



CONFERENCE REPORT

33rd Asian and Pacific Conference of Correctional Administrators

by

*Professor Neil Morgan and Irene Morgan
(in collaboration with the Prisons Department of India
and the APCCA Secretariat)*

22nd to 27th September 2013

New Delhi

India

CONTENTS

	Page
	3
	8
<i>Agenda Item 1</i>	13
<i>Agenda Item 2</i>	22
<i>Agenda Item 3</i>	36
<i>Agenda Item 4</i>	56
<i>Agenda Item 5</i>	69
	77
	85
<i>Appendix A</i>	89
<i>Appendix B</i>	95
<i>Appendix C</i>	96
<i>Appendix D</i>	98
<i>Appendix E</i>	101
<i>Appendix F</i>	113
<i>Appendix G</i>	124
<i>Appendix H</i>	126
<i>Appendix I</i>	129
	130

The following matters are available at www.apcca.org:

- ✧ APCCA Membership List
- ✧ National and Regional Participation in APCCA since 1980
- ✧ Correctional statistics in the Asia and Pacific region
- ✧ List of Agenda Item and Specialist Workshop topics since 1980

HISTORY AND ROLE OF APCCA

Introduction to the 33rd APCCA Conference

This is the official report of the proceedings of the 33rd Asian and Pacific Conference of Correctional Administrators (APCCA) held in New Delhi, India from 22nd to 27th September 2013. The conference was generously hosted by the Ministry of Home Affairs, Government of India.

The conference was held at the Vigyan Bhawan Convention Centre, New Delhi. It was attended by delegations from 18 nations and territories in the Asian and Pacific region including Brunei Darussalam, Canada, China, Fiji, Hong Kong (China), India, Indonesia, Japan, Kiribati, South Korea, Macao (China), Malaysia, Mongolia, Singapore, Solomon Islands, Sri Lanka, Thailand and Vietnam.

As in previous conferences, the delegations were headed by the Commissioner, Chief Executive Officer, or Director General responsible for corrections, and accompanied by other senior and specialist staff. There were also representatives from the United Nations and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI), the United Nations Office of Drugs and Crime (UNODC), Commonwealth Human Rights Initiative (CHRI) and Penal Reform International who attended the conference as observers.

APCCA began in 1980 as a joint initiative between the Australian Institute of Criminology and the Hong Kong Prison Service (see below) and India has been a constant and strong supporter. This was the second time that India has hosted APCCA. The first occasion was in 1989 when India presented the Indian brass lamp which became an APCCA symbol representing learning and enlightenment. At each conference, the Indian brass lamp is carried ceremonially, together with the APCCA war clubs and flag (see below), into the conference venue and is placed prominently on the stage.

India created a very meaningful conference logo and theme. The conference logo depicts the vibrant colours of Indian culture with a prominent peacock feather rising as hope amongst the coloured rings. The conference theme '*Correction - Transformation - Re-integration*' is inscribed below the logo which also has a silhouette of the ancient landmarks of Delhi namely, Qutab Minar.¹ The three bubbly coloured rounds depict floating vibrancy and hope, while the peacock feather denotes knowledge and grace which hold the promise of correction, transformation and reintegration of inmates in society. The peacock feather was chosen because the peacock is the National Bird of India. It is a colourful, swan-sized bird, with a fan-shaped crest of feathers, a white patch under the eye and a long, slender neck. The male of the species is more colourful than the female, with a glistening blue breast and neck and a spectacular bronze-green tail of around 200 elongated feathers. The peacock feather is considered sacred and auspicious for a new beginning. This resonates well with an inmate's new beginning in reintegrating into the community.

Both the conference theme and logo blossomed throughout the conference week. They were reflected throughout the formal and informal parts of the conference. Valuable information was shared and discussed, and new insights were gained on how inmates may be transformed and reintegrated into society in a manner which protects community safety (for example, see the report below on meeting the challenges posed by high risk offenders, and the opportunities and challenges in developing community-based supervision and management of inmates).

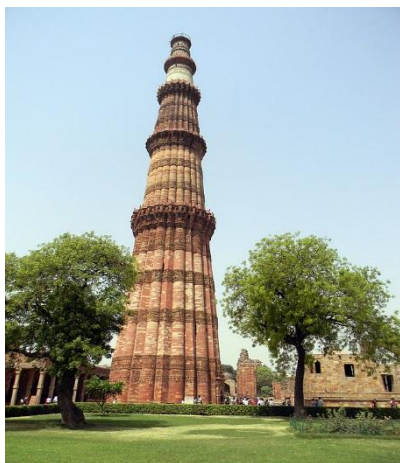
¹ The meaning of the word Qutab Minar is axis minaret. It is the second tallest minar (73 metres) in India after Fateh Burj in Chappar Chiri at Mohali which stands 100 meters tall. Qutab Minar is a UNESCO World Heritage Site. It is located in Delhi and is made of red sandstone and marble. The stairs of the tower has 379 steps, is 72.5 metres high, and has a base diameter of 14.3 metres, which narrows to 2.7 metres at the top. Construction was started in 1192 by Qutb-ud-din Aibak and was carried on by his successor, Iltutmish. In 1368, Firoz Shah Tughlak constructed the fifth and the last storey. It is surrounded by several other ancient and medieval structures and ruins, collectively known as the Qutb complex.

Visits to correctional institutions have always been an integral part of APCCA. Prison visits complement the formal conference discussions and provide the best possible practical method for delegates to observe operations in other jurisdictions. Delhi Prisons has two Prison Complexes: (1) Tihar Prison, one of the largest prison complexes in the world comprising nine central prisons, and (2) one District Prison at Rohini Prison Complex. The total population in the ten prisons is about 12,000 prisoners.

On Monday 23rd September 2013, delegates visited the Tihar Central Prison Complex in New Delhi and were warmly welcomed by Ms Vimla Mehra, Director General, Tihar Prisons. During the visit, delegates were shown the jail factory consisting of units in carpentry, weaving, tailoring, paper, pottery and baking. Delegates had the opportunity to eat the delicious cakes, biscuits and savoury snacks made by the inmates. These consumables are marketed under the brand name 'TJ', and are sold to the public through 20 retail outlets. Delegates also saw inmates participating in yoga, meditation and art classes as well as a literacy program (*Padho aur Padhao* which is a new initiative for 2,500 illiterate inmates, run in collaboration with the National Literacy Mission Authority). At Tihar Prison, female prisoners are allowed to keep their children with them until the age of six years. The children are cared for at a crèche and nursery. During the lunch period, the inmates participated in a variety show that demonstrated their musical talents and skills in designing fashionable clothes. After the prison visit, delegates visited Qutab Minar which is a UNESCO World Heritage site situated in New Delhi.

On Saturday 28th September 2013, delegates visited the Taj Mahal, Agra which is also a UNESCO World Heritage site and one of the Eight Wonders of the World. Delegates enjoyed the visit immensely and were able to network with one another during the trip to Agra (which is about 220 kilometres from New Delhi).

The generous hospitality provided by the Ministry of Home Affairs ensured that delegates left the conference with a greater knowledge of the challenges faced by correctional department in transforming and reintegrating inmates into the community that respects the needs of the inmates and protects community safety. Delegates also learnt about the culture, traditions and local cuisine. In addition, friendships were formed and renewed in a way that uniquely represents APCCA. The contacts made during the conference week and discussions held in session and out of session pave the way for delegates to continue their dialogue with one another throughout the year and significant regional collaboration and change. The staff were extremely professional and helpful, providing every possible assistance to delegates. They were a tribute to the organisation and to the country. Together they ensured that the conference was not only professionally valuable but also a thoroughly enjoyable occasion which offered an insight into the fascinating history, culture and traditions of India.



Qutab Minar, New Delhi



Taj Mahal, Agra

APCCA History and Traditions

The first APCCA meeting was held in Hong Kong in 1980. It developed out of 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 met every year apart from 1990. From 1980 to 1992, the conference was assisted by the Australian Institute of Criminology. From 1993 to 2002 it was assisted by Professor David Biles in a private capacity and from 1997 to 2002, Professor Neil Morgan worked with Professor Biles. During 2001 and 2002, APCCA established a new framework for its operations with the drafting of the *APCCA Joint Declaration*. The *Joint Declaration* sets APCCA's governance framework, including a Governing Board, sub-committee structures, a Secretariat, and a formal Rapporteur role (see below and Appendix A).

Between 1980 and 2013, APCCA met in numerous nations across the region: Australia (five times); Brunei Darussalam; Canada (twice); China (twice); Hong Kong (China) (three times); Fiji; India (twice); Indonesia; Japan (three times); Korea (twice); Malaysia (three times); New Zealand (three times); Singapore; Thailand (twice), Tonga and Vietnam. With the addition of this conference, this means that a total of 16 nations and territories have now hosted APCCA during its 33-year history. The topics discussed at those earlier conferences are available at www.apcca.org.

APCCA has several important traditions. It is unique because the conference is not open to general registrations but is strictly by invitation to the chief executive officers of correctional departments in the Asia Pacific region. It has also always been accepted that the host has the right to select those to be invited. Host nations have provided hospitality as well as logistical support and an appropriate venue.

As mentioned above, APCCA has adopted a number of symbols that embody its enduring values and traditions. The symbols are:

- ✧ A Fijian war club, which is a sign of peace, harmony and civilization when surrendered to another person.
- ✧ An Indian oil lamp, which signifies learning and enlightenment.
- ✧ APCCA flag (prepared by the Corrections Bureau of Korea in 2005), which symbolises the long life and strength of APCCA.
- ✧ APCCA Song '*Togetherness in Unity*', composed by the Prisons Department of Malaysia in 2008. The APCCA Song is played during the Opening and Closing Ceremonies of the conference (see *Appendix B*).



The APCCA Flag, Fijian war club and Indian oil lamp

The APCCA *Joint Declaration* and APCCA Management

A vital juncture in APCCA's history was the signing of a *Joint Declaration* (see *Appendix A*) by all jurisdictions present at the 2002 conference in Bali, Indonesia. A number of other jurisdictions have signed up subsequently. The APCCA members are Australia (all States and Territories), Brunei Darussalam, Cambodia, Canada, China, Hong Kong (China), Macao (China), Fiji, India, Indonesia, Japan, Kiribati, Republic of Korea, Malaysia, Mongolia, New Zealand, Philippines, Singapore, Solomon Islands, Sri Lanka, Thailand, Tonga and Vietnam.

The *Joint Declaration*, which followed from the recommendations of a Working Party in 2002, sought to place APCCA on a firmer and clearer footing for the future while not detracting from its positive and well-established traditions. Key features of the *Joint Declaration* include a broad statement of the organisation's goals, establishment of a Governing Board, formalisation of arrangements for the administration of the APCCA Fund (including the establishment of a Finance Committee) and provisions governing the establishment of a Secretariat and the roles of the Rapporteur.

The role of the Secretariat has been undertaken by Hong Kong (China) and Singapore since then. Under the *Joint Declaration*, the Secretariat's work is to be reviewed by the Governing Board every two years. At the 25th APCCA in Korea (2005), the 27th APCCA in Vietnam (2007), the 29th APCCA in Perth (2009), the 31st APCCA in Tokyo (2011) and the 33rd APCCA in India (2013), the conference recorded its appreciation to Hong Kong (China) and Singapore, and gratefully accepted their offer to continue the role.

The roles of the Rapporteurs are also set out in the *Joint Declaration*. Professor Neil Morgan² (who has been a Rapporteur for APCCA since 1997) and Ms Irene Morgan³ (who has been serving APCCA since 2000) have served as Rapporteurs since 2003. In line with the terms of the *Joint Declaration*, their roles have been reviewed at the 26th APCCA (New Zealand, 2006), the 27th APCCA (Vietnam, 2007) and the 31st APCCA (Tokyo, 2011). Under the terms of the *Joint Declaration* they were offered, and accepted, a further three-year appointment in 2011.

At the 30th APCCA in Vancouver, Canada (2010), the Conference acknowledged the strong traditions and achievements of APCCA. However, as it was around ten years since the *Joint Declaration* had been signed, it was decided that it was timely to survey members and to establish a *Working Group on the Future Directions of APCCA* to examine opportunities to build on these achievements over the next decade. The Correctional Service of Canada prepared and distributed a survey to members which it then analysed for consideration by the Working Group. The Working Group met in Langkawi, Malaysia, in July 2011 and its findings and recommendations were considered during the 2011 Conference in Tokyo. The deliberations of both the Working Group and the Conference are recorded in the report of the 2011 APCCA Conference.⁴

Conference Papers and Presentations

Topics for APCCA conferences are chosen at the preceding conference (see the report on *Conference Business* below). The Rapporteurs then write a detailed *Discussion Guide* on the various topics (see *Appendix E*) which is distributed to APCCA members in April prior to the annual conference. The *Discussion Guide* provides a structure and a series of suggested questions for the papers. Most of the papers follow this structure, allowing a more structured focus to the topic in question and an ability to compare practice across jurisdictions. Presenters also use PowerPoint to aid their presentations.

² The Inspector of Custodial Services for Western Australia (www.oics.wa.gov.au) and Winthrop Professor of Law at the University of Western Australia.

³ Legal Policy Advisor, Legal and Legislative Services, Western Australia Police, Australia.

⁴ See www.apcca.org

For the 33rd APCCA, all delegations made presentations to the whole conference on Agenda Item One on Tuesday. The United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) also made a presentation. Discussions on the other Agenda Items were held in concurrent 'break out' groups on the Wednesday and Thursday. The facilitators of each break out group then presented a summary of the discussions and findings to the conference as a whole on Friday.

Conference Report, APCCA Statistics and Country Papers

One of the most important traditions of APCCA has been the production of Conference Reports, the writing of which is the responsibility of the Rapporteurs. The Conference Reports are a specialist report, not just a summary record of the conference, in that they contain a thematic analysis of the matters raised in the various agenda items.

Another very important aspect of APCCA's functions is the publication of regional statistics. The Hong Kong (China) branch of the APCCA Secretariat is responsible for circulating data request forms to members, for collating the responses, and for compiling and presenting the results. This is an invaluable and unique resource which permits some tracking of historical trends as well as access to current data on matters such as imprisonment rates. The statistical report can be found at www.apcca.org

The Conference Reports and the statistics are the most comprehensive source, sometimes the only source, on many matters. Over the years many delegates have commented on the value of the report as a resource in developing correctional policies, laws and practices and in influencing government decisions. APCCA reports also provide useful training and educational tools. Some countries translate those parts of the report that deal with the agenda items and specialist workshops for local use. Sometimes, countries which are unable to attend the conferences (usually for financial reasons) also make use of the report. The statistics and analysis are used in various academic institutions and organisations, including United Nations affiliated bodies, in publications and research on correctional trends and issues.

OPENING CEREMONY AND OFFICIAL SPEECHES

The Opening Ceremony was held on Tuesday 24th September 2013 in the Plenary Hall, Vigyan Bhawan Convention Center, Delhi. The Guest of Honour was the Honourable Sushil Kumar Shinde, Union Home Minister, Government of India.

The Opening Ceremony commenced with the national anthem followed by the APCCA symbols being escorted into the Plenary Hall by officers from the Border Security Force. Whilst the APCCA Song was being played, Brunei (2012 host) formally handed the APCCA symbols to India. This was followed by the following speeches.

Handover Speech by Mr Poh Eng Hua, Head Of Delegation of Brunei Prisons Department (2012 Host)

The Honourable, Mr Sushil Kumar Shinde, Minister of Home Affairs, Government of India;
Shri R.P.N. Singh, Minister of State of India;
Shri Anil Goswami, Home Secretary of India;
Mr Chairperson of 33rd APCCA, 2013;
Professfor Neil Morgan and Irene Morgan, APCCA Raporteurs;
Head of Delegation of Canadian Correctional Services, future APCCA host, 2014;
Head of Delegations, Distinguished guests, ladies and gentlemen.

A very good morning to you all.

First and foremost, I would like to extend my appreciation and gratitude to the Government of India and the Correctional Services of India for giving me the opportunity to say a few words on this occasion of the opening and handing over ceremony of APCCA symbols to India, the host for the 33rd Asian Pacific Conference of Correctional Administrators, 2013.

On this occasion, on behalf of Brunei's Government, I would like to congratulate the Indian Correctional administration and the organizing committees for their dedication for successfully organizing this prestigious conference in a conducive environment for all delegates to make new friends, renew old acquaintances and to have fruitful exchange of experiences, suggestions and ideas with decision makers, planners, experts and researchers from the Asian and Pacific Correctional Communities for the betterment and success of correctional systems in the region.

Apart from that, I would like to thank and extend my gratitude to the 33rd APCCA Organizing Committee for allowing Bruneian delegates to participant and present papers during the conference. It is indeed an honour for us Bruneian delegates to be able to visit India and to participate actively in this year's conference with the theme "*Correction-Transformation & Re-integration*".

In this opportunity, allow me also to convey our gratitude to both Professor Neil Morgan and Dr. Irene Morgan, the APCCA Raporteurs on their participation and contributions to last year's APCCA, 2012 held in Brunei Darussalam. We are indeed very fortunate to have benefited of their advice and guidance in preparing and organizing the conference. As a result of their support, involvement and dedication, last year 32nd APCCA has turned out to be a successful and memorable one.

I would like to end my speech here by thanking you all once again. I am confident that this year's conference will be fruitful and beneficial in the development of Correctional Administration in the Asian Pacific region. Happy conferencing everyone and that is all, thank you.

Welcome Speech by Shri M. Ramachandran, Honourable Minister of State for Home Affairs

Honourable Union Home Minister Shri Sushil Kumar Shinde,
Honourable Minister of State for Home Affairs Shri R.P.N.Singh,
Union Home Secretary Shri Anil Goswami,
Professor Neil Morgan and Irene Morgan, Rapporteurs for the 33rd APCCA,
Head of Delegation of Brunei Darussalam,
Head of Delegation of Canada,
Heads of Delegation of all other participating countries,
Respected Delegates, Media Persons, Representatives from UNODC, CHRI and other organisations.
Ladies and Gentlemen.

It gives me immense pleasure to welcome all the participants of the 33rd Asian Pacific Conference of Correctional Administrators. This conference is a confluence of minds to address the biggest challenge within the criminal justice system: which is how to reform our correctional services. It is my sincere hope that the discussions would enlighten all about the best practices, latest trends, expectations and also discuss implementation strategies.

The present systems of correctional administration in different countries have evolved over a period of many decades and centuries- yet there are increasingly new problems and challenges facing us today. The fast changing social and economic scenario has necessitated the need for more effective and progressive reformatory measures. In this background, an international conference of such level assumes significant importance, for bringing together experts with vast knowledge and experience in the field of correctional administration.

It is very important for all of us to make sincere efforts to ensure, in our respective domains of jurisdiction, that our prisoners are not denied their basic rights to human dignity, right to basic minimum needs, access to legal remedies, right to meaningful and gainful work and right to be released on due date. I am sure that this conference would carry forward the pace of reforms and innovations in the field of correctional administration and the different sessions along with sharing of best practices will benefit all the participants.

India is the second largest populous country of the world with one of the oldest civilizations, having many ethnic groups, over 1650 spoken languages, dialects and regional variations with many religious beliefs. Hence, it is said that India is a country with 'unity in diversity'. Indian tradition highly esteems its guests and guests are called: '*Atithi Devo Bhava*' or '*Guest is God*' is the traditional way of India to treat guests. I have been informed that you have already visited the Tihar Jail and would also be visiting other places of interest in and around Delhi. I hope that some of you can extend your stay and see the many different facets and diversity of culture and ethnicity that India has to offer.

I extend my best wishes for the success of this Asia Pacific Conference of Correctional Administrators and do hope that you will carry home valuable lessons, experiences, and knowledge from this conference, along with pleasant and everlasting memories of your stay here.

JAI HIND

Welcome Speech by Shri R.P.N. Singh, Honourable Minister of State for Home Affairs

Honourable Union Home Minister Shri Sushil Kumar Shinde,
Shri Mullapally Ramachandran, Minister of State for Home Affairs,
Shri Anil Goswami, Home Secretary,
Professor Neil Morgan and Ms Irene Morgan,
Head of Delegation of Brunei Darussalam,
Head of Delegation of Canada,
Heads of Delegation of all other participating countries,
Distinguished Foreign and Indian Delegates and Guests,

It is a matter of great pleasure for us to host the 33rd Asia Pacific Conference of Correctional Administrators in New Delhi. I welcome all delegates and participants. It is said that the degree of development of a civilization in a society can be judged by the state of its prisons, whether we treat all prisoners with the dignity that is essential for every human being regardless of the charges he faces after all from Mahatma Gandhi to Nelson Mandela, many of our greatest inspirations have spent time in prison.

Mr Mandela has even joked that in South Africa, you have to go to jail first to become President. In India, many of our freedom fighters were imprisoned during our Freedom Movement, the infamous Kala Pani which exists still as a reminder of what our jails must NOT be ever again as political prisoners, their cases are of course very different from those who are convicted of heinous crimes like murder, rape etc but the litmus test is our common belief in a justice system where imprisonment has as its very bedrock the principle of reform.

We share a universally held view that imprisonment is justifiable only, if it leads to the protection of society against crime. So, the prisoner, be he a convict or an under-trial does not cease to be a human being and continues to enjoy all his basic human rights as well as fundamental rights enshrined in the Constitution. India is also a signatory to the International Covenant on Civil and Political Rights of the United Nations and Prison reforms in India are in accordance with these principles.

In our country, the prisons are regulated by various provisions in our constitution, the Prisons Act, and the Prison Manuals and regulations prepared by the States. The 1394 prisons in the country have a sanctioned capacity of 343,169 in which 385,513 inmates are currently interned.

Women constituted 4.3% of the inmate population in the country as in 2012. What do we understand as the larger objective of incarceration? It is to motivate and prepare the convict for a law abiding and self-supporting life after his release. All possible efforts have to be made to ensure that jail inmates come out of Prison as better citizens. This is still an ongoing process and we have to provide better treatment to prisoners of all categories and also ensure improvements in the living and working conditions of the personnel deployed for Correctional Administration. Efforts should also be made to improve our prison systems by introducing new techniques of management.

I would also like to emphasise educational, vocational, skill building and cultural programmes in prisons. A comprehensive educational programme in prison should uplift the prisoner morally, mentally and socially. The challenges before the correctional administrators of today are manifold- High risk offenders including extremists pose significant challenges to administrators.

I have learnt that you have visited our Tihar prison yesterday, the biggest prison in South Asia and have seen the various activities and reformatory measures being implemented there. I am sure that this will provide some interesting food for thought regarding implementation of the reforms we have been

discussing. I look forward to this conference discussing meaningful solutions to present problems and also in chalking out future best practices in the field of correctional administration.

I'd like to end with a quote from Mahatma Gandhi "*You can chain me, you can torture me, you can even destroy this body, but you will never imprison my mind.*" Reforming the mind is what we must aim at. I wish to extend my best wishes for the success of this Asia Pacific Conference of Correctional Administrators and do hope that the discussions and interactions in this conference would help in ushering a new era of reforms in correctional administration. Thank you.

Speech by the Honourable Shri Anil Goswami, Union Home Secretary

Honourable Union Home Minister Shri Sushil Kumar Shinde,
Shri Mullapally Ramachandran, Minister of State for Home Affairs,
Shri R. P. N. Singh, Minister of State for Home Affairs,
Professor Neil Morgan and Ms Irene Morgan Rapporteurs for the 33rd APCCA,
Head of Delegation of Brunei Darussalam,
Head of Delegation of Canada,
Heads of Delegation of all other participating countries,
Distinguished Foreign and Indian Delegates and Guests,
Senior Government Officials, Representatives UNODC, CHRI and from other organizations,
Members from Media,
Ladies and Gentlemen.

On behalf of Ministry of Home Affairs, Government of India, It is my proud privilege to welcome you all today to the 33rd Asia Pacific Conference of Correctional Administration. I hope you are comfortable in your hotel and the arrangements made are satisfactory.

The role of correctional administrators is both important and challenging. They have to ensure maximum utilization of the period of incarceration of the offender in a way that improves offenders behaviour and also work towards his ultimate rehabilitation in the society after release, hopefully with no chances of re-offending, and, thus making the social environment safe for the common law abiding citizen.

These varied expectations place a severe strain on prison administration. The responsibility of prison functionaries is vital because of the undisputed fact that the offender stays with them for the longest period during the course of his processing through the criminal justice system. While we appreciate that a prison even with its humanization process and constructive management, is an institution which suffers from a host of limitations and cannot, by its very nature, satisfy all expectations in their entirety, we still believe that an improvement in prison conditions and a change in the approach to offenders can bring about the expected change for the reformation and rehabilitation of prison inmates.

The United Nations has adopted sets of Standard Minimum Rules for Treatment of Prisoners on August 30, 1955, India is signatory to these rules. We believe that prison reform is necessary to ensure that this principle is respected, the human rights of prisoners protected and their prospects for social reintegration increased, in compliance with relevant international standards and norms. India has always upheld this view and worked towards Prison Reform through various Committees, Commissions and Groups have been constituted by the State Governments as well as the Government of India, from time to time. The committees have made suggestions for improving the prison conditions, overcrowding and administration, inter alia, with a view to making them more conducive to the reformation and rehabilitation of prisoners. These committees made a number of recommendations to improve the conditions of prisons, prisoners and prison personnel all over the country with an emphasis on oversight and alternatives to imprisonment.

It has also recognized that Prison Reform is intrinsically a Continuous Process. Hence, APCCA becomes a perfect platform to annually discuss about the various perspectives that emerge in this field, share best practices and collectively innovate to contribute towards the larger goal of Correction- Transformation- Reintegration.

This conference will discuss five agenda items namely: (1) Challenges and Initiatives in Corrections, (2) Organisational Culture: Promoting Shared Positive Values and Integrity, (3) Meeting the Challenges Posed by High Risk Offenders, (4) Alternatives to Imprisonment: Opportunities and Challenges in Developing Community-based Supervision and Management, and (5) Measuring and Reducing Recidivism Rates: Assessing What Works, Setting Targets, and Implementing Evidence-based Programs.

I hope that the discussions and brainstorming sessions in this conference would open new vistas and dimensions in the field of correctional administration; and would also try to provide meaningful solutions to the multiplicity of problems in this challenging field.

We are also organising a separate Poster Presentation Exhibition on this occasion, where posters on different topics and themes from different participants would objectively and summarily portray the salient features of the presentations. We have also organised an exhibition of various products made in the correction homes of different states of our country, which are an integral part of the reformation and rehabilitation measures being undertaken in our prisons.

I would also like to thank the Secretariat team of APCCA in Hong Kong and Singapore for their valuable support and help in organising this conference

I sincerely hope that the participants will upgrade their professional knowledge and expertise in the field of Correctional Administration and share valuable experiences

I wish all of you a very pleasant stay in Delhi and in the places you wish to visit in the country.

Thank You.

AGENDA ITEM 1

NATIONAL REPORTS ON CONTEMPORARY ISSUES IN CORRECTIONS

1. INTRODUCTION

The first agenda item, held in full plenary session, is general in focus. It plays a very important role in APCCA proceedings and history. First, it offers all countries, however large or small, equal standing to share information about the general challenges they face and the initiatives they have adopted to address those challenges. Secondly, by retaining a similar approach from year to year the topic provides continuity in the APCCA knowledge base. Thirdly, the session allows new delegates to quickly understand the issues faced by their colleagues in the region. Finally, it contributes to cross-jurisdictional and long term understanding.

From 1997 to 2010, the first agenda item at APCCA conferences was entitled '*National Reports on Contemporary Issues in Corrections*'. However, to encourage delegates to showcase initiatives which might not emerge during other agenda topics, the title was changed in 2011 to '*Challenges and Initiatives in Corrections*'. The intent is that the main written papers will continue to address a broad set of issues but that the actual presentations will focus on one or two areas.

The national reports always reveal a wide range of issues. These reflect not only different traditions with respect to corrections, but also the broader cultural, historical, economic and socio-political diversity of the region. The diversity within the region is staggering. For example, this conference was attended by the world's two most populous nations (China and India) and also by some small Pacific island nations (including Fiji, Kiribati, and the Solomon Islands). Some APCCA members, including Hong Kong (China), Macao (China) and Singapore are small in size but densely populated whereas others, notably Australia and Canada, are physically vast but have scattered populations.

There is also enormous religious, cultural and political diversity, and different countries are at very different stages of economic development. Every year, the United Nations produces a list of countries based on its 'Human Development Index'. Whilst it must be recognised that the 'Human Development Index' takes account only of selected socio-economic and political measures, some APCCA members are in the top 15 per cent but some are in the bottom 15 percent.⁵

Despite this diversity, correctional administrators face many common themes. The following discussion shows that sharing and learning through forums such as APCCA is a powerful influence on improving correctional services.

It is impossible to cover every issue raised in the papers and presentations. In total, they run to several hundred pages and provide a rich source of detailed information. This overview draws on both the presentations and the written papers and consists of two main sections:-

- (i) A summary of some key issues and initiatives in the various jurisdictions. Readers can also consult regional statistical summaries and some of the individual country papers on the APCCA website; and
- (ii) A reflection on the main principles underlying developments in the region.

⁵ See <http://hdr.undp.org/en/statistics/>.

2. ISSUES AND POLICY INITIATIVES

India

India, the 2013 APCCA host, is a vast and complex country with a vast and complex prison system. The Republic of India came into being on 26 January 1950, after gaining independence in 1947. To some degree, the colonial legacy and the struggle for independence still live on, and delegates learned that the words of the revered father of the nation, Mahatma Gandhi, still resonate. Gandhi continually emphasised the rights of all people, including prisoners, to be treated with dignity, humanity and respect. He said that the way prisoners are treated is one of the indicators of the state of the whole society.

The Indian Union consists of 28 States and seven Union Territories, and the total population of the country is more than 1.2 billion people. The Indian Constitution is of fundamental overriding importance in the context of prisons because it guarantees to everyone the rights of liberty, dignity and equality. One of the key challenges facing prisons in India is uniformity because while the general governing legislation is national, different states have the responsibility for prison administration. The national government is using a range of strategies, including new legislation and providing financial incentives, to promote greater uniformity in administration and standards. This drive has partly been driven by the increasing engagement of the courts and the national Human Rights Commission in prison issues.

The Indian prison system is generally overcrowded, the main problem being the very large number of 'undertrials' (unsentenced prisoners) who constitute two thirds of the national prison population. Measures to address overcrowding include a massive prison building and renovation program (125 new jails across the country); better access to legal aid support; more resources for the courts; better use of technology to expedite court processes; release if there has been inordinate delay; plea bargaining; and the expansion of alternatives to imprisonment. There is also a growing focus on expanding services geared to rehabilitation and community re-entry.

Indonesia

Indonesia has been attempting to build up its prison system so that it has a stronger focus on human rights whilst maintaining control, security and safety. However, growing prisoner numbers and a changing prisoner profile are creating increasing challenges.

Prisoner numbers have been increasing rapidly over recent years, and prisons are becoming increasingly overcrowded (currently 60% over-capacity). Overcrowding has led to poorer health and increasing levels of psychological disorder amongst prisoners. It also means that programs are not working as effectively. Initiatives to address the problem include extending existing prisons, building new prisons, focusing on keeping prisoners busy and expanding community treatment options, especially for drug addicts.

In terms of the prisoner profile, Indonesia now has more prisoners convicted of terrorism offences, serious drug offences and corruption. Each of these groups tends to have 'networks' and money. This poses specific problems in terms of security, contact with others and the development of treatment programs. It is very difficult to deal with such issues when prisons are generally overcrowded. Strategies adopted for terrorists include mentoring programs for prisoners who have become involved in terrorism because they misunderstand concepts such as 'jihad', anti-radicalisation programs, and the segregation and strict monitoring of high risk offenders.

Japan

Japan has undertaken comprehensive reforms over recent years following a number of incidents and reviews. In 2003, the Correctional Administration Reform Council issued a landmark report called 'Prisons

that Gain the Understanding and Support of Citizens'. This made wide-reaching recommendations with respect to the human rights of prisoners, rehabilitation and re-entry, and improved conditions for staff. In 2006, another report drew attention to the problem of unsentenced prisoners.

