

**UNIT MANAGEMENT IN PRISONS**

**By**

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**Submitted in accordance with the requirements for the degree**

**DOCTOR OF LITERATURE AND PHILOSOPHY**

**In the subject**

**PENOLOGY**

**At the**

**UNIVERSITY OF SOUTH AFRICA**

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**JUNE 1999**

# UNIT MANAGEMENT IN PRISONS

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## **WORDS OF THANKS**

All honour to God the Almighty. To all the people I love, thank you for your contribution, patience, love and support to make this project a reality. A special word of thanks to my promoter and joint promoter, Professor Charl Cilliers and Doctor Willie Coetzee for their support and contribution. To Brigitte Ballard, thank you for editing this document meticulously. A special word of thanks to Nicolien who typed and edited the annexures and who rendered substantial research assistance during the whole project.

## **FINANCIAL ASSISTANCE**

I would like to take the opportunity to thank those organisations that contributed financially to the success of this research project. First of all, a special word of thanks to the National Research Foundation for the bursary received. Secondly, I would like to thank the University of South Africa for substantial financial support. Thirdly, thank you to the Max Planck Institute for Foreign and International Criminal Law and Criminology in Freiburg, Germany for the grant that enabled me to do research at the Institute and European countries like Austria and The Netherlands for two months. Last but not least, the Technikon SA, which send me to Europe and the United States of America, enabling me to gain practical experience about the topic.

## **SUMMARY**

Research into unit management in prisons was necessitated by a need to change the way in which South Africa deals with prisoners. The lack of respect for human dignity, poor control in prisons before and after demilitarisation and the need to reduce crime in South Africa are some of the reasons why the study became important. Topics addressed include the role of architecture in corrections, direct supervision to enhance active custody, renewed emphasis on individuals by means of case management and decentralised delivery of development and treatment programmes.

Apart from the aspects mentioned above, the philosophy of unit management is spelled out. Imprisonment in countries such as Australia, Canada, Germany, Japan, South Africa and the United States of America is discussed against the background of the unit management philosophy. During any process of incarceration, documentation forms an integral part of the process. In this study, the researcher discussed those documents that could play an important role in unit management.

The importance of unit management in prisons cannot be overemphasised. The investigation contributes largely to scientific knowledge in that the importance of sentence planning for each individual within the Criminal Justice System is emphasised. Individual case plans, active involvement from both the inmate and the correctional official and the positive role of prison design are aspects that should form part of all new generation prison systems.

## **KEY TERMS**

Prison architecture, case management, direct supervision, active custody, unit management, decentralised prison management, new generation imprisonment, development programmes, living units, international prison systems, assessment of prisoners, risk of recidivism, effective treatment, documentation, unit management philosophy.



## CHAPTER 1: THE RESEARCH

### 1.1 INTRODUCTION

*“As to what is still wrong, I set down matter of fact without amplification; which would in the end rather impede than promote the object of my wishes; that is the corrections of what really is amiss. The journeys were not undertaken for the traveller’s amusement; and the collections are not published for general entertainment; but for the perusal of those who have it in their power to give redress to the sufferers.”*

**(Howard 1929)**

John Howard died in 1790, but is still described as one of the greatest prison reformers ever to walk the earth. The work of this self-appointed inspector of prisons in Britain, Ireland and the rest of Europe is as relevant today as it was more than 200 years ago. His general aim was to humanise prison conditions and to provide prisoners with opportunities for personal reform (Whitefield 1991:1). Today, more than 200 years later, it is almost certain that John Howard would comment that the most striking aspect of prison reform over the last two centuries is how little of it there has been, not only in the South African field of incarceration, but also in most of the other parts of the world.

South Africa has gone through substantial changes over recent years. Since 11 February 1990, when the world-renowned Nelson Mandela, himself a prisoner for more than 27 years, was released from the Victor Verster Prison (today known as Drakenstein Prison) a broad sweep of political, social and economic changes have earmarked freedom for all South Africans. These changes would inevitably influence corrections in South Africa.

The inherently authoritarian military structure of the South African prison system, deriving from its main functions of control and security, relied heavily on threats of force, which would be unacceptable in the current democratic South Africa. During an address to the Department of Correctional Services in June 1998 President Mandela expressed

himself as follows about imprisonment in South Africa:\*

*“The way that society treats its prisoners is one of the sharpest reflections of its character. In the prisons of Apartheid the inhumanity of that system was starkly evident. Perhaps that can only be fully appreciated by those who had the experience of incarceration as a black person under the apartheid regime. But all of us know it was a prison system with no room for human rights, one designed to rob each prisoner of his human dignity and which thereby in the end, also took away the human dignity of the prison authorities and personnel themselves. Sealed off from exposure to international influence and trends, hidden from the media, and steeped in militaristic and security perspective and training, our country’s prisons were in all these respects like the Apartheid system itself, only more intensely so. We have inherited a system ill equipped to serve the needs of a democratic society founded on a culture of human rights.*

*It is no easy task to bring an institution with such a history in line with our new Constitution. The task is made even more difficult by the severe overcrowding of our prisons. That puts strain on the conditions under which prisoners live and officials work, and on the programmes for the development of inmates. Secure prisons are essential to making our justice system an effective weapon against crime. The smuggling of weapons and banned or illegal substances in our prisons is also facilitated by corrupt elements in our prison services.*

*The full contribution which our prisons can make towards a permanent reduction in the country’s crime rate, lies also in the way in which they treat prisoners. We cannot emphasise enough the importance of both professionalism and respect for human rights. We need a climate that is conducive to prisoners becoming law-abiding citizens. We will not find lasting solutions if we treat our prisoners in the old way, denying them*

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\* The quotation is a condensed version of the President’s speech in order to stress the importance of this study.

*their dignity and their rights as humans. And if our prisons are to become places of rehabilitation, we need to equip the men and women who work in them to do the job professionally and effectively. We need to ensure that prisoners, as well as correctional officials, have an understanding of human rights and of their respective responsibilities. The measure of programmes will be the extent to which they create secure prisons with an environment that helps inmates realise their potential and assume their responsibility to become valued members of the society.”*

*(Nelson Rolihlala Mandela 1998)*

After South Africa became a democracy in 1994, the Department of Correctional Services had to cross the Rubicon to liberate also those who are kept behind bars. In a public address on 16 February 1996 the Minister of Correctional Services took the bold step of acknowledging that imprisonment in South Africa is still in what the researcher can only describe as the “Howard Era”. It was announced that a paradigm shift would be made to place more emphasis on the rehabilitation of prisoners (Luyt 1996:3). In an effort to bring about substantial changes in an unacceptable prison system, it was then announced that all future developments in South African prisons would be carried out according to the principles of unit management.

This announcement, accompanied by a decision to demilitarise the Department of Correctional Services, gave rise to enormous uncertainty. Many South African prison practitioners had never experienced such a drastic shift in emphasis as was brought about by the decision to embark on unit management. The Department of Corrections in South Africa had been run on military lines since its inception. This uncertainty has, however, created new opportunities for scientific research by academics in the field of Criminal Justice in South Africa and has served as an inspiration for the researcher to explore the topic in more detail.

## **1.2 THE RATIONALE FOR THE INVESTIGATION**

The term rationale, as used here in accordance with Gerber and Alberts (1984:27) refers to the logical statement of reasons on which the investigation is based. According to

Champion (1993:10) some people are interested in simply knowing about things, while some practitioners seek answers to practical questions. Most investigators, however, wish to add to the growing body of knowledge in each aspect of criminal justice. A fourth reason is that students will carve out an interest area or area of specialisation. All the above reasons form part of the rationale of this study.

However, these reasons cannot be seen in isolation. South Africa has become a country with a growing crime problem, a phenomenon that is also being experienced in the rest of the world. The number of reported murder cases in South Africa rose from 24 588 in 1997 to 24 875 in 1998. Attempted murder increased from 69 693 reported cases in 1997 to 88 319 reported cases in 1998. The hijacking of passenger vehicles rose from 13 011 reported cases in 1997 to 15 111 reported cases in 1998, while the hijacking of heavy vehicles rose from 4 296 in 1997 to 5 773 in 1998 (Bothma 1999:7). Therefore, from both the scientific and practical views, reasons for the investigation of unit management in prisons are multifold and include the following:

#### ● **POLITICAL CHANGES**

After years of political inequality, South Africa became, as already mentioned, a democracy in 1994. Political changes have come thick and fast in South Africa during the last couple of years, giving shape to a true New South African democracy. These changes inevitably had an influence on the Criminal Justice System, which filtered through to imprisonment and the treatment of offenders. The South African Department of Correctional Services can be described as one of the leaders in the transformation of the public service in the post-apartheid era. Inspired by the political changes, actions to enhance transformation included changes in the composition of prison staff. People who did not consider themselves able to tackle the desired changes, were afforded the opportunity to take severance packages. The Department of Correctional Services was demilitarised and mechanisms have been put in place to ensure representivity at all post levels. It was also announced that more emphasis would be placed on the development of the prisoner.

#### ● **THE SOUTH AFRICAN CONSTITUTION AND HUMAN RIGHTS**

The Constitution of the Republic of South Africa was adopted on 8 May 1996 and is the supreme law of the country. All other laws must comply with the Constitution, but the

Constitution does not replace these laws. Instead, it sets out the standards that other laws must uphold, including the Correctional Services Act 111 of 1998. Included in the Constitution is a Bill of Rights, which forms the cornerstone of the Constitution. Democratic values of human dignity, equality and freedom are enshrined in the Bill of Rights. These values are of particular interest in the prison environment.

According to Section 10 of Chapter 2 of the Constitution (Republic of South Africa 1996:7) “every person has inherent dignity and the right to have their dignity respected and protected”. The execution of prison sentences over the past 40 years gives serious doubts as to whether the prisoners’ dignity was respected or protected. One unscreened shower and one open toilet in dormitories where more than forty prisoners are housed for prolonged periods of time may be described as sufficient evidence to the contrary.

The freedom and security of the person is addressed in Section 12(1) of the Bill of Rights (Republic of South Africa 1996:7). Everyone has the right to freedom and security of the person, which includes the right:

- Not to be deprived of freedom and security of the person;
- Not to be detained without trial;
- Not to be subjected to any form of violence from either public or private sources;
- Not to be tortured in any way, and;
- Not to be treated or punished in a cruel, inhumane or degrading way.

Arrested, detained and accused persons have, according to Section 35(2) (e), the right to conditions of detention that are consistent with human dignity, including at least exercise and the provision, at state expense, of adequate accommodation, nutrition, reading material and medical treatment (Republic of South Africa 1996:17).

The prevailing conditions in large South African warehouse prisons are widely criticised as inhumane. The main contributor is inadequate accommodation due to factors such as overcrowding, lack of privacy, poor maintenance of buildings, (which is mainly the responsibility of a government department other than Correctional Services) and poor management of some existing structures. South Africa is also known for a previous regime, in which human rights were violated at random and no respect for human dignity

prevailed.

### ● NEW SOUTH AFRICAN LEGISLATION ON CORRECTIONAL SERVICES

On 19 November 1998 the South African Parliament enacted comprehensive new correctional legislation which completed the process of legislative reform that began shortly after the 1994 democratic elections. In compiling the Act, the drafters considered various international standards and in particular the handbook "Making Standards Work" that seeks to draw together international best practices as they developed over the last 40 years since the Standard Minimum Rules of the United Nations.\* Regional standards such as the European Prison Rules, the Kampala Declaration on Prison Conditions in Africa and the German and Canadian Prison Acts were consulted.

The primary focus of the new Act is on describing the rights and duties of prisoners. The intention was to balance the requirements of safe custody with the requirement that there be minimum interference with the rights of prisoners. The Act requires unconditionally that prisoners be provided with certain facilities as of right. Medical treatment and accommodation that meets standards of human dignity are examples. It is, however, noteworthy that the Act deals in general principles and does not refer at all to the system of unit management. According to Section 2 of the Correctional Services Act (111 of 1998) the purpose of the correctional system is to contribute to maintaining and protecting a just, peaceful and safe society by:

- (a) Enforcing sentences of the courts in a manner prescribed by this Act;
- (b) Detaining all prisoners in safe custody whilst ensuring their human dignity; and
- (c) Promoting the social responsibility and human development of all prisoners and persons subjected to community corrections (Republic of South Africa 1998:16).

In subsection (b) and (c) a particular responsibility is placed on the South African prison regime. It addresses the development of unacceptable warehouses that negate human dignity and the development of prisoners to equip them for a better life after release. After all, "only the educated are free" said the Greek Stoic philosopher Aristotle (Sull 1995:3).

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\* Information was taken from an adopted paper delivered by Prof Dirk van Zyl Smit at the Second International Conference on Modern Trends in Corrections at Technikon SA in September 1998.

## ● THE ROLE OF OVERCROWDING IN PRISONS

Prisons in South Africa are trapped in a situation where overcrowding is beyond control. This inevitably results in the warehousing of incarcerated offenders, with little or no emphasis on any development programmes. In some prisons, like the Pollsmoor Prison, the situation can only be described as mass incarceration, which Junger-Tass (1996:1) describes as a sin against the future. As long ago as 31 December 1993, prisons in South Africa accommodated 114 047 prisoners as opposed to the design capacity of 87 815 prisoners (Department of Correctional Services 1994:3). By the end of 1997, the situation had become even worse when 142 410 prisoners were accommodated in prisons with a design capacity of 99 407 prisoners (Department of Correctional Services 1998:3-4). In some prisons even the operational capacity (the number of prisoners who can be managed appropriately within a facility) was exceeded and it was reported that some prisons are overcrowded by 200%. On 31 December 1998 the prisoner population stood at 146 278 (Department of Correctional Services 1999:1).

When crowding reaches a certain level there are, according to Stojkovic (Alleman & Gido 1998:92), distinct physiological, behavioural and psychological effects. Effects of crowding are not limited to prisons only, but studies have demonstrated that these effects occur in laboratory animals and environments where humans are crowded (Alleman & Gido 1998:92). Identified effects have included elevated blood pressure (D'Atri, 1975, D'Atri, et al., 1981), an increase in complaints of illness among prisoners (McCain, Cox, and Paulus, 1976), and serious health-related concerns, such as coronary problems (Carr, 1981).

In terms of behaviour, overcrowding causes problems such as increased assaults and disciplinary infractions among prisoners (Zausner, 1985). High levels of prisoner violence occur within institutions that have a high population density (Gaes & McGuire, 1985), (Alleman & Gido 1998:93).

## ● SAFETY AND SECURITY OF STAFF AND PRISONERS

According to the South African Commissioner of Correctional Services (Department of Correctional Services 1998:5) staff shortages, structural limitations or defects and

overcrowding restrict the Department in its endeavour to fulfil its responsibility of ensuring the safety of personnel and prisoners. Reported incidents of assault during 1997 are as follows:

- Prisoner on prisoner: 3 050
- Personnel on prisoner: 1 193
- Prisoner on personnel: 40
- Total 4 283

Other incidents, which occurred in prisons during 1997, include gang fights, refusal to enter cells, hostage taking of personnel and deaths of staff and prisoners. Gang fights at Modderbee, Johannesburg, Leeuwkop, Potchefstroom, Groenpunt Maximum and St Albans Maximum resulted in the death of nine prisoners (Department of Correctional Services 1998:6). In total 402 prisoners died in prisons during 1997. Of these, 24 committed suicide, 25 assaulted by fellow prisoners, and 2 died in shooting incidents (Department of Correctional Services 1998:13). The prisons mentioned above all resemble inhumane warehouses. One gang fight at the Leeuwkop Maximum Prison during the past two years (1996/1997) resulted in a correctional official being stabbed to death. The death of only one person, be it a staff member or prisoner, in what should be a controlled environment is one death too many and cannot be tolerated. During 1998 the number of deaths in South African prisons rose to 437 (Department of Correctional Services 1999:15).

### ● THE KAMPALA DECLARATION ON PRISON CONDITIONS IN AFRICA

With the rapid disappearance of borders between countries and with reference to the African Renaissance, South Africa remains an integral part of Africa. At the Pan-African Seminar on Prison Conditions in Africa during September 1996, 40 African countries adopted the Kampala Declaration on Prison Conditions in Africa. The following findings were made at the seminar and form part of the Kampala Declaration on Prison Conditions in Africa:

- In many countries in Africa the level of overcrowding in prisons is inhuman, there is a lack of hygiene, insufficient or poor food, difficult access to medical care, a lack of physical activities or education and an inability to maintain family ties;



- Any person who is denied freedom has a right to human dignity;
- The universal norms on human rights place an absolute prohibition on torture of any description;
- Some groups of prisoners, including juveniles, women, the elderly, and the mentally and physically ill are especially vulnerable and require particular attention;
- Juveniles must be separated from adult prisoners and they must be treated in a manner appropriate to their age, and;
- Female prisoners need proper treatment and have special needs, which should be recognised.

The participants at the Pan-African Seminar on Prison Conditions in Africa recommended the following:

- That the human rights of prisoners should be safeguarded at all times;
- That prisoners should retain all rights which are not expressly taken away by the fact of their detention;
- That prisoners should have living conditions which are compatible with human dignity;
- That the conditions in which prisoners are kept and the prison regulations should not aggravate the suffering already caused by the loss of liberty;
- That the detrimental effects of imprisonment should be minimised so that prisoners do not lose their self respect and sense of personal responsibility;
- That prisoners should be given an opportunity to maintain and develop links with families, lawyers, doctors and religious visitors;
- That prisoners should be given access to education and skills training in order to make it easier for them to reintegrate into society after their release;
- That special attention should be paid to vulnerable prisoners;
- That all the norms of the United Nations and African Charter on Human and People's Rights on the treatment of prisoners should be incorporated into national legislation in order to protect the human rights of prisoners, and;
- That the Organisation of African Unity and its member states should take steps to ensure that prisoners are detained in the minimum conditions of security necessary for public safety.

The Kampala Declaration includes recommendations that should form the essential elements of an effective action plan to restructure imprisonment in Africa. African governments are urged to implement such an action plan as a collective endeavour of the African community to deal with what is described as “the urgent crisis in the continent’s Prisons” (Penal Reform International 1996:18). The following recommendations needs mentioning:

- African governments should review penal policy in the light of the Kampala Declaration and call on other national and international agencies to assist them by means of technical assistance and material support;
- Continued attention should be given to ways of reducing prison populations in conformity with international standards and norms;
- Urgent and concrete measures should be adopted to improve conditions for vulnerable groups in prisons;
- Many prisoners require only minimal levels of security and should be accommodated in open institutions. Wherever possible, **prisoners should be encouraged to involve themselves in educational and productive activities with the support of staff**;
- International standards and norms on the treatment of prisoners should be incorporated into national legislation;
- Prison staff should be recognised for the important work they carry out and their role as public servants, and be **properly trained**, and;
- The role that Non Government Organisations have to play in prison is important and should be recognised.

The rationale for this study, therefore, was derived from a variety of factors. One has to investigate ways in which corrections, as part of the Criminal Justice System, can contribute to substantial crime reduction. The South African prison regime has been criticised severely on a number of occasions, on several aspects, which underline that enough is not being done to ensure that prisoners are equipped to refrain from offending again.

The writing is on the wall for traditional corrections in South Africa. New approaches to incarceration cannot be avoided any longer, as the establishment of a true democracy that

empowers all citizens depends on this. South Africa has to progress from its traditional, passive custody mode to active custody where interaction between the environment, staff and prisoners facilitates crime prevention. An investigation into unit management may contribute to more effective methods of addressing the development of prisoners and insuring that public safety is maintained in a positive way.

### **1.3 MOTIVATION FOR THE CHOICE OF THE SUBJECT**

The announcement to embark on unit management and a dramatic shift in emphasis to enhance development and rehabilitation of prisoners are ideal examples of some of the driving forces behind renewed efforts to bring about change in the South African correctional system. Unit management as a phenomenon is an approach to prison management. It entails a number of aspects with the aim of uplifting prisoners and improving the prison system. Many scholars have explored the idea and a number of scientific documents about unit management have been compiled. However, the phenomenon has never been documented as an integrated entity in terms of causality, with the result that there is no single source that analyses unit management as a scientific phenomenon. The absence of such a source resulted in what Mouton and Marais (1989:34) describe as wonderment, and it played a prominent role in the motivation to do research into this specific phenomenon.

As a reader and a scholar in Criminal Justice, the researcher is always in search of best practices within the penal field. The prevailing situation in South African prisons is one of very little intervention to improve the conditions of prisoners and to reduce recidivism. The researcher is of the opinion that the specific subject can bring about change in terms of the approach towards prisoners in the correctional system in South Africa and indeed Africa. The existing passive system of custody is not one of the best practices in the world and it could be changed into a system of active custody. Unit management could be the ideal service delivery vehicle to achieve this.

