore	16 223	2 030	18 253 ⁴	4 164	438.4
Sri Lanka	19 265	709	19 974	19 009	105.1
Thailand	170 311	43 504	213 815	62 800	340.5
Tonga	111	2	113	101	111.9
Vanuatu	88	5	93	200	46.5

¹ refers to 2001-2002

² refers to 31.12.2000

³ refers to 31.12.2002

⁴ includes all Community Based programmes

**Imprisonment Rate (per 100 000 population)
Asia and the Pacific, mid 2003**

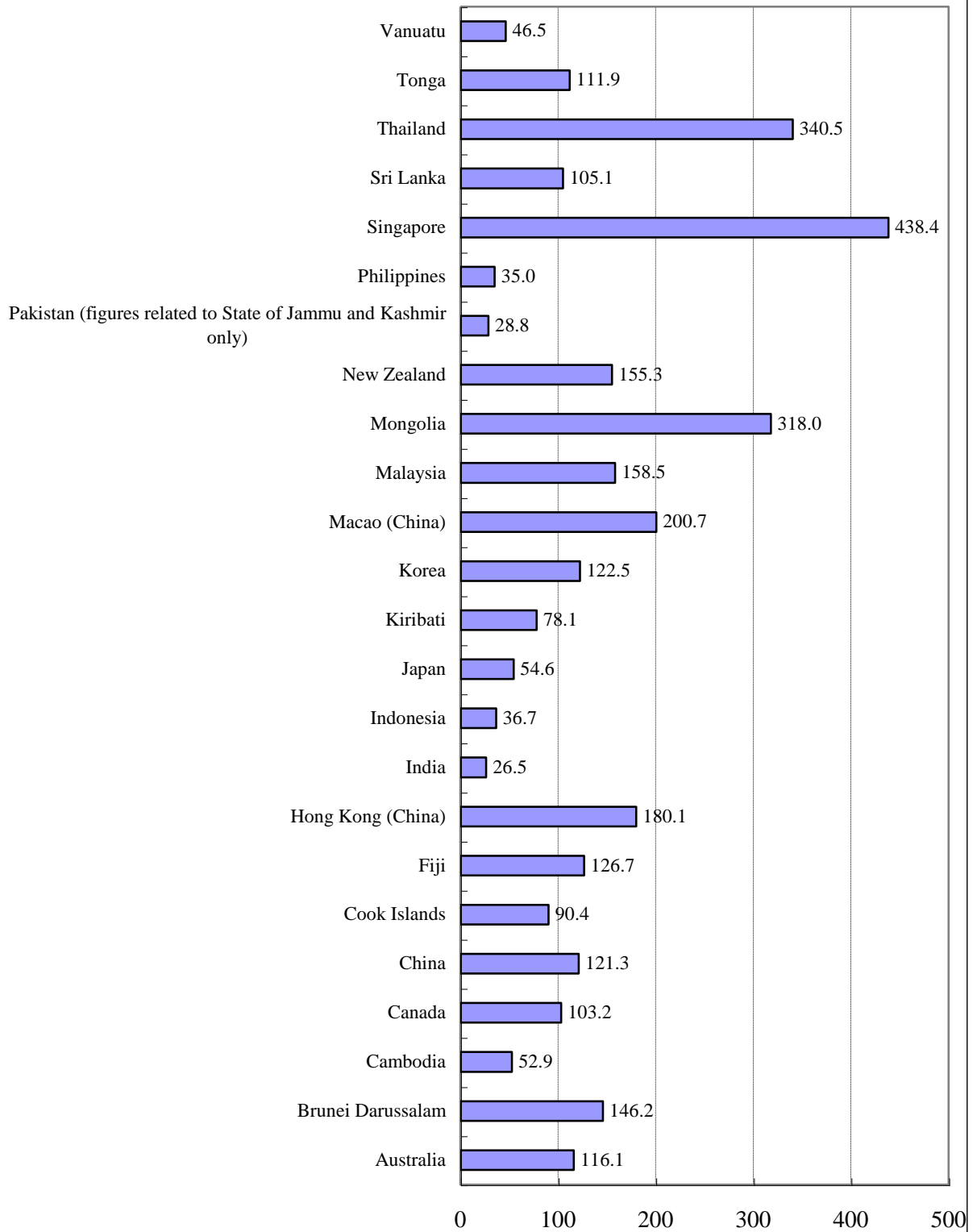


Table 2
Unconvicted Remandees, Per Cent and Rate, Asia and the Pacific, mid 2003

Territory	Unconvicted Remandees	Percentage of Remandees	Remand Rate (per 100 000 population)
Australia	4 828	21.1%	24.5
Brunei Darussalam	14	3.0%	4.3
Cambodia	1 933	30.5%	16.1
Canada ¹	8 331	26.0%	26.8
Cook Islands	1	5.3%	4.8
Fiji	135	13.7%	17.4
Hong Kong (China)	1 385	11.3%	20.3
India ²	208 104	76.5%	20.3
Indonesia	31 072	39.7%	14.6
Japan ³	11 994	17.3%	9.4
Kiribati	7	10.6%	8.3
Korea	21 956	37.0%	45.3
Macao (China)	96	10.8%	21.6
Malaysia	12 161	30.7%	48.6
Mongolia	1 578	20.0%	63.7
New Zealand	1 141	18.3%	28.5
Pakistan (figures related to State of Jammu and Kashmir only)	43	6.0%	1.7
Singapore	1 155	6.3%	27.7
Sri Lanka	10 307	51.6%	54.2
Thailand	56 347	26.4%	89.7
Tonga	6	5.3%	5.9
Vanuatu	8	8.6%	4.0

¹ refers to 2001 – 2002

² refers to 31.12.2000

³ refers to 31.12.2002

Table 3**Prison Staff and Staff : Prisoners Ratios, Asia and the Pacific, mid 2003**

Territory	Total Prison Staff	Prisoners per Staff Member
Australia ¹	9 816	2.3
Brunei Darussalam	270	1.8
Cambodia	1 700	3.7
Canada ²	28 124	1.1
China	284 000	5.4
Cook Islands	18	1.1
Fiji	479	2.1
Hong Kong (China)	5 674	2.2
India ³	41 067	6.6
Indonesia	17 202	4.5
Japan ⁴	17 119	4.1
Kiribati	30	2.2
Korea	12 490	4.8
Macao (China)	494	1.8
Malaysia	9 600	4.1
Mongolia	1 408	5.6
New Zealand	2 564	2.4
Pakistan (figures related to State of Jammu and Kashmir only)	256	2.8
Philippines	2 363	11.3
Singapore	2 255 ⁵	7.9
Sri Lanka	4 665	4.3
Thailand	10 452	20.5
Tonga	73	1.5
Vanuatu	32	2.9

¹ excludes Australian Capital Territory

² refers to 2001 – 2002

³ refers to 31.12.2000

⁴ refers to 31.12.2002

⁵ figures for 2003 (523 (Senior Prison Officers)+1527 (Prison Officer)+205 (Civilian)=2255)

Table 4**Probation and Parole Numbers and Rates, Asia and the Pacific, mid 2003**

Territory	Offenders serving Probation Orders*	Probation Rate (per 100 000 population)	Offenders serving Parole Orders	Parole Rate (per 100 000 population)
Australia	40 410	204.9	8 499	43.1
Canada ¹	101 915	327.9	9 015	29.0
Fiji	46 ²	5.9	5 ³	0.6
Hong Kong (China)	4 031	59.1	2 922	42.9
India ⁴	---	---	12 671	1.2
Indonesia	375	0.2	5 451	2.6
Japan ⁵	15 797	12.4	7 130	5.6
Kiribati	3	3.6	34	40.2
Macao (China)	114	25.7	114	25.7
Mongolia	---	---	1 316	53.2
New Zealand	21 044	524.9	1 548	38.6
Pakistan (figures related to State of Jammu and Kashmir only)	30	1.2	10	0.4
Philippines	---	---	60 705	79.4
Singapore			864 ⁶	20.8
Sri Lanka	---	---	44	0.2
Thailand	523 662	833.9	22 073	35.1
Vanuatu	---	---	35	17.5

* including community Services Orders

¹ refers to 2001 – 2002

² refers to Extra-mural Punishment

³ refers to Compulsory Supervision Order

⁴ refers to 31.12.2000

⁵ refers to 31.12.2002

⁶ refers to Community Based Sentencing and Community Based Rehabilitation Programmes

Appendix C

CONFERENCE PROGRAMME

(7 Dec) Sunday

- 1400-1600 Registration
1530-1600 Finance Committee Meeting @ Room 1109, *Hong Kong Scout Centre next to BP International House*
[Dress: Lounge Suit]
1600-1730 Governing Board Meeting @ Room 1109, *Hong Kong Scout Centre*
1800-2000 Welcome Cocktail @ Congregation Hall, 11/F, *Hong Kong Scout Centre*
[Dress: Lounge Suit]

(8 Dec) Monday

- 0815-0845 Registration
0845-0930 Opening Ceremony & Group Photo @ *Gordon Wu Hall, BP International House*
[Dress: Lounge Suit]
0930-1015 Break
1015-1115 Conference Business Session
1115-1230 Plenary Session (Agenda Item 1) – National Report on Contemporary Issues in Corrections
1230-1400 Buffet Lunch @ *Coffee Shop, BP International House*
1400-1530 Plenary Session (Agenda Item 1)
1530-1600 Break
1600-1700 Plenary Session (Agenda Item 1)
1845 Cocktail Reception @ *Foyer, Gordon Wu Hall, BP International House*
1930-2215 Welcome Dinner @ *Gordon Wu Hall, BP International House*
[Dress: Lounge Suit / National Dress]