To give effect to the intent of these reviews, a revision of relevant legislation was completed in 2007. Implementation and fine-tuning are ongoing. The crime rate in Japan is declining and so is the overall imprisonment rate. However, the country faces serious challenges from a rapid growth in the number of older prisoners, some of whom have little community support and therefore commit further offences on release so they can return to prison. The figures are very striking: in 2005, Japanese prisons housed twice as many newly admitted prisoners aged 20-29 as those aged 60 and over. Since then, the number of 20-29 year olds has declined markedly but the number of older prisoners has risen very fast. In 2012, 16.7% of newly admitted prisoners were aged 60 and over compared with 15.5% of 20-29 year olds. The number of women, especially older women, has also been rising very fast. Most countries have more women in prison and more older prisoners. However, Japan's problems are on a unique scale.

A number of initiatives are being undertaken to improve rehabilitation and re-entry services to all prisoners, with a special focus on the needs of women and older prisoners. These initiatives include a focus on employment skills and promoting better linkages between the Correction Bureau, the probation service and NGO's. Private Finance Initiative ('PFI') facilities continue to work with government prisons to provide a range of rehabilitation opportunities.

The March 2011 earthquake and tsunami on the East coast of Japan caused immense damage. Correction Bureau staff and some prisoners played a key role, along with other agencies, in rescue work at the time and in subsequent repair and restoration work in areas that are now safe to enter.

Kiribati

Kiribati consists of a number of small and scattered islands. It has a small population and a small number of prisoners (around 100). The challenges that Kiribati faces with respect to corrections need to be understood in the context of the much broader challenge of global warming and climate change. The islands are low-lying and extremely vulnerable.

There is a need to update corrections legislation, which still dates back to colonial times. A new women's prison is being built but plans for a new male prison are still in the pipeline. Domestic violence is the single most concerning problem in Kiribati. It frequently affects children as well as wives and is often tied to jealousy and alcohol abuse. Kiribati's presentation focused on a range of reforms which culminated in the Children, Young People and Family Welfare Act of 2012.

The legislation was assisted by support from UNICEF and reflects a wide range of international standards (such as the United Nations Convention on the Rights of the Child) as well as best practices across the region. It has generated a much stronger focus on 'the importance of families and communities as caregivers and protectors of children, young people and wives against violence, abuse, neglect and exploitation.' Prevention and early intervention services are being developed and rolled out in collaboration between government and non-government agencies.

Korea

Korea's economy has been strong and prisoner numbers dropped between 2009 and 2012. Numbers rose again in 2013, mainly due to changes in criminal law and practice, including a stricter application of parole laws to some categories of prisoner. Although Korea's total prisoner population has remained fairly constant, its profile has changed. In particular, there are now many more female prisoners and a much higher proportion of prisoners aged 50 or over.

The Korea Correctional Service (KCS) has been rolling out measures to improve correctional services for more than a decade. Major initiatives are underway to reflect the fact that inmates are 'no longer just the target of punishment, but need protection and healing'.

In July 2013, a 'Correctional Treatment Program' was introduced with the aim of 'changing inmates' personality' and 'significantly reducing second convictions'. The CTP will initially target selected groups of prisoners. Key elements of the CTP include: in depth personality training programs; strengthening job training and links to employment; strengthening pre-release training and Half-way House programs; a focus on feedback from all parties including inmates and interested parties; and expanding volunteer programs. In order to deliver the CTP, budgets to improve infrastructure and services have been allocated to three correctional facilities, two being publicly operated and one being privately operated.

Another striking and positive feature is the establishment of special facilities to target particular needs. In 2010, a correctional facility opened for foreign nationals; in 2011, a psychological treatment centre opened in an existing prison for sex offenders; and in 2012 a small rehabilitation centre was opened for prisoners with disabilities.

Malaysia

A 'Government Transformation Program' (GTP) was launched in Malaysia in 2009. Priority GTP targets included reducing crime and therefore recidivism. The Prison Department had already identified rehabilitation and community involvement as key ingredients in reducing recidivism and have continued to develop programs and initiatives.

In 2008, the *Prisons Act* had been substantially amended to allow the implementation of a parole system (modelled to some extent on Australian experience). Between July 2008 and the end of August 2012, over 4,500 prisoners were released on parole and success rates are reportedly very good (over 95%). Since 2010, the Prison Department has also administered the Compulsory Attendance Order, under which offenders who might otherwise have been imprisoned are required to undertake community work. In addition to these measures, the Malaysian government has also invested in four new prisons to improve rehabilitation and eliminate overcrowding.

Malaysia's total prison population has remained relatively constant since 2008. The balance between male and female prisoners has also remained constant. However, the number of prisoners on death row has increased very quickly, from around 260 in 2008 to 960 in 2013.

The Malaysian government set the Prison Department a target of 10 per cent recidivism. It has exceeded the target and the current recidivism rate is around 8 per cent (see Agenda Item 5 below).

Mongolia

Mongolia's General Executive Agency of Court Decision has made great progress with the prison system. In the late 1990's, when Mongolia first attended APCCA, the rules governing prisons were poorly drafted, prison conditions were poor and tuberculosis (TB) was rampant in the prisons. Mongolia's formal correctional objectives now include 'respect human rights'; provide international standard living conditions; safety and security for staff and prisoners; and prisoner reintegration.

To meet these goals, improved laws and governance structures have been put in place and numerous new facilities constructed. It has also been recognised that good staff are the key: new training programs have been developed and staff are provided with housing and other benefits. One of the main current priorities

is to improve the security classification system so that low risk prisoners will be able to be placed at open prisons and to gain employment with outside companies to prepare for release.

Singapore

Over the past decade, Singapore has reoriented its system towards improving rehabilitation and reintegration outcomes whilst maintaining a firm focus on law, order and discipline. There is evidence of positive results: crime rates have fallen, prisoner numbers have fallen, and recidivism rates have fallen. These positive results reflect the fact that a holistic Singapore-appropriate model was conceptualised, adopted and sustained (with a strong focus on learning and on improvement if issues are identified).

Although the general trends are positive, the Singapore Prison Service (SPS) reported that it now houses a large number of 'multiple time' offenders: in fact, almost half of its prisoners have been incarcerated more than five times. Drug abuse remains one of the main driving factors behind these figures. In order to meet this problem, improved throughcare, especially for high risk prisoners, is a priority.

A Mandatory Aftercare Scheme is being introduced to ensure that high risk prisoners are both monitored and supported on release. The aims of this scheme were discussed in detail at the 2012 conference. In 2013, SPS reported that a Pre-Release Centre (PRC) has been established at the Changi Prison complex. It is focusing on breaking down criminogenic mindsets, building family relationships, and enhancing employability. A key element of the PRC is the Integrated Criminogenic Program (ICP). This is designed to provide treatment programs and also to strengthen offenders' ability to desist from crime.

The Yellow Ribbon Project, designed to promote community awareness and acceptance of ex-offenders, remains a strong element in SPS strategy.

Solomon Islands

The Solomon Islands enacted new legislation in 2008, with assistance from other regional countries, notably Australia. The new Act seeks to embody international standards and involves a shift towards 'rehabilitation and reintegration ... rather than social isolation and punishment.'

The Corrections Services Department of the Solomon Islands (CSSI) has replaced the old Prisons Department, much improved facilities have been constructed, audit and inspection systems have been introduced, and engagement with the community has been improved. Although much has been achieved, CSSI recognises that 'the best form of long term protection for the community results from the timely, safe and well-managed release of prisoners to service the balance of their sentence in the community under appropriate supervision.' This presents many difficulties in a country consisting of scattered small islands and CSSI is therefore investing resources to explore optimal models for community supervision.

2013 was a very challenging year. As the CSSI has built its own capacity and has reduced its reliance on donor support, it has become more reliant on Solomon Island government funding and it has been difficult to get the required priority. Prisoner numbers continue to increase steadily and new prisons are needed.

Sri Lanka

Sri Lanka faces 'overcrowding of alarming proportions' in its prisons. Overall, prisons are operating at 250 per cent of official capacity. Some individual prisons are even more overcrowded than this.

Although government funding for the criminal justice system as a whole has increased, prisons have been afforded very low priority. As a result of political and ethnic conflict over recent years, Sri Lankan prisons

now also face the challenge of managing high risk prisoners in a way that will not lead to breaches of security and safety or to other prisoners being influenced negatively.

The delegate from Sri Lanka emphasised that the issues of overcrowding are not just about space for prisoners to sleep: due to overcrowding, many prisons now have inadequate water, toilet and sewerage arrangements and are even lacking essential items such as bedding, clothing and cutlery. Medical and other services are also inadequate.

Thailand

Thailand is progressing some fundamental reforms to its *Penitentiary Act*. For a long time, Thailand has been very serious about international standards, as delegates to the 2001 APCCA conference learned. One important feature of the new Act is that it will mandate compliance with the United Nations Standard Minimum Rules for the Treatment of Prisoners.

Thailand promoted the drafting and adoption of the *United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders* (the 'Bangkok Rules') in 2010. Since then, Thailand has been actively rolling out implementation in the country's prisons. Checklists for the Bangkok Rules have been produced, and full compliance across the country was targeted for the end of 2013.

Thailand's presentation discussed the implementation of the Bangkok Rules, especially in terms of women-focused admission procedures, health care and rehabilitation. Pregnant women have been a special focus of the implementation program, as have children in prisons. Thailand has also emphasised the importance of improving officer knowledge, training and education in how to manage the specific issues faced by women offenders.

The 2015 APCCA Conference will be held in Thailand, and members will look forward to learning more about Thai corrections, and especially about progress under the Bangkok Rules.

Vietnam

Vietnam has been in the process of revising its laws over many years. On 1 July 2011, the *Law on Criminal Sentence Execution* came into effect. This, read with the 2007 *Law on Amnesty*, is intended to provide greater consistency and continuity in the law. It emphasises reintegration for ex-prisoners and places a responsibility on local authorities to encourage and support them through employment and training opportunities. The completion of this legal framework has resulted in the General Department for Criminal Sentence Execution and Judicial Support being able to upgrade prison buildings and improve to staff recruitment and training. A number of challenges remain, including a growing number of foreign national prisoners and prisoners with HIV/AIDS and Hepatitis. Prisons are also aiming to improve the quality of family contact.

Brunei

Brunei's total population has been expanding rapidly and this has required whole of government planning and coordination. The Prisons Department has two main corporate goals. The first is 'protection'; in other words, 'securing public safety by detaining and guarding inmates in appropriate facilities. The second is 'reformation and rehabilitation' through programs targeting 'repentance, knowledge-seeking and moral improvement so prisoners return to society as useful, knowledgeable and law abiding citizens'.

In line with these corporate goals, the Prisons Department has set some specific strategic priorities, including: reducing recidivism; improving correctional facilities; improving the working environment and professional development opportunities for staff; and the introduction of more community based programs.

At the 2012 conference in Brunei, delegates had learned about the drive to improve the focus on aftercare support for ex-prisoners. There had been further progress by 2013 and it remains an area of significant ongoing attention, including campaigns to improve public awareness and some organisational restructuring.

One important initiative is the proposed *Mental Health Care Order*. Currently under discussion, this would lead to the establishment of a dedicated secure mental health facility and better support in the community for offenders with serious mental health conditions. Energy conservation has also been identified as a high priority. Another emerging area is the impact of Islamic Syariah criminal law. The government intends that Syariah laws will come into force in 2019 and some of the punishments under these laws, including caning, will be administered by the Prisons Department.

Canada

The Correctional Service of Canada (CSC) has responsibility for offenders sentenced to two years' imprisonment or more. Other prisoners, including those held on remand and those serving less than two years are held in Provincial jails.

In 2011, CSC informed the conference that it was pursuing a 'Transformation Agenda', with an overriding focus on public safety. The paper prepared for the 2012 conference outlined legislative changes that had occurred in 2012 to give effect to this new direction, and the 2013 conference presentation provided further details of current challenges and changes.

Key features of the Transformation Agenda include: increased penalties for sexual offences against children and serious drug offences; 'the protection of the community' is now the paramount consideration for corrections; a stronger focus on mental health issues; an emphasis on offenders' responsibility and accountability; improved incentive schemes for prisoners; a stronger focus on the management of long term prisoners; better provision for Aboriginal prisoners; a more targeted approach to reintegration; netter opportunities for skilling up offenders for release; and the introduction of electronic monitoring.

Another major challenge facing CSC is the age of many people in the workforce and the issue of managing the number of pending retirements and ensuring adequate succession planning and training across all levels of the agency.

China

China has more than 1.6 million prisoners in over 680 prisons, and reported that its prisons have been safe and secure over recent years. China has been progressively revising prison laws and policies in order to achieve standardised operations, greater accountability and transparency, and improved performance across its vast and diverse system.

One of the focus points in China has been on improving education and training programs leading to qualifications recognised in the wider community. China reported that this has achieved positive results, with recidivism rates dropping. There have been improvements with respect to security, epidemic control and disaster management. Prison law enforcement has improved as a result of the new laws promoting transparency in prison affairs, and violations of law by prison officers have fallen. However, the paper emphasised that it is important to keep improving on laws and practices.

China has experienced mass movement from the land into cities in recent years and is looking to 'address irrational prison locations'. Other areas identified for further improvement include improving the range and quality of rehabilitation programs for prisoners; enhancing staff skills and professionalism; and team building.

Since 2012, China has also been actively expanding opportunities for community based measures, including 'public surveillance', probation and parole. To date, China reported a very low rate of re-offending by people on community orders.

Hong Kong (China)

Hong Kong (China) has continued to develop wide ranging strategies to enhance offender rehabilitation. The strength of the economy has assisted the Correctional Services Department (CSD) in obtaining increased resources over recent years. As a result, a substantial program of prison building and upgrading has taken place, underpinned by three core concepts: '*Caring for people, Caring for environment, Caring for community*'.

Hong Kong (China)'s presentation to the conference discussed a range of specific initiatives, including improved vocational training for persons in custody, continuing to build community support and engagement for the rehabilitation of offenders, a 'waste no food' scheme and anti-smoking measures.

A CSD priority is to ensure that prisoners are equipped with skills which are genuinely market-oriented and that they are able to obtain employment and support on release. Other priority areas include knowledge management system, services to women prisoners, and international/regional collaboration. The CSD continues to work hard to promote community engagement in order to gain support for its goals, to provide services into the prisons, and to provide post-release employment and other support.

The crime rate and the overall rate of imprisonment are both declining in Hong Kong (China). However, there are some significant pressure points in prisoner numbers, especially in relation to services and facilities for female prisoners. A good deal of investment has been targeted at this area in recent years.

Macao (China)

Macao (China) has undergone rapid change with a massive recent growth in gaming tourism and associated entertainment. This has created a complicated social environment with increased opportunities for illegal activities. Although the crime rate has remained relatively stable for a number of years there are signs of a recent increase.

The existing Macao prison is overcrowded and quite old. It is therefore being expanded and renovated. Construction of a new prison commenced in 2010. The Macao Prison is a department which falls under the Secretary for Security but rehabilitation services for released prisoners is the responsibility of the Department of Social Rehabilitation (DSR) in the Legal Affairs Bureau.

Particular pressure points in Macao include the growing number of female prisoners, non-local prisoners and prisoners being held on remand. Drug offenders remain an area of particular concern and the DSR has been trialling new treatment programs.

Fiji

Fiji has overhauled its system over recent years. A new *Corrections Act* came into force in June 2008. This Act embeds a focus on rehabilitation and reintegration and aims to encourage a sense of self-respect and personal responsibility on the part of prisoners. It also aims to improve transparency, accountability and ethical behaviour. The central government has set some challenging targets for the Fiji Corrections Service (FCS), including a large reduction in recidivism by 2014.

Two of the core difficulties faced by FCS in meeting targets to reduce recidivism have been prison overcrowding and the need to change community perceptions of offenders. At present, overcrowding does

not allow sufficient separation of different groups of prisoners and affects access to services. The construction of new remand prison in Suva should assist with some of these problems. Fiji has also adopted its own version of the Singapore Yellow Ribbon program and this is showing promising signs.

The FCS presentation by Fiji highlighted two further specific issues. First, FCS is endeavouring to improve the position of female officers. Historically, FCS has been a male-dominated service. As a result, the skills of women have been undervalued and their career opportunities have been limited. FCS is working to improve retention rates and development opportunities.

Secondly, kava consumption remains a serious problem, not only amongst prisoners but also amongst staff. The Fiji delegation noted that kava consumption has changed from being a customary tradition to a health risk because of excessive indulgence. Measures have therefore been introduced to monitor and discipline staff for kava abuse.

3. CONCLUSION: TOWARDS CORRECTION, TRANSFORMATION AND REINTEGRATION

India selected a most appropriate guiding theme for the 2013 conference: *'Towards Correction, Transformation and Reintegration'*. The theme reflected the basic philosophy shared by all APCCA members. Prisons are no longer places where people are simply locked away from society: security, safety and control remain essential elements of any prison system but the ultimate goals are rehabilitation, reintegration, and reduced recidivism.

In broad terms, the country papers agreed that success in correction, transformation and reintegration would come from aligning the following elements:

- Improving legislation and policies;
- Reflecting a balance between the rights of offenders, corrections staff, victims and the community;
- Developing well-informed, country-specific assessment and classification tools;
- Targeting the right interventions at the right offenders at the right time;
- In developing initiatives for offenders, fully recognizing gender, age and cultural difference;
- Skilling people up for 'real world' jobs;
- While offenders are still in prison, developing links to family, community and employers;
- Carefully staging a person's release from prison to the community; and
- Developing stronger community-based sentences, supervision and supports.

AGENDA ITEM 2

ORGANISATIONAL CULTURE: PROMOTING SHARED POSITIVE VALUES AND INTEGRITY

1. INTRODUCTION

Having a positive culture is critical to the success of any organisation, whether public or private. It is generally easy to identify a poor culture but not as easy to define or implement a positive culture across large organisations which carry out diverse functions. Over recent years, APCCA members have often commented on the need to improve staff professionalism and to change from the old 'lock them up' prison culture to a rehabilitative focus. This topic was therefore very timely.

One of the critical elements of a positive culture is integrity. Integrity means many different things in a corrections context. In a narrow sense, it means eliminating corruption. As delegates to previous conferences have pointed out, prison officers are increasingly vulnerable to corruption because of the wealth and power of some groups of prisoners, such as drug dealers and terrorists. More broadly, integrity refers to the way employees conduct themselves in undertaking tasks, in decision making, in dealing with colleagues and in contact with offenders, their families and other agencies.

For this agenda item, PowerPoint presentations were delivered by delegates from Fiji, Hong Kong (China), India and Singapore. Thailand submitted a written paper.

2. PROMOTING POSITIVE SHARED VALUES

All corrections organisations aim to embed positive values and to ensure that these values are shared by all staff and applied in their daily work. However, different countries face different challenges in meeting this goal. Although there are many shared values across the region, religious and social differences also play a role in defining the precise organisational culture and values. During the agenda item session, delegates presented and discussed the extent to which they have faced the following challenges and how successful they have been in addressing them.

(a) Organisational vision

Strong organisational cultures invariably reflect the fact that the organisation has a clear vision of what it is seeking to achieve. This has presented some challenges as correctional services have moved towards a more rehabilitative approach.

Fiji

In 2009, the Fiji Corrections Service formulated and promoted its Vision Statement:

'To be an internationally acclaimed Corrections Service helping Fiji to be one of the safest centres in the world.'

In the same year, the Fiji Corrections Service created its Mission Statement:

" ... to provide an effective and efficient corrections system through the adoption of innovative programs of offender management and rehabilitation programs. We will achieve this by being CAPTAINS in the Lives of Offenders committed to our custody. We will be instrumental in

steering them towards being productive and responsible citizens with the help of their families and the community. We will thus build a secure and Exemplary Prison System.”

Hong Kong (China)

In the late 1990s, the Correctional Services Department of Hong Kong (China) commenced a consultation process with its staff in order to develop its first Vision, Mission and Value (VMV) Statement that sets the foundations of the ethical culture of the organisation. Its Vision is:

‘To be an internationally acclaimed correctional service, helping Hong Kong to be one of the safest cities in the world’.

Its Mission is to:

‘Protect the public and reduce crime, by providing a secure, safe, humane, decent and healthy environment for people in custody, opportunities for rehabilitation of offenders and working in collaboration with the community and other agencies.’

India

India stated that:

- The Indian organisational culture ‘is high in power distance, low in uncertainty avoidance and highly masculine.’
- There were three aspects of the prison organisational culture: the dominant culture (nation and criminal justice system), its core values, and subcultures (prison staff and inmates).
- Employees learn about culture and culture is reinforced through language, stories, rituals and material symbols.
- Different types of prisons have different cultures (for example, high security prisons, women prisons and open jails).
- The driving force for change in Indian prisons came about through judicial interventions, increasing focus on human rights of prisoners, and increasing accountability resulting in changes in work practices and ethics.
- The prison culture has been improved through professionalising corrections and prison staff, creating an organisational culture towards work, training of staff and promoting a culture that cares and respects one another.
- Resistance to cultural change was overcome through education, communication, participation and involvement of prison officers, staff and inmates.

Some State Prison Departments in India have formally adopted their own Vision and Mission Statements. For example:

- The Vision and Mission Statements in the draft *Punjab Prison and Correctional Services Act* are:
 - ✧ Vision – To strengthen the Criminal Justice System to ensure public safety and achieve efficacy in Correctional Practices.
 - ✧ Mission – To provide for safe, secure and humane correctional system. To care for undertrials and work towards reformation and rehabilitation of offenders by providing a humane environment that promotes law-abiding behaviour in custody and successful reintegration into society.
- The Vision of the Andhra Pradesh Prisons Department is:
 - ✧ to provide a service which the public can be proud and which will be regarded as a standard of excellence in the country;
 - ✧ to render excellent correctional services for the benefit of the society which is to be regarded as a role model for others to emulate.

Some State Prisons have adopted mottos. For example, the motto at Haryana (Karnal Jail) is '*A Busy Convict is a Happy Convict*'. In Kerala Prison, the motto is '*Custody, Correction and Rehabilitation*'.

Singapore

In 1999, the Singapore Prison Service reviewed its then Mission Statement which focussed on the safe and secure custody of prisoners, and created a new Mission Statement that focussed on both security and the rehabilitation of offenders:

"As a key partner in Criminal Justice, we protect society through the safe custody and rehabilitation of offenders, cooperating in prevention and aftercare."

The shift from custodial function to the security and rehabilitation of offenders created greater job satisfaction for the officers at the Singapore Prisons Services as they see themselves as 'Captains' of the lives of offenders through purposeful interactions with inmates under their charge. As aptly explained by the Singapore delegate, the officers saw their 'role being the center of a 'Ripple Effect' when they touch lives of inmates, transform their families and impact the criminal justice system and community as a whole'. Importantly, since 2000, this positive shift has redefined the role of the Singapore Prison Service to focus on developing a disciplined yet rehabilitative regime for offenders to better reflect its work for the next decade to come.

(b) Organisational values

In addition, to having a clear vision, it is vital for correctional organisations to reflect on the values which underpin their operations. These values are likely to include integrity, trust, respect for colleagues, accountability, ethical decision making, delivering on promises, and a commitment to the safe and decent treatment of offenders. In addition, correctional services also now have an increasing responsibility to the community.

Hong Kong (China)

The Correctional Services Department of Hong Kong (China) has five values:

- *Integrity* - We are accountable for our actions by upholding high ethical and moral standards, and have the honour of serving our society.
- *Professionalism* - We strive for excellence in correctional practice and resource optimization, and take pride in our role as society's guardian and rehabilitation facilitator.
- *Humanity* - We respect the dignity of all people with emphasis on fairness and empathy.
- *Discipline* - We respect the rule of law with emphasis on orderliness in the pursuit of harmony.
- *Perseverance* - We are committed to serving our society, keeping constant vigilance and facing challenges with courage.

India

The organisational values of the Prison Department in India is '*Peace, Respect and Tolerance*' which covers:

- Transparency
- Accountability
- Integrity
- Communication and management
- Training

During the agenda item session, a presentation was given on *ePrisons* which is a prison management tool used by prison departments for their efficient, reliable and transparent functioning through biometrics technology.⁶

Fiji

The values of the Fiji Corrections Service are:

- *Integrity* – It involves being loyal to the organisation, agreeing to achieving its mission and vision, and having open and honest communication that respects each person’s differences and skills to the organisation.
- *Respect* – Treating each other with dignity, care, acceptance and understanding.
- *High Professional Standard* – continuous improvement of skills and knowledge to maximize the learning outcome of all corrections staff.
- *Obedient* – To be obedient is to be trustworthy. In other words, you obey the rules even when no one is watching.
- *Courage* – Courage is going ahead even when you feel like giving up and quitting. Courage is a quality of the heart. It is doing what needs to be done even when it is really hard and scary.

In addition, the Fiji Corrections Service also has the following department values which are similar to Singapore (see below):

- *Honour* our Vision by placing it above self-interest and inspiring others to our cause.
- *Excel* in our work because we care enough to want to be the best.
- Be *Agile* by being innovative and open to new possibilities, overcoming adversity through continuous learning.
- *Respect* our colleagues and the community we come in contact with.
- Foster *Teamwork* through coaching, guiding and inspiring one another in our workplace.

Singapore

The Singapore Prison Service’s organisational values consist of the ‘HEART’ acronym that was formulated in 2001:

- *Honour* our Vision by placing it above self-interest.
- *Excel* in our work.
- Be *Agile* by being vigilant, innovative and responsible for our own learning.
- *Respect* and care for our colleagues, inmates and the community.
- Foster *Teamwork* and inspire one another at work.

(c) Engagement and communication

There is no point having a ‘corporate’ vision and values if these are not known to staff and applied during their daily work. All large organisations struggle to manage the potential ‘gap’ between the corporate view and the view of staff ‘in the field’. It is particularly important that all the different staff groups (including administrative and support staff as well as custodial officers) are parties to the same vision and values. Experience also shows that staff are far more likely to be responsive if they are consulted and engaged.

In the *Discussion Guide*, delegates were asked to consider the following questions:

- What strategies were adopted to engage all groups of staff in the process of developing, improving and fine tuning organisational visions and values?

⁶ Biometrics is an automated way of identifying or authenticating the identity of a living person based on a physiological characteristics (such as fingerprint, iris/retina or blood vessel patterns) and/or behavioral patterns (which changes depending on the person’s moods).

- How did you ensure effective communication of these values to all staff? Did you conduct training sessions or workshops which helped to link these values directly to their own work and workplaces?
- How successful have you been in ensuring that staff understand the vision and values, and apply them in their work? What are the main challenges you still face?

Fiji

Over a period in 2009, the Fiji Corrections Service developed its Vision and Mission Statement when a number of ideas were initially shared amongst senior staff and were then discussed in detail, during senior management meetings. The Vision and Mission Statements were formulated and distributed to staff for their feedback and comments.

At a meeting consisting of senior management, Divisional Supervisors, Officers in Charge of 12 institutions and their Chief Officers, the Vision and Mission Statement were adopted. At the same meeting, the departmental values were also discussed which stemmed from the Fiji's standing orders, public service values and guiding principles. Further consultation process occurred with staff and stakeholders which resulted in the creation of Fiji Corrections Service's Vision and Mission Statements, and departmental values.

Hong Kong (China)

When the Correctional Services Department of Hong Kong (China) were formulating its Vision, Mission and Value (VMV) Statement in the late 1990s, a number of workshops and focus groups were held to consult with the staff in a collaborative way that empowered them to have shared ownership in, and commitment to, the VMV Statement.

During 2010, continuous consultation process occurred with staff to refine the VMV Statement that would inspire and chart a strategic direction for all staff that would meet the department's goals in guiding staff's behaviour and actions in serving the community.

India

The delegate from India (Andhra Pradesh) indicated that the following initiatives are held regularly to ensure there is open communication and engagement between the prison department, staff and inmates:

- Retreats are held involving all ranks of officers from the Director-General to Wardens. Topics regarding Prison Administration, Staff Welfare, Policy Implementation Interface with the public, are discussed. The advantages and disadvantages of the proposed initiatives are debated until an agreement is reached. The implemented initiative is reviewed during retreats held in succeeding years to measure its effectiveness.
- Prison officers and staff have opportunities to express their grievances so that they can be addressed.
- Judicial officers and visitors (official and non-official) visit the prisons at regular intervals to check prison conditions.
- The inmates' participation in prison management (called '*panchayats*' or prisoner bodies/groups) instils a sense of responsibility in the prisoners and prepares them for social integration. Panchayats enable prisoners to regulate their welfare activities under the guidance of prison officials. Once a year, a '*mahapanchayat*' is organised in the Tihar central prisons on rotational basis, in which panchayat members of all Tihar Prisons participate with prisoners to discuss problems faced by them.⁷

⁷ For more information about '*panchayat*', see N Morgan and I Morgan, *APCCA Report 2012 (Brunei)* at pages 34, and 45-46.

- The State, District and Mandal Level Prison Security Review Committees conduct reviews of security in prisons.

The Tihar Prison has undergone some organisational changes over recent times. These have included:

- Mission Statement
- Walk and Learn
- Effective and prompt decision-making process
- Re-evaluating decision
- Written directives
- Leading by example
- Identifying and resolving problems
- Declared strategies
- Transparent functioning
- Regular and direct access

A comparative case study was conducted on the change in organisational culture. It was found that organisational change occurred successfully where:

- the organisation was open and transparent;
 - there was constructive use of the inmates' time (in other words, 'a busy convict is a happy convict');
 - there was recognition of individuals; and
 - participative management existed,
- that resulted in fewer complaints and more productivity from all concerned.

The case study identified resistance in areas where:

- there was new building, structure and design;
 - staff were not prepared for the change or failed to overcome their resistance; and
 - staff and inmates were anxious or afraid of the changes,
- that resulted in riot and disturbance.

Initiatives have been taken in India to promote professionalism and positive organisational culture in prison departments, including:

- Production of a *Model Prison Manual 2003* which contains critical matters such as staff development, recruitment and selection, creation of National Prison Service Cadre, service conditions, staff training, training as a continuous process, and training institutes at three levels (namely, state, regional and national levels).
- All India Conference of Director Generals (Prisons) and Secretaries (Prisons) is held once every two years.
- Since 2000, the Government of India has been awarding Correctional Service Medals to prison personnel on Republic Day (26th January) and Independence Day (15th August) in recognition of their consistently outstanding dedication to duty:
 - ✧ Gallantry Medal – The President's Correctional Service Medal for Gallantry and the Correctional Service Medal for Gallantry.
 - ✧ Service Medals – The President's Correctional Service Medal for Distinguished Service and the Correctional Service Medal for Meritorious Service.

Singapore

The impetus for a new Singapore Prison Service (SPS) *Vision Statement* came about when it realised that 14 years had passed since its first vision was created in 1999. Since then, significant progress had been made through the introduction of initiatives such as:

- the Classification System for inmates (to assess the inmates' risks and needs in order to devise rehabilitation programs);
- the Prison School to give eligible inmates education opportunities; and
- the *Community Action for the Rehabilitation of Ex-offenders* (CARE) network to provide a seamless aftercare community support for ex-offenders. The *Yellow Ribbon Project* was launched in 2004 to encourage community members to offer a second chance to ex-offenders during their reintegration into the community.⁸

Thus, in 2012, the Singapore Prison Service (SPS) decided to review its organisational vision to move the organisation 'out of its comfort zone, push new boundaries, challenge past norms and reinvigorate the passion of SPS officers'. About 80% of its staff (more than 2,000 staff officers) were consulted at every stage of the process, whereby officers were encouraged to share their aspirations and hope for SPS and their proposals for a new vision statement. The consultation process took five months and empowered the officers to take ownership of the shared vision and to commit themselves in implementing it over the years to come. In April 2013, a new Vision Statement was revealed: "*As Captain of Lives, we inspire everyone, at every chance, towards a society without re-offending*".