### **1.4 DEMARCATION OF THE STUDY**

Van der Westhuizen (1982:40) is of opinion that a total examination of a study-object must be seen as of cardinal importance for a successful study. The researcher is expected

to outline the general approach to the research project in no uncertain terms. In order to outline the approach in this particular study, one must pay attention to the demarcation of the study. In doing so, mention will be made of the formulation of a hypothesis, the demarcation of the universe, the demarcation of the domain, the social and cultural demarcation and the time delimitation.

### ● FORMULATION OF A HYPOTHESIS

Smit (1993:24) explains that the formulation of a hypothesis is not an easy task. In general, the formulation of a hypothesis only applies to experimental research and Smit (1993:24) suggests that a hypothesis should be formulated only when necessary and applicable. According to Van der Westhuizen (1982:48) the formulation of a hypothesis can be described as the formulation of general statements in connection with an expected result before research commences. In this study, the formulation of a hypothesis would be inappropriate to a certain extent due to the absence of an in-depth empirical study. Therefore, a hypothesis will not precede this study. It is likely, however, that one or more hypotheses may arise from the study.

### ● DEMARCATION OF THE UNIVERSE

The demarcation of the universe refers to the total group that the researcher intends to investigate (Van der Westhuizen 1982:42). The universe for this study will be the entity of imprisonment. For the sake of specific focus, the research will also be demarcated qualitatively, which implies that the universe will be narrowed down with reference to specific qualities. Within the universe of imprisonment, the focus will be placed on decentralised management, the individualisation of development, and the architecture of imprisonment and direct supervision in active prison environments. The universe in this study is not limited to sentenced prisoners only, but includes any person or group of persons who are incarcerated for a substantial length of time.

### ● DEMARCATION OF THE DOMAIN

Bless & Higson-Smith (1995:28) are of the opinion that the demarcation of the domain is very important in order to determine where the research is to be conducted. The domain of this investigation is limited to the management of prisons along the lines of unit management. The latter can be described as a better way to manage the functioning of prisons and to run programmes according to decentralised management principles

(Houston 1999:321). This aspect will be dealt with in more detail in chapter 2. The study will be limited to what Zupan (1991:107) calls new-generation prisons. The idea is not to exclude traditional prisons from the study, as the way these were run in the past has led to the existing, unacceptable situation. However, in order to arrive at a constructive solution, it is clearly necessary to concentrate on new-generation developments.

Decentralised management in prisons is implemented in a number of countries around the world. The United States of America could be considered to be the main utiliser of the concept of decentralised management by means of unit management. All Federal prisons are managed according to unit management guidelines. In a 1996 survey in all fifty states of America, results showed that twenty-seven states implemented unit management a long time ago, while a further fourteen had implemented unit management in the five years prior to the survey (Houston 1999:322). The other nine states did not replied.

In Australia, unit management was first introduced in the Canning Vale Prison in 1982. Today unit management is general practice throughout Australia and its introduction is described as a significant departure from the traditional approach to the management of prisons (Biles 1988:12). In Britain, a working group from the Home Office investigated new directions in prison design, after which unit management was implemented on a large scale throughout England and Wales (Home Office 1985:2). According to Spens (1994:16) countries like The Netherlands, Canada, Japan, Scandinavia and Germany also manage prisons on a decentralised basis. In Africa, South Africa became the first country to embark on unit management with the opening of the Malmesbury Prison in December 1997.

It is not possible to discuss every detail of unit management or the form of decentralised management in all the countries mentioned above. The investigation will therefore be concentrated on various aspects of unit management relevant to this study, as it manifests in the domain of the countries mentioned.

## ● SOCIAL AND CULTURAL DEMARCATION

From a social point of view, the premise is that all prisoners and their families are affected by the imprisonment of the offender (Luyt 1996:5). During this study, the influence of imprisonment on the family will not be investigated. Culturally, the

emphasis of the investigation will mainly be on the sentenced prisoner, regardless of origin and cultural background. However, the whole idea of living in a specific community will be addressed in the study. The prison can be seen as a suburb with its own dynamics within a larger society.

## ● TIME DELIMITATION

The gathering of information for the investigation started during June 1996. Appropriate literature in relation to the phenomenon has been gathered and processed, and events observed and noted up to January 1999. Research visits to foreign countries where the phenomenon is prevalent were conducted during March/April 1997 (The Netherlands, Germany and Switzerland), June and July 1998 (Germany, Austria and The Netherlands) and November/December 1998 (the American States of North and South Carolina, Georgia, Florida and the capital city, Washington DC).

## 1.5 CONCEPTUAL CLARIFICATION

Fourie (1990:4) claims that any scientific analysis normally brings about a number of concepts that appear regularly within the continuum of the investigation. Each concept must be clarified to ensure that the same meaning is attached continually to the same concept. This investigation is no exception and numerous concepts need clarification.

## ● TITLE CLARIFICATION

In the title, "Unit Management in Prisons", three coherent concepts can be identified. The concept "prisons" means in South African terms "any place established under Act 111 of 1998 (Republic of South Africa 1998:14) as a place for the reception, detention, confinement, training or treatment of persons liable to detention in custody or to detention in placement under protective custody, and all land, outbuildings and premises adjacent to any such place and used in connection therewith and all land, branches, outstations, camps, buildings, premises or places to which such persons have been sent for the purpose of imprisonment, detention, protection, labour, treatment or otherwise (...)." According to Clear and Cole (1994:13) a prison is an institution for the incarceration of persons convicted of serious crimes. Goffman (Clear and Cole 1994:309) elaborates on this and describes the prison as a place of residence and work where a large number of like-situated individuals, cut off from the wider society for an

appreciable period of time, together lead an enclosed, formally administered routine of life. One can assume that the above clarifications would also be applicable to other parts of the world addressed in this study.

Management can be described in a number of ways. For the purposes of this study, management must be understood in context. The approach of Cressey (DiIulio 1987:34) is a perfect summary of the meaning of management in the title of this investigation: “We need a new system of control over prisoners that is not based on arbitrary decision-making or on the old informal convict social system and its single prisoner code. There is only one possibility, a formal system of decision-making in which all diverse parties (prisoners and guards included) have some input and in which the conditions of work and confinement, the rules of the institution, and the special problems and grievances of different parties (individuals and groups) are negotiated.”

Unit, as set out in the title, refers to self-contained living areas, for twenty to fifty or sixty prisoners, composed of individual cells for privacy and open areas for social interaction (Clear and Cole 1994:166). Units can serve specialised offender groups who share a need, such as educational services or drug treatment or offenders with violent behaviour.

The above concepts should only be understood in a penological sense, as they refer to a specific phenomenon within the penal field. As the contents of the investigation unfold, the title would become clear within the sphere of penology.

## ● CONCEPTUAL CLARIFICATION

In a study of this nature, some concepts are referred to frequently. Some of these concepts are clear, while others need to be clarified. In terms of the investigation, a certain meaning must be attached to a certain concept, as some concepts fill a central position throughout the study. These concepts are clarified below:

- **Unit management** is a form of prison management in which decentralised decision-making is very important. It is argued that the decentralisation of decision-making leads to better administration in a modern democracy.
- **Case management** is an approach whereby all supervision efforts are focussed on the

problems of individuals. In other words, the prisoner is the central theme and all developments revolve around the needs of a specific individual.

- **Units** can be clarified as multifold. Different units are managed according to the functions of each unit. Differences in philosophy, assignment, individual ability and defined objectives will influence the duties carried out in a particular unit. Different units function simultaneously within the confines of the larger institution. Units will be discussed in detail in a separate chapter of this investigation.
- In terms of this investigation, **architecture** has a specific meaning. Architecture refers specifically to a certain form of prison design. Within unit management, architecture plays a particularly important role. This aspect will also be discussed in detail during the study.
- **Direct supervision** refers to the way in which prisoners are supervised and is described as the most critical component of the philosophy of unit management (Zupan 1991:105). Direct supervision will be discussed in detail, because of its importance in this study.
- **Assessment** of a prisoner means, in terms of this study, determining what needs an individual prisoner has and what programmes to implement to address the particular need. The assessment of the risk of recidivism will also be emphasised during the study.

## 1.6 LITERATURE

The importance of literature in scientific research cannot be over-emphasised. According to Smit (1993:9) the study of literature is a fundamental and integral part of the planning and execution of any research project. A thorough study of the literature brings the researcher in touch with theories, definitions and philosophic arguments within the chosen topic of research. Another important aspect in research is the essence of contemporaneity. The latter implies that the most recent sources must be used to ensure maximum value from the research. However, sources of more than fifty years ago may in some instances, be as contemporary as sources of six months ago. One example is the



1929 publication of John Howard entitled “The State of the Prisons” in which prison conditions during the late 1700’s are criticised. Today, more than 200 years later, very much the same conditions are prevalent in a large number of prisons around the world in general and in South Africa in particular.

This investigation is largely dependent on the study of literature. For this reason, a very large variety of sources have been consulted. In many of these sources, the phenomenon of unit management is not described explicitly. However, different topics related to the phenomenon are described in the literature of different countries. The study is mainly based on sources from the United States of America, Canada, Australia and some European countries.

In the modern era, computers have become very important, particularly in a scientific investigation of this nature. Through the Internet, a large amount of valuable information may be gathered. In the near future, the Internet may assume a greater importance than traditional libraries. The Internet was used extensively in this study and contributed a great deal in terms of literature.

When this investigation commenced, the list of consulted sources scarcely topped twenty items. Now, the list of sources at the end of each chapter overshadows the initial amount by a large margin. This serves to emphasise the importance of extensive reading in a study of this nature. The value of this investigation is largely due to the fact that the researcher could obtain some of the most recent literature. One source (Houston) was published in 1999 and a significant amount of literature was gathered and utilised in the study during a research visit to the United States in November and December 1998. All literature used during the investigation is listed in the bibliographies and the views of writers and researchers are appropriately acknowledged.

## **1.7 RESEARCH DESIGN AND PRESENTATION**

According to Champion (1993:56) all types of scientific research are characterised by a limited number of types of research designs. Research designs are detailed plans that specify how data should be collected and analysed. Research design stands in direct relation to rational decision-making in the research process due to the fact that it

enhances the eventual validity of the research findings (Mouton 1989:33). No single research design is universally applicable for all investigators at any particular time (Champion 1993:57).

## ● RESEARCH OBJECTIVES

The objectives of researchers may, in the opinion of Champion (1993:57), conventionally be grouped to exploration, description and experimentation. Selecting the appropriate research design is in part dependent on the types of questions the researcher wishes to answer. Several research design objectives may be combined in the same research project (Champion 1993:57).

## ● EXPLORATION

Exploratory research is characterised by several features. It is firstly assumed that the investigator has little or no knowledge about the research problem. Exploratory research has as one of its main merits the fact that potentially significant factors may be discovered and may be assessed and described in greater detail (Champion 1993:57). In the South African context, little is known about a large number of aspects that can be linked to unit management. One of these aspects is case management, while another is the management of different units in a prison. As exploratory studies primarily serve researchers with the characteristics of research targets that should be described or examined (Champion 1993:59) this investigation can to some degree be described as exploration. Very little is known in South Africa about unit management in prisons, which means that the investigator must determine the characteristics of some research targets, for example the characteristics of prisoners who participate in development programmes offered within the boundaries of unit management. Attempts can be made to determine priorities for further research, and the study could also lead to the development of new hypotheses for future practical implementation (Luyt 1996:10).

## ● DESCRIPTION

Champion (1993:59) states that description is the most common research design objective in criminology and criminal justice. Before we can discover patterns for various phenomena, we must first acquire descriptive information about these phenomena. Description means that the researcher selects settings for investigation, after which particular features of those settings are targeted for special attention and the findings are

described in various ways. Researchers know in advance what they wish to describe and the accumulated data reflect a focus on specific dimensions. The investigation into unit management is largely a descriptive study. To be of maximum value for the specific interest groups, the phenomenon must be described very accurately. This accuracy will enhance the implementation of the unit management approach throughout South Africa and other parts of the world.

## ● METHODOLOGY

Mouton (1989:43) maintains that exploratory studies are done according to three methods:

- An overview of existing applicable literature;
- Surveys under people who have practical experience about the phenomenon, and;
- The analysis of insight-stimulating examples.

All three methods have been used in this study. The first one has already been discussed under literature. In terms of surveys under people with practical experience, the researcher has spent a period of one month with practitioners of the Federal Bureau of Prisons in the United States of America. Furthermore, prisons in The Netherlands, Germany, Switzerland and Austria have been visited. A state-of-the-art prison in terms of architectural design has also been visited in Malmesbury, South Africa. Architecture can be described as one of the critical success factors for unit management.

During the visit to the United States Federal Bureau of Prisons, Switzerland and The Netherlands, the researcher was afforded the opportunity to analyse numerous insight-stimulating examples of case management, developmental approaches and the practical running of units, among other aspects.

## ● TECHNIQUES

According to Van der Westhuizen (1982:51) the formulation of theory must be regarded as one of the most important duties of the researcher. In formulating a theory, the researcher must ensure that facts are categorised systematically. Bless & Higson-Smith (1995:11) emphasises that there is an important inter-dependency between facts and theory formulation. This investigation will inevitably generate a great deal of theory. The test for the researcher is nestled in the fact that valid predictions are made from the

formulated theory (Van der Westhuizen 1982:51).

The verbal-scientific descriptive technique (Van der Westhuizen 1982:12) will be used to ensure that the phenomenon is described in a scientifically accurate manner. In doing so, it is confirmed that the study project will be done in written format according to the prerequisites of the tertiary institution involved. Where statistics are mentioned, it will be done according to the statistical descriptive technique. The latter is closely linked to the explanation technique, but as this is not an explanatory study, the technique will only be used to place the causality in context.

## **1.8 PROBLEMS DURING THE INVESTIGATION**

Before the study of the literature commenced it was evident that very little research had been done on unit management. This was not only the case in South Africa, but epitomised the approach to unit management in many other parts of the world. Very few sources address unit management as an entity. Apart from one source from the United States of America and one from Australia, different important generic aspects linked to the concept of unit management have been addressed separately. This barrier urged the investigator to generate what can be described as “the first complete text on unit management.” This statement must immediately be qualified in that no one text can be complete. The completeness of the text is therefore qualified against the background of the demarcation of this particular study.

The study necessitated a very expensive investigation. The main reason for this is the absence of the phenomenon of unit management in South Africa, which forced the researcher to travel abroad to observe its implementation in practice. In this regard the importance of the study was ignored, or at least minimised by the Human Sciences Research Council. A request for funding to do research abroad was refused on the grounds that the researcher failed to prove connection to a former disadvantaged community. Because of this refusal, sufficient funds were not available to visit a very important role player in unit management in prisons, namely Australia. The investigator made use of all the available channels and resources to undertake visits abroad. This include grants from overseas institutions like the Max Planck Institute for Foreign and International Criminal Law in Freiburg, Germany, Technikon SA, UNISA and the

Human Sciences Research Council who only funded the investigation as such.

Although the investigator has a basic knowledge of German, visits to German and Austrian prisons was impeded by the language gap. Literature from these countries also took much longer to study. English is a language widely spoken in the German countries, but the regimes in the mentioned countries are more relaxed and expressive in their mother tongue.

One of the major problems during the investigation is the way in which unit management was implemented at the Malmesbury Prison, which opened after this study commenced. Traditional staff members were re-employed at Malmesbury without retraining. The implementation of unit management was also hampered by the fact that workshops and assessment procedures were not in place when the prison was opened. As far as the workshops are concerned, the situation was unchanged at the end of this study. The shift in emphasis from the traditional to the new generation prison therefore failed from the start. One only hopes that re-engineering will be possible to keep the Malmesbury Prison on track in terms of unit management.

A further stumbling block to the study was the absence of literature about case management. It also appears that there are multiple meanings connected with the concept. In Canada, case management is a process, while some American states refer to it as the management of a person (case). In other literature, a combination comes to the fore.

However, the investigation was not hampered significantly by the mentioned problems and it was possible to overcome stumbling blocks and complete the study.

## **1.9 CONCLUSION**

The nature of this study does not allow for establishing techniques of control. The investigator will therefore only act as an observer in a literacy and practical context. It is not the purpose of this study to be prescriptive to any organisation, body or institution. It is, however, very important for role players in criminal justice in general, and corrections in particular, to take note of the contents of the study, as it will make an important

contribution to the field of study.

The phenomenon under discussion can also be of great importance for the African Renaissance, as it has the potential to be implemented in other African countries. Even if only some parts of the study are implemented, it could make an enormous difference to existing prison regimes. The concept of unit management need not be implemented to its full extent to make a difference to prison regimes.

In the following chapters many different concepts, only some of which have been clarified, will be unlocked to give rise to a document with implementation value to all those who have the interests of public safety and humanity at heart. Particular emphasis will be placed on philosophical approaches, theoretical frameworks, architecture and direct supervision by means of interactive approaches to custody.

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## **CHAPTER 2: PHILOSOPHICAL FOUNDATIONS AND THEORETICAL FRAMEWORKS APPLICABLE TO UNIT MANAGEMENT IN PRISONS**

### **2.1 INTRODUCTION**

Imprisonment as a form of punishment in its own right has developed over the last 200 years and is a relatively new phenomenon (Coyle 1994:2). As a punitive measure, the use of imprisonment has gained popularity during the 20<sup>th</sup> century. However, the use of alternatives to imprisonment, also called non-custodial punishments, have become a serious consideration amongst sentence reformers over the last two decades. The fact of the matter is, however, that imprisonment is taken as the paradigm of punishment.

According to Cavadino and Dignan (1992:42) imprisonment is seen as the presumptively appropriate punishment for most offences. The use of imprisonment has been perceived as the “penal crisis” in both the United Kingdom and the United States of America (Duff et al, 1994:8). This is also the case in countries like France (Wicks & Cooper 1979:61) and Australia (Grant 1992:vi). To a large extent, overcrowding, violence in prisons and inadequate management spearheaded the penal crisis (Coyle 1994:3). Stern (Junger-Tas 1996:1) describes prison overcrowding as one of the social ills of the world that is found in all continents and in all regions. According to Duff (1994:8) imprisonment is the most dramatically coercive form of sentence typically imposed by the state. Mass incarceration is described as a sin against the future (Junger-Tas 1996:1).

In terms of control, inadequate treatment efforts and inhumane detention because of overcrowding in prisons, South Africa has reached its own penal crisis. Usually these crises manifest in prison unrest and disorder, normally with the sole aim to achieve decent prison conditions (King & Morgan 1980:143). Prisons in South Africa are overcrowded to such an extent that it leads to insufficient control over prisoners and a rise in incidents in which human rights are violated. According to the Office of Corrections in Victoria (1990:20) history has taught that prisons that keep on punishing or those that lack discipline and control fail to reform people convicted of crime. Development programmes to combat recidivism are reduced to the level of non-existence in a number of prisons. The increasing crime rate in South Africa does not make things

easier. According to Coetzee (1995:1) “the fight to control crime is strongest in the last stage of the criminal justice system, namely the prison. It is there that the greatest effort is being made to keep the criminal in safe custody and, hopefully, release him with other insights at a later stage”. This “fight” results in the need to regain control in prisons, to encourage the recognition and upholding of human rights and to increase the efforts to reduce recidivism.

Against the background of greater emphasis on human rights, visible and working treatment and development programmes and greater efforts to reduce recidivism in a country where crime is a growing business, the time has arrived to look into alternatives to existing forms of prison management in South Africa. Alternatives, however, are not enough. Together with the transition to the new democracy, corrections in South Africa has lost direction to a large extent, mainly because of a lack of training to cope with change. There seems to be little control in prisons and credibility is lost, not only in public opinion, but also in the approach of members to their daily duties. The general increase in escapes up to 1997 in South Africa is proof of this. Safety and risk are public concerns. There is an urgent need for corrections in South Africa to be proactive in what needs to be done.

## **2.2 CONTROL, HUMAN RIGHTS, DEVELOPMENT AND RECIDIVISM**

### **● CONTROL**

Mankind is a social animal. The community wants to live peacefully and is disrupted by efforts to disturb the peace. The public wants to be protected. The same argument is applicable to prisons. Prisons are social institutions and are referred to as closed communities (Sparks et al 1996:32). These communities need their own protection, order and control.

Prisons are subjected to violent conflict between the keepers and the kept on the one hand and amongst the captives themselves on the other hand. According to Sykes (1958:127) order in prisons is a negotiated one. Personnel have much less power than is pretended and prisoners have a lot more. In exchange for maximum freedom within the prison boundaries, prisoners will refrain from giving problems that can disturb the order inside a

prison and hinder control. It is necessary to explore to what extent a stable and orderly form of life is achievable under conditions of detention in prison. In addition, if order is disturbed, what mechanisms exist to restore it? The Office of Corrections in Victoria (1990:20) is of the opinion that good discipline is essential if prisons are to work effectively.

In an attempt to maintain order in nineteenth century Britain, the United States and other countries, they tried simply to keep prisoners completely separate from one another so that they could not foment disturbances. Human beings are however, made for social interaction and in the past century, prison officials have opted for at least a degree of shared association (Sparks et al 1996:1).