(9 Dec) Tuesday

- 0900-1030 Plenary Session (Agenda Item 2) – Dealing with Prisoners' Complaints and Grievances @ *Gordon Wu Hall, BP International House*
[Dress: Smart Casual]
1030- 1100 Break
1100-1230 Plenary Session (Agenda Item 2)
1230-1400 Set Lunch @ *Coffee Shop, BP International House*
1400-1530 Plenary Session (Agenda Item 3) – Promoting Desirable Prison Officer Culture and Behaviour
1530-1600 Break
1600-1700 Plenary Session (Agenda Item 3)
1745-2200 Sea-Cruise-cum-Dinner @ *Rainbow Seafood Restaurant, Lamma Island*
[Dress: Smart Casual]

(10 Dec) Wednesday

- 0830 Depart for Officers' Club, Stanley
0915-1045 Workshop 1 – Prison Industry Partnerships
Workshop 2 – Training and Succession Planning for Senior Correctional Managers @ *Officers' Club*
[Dress: Smart Casual]
1045-1100 Break
1100-1200 Visit to Pak Sha Wan Correctional Institution
1200-1430 Stanley Market Tour & Lunch @ *The China House, Stanley Plaza*
1430-1600 Visit to CSD Museum and Staff Training Institute with Demonstration of Anti-riot Drill
1600 Depart for hotel
1800-2200 *Horse-Racing-Night-cum-Dinner @ Happy Valley Racecourse*
[Dress: Lounge Suit]

(11 Dec) Thursday

- 0900 Depart for Lantau
1015-1200 Visit to Shek Pik Prison, Sha Tsui Detention Centre & Lai Chi Rehabilitation Centre *[Dress: Smart Casual]*
1200-1330 Vegetarian Lunch @ *Po Lin Monastery*
1330-1430 Sightseeing
1430 Depart for hotel
1545-1830 Free
(1600-1700) Agenda Committee Meeting @ *Room 1109, Hong Kong Scout Centre*
1830 Depart for Queen Elizabeth Stadium Wanchai
1900-2130 Cocktail & Musical Rally - A Talent Concourse
[Dress: Lounge Suit]
2130-2300 Late Night Refreshment @ *Eighteen Brook Cantonese Cuisine*

(12 Dec) Friday

- 0900-1030 Plenary Session (Agenda Item 4) – Major Prison Disturbances: Causes and Responses @ *Gordon Wu Hall, BP International House*
[Dress: Lounge Suit]
1030-1100 Break
1100-1200 Conference Business Session
1200-1230 Closing Ceremony
1230-1400 Buffet Lunch @ *Coffee Shop, BP International House*
1400-1730 Free
1800-2130 Farewell Dinner @ *Officers' Club*
[Dress: Smart Casual]
2130 Depart for hotel

(13 Dec) Saturday

Departure of delegates

Appendix D

Discussion Guide for the 23rd Asian and Pacific Conference of Correctional Administrators, Hong Kong, China December 2003

David Biles¹

This Discussion Guide has been prepared in order to assist the preparation of background papers for the 23rd Asian and Pacific Conference of Correctional Administrators which is scheduled to be held in Hong Kong, a Special Administrative Region within the People's Republic of China, from 7 to 12 December 2003. (The abbreviated title of the conference is: 23rd APCCA Hong Kong)

The APCCA held its first meeting in 1980 and its most recent meeting was in October 2002 in Denpasar, Indonesia. Meetings of APCCA are attended by senior correctional officials and observers from 20 or more nations in the region. They represent nearly one half of the total population of the world.

Between 1980 and 2002 the APCCA has developed a number of traditions, one of which is that conference delegates prepare papers on each of the substantive agenda items selected for discussion. The papers are generally used as a basis for the presentations to the conference (even though it is not customary for them to be read in full to the assembled conference), and they have also been used to assist with the training of senior correctional staff in some nations in the region. Some of the national discussion papers are also published on the APCCA Internet web site (www.apcca.org) when specific approval has been given.

At the 16th APCCA in New Zealand in 1996 it was agreed that there would be a slight change in the format of the conference in the following year in order to provide more time for discussion and the exchange of views. Specifically, it was agreed that the first agenda item should be a national report from each delegation covering any matters of current interest in each nation or territory. All delegations would be expected to produce a written report and also to address the conference for up to 10 minutes on their reports. (At the 23rd APCCA in Hong Kong, the Conference Chair will be expected to strictly enforce the 10 minute time limit to ensure that all delegations have an equal opportunity to present their views.)

Three other conference agenda items would also be specified and, while all delegations would be asked (if appropriate) to prepare papers on each of these items, they would be asked to formally address the conference on only one of these three items. Thus all delegations will be

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given two opportunities to make formal presentations to the conference, and all will have adequate time to ask questions and enter into discussions. This format was followed at all of the conferences in recent years and has met with the general approval of the delegates.

It is therefore requested that for agenda items 2, 3 and 4, the national discussion papers clearly indicate if these items are regarded as high, medium or low priority. It is also requested that participants offering to accept the responsibility to lead one or more of the specialist workshops, listed below, inform the conference organiser of these offers as soon as possible.

At all recent conferences the national discussion papers have been copied by the conference hosts and circulated to all delegates in attendance. It has been observed by many delegates that the collection of national papers is so informative and factual that it constitutes an invaluable reference for penal policy in the Asia and Pacific region. A small number of participating nations have in recent years included in their national papers documentation that has been prepared for other purposes and may have been published elsewhere. This practice is not to be encouraged and the host nation has the right to decide not to reproduce such extraneous material.

As indicated in previous Discussion Guides the papers themselves need not be very long, the actual length being entirely a matter for individual delegates to decide, but it is common for papers from each nation to include an introductory statement which presents the basic facts about the relevant correctional system. This might include information on the numbers of prisoners, prisons and staff, and also describe any recent changes in general policy or practice. (In order to facilitate the copying of papers for distribution it is suggested that if possible they be prepared on plain paper approximately the same size as this Discussion Guide.)

At the 22nd APCCA in Denpasar, Indonesia, the delegates proposed a large number of possible agenda items for the next conference in Hong Kong. The list of suggested items was initially considered by an ad hoc Agenda Committee and later considered by the full assembly of conference delegates. The full conference approved the four agenda items which are outlined in the following pages.

In addition to the four agenda items, the last three meetings of APCCA in 2000, 2001 and 2002, have also included specialist workshops, and these have proved to be very popular. The ad hoc Agenda Committee decided that in 2003 there would be two such workshops, probably held simultaneously, focussing on the subjects listed below. The suggested subjects are:

1. Prison Industry Partnerships

and

2. Training and Succession Planning for Senior Correctional Managers

Participation in these workshops will be optional and national papers are not expected to cover these topics. New Zealand has already offered to present the first of these workshops and the conference host will no doubt be interested to hear from nations that would like to take the

responsibility for the other topic.

As far as the preparation of national reports is concerned, this document is no more than a guide to some of the issues that may be discussed in relation to each agenda item. Delegates should feel free to put their own interpretations on the items. Also, it is recognised that not all of the issues will be equally relevant to all of the nations participating in the conference.

1. National Report on Contemporary Issues in Corrections

As indicated above, this agenda item was selected in order to provide an opportunity for conference delegates to report on and discuss any matters of current interest in correctional policy and practice in their own nations or territories. Therefore, the contents of reports are entirely at the discretion of each delegation. However, it is very useful if reports include an outline of trends in crime and in prison populations, and (if relevant) trends in community-based correctional populations.

In providing these basic facts it is also helpful if explanations are given of the correctional statistics which are supplied separately. For example, in federated nations it would be helpful to know if offenders held in provincial or local jails, including police facilities, are counted in the total numbers of prisoners that are reported for each nation. (It is specifically requested that in federated nations an effort be made to provide a general national picture of the use of custody or detention so that valid comparisons can be made with mono-jurisdictional nations.) Similarly, it would be of interest to know if persons accused of committing offences and who are held in custody (perhaps known as remandees, detainees or on-trials) are counted as prisoners. The same question arises in relation to persons serving periodic or weekend detention orders.

Furthermore, relevant details of the *structure* or *composition* of prison populations would be of interest, particularly if any changes or trends have been noticed. For example, are there any changes in the proportions of the total prison populations who are identified as female, indigenous, foreigners, etc.? Is the average age of prisoners increasing? Are there more prisoners serving sentences for particular types of crimes, such as crimes of violence or drug offences? And, are there proportionately more or fewer prisoners who have special needs, such as the need for medical isolation because of infectious disease, or the need to be protected from other prisoners.

It would also be appropriate if national reports prepared for this agenda item referred to any new or proposed legislation which has had, or may have in the future, an impact on the size of prison populations. Legislation abolishing the granting of remissions to prisoners for good conduct and industry, for example, has in some jurisdictions had a major impact on the total number of prisoners, but this has not always been the case. It would be of interest to know if legislation of this type was seen as reflecting the attitudes of the general public who may demand that offenders must be seen to be severely punished. Any other legislative changes or proposals, such as proposals for treaties facilitating the international transfer of prisoners or the introduction of private prisons, whether or not they have an impact on the total number of

prisoners, might also be outlined in the national reports.

National reports may also provide details of any new treatment or training programs that have recently been introduced or are being planned. Of particular interest here would be programs which aim to correct specific types of offending behaviour, such as drug and alcohol treatment programs, sex offender programs, anger management counselling, and new approaches to dealing with intoxicated and other irresponsible driving of motor vehicles. If any programs of this type have been evaluated, either internally or by external consultants, the results of such evaluations would be of considerable interest.

Any issues relating to staffing may also be considered appropriate for mention in national reports. For example, is it difficult to attract and retain suitable people to work in prisons (and community corrections), what type of pre-service training is provided, and is in-service training also arranged? The negotiation of staff pay scales and working conditions and the influence of correctional staff unions, particularly if there have been recent changes, may be of particular interest to delegates at the conference.

It is suggested that national reports should make reference to current problems and challenges, as well as to positive or successful initiatives, and therefore it would be appropriate for reports to mention matters which are causing concern, such as overcrowding, escapes, deaths in custody, etc.. For each of the problem areas it may also be possible for information to be provided on approaches or initiatives that have been, or will be, introduced to resolve these problems, in either the short or long term.