The new SPS Vision 'sets a stretch target for SPS to embark on a journey of continuous improvement to impact self and the society at large'. In other words, it calls for SPS officers to inspire and guide offenders (and ex-offenders) to a positive change in behaviour by giving them hope and motivating them to maintain good behaviour and discipline. SPS' commitment and ultimate aim is to work towards a society without re-offending and zero recidivism rate.

During the presentation, Singapore discussed the various ways in which SPS' organisational purpose, vision and values were continuously explained to its officers so that they can apply them to their day to day work:

- The *SPS Leadership* provides opportunities for officers to demonstrate and enforce SPS' purpose through regular engagements and interaction platforms. For example, the Director of Prisons' monthly blog post makes references to the Captain of Lives' theme and the new vision. In addition, officers can air their views with SPS Leadership.
- *Weblog* – Every fortnight, officers can share their personal stories as Captains of Lives in a weblog which helps to reaffirm and recommit SPS' vision and also to motivate officers when success stories have been shared.

3. PROMOTING INTEGRITY

As noted earlier, integrity is a critical element to a successful and professional correctional services department. The very nature of the job is that staff must deal with people with criminal records, usually in an environment which is closed from public view. It is essential that strong measures are in place not only to reduce the risks of corruption and malpractice, but also to promote positive ethical and professional standards.

In recognition of this, many corrections departments now have dedicated divisions which focus on integrity and professional standards. Generally speaking, these divisions must perform two functions:

- The first, and most important role is proactive: is prevention. It is important that the standards expected of staff are clearly articulated and that they are then educated and engaged in terms of what is expected of them. Some of the required standards will apply across the whole of government and others will be specific to corrections departments. Prevention also requires systems to be set up so that people can raise concerns about issues of integrity.

⁸ For more information about Singapore's *Yellow Ribbon Project*, see N Morgan and I Morgan, *APCCA Reports of 2008, 2009 and 2011*.

- The second role is reactive: the investigation of alleged breaches and taking appropriate actions in response.

Delegates were asked to consider the following issues:

- What have been your main challenges in terms of staff integrity?
- How have you gone about promoting integrity on the part of staff?
- How far do you work in collaboration with other agencies in promoting integrity (for example, many countries have independent 'integrity watchdogs')?

Fiji

Prior to 2006, the Fiji Corrections Service was operating within 'a very poor culture for both inmates and officers alike' due to a 'lack of knowledge, ready acceptance of low standards, lack of leadership (command and control), lack of monitoring and a superficial relationship amongst staff'. In addition to this negative culture, there were issues regarding 'low self-esteem amongst staff facilitating an inward looking organisation with corruptive practices'. However, with the enactment of the *Fiji Corrections Act 2006* and new management, a number of strategies have been implemented to develop a positive organisational culture within the Fiji Corrections Service. During the presentation, a number of strategies that have been adopted to promote integrity, were highlighted.

One issue within the general Fijian population is the increase in consumption of *kava*⁹ which is Fiji's national drink. The consumption of kava is prevalent amongst the corrections staff and this has resulted in the following consequences:

- Increase in sick leave and absence without leave
- Increase in family disputes regarding financial matters
- Increase in staff inefficiency and high disciplinary actions taken against staff
- Increase in the number of officers failing in their quarterly fitness test
- Poor corporate image of the Fiji Corrections Service

To resolve the above issues, the following strategies were adopted to reduce the consumption of kava:

- kava bans on officers in all institutions
- Fitness Test as a pre-requisite for promotion
- review of Staff Welfare Policies
- offering Basic Finance Management course to officers and spouses
- offering assistance to officers to acquire their own house

To promote integrity within the Fiji Corrections Service, senior leaders demonstrate their commitment to legal and ethical behaviour by:

- leading exemplary lives and exercising leadership in ethical values
- teaching and mentoring staff
- encouraging staff to have frank conversations and to take an active role in reward and recognition program to reinforce business focus and the organisation's Vision and Mission Statements
- supporting training programs with ethical components
- organising invitations to talks by distinguished individuals on ethics
- holding quarterly meetings for unit heads and heads of institutions and group meetings
- conducting Quarterly Inspections on all functional aspects of the organisation
- ad hoc dispatches of management staff to resolve issues that have arisen in any areas of the organisation

⁹ Kava is a drink extracted from the root of the black pepper plant which is drunk during traditional occasions. It is a suppressant that can be used in moderation for those who are in distress or under stress.

In addition, the following strategies have been devised to identify and resolve issues arising in any units within the organisation, in a constructive and effective manner:

- conducting checks in all institutions to identify shortfalls in operational areas
- holding Commissioner's Weekly Briefing which highlights critical areas that need attention
- Board of Inquiry to inquire into alleged violations of professional standards by officers and inmates
- An investigation and penalty system that apply throughout the organisation
- The imposition of disciplinary action to deter reoccurrence of misconduct
- Periodic examination for all staff to gauge their understanding of issues regarding positive culture and integrity within the organisation

India

India (Andhra Pradesh) identified the following factors that affect the integrity of officers:

- over qualified officers and staff being paid low salaries in the Prisons Department
- comparison with officers from other government departments
- close interaction with prisoners for long periods of time
- engaging in transactions with affluent prisoners

The following strategies were identified by India to promote integrity:

- The Fundamental Duties in India's Constitution requires a framework for a Code of Ethics and Conduct, and that any complaint relating to misconduct is to be dealt with through the Departmental Inquiry and Disciplinary Proceedings.
- A Prison Manual that clearly identifies the 'do's and don'ts' for prison officers, staff and prisoners.
- Enquiries to complaints being conducted in a timely manner by the Range Office and Head Office.
- Constant surveillance by the Range Office and Head Office.
- The ability of the Director General to obtain information from the Intelligence Wing in the Police Department.

India discussed the *Anti-Corruption Strategy* that contains the following components:

- Prevention which:
 - ✧ addresses management weaknesses;
 - ✧ identifies and manages opportunities for corruption and risks; and
 - ✧ contains rules for government servants
- Investigation process
- Sanctions:
 - ✧ Disciplinary hearings
 - ✧ Internal & external sanction as appropriate
 - ✧ Disciplinary action on investigation into corruption
- Rewards and incentives at State level. At State level, the respective Prison Departments evaluate and recognise officers who have shown good job performance by honouring them with monetary incentives, medals, certificates, promotion and other benefits. For example:
 - ✧ 25 Distinguished Service medals and 75 meritorious medals have been awarded to prison personnel.
 - ✧ A Chief Minister's Medal Scheme is available for prison officers in Tamil Nadu.
 - ✧ An Employee of the Month is selected by jail superintendent.
- An *All India Duty Meet* is held once every two years to improve the standard of professional skills, to promote comradeship among prison personnel, and to show their talents at the national level to boost morale.

- Using information and technology to improve transparency and accountability (for example, through the Prison Management Software, Visitor Management Scheme, and different management softwares are used for prison administration purposes).
- The following programs are available to staff to promote shared values, positive attitude and best practice:
 - ✧ Basic and Orientation courses for prison officers including specialized workshops and seminars
 - ✧ Vocational training programs
 - ✧ Yoga and meditation classes
 - ✧ Formal education programs
 - ✧ Sports and entertainment programs
 - ✧ Cultural programs
 - ✧ Sports competitions between prison staff (for example, Tihar Olympics)
 - ✧ Sports competition between prison staff and inmates (for example, in Patiala)
 - ✧ Special programs for staff's children

Hong Kong (China)

Ethics and integrity are the highest forms of values held by the Correctional Services Department (CSD) of Hong Kong (China). Hence, in 2007, a Departmental Ethics Committee (DEC) was set up within the CSD when the government launched its *Program on Ethical Leadership*. The main objective of the DEC is 'to strengthen ethical governance and integrity management of the Department by devising and implementing integrity management initiatives, monitoring and evaluating the outcome for continuous improvement.'

To ensure the highest ethical and integrity standards, over the years, the CSD:

- has adopted policies based on its five organisational values (discussed above); and
- has provided education, promoted CSD's organisational values and created a culture of good governance that empowered staff towards 'value-driven culture aligned with the departmental strategies' fostering their dual roles as:
 - ✧ '*Society Guardians*' by upholding the security, order and discipline of the offenders and the institution in order to protect the safety of the public.
 - ✧ '*Rehabilitation Facilitator*' by facilitating the rehabilitation of offenders and their reintegration into the community as law-abiding citizens by working collaboratively with the community and stakeholders. This assists in reducing the recidivism rate and protects public safety.

In performing their dual roles, corrections officers commit themselves to CSD's values and three caring principles:

- *Caring for People* - Respecting each person's dignity with fairness and empathy regardless of their status.
- *Caring for Environment* - Applying energy saving systems, implementing eco-friendly policies and green management in all institutions to preserve the environment.
- *Caring for Community* – Promoting a strong sense of social responsibility amongst staff through active participation in charitable events and voluntary services.

In 2011, the CSD adopted an integrated ethical management model called '*Total Ethics Assurance Management*', known as *TEAM – SPIRIT* model, with the following components:

- ***S*** *Standards* to be set as departmental guidelines on ethical practices
- ***P*** *Pledge* of the departmental management in upholding an ethical culture through effective leadership and full commitment.
- ***I*** *Involvement* of staff members at all levels in nurturing and fostering an ethical working environment.
- ***R*** *Reinforcement* through supportive departmental policies to ensure sustainability of an ethical culture.

- *Inspection* on possible risks of unethical practices through the establishment of an effective monitoring mechanism.
- *Training* on continuous basis for equipping staff members with relevant knowledge and skills in corruption prevention and integrity management.

The TEAM – SPIRIT approach is carried out in a variety of ways including the following:

- Departmental Standing Orders and Procedures
- Establishment of a Departmental Ethics Committee
- Implementation of policies
- Institutional-based Mentorship Program
- Integrity Ambassador Program
- Introduction of an Aptitude Test into the recruitment process which contains questions devised by professionals including clinical psychologists that tests the candidates abilities to undertake the demanding and unique tasks in corrections.
- A period of residential training for new recruits (23 weeks for Assistant Officers and 26 weeks for Officers) at the department's Staff Training Institute which includes anti-corruption talks and other training components to instil the organisational culture.
- Role modeling
- Promotion of *Healthy and Balanced Lifestyle* which encourages staff to participate in recreational activities, to participate in voluntary services to those in need, and to conserve the environment by recycling materials and reducing waste. Psychological services are also offered to staff.
- Mechanisms and procedures have been put in place to detect, monitor and respond to possible misconduct. Over the past three years, there has been a marked reduction in the number of complaints on corruption against CSD staff that have been referred by CSD to the investigative body. This reflects CSD's efforts towards 'Zero Tolerance' to corruption.

Financial difficulties faced by staff are possible causes for committing corrupt behaviour. To alleviate this problem, CSD has been proactively monitoring staff with financial difficulties or unmanageable debts through its promotion of *Healthy and Balanced Lifestyle* over the last 10 years. As a consequence, the number of staff with financial problems has decreased markedly.

- Workshops/seminars, training and development courses.
- Circulars and newsletters. For example, the department's monthly '*Guardian*' newsletter which includes stories from individual staff that demonstrates exemplary performance which promotes integrity and a sense of belonging to the department.

The success of CSD's efforts in promoting integrity and its staff's commitment to CSD's Vision and Mission Statement can be seen in the following ways:

- Staff's participation in campaigns and competitions such as *Integrity Slogan Competition, Best Volunteer Service Proposal Competition, Integrity Promotion Video Competition, Integrity Quiz Competition* and *Integrity Essay Competition*.

In 2013, one of the winning entries of the *Integrity Promotion Video Competition* was given the Honours Award of the 22nd Annual International QUESTAR Awards Competition for excellence in video communication. This reflects CSD's success and staff's commitment to integrity, in the international arena.

- There has been a marked increase in the number of volunteer services (from 14,723 hours in 2010 to 18,423 hours in 2012) by CSD's retired staff, serving staff and family members which are provided through the CSD's voluntary services group. In 2001, the group was awarded the Outstanding Volunteer Service Award by the Social Welfare Department of Hong Kong (China). This reflects the staff's commitment to CSD's values and culture.

- The CSD's caring efforts for its employees, the environment (such as implementing a series of environmentally friendly initiatives in building new and refurbishing existing facilities with environmentally materials and concepts)¹⁰ and the community, were recognised when CSD was awarded with the *Caring Organisation Logo* by the Hong Kong Council of Social Service for eight years, consecutively, since 2005.
- As at June 2013, a total of 330 mentors, from all levels of the organisation, have been appointed under the *Institutional-based Mentorship Program*. Over 1,060 new staff members have benefitted from being coached by the mentors. In a review conducted in 2012, the majority of the mentors and mentees indicated that they were very helpful to new staff in adapting to the correctional work and environment; in enhancing mutual understanding, team spirit and the concept of integrity management; and in providing emotional support to new staff where necessary.
- As 2012, a total of 121 Integrity Ambassadors have been appointed as role models under the *Integrity Ambassador Program* to promote integrity management at institutional level through a variety of initiatives including competitions. In 2013, to boost the morale of the Ambassadors, the first Best Institutional Integrity Ambassador Election was held which resulted in highlighting the invaluable contribution of the Ambassadors in sustaining and enhancing the integrity and ethical culture of the organisation.

Singapore

With regard to staff integrity, ethics and morale, regular and open communication is held between the coach and coachee. Direct reporting channel is used for ethical disclosure, and significant ethical cases and lessons are shared between all its staff. Singapore stated that its department uses the social media as a communication tool to reach the public.

Thailand

In Thailand, the Department of Corrections works under a tight fiscal budget, insufficient human resources, prison overcrowding, archaic prison legislation and public expectation that offenders be kept in custody. Thus, correctional officers work under stress and receive wages and benefits that have been static over the years. In light of these issues, the Department of Corrections recognised the possibility that its prison staff may be morally vulnerable and hence, be tempted to commit corrupt acts. To counteract this, an Ethical Protection Office was established to promote positive shared values and integrity of its corrections officers. The Ethical Protection Office is headed by the Deputy Director General, who reports directly to the Director General.

To promote the positive values of the Department of Corrections and to create *a Standard of Moral and Ethics of Correctional Personnel*, the following characteristics of a correctional officer were identified:

- Be sacrificed to society
- Be disciplined
- Be curious to knowledge
- Be honest to oneself and others
- Be loyal to the organisation
- Be respectful to human dignity
- Be ethical

The above Standard sets the national benchmark of how the performance of officers is assessed. Importantly, the Standard emphasises the self-sufficient economy philosophy initiated by His Majesty, King

¹⁰ For more information on this issue, see N Morgan and I Morgan, APCCA Report 2011 (Japan), discussed in Agenda Item 2: 'Contemporary Issues in Correctional Facility Construction'.

Bhumibhol Adujyadej of Thailand which proposes a sustainable way of living based on moderation, prudence and social immunity concepts.

Various programs and initiatives have been organised to communicate the shared values and to promote professionalism in the officers:

- Code of Conduct Handbooks have been distributed to officers
- Officers who have demonstrated exemplary conduct in correctional services have been given honorary awards. The recipients are given the golden emblem of *Pra Thammarong* (namely, prison guard in the ancient time) and their names are engraved in the Hall of Fame of the Department of Corrections in recognition of their noteworthy achievements.

Alleged misconduct or corrupt behaviour by officers are investigated by internal inspectors. However, recently, the Ethical Protection Office has been given the authority to investigate into allegations of misconduct. The new investigation process requires an investigation of the officer's financial transactions. The punishment for the misconduct depends on the nature of the misconduct, and may be dealt with as a disciplinary offence or a criminal offence. Members of the public (including stakeholders, NGOs and private sector) may contact the department regarding an alleged misconduct by an officer, through various channels such as the Red Box Post (which is a grievance submission), the Director General's inbox, and hotline.

4. CONCLUSION

After the PowerPoint presentations, delegates discussed the following issues:

- Training for, and capacity building of prison staff.
- Developing integrity through professionalism of personnel and transparency in the administration of institutions.
- Utilising mass media and social networks to develop positive organisational culture.
- Using various methods to motivate staff and the community (such as awards and prizes).

During the agenda item session, delegates discussed the main priorities of their respective corrections department over the next five years.

Fiji reported that there were visible evidence of the positive changes emerging in its staff's culture and behaviour. For the foreseeable future, senior staff in the Fiji Corrections Service will continue to play the role of Captains of Lives for those under their management and custody. Importantly, continuous awareness, evaluation and appropriate penalties will be imposed on violators as a means of bringing about quicker changes to generate positive culture and integrity within the organisation.

India identified two important matters that would make an effective leader: Firstly, a leader who is credible, has clarity of vision and the ability to articulate the vision. Secondly, a leader must leverage the organisational culture by 'managing the diversity of sub-cultural forces at play' and by 'nurturing cultural elements that can support the change'. Thus, a leader cannot create a successful organisation on his/her own, however, inspiring or charismatic he/she is.

The challenges for India include the following issues:

- Leadership development (namely, to develop the ability to assess the environment)
- Human resource development (such as personnel selection process, training and boosting morale)
- Empowering and motivating staff
- Developing Code of Ethics
- Overcoming structural inertia
- Adapting a new vision is essential for the organisation

- Public prison interface through community involvement

The delegate from India (Andhra Pradesh) indicated that its priorities over the next five years were to make Andhra Pradesh Prison Department the forerunner in the field of correctional services; to venture into areas which would bring about change in its prisoners' attitude; and to make efforts to bring a change from a resource-consuming department to a revenue-generating department.

Hong Kong (China) made the valid point that 'organisational culture is never stagnant but evolves over time, in pace with the changes within the organisation itself and the peripheral environment in which the organisation exists.'

However, with the increase in the general public of their rights, media attention and technological advancement, all correctional departments are constantly exposed to greater scrutiny and expectation from the general public, victims of crime and politicians. Thus, correctional departments need to consciously review their Vision and Mission Statements on a regular basis, in consultation with staff, to cater for any changes that affect the correctional arena, in an effective and efficient manner that respects the needs and abilities of the organisation in rehabilitating and reintegrating offenders into the community that protects community safety.

AGENDA ITEM 3

MEETING THE CHALLENGES POSED BY HIGH RISK OFFENDERS

1. INTRODUCTION

Recent APCCA conferences have highlighted the fact that the profile of prisoners has been changing. Generally, it appears that prisons across most of the region now house a more complex mix of prisoners and that a larger number of them may be termed '*high risk*' for one reason or another.

During the agenda item session, PowerPoint presentations were given by Fiji, Hong Kong (China), India (Andhra Pradesh, Chhattisgarh, Gujarat and Tamilnadu), Indonesia, Malaysia and Sri Lanka. Thailand submitted a written paper.

There are several very different groups of '*high risk*' prisoners (see below) and different policy and practice responses are required for the different groups. During the agenda item session, delegates discussed:

- (a) the general profile of the prisoner population and trends with respect to different groups of '*high risk*' prisoners in their respective jurisdiction;
- (b) case studies of measures taken to deal with high risk offenders, and the success (or otherwise) of these measures;
- (c) prison-based management of high risk offenders; and
- (d) the various measures and initiatives to better manage high risk offenders on release back to the community.

2. NATURE AND EXTENT OF THE PROBLEM

The term '*high risk offenders*' is open to many interpretations. Some people would say that most prisoners are a risk, and that is why they are in prison. However, there are many different forms of risk. Some prisoners, for example, are at risk of self-harm or suicide but pose little direct risk to other people.

The focus of this topic is on prisoners who pose a higher than normal risk to other people. The main groups include the following:

- (a) Prisoners who are dangerous to the State such as people involved in terrorist plots or attempted coups.
- (b) Gangs or affiliations of prisoners who pose a risk to both prison management and the community because of their criminal affiliations (including violence and drug-related crimes).
- (c) Prisoners who, as individuals, pose a particular risk to corrections staff.
- (d) Prisoners who, as individuals, pose a risk to the safety of other prisoners (for example, in terms of violence, bullying or predatory sexual behaviour).
- (e) Prisoners who do not pose a particular risk in terms of their behaviour in prison but are a potential risk to people in the community if they escape or upon release (for example, '*high risk*' sex offenders may well be compliant prisoners).
- (f) Offenders (both in prison and under community based supervision) who pose a risk to others because of their volatile mental state.

Delegates were requested to provide a broad overview of the profile of '*high risk*' offenders in their respective jurisdiction by reference to the above categories. In addition, delegates were requested to consider the following questions/issues:

- How, if at all, has the profile changed over recent years?
- How do you identify ‘high risk’ offenders (for example, do you use specific tests)? What are the main challenges you are currently facing?

Fiji

Since the 1800s, Fiji has been regarded as the ‘hub’ of the Pacific. The headquarters of many regional organisations¹¹ in the South Pacific are based in Fiji and trans-Pacific sea and air routes pass through Fiji. In addition, some small neighbouring countries such as Tuvalu and Kiribati depend on Fiji as a trans-shipment point for their trade with other countries. These factors have brought about changes to Fiji. Whilst there have been many benefits to Fiji, these changes have also impacted negatively on Fiji – for example, drug trafficking, human trafficking, organised prostitution, mutiny and coups, manslaughter and murder.

In the Fiji context, the types of high risk offenders are:

- political prisoners;
- prisoners who have committed violent offences (such as rape, murder, manslaughter, robbery, aggravated robbery, robbery with violence);
- those who have committed violent and drug-related offences;
- those who are at risk of re-offending;
- those who are at risk to the safety of staff and other prisoners;
- those who are at risk to the community; and
- those who have volatile mental states

Fiji provided a profile of its high risk offenders for 2009 to 2012:

Offence type	2009	2010	2011	2012
Murder	12	45	44	34
Manslaughter	10	22	18	29
Sexual offence	44	98	107	99
Robbery/Burglary	171	185	222	202
Assault	12	45	44	34
Acts of Bodily Harm with Intent	92	106	85	123
Political prisoners	15	12	9	7
TOTAL	366	526	534	537

The above table indicates that the total number of high risk offenders admitted to prison has been increasing steadily over the years. Whilst the annual increase in the number of high risk offenders could be argued to be small, it is important to compare it with the total prison population in Fiji.

Year	2010	2011	2012
Total prison population	1118	1162	1520
% of high risk offenders	47%	46%	24%

Hong Kong (China)

The Correctional Services Department of Hong Kong (China) has 24 correctional institutions consisting of minimum, medium and maximum security institutions, a psychiatric centre, a detention centre, training

¹¹ For example, South Pacific-based United Nations agencies and diplomatic missions.

centres and drug addiction centres.¹² Over the years, the profile of its penal population has changed. For example, the number of foreign nationals has increased from 9% in 2002 to 15.7% in 2012,¹³ the number of inmates with triad affiliations has increased from 22% in 2002 to 37% in 2012, and the same increase occurred with the number of drug abusers at the time of admission. The change in profile has brought greater challenges for CSD including changes in risk management.

Upon admission, all newly convicted offenders appear before a *Classification and Categorisation Board* which is chaired by the Head of the Reception Centre. In assessing the security risk of the individual, the Board takes into account the following factors:

- nature of the current offence and length of sentence imposed
- previous criminal history and background
- triad affiliation
- security intelligence
- information provided by other law enforcement agencies

The Board then assigns one of the four security categories which reflects the security risk and corresponding placement of the individual. The Board also reassesses the individual during the term of his/her sentence. For example, an individual who has been assessed as having the highest potential to cause disturbance in prison or escape attempts, will receive Category A rating and placed at a maximum security institution. The category rating also gives the security alerts to the supervising staff.

Category	Definition	Receiving institution
A	Escape would be highly dangerous to the public or police or to the security of Hong Kong, and for whom the highest conditions of security are necessary.	Maximum security
B	The highest conditions of security are not necessary but for whom escape must be made very difficult.	Medium security (or above)
C	Cannot be trusted in open conditions but lacks any ability or resources to make a determined bid to escape.	Minimum security (or above)
D	Can reasonably be trusted to serve his sentence in open conditions.	Minimum security (or above)

Each institution has a Board which reassesses all inmates during their sentence. Re-categorisation occurs after the individual has served at least three months of the sentence and thereafter, at least once a year for those with Category A. The statistics for 2010 to 2012 reveal that:

- 5.8% to 6.4% of the inmates held in correctional institutions were Category A (about 507 to 510 inmates).
- 21% to 26% of the inmates were Category B (about 1,900 to 2,160 inmates).
- 65% to 68% of the inmates were Category C (about 5,300 to 6,000 inmates).
- 2% and 3% of the inmates were Category D (about 170 to 275 inmates).

India

In India, 'high risk offenders' include prisoners who are dangerous to the State; terrorists, anti-nationals activists, human traffickers, murderers, drug mafias, organised crime mafias, rapists, and cyber hackers. During their reception into a prison, offenders are classified in the following ways:

¹² The CSD manages 29 correctional facilities in total, which consists of 24 correctional institutions, three half-way houses and two custodial wards in public hospitals.

¹³ For more information, see N Morgan and I Morgan, *APCCA Report 2011 (Japan)* where the issue of foreign prisoners in the Asia-Pacific region was discussed in Agenda Item 3.

- *High Risk Prisoners Category S-1* – These are prisoners who have been involved in terrorist and extremist activities; violent criminals; those who have a history of escape or have high escape risks. They are seen to be in ideological conflict with the political system. As at August 2013, 83 (0.58%) out of a total of 14,340 prisoners held in Tamilnadu fell within this category.
- *High Risk Prisoners Category S-2* – These are prisoners involved in murder, dacoity (robberies committed by gangs), robbery, rape, hired assassins, burglars, and drug peddlers. They disturb public order. As at August 2013, 798 (5.56%) out of a total of 14.340 prisoners in Tamilnadu were Category S-2.¹⁴
- *Categories S-3 and S-4 Prisoners* – These include first offenders involved in heinous crimes and having low escape risks, or those who have committed minor offences and pose minimal or no risk to other inmates or prison staff.

During its presentation, Chhattisgarh stated that it classified its high risk offenders in the following ways:

- Most violent and hardened criminals such as serial killers, assassins, murderers, drug addicts, drug peddlers, kidnappers, dacoits, robbers, members of organized crime syndicates and psychopaths.
- Members of extremist/terrorist groups.
- Prisoners who have been sentenced to death.
- Foreign prisoners.

In general, Chhattisgarh reported that out of 1,394 jails in India, about 300 jails (including all the Central Jails, some District jails, sub-jails, jails for female prisoners and special jails) had high risk prisoners. This constitutes less than seven percent of the total prison population in India. Some of them had committed sensational jail breaks, multiple murders of police and paramilitary officers and multiple kidnappings. In 2012, a number of the prisoners committed 18 jail breaks with 123 successful escapes from various prisons in India.

During its presentation, Gujarat stated that geographically, it borders onto Pakistan including a highly volatile region like Kutch where infiltration was a frequent occurrence. As a result, most of its prisoners are foreign nationals and they pose a high security threat to India. In addition, Gujarat has a vast coastline stretching about 1,600 kilometres which attract drugs smuggling and human trafficking into the country. Although the Marine Police and Coast Guards have successfully arrested a number of the offenders, these offenders have strong mafia connections within the country and have created challenges for prison authorities. Gujarat also has a tribal belt area and dacoits from this area have posed challenges to the prison authorities due to illiteracy and social stigma issues attached to them.

Gujarat reported that its crime based classification of high risk offenders (trends) included terrorists, Maoists terrorists (naxals), anti-national activists, human traffickers, murderers and dacoits, drug mafias, organised crime mafias, rapists, and cyber hackers. It recently decided to classify high security prisoners based on factors such as class of prisoners, criminal behaviour, escape risk, requirement of gradation in custody, and educational and vocational needs, in the following categories:

- *Category 'I'* - Includes under-trials, convicts and detenues involved in terrorist and extremist activities, violent and habitual criminals and those who have an escape history.
- *Category 'II'* - Includes under-trials, convicts and detenues involved in murder, dacoity, robbery, rape and prisoners who are professional killers/organisers, and drug peddlers. Violent and undisciplined inmates and those who are an escape risk, may also included.

¹⁴ This constituted 132 gangsters, 121 hired assassins, 196 dacoits, 122 serial killers, 97 rapists, 75 violent robbers and 55 drug offenders.

- *Category 'III'* – These include prisoners who do not fall under Category 'I' or Category 'II'. Category 'III' are first-time offenders who have committed murder, dacoity and robbery, and are not an escape risk. They are usually lodged in security zone grade II in barrack-type accommodation.

Gujarat stated that high risk offenders include under-trial prisoners who fall under *Category 'I'* or *Category 'III'* who have been involved in terrorist and militant activities. These high risk prisoners are lodged in separate and demarcated high security enclosures within the prisons. These enclosures can accommodate 50 to 100 high risk prisoners and they are segregated from other mainstream prisoners.

Gujarat identified the following issues from high risk offenders to prison authorities:

- *Prison violence* – Gujarat indicated that the attacks could occur to settle rivalry matters and this may affect other prisoners who have to take sides. Prison authorities have limited options in cases where violence has occurred but no prisoner has been willing to make a complaint.
- *Attack on prison staff* – Some high risk prisoners may try to attack staff to establish terror within the prison complex. In some prisons, staff are not equipped with security device except with a *lathi* (wooden baton) which places them at high risk of being seriously injured.
- *Prison break* – Most prisoners try to escape during transportation between prison and the hospital or court, whilst under escort. There is also a possibility that they can take hostages to secure their escape.
- *Threats from external members of organised crime* – Prison staff and their relatives are at risk of such threats occurring, and hence, the provision of armed commando protection for them is necessary to ensure their safety from harm.
- *Tracking of high risk offenders* – There is currently no system to track high risk prisoners who have been released on bail, parole, furlough or other types of special leave from prison. It was suggested that the availability of a Global Positioning System (GPS) would alleviate this problem. The GPS is a space-based satellite navigation system that provides location and time information in all weather conditions, anywhere on or near the Earth where there is an unobstructed line of sight to four or more GPS satellites.

Indonesia

The presentation from Indonesia focussed on the management of terrorist inmates in its prisons. The approach to counter terrorism is law enforcement from responsible agencies through an integrated criminal justice system involving the police, the judiciary and corrections.

During the presentation, it was reported that, as at September 2013, there were a total of 163,153 inmates held in 433 correctional facilities in Indonesia. Of the total prison population, 254 were terrorist inmates incarcerated in 27 facilities in different parts of Indonesia. The sentences imposed on these inmates were:

- 2 inmates received the death sentence
- 13 received life sentences
- 31 received an imprisonment sentence of five years or less
- 107 received between six and 10 years' imprisonment
- 75 received between 11 and 20 years' imprisonment
- 26 inmates were detainees

Malaysia

In Malaysia, 'high risk offenders' are those who pose a risk to prison institution, its staff, other inmates and cause harm to themselves. High risk offenders fall under the following categories:

- Death row inmates

- Long sentence inmates (those sentenced to life imprisonment or for natural life)
- Security offences against the State (terrorists)
- Mentally disturbed inmates
- Terminally ill inmates
- Escapees
- Multiple offences inmates
- Aged inmates
- Illegal immigrants with unknown background

Based on the statistics of August 2013, Malaysia's total prisoner population was 39,933 prisoners (28,939 were convicted prisoners whilst the remainder were on remand (9,210), held at a detention centre (915) or were juvenile offenders (869)). The number of prisoners on death row was 960. There were 87 lifers, 121 natural lifers, 50 held at the Ruler's Pleasure, 21,039 long-term prisoners and 6,682 short-term prisoners.

Sri Lanka

In Sri Lanka, the categories of high risk offenders are:

- condemn prisoners
- condemn appliance prisoners
- life sentenced prisoners
- prisoners who have been convicted under the *Terrorist Prevention Act*
- specially identified prisoners as 'high risk'
- international drug peddlers and prisoners who are members of organised crime syndicates
- prisoners who have behaved violently in prison or in court
- prisoners who attempted to escape from lawful custody in a violent manner
- those who commit an act of mutiny against prison officers

3. RESPONDING TO THE PROBLEM IN A BALANCED WAY

No corrections system can completely eliminate risk. The aim should be to minimise risks as far as possible and to maximise the safety of staff, prisoners and the public as far as possible. It must also be recognised that while the imposition of a highly restrictive regime may reduce the immediate risks to staff or prisoners, the longer term goal of reducing risk to the community requires a focus on rehabilitation. In summary, the approach to managing high risk offenders will therefore be one of risk management, not complete risk avoidance.