One of the main functions of any prison administration is to maintain order within prisons. The concept of order varies significantly from one prison system to another and even from one prison to another within the same system. Imprisonment puts restrictions on the liberty of prisoners, but it also reduces their responsibilities. In addition they do not have to face the victim or the public. Prisoners are responsible for their criminal acts. They have to comply with legally enforceable prison standards, which include order and control in prisons. The prison system itself should enhance control in the prison.

## ● HUMAN RIGHTS

There is a worldwide growing emphasis on the recognition of human rights. These rights are protected by constitutions and South Africa is also in the position where the rights of people deprived of their liberty in the form of detention are described in the new constitution. The fundamental rights of each citizen also apply to prisoners. In addition, prisoners are protected from cruel and inhumane punishment (Fisher et al 1987:100).

International prison reform movements started as early as 1872 in London, with the aim of drawing up international standards for the humane treatment of detainees and prisoners (Strydom et al 1997:119). The first real result of efforts to protect human rights emerged on 3 September 1955 with the adoption of the Standard Minimum Rules for the Treatment of Prisoners by the United Nations. The United Nations, in an effort to improve prison conditions continually revises the Standard Minimum Rules. The purpose of the Rules is stated in Rule 1:

“The following rules are not intended to describe in detail a model system of penal institutions. They seek only, on the basis of **the general consensus of contemporary thought** and the essential elements of the **most adequate systems of today**, to set out what is **generally accepted as being good principle and practice** in the treatment of prisoners and the management of institutions.”

Although human rights are still negated in a large number of countries, there is a new emphasis on this issue in South Africa. As part of the transformation process in a new political dispensation, the human rights of prisoners in South Africa can no longer be ignored.

### ● DEVELOPMENT AND RECIDIVISM

Virtually every prisoner will be released back into the community. It is here where the question of recidivism arises. What contribution will the prison have made to the success or failure of the prisoner after his or her release? Despite the constraints of imprisonment, prisoners must be provided with the best possible opportunity to become law-abiding members of society. Development plays an important role in this regard. By developing the prisoner, it is possible to place the person in a position to be self-sufficient after release from prison.

It is important to manage the prisoner's time during the sentence. A very important factor, but unfortunately a neglected one, is measuring of the risk of recidivism. An analysis should be made of criminal tendencies and behaviour on release and other projects. Aspects such as the seriousness of the offence, time between offences and an increase in the seriousness of offences should be considered for this purpose.

In addition, an analysis of factors such as employment history, community functioning, marital and family relationships, social interaction, personal orientation, alcohol or other substance abuse and general attitude could help determine the risk of recidivism. Related variables such as institutional adjustment, escape risk and treatment programme participation could play a further role in determining whether the prisoner is at risk of re-offending soon after release. The bottom line is that it must be a goal to change the behaviour of an offender to such an extent that the particular offender does not become another recidivism statistic.

### 2.3 TRADITIONAL MANAGEMENT IN PRISONS

The first signs of management over prisoners dates back to the Biblical times of Moses (The Bible 1984:88) where the Jewish people were kept against their will by the Egyptians. Although the Egyptian leaders as an organisation, designed to serve their community and taxpayers, managed their prisoners well and achieved a great deal, they practically were responsible for the creation of the informal prisoner organisation. The latter is a common phenomenon in prisons today. Moses became the official leader of this informal prisoner organisation when he led a disorganised trek through the Red Sea. Probably Moses became the first unit manager of note himself when he appointed leaders over groups of thousands, hundreds, fifties and tens. Moses was therefore responsible for the creation of an organisation that assisted people in attaining their mission. The created structures improved communication and created manageable units. These manageable units seem to be the first known evidence of the concept of unit management.

Management science was a slow developer with primitive structures such as tribes, clans, villages and churches. The tribal hierarchy in South Africa and other African countries is proof of this statement, even today. According to Certo (1985:27) continued efforts to develop the science of management resulted in the development of the Classical School of Management. From here the history of management developed at a rapid pace and several pioneers contributed to the science. Perhaps Henri Fayol (1899) can be seen as the greatest contributor to a valuable theory for prison management with his "Administration industrielle et generale". According to Pugh (1984:135) the general principles of management as outlined by Fayol are still considered important today. This statement is emphasised by Certo (1985:34) who describes Fayol as the father of administrative theory. The general principles of management are present in the daily running of prisons throughout the world. The 14 principles are summarised below:

1. Division of work is aimed at producing more and better work with the same effort. Specialisation promotes accuracy, skill and confidence.
2. Responsibility and authority are seen as two sides of the same coin. Responsibility means accountability and authority is the right to give orders and the power to exact obedience.

3. Discipline is essential in the normal running of any organisation.
4. Unity of command entails receiving orders from only one person, as dual command is a source of conflict.
5. Unity of direction is necessary. This means that a group of activities must have the same objective.
6. Individual interests are subordinate to general interests. The interests of the organisation as a whole should have a higher priority.
7. Remuneration of personnel should be fair in comparison with services rendered, cost of living and general business conditions.
8. Centralisation and decentralisation must be decided in terms of highest productivity.
9. The chain of supervision should work from top to bottom, with each higher level having more authority.
10. There must be a social order and a material order. There must be an appointed place for every person and item in the organisation.
11. Employees should be treated fairly and equally.
12. High stability and low staff turnover must be achieved. The retention of good personnel should be a high priority for a manager.
13. Personnel should be given the freedom to initiate, propose and execute ideas.
14. Management should promote an Esprit de Corps and prevent dissension among subordinates.

The first signs of traditional management in prisons date back to 1773 and originated from the John Howard era. According to Craig & Rausch (1994:91) John Howard is known as the “Father of the Penitentiary”. Although it has been defined in various ways since the days of Howard, a penitentiary is an institution intended to isolate prisoners from society and from each other so that they may undergo reformation. In the third section of the legendary “The States of the Prisons: Proposed Improvements in the Structure and Management of Prisons,” John Howard advised that prisons be built close to rivers or brooks for fresh air and with enough rooms for each prisoner to sleep in his own cell. Concerning personnel, Howard wrote that a jailer must be honest, active and humane. Ironically, a prophet is never honoured in his own country. In England, Howard’s ideals were ignored more than they were implemented. The philosophical perception of the Father of the Penitentiary would be turned into brick and mortar in America. It is significant that Howard mentioned both the term **management** and

**structure** in his writings in 1777.

The effective management of correctional organisations requires a thorough knowledge of many areas such as the criminal justice system of a particular country, criminal behaviour, policy, budget preparation, use of groups, leadership, planning, motivation and decision making. Although management principles are universal, the correctional manager cannot be unidimensional. Houston (1995:1) emphasises the confusion between management of the organisation and inmate management.

Corrections in South Africa have always been operated along the lines of management of the organisation with little attention being paid to the prisoner as a human being. In addition, conditions of overcrowding, gangsterism, poorly trained personnel and low job satisfaction are all reasons for the escalation of the problem of maintaining order in South African prisons. In some maximum prisons, between three and ten members have to control three hundred prisoners at a time. The use of dormitories designed to house 30 prisoners for housing between 40 to 50 prisoners contributes to the negation of the human rights of prisoners. A rising escape rate poses a huge threat in terms of security and effective custody. The current management of prisons in South Africa has to change, according to the Minister of Correctional Services. Order has to be restored, but above all, the humane treatment and management of the prisoner must be conducted in a professional way.

It was pointed out in chapter one that this study will concentrate on unit management in prisons. It is therefore essential to have an understanding of the philosophy and theory applicable to unit management. The latter will form the basis for further discussions in this chapter.

#### **2.4 UNIT MANAGEMENT DEFINED**

The concept of unit management may be defined in as many ways as there are institutions that have implemented the concept. Houston (1995:84) mentions that unit management is not a programme, but it is a more effective way to manage programmes. According to Houston (1995:84), decentralised management is the heart of unit management. According to Boin (1998:5) efficiency is served by the decentralisation. It is argued that

administrative systems are better off delegating as much decision-making power as possible to lower levels in order to tap the expertise of implementers and to endow them with flexibility. In a New World the decentralisation of decision-making fits modern conceptions of democracy in the institution. It is also thought that employees perform better when they are allowed to make more decisions themselves, which goes along with personal responsibility for a specific task. Good managers determine good management. Unit management provides a framework for good management; it cannot make good managers.

Under unit management, a correctional centre is broken down into defined units, which will be served by multidisciplinary teams under control of a unit manager. Biles (1988:12) states that unit management involves the division of the prisoner population in the prison into smaller groups of around 50 and the management of these groups on a decentralised semi-autonomous basis. Prisoners are assigned to specific living units. According to the United States Bureau of Prisons (1977:6), a living unit is a small, self contained, inmate living and staff office area that operates together within the larger institution. Each unit operates as a self-contained prisoner living area and it facilitates devolution of responsibility for decision making in relation to everyday prisoner management. It also allows and provides for closer and more constructive interaction between prison officials and prisoners.

In many ways, unit management is a shift from a depersonalised approach to prison management towards an active, direct and vital style. The key to successful unit management lies in the skill of the users. Webster (1991:38) indicates that direct supervision must be seen as the cornerstone of unit management. This aspect is also emphasised by Zupan (1991:105), who sees direct supervision and architecture as the two critical components of unit management as a philosophy. According to Bayens et al (American Jails 1997:32) unit management is a philosophy of both design and management. It attempts to utilise the physical plant to improve the ability of personnel to manage the inmate population. Both these aspects will be discussed in more detail in separate chapters.



## **2.5 DEVELOPMENT OF UNIT MANAGEMENT IN PRISONS**

In 1777 the great English prison reformer, John Howard published "The State of the Prisons", after surveying the prisons in practically every European country. In this work Howard urged for separation of prisoners. He preferred that prisoners should sleep alone and be kept separated at all times (Teeters & Shearer 1957:11-12). Howard, however, did not originate the concept of solitary confinement, but admitted that he was impressed by such a practice carried out on a limited scale in Holland, Switzerland and the Hospice of San Michele in Rome, Italy (Teeters & Shearer 1957:12). On account of the writings of John Howard, Sir William Blackstone and Sir William Eden of England drafted and submitted to Parliament the Penitentiary Act, which was passed in 1779. This act permitted solitary confinement in England. However, financial difficulties resulting from England's war with the American colonies made construction of the mentioned penitentiaries in England impossible (Teeters & Shearer 1957:14).

In America, the Act of April 5, 1790 stipulated solitary confinement for "the more hardened and atrocious offenders". That marks the legal origin of what has become known as the Pennsylvania System of prison discipline. This act directed the erection of the first cells to keep only one prisoner at a time. The three-storied cell house, with each cell measuring six feet in width, eight feet in length and nine feet in height, became the first penitentiary in the State of Pennsylvania and is referred to as the first penitentiary in the world for housing convicted offenders (Teeters & Shearer 1957:10). The erection of the Prison at Philadelphia epitomised one of the most unique philosophies of penal treatment ever conceived by man, namely separate confinement where prisoners work, sleep and eat alone. Because of the cherry orchard that was once on the site of the Philadelphia Prison, it soon became known as Cherry Hill. It was only, however, on October 25, 1829, that the eighteen-year-old Charles Williams, convicted of larceny, became prisoner number one at Cherry Hill. Seen as a "model prison", Cherry Hill made penological history until 1913 (Teeters & Shearer 1957:3, 5).

Although separate confinement had its roots in Europe (Teeters & Shearer 1957:5), the erection of Cherry Hill triggered the widespread use of long-term imprisonment in the United States with the development of two types of solitary confinement systems, namely the Pennsylvania and the Auburn systems. Under the Pennsylvania system, inmates were completely isolated from one another and even cells were arranged in such a way as to

preclude eye contact. Under the Auburn system, prisoners were allowed to eat and work together during the day but were housed in individual cells at night. They were, however, completely forbidden from both verbal and non-verbal communication (Posner 1991:1).

Although the Pennsylvania system was used first in America, it would become the preferred approach in Europe, South America and Asia. The Auburn model would become the system upon which most prisons in the United States and Canada would be modelled initially (Griffiths, Klein & Verdun-Jones 1981:21).

The history of **unit management** as such goes back to the late 1950's when the concept was discussed between the assistant director for Correctional Services in the American Federal Bureau of Prisons, Roy Gerard, assistant director for correctional programmes and James Houston, the deputy of Roy Gerard (Houston 1995:83). "You are ruining the Bureau of Prisons," the assistant director said. These words were the beginning of a loud discussion every Monday morning on what has come to be known as unit management (Houston 1995:84). The most complete realisation of unit management however began in 1961 with the National Training School for Boys in Washington, DC where inmates have been housed in single living units.

It was not until 1968 that the founder of the idea of unit management, Roy Gerard, became the first warden of an institution designed around the unit management concept, the Robert F. Kennedy Youth Centre in Morgantown, West Virginia. Everything from architecture to management approach differed from typical prisons. In 1970 Roy Gerard became assistant director in the American Federal Bureau of Prisons. Before then unit management was only implemented by a few wardens who believed that it was a better way to run prisons. According to Houston (1995:85) unit management was seen as "OK for the kiddies' joint". Unit management was officially introduced into federal penitentiaries in 1976. A central office was established to develop a national unit management policy.

Although there is evidence of solitary confinement in the early Europe and America (Teeters & Shearer 1957:5), and prisoners were kept in separate windowless cells of a minimal size before 1940 in Canada (Griffiths, Klein & Verdun-Jones 1981:1), it is clear that unit management as such originated in the United States of America. Australia, a

country on the cutting edge as far as unit management is concerned, partially implemented the approach in 1982 with the commissioning of Canning Vale Prison in Western Australia (Biles 1988:10). According to Grant (1992:117) a process to develop a single model of unit management in New South Wales was finally put into place during 1991, after the Parklea Prison, designed for unit management, was commissioned in 1983.

It is quite clear that the turbulent 1970's forced many of the prison systems in the world to reflect on their management styles and administrative procedures. On the basis of earlier experiments, the United States Federal Bureau of Prisons began to adopt the unit management approach with the soul purpose to regain full control of its system. Since then other systems have followed suit. Today, the world's most successful prison systems - the US Federal Bureau, Canada, the Dutch and the Swedish prison systems - apply unit management in all their prisons.

## **2.6 ADVANTAGES OF UNIT MANAGEMENT**

Since the origin of unit management, a number of advantages arose from the concept. It needs to be mentioned that some advantages may vanish with time, or can even become disadvantages. For the completeness of this study, the known advantages will be discussed so as to ensure a complete theoretical framework from which unit management can be investigated.

Unit management is an approach by which personnel are empowered to take as much responsibility as they wish. This results in commitment from the staff and it enhances the advantages of unit management. Unit management makes achievements visible which enables unit managers to recognise good work by subordinates. Recognition again leads to advancement. Personnel share decision-making and participate in the policy process. Staff feel that they are involved in the total functioning of the institution and the work itself is considered more satisfying (Houston 1995:260).

It has already been mentioned that unit management relies heavily on a multidisciplinary approach. This multidisciplinary nature of unit management improves communication between staff and inmates as well as management and subordinates. It allows for

discussion while making organisational classification decisions. The prisoners in a unit develop a common identity and close association with each other and their unit personnel. Unit management also divides the large number of inmates in an institution into small, well-defined and manageable groups (Houston 1995:260).

In practice unit management increases the frequency of contacts between personnel and inmates. This results in more intensified relationships. Houston (1995:260) is of the opinion that the following are positive outcomes of more intensified relations:

- Better communication and understanding between individuals;
- More individualised classification and programme planning;
- More valuable programme reviews and programme adjustments;
- Better observation of inmates, enabling early detection of problems before they reach critical proportions;
- Development of common goals that encourage positive unit cohesiveness, and;
- A more positive working and living environment for personnel and inmates.

The quality and swiftness of decision making is increased, because decisions are made by unit staff who are closely associated with the inmates. These personnel are familiar with the background, problems, aspirations and needs of the inmates. This results in increased programme flexibility and changes to programmes in the unit without affecting the whole institution. The documentation of incidents enhances focused interaction with inmates.

From a security point of view, unit management allows for better integration of security and programmes. There is a greater reliance on dynamic security, involving the use of professional and interpersonal skills by personnel. Unit management results in the reduction of conflict and aggression and enhances a safer and less stressful environment for both personnel and inmates. A high level of involvement in the daily activities of inmates provides personnel with a platform for good control based on understanding, action and the setting of high standards (Department of Correctional Services, undated: 2-3).

A key advantage of unit management is embraced in flexibility. Units can be used for normal custody, to deal with substance abuse or to manage difficult prisoners. Unit

management also enhances a culture of acknowledgement of human rights and dignity in prisons.

## **2.7 DISADVANTAGES OF UNIT MANAGEMENT**

It is not easy to discuss the advantages of a topic without some disadvantages coming to mind. This is also the case with unit management. One should keep in mind that disadvantages could be worked upon to become advantages. Continued evaluation needs to be done in order to determine if a disadvantage at one stage remains a disadvantage in future. As is the case with the discussion of advantages, the idea is to mention those disadvantages that played a role in past research, to ensure a complete study.

According to Houston (1995:260) it is necessary to emphasise at least three disadvantages. These disadvantages of unit management are so important that it can influence decision-makers not to implement the approach.

### **● The cost of unit management**

The implementation and maintenance of unit management is very expensive. According to Houston (1995:260) budgeted costs of institutions that are organised on unit management principles are higher than they are for a traditional prison. It is also argued, however, that many jurisdictions in the United States of America who have adopted unit management, have found that the extra costs are made up in savings on overtime, repairs to damages from disturbances and vandalism and even litigation.

### **● Time and resources to implement unit management**

Lots of resources are needed to implement unit management. It also takes a lot of time and extensive planning to develop and implement the approach. More often than not, new physical plants must be erected, funds must be allocated, needed positions identified, personnel training and education conducted and opponents must be won over. If existing plants can be used, renovations must be completed.

### **● Unit management threatens the established hierarchical order**

Prisons became known as bureaucratic establishments. Many executives and supervisors do not want their position or authority challenged or changed. Unit management is

therefore seen as a threat to their position. Houston (1995: 261) is of the opinion that it is a threat in many ways. Power is redistributed and unit staff members make decisions. Executives and supervisors are stripped of many traditional powers. They need to be able to see the advantages without fear about their role. This approach requires commitment to the organisation as well as a strong sense of personal security.

## **2.8 THE IMPLEMENTATION OF UNIT MANAGEMENT**

When old prison structures are criticised, the critics normally refrain from criticising management systems that seem to be as much a part of the architecture as the concrete and bricks. Traditional management routines may not be a bad thing in itself as they have been very convenient for personnel in general. For added convenience, prison officials also minimise the responsibilities of prisoners by taking decisions on their behalf. Rigid routines do work, as long as control is the only end. In my opinion, however, traditional management of prisons contributes to crime as it makes the prisoner dependent and unfit for survival in a free society. Albeit difficult, long term reduction of recidivism can only be achieved if prisoners are managed in a way that pushes responsibility and self-discipline back onto them. This can only occur in a setting that balances security, control, discipline, safety, health and the immediate needs of a prisoner in a way that reflects the pressures of life outside.

Decisions to implement unit management will result from policy decisions made by the executives of a correctional body. The theme of unit management allows for variation. It is therefore important that each institution and its philosophy must be considered before policy is established and implemented. Implementation of unit management requires a great deal of planning and effort. It is important to give personnel opportunity for inputs of their own in order to facilitate ownership. A special implementation section should be established to co-ordinate and monitor implementation efforts.

According to Gerard (1991: 32-36) unit management should be organised and implemented along ten guidelines:

- The concept must be understood by and have the support of top management;
- Three sets of written guidelines must be available, a policy statement issued by the central office, an institution procedures manual and a plan for each unit;

- Unit managers must be in control of a unit, giving them responsibility for personnel and prisoners assigned to their unit;
- The population size of a unit should be in line with the mission of the unit: general units - 150 to 250 prisoners; special units - 75 to 150 prisoners;
- Prisoners and personnel should be assigned to a unit on a permanent basis, but for at least nine months, and;
- staffing should consist of the following:

Position	General unit	Special unit
Unit manager	1	1
Case manager	2	2
Correctional counsellor	2	2
Secretary	1	1
Mental health	1	1

In addition to the mentioned personnel, there should be twenty-four-hour coverage by correctional officials, together with education, recreation and volunteer personnel. Unit personnel should provide twelve-hour supervision during the week and eight-hour supervision on each day of the weekend. Personnel offices should be located in the unit or as near to it as possible. Unit personnel should receive initial and ongoing formal training concerning their management roles and responsibilities. Audit of the unit should be conducted regularly, but at least once a year.

The successful implementation of unit management also requires the maintenance of high staff efficiency, professionalism, ability, experience and training. For this purpose minimum unit management guidelines should be drawn up. Such a manual should contain the following:

- The prison philosophy;
- The prison routine;
- Standards of discipline and conduct;
- Protocols;
- Staff roles and responsibilities;

- Expectations of staff involvement;
- Staff delegations;
- Important local rules;
- Special local procedures or requirements, and;
- Staff access to resources (Office of Corrections, Victoria 1990:130).