Finally, while it is suggested that national reports should primarily focus on the general picture of correctional administration in each nation or territory, reference may also be made to some of the specific issues which are scheduled for consideration under later agenda items. In other words, a subject need not be excluded from the national report simply because it is discussed in more detail under a separate agenda item.

In summary, it would be helpful if national reports referred to:

- trends in crime, public attitudes and sentencing,
- changes in the size and composition of prison populations,
- (where relevant) non-custodial measures and their use,
- legislation, if any, relevant to corrections,
- new treatment or training programs and their effectiveness,
- correctional staffing issues,
- challenges, problems and proposed solutions, and
- attitudes of politicians and government officials to crime and criminal justice.

2. Dealing with Prisoners' Complaints and Grievances

The way in which prison staff respond to prisoners' complaints and grievances may well be relevant to the other two substantive agenda items which focus on prison officer culture and the causes and responses to major prison disturbances. An unacceptable prison officer culture and a high incidence of major prison disturbances may be associated with, or made worse by, a general failure to deal with prisoners' complaints and grievances in an effective and humane manner. It is therefore appropriate to consider this item before the other two.

The subject of prisoners' complaints and grievances has been mentioned many times in previous conferences of the APCCA, but on only one occasion, in Beijing in 1991, has the subject been formally listed as an agenda item. On that occasion, the relevant agenda item was defined as "Discipline and Grievance Procedures" and therefore was not exactly comparable with the item on the current conference agenda.

In the past twenty or thirty years it has become increasingly recognised around the world that prisoners still retain most of the basic human rights that are enjoyed by free citizens in the community. Prisoners certainly lose those rights that are directly associated with imprisonment, such as the freedom of movement, but freedom of religion, freedom of thought, and freedom to make complaints, are retained.

This does not mean that issues about which prisoners complain, or express their grievance, will necessarily be resolved to their satisfaction, but it does mean that procedures must be in place to ensure that complaints are listened to and investigated in an appropriate manner. Prisoners are often satisfied if they believe that their complaints are taken seriously, even if the particular issues about which they feel aggrieved are not resolved.

Prison rules and regulations generally include provisions for prisoners to complain first of all to a more senior officer if they believe they have been treated unfairly or unjustly by an officer of lower rank. These provisions may also allow an aggrieved prisoner to take his or her complaint to the Governor or Director of the prison. Some jurisdictions, such as Hong Kong (China), have established specialist Complaints Investigation Units in order to ensure that all complaints are dealt with professionally and expeditiously.

In recent years, however, other jurisdictions have put in place procedures whereby aggrieved prisoners may present their complaints to persons or organisations which are external to, and independent of, the official prison system and its staff. A number of Western nations have adopted the Scandinavian idea of an Ombudsman, sometimes called Parliamentary Commissioner, as a senior public official who has the authority to investigate and report on complaints by citizens, including prisoners. All Australian jurisdictions, and New Zealand, for example, have Ombudsmen whose authority includes dealing with complaints by prisoners as well as free citizens. It is common in these jurisdictions for prisoners to be one of the largest groups of complainants dealt with by Ombudsmen.

The person holding the office of Ombudsman generally responds to complaints from prisoners

by presenting the basic facts to the relevant prison officials with a request for information about the issue and the steps taken to ensure that it was resolved. He may conduct personal interviews with prisoners and staff but in most cases will make a decision based on the written records. If the Ombudsman is not satisfied that a complaint has been handled appropriately, he or she may issue a public report about the matter and require that the report is tabled in the Parliament. Thus, an Ombudsman has a very powerful weapon to use if he or she does not receive the level of co-operation expected.

Other structural arrangements for responding to prisoners complaints include the use of official Prison Visitors, who may be volunteers, or may be judicial officers, such as Magistrates or Justices of the Peace. Under these arrangements the visitors may receive complaints which they generally report to the senior prison management for investigation and resolution. In some jurisdictions, prisoners also have the right to send uncensored letters containing complaints or allegations to Members of Parliament.

In the People's Republic of China, the writer has seen the provision of locked post boxes in prisons which can be used by prisoners to send uncensored letters with complaints or suggestions to: a) the officer in charge of the wing, b) the Director of the institution, c) the Director General of the Corrections Department, or, d) the Procurator-General, an independent and very senior public official.

Whichever approach or structural arrangement is used for responding to prisoners' complaints and grievances, as indicated above, it is most important that prisoners believe that they are listened to and their views are taken seriously. If this is not achieved it is likely that the unavoidable frustrations of being in prison will be increased and the result may well be increased levels of disruptive behaviour, violence (against other prisoners and against staff) or suicide and self harm. It is possible that these consequences could occur at the same time.

It is suggested that national papers on this agenda item describe the procedures that are in place in each jurisdiction for responding to prisoners' complaints and grievances, and indicate whether any changes are being considered. Also, if possible, it would very interesting to hear of any estimates of the extent to which these procedures are viewed as satisfactory by prisoners.

3. Promoting Desirable Prison Officer Culture and Behaviour

The concept of 'prison officer culture' may be difficult to translate into the many languages that are used by participants at Asian and Pacific conferences. In essence, it refers to the general attitudes, values or beliefs, and unwritten rules of behaviour of the custodial staff who work in prisons. It is an important concept for correctional administrators as the prevalent prison officer culture may either significantly assist or significantly undermine efforts that may be made to run an efficient, effective and professional correctional service.

For example, some prison officers may see their main task as essentially to enforce the punishments that are imposed on offenders for breaking the law. They would certainly ensure

that prisoners did not have an opportunity to escape and they would impose strict discipline, but they would not see themselves as responsible in any way for the rehabilitation of offenders. Nor would they accept that prisoners retain a number of basic human rights. This could be described as a negative prison officer culture.

In contrast, a positive prison officer culture would be one in which the staff are well trained and professional in carrying out their duties. While they recognise that they are responsible for the safe custody and security of prisoners, they also enthusiastically co-operate with other staff such as social workers, psychologists and education officers in order to reduce the probability of the offenders re-offending, and they respect the human rights of persons in custody.

There may, of course, be a number of intermediate positions between these two extremes where prison officers show some positive and some negative attitudes towards their work. In these cases, it will be necessary for the leadership to take whatever steps it can to encourage the adoption of more positive attitudes.

The most important factor contributing to prison officer culture may well be the selection, training and career development of staff, but many other factors may also be relevant. Salary levels, promotional opportunities, the type of uniforms provided, and the management style of the senior administrators may all contribute to prison officer culture. As indicated in the discussion of the previous agenda item, the way in which prisoners' complaints are dealt with may depend, to a significant extent, on the prison officer culture.

A poor or unacceptable prison officer culture could be indicated by low staff morale, and it is likely to be associated with high levels of sick leave, a reluctance to work overtime, less than perfect cleanliness, poor punctuality, and a general lack of enthusiasm to do the job. Exactly the opposite indicators are likely to be associated with a positive prison officer culture.

Relevant questions that might be considered in the preparation of national papers on this agenda item include:

- What steps are taken to ensure that prison officer culture is as positive as possible in your system?
- Is the predominant prison officer culture good, bad or varied in your correctional system?
- Does the prison officer culture vary between different prisons? and
- If it is different in different prisons, what factors seem to be associated with positive or negative cultures?

4. Major Prison Disturbances: Causes and Responses

It is probably true to say that major prison disturbances are more common in the United States, in some of the nations in South America, and in Northern Ireland, than they are in Asian and Pacific nations. Nevertheless, serious disturbances have occurred in prisons in this part of the world, and may well re-occur in the future. Fortunately, they are rare events but some, possibly most, of the administrators at the conference will probably have had first hand experience of strikes by prisoners, riots, fires, and loss of control by staff, possibly involving prisoners taking hostages.

The discussion of this topic provides an opportunity for administrators to consider one aspect of an increasingly challenging future as it is possible that problems of safe custody will increase if prisons end up accommodating more prisoners found guilty of politically motivated violence or terrorism. As Fiji noted in 2001, such prisoners may be less co-operative and more dangerous than the majority of non-political prisoners.

Research into prison disturbances in the United States has produced two major findings which may also be relevant to the Asia and Pacific region. In the first place it has been found that the underlying causes of prison riots are often not the same as the grievances which are expressed by the rioting prisoners. For example, prisoners may say that they are striking or rioting as a protest about the quality of the prison food, but close questioning reveals that the real causes were the operation of the parole system, access to visitors, or some other less obvious reason.

Secondly, the American experience has shown that prison disturbances are highly "contagious", or likely to spread or be copied, as shown by the fact that when a prison riot occurs in one part of the nation there are likely to be riots in other parts of the nation. The probable explanation for this is that news of prison disturbances, especially on the radio, is likely to provoke intense interest and excitement in other prisoners who are thus prompted to behave in a similar manner.

To reduce the possible spread of disturbances between institutions, the wardens of federal penitentiaries in the United States are required to inform all other institutions of disturbances as soon as they occur. Steps can then be taken to prepare for disturbances by, for example, tightening security or increasing staff levels. Contagion could also possibly be avoided by denying prisoners access to the media and also denying them the right to have visitors or write and receive letters, but such restrictions would almost certainly be seen as a denial of basic human rights.

The most obvious long-term approach to preventing prison disturbances is to do everything possible to remove the systemic causes or grievances, but, as indicated above, this may be more complex than it seems. All experienced prison officers, however, develop the ability to assess the mood of a prison and therefore predict when disturbances or escapes are likely to occur. In some prisons, this "sixth sense" of staff has been formalised into Intelligence Units comprising small numbers of experienced officers whose task it is to collect information that would enable them to take action against disturbances before they occur.

One of the actions that can be taken by prison managers to prevent disturbances is to remove prisoners who are seen as "trouble-makers" to different locations, including different institutions. This may provide a short-term solution (and may help to prevent the formation of gangs) but it does not eliminate the underlying causes of grievance.