For this part of the agenda item topic, delegates were requested to provide case studies of how their respective departments met the challenges posed by one or more of the high risk prisoner groups. Where relevant, delegates were also requested to consider some or all of the following questions:

- How has the design of prisons altered to take account of high risk prisoners? For example, do you have special 'SuperMax' units or prisons? Or have you constructed special mental health-focused facilities?
- What strategies do you adopt in terms of housing different groups of high risk prisoners? For example, in the case of terrorists and prisoners with gang affiliations, do you house them together (which may assist in some aspects of security) or separately (to reduce the chances of further plotting)? In the case of prisoners who bully other prisoners, do you segregate the victims or the bullies?
- What other management techniques are useful in dealing with high risk offenders? What sort of programs and regime are offered to such offenders?
- What staff training programs have been developed to ensure that they feel competent and safe when managing high risk offenders?

- Sometimes staff and/or their families may be threatened. How do you tackle such problems?
- Most prisoners will be released at some point. What strategies and practices do you have in place to safely manage the reform of high risk prisoners to society (for example, are they subject to monitoring, supervision and support on release?). And what systems are in place to ensure the competence and safety of community based corrections staff who are involved in the management of such offenders?

Fiji

The main challenge for the Fiji Corrections Service is the proper identification of 'high risk offenders'. Currently, 'high risk offenders' are identified by the Classification and Allocation Board based on:

- the nature and gravity of the offence committed; and
- the risk level which is determined by the number of admissions. The risk level is also dependent on the number of *prison* offences committed by the prisoner.

Fiji stated that as a result of the faulty classification system, low risk inmates are being accommodated with high risk inmates. In some instances, the mixing of these groups of inmates have led to increased escape attempts. To alleviate this problem, the Fiji Corrections Service has implemented the following strategies:

- A full time psychologist and a number of counsellors have been employed to assist with the assessment and profiling of all the offenders.
- The membership of the Classification and Allocation Board has been reviewed to ensure that only appropriately and suitably trained and experienced individuals are nominated and appointed to the Board.
- A Sentence Planning Team has been established to map out each inmate's program of activities for the term of his/her incarceration period.

Other challenges for the Fiji Corrections Service stem from internal and external political influences. Some examples are:

- The lack of coordination between the Fiji Corrections Service, Military and Police has hampered the sharing of intelligence and information gathering on the activities of high profile offenders, investigation into such criminal activities and their arrest. This includes high risk offenders who are in prison and those who are in the community.
- A number of incidents have occurred that have alerted the Fiji Corrections Service to take proactive steps to deal with the situation. In 1987, there was a takeover of Fiji's maximum security centre and a mass break out from the medium security centre. In 2000, there was a hostage situation at Fiji's maximum and medium security centres. In 2012, a few inmates escaped and committed a number of robberies within an hour.

To resolve the above challenges, the Fiji Corrections Service has undertaken the following strategies:

- Greater liaison and sharing of intelligence information has occurred with the Military and Police Forces. In addition, the officers are being trained in intelligence gathering and assessment.
- 'Intelligence cells' are being installed in various correctional institutions to facilitate the gathering and assessment of intelligence information.
- A continuous awareness program is being conducted for staff and inmates.
- The Fiji Corrections Service has involved the media during talk back shows to make members of the public more aware of their responsibilities and the role they can play in providing a holistic rehabilitation and reintegration of inmates into the community.

In addition, the Fiji Corrections Service has undertaken the following initiatives to help alleviate the issues outlined above and to improve the delivery of its correctional services:

- Categorisation of inmates based on the types of offences committed rather than on the sentence imposed.
- Reviewing its Rehabilitation Framework to ensure that suitable programs are developed to address the offender's offending behaviour.
- Conducting proper assessments that identify the specific issues of each individual and the development of appropriate intervention programs that meet his/her needs.
- A review of the Classification and Allocation Board to ensure the appropriate use of all relevant data and information regarding the offender before a decision is made.
- The continuous implementation of the *Yellow Ribbon Program* to raise public awareness about the role of the Fiji Corrections Service and how the public can assist the inmates' rehabilitation and reintegration into the community.
- The eradication of contrabands in all correctional institutions.
- Continuous monitoring of ex-inmates in the community to ensure their adherence to the law.
- Greater liaison with the Fiji Police Force to foster closer interactions with its stakeholders and networks in the community.

Hong Kong (China)

The presentation from the Correctional Services Department (CSD) of Hong Kong (China) focussed on the following types of 'high risk' inmates and how they are managed in its correctional facilities:

- *Potential escapees* - Inmates who have been assessed with the potential to escape are closely monitored and the windows, bars and locks in their cells are checked daily. A search of their cells is conducted on a weekly basis, or more frequently, if necessary. An Escapee List is maintained and reviewed regularly by management staff and inmates may be removed from the list if their potential to escape has diminished. Hong Kong (China) reported that there had not been any escapes in recent years.
- *Inmates with potential management risks* - High risk inmates that may cause potential management risks (such as inmates who smuggle drugs into the institution, conduct gambling activities, instigate mass action against prison management, gang leader) are identified from information received from other law enforcement agencies and internal security and intelligence information obtained from CSD's Security Information Management System and Security Intelligence and Illicit Activities Surveillance Unit.
- *Inmates with potential to affect good order and discipline* - If necessary, these individuals may be segregated from the mainstream. They are generally held in a Special Unit for not more than 72 hours. However, the 72-hour period can only be extended if a Board of Review (consisting of the Head of the Institution, a Medical Officer and a Clinical Psychologist) has reviewed the case and has made a recommendation for extension. At any time, the Commissioner or Superintendent has the prerogative to order the cessation of the segregation based on the advice of a Medical Officer.
- *Inmates with dangerous drugs* – The statistics for 2010-2012 revealed that there were 158 inmates caught with dangerous drugs (an increase of 26% between 2011 and 2012). The drugs were found in the mail sent to the inmates, brought in by visitors, or found on newly admitted inmates. The main drugs were heroin and psychotropic drugs.

- *Violent inmates* – They may be ordered to be confined in a protected room which has padded internal walls, for 24 hours, based on a Medical Officer's assessment. Constant staff surveillance and monitoring is conducted to ensure the safety of these inmates. The inmate is released only after he/she has been assessed to be safe from harming others. In 2012, it was reported that there were 495 cases involving fighting amongst inmates. Most of the cases were dealt with by internal disciplinary proceedings whilst 38 serious cases were referred to the police.
- *Inmates with protection needs* – Each institution has a Protection Unit to accommodate an inmate who has requested protection from other inmates or from information received from law enforcement agencies regarding the need to protect the inmate concerned. For example, the inmate may have accumulated debts from gambling or the inmate may have been a serving law enforcement officer before conviction.
- *Inmates at risk of self-harm* – CSD staff closely monitor inmates, particularly those who have been newly admitted, for early identification of possible risk of self-harm, with an identification tool known as 'Self-harm Risk Index'. The process involves interview, observation and enquiry to investigate any history of self-harm or behaviour that reflect emotional instability, depression, or suicidal tendencies. Inmates and their family are given information to educate them about behaviour and moods that might trigger self-harm and to notify staff immediately.

Inmates who have been assessed to be at high risk of self-harm are placed on the Medical Observation List and referred to Medical Officers and Clinical Psychologists for further evaluation. Staff will monitor the inmates at 15-minute intervals and record their behaviour.

A Prevention of Self-harm Behaviour Monitoring Committee has been set up at each correctional institution to monitor and review cases on the Medical Observation List and to devise detailed arrangements to prevent and manage self-harm cases. Statistics for 2010 to 2012 showed that there were about 450 to 528 cases on the Medical Observation List per year.

If a self-harm incident does occur, on-duty officers will activate the internal alarm and hospital staff will attend to apply first aid or resuscitate the inmate. To ensure sufficient staff support if such an emergency occurs at night, a team of staff on standby duties is available in a Sleep-in Standby room at each institution. Clinical Psychologists will follow up on cases of attempted self-harm. Where a fatal incident has occurred, the Coroner's Court will conduct an inquest, and any recommendations will be followed up by CSD.

Each new staff member has to undergo training on how to respond to self-harm incident. Frontline staff are provided with booklets containing relevant information on self-harm behaviours and handling suicide or attempted suicide. Regular drills and exercises are also conducted on how to prevent inmates from inflicting self-harm.

The presentation from Hong Kong (China) also discussed the risk of harm to correction staff. The risk of harm to corrections staff is a reality in all correctional institutions particularly if they have to manage high risk inmates. The statistics for 2010-2012 showed that there were about 480 to 490 cases of assault or fighting among inmates in each year which resulted in 18, 20 and 26 staff officers being assaulted in the respective years. Apart from physical injuries, staff officers may also suffer from psychological stress particularly if they have to come into close contact with high risk inmates or work in confined areas with them.

To alleviate the risk of harm to correction staff, the CSD has implemented the following strategies and training programs to staff:

- New recruits and frontline staff attend weapon and tactical response training.

- Handbooks and a video demonstration on control tactics are also available.
- Clinical psychologists are available to provide professional services to staff and their families including educational materials and relaxation facilities.
- Stress management courses are also offered to staff.
- Research has been undertaken to examine the risk factors and to develop prevention strategies to reduce the risk of harm to staff. For example, tactical training, closed quarters countermeasures, hostage rescue tactics and pressure point control tactics have been introduced to better-equip frontline staff to respond to emergencies and to protect themselves.

As discussed in Agenda item 2 above, the Mission Statement of the CSD of Hong Kong (China) is to: *'Protect the public and reduce crime, by providing a secure, safe, humane, decent and healthy environment for people in custody, opportunities for rehabilitation of offenders and working in collaboration with the community and other agencies.'* Its Vision is: *'To be an internationally acclaimed correctional service, helping Hong Kong to be one of the safest cities in the world'.*

Hence, since 2006, in order to protect the safety of the community, the CSD has been utilising a *Risk and Needs Assessment and Management Protocol for Offenders* which identifies the re-offending risks and rehabilitative needs of each inmate. In 2012, nearly 23,000 inmates had participated in individualised rehabilitation programs. Other schemes that help to reduce an inmate's risk of re-offending include the Release under Supervision Scheme, Pre-release Employment Scheme, the Post-release Supervision of Prisoners Scheme, the Conditional Release Scheme and the Supervision after Release Scheme.

India

The Andhra Pradesh Prisons Department reported that the following initiatives have been put in place for high risk prisoners:

- Prisoners who are in dormitories take turns in keeping a night watch over other prisoners and to inform the duty warders of any unlawful activities.
- S1 and S2 prisoners are accommodated in high security blocks where daily and surprise searches are conducted on the prisoners for contraband articles.
- Prison staff attend training to enable them to manage high risk offenders including those involved in organised crime.
- Frequent meetings with members of the judiciary and the National Human Rights Committee help to foster greater understanding of the risks posed by high risk offenders on staff and other inmates.
- Longer term goal is to reduce the risks posed to community safety. This requires a focus on the delivery of adult education courses and vocational training programs to inmates so that they can engage in meaningful employment when they are released into the community.

The presentation from Chhattisgarh revealed that high risk prisoners posed a variety of threats to prison management such as:

- jail breaks
- prison violence to staff and other prisoners
- escape from police custody/escort during court appearance or hospital attendance
- prison gangsterism. For example, colluding with corrupt prison staff to control the prison environment through intimidation. In some instances, high risk prisoners form small gangs to harass new prisoners or hardened criminals have extorted money from the family of new prisoners by threatening them. This disrupts prison management and threatens security in the jails. In 2012, there were 160 group clashes

in different jails in India resulting in one inmate's death and injuries suffered by 194 inmates and eight prison staff.

- suicide
- threats to prison security by terrorists/extremists in three ways:
 - ✧ inmate radicalization;
 - ✧ serious attacks by armed extremists or they conduct jail breaks by taking advantage of any slackness of security (over the past 10 years, there were four major jail breaks; for example, at Jehanabad);
 - ✧ false propaganda against prison management/authorities (such as allegations about human rights violations).

Chhattisgarh stated that the following incidents occurred:

- In June 2012, an alleged terrorist was murdered by a gang leader of the Pune organised crime syndicate, within the high security cell of Yerwada Central Prison in Pune.
- In Jammu jail, a foreign prisoner was killed by the perpetrator using some carpenter's tools.
- An international organised crime syndicate member was shot at with a pistol and suffered injuries to his hand. The perpetrator was apprehended.
- In September 2012, a prison officer was shot in New Mumbai.
- Fundamentalist prisoners threw grenades at the Prisons Office of the Deputy Inspector General of Coimbatore.
- A number of riots at Central Prisons had resulted in the deaths of prison staff.

A number of drug offenders are also a concern to prison staff. Some drug addicts have suicidal tendencies and their psychotic behaviours pose a threat to prison security and management. Drug rehabilitation programs have alleviated some of these problems.

To resolve the various problems posed by high risk prisoners, Chhattisgarh has adopted the following strategies:

- Limiting the privileges given to them.
- Prisoners who have attempted to escape have to wear identifiable insignias to ensure continuous surveillance on them.
- Correctional intelligence is collected from certain prisoners to improve prison management.
- CCTV, phone tapping and other surveillance methods are used to monitor the prisoners and to gather correctional intelligence and to limit gangsterism within prisons.
- Strong action is taken against prison staff to combat corruption within jails.
- Prisoners who pose a risk to prison management, are isolated and in extreme cases, are handcuffed under a court order.
- Prisoners are encouraged to do yoga to reduce stress levels.
- Prisoners are allowed periodic interaction with family members.
- Continuous supervision and monitoring is conducted to detect, deter and disrupt the radicalization of prisoners.
- Layers of security must be provided at the jails where extremists are being held. These include:
 - ✧ concrete sector wall and perimeter walls; concertina fencing; solar powered electric fencing with sensors; CCTV surveillance; and sentry posts with armed guards.

- ✧ Adequate armed escorts for high risk offenders who are in transit.
- ✧ Police security for prison officials who have been threatened.
- ✧ Guards to be armed with lethal and non-lethal weapons, with appropriate training to respond effectively to threats or actions of extremists.
- ✧ Periodic security audit to be conducted by jail and police authorities including the ability to rectify any errors or lapses in security.

Gujarat stated that between 1985 and 1990, the Porbandar Prison in the Porbandar District had a number of problems from high risk prisoners who were members of different gangs in the region. They committed violence on prison staff and when the situation became intolerable, their own gang members visited them openly in the prison to resolve the situation. The Porbandar Prison was given a new status of 'special prison' which alleviated the problem and the prison authority gained control over the situation after strict management of those prisoners were put in place.

In Gujarat, high risk prisoners including habitual offenders are placed in the Porbandar Special Prison or the Bhuj (Palara) Special Prison. However, these prisons are not 'supermax' prison category. Recently, the Ahemdabad Central Prison was opened as a supermax facility with four units consisting of 50 hardcore cells in each unit (total of 200 prisoners). The prison has three layers of security and a watch tower, live wire and 24-hour CCTV surveillance to monitor these high risk prisoners.

In general:

- Gujarat has high security enclosures in almost every central jails and district prisons.
- Armed officers from other security agencies (such as the state reserve police and Border Wing) are deployed to protect these high security enclosures.
- In addition, Gujarat implements a number of management techniques such as proper classification, review of cases and history, previous imprisonment records, family survey and regional police survey.
- A number of educational programs and spiritual lectures are provided to high risk prisoners. The spiritual lectures vary between one lecture to seven and 15 days' series.
- Before release, the high risk prisoner is assessed at the Pre Release Detention Centre regarding his or her psychological, physical and moral adaptability to society.
- Staff have to attend mandatory training on programs and commando training programs.

In Gujarat prisons, high risk prisoners are segregated from other prisoners in high security enclosures that can accommodate between 50 and 100 high risk prisoners. The paper from Gujarat stated that ideally, these high security enclosures should have the following features:

- Two security grade zones for high security prisoners:
 - ✧ Security Grade I - The hardcore militants, terrorists, professional killers, habitual offenders who commit heinous crimes, violent and dangerous prisoners and those with escape risks are housed in Security Grade I cells. Thus, the Security Grade I accommodation should have a cellular-type accommodation with a minimum space of 10 feet by 9 feet with a toilet, bath and strong dividing wall. The front of the cells should have iron grills and each cell should have high ventilators instead of windows.
 - ✧ Security Grade II – Security Grade II may be cells that are 16 feet by 9 feet to house two or three prisoners. Barracks that are 27 feet by 10 feet can lodge between 10 and 15 prisoners, and have a toilet and bath.
- There should be a thick outer masonry wall that is at least 20 feet high with watch towers at every corner and one central tower within the enclosure.
- A double ring of security should be provided to all security enclosures. Inner security enclosures should be monitored by well trained officers whilst the outer security areas (including the watch towers and security walls) should be patrolled by special armed guards. The guards and officers should be equipped

with walkie talkies and weapons, and the areas should have alarms and jammers with remote control devices, metal detectors, lie detectors, breath analyzer and CCTVs.

- Anti-tunneling slabs should be used.
- All outdoor areas should have iron grills to minimize escape opportunities.
- The perimeters of both Security Grade zones should have a 'no man's area' with no access to any prisoner or staff.
- Thorough searches of the barracks and cells should be conducted daily. Prisoners should be searched twice a day. In addition, ventilators, grills, locks, bars, floors, ceilings and walls of the cells and barracks should also be checked.
- Roll calls should be conducted at least twice a day.
- Guards who enter and leave these zones should be thoroughly searched.
- Barracks and cells should be opened only in the presence of the officer in charge. During the night, barrack cells should only be opened in the presence of the Superintendent of the prison.
- Interviews or meetings with blood relatives and authorised lawyers should be held in the presence of an officer, and the interviews may be recorded under closed circuit television.
- All letters are censored.
- No cooked food from the outside may be brought into the prison for high security prisoners. Only high security prisoners in Security Grade II zone can have access to a common kitchen.
- Medical care is provided in the same way as other prisoners except that medical services are delivered in designated medical rooms. In cases of medical emergency, permission need to be sought from the Inspector General Prison before the prisoner can be transported to the local hospital for treatment under police escort and guard.
- Subject to security and disciplinary rules, prisoners in Security Grade I zone may be provided with books, newspapers and journals. Writing materials may be provided if required. Radio and televisions can be provided outside the cells subject to certain security restrictions.
- Regular exercise and yoga may be allowed within the cells. Prisoners may be allowed to exercise within the security grade zone area in the evening before being locked down.
- Prisoners in Security Grade II may be provided with radio and television in their barracks. Other recreational activities include indoor games such as carom and chess. Books, newspapers, journals and magazines may also be allowed.
- High security prisoners are not allowed to receive money from their families or friends.
- High security prisoners are not given access to the canteen to restrict their movements and minimize risk issues.
- Security Grade II prisoners may access limited treatment programs. Basic education and minimal vocational courses (particularly, handicraft work) are provided.
- Court hearings should be conducted via video linkage.
- The prisoners are allowed to undertake work assigned to them, but they are to be carried out within the Security Grade zones.
- A misconduct is a breach of discipline and security of the prison, and the prisoner may be punished by the Superintendent (for example, interviews and letters may be temporarily withdrawn). The Superintendent can recommend to the Inspector General of Prisons that the prisoner be transferred to another prison.

Gujarat stated that due to its reformation and rehabilitation efforts over the last decade, there has been a noticeable decline in the number of high risk offenders being released into the community. The welfare department is providing a large number of government welfare schemes to the relatives of these prisoners which has reduced the psychological impact on them, to a certain extent.

The presentation from Tamilnadu identified the following challenges from high risk offenders:

- Jail breaks. For example:
 - ✧ 1990 - A notorious serial killer and rapist with two associates escaped from Central Prison, Chennai.
 - ✧ 1993 – A prisoner escaped from Central Prison, Salem.
 - ✧ 1995 – Nine extremist prisoners escaped from Central Prison, Chennai.
- Attack by external extremist elements in prisons
- Organising and instigating violence in prison
- Attacks on prison staff. For example:
 - ✧ 1995 – A warder was murdered by prisoners in Central Prison, Madurai.
 - ✧ 1996 – A warder was killed when a bomb was thrown by Muslim Fundamentalists at the office of the Deputy Inspector General of Prisons in Coimbatore.
 - ✧ 1997 – A prison staff was murdered by Muslim Fundamentalists in front of the Central Prison, Madurai.
 - ✧ 1999 – Two prison staff were burnt alive by prisoners in a riot at Central Prison, Chennai.
 - ✧ 1999 – A bomb was planted near the office of the Inspector General of Prisons, Chennai.
- Attack on inmates
- Exercising dominance over other inmates
- Organising and guiding terrorist activities from prisons
- Making false allegations on officials
- Using contrabands such as mobile phones, drugs and weapons

The delegate from Tamilnadu identified the following factors that influence the challenges and risks posed by high risk prisoners:

- commitment to their ideology
- external support
- physical security at the prisons that are not up to the required standard for safety and security
- lack of modern weaponry and training
- negligence by guarding staff
- fear amongst guarding staff
- psychological threat and torture
- preventing frisking in the name of politics, religion or human rights
- support from political parties and local communities

Tamilnadu stated that no major incidents have occurred over the past 10 years in its prisons due to the following measures that have been implemented to mitigate the risks posed by high risk prisoners:

- Installation of modern technology and systems such as closed circuit televisions (CCTVs), metal detectors, communication equipment, baggage scanners, mobile phone detectors and mobile phone de-activators.
- Upgrading procedural security systems such as conducting special night rounds and appointing senior officers as night officers.
- Having members of the police force to guard the outer perimeters of prisons, and special teams to conduct round the clock watch.

- Having additional security enclosures such security walls and livewire fencing.
- Monitoring and supervision by senior officers through CCTVs.
- Attendance of court hearings through video-conferencing in prison. This prevents the opportunity for escapes from prison.
- Strong police escort is provided to prisoners who have been granted leave from prison, granted parole or attend treatment in hospital.
- Devising appropriate staff recruitment policies, appropriate training programs and correctional programs for prison staff. For example, staff are trained on how to manage high risk offenders and to respond effectively to any challenges from them. Programs have also been formulated to strengthen staff's mental and physical abilities.
- Devising suitable treatment or rehabilitation programs for high risk prisoners.
- Introducing specialised counselling sessions, meditation and yoga to high risk prisoners, and giving special incentives to high risk prisoners who have demonstrated good conduct.
- Constructing exclusive prisons with the maximum level of security structures and up to date electronic systems in order to prevent violence from occurring and posting well trained guarding staff.
- As the current prison rules are ineffective, special laws regarding high risk offenders have been drafted to impose higher punishment on them.
- It was recognised that most of the high risk prisoners were uneducated and were indoctrinated at a young age. A number of these prisoners were required to undertake adult literacy programs and tertiary education. Vocational training programs (such as LED lamp manufacturing) are provided to enable prisoners to obtain employment upon their release from prison.
- Special permission is given to well-behaved prisoners to meet, touch and feel their family members on birthdays, festivals and special occasions.

Indonesia

As mentioned above, in September 2013, there were 254 terrorist inmates (0.15%) out of the total prison population of 163,153. The main challenges faced by the prison department with respect to terrorist inmates can be summarised as follows:

- The 254 terrorist inmates are held in 27 correctional facilities throughout Indonesia, and the number varies in each facility. For example, one facility had 47 terrorist inmates whilst 12 other facilities had between one and five terrorist inmates. Eleven other facilities had between 6 and 15 terrorist inmates. The variation in numbers may create management issues for correctional staff and the delivery of appropriate programs for these inmates.
- Each correctional facility takes a different approach in terms of the classification, placement and treatment of the terrorist inmates. In addition, each correctional facility takes a different approach in having special officers on site to manage these high risk inmates.

To alleviate the above issues, Indonesia has developed the following strategies:

- *Policies and Procedures* - The *Rules of General Treatment for Inmates* and *Standard Operating Procedures on High Risk Prisoners* have necessitated the development of a Strategic Plan on the management of terrorist inmates to be drafted. Following this, policies and procedures for the management of terrorist inmates have been developed and two prisons have been selected to run a pilot program to implement these policies and procedures.

- *Assessment - A Violent Extremist Risk Assessment (VERA-2)* has been adopted as a tool to assess the inmate's risk of re-offending, classification and placement. The tool is also used to determine and develop appropriate intervention programs for the inmate.
- *Capacity Building* - The following areas have been identified where capacity building is required:
 - ✧ A workshop on terrorism
 - ✧ Conflict Management Training
 - ✧ Life Skill Training
 - ✧ Training on terrorist management in prisons and regional terrorism threats to the Directorate General of Corrections headquarters and staff
 - ✧ Correctional Academy
- *Intervention Program* - The types of intervention programs include Religious Dialogue, Management Conflict, Life Skills Training and Entrepreneurship program.
- *Placement* - Terrorist inmates will be placed in a Special Block.
- *Partnership* - These include partnerships with human rights organisations, local agencies including the Religious Ministry and non-government organisations.

Malaysia

The Prisons Department of Malaysia reported that its prison staff were faced with challenges, from a personal and professional basis, when managing high risk offenders. There is always the possibility that this category of offenders may harm prison staff or other prisoners. Hence, it is important for prison staff to closely supervise the high risk offenders and be vigilant at all times, of any change in their behaviour.

Additionally, in recent years, some high profile offenders (for example, those with political and social influence), had attracted media attention, and had resulted in changes to policy and practice. New legislation and extensive multi-agency partnership have also occurred to improve the assessment and management of high risk offenders in prison and their eventual release in the community. This is evident from one of the initiatives under the *National Blue Ocean Strategy* involving joint working partnerships between the Ministry of Home Affairs, the Prisons Department and the Ministry of Defence.¹⁵ Prisoners who participated in this program were given a new lease of life by preparing and giving them work opportunities upon their release into the community.

The Prisons Department of Malaysia reported that high risk offenders posed the following challenges:

- *Safety of staff, other prisoners and penal institution* – In general, high risk offenders pose a potential risk to the safety of prison staff, other prisoners and the penal institution. The types of potential risk include assaults on staff, planning escapes and sabotage.
- *Prisoners with mental health issues* - Prisoners who have mental health issues (such as mental illness, depression or suicidal ideation) may cause harm to themselves or to others, particularly if they are suffering from a psychotic episode.
- *Exercising influential power* – Some prisoners have an influential power over other prisoners whereby gangs may be formed. Another common 'power' behaviour is demanding special treatment, conspiring to create disharmony such as rioting or disobeying prison rules, committing vandalism, or going on a hunger strike. Some offenders are able to manipulate others to smuggle contraband items into the prison or leak official secrets.

¹⁵ Malaysia's *Blue Ocean Strategy* is discussed in this APCCA Report under Agenda Item 4, below. See also N Morgan and I Morgan, *APCCA Report 2011 (Tokyo, Japan)* at pages 99 - 102.

- *Enemy of the State* – Offenders who are politically motivated and those who have committed a crime against the nation are categorised as a terrorist. For example, the Al Maunah incident was Malaysia’s largest military weapon heist that turned into a hostage crisis. In another incident, Sulu gunmen at Lahad Datu involving militants and terrorists, affected bilateral relationship between two countries including the sovereignty of Malaysia.

Due to the nature of their offences and ideology, these offenders pose a constant threat and danger to the department and hence, extra security measures and specifically devised rehabilitation programs are required in order to rehabilitate them.

- *Prisoners with lengthy sentences* – Due to their lengthy sentences, these prisoners have formed gangs, practiced abnormal sexual behaviours or dealt with contraband items to relieve their boredom and frustrations.
- *Illegal immigrants* – There are about 12,600 illegal immigrants in Malaysia’s prisons who are mainly from Indonesia, Bangladesh and Myanmar. They are considered as high risk offenders as their backgrounds are unknown and ethnic disputes have occurred amongst them.

To mitigate the above issues posed by high risk offenders, the Prisons Department of Malaysia has implemented the following initiatives:

- *Classification of prison* – A prison is classified according to the types of offences committed by the prisoners and the number of prisoners that the respective prison can accommodate. This change has resulted in a more systematic and effective way of managing high risk offenders. It has also reduced the problem of prison overcrowding. A maximum security prison accommodates 3,000 prisoners and managed by 800 prison staff; a medium security prison has 2,000 prisoners and 500 staff; and a minimum security prison has 1,000 prisoners with 300 staff.
- *Identifying Self-harm Tendencies* - Upon admission, new inmates undergo four psychological tests to assess and detect their mental health. The tests are: Beck Depression Inventory Test; Aggression Questionnaire; Violence Risk Appraisal Guide Test; and Drug Abuse Screening Test. High risk offenders are detected from these tests. A database of these inmates is created and relevant staff and units are informed so that further assessments and treatment can be conducted.
- *Segregation of prisoners* – High risk offenders are clustered according to the type of offences they have committed (for example, drug offences, sexual offences, murder, gang-related offences, and firearm offences). This has been found to be an effective way of managing high risk offenders.
- *Transfer of prisoners between prisons* – If a prisoner is found to pose a risk in a particular prison, the prisoner is transferred to another prison, and his/her family members are notified of the transfer.
- *Establishment of special units* – The *Prisons Intelligence and Technical Unit*, the *K9 Unit* (a special dog unit) and the *Special Action Squad* have been set up to detect and respond to any threats of security, riots, smuggling of contraband into the prison. Officers have been recruited and trained with the Armed Forces and the Royal Police Force, and they work collaboratively together in tackling the challenges posed by high risk offenders in the prisons.

The *K9 Unit* has been in operation since 2009. There are 10 detection dogs and 10 protection dogs whose roles are to detect contraband items such as drugs, mobile phones, tobacco and weapons. The unit is based at the prison headquarters, and plans are underway to expand the *K9 Unit* throughout the country.

The *Special Action Squad* was formed in 2009. Squad members have been selected following rigorous selection process and training with the Malaysian Armed Forces. They gather intelligence data and conduct special searches in all prisons, periodically.

- *Rehabilitation Programs* – Initiatives have been taken to devise rehabilitation programs that cater to the needs of high risk offenders. In addition, four specialized modules have been developed and accredited by academics from local universities. These are Modules for (i) Traffic Offenders, (ii) Sex Offenders, (iii) Criminal Offence, and (iv) White Collar Crime. Two further Modules that are pending accreditation are: Module for Terrorists and Module for Shariah Offences.
- *Panel of Medical Officers* – Following the outsourcing of the delivery of healthcare services to a private company, the prisons department established a Panel of Medical Officers. One qualified Medical officer and an assistant Medical Officer are now stationed at the clinic in each prison. This has meant that inmates can attend medical appointments within the perimeters of the prison, thus reducing security and risk issues posed by high risk inmates and reducing the resources that were needed to escort and transport prisoners to hospitals. Only serious cases are transported to the hospital.
- *Court hearings in prison* – Similarly, to reduce the risks and resources needed in escorting and transporting high risk offenders to court, court hearings are conducted within the prison in buildings that have been constructed like a court.
- *Human Resources Development* – The staff recruitment and selection process, and the different types of training programs that staff are required to do ensure that the right calibre of staff are employed. Continuous learning and development is expected from staff at all levels of the organisation. For example, all staff is required to attend a learning program/course for a minimum of seven days in each year. To promote continuous upgrading and enhancement of knowledge and qualifications, staff are encouraged to pursue a Diploma in Law and Correctional Science and a postgraduate Diploma in Correctional Science for Senior Officers. This has equipped staff with the knowledge to manage and respond to challenges posed by high risk offenders.

Sri Lanka

Condemn prisoners in Sri Lanka are located in Welikada and Bogambara Prisons where capital punishment can be carried out. The death penalty was suspended in Sri Lanka in 1977; however, the death row population has increased rapidly to 500 prisoners. This has affected the security conditions of these institutions and hence, other high risk prisoners have been accommodated in other prisons.

The escort of high risk prisoners to court houses, hospitals and other prisons have posed some challenges to corrections staff due to issues of escapes and acts of violence committed by these prisoners. Thus, to alleviate these potential problems, security guards have been trained to handle military rifles and other types of weapons.