Under unit management, each team is expected to have an agreed set of goals, together with a set of performance standards. Answering the following questions can set goals:

- What are you supposed to achieve?
- How are you supposed to achieve it?
- What new policies are likely to influence or alter the goals of a team?

To obtain maximum co-operation and results the goals you set must be:

- Agreed to;
- Important;
- Productive;
- Practical, and;
- Achievable.

After goals have been set, measures should be taken to determine progress. Performance standards for each goal will facilitate progress until each goal is reached. A performance standard should be able to give the following detail:

- What is to be achieved?
- What the achievement will look like?
- How the achievement will be measured?
- The effect of the achievement, and;
- The value of the achievement (Office of Corrections, Victoria 1990:56).

Other aspects concerning implementation such as direct supervision, programme duties and discipline will be discussed in separate chapters.



## 2.9 THE EFFECTIVENESS AND IMPACT OF UNIT MANAGEMENT

The effectiveness of unit management can be tested according to the systems of management of Likert (1967: 59). These systems of management make provision for four intervals, each of which is related to a different style of management. It can be illustrated as follows:

SYSTEM ONE	SYSTEM TWO	SYSTEM THREE	SYSTEM FOUR
Exploitative Authoritative	Benevolent Authoritative	Consultative	Participative Group

Organisations are investigated. Those that fall to the left of the centre, are indicative of authoritative systems and those that fall to the right of the centre, are indicative of participative systems. Likert (1967: 61) found that the organisations that fell to the left are characterised by low productivity, while those that fall to the right, are the highest-producing organisations. According to Likert (1967: 62) three characteristics appear to explain the success of system four (high producing, participative) management, namely:

- Supportive relationships;
- Group decision making and group methods of supervision, and;
- High performance goals for the organisation.

Houston (1995:262) is of the opinion that unit management is able to deliver on all three of the dimensions mentioned above:

### ● Supportive relationships

According to Skolnick (1966:81) potential danger and the inherent authority of personnel create an urge to be dependent on each other for mutual on-the-job support. Kauffman (1988:67) is of the opinion that some unit managers are very good at developing supportive relationships through staff meetings and other formal unit meetings. Social relations often develop between personnel and it is not unusual for personnel and their families to congregate at one another's homes. Unit management is also a useful vehicle for resolving conflict between personnel by sharing the extra workload when one member is ill or on vacation (Houston 1995:262).

### ● Group decision making and group methods of supervision

Shared decision making is made easy within units which are relatively small, autonomous entities. Case management decisions are made on a daily basis by the unit team and unilateral decisions are rare. The typical unit personnel will include newcomers and experienced people. Collective decision making results in on-the-job training for inexperienced personnel (Houston 1995:262). Given the wide range of specialities in a typical unit, it can function as a self-directed team that is able and competent enough to make rapid decisions.

### ● High performance goals

Unit staff comprise a pre-existing work group that naturally focuses on problems and quality of service in the living unit. This collective power of unit personnel is so great that they need a little leadership. In many cases the function of the unit manager is reduced to listening only. Houston (1995: 263) feels that unit personnel automatically establish high performance goals and pursue those goals.

Ray Rowe made according to Houston (1995: 263) the earliest efforts to determine the impact of unit management. The United States Bureau of Prisons conducted further research. It is said that the impact of unit management in prisons has been outstanding in some instances and less spectacular in others. Generally, in those institutions where unit management has been implemented, it has been found that few areas are unaffected by its use. The Ohio Department of Correctional Services in the United States of America completed the most recent evaluation of unit management in 1991. Interviews have been conducted at twenty of the twenty-two institutions in the Department. The evaluation report concludes:

*“We have found unit management to be both an effective and efficient means of addressing the concerns of managing an expanding inmate population while remaining sensitive to community expectations and the responsibilities we share with our legal system. Since the transition to unit management, we have observed a marked improvement in the overall operation of our institutions.”*

Although improvements were found on a variety of areas, conclusions were reached about security, safety and administrative efficiency (Houston 1995: 264-265).

## ● **Security**

- Escapes dropped from 3.04 per 1000 prisoners in 1981 to 0.25 per 1000 in 1991;
- Inmates are held more responsible for behaviour and programme involvement;
- Unit management has provided a means for early detection of problems, and;
- All staff members became more knowledgeable of security policies and procedures.

## ● **Safety**

- The number of reported inmate on inmate assaults increased (most such attacks went undetected in the past), and;
- Prisoner assault on personnel dropped from 396 in 1986 to 153 in 1990.

## ● **Administrative efficiency**

- Unit staff manage day-to-day operations, resulting in executives being more visible and accessible to personnel, while they were more able to devote more time to strategic planning;
- The experience and knowledge of all personnel is broadened because of exposure to all facets of institutional operations resulting from the team approach;
- Differences between custody and treatment have been reduced or rendered non-existent;
- Lines of communication are clear and line staff are more aware of the expectations of management;
- The needs and concerns of inmates are addressed swiftly, and;
- The multidisciplinary team approach has improved the delivery of correctional services.

According to Rowe (Houston 1995:263) inmate assault on other inmates decreased dramatically after the implementation of unit management in adult prisons in America. Assaults are more likely to be reported or observed in functional units. The reason for this is better inmate-staff rapport and better surveillance. Rowe also found that institutions showed a significant reduction in overtime pay after the implementation of unit management, because of a reduction in disturbances.

The impact of unit management is underlined by results of research conducted by the United States Federal Bureau of Prisons at the Federal Correctional Institution in Milan, Michigan. Research was conducted both before and after the implementation of unit management. The following aspects needs mentioning:

- The number of inmates who reported increased contact with personnel rose from 40% to 67%;
- The number of prisoners who believed staff contact is important rose from 26% to 45%;
- Before the implementation of unit management 18% of prisoners felt that counselling programmes were of value, and after implementing unit management the figure rose to 34%;
- Prisoners believed that living conditions improved and that they were getting help in preparation for future employment;
- Furlough policy was liberalised and the number of prisoners who escape while on furlough decreased from 2.3% to 1.7%;
- The number of personnel who felt they were involved in decision making rose from 31% to 42%;
- Personnel who perceived increased order rose from 48% to 65%;
- Personnel's believe that they serve as a role model for prisoners rose from 23% to 37%, and;
- Compared with 55% previously, 68% of personnel believed there was active involvement with the outside community.

## **2.10 UNIT MANAGEMENT AND TOTAL QUALITY MANAGEMENT**

Effective prison management demands professional levels of management. That in turn demands professional levels of accountability. Unit management is based on the team approach; therefore quality management starts with the selection of personnel for a unit. Unit management requires that officials be able to perform a more complex managerial role than in the past. Human, interpersonal and intellectual qualities are considered of paramount importance. According to the Victoria Office of Corrections (1990:131) personnel appointed to units should possess qualities mentioned below:

- Self-confidence;

- Enthusiasm;
- Good leadership qualities;
- Demonstrated maturity and judgement;
- High levels of motivation and self-discipline;
- A consistent, firm and fair approach to prisoner discipline;
- Highly analytical skills;
- Flexible and tolerant attitudes;
- Good oral communication and listening skills;
- Good written communication skills, and;
- A quick learning ability.

Houston (1995:267) also explains the importance of quality management in unit management against the background of the team approach. The following are described as major contributors to quality in a correctional setting:

- Training must be provided to all management team leaders and team members;
- Teams solve problems and are included in implementing solutions;
- Teamwork is encouraged and modelled;
- Recognition is provided;
- Teams work on problems from their area of expertise, and;
- Management is responsive to teams and provides support.

## **2.11 THE STRUCTURED DAY**

Zupan (1991:73) claims that architecture and direct supervision are the two determinators for the successful implementation of a new generation philosophy in prison environments. This philosophy became known as unit management. If a third determinator must be decided on, it will most definitely be the structured day, which forms the backbone for effective case management. The structured day is closely linked to the goals and performance standards of a unit. Any schedule is decided on in consultation with the prisoner when classification takes place. It allows unit personnel to maintain close watch over the activities of the prisoner. After the completion of one segment of the programme, another activity can be inserted into the vacant time slot

(Houston 1995:266).

Although many adaptable options are available for individual needs of prisoners, the following prototype illustrates what a structured day could look like:

07:00-08:00	Breakfast
08:00-10:00	Work (industries)
10:00-12:00	Work (industries)
12:00-13:00	Lunch (cell time)
13:00-15:00	School
15:00-16:30	Group Counselling
16:30-18:00	Count, cell time, supper
18:00-19:30	Group counselling
19:30-21:00	Self-help group (tutoring, etc.)

## 2.12 CONCLUSION

It is quite clear that corrections in South Africa and indeed the world are pushed over the edge as far as aspects that do not work are concerned. There need to be alternatives to the way offenders are imprisoned. With problems such as a lack of control in prisons, rising recidivism, overpopulation and a lack in treatment results, the time is right to alter the current system. South Africa is on the brink of a number of new developments. This also demands changes in the criminal justice system, and more specifically the prison system.

Unit management has proved to be a viable option to normal incarceration. This results into clear thinking as to implementing this philosophy in a country where a fine nuance must be found between Africanised and the Western approach to imprisonment of offenders. The time for the implementation of unit management has arrived in numerous countries in the world. South Africa cannot afford to stay behind in this regard. The recognition of human rights can no longer be negated in a country which is working hard at proving that it is staying abreast with the rest of the world. In this regard, and against the background of a growing crime problem, South Africa has to maximise the options that are offered by the unit management approach.



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## **CHAPTER 3: THE CRIMINAL JUSTICE SYSTEM AND ORGANISATIONAL STRUCTURE OF CORRECTIONS**

### **3.1 INTRODUCTION**

To gain a real understanding of criminal justice, one is obliged to study the criminal law and constitutional law of a country, the criminal justice agencies like the police, courts and corrections, and what happens to the accused from the time of arrest to disposal of the case. Comparative criminal justice studies are normally influenced by factors such as religion, custom and tradition, historical experiences such as war, ethnic and racial conflicts, economy and political organisation (Ebbe 1996:1). In spite of these influences, studies in international criminal justice normally focus on criminal law, criminal procedure and penology, without taking these factors into consideration.

By studying international criminal justice systems, one can learn more about the international character of the modern crime scene and, of particular interest for this study, the varied social control mechanisms of nations in the field to crime. From a theoretical point of view, discussions in this chapter will focus on the position of corrections within the broad criminal justice system in selected countries round the globe. Emphasis will also be placed on the organisational structure of corrections in the different countries. All the countries under discussion operate prisons along the lines of unit management.

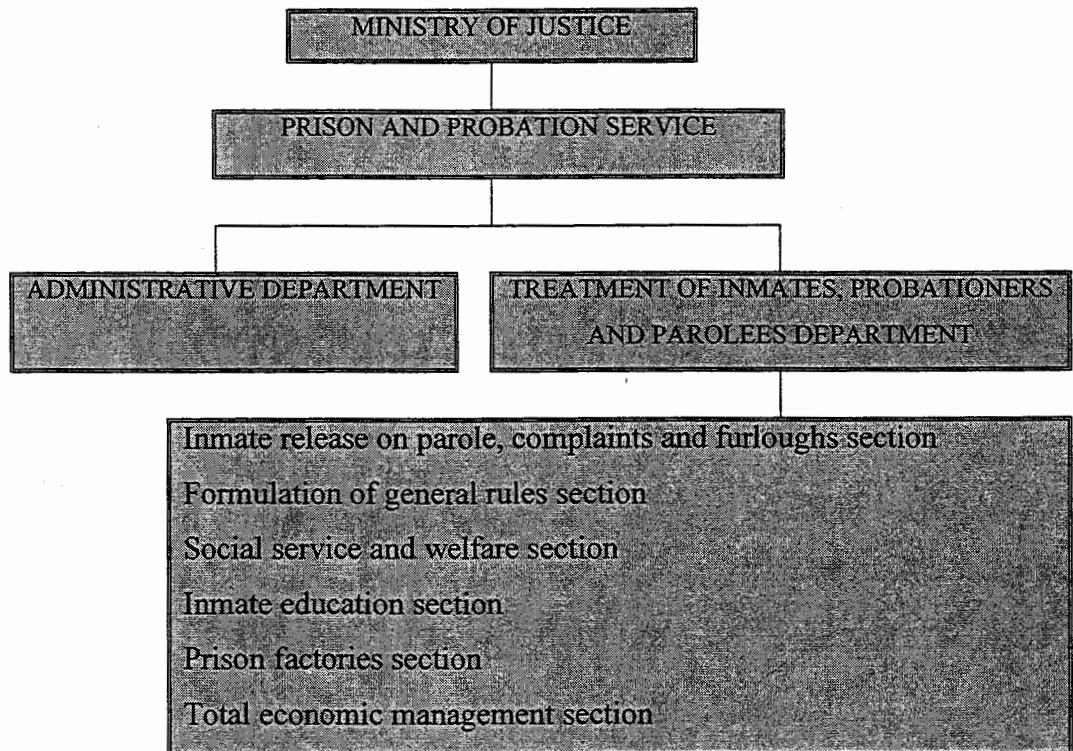
### **3.2 EUROPE**

Europe is compiled of a number of states, some smaller and some larger, playing host to some 18 independent countries. Each of these countries has its own criminal justice system. For the purposes of this study the criminal justice systems, and more specifically the place of corrections in the countries of Denmark, Germany and The Netherlands will be discussed in more detail.

#### **● DENMARK**

According to Greve et al (1984:3) the Danish Prison and Probation Service (Direktoratet for Kriminalforsorgen) forms a directorate under control of the Ministry of Justice. This department is the agency responsible for the enforcement of all criminal sanctions in

Denmark. An administrative department deals with daily administration and a department concerned with the treatment of prisoners, probationers and parolees is responsible for prison and probation services, treatment programmes, research, statistics and international co-operation in the field of criminal policy. The hierarchical structure can be set out as follows:



There are 14 prisons (5 maximum and 9 minimum) and 36 local jails with a total capacity of 3 597 prisoners in Denmark. Most sanctions are fines, suspended sentences, lenient and ordinary imprisonment, day fines related to the income of the offender and restitution. Two percent of all sentences are ordinary imprisonment for two years and longer. There are 68 prisoners per 100 000 of the population (Ebbe 1996:59).

## ● GERMANY

The correctional system of Germany is regulated by a central Act, namely the Act Concerning the Execution of Prison Sentences and Measures of Rehabilitation and Prevention Involving Deprivation of Liberty, 1976 (Kurian 1989:145). Prisons are, however, under the control of the 16 länder (provinces). The 16 ministries of justice administer control. According to the Prison Act 1977 judges are appointed to control treatment of prisoners and to hear the complaints of prisoners. The act was designed to introduce reform in the nature of imprisonment that was seen as violating human rights

(Ruggiero, Ryan & Sim 1995:133).

The German prison system makes provision for a variety of institutions including prisons for convicted offenders, those for remand prisoners, places for juveniles and institutions providing support for offenders under non-custodial alternatives. According to Messner and Ruggiero (Ruggiero, Ryan & Sim 1995:133) there were 194 prisons in Germany in 1992, of which 151 were defined as closed prisons, 22 as open prisons and 21 as prisons for juveniles. All prisons are run by the state.

### ● THE NETHERLANDS

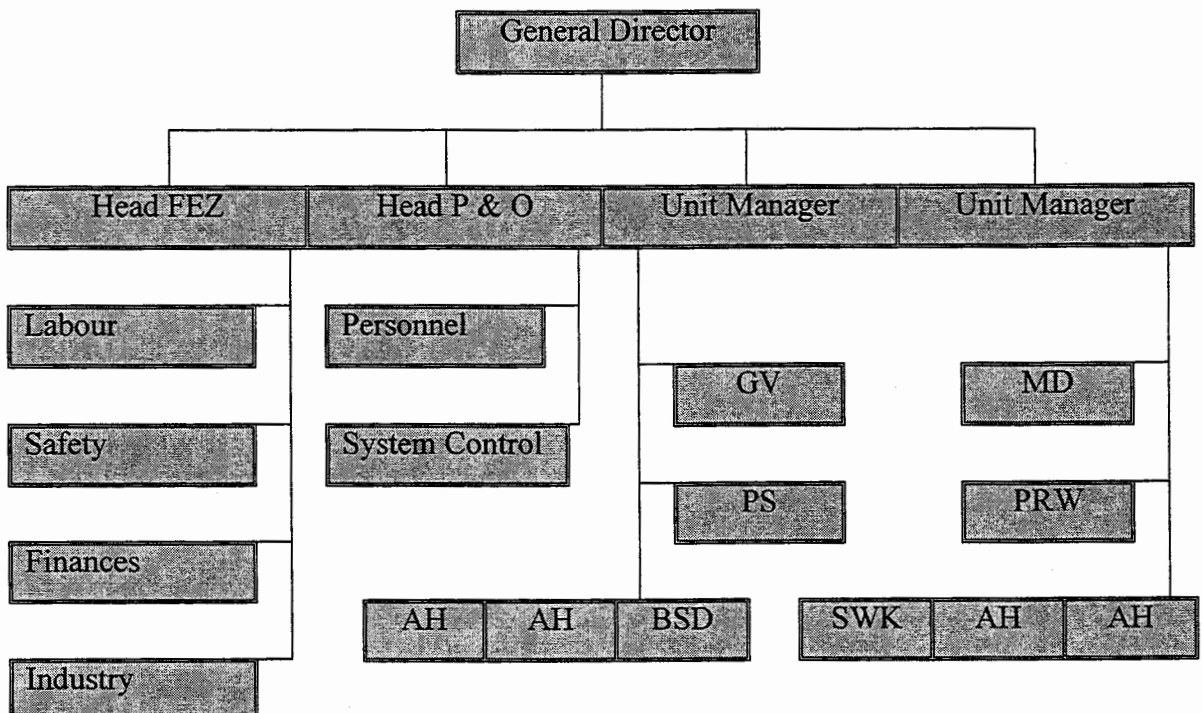
According to Van Swaaningen and De Jonge (Ruggiero, Ryan & Sim 1995:25-26) Dutch penal policy has been seen as humane and moderate and, therefore generated a lot of international interest and respect. The management of the prison system in The Netherlands is executed under limited central authority of the Ministry of Justice in The Hague and the Minister of Justice is politically accountable for the penal institutions. Although the Dutch Code of Criminal Procedure determines that the court must decide where prisoners on remand must be detained, the Ministry of Justice operates a computerised cell-allotment system.

Prison governors, under instructions from the central administration in the capital, are responsible for the daily administration of prisons. These instructions are applied with personal discretion within a decentralised process. Governors have the autonomy to decide how the allotted budget of the prison is to be spent. Nearly all services can be carried out by private enterprise. Beyens (1992:54) is of the opinion that Dutch prisons will systematically be transformed into companies themselves.

The Netherlands is in process of expanding their prison capacity to allow for a rate of imprisonment of 80 per 100 000 of the 15.4 million population. On 1 June 1994 the rate of imprisonment was 55 per 100 000 of the population. The prison system consists of at least 96 different penal institutions. This number does not include facilities such as police lock-ups, prisons for juveniles and mental institutions. Prison capacity on 1 June 1994 in The Netherlands can be set out as follows (Ruggiero, Ryan & Sim 1995:27):

PRISON	NUMBER	CAPACITY
Male remand centres	43	5 258
Male closed prisons	18	1 513
Male half-open and open prisons	23	995
Female remand centres	5	287
Female closed prisons	4	93
Female half-open and open prisons	3	38
Rest (disciplinary units and prison hospitals)	2	51
<b>Total</b>	<b>96</b>	<b>8 235</b>

In closed institutions, prisoners are locked in their cells during the night, but they can move freely in the wing (unit) of the prison during the day when they are not involved in specific activities. This form of detention is called communal, whereas limited communal means that the prisoner is only allowed outside his cell during working hours and for specific activities like visits. Prisoners have to spend the rest of the time in their cells, which can amount to 22 hours a day. Half-open prisons are characterised by a lenient leave system where prisoners can spend a weekend at home every four weeks. In open institutions every weekend is spent at home. Prisoners can, however, only serve the last three to five months of a sentence in an open prison (Ruggiero, Ryan & Sim 1995:32). Wartna and Brouwers (1996:43) tabulate the structure of unit management in The Netherlands as follows:



FEZ: Financial Economic Department  
P & O: Personnel and Organisation  
AH: Section head  
BSD: Social Services  
SWK: Social Cultural Work  
GV: Religious Care  
MD: Medical Services  
PS: Psychologist  
PRW: Penitentiary Reclassification

### **3.3 SCANDINAVIA**

Norway, Finland and Sweden form the main compartments of a region called Scandinavia. Iceland and Greenland form the rest of this region, also called the Nordic by inhabitants. From the outside, in the opinion of Snare (1990:7), Scandinavia is seen as peaceful but criminal activities do occur frequently. According to statistics the Nordic countries remain “thievish” rather than “violent”. Yet it is in the area of crimes against the person that comparatively steep increases have been found in recent years. This gives a new dimension to the use of imprisonment in this region. All Scandinavian countries, however, favour short-term imprisonment. The term “corrections” is not used, the terms institutional and non-institutional sanctions being preferred. For the purposes of this study, the emphasis will be placed on Finnish criminal justice and the place of corrections within it.