Apart from long-term preventive action, a professional prison service will also have plans ready for the steps that should be taken if disturbances do occur. These contingency plans will include guidelines for the use of riot or emergency squads of specially trained prison officers. The officers in these squads may have access to incapacitating gas or sprays, stun grenades and other sophisticated equipment that would be used only in extreme circumstances.

The plans should also make provision for the use of trained negotiators, especially if hostages have been taken, and they should also specify when it is appropriate for the police or armed defence personnel to be called in. In addition, it will be necessary to have arrangements in place with fire and ambulance services to respond when required. An effective, coordinated and timely response may also depend on the design of the prison in question and may be enhanced by modern technology.

National papers on this agenda item may provide outlines of contingency plans for the control of prison disturbances (without revealing confidential material) and they may also indicate what are understood to be the likely causes of disturbances in each jurisdiction. It is recognised that the possible causes of disturbances may cover many different aspects of correctional management, but it would be valuable to have an indication of any specifically regional factors. This is also a topic upon which there is potential for developing greater regional collaboration on risk management strategies.

Appendix E

Summary of Substantive Agenda Items at Conferences No. 1 to 23

1. Hong Kong, 1980
 - 1) Trends and Problems
 - 2) Alternatives to Imprisonment and Effects of Prison Management
 - 3) Management Services
 - 4) Sixth UN Congress – Implications for Asia Pacific

2. Thailand (Bangkok), 1981
 - 1) Prison Industry
 - 2) Remands
 - 3) The Status of Prison Officers and Human Rights
 - 4) Prisoners Exchange Arrangements in Asia and the Pacific
 - 5) The Problem of Drug Offenders in the Prisons of Asia and the Pacific

3. Japan (Tokyo), 1982
 - 1) Staff Development
 - 2) Release under Supervision
 - 3) Vocational Training
 - 4) Classification and Categorisation of Prisoners

4. New Zealand (Wellington), 1983
 - 1) Developing Public Awareness in Corrections
 - 2) Novel and New Problems and Programmes in the Regions
 - 3) Young Offenders in Corrections
 - 4) The Problem of Drug Offenders in Prison
 - 5) Prison Health Services
 - 6) Prison Industries

5. Tonga, 1984
 - 1) The Use of Technology in Prisons
 - 2) The Role of Volunteers in Prisons in Relation to Programmes for Inmates
 - 3) Problem for the Physically and Mentally Handicapped in Prison
 - 4) Mechanism Used by Various Jurisdictions to Monitor Crime and Incident Rates in Prisons
 - 5) The Definition of Recidivism

6. Fiji (Suva), 1985
 - 1) Investigations of Incidents in Prisons
 - 2) Facilities and Programmes for Female Prisoners Including Those Inmates with Children

- 3) Extent and Use of Minimum Force in Prisons
 - 4) Recruitment and Development Training
 - 5) Changing Responsibilities of Correctional Administrators
7. Republic of Korea (Seoul), 1986
 - 1) Remandees: Management, Accommodation and Facilities
 - 2) Draft Standard Minimum Rules for the Treatment of Prisoners
 - 3) Educational Opportunities in Prison with Particular Reference to Primary and Reintegrative Education
 - 4) International Transfer of Prisoners within the Asian and Pacific Region
 - 5) Providing Employment for Inmates
 8. Malaysia (Kuala Lumpur), 1987
 - 1) Counter Measure to Overcrowding in Prisons
 - 2) Work Release and Associated Matters
 - 3) Effective Links between Prison Industry and the Private Sector
 - 4) Impact on Prison Management of External Monitoring
 - 5) Regional Co-operation for Training of Prison Officers
 9. Australia (Sydney and Melbourne), 1988
 - 1) Trends and Patterns in Penal Populations: Size, Composition, Type and Characters
 - 2) Inter-agency Cooperation within the Criminal Justice System, namely between Corrections and Other Agencies
 - 3) Safeguarding Human Rights within the Penal System
 - 4) The Media, its Power and Influence upon Corrections System
 10. India (New Delhi), 1989
 - 1) Current Penal Philosophy
 - 2) Current Alternatives to Prison
 - 3) Changing Work Role of Prison Staff
 - 4) Current Crisis Management Techniques
 11. China (Beijing), 1991
 - 1) Correctional Statistics, Research and Development
 - 2) Prison Education, Training and Work
 - 3) Discipline and Grievance Procedures
 - 4) Prison and the Community
 12. Australia (Adelaide), 1992
 - 1) Prison Health Issues
 - 2) New Developments in Community Corrections
 - 3) Private Industry and Prison Management
 - 4) International Co-operation in Corrections

13. Hong Kong, 1993
 - 1) Rights and Treatment of Unconvicted Prisoners
 - 2) The Effective Treatment of Different Types of Offenders
 - 3) Public Awareness and Support for Corrections
 - 4) International Co-operation in Corrections

14. Australia (Darwin), 1994
 - 1) Management of Intractable and Protection Prisoners
 - 2) The Application of Technology and Information Systems in Corrections
 - 3) Care and Control of Minority Groups in Prison
 - 4) Staffing and Management Systems in Corrections

15. Japan (Tokyo and Osaka), 1995
 - 1) Prison Health Issues
 - 2) Contemporary Issues in Correctional Management
 - 3) Classification and Treatment of Offenders
 - 4) Impact of External Agencies on Correctional Management

16. New Zealand (Christchurch), 1996
 - 1) Community Involvement in Corrections
 - 2) Provision of Food and Health Services in Prisons
 - 3) Special Issues Relating to the Management of Female Offenders
 - 4) International Co-operation at the Global, Regional and Sub-Regional Levels

17. Malaysia (Kuala Lumpur), 1997
 - 1) National Report on Contemporary Issues
 - 2) Vocational Training and the Work of Prisoners
 - 3) Private Sector Involvement in Corrections
 - 4) Prison Staff: Recruitment, Training and Career Development

18. Canada (Vancouver), 1998
 - 1) National Report on Contemporary Issues in Corrections
 - 2) Best Practice in the Treatment of Offenders
 - 3) Creating and Sustaining the Interest of the Community and Government in Corrections
 - 4) The Application of Technology to Prison Design and Management

19. China (Shanghai), 1999
 - 1) National Report on Contemporary Issues in Corrections
 - 2) The Corrections or Re-education of Young Offenders
 - 3) Defining and Clarifying the Role and Functions in Prisons with a View to:
 - a) Reducing Recidivism
 - b) Reducing the Negative Impact of Prison on the Families of Convicted and Unconvicted Criminals; and
 - c) Enhancing the Use of Community Corrections

- 4) Corrections in the New Millennium: Challenges and Responses
20. Australia (Sydney), 2000
 - 1) National Report on Contemporary Issues in Corrections
 - 2) Women Prisoners
 - 3) Community Involvement in Corrections
 - 4) Health Issues in Corrections
 21. Thailand (Chiang Mai), 2001
 - 1) National Report on Contemporary Issues in Corrections
 - 2) Foreign Prisoners and International Transfer
 - 3) Drug Offenders – Psychological and Other Treatment
 - 4) The Management of Special Groups of Offenders
 22. Indonesia (Denpasar, Bali), 2002
 - 1) National Report on Contemporary Issues in Corrections
 - 2) Outsourcing of Correctional Services
 - 3) Recruitment, Training and Career Development of Correctional Staff
 - 4) The Reception and Classification of Prisoners as the Key to Rehabilitation
 23. Hong Kong, 2003
 - 1) National Report on Contemporary Issues in Corrections
 - 2) Dealing with Prisoners' Complaints and Grievances
 - 3) Promoting Desirable Prison Officer Culture and Behaviour
 - 4) Major Prison Disturbances : Causes and Responses

Appendix F

Summary of Specialist Workshop Items at Conferences No. 21 - 23

1. Thailand (Chiang Mai), 2001
 - 1) Correctional Throughcare
 - 2) Indigenous Offenders & Restoration Justice

2. Indonesia (Denpasar, Bali), 2002
 - 1) Correctional Standards, Service Quality, Benchmarking and Risk of Reoffending
 - 2) Community Participation and Engagement in Corrections

3. Hong Kong, 2003
 - 1) Prison Industry Partnerships
 - 2) Training and Succession Planning for Senior Correctional Managers

Appendix G

Report on Administration of Asian and Pacific Conference of Correctional Administrators Fund for the period from 1 October 2002 to 30 September 2003

Introduction

At the 17th Asian and Pacific Conference of Correctional Administrators (APCCA) held in Malaysia, the full Conference agreed to establish a fund in the name of APCCA to provide a small fee and administrative expenses to the Co-ordinator who had been supporting APCCA on an honorary basis.

Administration of the Fund

The Hong Kong Correctional Services Department was appointed the Administrator of the Fund. All expenditure above a nominal amount of US\$1,000 would need prior approval of two members of the APCCA Finance Sub-committee. The financial statements of the Fund would be tabled at the APCCA meetings.

During the 22nd APCCA Conference held in Denpasar, Indonesia, from 13 to 18 October 2002, the Conference resolved that a donation of US\$10,000 be made from the APCCA Fund to the Balinese victims of the bombing tragedy of 12 October 2002.

Pursuant to the above resolution, a sum of US\$10,000 from the APCCAFund was sent via telegraphic transfer on 30 October 2002 to the bank account “posko penanganan kasus 12 Oktober 2002”, which was an official account appointed by the Indonesia Government to receive financial aid to the victims of the bomb blast.

An honorarium of US\$2,500, as a one-off offer, to Dr Neil Morgan for his work for the 22nd APCCA as Co-rapporteur and an annual honorarium of US\$7,500 to Professor Biles as Rapporteur for the year 2003 were given in October 2002 and July 2003 respectively according to the decisions made by the two Finance Sub-committee meetings held in 2001 and 2002.