International drug dealers and prisoners who are members of organised crime syndicates also pose major problems when they have to be escorted to attend court hearings, hospital visits or be transferred to another prison. The main risk is that rival gang members are on the look out to kill one another. There have been instances in the past where gang members have been killed during court attendances and in escort vehicles.

The main issue faced by the Department of Prisons in Sri Lanka is the very low priority it has been given in the country's overall development process. Although the number of courts and police stations being built around the country has increased, the same has not occurred in the prison sector. This has resulted in the following problems:

- The three main prisons (Welikada, Bogambara and Mahara) are over 125 years old. They are multi-storied buildings and have long past their usefulness.
- On average, there is a prison overcrowding problem of nearly 250%. The authorised number of beds is 7,000, but there are about 17,000 prisoners (8,000 convicted prisoners and 9,000 on remand). The authorised accommodation for convicted prisoners is about 5,500, and 1,500 beds for remandees. Thus, the overcrowding rate is 65% for convicted prisoners and an alarming 600% for remandees. Prison overcrowding brings other problems to the fore:
 - ✧ There is insufficient water, toilet facilities, bedding, crockery, utensils and dothing for the prisoners. 'Overcrowding severely affects the lives of those inmates held under very undesirable condition.' For example, prisoners have to take turns to sleep.
 - ✧ It is impossible to classify prisoners upon admission and to segregate high risk prisoners from low risk prisoners. These conditions have affected the safety and security of staff and prisoners as well as the delivery of vocational and rehabilitation programs.
 - ✧ There is insufficient staff to manage and maintain discipline. This has placed 'severe strain' on staff and has affected the security and morale of staff and prisoners.

4. CONCLUSION

In conclusion, corrections departments in the Asia and Pacific region face similar challenges in managing high risk prisoners in their custody. These include matters such as:

- placing them in appropriate accommodation that meet their security risk classification and their specific needs;
- providing suitable rehabilitation and reintegration programs that reduce their risk to members of the community;
- ensuring that adequate security and monitoring systems are in place to protect the safety of prison staff and prisoners;
- ensuring adequate security systems are in place to prevent escapes or jail breaks;
- ensuring prisoners who are transported to the hospital for treatment or to court for hearings, do not have any opportunity to escape (one solution is to have court hearings by way of tele-conferencing);
- effective management practices to curb gangs being formed in prisons;
- ensuring staff are trained to respond effectively to quell violence from prisoners;
- ensuring that prison staff or guards have the requisite weapons to respond to and defend themselves against violence.

The Fiji Corrections Service continues to forge ahead in responding to the challenges posed by high risk offenders at strategic, policy and operational levels, by working closely and in consultation with key stakeholders in government, non-government organisations and civil society organisation to address prison and correctional issues.

Gujarat identified the following challenges and areas of concern:

- The role of the media is very important in the management of high risk prisoners. In some cases, the media had portrayed high risk prisoners as victims from a human rights perspective, without fully understanding the potential threats posed by them. For example, in recent years, notorious gangs such as the Sohrabuddin Shaikh Gang, the Ishra Jahan Gang and the Sadik Jamal Gang were encountered by the Gujarat Police. The media reported them as victims despite evidence and criminal records showing that these gang members were international terrorists who participated in violence, bomb blasts and extortion. As a result of, a number of prisoners who supported these gangs started to submit

complaints against the prison authorities, to the judiciary. Gujarat stated that education and guidelines should be provided to the media to ensure that accurate media reports are released.

- Drug addiction and predatory sexual behaviours in prison with the support of high risk prisoners and corrupt staff are of concern.
- Currently, there is no monitoring system to track prisoners during bail, parole, furlough or other special leave orders. The availability of GPS units would assist in this matter.

The way forward for the Correctional Services Department of Hong Kong (China) is to:

- 'continue its work on the enhancement of its identification tools and continue to adopt proactive approach to managing high risk persons in custody with the aid of technology and behavioural therapy approach, aiming at preventing untoward incidents from occurring in the first place.'
- communicate proactively with its stakeholders, the public and the media on new initiatives to be implemented (for example, a new protection unit in a correctional institution or the reliability of urinalysis to detect prohibited drugs) so that they are aware of the developments in custodial and rehabilitative services of CSD.
- constantly review its services in rehabilitating and reintegrating offenders into the community with support from the public, and to protect the safety of the community.

Sri Lanka reports that whilst open prison camps, work camp, parole, home leave, work release and vocational training programs are present in its prison system, the problem of severe overcrowding and lack of funds allocated to the prison system have hampered the availability of these programs to the prisoners. The only solution is that 'Prisons must be given its legitimate place in the overall national development process.'

It is anticipated that the issue of high risk prisoners will be discussed again at APCCA. Terrorism, organised crime, drug cartels and human trafficking will not disappear in the near future. During the discussions, delegates acknowledged the critical need to develop more efficient and effective ways to accommodate and manage the different categories of high risk prisoners that would protect the safety of prison staff, other prisoners and members of the community, and to liaise with the appropriate policing and law enforcement agencies to ensure that intelligence information are shared with the aim of curtailing the scope and incidence of organised crime, drug offences, human trafficking and terrorism around the world.

AGENDA ITEM 4

ALTERNATIVES TO IMPRISONMENT: OPPORTUNITIES AND CHALLENGES IN DEVELOPING COMMUNITY-BASED SUPERVISION AND MANAGEMENT

1. INTRODUCTION

APCCA traditionally focused on prisons rather than community based corrections but this has been changing over the past five to ten years. This Agenda Item aims to explore two aspects of community based supervision and management across the region. The first is to consider how different countries have developed alternative sentences so that judges will only use imprisonment as a 'last resort'. The second is to consider conditional release schemes (such as parole) under which prisoners are released before the end of their sentence, but are then supervised and monitored in the community.

There are many factors behind the growing interest in community based corrections:

- **Overcrowding:** Good alternatives to imprisonment and successful parole systems can reduce the number of prisoners.
- **Relative costs:** Prisons are expensive. Community corrections will generally be much cheaper.
- **'Corrections' philosophy:** Over the past decade, APCCA members have increasingly expressed a commitment to a philosophy of 'corrections' rather than 'custody'. This is shown by the number of jurisdictions that now talk of 'correctional services' rather than 'prison departments' and of 'community corrections' rather than probation.
- **Reintegration:** Reflecting the philosophy of corrections, recent APCCA conferences have examined ways to improve a person's chances of reintegration. Community based sentences (which avoid incarceration in the first place) and supervision on release can assist reintegration.
- **Community engagement:** APCCA delegates frequently discuss the challenge of engaging communities in corrections. Good community based sentences and supervised release schemes provide an excellent opportunity for community organisations to work alongside government departments in providing structure and support to offenders.
- **Reduces stigmatization of prisoners:** One of the advantages of engaging the community to provide support to offenders is greater understanding of the difficulties faced by prisoners upon their release into the community and hence, reducing the stigmatization of prisoners.

In general, the types of sentences may be categorised as follows:

- 'Front-end' sentences include: Fines; compensation; release on good behaviour bond; probation; suspended sentence; community service; work/attendance at specified centres; referral to rehabilitation centres (such as drugs); juvenile homes.
- 'During the term of sentence' include: Unconditional discharge; conditional discharge furlough; Home Leave; semi open facilities or Halfway Homes; remission; open jails; parole.

During the agenda item session, presentations were delivered by Canada, Fiji, India (Andhra Pradesh, Bihar and Tamil Nadu) and Malaysia. A written paper was submitted by Solomon Islands. As the topic is very broad, the presentations and discussions focused on the current situation across the region, and to get a better understanding on how community-based corrections can be successfully delivered.

2. 'FRONT END' ALTERNATIVES TO IMPRISONMENT: Compulsory Attendance Orders, Community Work and Probation

There are two main options in terms of the organisational structure for community based corrections. The first is that they are funded and managed separately from prisons. Historically, this was typically the case with probation, which was often placed in a government 'welfare' department rather than in corrections / justice departments. The theory behind this model was that probation services had a different philosophy from prisons. However, many jurisdictions now place probation / community corrections services in the same department as prisons. The theory behind this approach is that modern corrections involve community supervision as well as imprisonment, and that both aspects are best managed by a single department.

During the session, delegates provided a brief description of the main forms of community based orders that were available to sentencing judges in their respective countries. Some countries, such as Fiji and the Solomon Islands, also discussed whether systems such as probation, parole and community corrections should be administered by the same department or by a different department.

(a) Fiji – Probation and community work

As at 31 August 2013, Fiji's total inmate population was 1,538 but the authorised capacity for its 13 institutions is 1,344. This represents an overcrowding rate of 114%.

In Fiji, there are three sentencing options available to courts for adults:

- Custodial
- Probation
- Community work

The Fiji Corrections Service is not involved in the 'front-end sentencing options' as offenders placed on Community Work are supervised by the Fiji Police Force whilst those on probation are supervised by the Department of Social Welfare.

In Fiji, the probation system is administered by the Department of Social Welfare under the *Probation of Offenders Act 1952*. The Community Work Scheme is administered by the Fiji Police Force under the *Community Work Act 1994*. This Act was initially under the Ministry of Justice, but was re-assigned to the Department of Social Welfare and Defence which consequently brought the involvement of the Fiji Police Service.

Fiji expressed the view that 'a holistic approach to the complete management of Corrections, whether Custodial or Community Based needs to be under the umbrella of one single authority. This would allow for a clear direction for complete programming of the total rehabilitation of all offenders irrespective of whatever crime' has been committed.

Fiji indicated that the 'way forward' was:

- to ensure that its Community-Based Work Framework was fully operational;
- to merge the *Probation of Offenders Act 1952* and the *Community Work Act 1994* with its *Fiji Corrections Act 2006*; and
- to draft the regulations and relevant Orders to support the *Fiji Corrections Act 2006* and the work of the Fiji Corrections Service.

The implementation of the above matters would ultimately give the Judiciary the confidence to utilise the front-end diversion programs and a greater understanding of the role of the Fiji Corrections Service in rehabilitating and reintegrating offenders into the community as law-abiding individuals.

While the rest of India faces the same issues as Fiji with regards to probation, Tamilnadu showed tremendous success in probation with significant reduced recidivism rate.

(b) Malaysia

Malaysia reported that in 2012, 112,503 inmates were admitted into its prisons of which 68,443 (or 60%) were convicted prisoners. Of those convicted prisoners, 52.6% were sentenced to six months' imprisonment.

There are a number of non-custodial sentencing options available to the courts in Malaysia:

- *Unconditional discharge* under the *Criminal Procedure Code*.
- *Conditional discharge or Good Behaviour Bond*

Pursuant to section 173A of the *Criminal Procedure Code*, if a person is in breach of a good behaviour bond, the court will issue a warrant for the person's arrest. Once arrested, the person will be brought before the court which dealt with his/her original offence. If the court accepts the person's explanation for the alleged breach, the good behaviour bond will continue. However, if such a breach is clearly made out, the bond is cancelled and the court will sentence the person for the original offence.

- *Restitution*

Under section 426 of the *Criminal Procedure Code*, the court may order that the offender pays compensation to the victim. Section 260 provides the power to compound a total of 23 offences. Examples of compoundable offences are causing hurt, wrongful restraint, house-trespass and criminal defamation.

- *Compulsory Attendance Order and Community Service Order*

The *Offenders Compulsory Attendance Act 1954 (Act 461)* enables the court to require the offender to attend a specified centre on a daily basis in order to undertake compulsory work for a stipulated period under a Community Service Order. Compulsory Attendance Orders are supervised by the Malaysian Prisons Department whereas the Community Service Orders fall within the responsibility of the Women, Family and Community Development Ministry.

- *National Blue Ocean Strategy – Community Rehabilitation Program*

Under the *Government Transformation Program (GTP)*, the Malaysian government identified seven major policy areas: Reducing Crime; Fighting Corruption; Improving Student Outcomes; Raising Living Standard of Low Income Household; Improving Basic Infrastructure, Improving Urban Public Transport; and Addressing Cost of Living. One of the key elements of the GTP is for government agencies to achieve these outcomes through an innovative and collaborative approach called *National Blue Ocean Strategy*. In essence, the *National Blue Ocean Strategy* promoted greater collaborative efforts between government agencies in order to optimise their cumulative resources to achieve greater outcomes or results.

Thus, in 2011, under the GTP's initiative to reduce crime, the Malaysian Prison Department implemented a Community Rehabilitation Program (CRP) in collaboration with the Malaysian Armed Forces. The aim of the CRP was to establish Community Rehabilitation Centres in the army camps and to develop a program that could effectively turn inmates into useful and law-abiding citizens before

they leave the camp. The CRP was discussed during APCCA in Tokyo in 2011 and detailed information is provided in the APCCA Report 2011.¹⁶

In essence, the CRP:

- involves collaboration between the Malaysian Prison Department and the military staff who have been trained on prison management prior to their station at the designated Community Rehabilitation Centre.
- aims at offenders who have been convicted of minor offences and have less than two years remaining of their sentence. Only inmates who are Malaysian nationals are eligible to be on the CRP.
- provides a unique rehabilitation program that cultivates the skills of inmates in projects such as farming and fishery which jointly managed by the Malaysian Prison Department, the Agricultural Department and the Fisheries Department. The aim is to equip inmates with the ability to use their skills to earn some income when they leave the camp and be accepted by family and the community. Whilst in the camp, inmates are given daily wages for their work. Currently, there is ongoing collaboration with the Department of Human Resources to provide technical skills such as air-condition maintenance basic mechanics and basic computer skills, to the inmates.
- provides moral and religious education activities, and counselling sessions to the offenders. These activities are provided by religious staff and volunteers from non-Government organisations (NGOs) that help inmates to be responsible citizens when they leave the centre.
- gives certain privileges to inmates which are not generally provided in mainstream prison such as visitation rights. A 'home stay' styled house is provided in every camp for family members to stay overnight.

The CRP is one example of smart partnership involving various agencies that reduces costs to the government. The project has resulted in indirect cost savings by utilising army camps and not building new prisons. The cost of building a prison to house 300 inmates is about RM50 million whilst the cost of building the five Community Rehabilitation Centres was RM29.2 million. This equates to a total saving of RM20.8 million to the government. In addition, about RM3.9 million per annum has been saved in grass cutting costs for the five Community Rehabilitation Centres as the inmates have been performing that task.

The CRP has alleviated overcrowding in prisons and steered petty criminals away from the hardcore criminals. Malaysia reported that the CRP has been a success based on the positive statistics received. According to the statistics at 31 January 2013:

- 2,051 inmates were released from the Community Rehabilitation Centres
- 973 were self-employed
- 415 successfully gained employment
- 465 became small business operator
- 198 were awaiting job offers

(c) India (Andhra Pradesh) – Community Work

The presentation by India discussed the *Andhra Pradesh Community Service of Offenders Act 2010* which will provide for the administration, supervision and regulation of Community Service Orders (CSO) as an alternative to imprisonment.¹⁷ The *Andhra Pradesh Community Service of Offenders Act 2010* defines

¹⁶ See N Morgan and I Morgan, *APCCA Report 2011 (Tokyo, Japan)* at pages 99 - 102.

¹⁷ At the time of the presentation, the *Andhra Pradesh Community Service of Offenders Act 2010* had not been proclaimed.

“Community Service” as a “non-custodial punishment awarded by the Court where the offender is required to render unpaid services for the benefit of the community”.

The general features of CSOs are as follows:-

- The court issues the CSO and specifies the nature, hours and duration of the community work which the offender has to complete, together with any other terms and conditions.
- CSO applies only to minor offences which attract a sentence of imprisonment of not more than one year or with a fine, or both. As at 31 December 2012, there were about 10,000 prisoners serving less than one-year sentence.
- Community service work cannot be performed at police stations and prisons.
- The offender must be at least 18 years old and must give his/her written consent to participate in the CSO.
- A social inquiry report is prepared. Prior to granting a CSO, the court must explain the terms and conditions of the Order to the offender.
- In addition to the CSO, the court may make an order for the offender to pay:
 - ✧ reasonable compensation to the victim; and/or
 - ✧ the cost of the proceedings as determined by the court.

After the CSO has been granted by the court, a Supervisory Officer will be appointed to supervise and manage the offender. The duties of the Supervisory Officer include:-

- making enquiries as requested by the court;
- submitting monthly reports to the court on the offender’s progress;
- advising and assisting the offender regarding the payment of compensation and court costs; and
- providing advice and support to the offender upon completion of the CSO.

If the offender breaches the CSO, the court has the following options:-

- issue an arrest warrant for a new offence, or issue a summons;
- grant bail (with or without surety);
- cancel the CSO and sentence the offender for the original offence (in sentencing the offender, the court takes into account the period the offender had participated in the CSO);
- vary the conditions of the CSO; and
- impose a fine if the breach is minor.

To ensure the effective implementation of CSOs, a State Community Service Committee will be established under the Act in order to supervise the operation of CSOs and to develop appropriate policies and procedures. The Committee will consist of a Chairman (namely, a Judge of the Court) and members consisting of the Home Secretary (Prisons), Secretary (Law), Director of Prosecution, Director General of Prisons, Commissioner of Juvenile Welfare, two social workers and two NGO representatives.

In conclusion, the implementation of CSOs will provide the following benefits and positive outcomes:-

- CSOs are less costly than imprisonment;
- provides an effective sentencing option for non-serious offenders to complete the order in the community, instead of incarceration;
- promotes a positive rehabilitation process as it enables the offender to live with family members and maintain family relationships;
- provides the offender with the opportunity to make reparation to the community;
- working for members of the public in the community instils positive attitudes and conduct in the offender;

- CSOs help to reduce the prison population and relieves pressures associated with prison overcrowding; and
- protects the offender from the negative effects of being in prison.

(d) Malaysia

Pursuant to section 43 of the *Prison Act 1995* and *Rule III Prison Rules 200*, selected long-term prisoners may be granted Home Leave for a period of time, subject to satisfactory low-risk assessment and the availability of suitable accommodation from a Home Leave sponsor. Home Leave enables prisoners to gradually re-adjust to life in the community and gives them the opportunity to re-establish family and community relationships for the prisoner's eventual release into the community.

A prisoner who has satisfied the following criteria may apply for Home Leave:

- The prisoner must be at Stage Four and have served up to four years of their sentence.
- The remainder of his/her sentence must not be more than a year and not less than two months.
- The Home Leave application must be supported by the officer in charge of the respective prison.
- The prisoner must not have any disciplinary record within 12 months from the date of the application for Home Leave.
- Official approval and family assurance to provide food and accommodation whilst on Home Leave.

In striving for success in community corrections, the Malaysian Prison Department continues to ensure that its community corrections officers meet the following standards:

- Professional conduct and impartiality
- Transparency
- Duty of care
- Concern for the inmates and the public
- To safeguard the reputation of the department.

As part of its Vision 2020, the Malaysian Prison Department aims to have at least two-thirds of inmates serving their sentence in the community as part of its 10-year plan.

(e) Solomon Islands

In the Solomon Islands, the *Probation of Offenders Act (1971)* provides for a person to be placed on probation. However, since 1994, no probation orders have been made for adult and juvenile offenders because no Probation or Community Corrections Service has been operating in the country. Consequently, offenders have either been discharged from court for less serious offences, or sentenced to imprisonment for serious offences.

Juvenile offenders are dealt with under the *Juvenile Offenders Act (1996)*. However, there is no dedicated government agency to develop and provide the necessary infrastructure and support networks to address the needs of young offenders in the community.

In 2005, a *Probation Pilot Scoping Project* made a number of recommendations to the Solomon Islands Government including a recommendation to establish a 12-month Pilot Probation Service under the management of the Social Welfare Division of the Ministry of Health and Medical Services. It also recommended that the Probation Service be delivered by Voluntary Probation Officers.

The proposed Pilot Project was not implemented. A number of reasons were given for this. The core business of the Ministry of Health and Medical Services (the Ministry) was to maintain and deliver health services to the general community members who already have some significant health issues. The Ministry's core business was not to assess and supervise offenders in the community, nor to provide

counselling services to offenders in the community. It was also argued whether the Ministry's service providers had the adequate training to identify criminogenic factors or assess the specific needs of offenders.

The presentation from the Solomon Islands stressed the need to consider the establishment of a Community-Based Corrections Service for the following reasons:

- (i) For hundreds of years, the Melanese culture has been using the principles of restorative justice to resolve crime and disputes in its community. The role and decision of village chiefs and elders were respected. However, over the years, these traditional cultures and values have been challenged by young men and women who find themselves caught between their Melanese culture and the 'new world' to the extent that the traditional ways of dealing with crime and disputes are no longer sufficient to address the offending behaviour.

The presentation from the Solomon Islands stressed the need to find a solution to this small cohort of offenders by:

- combining the strength of the Melanese culture; and
 - providing a structured support and supervisory network in a structured manner that:
 - ✧ reduces the number of people who are remanded or imprisoned for minor offences;
 - ✧ provides support to offenders who have been released on parole; and
 - ✧ provides community supervision in a professional manner.
- (ii) With an ever decreasing budget, it is costly to manage prisoners who are currently accommodated in six Correctional Centres spread across five provinces that are separated by water. The cost of establishing a Community-Based Corrections Service (including its ongoing costs), needs to be compared and balanced with the cost of running the current six correctional centres.
 - (iii) In 2013, the statistics showed that majority of the prisoners were convicted of less serious offences such as property, fraud and drug offences. However, the courts do not have community-based sentencing options for these types of offences which may not justify sentences of imprisonment.
 - (iv) Papua New Guinea and Vanuatu have been successful in creating a community-based corrections system which incorporate their respective cultures.

The advantages in implementing a community-based corrections system in the Solomon Islands include the following:

- Courts would have more sentencing options available to them when sentencing offenders for less serious types of offences. The types of sentencing options such as probation, suspended sentences, community service work and fines would have a positive effect on the community.
- Offenders would be able to reside in the community and continue to work and care for their family members.
- The correctional centres would not be accommodating offenders who have been convicted of less serious types of offences. This would mean fewer costs to the government in incarcerating inmates (but this need to be balanced with the cost of running community-based sentences).
- First-time offenders and offenders who have been convicted of less serious offences would not be placed in the correctional centre and thus avoids them mixing with serious offenders, and hopefully, steer them away from the criminal justice system.
- Juvenile offending is on the increase in the Solomon Islands. Its capital city, Honiara, has a large number of vulnerable young people who lack family support, are poorly educated and have little hope

of gaining employment. In 2010, there were five juveniles held at the Rove Central Correctional Centre. However, in September 2012 and May 2013, this rose to 18 and 19 juveniles, respectively (which is full capacity). It is predicted that the number will rise over the next few months.

The way forward for the Solomon Islands is:

- to develop and implement programs that divert juveniles away from the criminal justice system; and
- To implement community-based sentencing options for its offenders (as discussed above).

However, the above matters can only be achieved with the appropriate funding and continued support from the government, that recognises the needs of juvenile offenders, the need to provide community-based sentencing options to the judiciary, and the need to provide support and supervision structures for offenders in the community.

3. DURING THE TERM OF THE SENTENCE: Parole, Open Prisons, Half-Way Homes and other Conditional Release Schemes

During the agenda item session, some delegates gave a brief description of the various types of 'conditional release schemes' that allow prisoners to live in the community, subject to supervision and monitoring.

(a) Canada

The Correctional Service of Canada (CSC) is responsible for offenders serving sentences of two years or more and of long term supervision orders. Offenders serving sentences of less than two years and those on community-based orders are managed and supervised by the Provincial/Territorial governments. The Exchange of Service Agreements enable the federal and provincial/territorial governments to house offenders in federal and territorial facilities or in specialised mental health facilities under the respective jurisdictions.

The *Correctional and Conditional Release Act* governs the federal correctional system and sets the legislative parameters of CSC's functions. In addition, the Commissioner's Directives set the policies and rules that governs CSC's employees' work.

The Parole Board of Canada is a separate and independent body that:

- makes conditional release orders
- records decisions to suspend parole orders
- recommends clemency for federal offenders and provincial offenders in the provinces and territories that do not have their own parole boards.

In 2012-2013, on an average day, the CSC was responsible for the supervision of about 7,700 offenders in the community (about 34% of its total population). The CSC oversees eight Community Districts, 32 Area Parole Offices, 92 Parole and sub-Parole Offices and 16 Community Correctional Centre. It also liaises with non-governmental organisations and private agencies to provide Halfway Houses, Treatment Centres and Hostels.¹⁸

Parole and other conditional release options available include:

- Escorted Temporary Absence
- Unescorted Temporary Absence
- Work Release

¹⁸ For more information, see N Morgan and I Morgan, Report of APCCA 2010 (Canada) at Agenda Item 5: 'What Works in Community Corrections' at page 47.

- Day Parole
- Full Parole
- Statutory Release

The objectives of community supervision activities include the following:

- supervision interventions and strategies that take into account the offender's risk and needs
- strategies to monitor risk
- referrals to programs and services
- monitoring special conditions
- contacts with family members, employers and the police
- monitoring the offender's behaviour
- assisting and supporting the offender during his/her reintegration into the community

There are a number of advantages of having one system of community supervision:

- devising a holistic correctional plan and continuum of care which covers the individual's entire sentence and meets the needs of each individual whilst in prison and during his/her reintegration into the community;
- ability to assist offenders with specialised needs such as Aboriginal offenders and offenders with mental health needs;
- conditional release to ensure a smooth transition into the community;
- efficiencies in the use of human and financial resources; and
- opportunities for employees to pursue professional goals.

Community Corrections Offices are staffed by Parole Officers, Parole Officer Supervisors, Correctional Program Facilitators, Aboriginal Liaison Officers/Aboriginal Community Development Officers, Psychologists, Psychiatrists and Social Workers.

Generally, Parole Officers are expected to possess a university degree in human behaviour, and experience/skills in case management, human behaviour assessment, risk assessment, effective interpersonal relationships and analytical skills. Parole Officers have to undergo mandatory training including:

- Parole Officer Induction Training
- Community Personal Safety Training
- Managing Offenders with Long-Term Supervision Orders
- Parole Officer Continuous Development

CSC's current priorities include:

- Policy Review with the aim of realigning Parole Officer activities on assessment and intervention;
- implementation of Electronic Monitoring; and
- implementation of a structured framework targeting Offender Assessment (Risk and Needs) and Offender Intervention (supervision and behavioural change).

The current and future challenges for CSC include the following:

- an increase in the number of high-risk offenders;
- community accommodation pressures;
- managing the offender population by utilising different monitoring tools such as urinalysis testing, curfew checks, frequency of contacts and contacts with family members, employers, police and other organisations.

As part of its mandate and vision, CSC continues to engage and work collaboratively with its stakeholders, leverage the power of new technologies and continue to engage in its federal Community Strategy to 2020.

(b) Fiji

The Fiji Corrections Service is involved in the following 'back-end' early release options:

- Compulsory Supervision Order under Part XIV of the *Prison Act*
- Extramural punishment under Part XI of the *Prison Act*
- Early release under section 15 of the *Corrections Act*:
- Parole under sections 49 and 50 of the *Corrections Act*.

The above options are discussed separately below.

(i) *Compulsory Supervision Order (CSO)*

CSOs fall under Part XIV of the *Prisons Act* whereby:

- The Minister may direct the Commissioner to release a prisoner on a CSO for any period as the Minister thinks fit.
- The Commissioner may make a CSO for a period not exceeding 12 months:
 - ✧ to a prisoner who has been sentenced on not less than two previous occasions, serving a term of three years or more; and
 - ✧ to any other prisoners sentenced for three years, if he considers necessary or desirable so to do.

(ii) *Extramural punishment*

Extramural punishment enables prisoners to undertake public work outside the prison. It is available to a prisoner:

- whose sentence does not exceed 12 months.
- whose sentence is more than 12 months but he must be within 12 months of his expected date of release with remission.

To be eligible, the following conditions must be satisfied:

- prisoner's demonstrated good behaviour in prison;
- availability of accommodation;
- availability of public work; and
- the prisoner is physically capable of undertaking the public work.

(iii) *Early release*

Under section 15 of the *Corrections Act* – Commissioner Order 22, there are five types of early release options:

- Short term release – This allows a prisoner to spend a maximum of 14 days with his family. This is a privilege to be earned by the prisoner, and is not a right or entitlement.
- Week end release – The prisoner spends one week end in every three months within 12 months of his expected date of release.
- Community work
- Paid employment
- Course of instruction or education
- Parole

The minimum criteria for the above types of early release are:

- A low security classification.

- The prisoner must have 12 months or less of his effective sentence to serve.
- The prisoner must have demonstrated good behaviour with the ability to return to the community as a law abiding citizen.
- The prisoner must have undertaken corrections work and rehabilitation programs.

A prisoner who has been sentenced to a fixed non-parole term of imprisonment must serve his non-parole period in full before they are eligible for early release provided the above criteria are met. However, a prisoner sentenced to imprisonment for any period not exceeding 12 months will qualify for early release after completing half of the term of imprisonment after remission and provided the above criteria have been satisfied.

The following condition or additional criteria must also be satisfied for these types of early release:

- *Course of education or instruction* - The prisoner must have an acceptance letter from the training institution.
- *Paid employment* - The prisoner must have a letter offering employment from the employer.
- *Short term release* – A life sentenced prisoner may qualify for short term release after serving the minimum terms prescribed by the court. A prisoner who has been sentenced to a term of not more than 12 months' imprisonment may qualify for short term release provided the prisoner has completed the prescribed rehabilitation programs.

Parole falls under sections 49 and 50 of the *Corrections Act* which set out the functions of the Parole Board. The members of the Parole Board include a Judge or retired Judge, a psychologist, or a person with experience in supervising offenders. The Board:

- recommends the release of a prisoner on parole to the Minister;
- sets the parole conditions in the Parole Order; and
- any other matter referred by the Minister. The Minister may cancel or vary the Parole Order.

The minimum criteria for parole are:

- Completion of the non-parole term.
- A low security classification.
- The prisoner must have 12 months or less of his effective sentence to serve.
 - ✧ The prisoner must have demonstrated good behaviour with the ability to return to the community as a law abiding citizen.
 - ✧ The prisoner must have undertaken corrections work and rehabilitation programs (as discussed above).

(c) India – Open Prisons

The principles and philosophies behind the concept of an '*open prison*' include the following:

- provides hope to prisoners and the possibility of return to the community;
- provides the opportunity for prisoners to raise their educational level and vocational skills;
- provides gainful employment opportunities;
- provides group approach for rehabilitation;¹⁹ and
- develops a spirit of resourceful and organised citizen participation.

The concept of open prisons is not new India. The first Open Air Camp was opened in 1949 in Lucknow, Uttar Pradesh. Subsequently, the following open prisons were established:

- Sampurnanad Open Air Camp in 1952

¹⁹ See N Morgan and I Morgan, *APCCA Report 2012* (Brunei) under Agenda Items 2 and 3 where the inmates' participation in prison management (called '*panchayats*' or prisoner groups) generates a positive sense of responsibility in the prisoners and prepares them for social integration. Panchayats enables prisoners to regulate their welfare activities under the guidance of prison officials.

- Andhra Pradesh Maula Ali Agricultural Colony (Cherlapally) in 1954
- Yervada Open Prison in Maharashtra in 1955
- Open Prison Camp at Durgapur, Rajasthan in 1955
- Open prison at Buxar, Bihar in 2012

The open prisons have minimum security infrastructure and enables the inmates to leave the prison between 6am and 7pm. This gives them the opportunity to spend time with their family members, participate in wage employment opportunities, and engage in educational and vocational skills training to increase their employment opportunities.

At the Buxar Open Prison, there are 13 double-storied building with a total of 104 flats. Each flat accommodates one prisoner and has one bedroom, one sitting room, a kitchen and toilet. The common facilities have:

- LCD TVs
- modern multi-station gymnasium equipment
- library
- sports facilities and equipment for football, volleyball, carom, cricket and various indoor games
- computer centre

The Buxar Open Prison has an open school which provides training programs in the following areas:

- poultry farming
- bee farming
- vermicompost manufacturing²⁰
- mushroom cultivation and herbal farming
- tailoring
- computer training
- certificate in Library Science
- air-conditioning and refrigeration training

Currently, there are two gasoline stations being successfully managed and plans are in the pipeline to build three more gas stations. The prison land is leased to the oil company and the working capital is being funded by the prison department. The inmates are paid for their work and work certificates are given by the oil company.