Finland has twelve ministries, including the Ministry of Justice. The Department of Prison Administration forms one of four departments under control of the Ministry of Justice. Parker (1993:95) mentions that there are seven central prisons, one juvenile prison and eight provincial prisons in Finland. The Finnish prison system includes both open and closed institutions. Provincial prisons theoretically function as remand facilities, but in practice these prisons also hold sentenced prisoners. A governor who is assisted by a deputy governor governs prisons. Individual prisons operate autonomously within the broad policy outlines laid down by the Prison Administration (Parker 1993:98).

The court relies primarily on two penal sanctions, namely imprisonment and fines. Law prescribes the length of imprisonment and the minimum time served is 14 days. Prisoners are released conditionally after having served half of their sentence in the case of first offenders. Recidivists are released after having served two thirds of a sentence and juveniles are released after having served one third of the sentence (Parker 1993:28).

### **3.4 AUSTRALIA AND ASIA**

#### **● AUSTRALIA**

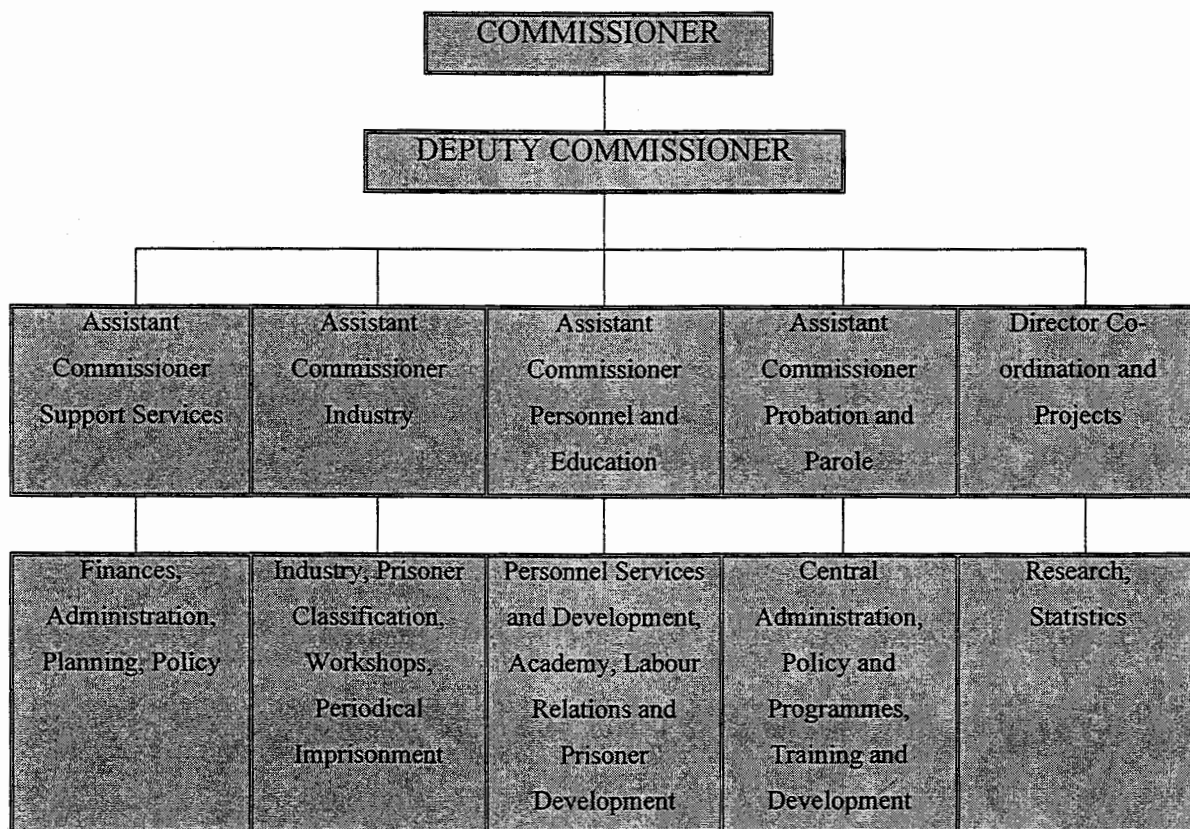
Australia is the only continent in the world with a population established by means of a penal colony. This historical heritage must have had an influence on the final structure of the Australian criminal justice system. As for corrections, in a sense, the kept are now the keepers. Each of the six states in Australia is responsible for its own criminal law and criminal justice system. According to Reichel (1994:278) the correctional services system is entirely the responsibility of the six states and there is limited involvement in criminal justice at federal level.

There are nearly 80 prisons in Australia. The most (21) are in New South Wales and the least (3) are on the Island State of Tasmania. It is difficult to describe an "Australian" correctional system, the reason being the decentralisation to state level and the amount of autonomy each state has. To place the organisational structure of the penal system in Australia in perspective, the system operated in New South Wales will be discussed in more detail.

The most influential work in the history of Australian corrections is arguably the Nagle Report. Recommendation 24 (Nagle 1978:22) emphasises the introduction of unit management into prisons in New South Wales. One of the first prisons in New South Wales developed for the implementation of unit management was Parklea Prison (Cullen 1988:97).

Management of prisons in New South Wales is done by management teams who manage the prisoner, rather than doing custodial functions (Luyt 1996:43). Case management and the structured day, two important aspects in unit management, were introduced in 1994 (New South Wales Department of Corrective Services 1995:15). A new organisational

structure was introduced in August 1995 (New South Wales Department of Corrective Services 1995:13). The following figure represents the current organisational structure of New South Wales's prisons:



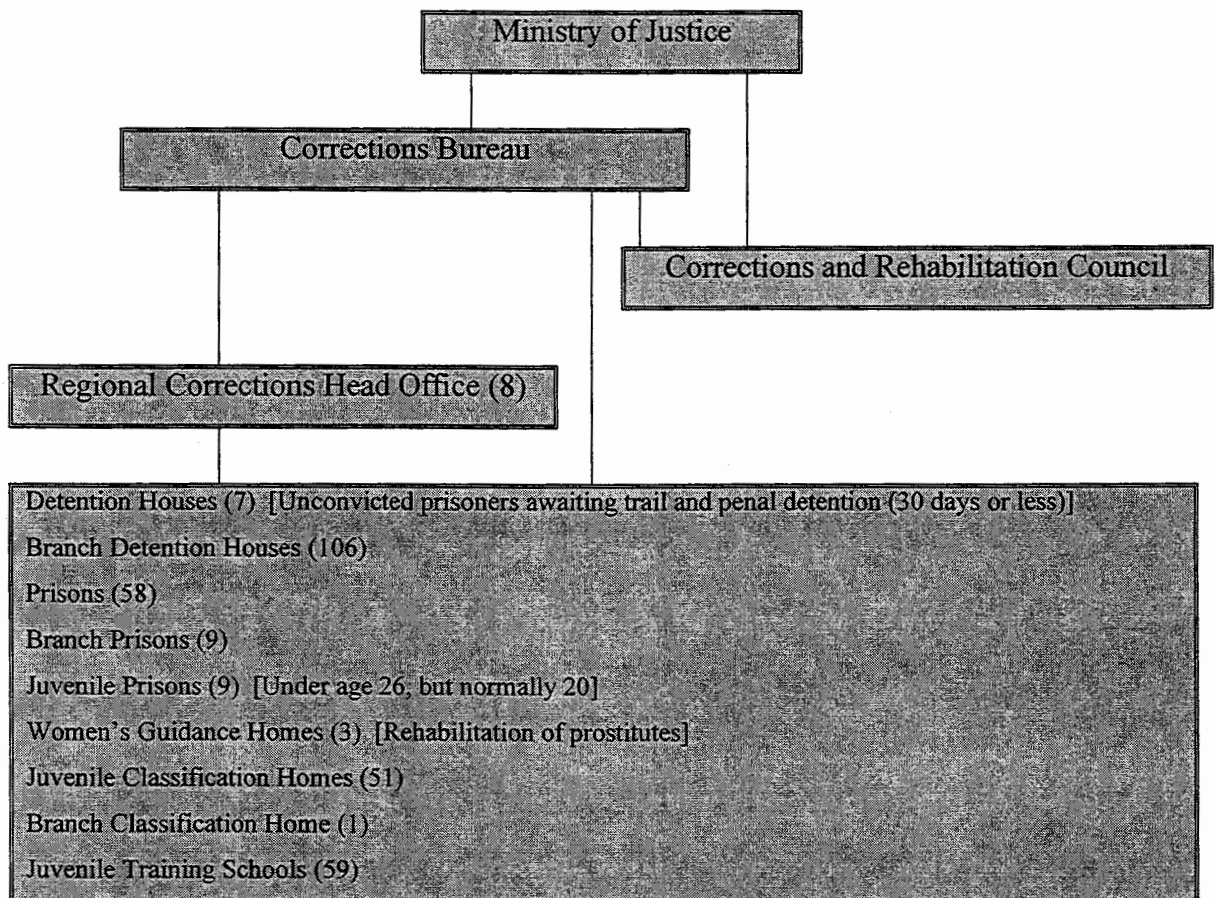
Prisons are managed by governors who have management teams with authority to make decisions in connection with the safety and efficiency of the prison.

## ● JAPAN

Japanese corrections function under centralised control of the national government and are highly hierarchical. Correctional programmes are administered under two bureaus within the Ministry of Justice. The Corrections Bureau is responsible for all institutional corrections such as prisons, houses of detention, women's guidance homes, juvenile prisons and juvenile classification homes. On the other hand, the Rehabilitation Bureau administers all non-institutional rehabilitation services such as parole and probation. The Corrections Bureau receives advice from the Corrections and Rehabilitation Council; a consultative group made up of scholars and correctional officials (Westermann & Burfeind 1991:127).



The Corrections Bureau is divided into eight regions, each with a regional head office. All regions operate a classification centre used to assess appropriate placement based on aptitude tests and social background information. These centres are also used for orientation of new prisoners. Each region operates a Training Institute under supervision of a central institute in Tokyo to train personnel (Westermann & Burfeind 1991:128). The following figure shows how the Corrections Bureau of Japan is divided (Westermann & Burfeind 1991:127):



### 3.5 THE UNITED STATES OF AMERICA AND CANADA

#### ● THE UNITED STATES OF AMERICA

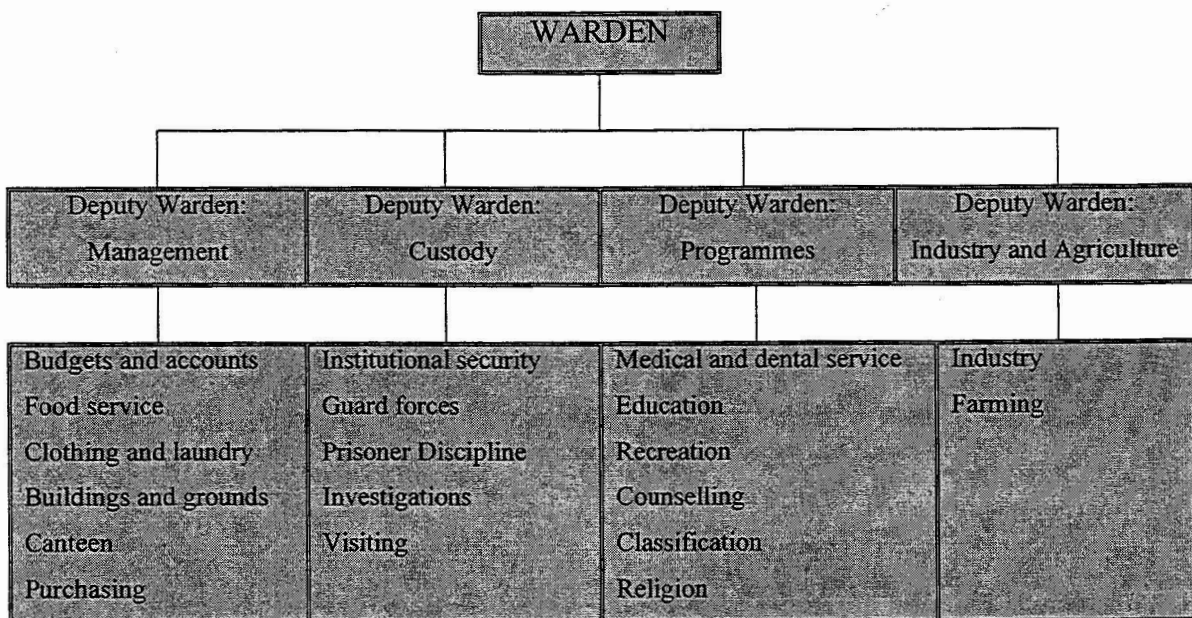
The United States of America runs three correctional services systems at the same time, namely the federal system, the state system and the local jail system (Clear & Cole 1994:240). The Federal Bureau of Prisons in the Department of Justice provides correctional services in the federal system and will form the basis of the discussion on the structure of corrections in America. In 1992 the Federal Bureau of Prisons had 68



institutions under its control. Various new projects were under way at the time and according to Stojkovic and Lovell (1997:142) the Bureau of Prisons now manages more than 70 prisons. Among these institutions one can find prison camps, correctional institutions, penitentiaries, detention centres and medical centres.

Regional organisation was introduced in 1973. This system was in fact the birth of unit management. This led to streamlined administrative procedures, faster decision-making, improved reaction to the needs of prisoners and the community and development of community sources. Activities of regional offices are under control of a regional director. Regional directors have senior management support and multidisciplinary personnel at their disposal.

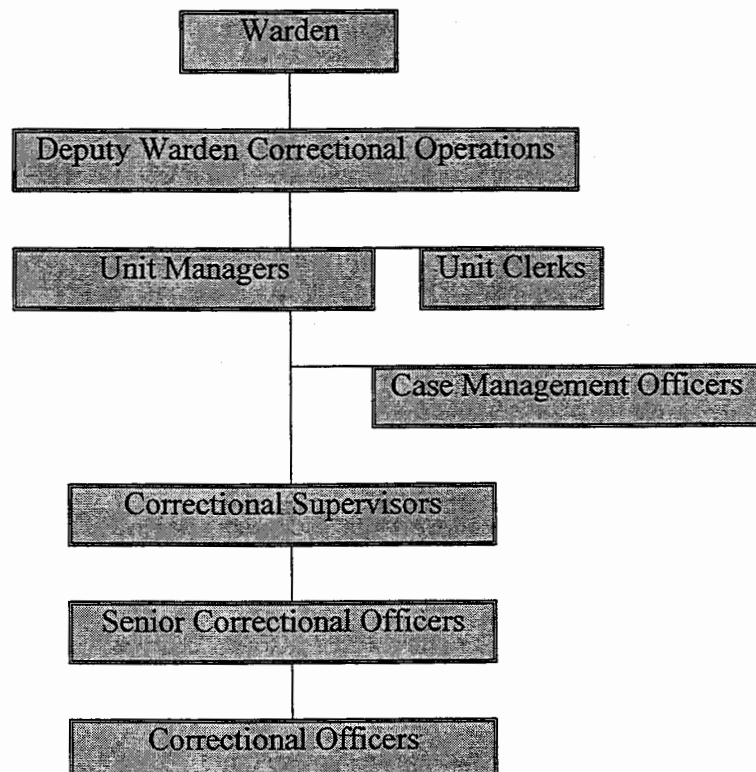
Individual federal prisons for adult prisoners have their own formal organisation. Wardens are responsible for the operation of the prison, but each position in the administrative hierarchy has its own duties and responsibilities. Deputy wardens oversee the functional running of a prison by heading certain divisions. The following diagram indicates how federal prisons are structured along the lines of unit management (Clear & Cole 1994:313):



## CANADA

The federal Correctional Service of Canada is under political control of the Solicitor General. This ministry is also in charge of the Royal Canadian Mounted Police, the National Parole Board and the Canadian Security Intelligence Service. These bodies are, however, independent of one another, each with its own Secretariat (Solicitor-General 1992:1). The particular Secretariat of the ministry develops and co-ordinates policies in criminal justice, law enforcement, research, corrections and national security.

Federal penitentiaries are under the administration of a Commissioner. In 1969, the penitentiary service initiated an experimental living unit system, a method of staff deployment whereby small groups of prisoners are assigned to permanent staff teams. These teams consist of social science specialists who provide functional leadership. The living unit system is based on a therapeutic community model, and features weekly meetings in which prisoners and personnel make decisions concerning living situations and group programmes. Living unit officers with behavioural science training are responsible for case management and security. Today all Canadian prisons function according to unit management principles. Correctional Services of Canada is organised on a decentralised basis. At penitentiary level the organisation is as follows:



### **3.6 CONCLUSION**

In this chapter there has been an attempt to provide an overview of the organisational structures which play an important role in exercising the correctional mandate in different countries. These structures are not only important for political and operational decision-making, but they also play an important role in the staffing of prisons, the success different organisations have with rehabilitation programmes and the relationship between different units of the criminal justice system.

It must be stated that the line of command can be seen as the most contributory factor in terms of relationships in criminal justice, as politicians normally depends on this to count their own successes. The smooth running of prisons is however, also dependent on the way structuring and organisation is done.

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## **CHAPTER 4: PRISONER POPULATION AND ASSESSMENT OF PRISONERS**

### **4.1 INTRODUCTION**

It is important to have an understanding of the prisoner assessment systems used in correctional systems where unit management has been introduced. According to Serin (1997:1) a systematic case-based assessment of risk and needs has become the cornerstone for identifying treatment needs of offenders. Needs assessment is used to assist in decision-making by providing management strategies and informing policy makers. Assessment of prisoners within the unit management system of the Federal Bureau of Prisons in the United States of America will be discussed in particular.

Apart from assessment of needs and risk, the measurement of the risk of recidivism is a new dimension that forms part of the Canadian assessment battery. This form of assessment is significant in a number of ways. In the first instance, it provides a basis to determine if treatment programmes were successful in reducing the risk of recidivism and secondly it results in attention being paid to the possibilities of re-offending. While normal risk and needs assessment are processes which should be concluded at the start of the sentence of a prisoner, the measuring of the risk of recidivism should take place closer to the end of the sentence. In most instances the latter is not emphasised enough. The measurement of the risk of recidivism practised in Canada will also be discussed.

The prisoner population of a number of countries who have embarked on the use of unit management will be emphasised. The purpose of the discussion on imprisonment rates is to give an overview of the sizes of correctional systems where unit management is practised. The prisoner population has a definite influence on assessment of prisoners. The smaller the prisoner numbers, the more likely it becomes that a comprehensive assessment system is used. This in turn is beneficial to the prisoner in terms of rendering programmes and other services like direct supervision and profound case management.

### **4.2 SELECTED PRISONER POPULATIONS**

Although there are a number of ways to compare prisoner populations, this comparison will be done in a descriptive manner. The prisoner population of a number of countries

who have introduced unit management in prisons will be discussed. The idea is not to conduct an analytical comparison of the countries, but to place the emphasis on the relative sizes of the unit management systems in different countries. It needs mentioning that it is not easy to obtain the updated figures of the different prisoner populations. In this study 1994 was taken as a barometer, as most sources indicated this year as the latest. The exception will be the Federal Bureau of Prisons in the United States, where statistics as recent as June 1998 could be obtained during a visit by the researcher to the Bureau in November and December of 1998.

### ● THE AMERICAN FEDERAL BUREAU OF PRISONS

The Federal Bureau of Prisons was established in 1930 to administer and operate federal correctional facilities. At the end of 1993 there were 95 034 offenders in the federal system. According to Stojkovic & Lovell (1997:143) 41% of these offenders were incarcerated, while the other 59% were under community supervision. The eighty facilities (Clear & Cole 1994:242) run by the Federal Bureau of Prisons have a rated capacity at the end of 1994 of 68 221 (Stojkovic & Lovell 1997:143). This means that a total number of 38 964 people were incarcerated at the time, meaning that the facilities of the Federal Bureau of Prisons were operating at 57% of the rated capacity in 1994. According to Kühn (1996:56) a 1995 survey showed that the number of prisoners in state and federal prisons would rise by 20% by 1998.

Although the number includes the state prisons and the Federal Bureau of Prisons, America had an imprisonment rate of 574 per 100 000 of the population in 1994 (Kühn 1996:47). In June 1998 the Federal Bureau of Prisons operated 93 facilities with a total prisoner population of 118 908, of which 96 268 were sentenced. In terms of gender, 92.6% of the prisoners were male and 30 325 staff members maintained services in the federal prison system at the end of June 1998 (Federal Bureau of Prisons 1998:1).