In addition, the sum of US\$1,095, including the telegraphic transfer handling charge, due to the Singapore Prisons Department for the ongoing development and maintenance of APCCA Website 2002/2003 and the reimbursement of APCCA Newsletter production for December 2002 issue and May 2003 issue was paid in September 2003.

Contribution

While contributions from any jurisdictions would be welcome, it was agreed in the previous Conferences that the following scheme of voluntary contributions should continue: -

Australia (New South Wales, Queensland, South Australia, Western Australia, Victoria) (US\$1,000 from each mainland state)	=	US\$5,000
Canada, Japan, New Zealand, Singapore (US\$3,000 each)	=	US\$12,000
Brunei, Hong Kong, India, Korea, Malaysia (US\$1,000 each)	=	US\$5,000
	Total	US\$22,000

Progress and Results

The Fund was established in December 1997 and an account was opened in the name of APCCA at the Hongkong and Shanghai Banking Corporation Limited.

For the year ended 30 September 2003, a total of US\$18,961 agreed contributions were received. In addition, a sum of US\$7,850, being voluntary contributions by Australia (Australian Capital Territory and Northern Territory), China, Fiji, Kingdom of Cambodia, Macau, Mongolia, Philippines, Solomon Islands and Thailand was received. Thus total contributions amounted to US\$26,811. Total expenditure, including the telegraphic transfer handling charge, for the year was US\$21,095. After deducting a bank charge of US\$58 and taking into account bank interest income of US\$6, there was a surplus of US\$5,664 for the year. With a balance of US\$48,338 brought forward from the previous year, the Fund had an accumulated surplus of US\$54,002 as at 30 September 2003. Please refer to the attached financial statements for details.

Vote of Thanks

I wish to express my appreciation to those jurisdictions that have contributed to the Fund especially in these difficult financial times for the region. Members' support will place the APCCA on a much firmer footing than it has ever been in the past. I sincerely hope that members will continue their support to the APCCA Fund in future years by contributing generously.



(Kelvin S Y PANG)
Commissioner of Correctional Services, Hong Kong
18 November 2003

Asian and Pacific Conference of Correctional Administrators (APCCA) Fund
Balance Sheet as at 30 September 2003

	Note	2003	2002
Assets		US\$	US\$
Cash at bank	4	53,025	48,331
Contribution receivable	5	976	-
Interest receivable		<u>1</u>	<u>7</u>
		<u>54,002</u>	<u>48,338</u>
		<u><u>54,002</u></u>	<u><u>48,338</u></u>

Representing

Accumulated Fund:

Accumulated Surplus

(i) As at beginning of the year		48,338	37,168
(ii) Surplus for the year		<u>5,664</u>	<u>11,170</u>
		<u>54,002</u>	<u>48,338</u>
		<u><u>54,002</u></u>	<u><u>48,338</u></u>

Asian and Pacific Conference of Correctional Administrators (APCCA) Fund
Income and Expenditure Statement
for the period from 1 October 2002 to 30 September 2003

Income	Note	US\$	2003 US\$	2002 US\$
Contributions Received	1			
<i>(a) Requested Contributions Received</i>				
Australia				
New South Wales		1,000		
Queensland		1,000		
South Australia		1,000		
Victoria		1,000		
Western Australia		1,000		
Brunei		980		
Canada		3,000		
Hong Kong		1,000		
Japan		3,000		
Korea		1,000		
Malaysia		981		
New Zealand		3,000		
Singapore		1,000		
Sub-total		1,000	18,961	18,961
<i>(b) Additional Contributions Received</i>				
Australia				
Australian Capital Territory		985		
Northern Territory		1,000		
China		980		
Fiji		961		
Kingdom of Cambodia		983		
Macau		1,000		
Mongolia		280		
Philippines		500		
Solomon Islands		161		
Thailand		1,000		
Sub-total		1,000	7,850	5,457
Total Contributions Received (a + b)			26,811	24,418
Less: Bank Charges			58	32
Actual Amount Received			26,753	24,386
Add: Interest Income	2		6	27
Total Income			26,759	24,413
Less: Expenditure	1			
Donation to Bali Blasts Incident in Indonesia			10,000	-
Honorarium to APCCA Co-ordinator			7,500	10,000
Honorarium to APCCA Co-rapporteur			2,500	-
Ongoing development & maintenance of APCCA Website 2002/2003	3		778	2,928
Reimbursement of APCCA Newspaper production	3		311	315
Telegraphic transfer handling charge	3		6	-
Total Expenditure			21,095	13,243
Net Surplus			5,664	11,170

Notes

1. Contribution and expenditure are accounted for on accrual basis.
2. Interest income is accounted for on accrual basis.
3. Amount comprised :

	US \$
Ongoing development & maintenance of APCCA Website 2002/2003	
US\$1,095.19 X SGD[(1,257.73 + 35.00 + 45.00) / 1883.63]	778
APCCA Newspaper production (December 2002 Issue and May 2003 Issue)	
US\$1,095.19 X SGD[(251.05 + 284.85) / 1883.63]	311
Telegraphic transfer handling charge	
US\$1,095.19 X SGD(10.00 / 1883.63)	<u>6</u>
Total	<u>1,095</u>

4. Cash at bank represents the balance as at 30.09.2003.
5. Contribution receivable

<u>Jurisdiction</u>	<u>Actual Amount Received</u>	<u>Date of Banking</u>
Kingdom of Cambodia	US\$976	21.10.2003

Voluntary Contributions Received (2003)

Jurisdiction	(a) Intended Contribution (US\$)	(b) Overseas Bank Charges (US\$)	(c) = (a) + (b) Actual Amount Received (US\$)	Received on
Australia Australian Capital Territory Northern Territory	985.00 1,000.00	6.42 -	978.58 1,000.00	27.05.2003 13.02.2003
China	980.00	6.42	973.58	19.05.2003
Fiji	961.00	6.42	954.58	19.07.2003
Kingdom of Cambodia	982.70	6.46	976.24	21.10.2003
Macau	1,000.00	-	1,000.00	31.03.2003
Mongolia	280.00	6.42	273.58	15.05.2003
Philippines	500.00	-	500.00	05.02.2003
Solomon Islands	161.00	6.42	154.58	29.05.2003
Thailand	1,000.00	-	1,000.00	22.02.2003
Total	7,849.70	38.56	7,811.14	

**Report on Audit of the Financial Statements of the
Asian and Pacific Conference of Correctional Administrators (APCCA) Fund**

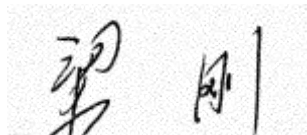
Introduction

At the 18th APCCA held in Canada, the full Conference agreed that a small audit committee comprising the leaders of the current host jurisdiction and the most recent host jurisdiction should review the work of the APCCA Finance Sub-committee and report to the next full Conference. However, as Hong Kong, being the administrator of the APCCA Fund, is also the current host jurisdiction for the 23rd APCCA, China has kindly agreed to take up the auditing role this year.

Opinion

We have audited the financial statements of the APCCA Fund which have been prepared by the Hong Kong Correctional Services Department, the Administrator of the Fund.

In our opinion, the financial statements give a true and fair view, in all material aspects, of the state of affairs of the Fund for the period 1 October 2002 to 30 September 2003.



(LIANG Gang)
China

Date : 7.12.2003



(Adi SUJATNO)
Indonesia

Date : 7.12.2003

Appendix H

APCCA Secretariat Report (October 2002 – November 2003)

for submission to the 23rd APCCA

Summary

1. Established after the 21st APCCA, the APCCA Secretariat is co-hosted by the Hong Kong Correctional Services Department (HKCSD) and the Singapore Prisons Department (SPD) for a term of two years, i.e., from 2001/2002 to 2002/2003. This is the second year for the Secretariat to report its work to APCCA.
2. Shortly after the 22nd APCCA at which the APCCA Joint Declaration was adopted, the APCCA Secretariat issued a letter to those jurisdictions that used to attend APCCA's annual conferences but were not present at the 22nd APCCA, inviting them to become parties to the Joint Declaration. In response to the letter, five more jurisdictions signed to accept the Joint Declaration and become APCCA members. They were Victoria, Queensland and Tasmania of Australia, Macao (China) and Kiribati.
3. HKCSD also assisted Professor David Biles – Rapporteur of 22nd APCCA to finalise the report of the 22nd APCCA.
4. HKCSD continued to produce correctional statistics collected from correctional jurisdictions within the Asia-Pacific Region for the reference of this conference. HKCSD would like to thank Northern Territory of Australia for their assistance in consolidating the statistics for Australia.
5. A 12-page newsletter was produced and distributed to APCCA members by SPD in June 2003. SPD is currently producing the December issue.
6. SPD had taken up the maintenance and supervision of the APCCA website since October 2002. The website had been redesigned and kept up-to-date with newest information including the latest issue of APCCA newsletter, the contact list of APCCA members and participating jurisdictions, etc.
7. The Secretariat takes this opportunity to thank all APCCA members for their contribution to and support for its work in the past year.

APCCA Secretariat Report
(October 2002 –November 2003)

for submission to the 23rd APCCA

This report informs APCCA members of the work done by the APCCA Secretariat within the period from October 2002 up to November 2003.

Background

2. The APCCA Joint Declaration provides for the establishment of the APCCA Secretariat to provide support services to APCCA and to its Governing Board. The main duties of the Secretariat are to serve as a focal contact point between APCCA and its members/other individuals and organisations; produce the APCCA newsletter and operate the APCCA website; implement the resolutions and exercise such powers as authorised by the Annual Conference and/or the Governing Board; and serve as the APCCA Fund Administrator.

3. The Hong Kong Correctional Services Department (HKCSD) and the Singapore Prisons Department (SPD) were appointed by APCCA to co-serve as the APCCA Secretariat at the 21st Annual Conference held in Chiang Mai, Thailand in 2001 for a term of 2 years, i.e., from 2001/2002 to 2002/2003.