Plans are currently underway to build a dairy farm within the prison perimeter, to provide more opportunities to inmates to learn new skills and to increase their chances of employment upon release.

The Buxar Open Prison has successfully provided livelihood opportunities to its inmates. For example:

- inmates have been able to be gainfully employed under a wage program, with the old or infirmed being employed in less labour-intensive work;
- a number of inmates have been employed as construction workers and vegetable/fruit hawkers.

4. CONCLUSION

During the agenda item session, delegates discussed the main factors that influence the emergence of alternatives to imprisonment:

²⁰ Vermicompost is the product or process of composting using various types of worms to create a mixture of decomposing of vegetable or food waste, bedding materials, and vermicast (also called worm manure). Vermicompost is an excellent, nutrient-rich organic fertilizer and soil conditioner. This process of producing vermicompost is called *vermicomposting*.

- The need for rehabilitation and social reintegration of offenders into the community.
- Different types of offenders require different approaches. For example, Malaysia showcased its Community Rehabilitation Program which is part of the country's *National Blue Ocean Strategy* and Government Transformation Program to reduce crime.
- Reduces recidivism. For example, Canada reported that there was a 99% success rate in parole.
- Reduces stigmatization of prisoners. For example, in India, this has been achieved by prisoners undertaking community service work in the community under its *Community Services Act*.
- Alleviates overcrowding in prisons.
- Community safety. For example, in Canada, victims have a right and can present arguments regarding the release of prisoners.
- Community engagement and participation

The best-known example of international standards for prisons is the *United Nations Standard Minimum Rules for the Treatment of Prisoners*. This now provides an explicit or implicit point of reference for most countries, including the Asia-Pacific region. In the non-custodial area, the 1990 Tokyo Rules (the *United Nations Standard Minimum Rules for Non-Custodial Measures*) provide a useful reference point. These two sets of rules are further bolstered by a number of other specific conventions. The most relevant of these to APCCA are the *Bangkok Rules of 2010 (the United Nations Standard Minimum Rules for the Treatment of Female Prisoners and Non-custodial Measures for Women Offenders)* which were pioneered and drafted by Thailand in elevating international recognition of the special position of female offenders.

During the agenda item session, the delegate from Thailand gave a brief summary of the *Bangkok Rules*. In essence, there is growing international recognition that female offenders have different needs from male offenders and that policies and practices which have evolved mainly for men do not meet the specific and complex needs of women (see www.elfi.or.th).²¹ A delegate from Palanhar Yojna in Rajasthan explained that children whose parents were both in prison, were being cared by foster parents. Brunei mentioned its *Love and Care Program*.

In conclusion, during the agenda item session, delegates discussed what correctional administrators could do to promote alternatives to imprisonment, and the following suggestions were made:

- include alternatives to imprisonment as part of building organisational culture;
- train officers to understand the benefits of alternatives to imprisonment;
- increase awareness about the different options that prisoners may have as alternatives to imprisonment;
- work with other departments and agencies to promote alternatives to imprisonment;
- constantly innovate on how these alternatives to imprisonment can be best utilized and how new alternatives to imprisonment can be created;
- generate awareness in the community about the efficacy of alternatives to imprisonment as a way to rehabilitate and reintegrate the offender into the community;
- conduct an evaluation of the alternatives to imprisonment and devise effective mechanism tools to measure its impact;
- invest in further research in the areas of alternatives to imprisonment that meet the specific needs of the offender (for example, offenders with drug issues, mental health issues, female prisoners, juvenile offenders); and
- network and collaborate with NGOs and other government and non-government organisations to facilitate the offender's reintegration process.

²¹ For more information about the *Bangkok Rules*, see N Morgan and I Morgan, *APCCA Report 2012 (Brunei)* under Agenda Item 5.

AGENDA ITEM 5

MEASURING AND REDUCING RECIDIVISM RATES: ASSESSING WHAT WORKS, SETTING TARGETS, AND IMPLEMENTING EVIDENCE-BASED PROGRAMS

1. INTRODUCTION

Every correctional service in the world is under pressure to reduce recidivism, and some APCCA members have been set specific targets by their governments. This is a change from ten years ago when performance tended to be measured solely by reference to matters such as the number of prison escapes and the number of assaults on staff. The change reflects the fact that correctional services now espouse the goals of rehabilitation and reintegration. In countries where the private sector is engaged to operate prisons, including the United Kingdom, New Zealand and parts of Australia, there is now sometimes even a 'payment by results' component to the contracts under which contractors will receive additional payments if they can prove they have reduced recidivism.

However, some complex issues underpin the proposition that the performance of correctional services departments should be measured by reduced recidivism. The issues include the following: -

- How is 'recidivism' defined and measured?
- Many different factors influence the reasons why people commit crime or desist from crime on release. Some may be influenced by correctional services (such as the completion of a particular psychological program) but others may be unrelated (such as maturity or forming a positive new personal relationship). It can therefore be difficult to determine exactly what it was that 'worked'.
- There is a good deal of evidence internationally that programs based on a cognitive behavioural therapy model can have a positive effect on recidivism. However, the fact that a program may work with one group does not necessarily mean it will work with another. For example, a sex offender treatment program which 'works' in the United Kingdom may not be suitable for a country such as India or for Aboriginal prisoners in Canada or Australia.

Overall, the challenge is to work out what works for whom and why.

2. RECOGNISING JURISDICTIONAL DIFFERENCES

This Agenda Item provided the opportunity for delegates to discuss how they define and measure recidivism, the rates of recidivism in their country, and to recent initiatives. India, Canada, Hong Kong (China), Fiji, Japan, Korea, Malaysia and Singapore all presented papers. It became clear that whilst there are many shared concerns, different tests of recidivism are being used and that the differences between the various countries are so marked that it would be dangerous to draw direct comparisons.

Factors that make it impossible to directly compare recidivism rates between countries include the following:

- Police success rates and public willingness to report crimes will have an impact on recidivism rates.
- Under some Federal political systems, including Australia and Canada, responsibility for criminal justice is partly a federal government responsibility and partly a state/territory responsibility. Here, recidivism rates tend to be assessed only in terms of whether the person returns to custody in the same part of the system and do not include people being imprisoned elsewhere.
- Prisoner profiles differ: countries which impose imprisonment on lower-risk offenders would be expected to have lower recidivism rates than countries which reserve imprisonment for higher risk offenders.

- Some countries have a large number of foreign or 'non-local' prisoners. They will return to their home jurisdictions on release and it will not be known whether they re-offend.
- Practices appear to differ as to whether people who return to prison on remand or for breach of parole are counted as recidivists or whether recidivism requires conviction for a new offence.
- Practices also differ as to whether to include people who are re-convicted but are given a community based sentence rather than a new term of imprisonment.
- Different timeframes are being used.
- The quality of available data is variable.

3. RECIDIVISM IN DIFFERENT COUNTRIES

(a) Canada

(i) *Measuring recidivism*

In Canada, the Federal correctional system only holds sentenced prisoners serving a sentence of two years or more. Correctional Services Canada ('CSC') is responsible for this federal system but remand prisoners and shorter-term sentenced prisoners are the responsibility of the various Provinces. The main CSC performance measure in terms of recidivism is: *the number of ex-Federal prisoners returning to Federal custody within five years.*

This test adopts a longer time period (five years) than most countries but does not count convictions which result in an outcome other than a return to federal custody, such as a non-custodial sentence or short term imprisonment in the Territory system. CSC also collects a wide range of other data relating to recidivism, including numbers of convictions and numbers returning to supervised orders and in order to evaluate initiatives more quickly, a shorter follow up time is sometimes used.

(ii) *Findings, issues and initiatives*

- Over recent years, the overall rate of readmission to federal custody has remained relatively stable, at between 18.5% and 19.8%;
- Rates of readmission for males (20%) are significantly higher than for females (5-10%);
- Aboriginal recidivism rates are higher than non-Aboriginal recidivism rates; and
- Rates of readmission vary widely between facilities with different security ratings. Maximum security facilities have the highest recidivism rate, followed by medium and minimum security facilities.

CSC has invested heavily in cognitive behavioural programs designed to 'address offending behaviour' over the past 20 years. The evidence indicates that provided these programs are successfully targeted at the right prisoners, they can result in lower recidivism for violent and sexual offending. This depends on having suitable assessment tools.

In an effort to reduce Aboriginal readmission rates, CSC and the Federal government have pioneered the development of eight 'healing lodges' over the past few years. These differ from traditional prisons in design, philosophy and management. They are operated by Aboriginal people under contractual arrangements with CSC and focus on Aboriginal teachings, cultures and ceremonies as well as other forms of skill development and education. The lodges have been evaluated using a test of readmission within two years of release and the results are very positive. The rate of recidivism is 4%, much lower than maximum security (21%), medium security (14%) and minimum security prisons (8%).

(b) Hong Kong (China)

(i) Measuring recidivism

The recidivism test used by the Correctional Services Department of Hong Kong ('CSD') is the *number of local convicts readmitted due to the commission of a new offence within two years of release*.

This test therefore excludes non-local prisoners (including the significant number from mainland China) as well as people who are reconvicted but do not return to prison.

(ii) Findings, issues and initiatives

- Between 2001 and 2010, there has been a significant and consistent decline in recidivism rates, from over 38% to 31%.
- Male recidivism rates (32.1% in 2010) are higher than female recidivism rates (24.4% in 2010).

The downward trend has been very helpful to CSD in 'marketing' itself with local community and business organisations and in garnering their support.

CSD explained that one of the keys to reducing recidivism has been the development, in collaboration with Correctional Services Canada and the Chinese University of Hong Kong, of a Risk and Needs Assessment and Management Protocol for Offenders ('the Protocol'). The Protocol has been in existence since October 2006. It assesses the person's risk of reoffending based on factors such as age, nature of the offence, prior record, history of drug abuse and educational and employment history. The Protocol aims to match prison-based programs and interventions to the person's needs and risks. However, CSD also recognises the limitations of what can be done inside a prison and the critical importance of community support to successful reintegration.

As the Protocol only came into effect in late 2006, and has only been applied so far to selected prisoner groups, it is too early to fully assess results. However, the early indicators are promising. In 2011, CSD compared the recidivism rates of those prisoners who had received Protocol-matching interventions and those who had not. It found that the Protocol-matched group had a lower rate of recidivism.

(c) Fiji

(i) Measuring recidivism

The Fiji government set the Fiji Corrections Service ('FCS') a target of reducing recidivism by 50% from 2009 to 2014, requiring a sharper focus on this issue than in the past. The recidivism test used in Fiji is the *number of prisoners readmitted to FCS custody as a proportion of the number of prisoners discharged over the preceding two years*.

(ii) Findings, issues and initiatives

Fiji's recidivism rate does not show a consistent trend. It was 7% in 2010, dropped to 3% in 2011, and went back up to 6.6% in 2012. Rates also fluctuate on a quarterly basis. These movements can probably be explained, at least in part, by the fact that Fiji has a relatively small number of prisoners and, based on these figures, a relatively low rate of recidivism. This means that a small change in the actual number of recidivists will have a large impact on the percentage figure.

Initiatives to reduce recidivism in Fiji include improved assessment and profiling of prisoners; provision of a wider range of intervention programs; a focus on practical skill development; and better linkages back to church, family and community.

A specific example of an initiative to reduce recidivism is the Poverty Alleviation Project ('PAP'). The PAP acknowledges the link between poverty and crime and is geared towards helping offenders start their own farm or other business on release.

People who return to prison again now face a more rigorous initial period of imprisonment, with a strong focus on strict discipline and drills. The aim is deterrence. Fiji also believes that its community corrections system, which is still in its infancy, will be critical to future success.

(d) India

(i) Measuring recidivism

A very large proportion (around two thirds) of India's prison population is 'undertrial' and not yet convicted. India also adheres strongly to the principle that people are innocent till proven guilty. This means that prisoners will not be regarded as recidivists unless or until they are actually convicted by a court. Consequently, reconviction is the key indicator, not re-admission to prison.

The Indian presentation stated that the test of recidivism in India is to be *convicted of more than one offence either in a form of imprisonment or a community based sentence*.

The Indian test seems to differ from the test used in some other countries as it includes convictions for offences that lead to a community based sentence and focuses on reconviction not 're-admission' to custody.

(ii) Findings, issues and initiatives

- It was acknowledged by Indian delegates that data collection is problematic across such a vast and diverse country. It was reported that there are discrepancies due to the under-reporting of crime, delayed reporting, data recording, and the fact that many 'undertrials' are actually released before their trials are finalised because of the time they have already spent in prison.
- Statistics on for 'recidivism under Indian Penal Code Crimes' indicate that rates have been dropping from 8.7% in 2006 to an average of around 7.5% from 2008 to 2011. The Indian Penal Code contains the 'traditional' range of criminal offences such as rape, robbery, stealing, fraud and murder but does not include a number of more modern crimes, such a drug offences.
- Women have lower recidivism rates than men.
- Younger offenders have higher rates of recidivism than older offenders.
- People who have offended in groups are more likely to re-offend.
- Offenders from 'better family backgrounds' are less likely to reoffend.

Initiatives being undertaken to reduce recidivism include strengthening probation and aftercare services; greater involvement from civil society and the non-government and private sectors; a focus on market-driven vocational skills; improved opportunities for healthy contact with the outside community during incarceration; the use of open prisons; and increased opportunities for prisoners to undertake leave from prison as part of their transition.

(e) Japan

(i) *Measuring recidivism*

The Japanese prison system has been going through major change over recent years. The 1908 Prison Act was repealed, and new Acts came into force in 2006 and 2007 (the Act on Penal Institutions and the Treatment of Sentenced Inmates, and the Act on Penal Detention Facilities and Treatment of Inmates and Detainees). The reforms embedded the concept of 'correctional treatment'. Key focal points include a stronger focus on rehabilitation and social reintegration; greater transparency; and clarification of the rights and responsibilities of staff and prisoners.

The test used to assess recidivism in Japan is *whether a person is reimprisoned within two years of release*. Thus, offences that do not lead to imprisonment are not counted.

(ii) *Findings, issues and initiatives*

It would not have been appropriate for Japan to adopt assessment tools developed in other countries such as Canada and the UK because the societies are so different. Japan has therefore developed its own system based on 'Special Guidance' and 'General Guidance'. The term 'Special Guidance' refers to treatment programs that focus on the individual person's problems and are delivered by specialist providers. 'General Guidance' refers to services to all prisoners.

Six areas of Special Guidance have been identified: drug abstinence; withdrawal from organized crime groups; prevention of repeat sex offences; education from the victim's point of view; traffic safety; and job assistance.

Evaluations and research into the impact of Special Guidance measures are under way. The most important to date has been an evaluation of recidivism amongst released sex offenders. The study involved a total of 2147 released sex offenders. 1198 of them had completed the Special Guidance for sex offenders and 949 had not. The study examined rates of recidivism within three years of release. Key findings included the following:

- The overall rate of reoffending for any crime was lower for those who had completed the Guidance (21.9%) than for those who had not (29.6%).
- High risk sex offenders were less likely to reoffend for any offence where they had completed the Guidance (34.8%) than when they had not (46.4%).
- Low risk sex offenders were less likely to reoffend for any offence when they had completed the Guidance (4.8%) than when they had not (12.6%).

These preliminary findings are very positive as they suggest that targeting Special Guidance programs at sex offenders will reduce recidivism. However, more evaluations are required across all six Guidance programs.

The presentation from Japan also emphasised the importance of focusing on providing support to ex-prisoners on release. Interestingly, in Japan, the recidivism rate for people released on parole (11%) is very much lower than for people released without parole (30%). This suggests that supervision on parole is likely to bring better results than releasing a person without parole monitoring/supervision.

(f) Korea

(i) *Measuring recidivism*

Reducing recidivism is a key government target for the Korean Correctional Service. The test of recidivism used in Korea is *being sentenced to imprisonment or a higher penalty within three years of being released*.

This test excludes people who are readmitted to prison but are not convicted and people convicted of lesser crimes that do not attract a prison sentence.

(ii) *Findings, issues and initiatives*

- 25,802 prisoners were released in 2008. Of these, 5737 (22.2%) were reincarcerated within three years.
- The recidivism rate has been relatively stable in recent years.
- The male recidivism rate (23%) is much higher than the female recidivism rate (10.5%).
- Recidivism rates decline with age: offenders under 20 had a 41% recidivism rate compared with 11.8% for those over 60.
- The first two years after release are the highest risk period: 83% of those who were reincarcerated returned within two years, 54% within the first year and 30% in the second year.
- Recidivism rates are lower amongst people released on parole.

In recent years, the Korean Correctional Service has developed improved assessment and classification tools, leading to a Recidivism Prediction Index ('RPI'). The RPI aims to ensure the more effective targeting of programs and other supports. It is too early to assess the results of the RPI process but the early signs are promising.

(g) **Malaysia**

(i) *Measuring recidivism*

The Government Transformation Program ('GTP') in Malaysia cuts across all government agencies. One of its core objectives is reducing crime. For the Malaysian Prison Department, this has meant a sharp focus on improving rehabilitation programs, establishing an 'industrial prison' and improvements to post-release supports and programs.

In Malaysia, recidivism is defined as *the number of prisoners who have completed a rehabilitation process and re-enter prison within three years of release.*

This method of calculation was derived after detailed consultation with statisticians and academics. It differs somewhat from many other countries. Whereas many countries track individual offenders, Malaysia compares the number of recidivists admitted to prison compared over a period of time (e.g. the three years up to January 2012) with the total number of prisoners released over the same time period.

(ii) *Findings, issues and initiatives*

- In 2012, based on this measure, Malaysia had a recidivism rate of 8%: 81,862 prisoners had been released over the preceding three years, and over the same time period, there had been 6,524 recidivists admitted to prison.
- The rate of 8% is below the target of 10% set by government.
- The parole system, introduced in July 2008, has been very successful. Only 2% of parolees have had their parole revoked and none have been found to have offended

Malaysia attributed its success to initiatives to improve assessment tools, to provide a better range of prison programs and skill development opportunities, and a sharper focus on pre-release and post-release supports. Engagement with families and NGO's were also identified as significant factors in improving results.

(h) Singapore

(i) *Measuring recidivism*

Recidivism is a key performance indicator for the Singapore Prison Service (SPS). The test used to assess recidivism is *the percentage of local inmates who are released and subsequently imprisoned again for a new offence within two years*.

SPS has therefore chosen to assess recidivism by reference to locally released prisoners and to exclude those released elsewhere. This presents a more accurate figure. The period of two years was chosen on the basis of international research which shows that the risk of return is highest over two years and because a two year period allows reasonably timely evaluation.

(ii) *Findings, issues and initiatives*

Recidivism rates in Singapore are declining. The rate for the 2008 release cohort was 27.3%. The figure dropped to 26.7% for the 2009 cohort and 23.6% for the 2010 cohort.

However, SPS also recognises that governments may want information within a shorter time period than the normal two year follow up permits. It has therefore been developing statistical 'survival rate' models. These will not replace longer term evaluations but will assist in gaining an improved understanding of correctional outcomes at an earlier date. It is hoped, for example, that if a recidivism rate of five per cent was found in the first six months, it would be possible to extrapolate from this an accurate estimate of two year recidivism rates.

One of Singapore's more important initiatives in recent years has been the decision to introduce a Mandatory Aftercare Service (MAS) for selected higher risk prisoners. Legislation is still pending but some steps have already been taken to trial this scheme. The basic idea is that upon release, offenders will move to a half-way house, and then to a period on home detention, before the full 'community reintegration' phase. It is intended that statistical survival rate models will be used to assess performance and inform government well before two years has elapsed.

4. CONCLUSION

It is very positive to see such a strong focus across the APCCA region on reducing recidivism. This is a clear indicator of the modernisation of corrections, away from an approach based only on containment.

For a wide range of reasons it would be misleading and misguided to compare recidivism rates between different countries. As the papers demonstrated there are major differences in terms of the tests that are being used, the quality of available data, and the legal and constitutional arrangements in different places.

A very positive finding is that across most of the region, recidivism rates are declining. This means fewer victims, less crime, better community protection, and fewer people returning to prison – all very important outcomes.

Specific trends differ across the region but broadly speaking:

- Male recidivism rates are higher than female;
- Younger prisoners are more likely to reoffend than older prisoners;
- People released under parole supervision are less likely to reoffend than those released without parole;
- In Australia and Canada, recidivism rates are higher amongst Aboriginal than non-Aboriginal people; and

- There is a very good chance that if people can 'survive' for the first two years after release, they will not re-offend.

All of the reports agree that the key ingredients of success are good assessment and classification instruments; effective program targeting; practical, employment-related skill development; and community support on release.

CONFERENCE BUSINESS

INTRODUCTION

APCCA has both a Finance Committee and a Governing Board. The roles of the Finance Committee and the Governing Board and the rules regarding membership are set out in the 2002 *Joint Declaration* (see *Appendix A*).

The Governing Board met on Sunday 22nd September 2013 to discuss a number of matters and to consider possible recommendations to be taken to the full conference. The meeting of the Governing Board was preceded by a meeting of the Finance Committee.

FINANCE COMMITTEE MEETING Sunday 22nd September 2013

Notes of the Finance Committee Meeting are at *Appendix G*.

Please note also the discussions under 'Governing Board Meeting' and 'First Conference Business Session' regarding membership of the Finance Committee.

One of the roles of the APCCA Secretariat is to administer the APCCA Fund. The Report on the Administration of the APCCA Fund 2012-2013 is at *Appendix F*.

GOVERNING BOARD MEETING 22nd September 2013

Under the terms of the *Joint Declaration*, the members of the Governing Board 2012-2013 consist of:

- India (2013 host);
- Canada (2014 host);
- Brunei Darussalam, Japan and Canada (as the last three hosts);
- China, Solomon Islands, Thailand and Australia (as elected members from 2009, 2010, 2011 and 2012 respectively);
- Indonesia, Fiji and Macao (China) (as rotating members who were present at the 2012 conference); and
- Hong Kong (China) and Singapore (as the APCCA Secretariat).

The Rapporteurs act as the secretary to the Board.

1. Open and Welcome

Under the *Joint Declaration*, the Chair of the Governing Board is the Conference Host. However, India requested the Rapporteurs (Professor Neil Morgan and Irene Morgan) to chair the meeting. The meeting commenced with a warm welcome from the Rapporteurs and introduction between members present.

2. APCCA Secretariat Report

The Deputy Director of Singapore Prison Service, Mr Desmond Chin, reported on the Secretariat's activities in 2012-2013. The Secretariat's report is included as *Appendix H* to this report.

⇒ *The Governing Board thanked the APCCA Secretariat for its continuing service and resolved that the report of the Secretariat should be tabled to the Conference.*

3. Report on the Administration of the APCCA Fund 2012-2013

(a) General Report

Hong Kong (China) is the Administrator of the APCCA Fund. The Commissioner of the Correctional Services Department of Hong Kong (China), Mr Sin Yat-kin briefed members on APCCA's financial position in accordance with the Fund Administrator's Report (Appendix F). The position remains healthy.

Under the terms of the *APCCA Joint Declaration*, the report was audited by the current host (India) and the previous year's host (Brunei).

⇒ *The Governing Board thanked the Fund Administrator and resolved that the 'Report on the Administration of the APCCA Fund' be tabled to the conference.*

(b) Discussion of Clauses 30 and 32 at the Finance Committee meeting

The Governing Board, at the request of Hong Kong (China), discussed proposed amendments to Clauses 30 and 32 of the *Joint Declaration*:

- Clause 30 currently reads: *"The financial year of the APCCA ends on 30 September."*

Hong Kong (China) requested that the end of the financial year of APCCA be amended to 31 July and this was accepted by the Governing Board.

The Governing Board agreed with the requested amendment.

- Clause 32 currently reads: *"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."*

At the Finance Committee meeting, India expressed the view that it would be more appropriate for a person or body with professional accounting qualifications to audit the APCCA Fund Administrator's Report.

The Governing Board members discussed the suitability of various persons and bodies to undertake the auditing role.

⇒ *The Governing Board agreed to resolve the issue with regard to Clause 32 during the conference week and to table any proposed amendment during Business Session Two, together with the agreed amendment to Clause 30.*

4. Appointment of APCCA Secretariat

Clause 21 of the *APCCA Joint Declaration* states that the appointment of the Secretariat is to be reviewed every two years. The APCCA Secretariat is held jointly by Hong Kong (China) and Singapore. The appointment of the APCCA Secretariat expired at the 2013 conference. Hong Kong (China) and Singapore volunteered for reappointment for a further two-year period if this was the will of the Board and the Conference. The Board thanked the Secretariat for their laudable service over the past two years and for their offer to undertake another two-year term.

⇒ *The Board resolved to recommend to the Conference that Hong Kong (China) and Singapore be appointed as the APCCA Secretariat for another two-year period (expiring at the end of the 2015 conference).*

5. Future Hosts

China had originally offered to host APCCA in 2014 but due to unforeseen circumstances, was unable to do so. China had offered, instead, to host in 2016. Canada graciously offered to host the 2014 conference.

The Board stated that it fully understood China's reasons for not being able to host in 2014. The Board extended their thanks to Canada for generously offering to host in 2014 and also to China for offering to host in 2016.

The Board also thanked Thailand and Fiji for offering to host in 2015 and 2017 respectively.

⇒ *The Board expressed its great appreciation for all the offers to host future conferences and offered its best wishes and support to Canada for 2014.*

6. Governing Board Membership 2013-2014

Clause 14 of the *Joint Declaration* contains detailed rules relating to membership of the Governing Board. Under these rules, the membership of the Governing Board runs from the end of one conference to the end of the next conference.

(a) Host members and APCCA Secretariat members

Professor Morgan explained that under the terms of Clause 14, the following are members of the 2013-2014 Governing Board by virtue of their roles as hosts or Secretariat:-

- Canada (2014 host);
- India, Brunei and Japan (three immediate past hosts);
- Thailand (2015 host); and
- Hong Kong (China) and Singapore (APCCA Secretariat).

(b) Elected Members

Under Clause 14(b) of the *Joint Declaration*, elected members of the Governing Board step down after four years of service. The elected members for 2012-2013 were China (elected 2009), Solomon Islands (elected 2010), Thailand (elected in 2011) and Australia (elected in 2012). China would therefore step down as an elected member at the end of the 2013 conference.

Professor Morgan noted that during the 2013 conference, it would be necessary to choose a new elected member for the Governing Board.

(c) Rotating Members

Professor Morgan stated that the rotating members for 2013-2014 would be confirmed at the Second Business Session of the conference after the elected membership was finalised and all attendees were known.

⇒ *The Board resolved to report on the current situation to the conference and to invite members to nominate to be an elected member, with an election to be held by ballot (if necessary) during the course of the conference.*

7. Confirmation of APCCA members

The Board noted that there were no changes in APCCA membership since 2011. The APCCA members are:

- Australia (all States and Territories),
- Brunei Darussalam,
- Cambodia,
- Canada,
- China,
- Hong Kong (China),
- Macao (China),
- Fiji,
- India,
- Indonesia,
- Japan,
- Kiribati,
- Republic of Korea,
- Malaysia,
- Mongolia,
- New Zealand,
- Philippines,
- Singapore,
- Solomon Islands,
- Sri Lanka,
- Thailand,
- Tonga, and
- Vietnam.

8. Appointment of Agenda Item Committee members

The role of the *Agenda Committee* is to select the topics for the next APCCA conference based on suggestions received from delegates.

Members of the Governing Board were invited to volunteer as members of the Agenda Item Committee. India, Canada, Brunei, China, Hong Kong (China), Macao (China), Fiji, Japan, Malaysia, Singapore, Solomon Islands and Thailand offered to be members of the Agenda Item Committee.

9. APCCA subsidy to hosts for Rapporteurs' expenses

During the Finance Committee meeting, it was noted that the current arrangement was that the APCCA Fund reimbursed up to US\$8,000 to the host and the Rapporteurs claimed from the host. The Finance Committee members noted that the current process:

- was unfair as travel costs varied widely (for example, the travel costs from Western Australia to Canada were more than the costs from Western Australia to Singapore); and
- was administratively cumbersome.

The Finance Committee suggested that:

- the APCCA Fund would directly reimburse the Rapporteurs' airfares; and
- the host will remain responsible for the Rapporteurs' accommodation costs.

⇒ *The Board approved the new system as suggested by the Finance Committee (effective from 20th September 2013).*

10. Other business

There was no other business.

FIRST CONFERENCE BUSINESS SESSION

Tuesday 24th September 2013

For the First Business Session, India requested the Rapporteurs (Professor Neil Morgan and Irene Morgan) to chair the session. The First Conference Business Session considered the following items:

1. APCCA Secretariat Report 2013

Mr Desmond Chin, Deputy Director of Singapore Prison Service reported on the Secretariat's activities for the year 2012 - 2013. The Secretariat's report is included as *Appendix H* to this report.

⇒ *The Report of the APCCA Secretariat was adopted with thanks by the conference.*

2. Report by the Administrator of the APCCA Fund 2013 and Finance Committee

Mr Sin Yat-kin, Commissioner of the Correctional Services Department of Hong Kong (China) presented the Report of the APCCA Fund Administrator and the Report of the APCCA Finance Committee to the conference.

⇒ *The Conference noted both reports and, with acclamation, thanked Hong Kong (China) for its continuing service as the APCCA Fund Administrator. The Report by the Administrator of APCCA Fund 2012-2013 and the Report of the APCCA Finance Committee can be found in Appendices F and G).*

3. Appointment of APCCA Secretariat

Professor Morgan explained that pursuant to Clause 21 of the *APCCA Joint Declaration*, the appointment of the Secretariat was to be reviewed every two years. The term of the Secretariat expired at the 2013 conference.

⇒ *The Conference thanked the Secretariat for their work and endorsed the Board's recommendation that Hong Kong (China) and Singapore be appointed as the APCCA Secretariat for another two-year period (expiring at the end of the 2015 conference).*

4. Future Hosts

- 2014 - Canada
- 2015 - Thailand
- 2016 - China
- 2017 - Fiji

5. Governing Board membership for 2013-2014

- 2014 host: Canada
- 3 immediate past hosts: India (2013); Brunei (2012); Japan (2011)
- 2015 host: Thailand
- 4 elected members: Solomon Islands (2010); Thailand (2011); Australia (2012). One vacancy.
- 3 rotating members: To be determined
- APCCA Secretariat: Hong Kong (China) and Singapore

Final membership will be announced at *Business Session 2* on Friday.

6. Confirmation of APCCA members

The conference confirmed that the list of APCCA members was unchanged from 2008. Please see the minutes of the Governing Board meeting above and www.apcca.org for the list of APCCA members.

7. Appointment of 2014 Agenda Item Committee members

The role of the Agenda Item Committee is to consider topics for the next conference at a meeting held on Thursday 26th September at 3.30pm – 5pm. The committee's role is to report back to the *Second Conference Business Session* on Friday, with its recommendations.

Delegates were invited to nominate as members of the Agenda Item Committee. The following countries were nominated: India, Canada, Brunei, China, Hong Kong (China), Macao (China), Fiji, Japan, Malaysia, Singapore, Solomon Islands and Thailand.

⇒ *Delegates were requested to submit their topic suggestions to the Rapporteurs by 1pm on Wednesday 25th September.*

8. APCCA subsidy to the hosts for the Rapporteurs' expenses

It was explained that under the current system, the APCCA Fund would reimburse up to US\$8,000 to the host and the Rapporteurs claimed from the host. This system was unfair as travel costs varied widely, and reimbursement process was administratively cumbersome. The Governing Board approved that the APCCA Fund would directly reimburse the Rapporteurs' airfares and the host will remain responsible for the Rapporteurs' accommodation costs (effective from 20th September 2013).

⇒ *The conference endorsed the Governing Board's decision above.*

9. Other business

There was no other business.