### ● AUSTRALIA

Australia operates nearly 80 prisons on a decentralised basis. Each state is responsible for its own prison system with some variation in practice from one state to another. According to Reichel (1994:279) the overall imprisonment rate of Australia in 1985 was 70 per 100 000 of the population, but it varied between the states (from 47 in Victoria to 119 in Western Australia). This figure rose to 89 per 100 000 of the population in 1994

(Kühn 1996:47). The figure places Australia around the middle among countries of the world.

#### ● CANADA

Canada had an imprisonment rate of 114 per 100 000 of the population in 1994. The country compares well with countries such as Northern Ireland (117 in 1994), Luxembourg (109 in 1994), Papua New Guinea (106 in 1994), Fiji (123 in 1995) and China (103 in 1995). The Correctional Services of Canada administers the sentences of prisoners imprisoned for two years or more. Six prisons for women, 42 federal penitentiaries for men and 15 community correctional centres for offenders on conditional release are managed by the Correctional Services of Canada. In total, the Correctional Services of Canada is responsible for nearly 21 000 offenders, of whom 14 000 are incarcerated and nearly 7 000 are on conditional release (Trainor 1998:7).

#### ● THE NETHERLANDS

Although the Netherlands is known for its low imprisonment rate, the prisoner population increased significantly between 1983 and 1994 (Kühn 1996:46). The overall increase resulted from increases in the number of sentenced offenders. According to Tubex and Snacken (Kühn 1996:48) the increase is due to an increase in the lengths of sentences pronounced. The imprisonment rate of the Netherlands stood at 55 per 100 000 of the population in 1994.

#### ● GERMANY

Between 1983 and 1989 the German imprisonment rate per 100 000 of the population decreased dramatically. According to Kühn (1996:52) the phenomenon remains unexplained among criminologists. Statistics of the Council of Europe show that the German imprisonment rate increased again since 1990. The imprisonment rate per 100 000 of the population in Germany was 83 in 1994.

### 4.3 ASSESSMENT OF PRISONERS

According to Van Voorhis (1994:39) it appears that traditional risk assessment tools relied so heavily on one source of information that it almost excluded other sources. Research done by the Correctional Services of Canada (1994:2-23) regarding the



predictive value of offender risk assessment has led to three major conclusions related to assessment of offenders, namely:

- Criminal history factors are strongly related to outcome on conditional release;
- A consistent relationship exists between the type and number of needs that offenders present and the likelihood of their re-offending, and;
- Combined assessment of both the level of risk and the level of needs can significantly improve the ability to differentiate cases according to likelihood of re-offending.

Risk principle considerations address risk assessment. However, the levels of treatment service should be matched to the risk level of the prisoner. Furthermore, programme priorities should be established and implementation strategies should be utilised to best meet the needs and address the risk of each offender. Assessment should be based on integrated information gathered from a variety of sources such as the police, court, family, probation reports and employers. Information gathering techniques such as self-report, interviews and case file reviews should be used to obtain as much information on the case as possible in order to facilitate the assessment process (Correctional Services of Canada 1994:2-23).

The Bureau of Prisons in the United States of America (Hawk 1996:1) describes the purpose of assessment of prisoners as “to classify each newly committed inmate within four weeks of arrival at the institution designated for service of sentence and to conduct subsequent programme reviews for each inmate at regular intervals.” Each assessment team shall include the unit manager, a case manager, a counsellor, an educator and a psychology services representative. Each member of the classification team interviews the prisoner individually within five days of arrival at the specific prison. There are only two types of unit classification team meetings, namely initial classification and programme reviews. The former occurs within the first four weeks after arrival. All subsequent assessments are considered programme reviews, even if the prisoner is transferred to a new facility.

- The objectives and expected results of the assessment programme as practised by the Federal Bureau of Prisons (Hawk 1996:1) are the following:
- All assessment and programme review decisions must be made by an appropriate



team of correctional specialists;

- All departments will have the opportunity to contribute to the assessment process;
- All prisoners will have the opportunity to communicate directly with the staff who make assessment decisions, and;
- All prisoners will be assessed within appropriate time frames in accordance with security, custody and programme needs.

Programmes of individual prisoners are reviewed at least once every 180 days. Once a prisoner is within twelve months of a projected release date, a programme review shall be conducted at least once every 90 days. It is however, possible for case management teams to schedule programme reviews more frequently. In cases where a prisoner is not in the prison (for reasons such as hospitalisation, or involvement with other law enforcement agencies), the case management team must conduct a programme review meeting within two weeks of the prisoner's return.

Prisoners shall be notified at least 48 hours before a scheduled appearance before the assessment team. The prisoner is expected to attend the initial assessment meeting. In cases where prisoners refuse to appear, staff shall document this refusal and the reasons for refusal, if known. Prisoners may however, elect not to attend subsequent programme review meetings and must do so in writing at least 24 hours before the scheduled team meeting.

The correctional programmes will be stated in measurable terms, establishing time limits, performance level, and expected programme accomplishments. Staff will document progress and any programme changes at subsequent programme reviews. Furthermore, each prisoner who is physically and mentally able is assigned to a work programme at the time of initial classification.

Prisoners may choose not to participate in offered programmes, unless the programme is a work assignment or a court order (Hawk 1996:5). Prisoners are also expected to participate in all categories of the release preparation programme. After each review session the prisoner is provided with a copy of the review report and has to sign for it. Custody classification reviews are conducted in conjunction with programme reviews. Prisoners are allowed to appeal against any decision taken at the initial assessment or at

programme reviews through the administrative remedy programme (Hawk 1996:7).

#### 4.4 RECIDIVISM

One of the main purposes of treatment of prisoners during imprisonment should be to prevent recidivism. In a broad sense, measurement of recidivism rates relies heavily on the rates of official contact with the criminal justice system after a previous release from the same system. Although treatment ideology looks beyond the offender's crime to the whole personality, successes of treatment are mostly measured against the single factor of an absence of reconviction for criminal acts. No provision is made to assess other areas of improvement on the side of the offender.

In this study, however, recidivism will only be touched upon on an exploring level. Further studies about recidivism need to be done on explanatory and preventative levels and it can therefore be seen as a potential future research project in itself. Recidivism will not even be discussed in detail on the exploring level, but its significance in terms of unit management will be touched upon.

According to Ekstedt and Griffiths (1988:219) there are several difficulties with using recidivism rates to measure the effectiveness of treatment programmes in correctional facilities. The following five difficulties need mentioning:

- The use of **legal criteria** of contact with the criminal justice system does not make provision for relative improvement of treated offenders, like a greater self-understanding. Offenders who commit technical violations of their parole conditions and those who commit new offences while on parole are both returned to the prison and seen as failures, while there may be a considerable difference between them;
- Recidivism rates are difficult to compare, as **different evaluation methods** are used. Some studies have followed offenders for a short period, while other investigations follow offenders for periods of up to three years and longer. The question is how long after release from prison the offender must be seen as having a recidivism risk;
- Recidivism rates only depend upon the **detection of offender behaviour** by agents of the criminal justice system, while an offender may have returned to criminal activities without being detected;
- The success or failure of an offender may not be related to **behaviour directly**.

Aspects such as the level and type of parole supervision and assistance given to the parolee will determine recidivism. The parole outcome must be viewed as a consequence of the behaviour of the offender and of the activities of the system's agents and agencies, and;

- One cannot assume that the behaviour of an offender after release is in any way related to the correctional treatment received during imprisonment. Reasons like extra family support, new employment or maturation may stop the individual from violating the law.

More refined measures should be introduced to measure recidivism rates. Glaser (1964:32-56) has proposed a system to measure recidivism rates in categories. The following categories are proposed:

- **Clear reformation:** Offenders who have been on parole, are steady workers with good jobs and who do not associate with criminals;
- **Marginal reformation:** Offenders who have not returned to prison, but who have failed to keep their jobs, are associating with criminals or have committed minor offences;
- **Marginal failures:** Offenders who have returned to prison for violation of parole conditions or minor offences, and;
- **Clear recidivists:** Offenders who have committed a major crime and are returned to prison or those who follow a patterned career of crime.

As far as the potential of intervention in the life of a prisoner under direct supervision is concerned, the question arises whether the risk of recidivism should not be determined while the prisoner is still serving his or her sentence. By doing so, one can direct training, development and treatment programmes to reduce the determined risk of recidivism. In addition, it becomes easier to determine which prisoners should be released on parole and which prisoners need extra effort to be rehabilitated. Further discussions on recidivism in this chapter will therefore not be a detailed study, but the emphasis will be placed on an explanation of how the risk of recidivism can be measured.

#### **4.5 MEASURING THE RISK OF RECIDIVISM**

One of the first countries to have introduced an instrument to measure the risk of recidivism was Canada. Both the Correctional Services of Canada and the National Parole Board of Canada (Rogerswave 1997:1-14) use the instrument. The instrument has been in use since 1997 and it is an objective, research-based tool to measure the risk of recidivism. This measurement influences the release of a prisoner on parole.

#### **THE RECIDIVISM SCALE**

##### **1. CURRENT OFFENCE**

- + 4 Incest/sexual intercourse with underage/seduction/gross indecency
- + 3 Homicide, narcotics
- + 2 Unarmed robbery (Armed robbery = 0), arson, kidnapping, hijacking, abduction, criminal negligence in operating a vehicle, dangerous driving, obstructing a piece officer
- - 1 Receiving or possession of stolen goods, theft
- - 2 Breaking and entering, forcible entry, unlawfully in dwelling, illegal possession of or carrying a concealed weapon
- - 4 Escape
- No score

##### **2. AGE AT ADMISSION TO INCARCERATION**

- + 2 Over 39
- - 2 Under 21
- No score

##### **3. PREVIOUS INCARCERATIONS**

- + 4 First time incarcerated
- - 1 Has served sentences in jail/prison/penitentiary 3 to 4 times before
- - 2 Has served sentences in jail/prison/penitentiary 5 or more times before
- No score

##### **4. PREVIOUS REVOCATIONS OR FORFEITURES**

- + 4 First time incarcerated
- - 1 Has served sentences in jail/prison/penitentiary 3 to 4 times before
- - 2 Has served sentences in jail/prison/penitentiary 5 or more times before
- No score

**5. PREVIOUS ESCAPES**

- - 3 Has been convicted of escape or attempted escape on one or more occasions
- No score

**6. SECURITY CLASSIFICATION OF INMATE**

- - 1 In a maximum security facility at time of parole hearing
- No score

**7. AGE AT FIRST ADULT CONVICTION**

- + 7 Was over 49
- + 6 Was 41 to 48 years inclusive
- + 3 Was 31 to 40 years inclusive
- + 2 Was 23 to 30 years inclusive
- - 2 Was under 19
- No score

**8. PREVIOUS CONVICTION FOR ASSAULT (NOT SEXUAL ASSAULT)**

- - 2 Has one previous conviction for assault
- - 3 Has 2 or more previous convictions for assault
- No score

**9. MARITAL STATUS AT ARREST**

- + 1 Was married or had a common-law spouse at time of arrest
- No score

**10. INTERVAL AT RISK**

- + 2 Had 2 years or more between current incarceration and last one
- - 1 Less than 6 months between current incarceration and last one
- No score

**11. NUMBER OF DEPENDENTS UNDER ONE ROOF AT ARREST**

- + 2 Had 3 or more dependants living under same roof
- No score

**12. AGGREGATE SENTENCE FROM DATE OF ORIGINAL SENTENCE**

- + 3 Aggregate sentence is 5 to 6 years
- + 2 Aggregate sentence is 6 years and up
- No score

**13. PREVIOUS CONVICTIONS FOR VIOLENT SEX OFFENDERS**

- - 4 Had only one previous conviction for any of rape, attempted rape, indecent assault, sexual assault or aggravated sexual assault
- No score

**14. PREVIOUS CONVICTIONS FOR BREAKING AND ENTERING**

- + 2 Has no previous convictions
- - 2 Has 1 to 2 previous convictions
- - 3 Has 3 to 4 previous convictions
- - 6 Has 5 or more previous convictions

**15. EMPLOYMENT STATUS AT ARREST**

- + 1 Was employed full or part-time at time of arrest
- No score

**TOTAL SCORE: \_\_\_\_\_**

## INTERPRETATION TABLE

+ 6 to + 27	Four out of five offenders will not commit an indictable offence after release.
+ 1 to + 5	Two out of three offenders will not commit an indictable offence after release.
- 4 to 0	One out of two offenders will not commit an indictable offence after release.
- 8 to - 5	Two out of five offenders will not commit an indictable offence after release.
- 30 to - 9	One out of three offenders will not commit an indictable offence after release.

The Canadian Parole Board evaluates whether, and to what extent, the subject has changed his criminal profile to a more socially acceptable one, and the impact of any such change on his or her risk of recidivism. Apart from making use of the Recidivism Scale discussed above, factors such as general clinical risk factors (accepting of responsibility for actions, conscious of the seriousness of criminal behaviour, behaviour during incarceration, demonstrated benefit from programmes), predisposing clinical risk factors (cognitive and affective elements, poor self-control, use of intoxicants, occupational experience, association with delinquent friends) and dynamic clinical risk factors (adaptation in prison to stress situations, quality of release project, proven quality in communication) are also taken into account before decisions on granting parole are made.

### 4.6 CONCLUSION

According to Levinson (Roberts 1994:95) safe and progressive prisons cannot exist without proper classification and assessment systems. In terms of safe prisons, an offender must be integrated at the correct security level. The latter is important both in terms of the seriousness of the crime committed, together with the personality of the offender, and detainment in the least restrictive (yet appropriately secure) environment possible. For a prison to be progressive, the quality of programmes to address the real needs of prisoners is of utmost importance. These programmes must be designed to

assist prisoners in making a successful return to the community.

The role of the prisoner population in the implementation and maintenance of unit management is very important, specifically in individual prisons. Offenders today are entitled to a more humane environment that is physically and psychologically less threatening. The needs of the prisoner population must be addressed, both in terms of safety and in terms of greater programme opportunities for prisoners to learn how to survive in society. By doing so, the risk of recidivism can also be lowered.

The development of a programme to determine the risk of recidivism by the Canadian Parole Board can perhaps be seen as one of the greatest advancements in the field of classification and assessment in recent years. The measurement of recidivism risks can most certainly contribute to a decrease in crime. This particular evaluation tool is still fairly new in the field of assessment and further research will probably come to the fore, which means that results are not yet readily available to judge the effectiveness of the recidivism risk measurement scale.



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## CHAPTER 5: ARCHITECTURE

### 5.1 INTRODUCTION

In the same way that imprisonment is taken as the paradigm of sentencing, it is often held that design of correctional facilities reflects the nature of an outlook on rehabilitation. Long prison sentences emerged in the United States of America with the development of the Pennsylvania and Auburn systems in the early nineteenth century. This was the beginning of prison architecture that primarily promoted dynamic security. However, due to a number of reasons such as the rise in the use of prison sentences and financial constraints, the emphasis in prison design moved towards static security and fewer interaction between prisoners and personnel.

In the age of static security prisoners were left to themselves for large parts of the day and night. Prisoners were stripped of individual rights; they were kept in "a colony" behind solid walls and had to share group cells. This resulted in pressure on prisoners by means of the influence of the subculture inside prisons. Incidents of riots and attacks on personnel rose worldwide, normally accompanied by brutality. Violence is not an everyday occurrence in prisons, but most prisoners fear that they will be confronted with violence at some stage. According to Toch (1977:157) the nature of the correctional institution in many respects makes violence the only effective response to threats or acts of violence. Prisoners housed in dormitories have few available means to physically escape from victimisation, more so if the victimiser shares a dormitory with the victim.

Correctional architecture and operations have assumed a variety of roles and relationships since the inception of imprisonment as a punitive measure. Traditional prison designs became inappropriate. The toughest prisons have not deterred crime, but rather promoted it. Prison buildings which emerged in the late eighteenth and nineteenth centuries were designed in accordance with a philosophy that has been redundant for some time. In various parts of the world, some changes in prison design have been introduced over the last twenty years. According to Centon and Sampson (1991:1) prisons as a distinct building type will decline in importance and potentially cease to exist somewhere in the future.

According to Newman (1972:83) there appears to be a link between crime and the physical design of the environment in the sense that structures can be designed to reduce opportunities to commit crime and environments can be designed to facilitate control and natural surveillance of buildings. As far as prison architecture in the United States of America is concerned, Nagel (Zupan 1991:77) mentions that prisoner housing units are rarely observed and that the emphasis is on perimeter security.

The world is rapidly approaching the new millennium. One of the new challenges in corrections is to seek appropriate measures of security in an atmosphere that is humane and conducive to rehabilitation. Suitable conditions for suitable programmes and activities are deemed necessary for the reintegration of the prisoner into society with a reduced risk of recidivism. More attention and emphasis must be placed on the relationship between personnel and prisoners.

According to Spens (1994:11) contemporary institutions and new developments should focus more on the effect of the prison environment on the individual. To complement this, it is recommended that institutions are broken up into smaller, self-contained units, housing no more than forty to sixty prisoners, comprised cells arranged around a multi-use dayroom. Within the boundaries of a safe perimeter, all physical barriers are believed to be broken down for better interaction between personnel and prisoners.

A few years back, the National Clearing House for Criminal Justice Planning and Architecture at the University of Illinois published "Guidelines for the Planning and Design of Regional and Community Correctional Centres for Adults" (Spens 1994:24). The publication attempted a fresh look at the function and purposes of every aspect of prison life and design. In this regard, the following are lessons learnt by the Americans:

- There had been an almost complete failure of any form of rehabilitation because of excessive prison size, overbearing security and supervision, and large overcrowding.
- More sophisticated methods of assessment and evaluation of the needs of a prisoner had to be devised.
- Easy supervision of prisoners was not the only goal.
- Prisons should be smaller, and within centres of population.
- Prisons must be flexible and environment and scale should be as normal as possible.
- Better security must allow for more freedom within the prison.

- Proper workshops, recreation, visiting and educational facilities must be provided, and;
- Internal layouts should enhance maximum contact between staff and prisoners to allow as much individual contact and treatment as possible.

The breakthrough in prison reform came in the 1970's when a concept known as "new generation" was born in America. The term did not refer to design as such, but to new ways of management in prisons to which design must respond. Zupan (1991:73) states that "the new fundamental goal of the architectural design and inmate management prescribed in the new generation philosophy is to create an **interactive environment** in which both inmates and staff are safe from violence and predation, and where inmates are treated humanely and in accordance with predational prohibitions against punishing pretrial detainees."

It is against the above background that the importance of architectural design cannot be ignored in this study. Aspects such as the philosophical influence on prison architecture and prison design itself, in different countries, will be discussed in more detail.

## **5.2 FUNDAMENTAL PHILOSOPHY INFLUENCING DESIGN**

The essence of unit management, called the new generation philosophy by Zupan (1991:95), lies in the belief that prisoners are rational human beings who will obey rules of the prison as long as their needs are fulfilled. In tandem with management style, architecture in prisons should be of such nature that it shapes the environment to meet prisoner needs for safety, privacy, personal space, family contact, activity, social relations and recreation. Zupan (1991:96) emphasises that architecture alone will not transform prisoners into obedient individuals, but it will shape the environment to such a degree that attempts to manipulate the environment will be detected readily.

### **● UNITED NATIONS REQUIREMENTS RELATING TO DESIGN**

The Standard Minimum Rules for the treatment of prisoners (United Nations 1955) make provision for design of prisons on a number of grounds. Accommodation for prisoners should be of a standard that would reflect the minimum standards acceptable to the

normal community. Design must also take into account the need for separation of different categories of prisoners as set out in the United Nations rules mentioned below.

**Separation:** According to Rule 8 (United Nations 1955:1) the different categories of prisoners shall be kept in separate institutions or parts of institutions taking into account their sex, age, criminal record, the legal reason for their detention and the necessities of their treatment.

**Accommodation:** Rule 9(1) determines that where sleeping accommodation is in individual cells or rooms, each prisoner shall occupy a cell or room by himself or herself by night. According to rule 10 all accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet the requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air.

**Classification:** Even classification has an influence on design of prisons. Rule 67 determines that the purposes of classification shall be:

- (a) To separate from others those prisoners who, by reason of their criminal records or bad characters, are likely to exercise a bad influence.
- (b) To divide the prisoners into classes in order to facilitate their treatment with a view to their social rehabilitation.

Rule 68 states that so far as possible, separate prisons or separate sections of prisons shall be used for the treatment of different classes of prisoners (United Nations 1955:7).

## ● ACCOMMODATION DESIGN AND OPERATIONAL REQUIREMENTS

Programme modalities chosen by a correctional body come with a number of operational requirement expectations. In a world of continual change, the changes in operational requirements can affect design. The unit management approach asks for a consistent team of personnel who would work with the same group of prisoners. Security and case management functions must be combined in one correctional role. Units must become autonomous, fully delegated operations responsible for all facets of the correctional mandate (Thurber & Chiasson 1997:2).

