

Guidance Notes on Prison Reform

“ All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person. ”

— *United Nations International Covenant on Civil and Political Rights Article Ten*

In recent years a great deal of work has been undertaken in many countries with the aim of improving human rights observance in prisons. Some of this work has been successful but much of it has not and some has even been counter-productive.

There is a real need for properly focussed projects to deal with the terrible abuses of human rights which occur in many prisons in the world. However, when faced with a request to provide assistance, many potential partners who have no direct experience of working in the prison environment find themselves at a loss to know where to break into this complex world. The problems can seem so overwhelming that it is difficult to know where to begin. Similarly, potential funders do not have a sound basis from which to assess whether a project proposal will actually have any impact on the fundamental problems which need to be dealt with. These Guidance Notes have been produced to fill this gap and to assist all those who fund, undertake, evaluate or are simply interested in the process of prison reform.

The two main aims of the International Centre for Prison Studies are:

- to develop a body of knowledge, based on international covenants and instruments, about the principles on which the use of imprisonment should be based, which can be used as a sound basis for policies on prison issues
- to build up a resource network for the spread of best practice in prison management worldwide to which prison administrators can turn for practical advice on how to manage prison systems which are just, decent, humane and cost effective.

In fulfilment of these aims we undertake a wide variety of international projects to do with prison reform in a human rights context. From our experience in working in prisons around the world and from discussions with other bodies working in this field, we have come to the conclusion that there are a number of clearly identifiable problems which are consistently present in the prison setting. In all countries at least one of these problems will be present. In some countries there will be several of them. A few countries will face most of them.

In this series of Guidance Notes we describe the most common issues which are likely to trigger prison reform projects. The notes set out under different headings what is known about a topic and how best it might be addressed. We have made use of a wide variety of sources, including the work of intergovernmental human rights bodies, many governments,

individuals and non-governmental organisations which have carried out prison reform projects, evaluations carried out by universities and other bodies, and the work of the International Centre for Prison Studies, whose staff and associates have many years of experience of prisons and prison reform. Wherever possible, we provide examples, not only of the problems which can be encountered, but also of good practice from which others can learn.

Each Guidance Note can be used on its own. For that reason cross-referencing has been kept to a minimum. This does mean that there is some duplication of information between Notes but we have decided that this is justified to improve ease of access.

The 15 Guidance Notes are grouped as follows:

- 1-3 cover aspects of project design and measurement
- 4-6 suggest solutions to three deep-seated prison problems, namely overcrowding, the conditions of pre-trial detention, and bringing prisons within the rule of law
- 7 looks at the important structural question of the prison as a civil rather than a military institution
- 8-10 cover various aspects of prison management and suggest how they can be improved
- 11-12 concentrate on matters external to the prison, that is, inspection, monitoring and the involvement of civil society
- 13-14 consider projects relating to specific groups of prisoners, namely women and children
- 15 looks at developing alternative ways of dealing with sentenced persons other than by imprisonment

The Guidance Notes try to hit a balance between identifying general principles which can be applied in all settings, while at the same time providing practical examples which can be applied in different environments. The hope is that they will provide useful reference points for all those involved in prison reform.

I would like to thank the Foreign and Commonwealth Office of the United Kingdom which funded this work, the ICPS staff and associates who produced it and our many partners around the world who have taught us so much about prisons and human rights.

Professor Andrew Coyle CMG
Director

KING'S
College
LONDON

**International Centre
for Prison Studies**

International Centre for Prison Studies

School of Law

King's College London

26-29 Drury Lane

London WC2B 5RL

© International Centre for Prison Studies, 2004

Tel: +44 (0)20 7848 1922

Fax: +44 (0)20 7848 1901

Email: icps@kcl.ac.uk

www.prisonstudies.org



Foreign &
Commonwealth Office
London