SECOND CONFERENCE BUSINESS SESSION

Friday 27th September 2013

1. Future Hosts

- 2014: Canada (Date and venue to be confirmed as soon as possible)
- 2015: Thailand
- 2016: China
- 2017: Fiji

2. Governing Board members for 2013-2014

- 2014 host: Canada
- 3 immediate past hosts: India (2013); Brunei (2012) and Japan (2011)
- 2015 host: Thailand
- 4 elected members: Solomon Islands (2010); Thailand (2011); Australia (2012) and Malaysia (2013)
- 3 rotating members: China, Vietnam and Sri Lanka
- APCCA Secretariat: Hong Kong (China) and Singapore

3. Production of the Conference Report

The Rapporteurs will circulate the *Draft Report* in 2014. Members will have four weeks to submit their comments on the *Draft Report*. As with previous practice, the Rapporteurs will finalise the *Conference Report* with assistance from the Secretariat and the host. The *Final Conference Report* will be posted on APCCA website thereafter.

4. Topics for Agenda Items in 2014

The 2011 Conference resolved that:

- Agenda Item One will be '*Challenges and Initiatives in Corrections*' and will be presented in a plenary session; and
- There should be four other topics.

The following principles govern the selection of the other topics:

- APCCA values (as reflected in the *Joint Declaration*)
- The 2011 Conference resolved that, subject to demand, there should be at least one topic from each of three core themes, namely:-
 - (a) Administration;
 - (b) Prison Operations and Security; and
 - (c) Throughcare and Reintegration
- Host's priorities
- Delegates' suggestions
- Regional diversity
- Avoiding undue repetition from recent years (for a list of topics discussed in previous years, please see www.apcca.org).

By 6pm on 25th September, the Rapporteurs had received 86 suggested topics from 13 delegations. Some of the suggestions cross more than one theme but, in summary: 39 suggestions related to '*Administration*', 7 to '*Prison Operations and Security*' and 40 to '*Throughcare and Reintegration*'.

After analysing delegates' suggestions, the Rapporteurs recommended the following topics for APCCA 2014 in Canada:

AGENDA ITEM	SUGGESTED TOPICS FOR 2014
Agenda Item 1	Challenges and Initiatives in Corrections ²²
Agenda Item 2	Looking to the future: How can correctional services departments achieve efficiencies and improve public safety outcomes by 2020?
Agenda Item 3	Training, motivating and developing prison staff for their changing role
Agenda Item 4	Taking account of age: Providing correctional services that meet the challenges of young people and older people
Agenda Item 5	Managing the release of prisoners and engaging the community: Options such as 'pre-release centres', 'open prisons', parole, home detention and aftercare

²² Some members may wish to focus on community corrections as part of this Agenda Item.

5. Discussion Guide for 2014

The Rapporteurs will prepare a *Discussion Guide* to assist delegates to prepare papers on the Agenda Item topics. The *Discussion Guide* will be emailed to members in April 2014. Delegates were requested to provide an up-to-date email addresses to the Secretariat.

6. Minor amendments to APCCA Joint Declaration

Following from discussions during the Finance Committee and Governing Board meetings on 22nd September, it was recommended that the Conference adopted the following changes to the *APCCA Joint Declaration*.

(a) Amendment to Clause 30

- Clause 30 currently reads: 'The financial year of the APCCA ends on 30 September.'
- The proposed change is: 'The financial year of the APCCA ends on 31 July.'

(b) Amendment to Clause 32

- Clause 32 currently reads: "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."
- Proposed change: Delete current clause 32 and replace with:
"32. The financial statements of the APCCA Fund will be certified by an accounting professional and, together with the APCCA Fund Administrator's Report, will be presented to the Governing Board for endorsement before tabling at the Annual Conference."

The conference adopted the proposed changes to Clauses 30 and 32.

7. Other business

There was no other business.

CLOSING CEREMONY

The Closing Ceremony was held on Friday 27th September 2013 in the Plenary Hall, Vigyan Bhawan Convention Centre, New Delhi. The following speeches were delivered.

Closing Address by Professor Neil Morgan, APCCA Rapporteur

This year's conference theme has been '*correction – transformation – reintegration*'. We have heard some fascinating papers and held vigorous discussions about many aspects of the correction, transformation and reintegration process. As the beautiful flowers around the venue have bloomed over the week, we have also bloomed as people, as professionals and as the APCCA family.

We particularly thank Ms Vimla Mehra, Director General of Tihar Jail for allowing us to see first-hand at Tihar Jail some of the current efforts being made to transform the prison culture, and also to transform the prisoners' lives.

The academics and experts who have acted as facilitators and summary presenters have also made a great contribution to the success of the conference.

On behalf of all delegates, we also acknowledge the professionalism and hard work of three people who have played a key role in organising and managing the conference: Mr Suresh Kumar, Joint Secretary and Conference Director; Dr Praveen Singh, who has so elegantly acted as MC; and Mr Rajnish Kwatra, who was the primary contact for all of us prior to the conference. Please join us in showing your appreciation for all of them.

Irene and I would like to especially thank our Liaison Officer Mr Sanjay Gautam. Sanjay has been a wonderful companion and support to us and he is a true professional. We know that other delegates feel the same way about their Liaison Officers – so please join us in showing your appreciation for all of the Liaison Officers.

And finally, a few short reflections. We have all felt the guiding spirit of the father of the Indian nation, Mahatma Gandhi, during the conference. I am sure Gandhi would have been proud to see that today, correctional services across the region are dedicated to bringing lives back on track and making people self-reliant and confident so they can fit back into society.

Closing Address by Irene Morgan, APCCA Rapporteur

Correctional staff are like mentors, advisors and teachers or '*gurus*' to prisoners. It is worth reflecting on the spirit of a famous Hindi *doha* or '*saying*' which goes as follows:

*Guru kumhar, shishyakumbhjai,
Gadhigadhikaadhehot
Antarhaathsahaar de
Baaharbahehot*

This *doha* means: A mentor is like a potter, and the student is like a lump of clay. The potter first puts a supporting hand inside the clay. Then, using a firm hand from the outside, he gradually carves a new pot from a meaningless lump of clay.

And so, until the APCCA family meets again in Canada:

Ye dosti hum nahi chodenge, chodenge dummagar ye saath na chodenge.

That means: ‘*Come what may, we shall always be together.*’

Have a safe and happy year and we look forward to seeing you all in Canada in 2014!

Closing Speech by the Honourable Shir Anil Goswami, Union Home Secretary, India

Honourable Minister of State for Home Affairs, Mr. R.P.N. Singh
Professor Neil Morgan and Ms Irene Morgan Rapporteurs for the 33rd APCCA,
Ms Elizabeth Van Allen, Head of Delegation of Canada,
Heads of Delegation of all other participating countries,
Distinguished Foreign and Indian Delegates, and Guests,
Senior Government Officials, Representatives of UNODC, CHRI and from other organizations,
Members from the Media,
Ladies and Gentlemen.
Good afternoon to everyone.

It has been a long journey since we had confirmed to the APCCA Secretariat that India would host the 33rd APCCA Conference at the conference held in Tokyo, Japan. At the last conference, we had started with the presentation of the curtain raiser at Brunei along with the conference logo. Subsequently, a website to assist the delegates to the 33rd APCCA was also started which was the main information portal and this was expanded to cover more and more areas as the event drew closer.

Organizing an international conference of this scale is a great challenge and makes substantial demands on human resources. All our officers had to perform their duty in addition to their existing assigned duties. An additional challenge has been the instructions that had to be put in place due to the Government austerity instructions. One last major challenge had been the change in the program due to an urgent meeting that had to be convened at short notice which was chaired by the Prime Minister of India. Despite the multiple challenges, I hope that we have been able to make the conference a success.

The organization of this conference would not have been possible without the assistance of the Officers of the Tihar Jail, and I wish to thank the DG, Tihar Jail for the splendid organization which has definitely made the field visit a truly memorable learning experience. Thanks are due to event manager, the India Tourism Development Corporation (ITDC), the Hotels-Ashok, ITC Maurya and Taj Mahal, where some of you had been hosted. We would also like to thank the Archaeological Survey of India and the Ministry of Tourism for the tours to some of the beautiful monuments that you visited.

The conference venue is under the Central Public Works Department and they had worked energetically to keep the venue ready. The State Prison Directorates and the Tihar Jail had taken the trouble to display the prison products made in the prison which was a major exercise. The Bureau of Police Research and the National Crime Records Bureau had contributed immensely to the research and preparatory work. The bands and the liaison offices came from the Central Reserve Police Force and the Border Security Force. Many thanks are due to the liaison officers as well as the Central Police Forces for their assistance. I would like to thank the National Informatics Centre for the comprehensive website that was created by them. The gifts to the heads of delegations were sponsored by the UP State Prisons Directorate and the individual

Buddha given to each delegate was made by various correctional homes of Bihar State. My thanks are due to them. The facilitators and summary presenters were from the APCCA Vellore, ICA Chandigarh, RICA Kolkata and the National Law University.

We would like to send our appreciation regarding their splendid contribution to the conference. The contribution of the Rapporteurs, Professor Neil Morgan and Mrs Irene Morgan, and the APCCA Secretariat was invaluable. Without the participation of the delegates from the Asia-Pacific region and the States and the Union Territories of India, the conference would have no meaning. The participation and the quality of interaction, I gather, has been of the highest order. It is my sincerest hope that the deliberations of the conference will lead to policy changes as well as fresh initiatives in various prisons across the world. Lastly, I would like to thank the conference team, and specially Mr. K. Skandan, the Additional Secretary for his guidance and the Conference Director and Joint Secretary, Mr. S. Suresh Kumar who was assisted by Dr. Praveen Kumari Singh, Director and Mr. Rajneesh Kwatra, Under Secretary as well as the members of the Centre-State and Administration Division all of whom worked tirelessly to ensure that everything fell in place.

My sincere thanks to all once again and I hope that you had a good time as we had promised in India. Have a safe journey.

Speech by Ms Elizabeth Van Allen, Head of Delegation of Canada (2014 host)

Good Afternoon. For those of you whom I have not had the opportunity to meet, my name is Elizabeth Van Allen, and I am the Acting Assistant Commissioner for Policy at CSC, standing in as the Head of the Canadian delegation this year, on behalf of Commissioner Don Head.

I feel privileged and honoured to speak at this closing stage of the meeting. Fully aware – as I am – that you have worked very hard, I am not going to keep you here longer than necessary.

I wish, at the outset, to express my immense gratitude to the Government of India, as the organiser of this year's Conference. Congratulations on hosting such a successful event in such a wonderful city, and I say this both on a professional and personal level.

I also wish to thank all the distinguished participants for their participation, and for the lively and frank discussions we have had throughout the week. It has been an extremely busy week but I have every reason to believe that the outcome of our discussions will continue to yield significant benefits within our respective jurisdictions.

I would like to thank the presenters and facilitators for their contributions during this conference and for turning this event into an interactive and meaningful learning experience.

I also wish to express a special word of gratitude to Professor Neil Morgan and Mrs Irene Morgan for their continued work with the APCCA.

If you'll allow me to take this opportunity to reiterate what I mentioned during the Governing Board meeting earlier this week. CSC Commissioner Don Head has a very special affinity for the APCCA, and the efforts of its Members to continually seek to advance the corrections yardstick. In fact, I spoke with Commissioner Head this week, and he was extremely pleased that APCCA members had accepted the Canadian proposal to host the 34th conference next year. As you know, CSC strongly believes that the sharing of ideas, knowledge, values and experience, is essential to the achievement of our Mission.

At the opening ceremony on Tuesday, Home Minister Shinde talked about the problems and challenges that confronted the correctional system here in India. Now “challenges,” I am sure, are something that we all have in common. While at times they are very similar, in other cases they can be quite different.

We have come a long way since our first meeting in Hong Kong in 1980, working together to find meaningful ways of addressing those challenges. But in India, like in Canada, more remains to be done. Home Minister Shinde also quoted Mahatma Gandhi, the “Father of the Nation” during his opening remarks. It turns out that one of my favorite quotes is also from this wise man.

“Be the change you want to see in the world.”

And it is on this note that we invite you to Canada next year. Let us maintain the traditions of the APCCA, and continue to exchange amongst ourselves. Let us continue to generate new insights and inspirations that will guide individual jurisdictions in addressing more effectively, current and future challenges. Let us strive to be the change that we want to see in the world.

I hope to see you all in Canada.

Thank you for your attention.

A video presentation was delivered to show delegates the highlights of Canada. The APCCA symbols were then escorted from the Plenary Hall officers from the Border Security Force whilst the APCCA Song was being played. This marked the official conclusion of the conference.

Appendix A

The APCCA JOINT DECLARATION 2002 (as amended)

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 areas 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 purpose 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, programs, 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 as 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 14 Governing Board members, including the Board Chair.²³ The composition of the Governing Board for a particular Annual Conference will be as follows:
 - (a) *Board Chair* – the host of that 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;
 - (d) *Rotating membership* – the rotating membership will consist of three reversed alphabetically chosen states/territories/areas attending the previous year's Annual Conference;
 - (e) *Secretariat host membership* – the existing APCCA Secretariat host(s); and
 - (f) *Next host membership* – the host of the next Annual Conference.

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 authorized by the Annual Conference and/or the Governing Board; and

²³ The original *Joint Declaration* was signed in 2002 in Bali, Indonesia (see APCCA Report of 2002), including the original wording of Clause 14. However at the 2004 conference in Singapore, Clause 14 was amended - in particular, sub-clause (f) was inserted to include the host of the next Annual Conference as a member of the Governing Board (please see APCCA Report of 2004 for the amendments made).

- (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, the APCCA Fund Administrator, the current conference host, the two immediate prior hosts, and the two immediate future hosts.²⁴ 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 31 July.²⁵
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.

²⁴ The membership of the *Finance Committee* was amended in 2012 in Brunei Darussalam. The original wording regarding membership was: "There will be a *Finance Committee* comprising the APCCA Fund Administrator and two other APCCA members appointed by the Annual Conference.".

²⁵ As amended in India in 2013. The previous wording of Clause 30 was: 'The financial year of the APCCA ends on 30 September'.

32. The financial statements of the APCCA Fund will be certified by an accounting professional and, together with the APCCA Fund Administrator's Report, will be presented to the Governing Board for endorsement before tabling at the Annual Conference.²⁶

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.

²⁶ As amended in New Delhi, India in 2013. The previous wording of clause 32 was: "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."

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 B

APCCA SONG *Togetherness in Unity*²⁷

Here today we gather in unity
Together we achieve prosperity
A bright future is ours for sure
Sharing ideas, helping each other APCCA

Hand in hand we stand together
Growing from strength to strength
Each day is a promise
Of a future filled with peace and harmony

Chorus:

When we do it together
We will do it better
As we serve one another
We will achieve greater heights APCCA

Friendships formed and knowledge shared
A symbol of love for humanity
That's what we believe in
To make the world a better place
For you and me

²⁷ The APCCA Song was created by Malaysia when it hosted the 28th APCCA in Langkawi, Malaysia in 2008.

Appendix C

Governing Board Membership

2012 – 2013

2013 host: ²⁸	India (Chair)
2014 host: ²⁹	China
3 immediate past hosts: ³⁰	Brunei Darussalam (2012) Japan (2011) Canada (2010)
4 elected members: ³¹	China (elected in 2009) Solomon Islands (elected in 2010) Thailand (elected in 2011) Australia (elected in 2012)
3 rotating members: ³²	Indonesia Fiji Macao (China)
APCCA Secretariat: ³³	Hong Kong (China) Singapore
Secretary: ³⁴	Rapporteurs

2011 – 2012

2012 host:	Brunei (Chair)
2013 host:	India
3 immediate past hosts:	Japan (2011) Canada (2010) Australia (2009)
APCCA Secretariat:	Hong Kong (China) Singapore
4 elected members:	India (elected in 2008) China (elected in 2009) Solomon Islands (elected in 2010) Thailand (elected in 2011)

²⁸ See Clause 14(a) of the *Joint Declaration*

²⁹ See Clause 14(f) of the *Joint Declaration*.

³⁰ See Clause 14(e) of the *Joint Declaration*.

³¹ For Clause 14(b), the process is that elected members will step down after 4 years' service, but would be eligible for re-election.

³² See Clause 14(d) of the *Joint Declaration*.

³³ See Clause 14(e) of the *Joint Declaration*.

³⁴ See Clauses 20 and 24 of the *Joint Declaration*.

3 rotating members: Malaysia
 Kiribati
 Korea

2010 – 2011

2011 host: Japan (Chair)
 2012 host: Brunei
 3 immediate past hosts: Canada (2010)
 Australia (2009)
 Malaysia (2008)
 APCCA Secretariat: Hong Kong (China)
 Singapore
 4 elected members: Japan (elected in 2007)
 India (elected in 2008)
 China (elected in 2009)
 Solomon Islands (elected in 2010)
 3 rotating members: Thailand
 New Zealand
 Mongolia

2009 - 2010

2010 host (Chair): Canada
 2011 host: Japan
 3 immediate past hosts: Australia
 Malaysia
 Vietnam
 APCCA Secretariat: Hong Kong (China)
 Singapore
 4 elected members: China
 India
 Japan
 Solomon Islands
 3 rotating members: Cambodia
 Brunei
 Tonga

Appendix D

Conference Program 2013

Day 1 – Sunday 22nd September 2013			
Time	Program	Dress Code	Venue
9:00 – 12:00	Registration		Lobby, Ashok Hotel
13:00 – 14:00	Lunch		Friendship Lounge, Ashok Hotel
14:00 – 15:00	Finance Committee meeting	Smart Casual	Friendship Lounge, Ashok Hotel
15:00 – 16:00	Governing Board meeting	Smart Casual	Friendship Lounge, Ashok Hotel
16:00 – 17:00	Facilitators & Summary Presenters meeting	Smart Casual	Friendship Lounge, Ashok Hotel

Day 2 – Monday 23rd September 2013		
Time	Program	Dress Code
10:00 – 13:30	<i>Prison Visit:</i> Tihar Central Prison Complex, Delhi	Casual
14:00 – 15:00	<i>Lunch:</i> Tihar Prison Headquarters	Casual
16:00	Local sightseeing to Qutab Minar and Lotus Temple	Casual

Day 3 – Tuesday 24th September 2013			
Time	Program	Dress Code	Venue
08:00 – 09:00	Registration		Lobby, Vigyan Bhawan
09:00 – 10:30	<i>Opening Ceremony</i> Guest of Honour: Home Minister of India Group Photo	Business Attire	Plenary Hall, Ground Floor Vigyan Bhawan
10:30 – 11:00	<i>Refreshments</i>	Business Attire	Atrium, Ground Floor Vigyan Bhawan
11:00 – 11:30	Business Session 1	Business Attire	Plenary Hall, Ground Floor Vigyan Bhawan
11:30 – 12:30	Agenda Item 1: Challenges and Initiatives in Corrections	Business Attire	Plenary Hall, Ground Floor Vigyan Bhawan
12:30 – 13:30	<i>Lunch / Exhibition</i>		Atrium, Ground Floor Vigyan Bhawan
13:30 – 15:00	Agenda Item 1 (continue)	Business Attire	Plenary Hall, Ground Floor Vigyan Bhawan
15:00 – 15:20	<i>Refreshments</i>		Atrium, Ground Floor Vigyan Bhawan
15:20 – 17:00	Agenda Item 1 (continue)	Business Attire	Plenary Hall, Ground Floor Vigyan Bhawan
19:30 – 21:30	<i>Welcome Dinner</i> Hosted by the Minister of Home Affairs India	Business Attire	"Kamal Mahal", ITC Maurya, New Delhi

Day 4 – Wednesday 25th September 2013			
Time	Program	Dress Code	Venue
9:00 – 10:30	Concurrent Breakout Sessions		
	Agenda Item 2: Organisational Culture: Promoting Shared Positive Values and Integrity	Smart Casual	Hall No. 4, First Floor Vigyan Bhawan
10:30 – 11:00	Agenda Item 3: Meeting the Challenges Posed by High Risk Offenders	Smart Casual	Hall No. 5, Second Floor Vigyan Bhawan
	<i>Refreshments</i>		Atrium, Ground Floor Vigyan Bhawan
11:00 – 13:00	Concurrent Breakout Sessions (continue)		
	Agenda Item 2	Smart Casual	Hall No. 4, First Floor Vigyan Bhawan
	Agenda Item 3	Smart Casual	Hall No. 5, Second Floor Vigyan Bhawan

13:00 - 14:00	<i>Lunch / Exhibition</i>		Atrium, Ground floor Vigyan Bhawan
14:00 - 15:30	Concurrent Breakout Sessions (continue)		
	Agenda Item 2	Smart Casual	Hall No. 4, First Floor Vigyan Bhawan
	Agenda Item 3	Smart Casual	Hall No. 5, Second Floor Vigyan Bhawan
15:30 - 16:00	<i>Refreshments</i>		Atrium, Ground Floor Vigyan Bhawan
16:00 - 17:30	Concurrent Breakout Sessions (continue)		
	Agenda Item 2	Smart Casual	Hall No. 4, First Floor Vigyan Bhawan
	Agenda Item 3	Smart Casual	Hall No. 5, Second Floor Vigyan Bhawan
Evening	Own leisure		

Day 5 – Thursday 26th September 2013			
Time	Program	Dress Code	Venue
09:00 - 10:30	Concurrent Breakout Group Sessions		
	Agenda Item 4: Opportunities and Challenges in Developing Community-based Supervision and Management	Smart Casual	Hall No. 4, First Floor Vigyan Bhawan
	Agenda Item 5: Measuring and Reducing Recidivism Rates: Assessing What Works, Setting Targets and Implementing evidence-based Programs	Smart Casual	Hall No. 5, Second Floor Vigyan Bhawan
10:30 - 11:00	<i>Refreshments</i>		Atrium, Ground Floor Vigyan Bhawan
11:00 - 12:30	Concurrent Breakout Group Sessions (Continue)		
	Agenda Item 4 (continue)	Smart Casual	Hall No. 4, First Floor Vigyan Bhawan
	Agenda Item 5 (continue)	Smart Casual	Hall No. 5, Second Floor Vigyan Bhawan
12:30 - 13:30	<i>Lunch / Exhibition</i>		Atrium, Ground Floor Vigyan Bhawan
13:30 - 15:00	Concurrent Breakout Group Sessions (Continue)		
	Agenda Item 4 (continue)	Smart Casual	Hall No. 4, First Floor Vigyan Bhawan
	Agenda Item 5 (continue)	Smart Casual	Hall No. 5, Second Floor Vigyan Bhawan
15:00 - 15:30	<i>Refreshments</i>		Atrium, Ground Floor Vigyan Bhawan
15:30 - 17:00	Agenda Committee Meeting	Smart Casual	Hall No. 3, First Floor Vigyan Bhawan
19:00	Sound and Light Show at Red Fort		

Day 6 – Friday 27th September 2013			
Time	Program	Dress Code	Venue
13:00 - 14:00	<i>Lunch</i>	Business Attire	Atrium, Ground Floor Vigyan Bhawan
14:00 - 15:30	Plenary Sessions – Summary Presentation on: <ul style="list-style-type: none"> • Agenda Item 2 • Agenda Item 3 • Agenda Item 4 • Agenda Item 5 	Business Attire	Plenary Hall, Ground Floor Vigyan Bhawan

15:30 – 16:00	Business Session 2	Business Attire	Plenary Hall, Ground Floor Vigyan Bhawan
16:00 – 16:30	<i>Refreshments</i>		Atrium, Ground Floor Vigyan Bhawan
16:30 – 17:00	Closing Ceremony Guest of Honour: Minister of State in the Ministry of Home Affairs	Business Attire	Plenary Hall, Ground Floor Vigyan Bhawan
19:30 – 24:00	Farewell Dinner	Smart Casual	The Taj Mahal Hotel, No. 1, Mansingh Road New Delhi

Day 7 – Saturday 28 th September 2013		
Time	Program	Dress Code
07:00	Social visit to the World Heritage and one of the Eight Wonders of the World – Taj Mahal, Agra Departure from the Ashok Hotel by bus. Journey time: 3 hours Distance: 220km	Smart Casual
10:00 – 11:00	<i>Refreshments</i>	Smart Casual
11:00 – 13:30	Taj Mahal, Agra	Smart Casual
14:00 – 15:00	<i>Lunch (at Agra)</i>	Smart Casual
15:00 – 17:00	<i>Local Shopping (at Agra)</i>	
17:00	Departure to Delhi	

Appendix E

Discussion Guide 2013



ASIAN AND PACIFIC CONFERENCE OF CORRECTIONAL ADMINISTRATORS

2013

New Delhi, India

CONFERENCE DISCUSSION GUIDE

Prepared by:

Neil Morgan*

APCCA Rapporteur

*Inspector of Custodial Services, Level 5, Albert Facey House, 469 Wellington Street, Perth, Western Australia 6000; and Professor of Law, University of Western Australia.

INTRODUCTION

Topics for the annual APCCA conference are decided at the previous year's conference on the basis of delegates' suggestions. The 2012 conference in Brunei Darussalam selected the following topics for 2013.³⁵

AGENDA ITEM	TOPICS FOR 2013
Agenda Item 1	Challenges and Initiatives in Corrections ³⁶
Agenda Item 2	Organisational Culture: Promoting Shared Positive Values and Integrity
Agenda Item 3	Meeting the Challenges Posed by High Risk Offenders
Agenda Item 4	Alternatives to Imprisonment: Opportunities and Challenges in Developing Community-based Supervision and Management
Agenda Item 5	Measuring and Reducing Recidivism Rates: Assessing What Works, Setting Targets, and Implementing Evidence-Based Programs

This *Discussion Guide* identifies some of the key issues that may be discussed in relation to each Agenda Item and provides a list of suggested questions. Members have found this approach helpful when preparing their papers and it also helps delegates to better consider similarities and differences in practice. We therefore request that you follow the suggested format as closely as possible, especially with respect to Agenda Item One.

IMPORTANT NOTES

- All delegations should provide a written paper and presentation on *Agenda Item 1*.
- It is not necessary to provide papers on all the other Agenda Items. Delegations may decide to provide papers only on those topics that are most relevant to them.
- Please ensure that the papers are as succinct as possible. Generally, papers should not exceed 15 pages in length per Agenda Item.
- Please ensure that the name of your country, the number of the Agenda Item and page numbers are included in the header or footer of the paper.

³⁵ The process is that delegates suggest topics for consideration by an *Agenda Committee*. That committee makes recommendations for consideration by the conference as a whole. The aim is to ensure a balance of topics each year, including at least one topic from each of the following categories: (i) Administration; (ii) Prison operations and custody; (iii) Rehabilitation, treatment and reintegration.

³⁶ Some members may wish to focus on community corrections as part of this Agenda Item.

AGENDA ITEM 1: CHALLENGES AND INITIATIVES IN CORRECTIONS

PREPARING YOUR CONFERENCE PRESENTATION

The conference presentation is limited to 8 minutes per delegation. You should therefore be selective in what you choose to present.

It is recommended that in your presentation, you discuss either:

- (a) one or two key challenges or major policy initiatives; or
- (b) a specific 'success story'.

PREPARING YOUR WRITTEN PAPER

Your written paper should consider the following questions so far as they are relevant to your jurisdiction.

1. External Factors

Correctional systems are invariably affected by the general socio-economic and political climate. Political discord and terrorist threats have presented serious problems in some countries. And many countries, including Japan, New Zealand, Thailand, Indonesia, China, and some Pacific Island nations have suffered devastating natural disasters over recent years.

Do you face any particular issues as a result of economic conditions, political crises, natural disasters or other external factors? How have you responded to these problems?

2. Legislative and Policy Framework

Papers presented to recent conferences have emphasised the need for good modern corrections legislation, and have commented on the fact that legislation often seems rather outdated. This can present some difficulties in improving both prisons and community corrections. Papers have also noted the importance of transparency and accountability and the growing regional influence of human rights standards on correctional policy and practice.

Please outline any major reviews, initiatives and legislative changes with respect to prisons and community corrections over recent years.

3. Prison Populations

This Agenda Item gives delegates an opportunity to discuss and reflect on trends in this critical area.

(a) General trends

Has your total prison population increased or decreased over recent years?

(b) Sentenced and unsentenced prisoners

There is considerable regional variation with respect to the position of unsentenced prisoners (in other words, people who are remanded in custody prior to trial or during trial, or who are detained for some other reason such as national security). In part, these differences reflect different investigative procedures, legal requirements and criminal justice traditions.

What is the proportion of unsentenced prisoners compared with sentenced prisoners (and what are the trends)?

(c) Offender demographics

What is the proportion of female compared with male prisoners in the total prison population (and what are the trends)?

Are there any identifiable trends with respect to the age of prisoners (for example, are you seeing more young prisoners or more older-aged prisoners)?

How many foreign nationals do you have in your prisons? Are there any developments with respect to agreements for the international transfer of prisoners?

(d) Overcrowding and associated problems

Do you face problems with respect to overcrowding in your prisons? If so, what are the particular 'pressure points' (for example, are there particular pressures with respect to female prisoners or remand prisoners)?

Has any increase in the prison population affected security and control in prisons?

(e) Accounting for the trends

Do changes in the prison population reflect changes in crime rates?

Are there any significant changes in terms of the offences committed by prisoners? (For example, are there more prisoners serving sentences for serious crimes, such as sexual, violent, drug or terrorism offences?)

Have there been significant legislative or policy changes that have affected the prison population? (For example, laws relating to bail, sentencing, remission, parole and home detention)

4. Prison Building and Renovation

Delegates should outline concerns they have with respect to prison building conditions, and update the conference on construction and renovation programs.

How adequate are your current prison facilities in terms of accommodating the number and type of prisoners?

Do you have a major prison building or refurbishment program? If so, what are your priority areas?

5. Community Based Corrections

All APCCA members are actively pursuing prisoner reintegration and are keen to examine alternatives to imprisonment. It is therefore important for APCCA members to learn more about developments with respect to 'community based corrections'.

The term 'community based corrections' is used to refer to:

- (i) sanctions which involve the offender remaining in the community rather than going to prison (such as probation, community work and 'diversionary' measures); and
- (ii) systems which allow a prisoner to be released early from prison under supervision (such as parole or home detention).

In some jurisdictions, the departments which administer prisons are not responsible for community based corrections. However, in other cases, the same government department is responsible for both prisons and community corrections.

To the extent it is relevant to your department, please outline any important recent developments with respect to community corrections.

6. Other Issues

Please identify any other initiatives or issues that are of particular current concern.

AGENDA ITEM 2: ORGANISATIONAL CULTURE: PROMOTING POSITIVE SHARED VALUES AND INTEGRITY

1. Introduction

Having a positive culture is critical to the success of any organisation, whether public or private. It is generally easy to identify a poor culture but not as easy to define or implement a positive culture across large organisations which carry out diverse functions. Over recent years, APCCA members have also often commented on the need to improve staff professionalism and to change from the old 'lock them up' prison culture to a rehabilitative focus. This topic is therefore very timely.

One of the critical elements of a positive culture is integrity. Integrity means many different things in a corrections context. In a narrow sense, it means eliminating corruption. As delegates to previous conferences have pointed out, prison officers are increasingly vulnerable to corruption because of the wealth and power of some groups of prisoners, such as drug dealers and terrorists. More broadly, integrity refers to the way employees conduct themselves in undertaking tasks, in decision making, in dealing with colleagues and in contact with offenders, their families and other agencies.

In preparing papers, delegates may choose to focus broadly on the question of developing a positive organisational culture or to focus more specifically on the question of integrity. This guide provides some suggestions as to how papers may be written. Alternatively, delegates may prefer to present a report on a specific initiative.

2. Promoting Positive Shared Values

All corrections organisations aim to have positive values and to ensure that these values are shared by all staff and applied in their daily work. However, different countries face different challenges in meeting this goal. Although there are many shared values, religious and social differences may play some role in defining the precise organisational culture and values. Delegates may wish to reflect on the extent to which they have faced the following challenges and how successful they have been in addressing them: -

(a) Organisational vision

Strong organisational cultures invariably reflect the fact that the organisation has a clear vision of what it is seeking to achieve. This has presented some challenges as correctional services have moved towards a more rehabilitative approach.

What is your organisational vision? How has it changed over recent years?