New functions will require new accommodation design. The accommodation design (form of the prison) follows operational requirements (function of the prison). Design can therefore create spaces that make it natural for personnel and prisoners to interact

around the activities in a particular area. Design can also create environments that contribute to increased job satisfaction and higher productivity for both personnel and prisoners and it can create an environment that supports learning.

### ● DESIGN AND DIRECT SUPERVISION FACILITIES

Farbstein (1989:1-6) makes it clear that the design of direct supervision facilities (as in the case of unit management) and indirect supervision facilities may to a large extent be similar, but the former have softer finishes such as carpets and upholstered furniture. The main difference, however, is that personnel in direct supervision facilities are stationed right inside living units with the prisoners. Direct supervision prisons tend to offer the prisoner more physical amenities, such as games tables, exercise equipment and control over lights in their cells. Larger dayrooms are more common. Interaction between personnel and prisoners are less hostile and more often initiated by the prisoners than in indirect supervision prisons.

### ● DESIGN AND THE USE OF TECHNOLOGY

Well designed facilities enable managers to operate with much lower staffing levels than those prisons which are poorly designed. Electronic systems are replacing static guards and modern security systems have alleviated the need for high walls. The actual electronic security system chosen depends on such factors as:

- The threat from inside the facility;
- The threat from outside the facility;
- The classification of prisoners;
- Personnel experience and training levels;
- Terrain, and;
- Location.

According to Jinks, a former New South Wales ombudsman, situations where an operator is required to sit and watch a screen for more than a few minutes at a time should be avoided. Observations should only be required when movement sensors or other alarms alert the operator to a particular zone of activity (Wirkler 1995:87).

### ● ARCHITECTURE AND NEGATIVE EXPECTATIONS

Zupan (1991:87) states that prisons are designed and managed on the assumption that prisoners are due to engage in violent and disruptive behaviour when the opportunity arises. Stainless steel doors, bars, small windows, headcounts, lots of rules and

regulations and regular searches are all evidence of these expectations. These features may be operationally effective in preventing violence and disruption, but their pure existence may foster negative expectations with prisoners, resulting in misbehaviour. The latter statement is supported by research done by Friedman (1967) and Klerck (1969) (Zupan 1991:89). Findings proved that negative expectations communicated through the architectural and interior design of a prison will produce negative behaviour.

## ● ARCHITECTURE, THE ENVIRONMENT AND STRESS

According to Zupan (1991:89) there is an empirically proven interrelationship between environmental conditions and human behaviour in a number of settings. It was found that factors such as excessive heat, noise and crowding have an influence on task performance, health and social behaviour with a huge potential to foment aggression and destructive behaviour. The physical environment in prisons includes aspects such as noise and, more specifically, overcrowding.

Mueller (Zupan 1991:90) identifies five different psychological states of environmentally induced stress from which aggression might eventuate:

- The stressor may produce arousal. Individuals who are predisposed to aggression arousal, may express it in reaction to environmental stressors.
- Environmental stress factors may produce stimulus overload. The individual becomes overwhelmed and is not capable of processing the incoming information effectively. In an attempt to adapt, some persons may respond aggressively.
- Environmental stress may interfere with ongoing behaviour. This produces frustration and the perception of loss of control.
- Environmental stressors cause irritability, annoyance and discomfort and can increase aggression. The relationship between aggression and discomfort takes an inverted u-shape. Up to a certain level, discomfort increases aggression. Beyond that level, individuals become so uncomfortable that they respond in other ways (withdrawal) that reduce the discomfort.
- Prisoners are deprived of many normal strategies for coping with stress. Some people reduce stress through exercise, consumption of excessive amounts of drugs or alcohol or withdrawal to a quiet and isolated place like a study. None of these are readily available in prisons.



## ● ARCHITECTURE AND PRIVACY

Westin (Zupan 1991:91) defined privacy as “the claim of individuals, groups or institutions to determine for themselves when, how, and to what extent information about them is communicated to others.” According to Painter (1991:1) privacy is influenced by personal space. Personal space refers to the amount of physical space people need around them to feel comfortable and not subject to invasion by others. People have strong feelings about controlling access to their persons and this manifests in the amount of space people choose to have surrounding them when dealing with other people. Lack of privacy and personal space is a major problem in normal prisons. In prisons where dormitories are in use the situation is worse, as prisoners have very few opportunities to be without the company of other prisoners. Lack of privacy can evoke irritability and criticism among prisoners.

In the opinion of Westin (Zupan 1991:91) the function of privacy is four-fold:

- Privacy protects and helps maintain individual personal autonomy, both in terms of individuality and control over your environment.
- Privacy serves to facilitate emotional release caused by tension-creating social, environmental and biological factors.
- Privacy allows the individual opportunities for self-evaluation processing, reflection and integration of information.
- Privacy serves the function of limiting and protecting information and it aids in the establishment of psychological distances.

## ● ARCHITECTURE AND OVERCROWDING

Some forms of prison architecture are more suitable to overcrowding than others. This is specifically true for prisons where dormitories are in use. Crowding in prisons can either induce stress in prisons or it can be a stress-reducing factor. Zupan (1991:92) mentions that scholars differentiate between density and crowding:

- **Density** refers to the number of people and the amount of space. Density is usually defined in terms of the number of people per area, or the amount of space per person.
- **Crowding** can be described as a **perception** that does not depend on an unvarying, linear relationship with density figures. Density is necessary but not sufficient to cause perceptions of overcrowding.



Zupan (1991:92) indicates that most research in the area of overcrowding has focused on the effects of spatial and social density. High spatial and social density:

- can be arousing (Aiello 1977);
- can cause stimulus overload and reduce quality of social interactions (Baum & Valins 1977);
- can enhance negative moods and anger among males (Nogami 1976);
- causes irritability (Sundstrom 1975) and aggressiveness (Schettino & Borden 1976);
- leads to psychological stress and social withdrawal (Farbstein, Wener and Gomez 1979);
- is positively related to the number of assaults (Nacci, Teitelbaum and Prather, 1977);
- leads to a rise in illness complaints. In dormitories space is most limited and illness complaints are reported to be higher than in single cells (McCain, Cox and Paulus 1980). D'Atri (1975:237) found that prisoners who were kept in dormitories had consistently higher blood pressures and pulse rates than prisoners who were kept in single cells.
- results in subsequent recidivism (Farrington and Nuttall, 1980).

### ● ABSENCE OF AESTHETICS

The architecture and more specifically the interior of prisons are typically designed without consideration of the human needs for visual stimulation. Prisons are painted in dull and uninspiring colours. Each cell is identically furnished and all the furniture is of the same design and material. Normally the scale of architecture is inhumanely large. Windows are small and cell space is poorly lit (Zupan 1991:93). In a number of prisons, particularly in South Africa, the prisoners themselves will attempt to brighten up cells by drawing their own murals or by posting pictures against the walls. Mostly these murals are the only sources of colour in the prisons. In many institutions, the posting of pictures and drawing of murals are not allowed.

Further to the discussion above, the architecture of prisons run on the unit management approach in different parts of the world will be discussed in more detail. Each discussion will be approached uniquely in terms of aspects emphasised in the different countries. Discussions will concentrate on global orientation and will zoom in on Europe, Scandinavia, Australia, The United States of America and Canada.

### **5.3 EUROPE**

Being large, both in terms of area and the number of countries, it is necessary to demarcate Europe for the purposes of this study. The countries of The Netherlands and Germany will form the cornerstones of the European discussion. Both countries have at their disposal prisons designed in the true nature of unit management.

#### **● THE NETHERLANDS**

Being a very small country, construction of prisons in The Netherlands is hindered by a shortage of suitable sites. Neutelings (Spens 1994:93) was commissioned by the Dutch State Building Department to investigate a new prison typology. A new compact, low-rise prison that can be located successfully in both rural and urban context is under development. With sports and walking areas proposed on the roof, new prisons can be erected on 0.8 hectares of land, instead of traditional prisons covering at least 2.5 hectares.

The American new generation philosophy is not formal policy in Dutch prisons. However, prisoners are accommodated in single cells under very strict security, mostly because of the high number of foreign prisoners. Future prisons may well adopt the idea of smaller groups in less formal surroundings. According to Spens (1994:33) future Dutch prisons will have to be constructed along more recent design specifications, with a capacity of 204 prisoners each.

Most of the Dutch prisons are designed around open courtyards, but the actual layouts differ significantly, especially in the relationship of the cell blocks to the rest of the prison buildings. Apart from cells, association rooms, workshops and administration areas are provided.

Dutch prison cells occupy an area of about ten square metres, containing a bed, a chair and a table. There is a shelf for books and a toilet. There is no handle on the inside of the door, but a window in the door results in personnel always being able to observe the prisoner. There are televisions in many cells, which are rented by the prisoner. In contrast to the situation in many other countries, prisoners in The Netherlands have a cell to themselves. The motivation for this is to decrease tension and to prevent explosive situations (Ministry of Justice 1993:15).

## ● DE GEERHORST PENITENTIARY; SITTARD, THE NETHERLANDS

During a visit to The Netherlands in 1997, the researcher had the opportunity to visit the above prison. The complex was completed in 1989. The cell blocks are surrounded by two perimeters, the first being the service buildings (medical and visitor facilities) and workshops, and the second the perimeter wall. The only access to the prison is through the gatehouse, which is the only opening in the encircling wall. Four cell blocks are erected in the form of a cross. The main security lodge is situated at the centre of the intersecting wings of cell blocks. Each wing contains two groups of twelve cells each on each floor. At the end of each floor one finds the communal living room and bathroom facilities. There are a total of 252 cells.

Staircases lead to a corridor beneath the cells and the four courtyards created by the cross design. These courtyards are utilised for recreation such as football, volleyball and basketball. The corridor also gives access to the workshop and service buildings. To negate institutionalisation, the prison is painted predominantly white and has a glass roof for natural light. Prisoners are allowed a number of “normalities” in their cells, like television that must be hired, the use of radio, cooking and the freedom to arrange the interior of the cells. Each cell is painted out before a prisoner is placed in it. Part of the normalisation is that a prisoner has to pay if the cell is damaged in any way. To assist the prisoner in preventing damage, cells have a felt board against which pictures may be posted.

## ● GERMANY

According to Messner (Ruggiero, Ryan & Sim 1995:133) the German Prison Act 1977, is “a piece of legislation which is often seen as a model to be emulated in the arena of prisoners’ rights.” The Act was designed to introduce substantial reform in the nature of imprisonment that all too often was seen as violating human rights. Against the background of the German constitution, realising the “social state principle”, which entails a duty on the part of the state to support its needy citizens, prisoners are of particular importance.

For prisoners, support means rehabilitation. In German sense rehabilitation does not mean that a prisoner must be reformed or treated. The idea of re-socialisation inherent in the social state principle, is a basic right and therefore a citizen’s and prisoners’ right (Prowse, Weber & Wilson 1992:116). Although the principle of re-socialisation of

prisoners can be suspended when it is felt that public safety is at risk, it is also reflected in German prison architecture. Proof of the latter statement comes in the form of a mother-and-child prison in Frankfurt.

● **MUTTER-KIND-HEIM JUSTIZVOLLZUGSANSTALT III; FRANKFURT AM MAIN, PREUNGESHEIM, GERMANY**

This award-winning mother and child home was completed in 1988 and stemmed from an instinctive reaction not to separate new-born babies from their convicted mothers. According to Gruber (Spens 1994:89) research into children behaviour indicated a lag in important developmental stages when separated from their mothers. However, while living with their mothers in prison, the children's development was seen to remain uncurbed in this respect. This in itself results in a better-developed grown-up, regardless of parental history.

The mother and child facility incorporates baby rooms and nursing care for the children, while, at the same time, provides places for teenage and adult mothers to develop their social skills. Accommodation of innocent children poses major design challenges in order to have a living environment that encourages sensitive treatment. First floor windows exist with a view to the outside, but they cannot be opened for security reasons. Subtle use of materials can be discerned without creating hiding places. Pleasant colours, such as yellow, pink, and pastels are used. The Mutter-Kind-Heim succeeds in providing a secure environment without inhibiting the relationship between the mother and her child.

## **5.4 SCANDINAVIA**

Sweden, one of the most prominent Scandinavian countries, decided in the early 1980's to build 30 new prisons in the next decade. Part of this decision was that prisons would be organised in such a way that prisoners can be housed in prisons in their home district before their release. This resulted in the erection of new local institutions.

Local correctional institutions are designed to accommodate male and female prisoners sentenced to one year or less and those serving longer sentences who are approaching a release date. These prisons are located close to the prisoner's community in areas where

work and education can take place in the community. Prisoners are allowed to arrange their social situation, to establish contact with private supervisors, family, social welfare and probation personnel.

Readjustment of offenders in the community is the main goal of these prisons. To support this goal, workshops, administration and health services, as well as living areas have been designed to resemble a community environment. Although limited, physical and leisure areas are available. The reasoning is to encourage prisoners to use community facilities as much as possible to facilitate community integration.

Prison living areas are organised into eight sections. Each section comprises of five rooms, a shower, a sauna and a laundry room. Individual rooms have their own toilets. Meals are taken in the dining room that is shared by both prisoners and personnel. Female prisoners share the same prison, but their rooms are separated from the accommodation of male prisoners. Male and female prisoners do however, share the same work and activities areas (Johnson 1991:28).

## **5.5 AUSTRALIA**

Australia can be described as being on the cutting edge in terms of unit management. Prison design in Australia is strongly influenced by custodial requirements. A full classification prison will hold high security prisoners, while low security prisons will differ from the former in terms of design. Older style Australian prisons were not designed with rehabilitation in mind and therefore do not lend themselves to modern style management. Before new Australian prisons are designed, the management style and purpose of the prison must first be established.

Grant (1992:58) is of the opinion that “the design of places of confinement is fundamental to the nature and form of that confinement. Together with the human arrangements of inmate management, prison architecture constitutes confinement. In fact there are those who believe that architectural design is more fundamental than human arrangements.”

As long ago as 1973, Nagle (1978:24) advocated for the normalisation of the prison environment, and for such concepts as unit management. Grant (1992:68) argues that successful modern correctional facilities are those which are designed according to town planning principles. These prisons are built in such a way as to recognise the prisoner as a citizen and enable prisoners to model behaviour that is considered pro-social by the outside world.

Grant states further that good facilities are designed to motivate prisoner reform through incentives rather than the avoidance of sanctions and facilitate a degree of normality of human interaction between personnel and prisoners. The full range of developmental opportunities that are available to those outside the prison should be available within the prison.

The following general design principles should form the basis of facility design in Australia:

- Subject to security considerations, the physical environment should be increasingly “normal” as prisoners move from high security classifications to low classifications.
- The design should allow prisoner management practices to be less restrictive as prisoners progress from higher to lower classification areas. It should allow prisoners to demonstrate self determination consistent with type of behaviours expected in the community.
- Use a campus design, generally accepted as a contemporary model appropriate for prisoners (Wirkler 1995:4).

### **Issues to be considered in design**

Apart from functional requirements that will be discussed in detail, the following aspects have an influence on prison architecture and must be taken into consideration in the planning phases:

- Aesthetics;
- Maximum visual observation of all areas;
- Adequate ventilation;
- Emergency communication systems from all cells;
- Good lighting;
- Energy conservation;

- Design must allow personnel resources to be focused on prisoner rehabilitation and activity, rather than on static security duties.
- The use of modern technology in security systems (finger scan, iris scan);
- The ability to manage riots;
- Fire prevention and escape system;
- Protection for prisoners from other prisoners;
- Protection for personnel;
- Secondary water supplies;
- Maximum involvement of all prisoners in all daily activities according to security considerations, and;
- All services (kitchen, laundry, cleaning, and maintenance) must be designed as such that they allow maximum prisoner involvement.

### **Functional design requirements**

The information presented below is intended to provide a general understanding of the functional requirements in the design of a correctional facility for prisoners of the Australian Capital Territories in New South Wales. Depending on the type of facility, some functions listed will receive more or less emphasis. It is important to remember that the prison environment should be as close as possible to normal environments outside prisons (Wirkler 1995:4).

### **Perimeter security and medium to high security accommodation**

Successful operation of any prison requires a perimeter fence appropriate to the security classification of the prisoners to be kept there. When a prison complex is developed to accommodate all classification groups as well as prisoners on remand, the perimeter security must be built to a maximum security level. In cases where low security prisoners and prisoners on remand are accommodated on the same premises, the low security group needs a low security perimeter fence, while the remand group needs a high security fence.

All common areas in medium to high security prisons should be directly visible from a central control post at all times and accessible to physical inspection by a correctional official. High security cell observation should include visual surveillance from a control room. Under the full classification model separate accommodation areas will be required for the following categories of prisoners:

- Male prisoners on remand;
- Female prisoners on remand;
- Medium security males;
- High security males;
- High observation males;
- High observation females, and;
- Medium to high security females.

### **Accommodation for segregation and protection**

There is a need in any facility for segregation of prisoners requiring protection from the mainstream prisoner population. This need is normally less prominent in a prison only accommodating low security prisoners. An additional zone should be designed for about ten prisoners who cannot be managed in the mainstream prison population. These prisoners should be provided with access to separate exercise facilities of an acceptable minimum standard.

### **Low security accommodation**

The United Nations established a consultative committee to consider issues of correctional facility design **in recognition of the fact that the success of programmes depends to a great extent on the design characteristics of the institution in which they are applied.** According to Lopez-Rey (Wirkler 1995:5) this committee made the following comments in their report:

- “Because too often institutions were designed having in mind the most difficult of inmate, the preoccupation with security is often not only wasteful but detrimental for inmates, for the bulk of whom security institutions are unjustified.
- Mass treatment should be avoided and institutions should be designed to maximise certain services and minimise others.
- The surrounds and inside of the correctional facility should make the passing of time as durable as possible.
- The type of building should reflect some social ideals and represent a balance between security, re-education and the needs of treatment.

The above notions should be reflected in the low security areas of Australian Capital Territories facilities. Accommodation for low security prisoners should be in self-



contained units with 6 to 8 beds. Security should be principally being by way of electronic surveillance, backed up by periodic rounds by correctional officials. This design allows unit management to be practised in low security accommodation settings (Wirkler 1995:6).

### **Induction areas**

The induction area of a prison would require a number of en-suite cells, a correctional official station, one special (dry) cell for alcoholics and drug abusers and processing facilities such as photos, searches, medical examination and interviews.

### **Visit facilities**

The visit facility of a prison must at least include areas for indoor contact visits, outdoor contact visits, non-contact visits, dressing and undressing areas, children's play areas, toilet facilities, baby change and parenting facilities.

### **Central control**

The purpose of the central control room has been defined as follows:

- To monitor access points into and out of the prison;
- To monitor the movement of people and materials into and out of the various zones of the prison;
- To monitor the mechanical and electrical devices used inside and outside the prison, and;
- To act as the command centre during any unusual threat to security.

The central control area forms the heart of the prison. It must allow for excellent line of sight observation of the entire facility and the surrounds. Visual observation and electronic monitoring of prisoner movements take place in the central control centre. A computer monitoring system allows prisoners access to certain programme areas according to activities scheduled in the prisoner's **structured day programme**. Smart cards, a system comparable to credit cards, are used to control movement of prisoners.

### **Activities area**

Activity areas are essential to reduce boredom, promote social interaction and to reduce tension in prison. Such areas are likely to include an auditorium, gymnasium,

classrooms, library, and craft area and appropriate staffing areas. An area for staff training and amenities is also required.

## ● COTTAGES AS A NEW INSTITUTIONAL DESIGN CONCEPT IN SOUTH AUSTRALIA

South Australia developed a new accommodation design concept known as cottages as part of their efforts to minimise the institutional character of its correctional facilities. First constructed at the Northfield Prison Complex in 1984, the facility is composed of 10 cottages (living units) which can accommodate a maximum of 40 prisoners who are approaching sentence completion.

Each cottage is a self-contained residence with four individual bedrooms. Each pair of bedrooms is provided with a bathroom that is shared by the occupants of the two rooms. A kitchen, dining room and living room complete the cottage and are for the common use of all residents. Prisoners are provided with food supplies and facilities for preparation of breakfast and dinner. They have lunch at their workplace. The prisoners are responsible for cleaning up after meals and for laundering some of their clothes.

In an effort to encourage prisoners to become more responsible and better prepared for their reintegration into the community, the Northfield Cottages provide access to leave programmes and various activities such as education, family visits, films, television, sports, crafts, chaplaincy and library services. Unit management plays an important role in daily activities. The successful operation of this project has inspired South Australia's Correctional Services to build and manage other facilities based on this concept and Cadell Training Centre will be the site of new cottages (Johnson 1991:49).

## 5.6 CANADA AND THE UNITED STATES OF AMERICA

### ● CANADA

The design of correctional institutions in Canada has evolved substantially during recent history. The 1970's, however, was the watershed for prison design in Canada. New approaches to **reduce confrontation and to enhance rehabilitation** were pioneered. Prisons were designed to be smaller and to respond to specific behavioural disfunctions.