4. Based on a cooperative agreement between the two departments, the HKCSD undertakes general administrative duties and liaison work whereas the SPD is responsible for APCCA newsletter publishing and the supervision and maintenance of the APCCA website.

Administrative and Co-ordination Work

5. Shortly after the 22nd APCCA at which the APCCA Joint Declaration was adopted, HKCSD issued a letter to those jurisdictions that used to attend APCCA's annual conferences but were not present at the 22nd APCCA to inform them of the latest developments of APCCA and invite them to become parties to the Joint Declaration. Positive responses were received from Victoria, Queensland and Tasmania of Australia, Kiribati and Macao (China) and they had become members of APCCA on signing the Joint Declaration.

6. Due to communication problems, Professor David Biles – the 22nd APCCA Rapporteur, was unable to engage the host of 22nd APCCA in finalising the 22nd conference report. In light of this, HKCSD being a member of the APCCA Secretariat, assisted in making necessary amendments to the draft report based on the comments of Professor Biles and those he received from Dr Neil Morgan – the Co-rapporteur and the participating countries. Formatted by CSD, the finalised report was sent to the host of 22nd APCCA on

1 April 2003. An electronic copy was also sent to SPD for posting to the APCCA website.

7. HKCSD continued to produce correctional statistics collected from correctional jurisdictions within the Asia-Pacific for the reference of this conference. HKCSD would like to thank Northern Territory of Australia for their assistance in consolidating the statistics for Australia.

APCCA Newsletter Production

8. The APCCA Newsletter is a bi-annual publication for the purpose of sharing and learning amongst correctional counterparts in the Asia-Pacific Region. SPD is privileged to take up the production work since assuming duties as a member of the APCCA Secretariat and had developed its in-house capabilities for the task. The production was carried out at the Changi Women's Prison, where women inmates were trained in knowledge and skills on the entire process of the newsletter production, ranging from design, layout, printing, binding and dissemination, under the supervision of prison officers. SPD recognises that inmates are part of its value chain and such opportunities can help them to develop their skills further.

9. The June issue of this year had been distributed to APCCA members and published on the APCCA website. SPD is currently producing the December issue. Beside articles from SPD, many members had responded to SPD's calls for articles for the newsletter. SPD had also received articles regularly from Canada, Australia, New Zealand, UNAFEI, Thailand and Hong Kong. The good response from members had contributed to a good 12-page newsletter production for the past issues.

10. The Secretariat looks forward to the continued support of the APCCA members in the area of article contributions. We hope many will leverage on this newsletter to share their knowledge and expertise in their Service.

11. Currently, the APCCA fund covers the costs for purchasing printing papers and postage charges for distribution of newsletters. The other overheads, including the cost of inmate labour were absorbed by SPD.

APCCA Web Hosting

12. To facilitate better sharing of information amongst members and promote a wider exposure of the APCCA to the global community, the APCCA Internet website was set up in November 1999 and maintained by the Australian Institute of Criminology (AIC) on behalf of APCCA.

13. With the setting up of the APCCA Secretariat in 2001, SPD was given the privilege to maintain and supervise the APCCA website from October 2002 to December 2003. Since then, SPD has continued the good practice of timely updates (e.g. the

publication of the 22nd APCCA Report, Broadcast of the 23rd APCCA, publication of the 23rd Discussion Guide and updates of the contact information of APCCA members and participating jurisdictions) as previously provided by AIC. The APCCA website has kept the APCCA members as well as diverse groups of interested audience informed and updated on issues/activities pertaining to APCCA.

14. SPD had also redesigned the APCCA website and initiated the publication of the 22nd APCCA Discussion Papers on the website. The publication of the 22nd APCCA discussion papers from a total of 16 countries¹ had definitely promoted the sharing of best practices among correctional administrators.

15. SPD is reimbursed from the APCCA Fund for the engagement of an Internet Service Provider to provide the web hosting service.

Concluding Remark

16. The Secretariat takes this opportunity to thank all APCCA members for their contribution to and support for its work in the past year.

APCCA Secretariat

December 2003

¹ The countries who had given permission for SPD to publish their countries' discussion papers include Australia, Cambodia, Fiji, Hong Kong (China), Indonesia, Japan, Korea, Macao (China), Malaysia, New Zealand, Papua New Guinea, People's Republic of China, Singapore, Sri Lanka, Thailand and Tonga.

Appendix I

National Participation in the Asian and Pacific Conference of Correctional Administrators (1980 – 2003)

	1980 HK	1981 Thailand	1982 Japan	1983 NZ	1984 Tonga	1985 Fiji	1986 Korea	1987 Malaysia	1988 Australia	1989 India	1991 China	1992 Australia
Australia	√	√	√	√	√	√	√	√	√	√	√	√
Bangladesh										√		
Brunei Darussalam						√	√	√	√	√		
Cambodia												
Canada	√	√					√				√	√
China										√	√	√
Cook Islands				√		√		√		√	√	
Fiji		√	√	√	√	√	√					√
Hong Kong	√	√	√	√	√	√	√	√	√	√	√	√
India		√	√		√	√	√	√	√	√	√	√
Indonesia	√			√	√	√	√	√	√		√	√
Japan	√	√	√	√	√	√	√	√	√	√	√	√
Kiribati					√	√	√	√	√			√
Korea, DPR												√
Korea, REP				√	√	√		√	√	√	√	√
Laos							√					
Macao	√		√	√	√	√			√	√	√	√
Malaysia	√	√	√	√	√	√	√	√	√	√	√	√
Mongolia							√			√		
Nepal										√		
New Zealand		√	√	√	√	√	√	√	√		√	√
Pakistan										√		
Papua New Guinea	√		√	√		√		√	√		√	
Philippines	√	√	√				√		√	√		
Samoa	√			√								
Singapore	√	√	√	√	√		√	√	√		√	√
Solomon Islands				√				√	√			
Sri Lanka	√	√	√	√	√	√	√	√	√		√	
Thailand	√	√	√	√	√	√	√	√	√	√	√	√
Tonga	√		√	√	√	√	√	√	√	√	√	√
Tuvalu												
Vanuatu												
Vietnam											√	
TOTAL	14	12	14	17	15	17	18	17	18	17	18	17

	1993 HK	1994 Australia	1995 Japan	1996 NZ	1997 Malaysia	1998 Canada	1999 China	2000 Australia	2001 Thailand	2002 Indonesia	2003 HK
Australia	√	√	√	√	√	√	√	√	√	√	√
Bangladesh	√	√									
Brunei Darussalam	√	√	√	√	√	√	√	√	√	√	√
Cambodia			√	√	√		√	√	√	√	√
Canada	√	√	√	√	√	√	√	√	√	√	√
China	√	√	√	√	√	√	√	√	√	√	√
Cook Islands		√		√							
Fiji	√	√	√	√	√	√	√		√	√	√
Hong Kong	√	√	√	√	√	√	√	√	√	√	√
India	√	√	√	√	√	√				√	√
Indonesia	√	√	√	√	√	√	√	√	√	√	√
Japan	√	√	√	√	√	√	√	√	√	√	√
Kiribati		√						√			√
Korea, DPR		√									
Korea, REP	√	√	√	√	√	√	√	√	√	√	√
Laos					√						
Macao	√	√	√	√	√		√	√	√	√	√
Malaysia	√	√	√	√	√	√	√	√	√	√	√
Mongolia						√	√	√	√	√	√
Nepal		√									
New Zealand	√	√	√	√	√	√	√	√	√	√	√
Pakistan											√
Papua New Guinea				√					√		
Philippines	√	√	√	√	√	√		√	√	√	√
Samoa						√					
Singapore	√	√	√	√	√	√	√	√	√	√	√
Solomon Islands	√				√	√					
Sri Lanka	√				√	√			√	√	√
Thailand	√	√	√	√	√	√	√	√	√	√	√
Tonga								√	√	√	
Tuvalu								√			
Vanuatu				√			√				
Vietnam			√	√	√	√	√	√	√	√	√
TOTAL	19	21	18	21	21	20	18	20	21	21	22

Appendix J

The Asian and Pacific Conference of Correctional Administrators Joint Declaration

Representatives of government agencies and departments responsible for prison or correctional administration from Australia, Brunei Darussalam, Cambodia, Canada, China, Hong Kong (China), Fiji, India, Indonesia, Japan, Republic of Korea, Malaysia, Mongolia, New Zealand, Philippines, Singapore, Sri Lanka, Tonga, Thailand and Vietnam met in Bali, Indonesia on 18 October 2002,

Recalling the long history of development of and sustained cohesion in the Asian and Pacific Conference of Correctional Administrators;

Conscious of the support and personal involvement of senior correctional administrators from states, territories and are as which together share a well-defined geographical identity and represent a sizable world population;

Mindful of the existence of common interests and problems among correctional jurisdictions within the Asia-Pacific Region and convinced of the need to strengthen existing relationships and further co-operation;

Taking into account the differences in the stages of economic development and in the cultural and socio-political systems in the region;

Recognising equality, trust and mutual respect being the basis of communication and co-operation;

Acknowledging the informal nature of the grouping based on the principles of voluntariness and consensus;

Desiring to give the Asian and Pacific Conference of Correctional Administrators a more professional identity;

Do hereby declare as follows:

1. The purpose of the Asian and Pacific Conference of Correctional Administrators (hereinafter referred to as the APCCA) is to provide a forum for government officials responsible for prison or correctional administration within the Asia-Pacific Region to share ideas and practices in the professional area of correctional administration and develop networks aimed at fostering co-operation.

Definitions

2. For the purposes of this Joint Declaration:-
 - (a) “Annual Conference” means the Annual Conference referred to in Paragraph 7;
 - (b) “APCCA Fund” means the APCCA Fund referred to in Paragraph 28;
 - (c) “APCCA Secretariat” means the APCCA Secretariat referred to in Paragraph 19;
 - (d) “Finance Committee” means the Finance Committee referred to in Paragraph 22;
 - (e) “APCCA Fund Administrator” means the APCCA Fund Administrator referred to in Paragraph 31;
 - (f) “Governing Board” means the Governing Board referred to in Paragraph 13; and
 - (g) “Rapporteur” means the Rapporteur referred to in Paragraph 24.