(b) Organisational values

In addition, to having a clear vision, it is vital for correctional organisations to reflect on the values which underpin their operations. These values are likely to include integrity, trust, respect for colleagues, accountability, ethical decision making, delivering on promises, and a commitment to the safe and decent treatment of offenders. In addition, correctional services also now have an increasing responsibility to the community.

What are your main organisational values?

(c) Engagement and communication

There is no point having a 'corporate' vision and values if these are not known to staff and applied during their daily work. All large organisations struggle to manage the potential 'gap' between the corporate view and the view of staff 'in the field'. It is particularly important that all the different staff groups (including administrative and support staff as well as custodial officers) are parties to the same vision and values. Experience also shows that staff are far more likely to be responsive if they are consulted and engaged.

What strategies have you adopted to engage all groups of staff in the process of developing, improving and fine tuning organisational visions and values?

How do you ensure effective communication of these values to all staff? Do you conduct training sessions or workshops which help to link these values directly to their own work and workplaces?

How successful have you been in ensuring that staff understand the vision and values, and apply them in their work? What are the main challenges you still face?

3. Promoting Integrity

As noted earlier, integrity is a critical element to a successful and professional correctional services department. The very nature of the job is that staff must deal with people with criminal records, usually in an environment which is closed from public view. It is essential that strong measures are in place not only to reduce the risks of corruption and malpractice, but also to promote positive ethical and professional standards.

In recognition of this, many corrections departments now have dedicated divisions which focus on integrity and professional standards. Generally speaking, these divisions must perform two functions. The first, and most important role is proactive: is prevention. It is important that the standards expected of staff are clearly articulated and that they are then educated and engaged in terms of what is expected of them. Some of the required standards will apply across the whole of government and others will be specific to corrections departments. Prevention also requires systems to be set up so that people can raise concerns about issues of integrity. The second role is reactive: the investigation of alleged breaches and taking appropriate actions in response.

What have been your main challenges in terms of staff integrity?

How have you gone about promoting integrity on the part of staff?

How far do you work in collaboration with other agencies in promoting integrity (for example, many countries have independent 'integrity watchdogs')?

4. Conclusion

Please summarise:-

- The main challenges you have faced to date;
- How you have addressed those challenges; and
- Your priorities over the next five years.

AGENDA ITEM 3:

MEETING THE CHALLENGES POSED BY HIGH RISK OFFENDERS

1. Introduction

Recent APCCA conferences have highlighted the fact that the profile of prisoners has been changing. Generally, it appears that prisons across most of the region now house a more complex mix of prisoners and that a larger number of them may be termed 'high risk' for one reason or another.

There are several very different groups of 'high risk' prisoners (see below) and different policy and practice responses are required for the different groups. It is therefore recommended that the papers discuss the following:-

- The general profile of the prisoner population and trends with respect to different groups of 'high risk' prisoners; and
- One or two specific case studies of measures taken to deal with high risk offenders, and the success (or otherwise) of these measures.

Although the main focus is likely to be on prison-based management, it would also be instructive for delegates to learn about measures and initiatives to better manage high risk offenders on release back to the community.

2. Nature and Extent of the Problem

The term 'high risk offenders' is open to many interpretations. Some people would say that most prisoners are a risk, and that is why they are in prison. However, there are many different forms of risk. Some prisoners, for example, are at risk of self-harm or suicide but pose little direct risk to other people.

The focus of this topic is on prisoners who pose a higher than normal risk to other people. The main groups are probably as follows:-

- Prisoners who are dangerous to the State such as people involved in terrorist plots or attempted coups.
- Gangs or affiliations of prisoners who pose a risk to both prison management and the community because of their criminal affiliations (including violence and drug-related crimes).
- Prisoners who, as individuals, pose a particular risk to corrections staff.
- Prisoners who, as individuals, pose a risk to the safety of other prisoners (for example, in terms of violence, bullying or predatory sexual behaviour).
- Prisoners who do not pose a particular risk in terms of their behaviour in prison but are a potential risk to people in the community if they escape or upon release (for example, 'high risk' sex offenders may well be compliant prisoners).
- Offenders (both in prison and under community based supervision) who pose a risk to others because of their volatile mental state.

Please provide broad overview of the profile of 'high risk' offenders in your jurisdiction by reference to the above categories.

How, if at all, has the profile changed over recent years?

How do you identify 'high risk' offenders (for example, do you use specific tests)? What are the main challenges you are currently facing?

3. Responding to the Problem in a Balanced Way

No corrections system can completely eliminate risk. The aim should be to minimise risks as far as possible and to maximise the safety of staff, prisoners and the public as far as possible. It must also be recognised that while the imposition of a highly restrictive regime may reduce the immediate risks to staff or prisoners, the longer term goal of reducing risk to the community requires a focus on rehabilitation. In summary, the approach to managing high risk offenders will therefore be one of risk management, not complete risk avoidance.

In this part of the paper, you should provide case studies of how you have met the challenges posed by one or more of the high risk prisoner groups. You may wish to consider some or all of the following questions:-

How has the design of prisons altered to take account of high risk prisoners? For example, do you have special 'SuperMax' units or prisons? Or have you constructed special mental health-focused facilities?

What strategies do you adopt in terms of housing different groups of high risk prisoners? For example, in the case of terrorists and prisoners with gang affiliations, do you house them together (which may assist in some aspects of security) or separately (to reduce the chances of further plotting)? In the case of prisoners who bully other prisoners, do you segregate the victims or the bullies?

What other management techniques are useful in dealing with high risk offenders? What sort of programs and regime are offered to such offenders?

What staff training programs have been developed to ensure that they feel competent and safe when managing high risk offenders?

Sometimes staff and/or their families may be threatened. How do you tackle such problems?

Most prisoners will be released at some point. What strategies and practices do you have in place to safely manage the reform of high risk prisoners to society (for example, are they subject to monitoring, supervision and support on release?). And what systems are in place to ensure the competence and safety of community based corrections staff who are involved in the management of such offenders?

4. Conclusion

By way of conclusion, please provide a brief summary of the main areas of concern and likely future challenges.

It would also be interesting, in the conclusion, to reflect on the role of the media. High risk prisoners tend to capture media attention and there are many risks with this. Sometimes the media may lack sufficient understanding for the offender but at other times they are unduly sympathetic.

AGENDA ITEM 4:

ALTERNATIVES TO IMPRISONMENT: OPPORTUNITIES AND CHALLENGES IN DEVELOPING COMMUNITY-BASED SUPERVISION AND MANAGEMENT

1. Introduction

APCCA traditionally focused on prisons rather than community based corrections but this has been changing over the past five to ten years. This Agenda Item aims to explore two aspects of community based supervision and management across the region. The first is to consider how different countries have developed alternative sentences so that judges will only use imprisonment as a 'last resort'. The second is to consider conditional release schemes (such as parole) under which prisoners are released before the end of their sentence, but are then supervised and monitored in the community.

There are many factors behind the growing interest in community based corrections:

- Overcrowding: good alternatives to imprisonment and successful parole systems can reduce the number of prisoners.
- Relative costs: prisons are expensive; community corrections will generally be much cheaper.
- 'Corrections' philosophy: over the past decade, APCCA members have increasingly expressed a commitment to a philosophy of 'corrections' rather than 'custody'. This is shown by the number of jurisdictions that now talk of 'correctional services' rather than 'prison departments' and of 'community corrections' rather than probation.
- Reintegration: reflecting the philosophy of corrections, recent APCCA conferences have examined ways to improve a person's chances of reintegration. Community based sentences (which avoid incarceration in the first place) and supervision on release can assist reintegration.
- Community engagement: APCCA delegates frequently discuss the challenge of engaging communities in corrections. Good community based sentences and supervised release schemes provide an excellent opportunity for community organisations to work alongside government departments in providing structure and support to offenders.

The topic is very broad and it will not be possible to cover every aspect. The following questions are designed to give delegates an understanding of two main areas: the current situation across the region, and a better understanding of what can make community based corrections successful.

2. 'Front End' Alternatives to Imprisonment

Please provide a brief description of the main forms of community based orders that are available to sentencing judges in your country (examples are likely to include probation and community work).

3. Parole and Other Conditional Release Schemes

Please provide a brief description of the 'conditional release schemes' that allow prisoners to live in the community, subject to supervision and monitoring (examples are likely to include parole and home detention.)

4. Organisational Structure

There are two main options in terms of the organisational structure for community based corrections. The first is that they are funded and managed separately from prisons. Historically, this was typically the case with probation, which was often placed in a government 'welfare' department rather than in corrections / justice departments. The theory behind this model was that probation services had a different philosophy

from prisons. However, many jurisdictions now place probation / community corrections services in the same department as prisons. The theory behind this approach is that modern corrections involves community supervision as well as imprisonment, and that both aspects are best managed by a single department.

Are systems such as probation, parole and community corrections administered by the same department as prisons or by a different department? Which approach is better?

5. Staffing Community Corrections

In most countries, probation and parole officers tended traditionally to come from a social work / welfare background and prison officers from a military or police background. However, it is likely that there have been changes in both areas of correctional service over the past 20 years.

What are the main qualifications, skills and attributes that you look for in officers who undertake probation / community corrections work?

Are some community corrections officers based in prisons (for example, to assist prisoners in planning for release)? Is there any capacity in your system for prison officers to be seconded to work in community corrections?

6. Case Studies: What Works and What Doesn't Work?

It is important, through this Agenda Item, to get a better understanding of 'what works' in community based corrections in different countries. Clearly, geographical, political and cultural differences will make some difference but there are also likely to be common themes.

We all learn by our mistakes as well as by our successes. And many countries are in the process of developing community corrections. It would therefore be very useful if papers from countries with well-developed systems can discuss pitfalls and problems as well as success stories. One obvious problem is public and media reactions to cases where offenders serving community orders commit serious offences. Even though there may have been no fault on the part of community corrections staff, there may well be a backlash.

What are the main features of successful community based corrections in your country? Please provide examples of successful initiatives and also of initiatives that were less successful.

What strategies do you use to gain public support for community corrections and to deal with negative publicity?

7. Conclusion

Please reflect on current and future challenges.

AGENDA ITEM 5: MEASURING AND REDUCING RECIDIVISM RATES: ASSESSING WHAT WORKS, SETTING TARGETS AND IMPLEMENTING EVIDENCE BASED PROGRAMS

1. Introduction

Every correctional service in the world is under pressure to reduce recidivism. Some APCCA members have even been set specific targets by their governments. This is a change from ten years ago when performance tended to be measured solely by reference to matters such as number of escapes and the number of assaults on staff.

This change reflects the fact that correctional services now espouse the goals of rehabilitation and reintegration. In countries where the private sector is engaged to operate prisons, including the United Kingdom, New Zealand and parts of Australia, there is now sometimes even a 'payment for results' component to the contracts. This usually involves proving a reduction in recidivism or proving that the offender's risks have been reduced (for example, by moving directly into employment on release).

However, some complex issues underpin the proposition that the performance of correctional services departments should be measured by reduced recidivism. The issues include the following:-

- (a) How is 'recidivism' defined and measured (see below)?
- (b) Many different factors influence the reasons why people commit crime or desist from crime on release. Some may be influenced by correctional services (such as the completion of a particular psychological program) but others may be unrelated (such as maturity or forming a positive new personal relationship). It can therefore be difficult to determine exactly what it was that 'worked'.
- (c) There is a good deal of evidence internationally that programs based on a cognitive behavioural therapy model can have a positive effect on recidivism. However, the fact that a program may work with one group does not necessarily mean it will work with another. For example, a sex offender treatment program which 'works' in the United Kingdom may not be suitable for a country such as Malaysia or for Aboriginal prisoners in Canada or Australia. *The challenge is to work out what works for whom and why.*

In order to give structure to this topic, it is suggested that delegates discuss the following:-

- (a) How do you define and measure recidivism?
- (b) Provide a case study of an initiative which has worked (or has not worked) to reduce recidivism, identifying the factors which contributed to success or failure.

2. Defining Recidivism

There are two main variables to 'recidivism rates'. The first is to decide what constitutes 'recidivism' in terms of the nature of the further offending. The second is to decide on the timeframe within which success is to be measured.

Criminologists have long argued about the most appropriate measures and are unlikely ever to agree. However, it is important to understand how APCCA members currently measure recidivism rates and to consider whether there is scope for members to agree on a benchmark which can be used for APCCA purposes.

(a) What type of offending constitutes recidivism?

It is usually accepted that minor infractions of the law, such as minor road traffic infringements, should not constitute recidivism. However, the issue of what constitutes a minor offence is not straightforward.

The benchmarks which have been adopted include the following:-

- Conviction for a further offence which results in *the imposition of another sentence of imprisonment*;
- Convictions for a further offence which results in *the imposition of a prison sentence or a community-based sentence* (such as probation or community work); or
- Conviction for *any offence*, even if that results only in a fine being imposed.

(b) Timeframes

Different jurisdictions appear to use different timeframes to measure recidivism. The most common period appears to be two years from release, but three and five years are also used.

Different jurisdictions may also adopt different approaches to how the time period is counted. For example, an offender may commit an offence within a two-year follow-up period but not be caught and convicted until three years after release. This should constitute recidivism as he actually offended during the two-year period.

Please provide the primary measure of recidivism that is used in your jurisdiction.

3. MEASURING RECIDIVISM RATES

Please provide details of general recidivism rates (if available) in your country.

If figures are available, please provide further details regarding recidivism amongst particular offender groups (for example, recidivism rates for women compared with men, and juveniles compared with adults).

4. WHAT WORKS FOR WHOM AND WHY?

In this part of the paper, delegates should provide a case study of an initiative (or a range of initiatives) which has worked (or has not worked) to reduce recidivism.

The case studies and reviews can focus on any aspect of corrections. There has been a tendency for academic commentators to focus mainly on the impact of psychologically based ‘treatment programs’ such as ‘sex offender treatment programs’. However, APCCA members will be just as interested in the impact of other initiatives designed to improve the chances of successful reintegration. These may include family support, employment, ‘skilling offenders up’ for release, and the provision of supported accommodation.

It will also be very helpful if you can discuss why certain initiatives may have ‘worked’ when others have not. This will allow members to consider the appropriateness of similar initiatives in their own countries. For example, a program to equip Aboriginal Australians from remote regions to work in the mining industry may well work for them; and although such programs are clearly not directly relevant in, say, India, Singapore or Hong Kong (China), there may well be lessons to be learned by all delegates.

5. CONCLUSION

Please summarise your main achievements in recent years in tackling recidivism and the main challenges which lie ahead.

Appendix F

**Report by the Administrator of the APCCA Fund
(1 September 2012 to 31 July 2013)**



Report on Administration of Asian and Pacific Conference of Correctional Administrators Fund for the period from 1 September 2012 to 31 July 2013

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 require the prior approval of the APCCA Fund Administrator and one other member of the Finance Committee. The financial statements of the Fund would be tabled at the APCCA meetings.

During the 32nd APCCA Conference held in Brunei from 7 to 12 October 2012, the Conference noted that the financial position of the APCCA Fund was healthy.

In December 2012, an amount of US\$7,861.40 was made to Quirk Pte Ltd of Singapore to cover the cost of the website revamping. In addition, an amount of US\$8,000, being subsidy to the host country to support the travel and accommodation costs for the Rapporteurs in 2012, was made to Brunei in January 2013.

- 2 -

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)	=	<u>US\$5,000</u>
	Total	<u>US\$22,000</u>

Progress and Results

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

For the year ended 31 July 2013, a total of US\$20,973 agreed contributions was received. In addition, a total amount of US\$8,975, being voluntary contributions by Australia (Capital Territory), Australia (Northern Territory), Fiji, Macau (China), Mongolia, Philippines, Republic of Kiribati, Solomon Islands, Thailand and Vietnam was received. Thus, total contributions received amounted to US\$29,948. Total expenditure for the year, including handling charges for telegraphic transfer/bank draft of US\$234, was US\$22,507. After deducting bank charges of US\$102 and taking into account bank interest income of US\$1 and the subsidy to Brunei (the host country in 2012), there was a surplus of US\$7,340 for the year. With a balance of US\$155,091 brought forward from the previous year, the Fund had an accumulated surplus of US\$162,431 as at 31 July 2013. Apart from the payment of the honorarium to APCCA Rapporteur of US\$6,250, ongoing development and maintenance of APCCA website of US\$162, and the handling charges of US\$96, contributions of US\$1,000 each from Macau (China), India and Vietnam, and US\$991.60 from Solomon Islands received, there was no movement in the Fund between 31 July 2013 and the date of this report. Please refer to the attached financial statements for details.

/P.3

- 3 -

Vote of Thanks

I wish to express my appreciation to those jurisdictions that have contributed to the Fund over the years. 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.



(SIN Yat-kin)

Commissioner of Correctional Services, Hong Kong
and
APCCA Fund Administrator
10 September 2013

- 4 -

Asian and Pacific Conference of Correctional Administrators (APCCA) Fund
Balance Sheet as at 31 July 2013

	Note	2013	2012
Assets		US\$	US\$
Cash at bank	1	164,947	154,099
Contribution receivable	2	3,992	1,000
Interest receivable		<u>0</u>	<u>0</u>
		168,939	155,099
Liabilities			
Accounts payable		<u>6,508</u>	<u>8</u>
Net assets		<u>162,431</u>	<u>155,091</u>

Representing

Accumulated fund:

Accumulated surplus

(i) As at beginning of the year	155,091	123,496
(ii) Surplus/(Deficit) for the year	<u>7,340</u>	<u>31,595</u>
	<u>162,431</u>	<u>155,091</u>

- 5 -

Asian and Pacific Conference of Correctional Administrators (APCCA) Fund
Income and Expenditure Statement
for the period from 1 September 2012 to 31 July 2013

Income	Note	US\$	2013 US\$	2012 US\$
Contributions Received	4			
<i>(a) Planned Contributions Received (see Annex I)</i>				
Australia				
New South Wales		995		
Queensland		975		
South Australia		1,000		
Victoria		975		
Western Australia		1,000		
Brunei		1,000		
Canada		3,000		
Hong Kong (China)		1,000		
India - for year 2012*		1,000		
India		1,000		
Japan		3,000		
Korea		1,000		
Malaysia		1,018		
New Zealand		3,000		
Singapore		<u>1,010</u>		
Sub-total			20,973	22,956
<i>(b) Additional Contributions Received (see Annex II)</i>				
Australia				
Australian Capital Territory		975		
Northern Territory		1,000		
Fiji		1,000		
Macau (China)		1,000		
Mongolia		1,000		
Philippines		500		
Republic of Kiribati		500		
Solomon Islands		1,000		
Thailand		1,000		
Vietnam		<u>1,000</u>		
Sub-total			<u>8,975</u>	<u>7,765</u>
Total Contributions Received (a + b)			29,948	30,721
Less: Bank Charges			<u>102</u>	<u>87</u>
Actual Amount Received			29,846	30,634
Add: Interest Income	5		<u>1</u>	<u>1</u>
Total Income			<u>29,847</u>	<u>30,635</u>
Less : Expenditure	5			
Honorarium to APCCA Rapporteur	6		6,250	6,250
Subsidy to the host countries	6		8,000	0
Revamping of APCCA website	6		7,861	0
Ongoing development & maintenance of APCCA website	6		162	695
Handling charges for telegraphic transfer/bank draft	6		<u>234</u>	<u>95</u>
Total Expenditure			<u>22,507</u>	<u>7,040</u>
Add : Other Comprehensive Income			<u>0</u>	<u>8,000</u>
Net (Deficit)/Surplus			<u>7,340</u>	<u>31,595</u>

- 6 -

Notes

1. Cash at bank represents the balance as at 31 July 2013.

2. Contribution receivable

The following contribution was received after the close of the financial year :-

Jurisdiction	Amount US\$	Date of Banking
Macau (China)	1,000	01.08.2013
India	1,000	26.08.2013
Solomon Islands	992	30.08.2013
Vietnam	1,000	30.08.2013

3. Accounts payable

	US \$
Honorarium to Rapporteur for the year 2012	6,250
Ongoing development and maintainance of APCCA website	162
Handling charge for Honorarium to Rapporteur	48
Handling charge for ongoing development and maintainance of APCCA Website	48

4. Contributions are accounted for on accrual basis.

5. Expenditure and interest income are accounted for on accrual basis.

- 7 -

6. Amount comprised :

	US \$
(a) Honoarium to APCCA Rapporteur, Mrs. Irene Morgan for the year 2012	6,250
(b) Subsidy to host countries for the year 2012	8,000
(c) Revamping of APCCA website SGD 9,610 x USD 0.81804370	7,861
(d) Ongoing development and maintainance of APCCA website SGD 210 x USD 0.77142857	162
(e) Handling charges for telegraphic transfer/bank draft for:-	
Revamping work of APCCA website HKD 410.00 x USD 0.12924390	53
Subsidy to host countries for the year 2012 HKD 410.00 x USD 0.12919512	53
Honorarium to APCCA Rapporteur for the year 2012 HKD 370.00 x USD 0.12916216	48
Ongoing development & maintenance of APCCA website HKD 370.00 x USD 0.12924390	48
Bank draft returned unpaid by bank HKD 250.00 x USD 0.12908000	32
	<u>234</u> <u>22,507</u>

- 8 -

Annex I

Planned Contributions Received (2013)

Jurisdiction	Recommended Minimum Contribution (US\$)	(a) Intended Contribution (US\$)	(b) Overseas Bank Charges (US\$)	(c) = (a) - (b) Actual Amount Received (US\$)	Received on
Australia					
New South Wales	1,000	995.00	-	995.00	16.07.2013
Queensland	1,000	975.00	8.39	966.61	19.04.2013
South Australia	1,000	1,000.00	-	1,000.00	19.04.2013
Victoria	1,000	975.00	-	975.00	16.04.2013
Western Australia	1,000	1,000.00	8.39	991.61	24.05.2013
Brunei	1,000	1,000.00	-	1,000.00	23.04.2013
Canada	3,000	3,000.00	-	3,000.00	06.06.2013
Hong Kong (China)	1,000	1,000.00	-	1,000.00	11.04.2013
India	1,000	1,000.00 *	-	1,000.00	19.10.2012
	1,000	1,000.00	-	1,000.00	26.08.2013
Japan	3,000	3,000.00	8.39	2,991.61	17.04.2013
Korea	1,000	1,000.00	8.39	991.61	08.06.2013
Malaysia	1,000	1,017.97	1.94	1,016.03	07.05.2013
New Zealand	3,000	3,000.00	8.39	2,991.61	30.04.2013
Singapore	3,000	1,010.00	8.39	1,001.61	25.04.2013
Total	23,000	20,972.97	52.28	20,920.69	

* : Being contribution for year 2012 received after the 32nd APCCA Conference.

- 9 -

Annex II

Voluntary Contributions Received (2013)

Jurisdiction	(a) Intended Contribution (US\$)	(b) Overseas Bank Charges (US\$)	(c) = (a) - (b) Actual Amount Received (US\$)	Received on
Australia				
Australian Capital Territory	975.00	8.39	966.61	23.04.2013
Northern Territory	1,000.00	8.39	991.61	10.04.2013
Fiji	1,000.00	8.39	991.61	25.04.2013
Macau (China)	1,000.00	-	1,000.00	01.08.2013
Mongolia	1,000.00	-	1,000.00	03.05.2013
Philippines	500.00	8.39	491.61	24.04.2013
Republic of Kiribati	500.00	8.39	491.61	25.04.2013
Solomon Islands	1,000.00	8.40	991.60	30.08.2013
Thailand	1,000.00	-	1,000.00	22.05.2013
Vietnam	1,000.00	-	1,000.00	30.08.2013
Total	8,975.00	50.35	8,924.65	

**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 Committee and report to the next full Conference.

Opinion


We have audited the financial statements of the APCCA Fund which were 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 September 2012 to 31 July 2013.



(India)

Date : 22 / 09 / 2013



(Brunei Darussalam)

Date : 22 / 09 / 2013

Appendix G

Report of the APCCA Finance Committee 2013 Friendship Lounge, 3rd Floor, The Ashok (1400 hrs on 22 September 2013)

Present

Mr. SIN Yat-kin (Hong Kong, China)
Mr. Suresh Kumar (India)
Mr. Tetsuya Sugano (Japan)
Mr. Poh Eng Hua (Brunei)
Ms. Elizabeth Van Ellen (Canada)

Recorder

Mr. PANG Yan-wai (Hong Kong, China)

In Attendance

Mr. Rajnish Kwatra (India)
Mr. Fraser Macaulay (Canada)

APCCA Fund Administrator's Report

- This report covers the period from 1 September 2012 to 31 July 2013.
- A total of US\$20,973 agreed contributions have been received.
- Voluntary contributions amounting to US\$8,975 have also been received from Australia (Capital Territory), Australia (Northern Territory), Fiji, Macau (China), Mongolia, Philippines, Republic of Kiribati, Solomon Islands, Thailand and Vietnam.
- Total contributions received are therefore US\$29,948.
- Total expenditure is US\$22,507 covering (i) Honorarium to APCCA Rapporteur; (ii) subsidy to host countries; (iii) revamping of APCCA website; (iv) ongoing development and maintenance of APCCA website; and (v) telegraphic transfer/bank draft handling charges.
- India (current conference host) and Brunei (immediate prior host) had audited the Fund Administrator's Report prepared by Hong Kong, China. They found the financial statements a true and fair view of the state of affairs of the Fund for the period covered. The audited report would be submitted for endorsement at the Governing Board Meeting.

New System in Reimbursement of Rapporteurs' Travelling Expenses

- The new proposal in respect of reimbursement of Rapporteurs' travelling expenses was discussed. The following points were unanimously agreed by the meeting: -
 - The subsidy to the current conference host in a maximum amount of US\$8,000 per annum to assist the Rapporteurs' travelling expenses be revoked;

- On the other hand, the Fund will directly reimburse Rapporteurs the cost of round-trip business class airfares between their home city and the current host country;
 - The accommodation expenses of the Rapporteurs will be borne by the current conference host;
 - The new proposal comes into effect from the 33rd APCCA 2013.
- The new proposal aforementioned would be tabled in the Governing Board Meeting on 22 September 2013 for discussion and endorsement.

[Post meeting note: The new proposal aforementioned was tabled and endorsed in the Governing Board Meeting on 22 September 2013.]

Any Other Business

- There was concern as to the suitability of the prevailing practice of having the current conference host and the immediate prior host to audit the financial statements of the Fund, as they might not be accounting professional. It was resolved to explore the feasibility of having the financial statements audited by professional accountant to enhance authenticity.

[Post meeting note: To implement the resolution of the meeting, the Fund Administrator proposed that the financial statements would be certified by an accounting professional, and together with the Fund Administrator's Report, presented to the Governing Board for endorsement before tabling it at the Annual Conference. It was also proposed to amend the financial year of the APCCA to end on 31 July instead of 30 September.]

In this connection, proposed amendments on the relevant clauses, namely 30 and 32, of the Joint Declaration were shown to all present in the Business Session on 27 September 2013. These proposed amendments were agreed unanimously.]

Appendix H

APCCA Secretariat Report (October 2012 – September 2013)

For submission to the 33rd APCCA

This report briefly informs members of the work done by the APCCA Secretariat during the period between October 2012 and September 2013.

Background

2. The APCCA Joint Declaration provides for the establishment of the APCCA Secretariat (hereafter referred to as the Secretariat) to provide support services to the APCCA and to its Governing Board. The main duties of the Secretariat are to serve as a focal point between the APCCA and its members, and between the APCCA and other individuals and organizations; produce the APCCA newsletter and operate the APCCA website; implement the resolutions and exercise such powers as authorized 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 Singapore Prison Service (SPS) were appointed by the APCCA at its 21st Annual Conference in 2001 to co-serve as the Secretariat for a term of two years. At the 23rd, 25th, 27th, 29th and 31st Annual Conference held in 2003, 2005, 2007, 2009 and 2011 respectively, the appointment was renewed for a total period of ten years till 2013. The Secretariat appointment is therefore due to expire this year. Both HKCSD and SPS are most willing to continue serving the APCCA as the Secretariat if the conference deems it fit.

4. Based on a cooperative agreement between the two Departments, HKCSD undertakes the general administrative duties, liaison work and financial matters whereas SPS is responsible for the APCCA newsletter production as well as the supervision and maintenance of the APCCA Website.

Administrative and Co-ordination Work

5. Thirty jurisdictions have signed the APCCA Joint Declaration and hence become members of the APCCA. A total of 20 jurisdictions participated in the 32nd Annual Conference held in Bandar Seri Begawan, Brunei Darussalam in 2012. Over the past one year, the Secretariat has maintained close contact with the Ministry of Home Affairs of Government of India and the Rapporteurs to assist in the organization of the 33rd Annual Conference.

6. Efforts have been made by the Secretariat to compile correctional statistics from the member countries. This year, 12 jurisdictions responded to our call for the statistical returns. The statistics will be published in the APCCA website and 33rd Annual Conference Report after the conclusion of the Conference.

7. As the APCCA Fund Administrator, HKCSD manages the Fund in accordance with the APCCA Joint Declaration with the assistance of the Finance Committee. The APCCA Fund Administrator's Report will be tabled to the 33rd Annual Conference.

8. At the 31st APCCA conference held in Tokyo, Japan in October 2011, each member jurisdiction was asked to provide one contact point to APCCA Secretariat (Hong Kong) for consolidation. As at mid September 2013, 28 out of 30³⁷ member jurisdictions have provided their contact details to APCCA

³⁷ See Appendix 1

Secretariat (Hong Kong).

APCCA Newsletter Production

9. The APCCA Newsletter is a bi-annual publication for the purpose of sharing and learning amongst correctional counterparts in Asia and Pacific region. SPS had taken up the production work since assuming duties as the APCCA Secretariat in 2001 and has since developed its in-house capabilities for the task. The 34th and 35th editions of the newsletter were themed “Caring for elderly offenders” and “Youth offenders”. Four APCCA member jurisdictions responded to the first call for articles in May and five jurisdictions responded to the second call for articles in September for these Newsletter editions. They contributed insightful pieces on the management of different age groups in their jurisdictions.

10. The themes of next year’s newsletter will be “Challenges and Opportunities in Working with Service Providers” and “Specialized Training of Correctional Staff”. The Secretariat thanks all members for their contributions to the newsletter to date and looks forward to members’ continued support in the upcoming issues. We also hope that all will leverage on this newsletter as a medium to share their knowledge and expertise, as well as update all other members of the developments on your organization.

APCCA Website

11. The aim of the APCCA website is to facilitate better sharing of information amongst members and promote a wider exposure of the APCCA to the global community. With the setting up of the APCCA Secretariat in 2001, SPS was given the responsibility of maintaining and supervising the APCCA website and has been doing so since October 2002. In 2012, the layout and aesthetics of the APCCA website were also improved, and a restricted access repository was created to enable APCCA members to share information and materials amongst themselves. It acts as a one-stop portal for all relevant information, such as point of contacts, conference resources and newsletters updates.

Concluding Remark

12. On behalf of the APCCA community, the Secretariat wishes to thank the Rapporteurs, Professor Neil Morgan and Ms Irene Morgan for their selfless contributions to our community. Their precious time and efforts are much appreciated.

13. The Secretariat will also take this opportunity to thank all APCCA members for their contributions and support for its work in the past year, and looks forward to the continued support in the upcoming years.

APCCA Secretariat
September 2013

Appendix 1

Member jurisdictions who **HAVE** provided their contact details to APCCA Secretariat

1. ACT, Australia
2. NSW, Australia
3. NT, Australia
4. Queensland, Australia
5. South Australia
6. Tasmania, Australia
7. Victoria, Australia
8. Western Australia
9. Brunei
10. Canada
11. China
12. Fiji
13. Hong Kong (China)
14. India
15. Indonesia
16. Japan
17. Kiribati
18. Korea
19. Macao (China)
20. Malaysia
21. Mongolia
22. New Zealand
23. Philippines
24. Singapore
25. Sri Lanka
26. Solomon Island
27. Thailand
28. Vietnam

Member jurisdictions who **HAVEN'T** provided their contact details to APCCA Secretariat

1. Cambodia
2. Tonga

Appendix I

State Map of India



Official Photographs

