Scope of activities

3. For the purpose stated in Paragraph 1, the APCCA will carry out the following:
 - (a) To organise conferences, seminars and workshops;
 - (b) To promote co-operation and collaborative initiatives between members in areas of common interest;
 - (c) To promote staff exchanges and study visits;
 - (d) To promote best practices;
 - (e) To compile regional correctional statistics; and
 - (f) To conduct any other activities as approved by the Governing Board and/or the Annual Conference.

Membership

4. Membership of the APCCA will be confined to the government agencies and departments responsible for prison or correctional administration within the Asia-Pacific Region.

5. A territory or an area of a sovereign state may participate in the APCCA on its own, subject to the consent of the sovereign state and the endorsement of the Governing Board.

6. Membership in the APCCA entitles a member to vote and to be elected to office.

Organisation

7. There will be an Annual Conference. The host state, territory or area will be responsible for all the activities in the organisation of this Conference.

8. The Annual Conference will be held at such time and place as the Governing Board may determine in consultation with the Annual Conference host.

9. The Annual Conference will be the ultimate authority to govern the affairs of the

APCCA, and may issue guidelines to the Governing Board and the APCCA Secretariat for the operation and management of the APCCA.

10. The Annual Conference has the power to:
 - (a) set policies on directions, programmes, activities and expenditures;
 - (b) decide on practices and procedures;
 - (c) confirm the membership of the Governing Board;
 - (d) appoint Finance Committee members and, in case of joint APCCA Secretariat hosts, the APCCA Fund Administrator;
 - (e) decide on the host(s) of the APCCA Secretariat;
 - (f) endorse the appointment and approve the duties of the Rapporteur;
 - (g) endorse agreed contributions to the APCCA Fund; and
 - (h) consider and adopt or reject the APCCA Fund Administrator's annual report.

11. The host of a current Annual Conference will preside as the Chair at the Annual Conference.

12. The APCCA and its Annual Conference operate by consensus. When a consensus is clearly not possible, decisions may be reached by a simple majority vote of the APCCA members in attendance of the Annual Conference and a declaration by the Chair of the Annual Conference that a resolution has been carried. Each member has one vote and no proxy vote will be allowed. The Chair will cast the deciding vote in case of a tie. APCCA members will endeavour to follow decisions concerning internal matters of the APCCA that are reached by consensus.

13. The governing body of the APCCA will be the Governing Board, which is responsible for:
 - (a) directing all activities relating to the purpose of the APCCA;
 - (b) managing the business of the APCCA as directed by the Annual Conference;
 - (c) providing advice on the APCCA activities and conference business;
 - (d) identifying and recommending suitable APCCA members to host the APCCA Secretariat;
 - (e) identifying and recommending a suitable person to serve as Rapporteur, as required, for the endorsement of the Annual Conference; and
 - (f) recommending agenda items for each Annual Conference.

14. There will be a maximum of 13 Governing Board members, including the Board Chair. The composition of the Governing Board for a particular year will be as follows:
 - (a) Board Chair - the host of the forthcoming Annual Conference will be the Board Chair;
 - (b) Elected membership - there will be four elected members. Each year, there will be an election for one of the four seats;
 - (c) Previous host membership - the previous host membership will consist of the past three consecutive host states/territories/areas of the Annual Conferences previous to the host of the forthcoming Annual Conference;

- (d) Rotating membership - the rotating membership will consist of three reversed alphabetically chosen states/territories/areas attending the current year's Annual Conference; and
 - (e) Secretariat host membership - the APCCA Secretariat host(s) appointed for the period between the current and the forthcoming Annual Conference will be member(s).
15. The Governing Board will hold office from the conclusion of the Annual Conference at which its composition is confirmed until the conclusion of the next Annual Conference.
16. The Governing Board will meet at least once a year at such time and place as the Board Chair may determine.
17. Five Governing Board members will constitute a quorum for the meetings of the Governing Board. The Governing Board will operate by consensus. Where consensus is not reached, decisions of the Governing Board may be made by a simple majority vote of the members present. Each member, regardless of whether he serves on the Governing Board in more than one capacity, will have one vote. The Board Chair will abstain from voting unless there is a tie.
18. The Governing Board may transact business by means other than meetings and a decision by a simple majority of its members will be valid.
19. There will be an APCCA Secretariat to provide support services to the APCCA and to the Governing Board.
20. The APCCA Secretariat will:
- (a) be a focal contact point between the APCCA and its members, and between the APCCA and other individuals and organisations;
 - (b) maintain and distribute the APCCA materials and documents;
 - (c) publish and distribute the APCCA Newsletter;
 - (d) operate the APCCA web site;
 - (e) be the APCCA Fund Administrator;
 - (f) implement the resolutions and exercise such powers as authorised by the Annual Conference and/or the Governing Board; and
 - (g) serve as the secretary to the Governing Board meetings in case the Rapporteur is not available.
21. The Annual Conference will appoint one or two APCCA members to discharge the APCCA Secretariat functions. The appointment will be reviewed every two years.
22. There will be a Finance Committee comprising the APCCA Fund Administrator and two other APCCA members appointed by the Annual Conference. All expenditures above a nominal amount set by the Governing Board will require the prior approval of the APCCA Fund Administrator and one other member of the Finance Committee.

23. There will be a Programme Committee to assist the Annual Conference host in planning conference programmes.
24. There may be a Rapporteur, if required, to serve the APCCA in accordance with a Charter approved by the Annual Conference. His or her duties would be to prepare the discussion guide and compile the report for each Annual Conference and to serve as the secretary to the Governing Board meetings.
25. The appointment of the Rapporteur will be recommended by the Governing Board and endorsed by the Annual Conference.
26. A Rapporteur will serve the APCCA for a fixed term of three years, which upon expiry may be extended once for a period of two years. One year's notice may be given by either the APCCA or the Rapporteur for termination of the appointment.
27. The Governing Board may pay an honorarium to the Rapporteur.

The APCCA Fund

28. The APCCA Fund comprises:
 - (a) agreed contributions from the APCCA members as endorsed by the Annual Conference;
 - (b) voluntary contributions from the APCCA members; and
 - (c) any income as the Governing Board may approve.
29. The APCCA Fund will be applied exclusively for the purpose of the APCCA.
30. The financial year of the APCCA ends on 30 September.
31. The host of the APCCA Secretariat is the APCCA Fund Administrator with the following responsibilities:
 - (a) operation of the APCCA Fund account;
 - (b) calling for annual contributions;
 - (c) acknowledgement of receipt of contributions; and
 - (d) preparation of the APCCA Fund Administrator's Report and financial statement for presentation at the Annual Conference.
32. The APCCA Fund Administrator's Report will be presented to the Governing Board and the Annual Conference. It will be audited by the current Annual Conference host and the host of the previous year's Annual Conference.

Settlement of disputes

33. Any dispute regarding the interpretation or application of this Joint Declaration will be resolved by consultations between the parties to this Joint Declaration.

Signature and acceptance

34. This Joint Declaration will come into effect between the parties signing this Joint Declaration on the date upon their signatures. Any state, territory or area who is a member of the APCCA before the coming into effect of this Joint Declaration may accept this Joint Declaration by signing a registration book deposited at the APCCA Secretariat and this Joint Declaration will come into effect for such a state, territory or area on the date upon its signature.

35. Any other state may accept this Joint Declaration by signing a registration book deposited at the APCCA Secretariat and this Joint Declaration will come into effect for such a state on the date upon its signature.

36. Any other territory or area of a sovereign state may accept this Joint Declaration on its own by signing a registration book deposited at the APCCA Secretariat and completing the procedures set out in Paragraph 5. This Joint Declaration will come into effect for such a territory or an area on the date upon its signature and the completion of the procedures set out in Paragraph 5.

37. For the avoidance of doubt, parties to this Joint Declaration are members of the APCCA.

Withdrawal

38. A party to this Joint Declaration may withdraw from this Joint Declaration and cease to be a member of the APCCA by written notice to the APCCA Secretariat at any time.

39. A party to this Joint Declaration will be deemed to have withdrawn from this Joint Declaration and ceased to be a member of the APCCA for not attending the Annual Conference for five consecutive years. The withdrawal will take effect on the date of the conclusion of the fifth consecutive Annual Conference from which the party is absent.

Amendments

40. Any party to this Joint Declaration may propose amendments to this Joint Declaration. All parties to this Joint Declaration will make every effort to reach a consensus on any proposed amendment. If all parties to this Joint Declaration do not reach a consensus on a proposed amendment, the proposed amendment will be adopted by a simple majority vote of the parties present at the Annual Conference.

41. Any acceptance of this Joint Declaration expressed on or after the coming into effect of an amendment to this Joint Declaration will be deemed to accept the Joint Declaration as amended.

Transition

42. All decisions, practices, procedures and appointments adopted or approved by the APCCA before the coming into effect of this Joint Declaration, which are not contrary to or inconsistent with the provisions of this Joint Declaration, will continue to have effect until such decisions, practices and procedures expire by their own limitation or are altered, repealed or abolished pursuant to this Joint Declaration.

This Joint Declaration does not create any legally binding obligations under international law.

In witness whereof the undersigned have signed this Joint Declaration.

Done in Bali, Indonesia on 18 October 2002, in the English Language, in a single copy which will remain deposited in the APCCA Secretariat that will transmit certified copies to all parties referred to in Paragraphs 34 to 36 of this Joint Declaration.

Appendix K

APCCA Membership List 2002/2003

1. Australian Capital Territory, Australia
2. New South Wales, Australia
3. Northern Territory, Australia
4. Queensland, Australia
5. Tasmania, Australia
6. Victoria, Australia
7. Brunei Darussalam
8. Cambodia
9. Canada
10. China
11. Hong Kong (China)
12. Macao (China)
13. Fiji
14. India
15. Indonesia
16. Japan
17. Republic of Kiribati
18. Republic of Korea
19. Malaysia
20. Mongolia
21. New Zealand
22. Philippines
23. Singapore
24. Sri Lanka
25. Tonga
26. Thailand
27. Vietnam

APCCA Membership List 2003/2004

1. Australian Capital Territory, Australia
2. New South Wales, Australia
3. Northern Territory, Australia
4. Queensland, Australia
5. South Australia, Australia *
6. Tasmania, Australia
7. Victoria, Australia
8. Western Australia, Australia *
9. Brunei Darussalam
10. Cambodia
11. Canada
12. China
13. Hong Kong (China)
14. Macao (China)
15. Fiji
16. India
17. Indonesia
18. Japan
19. Republic of Kiribati
20. Republic of Korea
21. Malaysia
22. Mongolia
23. New Zealand
24. Philippines
25. Singapore
26. Sri Lanka
27. Tonga
28. Thailand
29. Vietnam

*Note: Jurisdictions with * have signed the Joint Declaration at the 23rd annual conference and hence become members of the APCCA*

Appendix L

Governing Board Membership 2002/2003

1. New South Wales, Australia
2. Canada
3. China
4. Hong Kong (China) – Board Chair
5. Indonesia
6. Japan
7. Thailand
8. Sri Lanka
9. Singapore
10. Philippines

Governing Board Membership 2003/2004

1. Canada
2. China
3. Hong Kong (China)
4. Indonesia
5. Japan
6. Malaysia
7. Mongolia
8. New Zealand
9. Singapore – Board Chair
10. Thailand

Appendix M

Notes of Meeting of APCCA Finance Committee held on 7.12.2003 at Room 1109, Hong Kong Scout Centre at 1530 hrs

Present

Mr Kelvin Pang of Hong Kong (China) and Mr Mark Byers of New Zealand

Absent with apologies

Mr James Ryan of ACT, Australia

Recorder

Mr Mathias Chan (APCCA Secretariat)

In attendance

Mr Takao Yoshizawa and Mr Taihei Mizukami of Japan

Mr Dionisio Santiago and Mr Joselito Fajardo of Philippines

Matters arising from last finance committee meeting

1. Honorarium arrangements for APCCA Rapporteur and Co-rapporteur

At the last Finance Committee held on 10 July 2002, it was recommended that Professor Biles and Dr Neil Morgan would continue to serve respectively as Rapporteur and Co-rapporteur in 2003 and 2004. The former would receive an honorarium of US\$7,500 and the latter US\$2,500. The recommendation was subsequently endorsed by the 23rd APCCA Annual Conference. However, Professor Biles opted to step down from the Rapporteur role in 2003, which was earlier than expected. In response, the APCCA Governing Board endorsed Hong Kong recommendations that Dr Morgan be appointed as the 23rd APCCA Rapporteur and Mrs Morgan as Co-rapporteur at an honorarium of \$7,500 and \$2,500 respectively.

2. APCCA corporate gifts

At the last Finance Committee, members agreed that the corporate gifts purchased using the APCCA Fund should be made accessible to the APCCA members for use in APCCA-related activities. The stocks of the items being kept by the APCCA Secretariat were as follows:

- (a) Clock: 3 nos.
- (b) Tie pin: 30 pieces
- (c) Tie: 13 pieces

The Committee agreed that there was no need to stock up with the above items.

APCCA Fund Administrator's Report

- The period covered was from 1 Oct 2002 to 30 Sep 2003.
- A total of US\$18,961 agreed contributions had been received.
- Voluntary contributions were also received from Northern Territory and Australian Capital Territory of Australia, China, Fiji, Cambodia, Macao, Mongolia, Philippines, Solomon Islands and Thailand.
- China, Mongolia and Solomon Islands made their first voluntary contributions.
- A total contribution of US\$26,811 was received, which was the largest amount received in a year since the establishment of the APCCA Fund.
- Total expenditure amounted to US\$21,095, mainly on APCCA website development and maintenance, newsletter production, honoraria for the APCCA Rapporteur and the Co-rapporteur, and the donation of US\$10,000 to Bali blast victims
- There was a net surplus of US\$5,664, making an accumulated amount of US\$ 54,002.
- China and Indonesia would audit the report before submission to the Annual Conference for endorsement.

Appendix N

Ad-hoc Committee on Governing Board Elected Membership – Proposed Election Process

Guiding Principles for Composition of Governing Board

1. Currently, the ranking of membership in decreasing order of permanency has been done in the following manner:

	Membership	Terms	Clause in Joint Declaration
1.	Elected Membership	4 years	Para. 14b
2.	Previous Host	3 years	Para. 14c
3.	Secretariat	2 years	Para. 14e
4.	Rotating Membership (reverse alphabetical order)	1 year	Para. 14d

2. There will only be a maximum of 13 members in the Governing Board. A minimum of five Governing Board Members will constitute a quorum. There is no need to fill all the 13 seats if there are duplications of countries (Refer to Joint Declaration, para. 17)
3. It is proposed that the 8 territories in Australia be considered as 1 country for the purpose of election. The 8 territories are:
 - a. Australian Central Territory
 - b. New South Wales
 - c. Northern Territory
 - d. Queensland
 - e. South Australia
 - f. Tasmania
 - g. Victoria
 - h. Western Australia
4. The Australian delegates agreed that the eight jurisdictions of Australia should be counted as one country for election purposes.

Mechanism for Elected Membership – Process for Elected Members to Drop Out

1. Currently, the four elected members are Japan, Canada, China and Indonesia.
2. According to the APCCA Joint Declaration (paragraph 14(b)), one out of four seats will be vacated from the Governing Board.
3. However, the system of vacation from the Governing Board has yet to be determined. Hence, the following mechanisms for determining the sequence of vacancy of the elected membership has been proposed :

Option 1 - By alphabetical order

The sequence of stepping down would be: Canada, China, Indonesia, Japan

Option 2 - By drawing lots

Option 3 - By “volunteering”

Members could volunteer to drop out (1st, 2nd, 3rd or 4th) from the Governing Board.

4. After deliberations, the committee recommended Option 1 for endorsement of the Annual Conference.

Mechanism for Elected Membership – Process for Electing New Members

1. After one elected member had dropped out from the Governing Board, the process for electing a new member to replace the vacancy for the following year has to be determined.
2. With the exception of current elected members, all countries, including the member who has just dropped out, could volunteer to be a new member of the Governing Board.
3. If there are 2 or more nominations, the members of APCCA will do a ballot to determine the new member.
4. The Chairman of the Governing Board will make the final decision if there is a tie.
5. The member who has just dropped out of the Governing Board would stay on for another term of 4 years if there were no volunteers to be the new member.

Note: The proposed mechanisms will be effective in the year 2004 APCCA conference.

Appendix O

Curriculum Vitae of APCCA Rapporteur – Dr Neil Morgan

Dr Neil Morgan holds a First Class Honours degree in Law from Oxford University, a Masters degree in Criminology from Sheffield University and a PhD (with Distinction) from the University of Western Australia. He was a lecturer in the newly established Law School at the University of Essex from 1980 to 1985 and a lecturer in the Law Faculty at the National University of Singapore from 1985 to 1988. He then moved to the Law School at the University of Western Australia in Perth and was a senior lecturer there for 10 years, also winning Excellence in Teaching and Excellence in Research Supervision awards. Since 1998, he has been Director of Studies at the Crime Research Centre at the University of Western Australia, where he has established Masters and Graduate Diploma courses in Criminal Justice. He has been a member of the Parole Board of Western Australia since 1993 and was a member of the Social Security Appeals Tribunal from 1995 to 1997.

Neil has published widely in the fields of criminal law, sentencing and punishment, with major publications in Australia, England and Singapore. He is regularly invited to present seminars to conferences and to the Australian judiciary and has been the Co-Rapporteur for the Asian and Pacific Conference of Correctional Administrators since 1997. He has also been a consultant researcher / writer on numerous projects, including official reviews of violence restraining orders, sentencing, parole and the enforcement of non-custodial sentences. In 2003, he was a specialist consultant for the Inspector of Custodial Services' inspection of Western Australia's first private prison. He is currently Co-Director of Research for the Law Reform Commission of Western Australia's project on Aboriginal Customary Law and is undertaking a major consultancy for the Equal Opportunity Commission of Victoria on 'systemic bias' as a factor in Aboriginal over-representation in the justice system.

Curriculum Vitae of APCCA Co-rapporteur – Mrs Irene Morgan

Irene Morgan graduated with an Upper Second Class Honours degree in Law from the University of Essex (England) and a Masters degree in Law from the University of Western Australia. Between 1985 and 1988, she worked for the United Nations Vietnamese Refugee Camp in Singapore, and also lectured in Family Law for the University of London External Law degree. In 1989, she began lecturing at the Law School at the University of Western Australia in Perth, and was awarded an Excellence in Teaching Award in 1998. In 1998, she was a founding member of the College of Law at the University of Notre Dame in Fremantle, and left in 2000 to take up a position as a Research Fellow at the Crime Research Centre, University of Western

Australia.

Irene now works full-time as a Legal Research Officer at the Parole Board and the Mentally Impaired Defendants Review Board of Western Australia. She provides legal advice and opinions to the Boards and writes reports to the Governor, Attorney General and relevant Ministers. She has represented both Boards on a number of committees, including a major Review of the Mental Health Laws in Western Australia during 2002/2003.

Irene has taught and published in the areas of contract law, criminal law, sentencing, intellectual property, legal process and advocacy. During her time at the University of Western Australia, she was actively involved in the Aboriginal Pre-Law Programme in conjunction with the Centre for Aboriginal Programmes. She has organised conferences and conducted professional training courses in legal studies for Government agencies and has been a consultant researcher in a number of research projects, including prisoner disciplinary proceedings.