With security still an important consideration, an attempt was made to create a more **humane** prison environment. It is widely believed that the negative adaptive skills learned in a prison environment must be unlearned and replaced by the skills and behaviour needed for successful community integration. To achieve this, a more normal and self-motivating environment must be introduced. The Correctional Service of Canada managed to achieve a few notable examples of gentler architecture, but in search for excellence more new design concepts developed against the background of unit management (Johnson 1991:4).

The construction division of the Correctional Service of Canada adopted a new set of design concepts for correctional facilities in 1989. The new design concepts reflect pro-social values that are intended to achieve normalised prison environments and positive interaction between prisoners and personnel. It is believed that a poorly designed physical environment can frustrate human relationships and well-being, while a more humane design can set the stage for positive interaction, which will improve well-being.

#### ● **THE WILLIAM HEAD INSTITUTION IN CANADA**

The William Head Institution is the first prison in Canada designed to reflect a **residential** environment, in essence reflecting the nature of unit management. A residential hierarchy is planned, including the following:

- The **room** of the prisoner: private individual space;
- The **house**: a five- or six-person semi-private family space;
- The **neighbourhood** of houses (semi-public, small group interactive): with a multi-use area (programming, laundry, staff offices and recreation) forming the centre of each neighbourhood;
- The **community** is formed by a number of neighbourhoods and is the most public level of the institution.

In all, 240 prisoners are accommodated, five per house and eight houses per neighbourhood, to form a community. The purpose of this layout is to foster a sense of community outside the prison and to provide opportunities for personal growth and development (Johnson 1991:14).

In keeping with the **residential model**, individually coloured neighbourhoods with their own names and addresses promote a sense of identity. The level of personal responsibility afforded to prisoners sets the model apart from more traditional designed facilities. Responsibilities associated with normal residential living, like cooking and cleaning rest on the shoulders of the prisoners.

The design allows for two-story duplex-type houses with each half of the duplex housing five prisoners. Bedrooms are located on the second floor and are designed for single, private occupancy. Each room contains a desk, a chair, a bed and a closet. Furniture arrangements and decoration are left to the prisoner. One bathroom is shared by the five housemates, but must be occupied by a single person at one time only (Johnson 1991:15).

On the ground floor of each house a common living room, dining area, complete kitchen, a washroom a storage room and an outdoor deck set the scene. Complementing the residential living philosophy, prisoners are responsible for their own cooking. The duplex allows personnel to conduct bed checks by entering through a connecting door. For the most part personnel are not present in the houses, but operate from the neighbourhood centre.

The six neighbourhoods (made up of eight houses each) have a shared central neighbourhood building. These single-storey, multipurpose structures provide a large recreation area, laundry facilities, meeting rooms, unit management offices and programming space. Neither the residences nor the neighbourhood buildings have bars or other heavy security, like guard posts. Residential-style materials and street furnishings are used throughout. Each neighbourhood has a slightly different arrangement to give it a visually distinct "village" character. However, in accordance with the new residential philosophy, a strong perimeter is maintained while restrictions on prisoner movement and activity is eased internally (Johnson 1991:15).

In "softening" the correctional environment to reduce noise from invading privacy, causing sleep disturbances and inducing stress, sound-deadening materials like carpets and acoustic tiles are used. Metal-on-metal contacts have been avoided or limited. The use of softer material and furnishing also has a positive impact on other areas than just noise reduction. For example, a study by Chaiken, Derlaga and Miller (Johnson 1991:16)

found that people discussed private matters more openly in “soft” settings (with soft chairs, wall decorations and rugs) than in “hard” settings.

## ● THE UNITED STATES OF AMERICA

### **America seizes the initiative**

Nelson and O’Toole (1983:7-8) are of the opinion that prisoners, like all people, learn at an early age to manipulate their environment to their best advantage. The aims of manipulation do however, differ between prisoners and other people. In the traditional prison environment, violence and disruption are some of the means usually embarked on by prisoners to effectively achieve their ends. In the same way most prisoners have the ability to behave negatively to achieve their goals, they also have the capacity to conform their behaviour to the desires of the prison administrators if that will serve to meet their needs.

Architecture can shape the environment in such a way that critical prisoner needs for safety, privacy, personal space, activity, family contact and social relations can only be achieved through compliant behaviour. The so-called “new-generation” facilities can, in the view of Zupan (1991:96), by means of architecture and management style, function to minimise the power of prisoners while maximising control over prisons.

### **The architectural and interior design of podular facilities in America**

Zupan (1991:96) states that both architecture and interior structure the physical environment in a prison to fulfil legitimate needs, while at the same time, reduce opportunities to fulfil illegitimate needs. A basic principle of podular design requires prisoners to be grouped in manageable units, which facilitates continuous direct observation and supervision. Each unit houses between 16 to 46 prisoners. Fewer people in a smaller space are not only easier to manage, but it reduces perceptions of overcrowding. It is reported that design provides flexibility in the classification of prisoners. Members of conflicting groups of prisoners with special needs can effectively be housed separately.

In many prisons, units have two floors. Rooms are situated around a multi-purpose activity area on the main floor. Additional rooms are situated on a second floor. Each room contains a toilet and a sink manufactured of porcelain. The latter is cheaper than metal, which reduces erecting costs. It also reduces the feelings of institutionalisation

and, together with plastic chairs cannot be used that easily for dangerous weapons. Rooms also have a narrow window included in the design to reduce feelings of isolation from the outside world and to ensure good levels of natural light (Zupan 1991:97).

Contrasting with traditional prison design, cells are provided with doors and not a set of bars. Together with plastic furniture, the doors reduce noise and less noise assists in promoting feelings of a noninstitutional environment. In addition, the multi-purposed dayrooms provide unrestricted open space that allows prisoners freedom of movement. Dayrooms are carpeted and furnished with moveable tables and chairs of soft materials for dining and games and to facilitate prisoner conversation. Carpets assist in soundproofing and noise reduction, thus contributing to a noninstitutional environment. All the podular units have several televisions to reduce arguments and fights over their use as well as multiple telephones to provide prisoners with ample opportunity to communicate with family and friends (Zupan 1991:98).

Privacy of prisoners is enhanced by the architectural design as it permits varying levels of privacy. Individual rooms allow prisoners total privacy. Televisions located in the corners of dayrooms provide the option of semi-private interaction in small groups. Prisoners may also congregate in larger groups in the multi-purposed dayrooms. During the day prisoners are free to move between rooms, the dayroom and outdoor recreation areas in most prisons. Prisoners are, however, locked in their individual rooms at night (Zupan 1991:98).

Territorial needs form part of the American design policy for direct supervision prisons. Individual rooms allow for a sense of ownership on the side of prisoners. The feeling is further fostered by a prohibition against prisoners entering the rooms of fellow prisoners. Semi-private spaces provide for territorial needs of small groups. According to Zupan (1991:99) Wener and Olsen found those semi-private spaces in the Chicago Metropolitan Correctional Centre became the meeting place for group activity based on television taste, ethnicity and language. They concluded "the regular association of groups within these spaces served to foster group membership and cohesion".

Design also fulfils prisoner safety needs, as a prisoner who feels threatened can withdraw to the safety of individual rooms. Showers, commonly used as a place to victimise prisoners in traditional prisons, contain individual, rather than communal stalls. Shower

stalls have partial doors to ensure privacy and security, but permit officials to easily monitor them. Dayrooms are laid out in such a manner that blind spots are eliminated. There is, however, a school of thought maintaining that the existence of unsighted areas forces the correctional official to move about the unit, resulting in more interactions between prisoners and correctional officials.

It is rather significant that most correctional centres based on the new generation philosophy do not provide office space for officials within the unit. Some units provide only desks where officials can do paperwork and other administration. The purpose is to ensure that officials move about in the unit and interact with prisoners, rather than over-occupying the office. This step enhances direct supervision and ensures that prison officials, rather than prisoners, control the unit.

Common traditional “bastions of imprisonment” are noticeably absent in the interior design of prisons erected for unit management purposes. Eliminating bars, grates, grills and metal furnishing reduces large numbers of negative feelings typically associated with traditional imprisonment. It is expected that a normalised environment will result in prisoners not acting like “animals” and personnel not treating them in the same way (Zupan 1991:99). A variety of textures and colours are used within the interiors of the units to enhance feelings of normality. According to Zupan (1991:102) one prison was painted in shades of rose, teal, grey and peach. These are colours known to subdue rather than arouse human emotions. The use of attractive wall paints, posters and textured furniture provide visual stimulation. Units are by design self-containing in order to reduce movement by prisoners. All activities, such as meals, programming, visitation and recreation are conducted within the units.

One major obstacle to public acceptance of the unit management concept is the perception that prisoners are provided with accommodation far more luxurious and comfortable than many law-respecting citizens can afford. Proponents of the unit management philosophy counter with the argument that the architecture and interior are designed to maximise control and minimise freedom of prisoners. Comfort is a natural secondary, unintended, consequence.

In conclusion Zupan (1991:104) argues that the architecture and interior design of direct supervision facilities reduce or eliminate irritating features and stress induced by the

environment and enable custodial staff to observe prisoner activities and maintain control at all times. Architecture definitely provides a context in which unit management as a philosophy can be implemented.

### ● THE FEDERAL CORRECTIONAL COMPLEX; ALLENWOOD, PENNSYLVANIA, AMERICA

This complex, with three separate compounds for low, medium and high security federal prisoners is the largest completed project and it indicates the shape of future federal prisons in America. It was completed in the American spring of 1994. In response to the philosophy of the Federal Bureau of Prisons, the design seeks to provide an environment that is less institutional than traditional prisons. It is based on the dictates of security, but also allows for interaction between prisoners and staff and encourages self-improvement through vocational, educational and social means (Spens 1994:41).

Each of the four housing units of the high security facility is composed of two storeys with 16 cells on each floor, arranged around two sides of a central dayroom. There are recreational and counselling spaces. An open officer's station located in the dayroom is positioned for direct supervision of the programme spaces, the unit entry and the cell doors. Hidden corners are minimised and the triangular shapes of the housing units promote increased interaction between prisoners and staff. An elevated officer's station near the entry of the dayroom affords maximum visual supervision of all areas. Design guidelines and codes set out by the Federal Bureau of Corrections were consulted for Allenwood, covering all aspects from security fencing and spatial layouts to furnishing of cells and the use of light colours.

## 5.7 CONCLUSION

It is evident that architecture can play one of the most important roles in the reduction of recidivism, as the physical design of a prison can contribute to enhanced interaction between staff and prisoners. Certain forms of prison architecture can reduce institutionalisation and criminal activities inside prison. Newman (1972:83) emphasises that there appears to be a link between crime and the physical design of the environment and that the design of structures can reduce opportunities to commit crime.



The need for normality during incarceration is an important aspect that can be addressed by means of architectural design. Noise reduction, as experienced during visits to the Estill (South Carolina) and Coleman (Florida) Federal Institutions in the United States of America at the end of 1998, plays a major role in better control, more humane conditions and easy supervision over prisoners. Interactive environments have been created in which prisoners and staff feel safe, and overcrowding is avoided. Therefore, in order for create working alternatives to large, overcrowded warehouses, the importance of architecture must be taken into account.

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## **CHAPTER 6: THE DIFFERENT UNITS**

### **6.1 INTRODUCTION**

The running of a prison on the concept of unit management comprises both direct supervision and design. Prison design will form a separate chapter to this study, but within design one has to place emphasis on the different units which can be found inside a prison. The physical plant is used to improve the ability of personnel to manage the prisoner population. The concept of the functional unit originated in the mid-1950s in American Federal correctional centres. These efforts were so successful that functional units were implemented in other types of facilities, for example, in the first drug treatment programmes in federal correctional institutions in America in 1968.

Different units can be found in a prison under the concept of unit management. These units became known as podular or functional units. According to Wener and Olsen (Zupan 1991:67) podular or functional units place all sleeping, food and hygiene facilities and recreational equipment in one self-contained multi-level space. Podular units are complete, self contained living areas with furniture and sanitary facilities designed to accommodate up to 24 prisoners (in some cases up to 100) in single rooms and shared multipurpose dayrooms for recreational interaction. Podular units are equipped with television, radio, telephones and an outdoor exercise area. All daily activities such as visits, meals and recreation occur inside the podular units. Normally a prison is made up of two or more units (Clear & Cole 1994: 166).

### **6.2 THE ESSENTIAL COMPONENTS OF A UNIT**

The grouping of units within an institution seems to reflect differences in philosophies, assignments, individual ability and defined objectives. The principle of dividing a centre into different management units is ideal for ensuring better management, control, direct supervision and interaction between prisoners and caseworkers (Levinson & Gerard undated:8).

Different units function simultaneously and semi-autonomously within the confines of the larger institution. To start with, the essential components of a unit are a small number of inmates who are permanently assigned together, a multidisciplinary team of personnel

and full- or part-time psychologists who are permanently assigned to work with the inmates of that unit. Each inmate will be accommodated in a single cell with a great deal of reliance on dynamic security inside the units (Lansing et al 1976:43).

Unit rules will be drawn up according to the circumstances of each unit. Unit rules and regulations shall be included in all prisoner orientation materials and displayed on all bulletin boards. The rules and regulations should include the following aspects:

- Television and recreation rules;
- Quiet hours and lights out;
- Personal property;
- Cell/room assignment, and;
- Intra-unit visiting

The following can be examples of unit rules and all prisoners must obey them:

- Prisoners must carry out all lawful instructions given by personnel;
- Threatening behaviour, play fighting or fighting is not allowed;
- Swearing is not allowed;
- Spitting at prisoners and staff is considered an assault and is forbidden;
- Personal hygiene will be maintained by prisoners;
- Damage to property and graffiti are forbidden;
- Participation in programmes is compulsory;
- Prisoners are not permitted to enter the office of personnel;
- Prisoners are not allowed to enter the cells of other prisoners;
- All prisoners must be ready for the appropriate meal times;
- Prisoners must gather in front of the dining room and only enter when directed by personnel;
- There will be no movement from the tables until prisoners are directed to move by personnel;
- No shouting or talking is allowed in the dining room;
- Bad behaviour (feet on tables, sitting on tables) is not allowed in the dining room;
- Food and drink are not to be taken outside the dining room and are not allowed in the television or activities room;
- Television may only be watched at allocated times;

- Prisoners are not allowed to touch television and other equipment at any time;
- Prisoners will not put their feet on chairs and tables;
- The activities room may only be used for games, music, reading and other passive activities, and;
- The rights of other prisoners shall be respected at all times (Department of Correctional Services undated:33).

Unit grouping is essential in an organisation with common objectives. Interlocking programme designs helps establish a system of common supervision, common resource sharing and it encourages mutual adjustment. Each unit will be self-contained in the following respects:

- Security and surveillance
- Facilities and equipment
- Accommodation
- Recreation facilities
- Counselling rooms
- Catering facilities
- Tuck shops.

All the abovementioned do not necessarily form part of each podular unit, but more times than not it will be found there. Any re-organisation must consider the people occupying the positions, their strengths and weaknesses and the ease with which any change in structure could be implemented.

### **6.3 ORIENTATION AND ASSESSMENT UNIT**

The **admission unit** forms part of the orientation and assessment unit, but must be seen as an entity on its own. It is used for admitting the prisoner into the prison, but it could also be used for detaining prisoners prior to transfer from the prison. No prisoner should be in this unit for more than 24 hours. Places in this unit should not form part of the official prison accommodation and it should always be available when prisoners are admitted.

The **orientation and assessment unit** is the unit in which the prisoner must be informed with regard to the implications of imprisonment. Aspects such as the sentence planning and procedures of the prison should be touched upon. The importance of co-operation on the side of the prisoner in the whole process should be spelt out. Every prisoner should be:

- Provided with an orientation programme;
- Informed of their rights and responsibilities while imprisoned, and
- Informed of all rules they are subjected to.

The following aspects should be addressed during orientation:

- A complete description of the prison (unit);
- A brief explanation of the role of case officials and case management;
- The need for information and the confidential handling of it;
- Expectations regarding participation in programmes;
- Rules (including visits, telephone and mail procedures, accommodation, behaviour, misconduct and discipline and grievance procedures);
- Availability and roles of personnel and the location of offices;
- The daily routine and lines of communication;
- Prisoners property, clothing, dress code and purchases;
- Programmes, activities, medical services and religious services, and;
- Release preparation.

This unit also allows for a complete assessment according to developed assessment criteria. The classification of the prisoner is also undertaken in the orientation and assessment unit. Assessment is the first step in the development of an individual case plan. The needs of the prisoner are matched with the resources of the unit to ensure maximum support. A comprehensive assessment process should take three weeks, after which the prisoner is transferred to the living unit. As is the case with the admission unit, accommodation in the orientation and assessment unit does not form part of the official accommodation in the prison.

## 6.4 LIVING UNITS

The living unit system is based on a therapeutic community model and features weekly meetings in which prisoners and personnel make decisions concerning living situations and group programmes. Fenton (Trojanowicz & Morash 1983:260) summarised the conceptual foundations of this approach as follows:

“This programme bridges a communication gap between staff and inmates typically found in correctional institutions and also utilises inmate peer influence - the self-help concept - to help inmates gain self-awareness and a more responsible outlook. Inmates who live and work together meet with the staff regularly with an expressed goal of improving post-release performance. By employing, under staff direction, open communication, confrontation, as well as other treatment methods, inmate participants can model and adjust their behaviour through learning, testing and fixating newer and more effective modes of perceiving and relating to others.”

Small groups of prisoners are assigned to permanent personnel teams, called case management teams (Ekstedt & Griffiths 1988:209). These teams consist of social science specialists who provide functional leadership and living unit personnel who are responsible for case management and security. Living units can be divided to make provision for security classification where prisoners with a higher security risk may have more direct supervision and less freedom for movement in the prison.

The living unit is the primary mechanism through which the traditional role of the prison guard was changed to that of correctional official or living unit official. The living unit official has a caseload of between six and ten prisoners. Officials are assigned to specific cellblocks on a regular basis. They work with the residents in the role as counsellor and also assume responsibility for security in the living unit. Living units were therefore designed to break down the traditional split between prisoners and personnel, while, at the same time, creating an environment that would facilitate the developments of values and positive attitudes between residents (Ekstedt & Griffiths 1988:209).

Lansing, Bogan and Karacki (Zupan 1991:68) are of the opinion that living units have a number of advantages in terms of effectiveness. The following are emphasised:

- It divides a large number of prisoners into small, well defined and manageable groups of prisoners who develop a common identity and association with each other and personnel members in the living unit.

- It improves relationships between personnel and prisoners with results such as:
  - ❖ Better communication and programme planning;
  - ❖ Classification and programme planning on individual basis;
  - ❖ More valuable programme reviews and adjustments;
  - ❖ Better observation of and control over prisoners, enabling early detection of problems;
  - ❖ Development of common goals to encourage cohesiveness in the unit;
  - ❖ A more positive living and working environment for prisoners and personnel;
  - ❖ Multi-disciplinary backgrounds enhance communication;
  - ❖ Personnel are more involved in decision-making and the correctional process;
  - ❖ Quality and swiftness of decision-making is enhanced, because personnel are more closely involved with prisoners;
  - ❖ Programme flexibility is increased, and;
  - ❖ Programmes in a unit may be changed without any effect on the total institution.

## **6.5 TREATMENT AND DEVELOPMENT UNIT**

The treatment and development unit is developed to address the treatment and development programmes designed to satisfy the particular needs of a prisoner and to develop the potential of the prisoner. This unit can be situated on its own, like workshops for vocational training, or it can form part of the living unit, as can be the case with the working space of social workers and psychologists.

## **6.6 PROTECTIVE CUSTODY UNITS**

Within the normal prison, and more so in the abnormal ones, even if they are administered along the lines of unit management, patterns of prisoner violence, racial undertones, gang activities and other factors have created pressure on a number of prisoners. This has led to the increased use of methods to protect a growing number of prisoners. Protective custody developed to become a major feature to maintain control in most prisons and prison systems today. Protective custody can be defined as a form of separation from the general population for prisoners requesting or requiring protection from other prisoners. The prisoner's status is reviewed periodically by the classification committee (Henderson & Phillips 1991:43).



According to Greenfield (1981:7) 2.3% of the 1978 prisoner population in The United States of America was classified as needing protective custody. This figure rose to 5.6% in 1990 (Henderson 1991:1). Taking into account the rise in the overall prisoner population, it is clear that the problem of protective custody is a major one in the United States of America alone. Correctional authorities in Canada indicated an increase in protective custody from 2.5% of the prisoner population in 1972 to 10.1% of the prisoner population over a ten-year period (Vantour 1982:12). The concept of protective custody is, however, not unique to countries on the American continent. In Australia, the Department of Corrective Services in New South Wales opened the Special Purpose Prison in 1989 at the Long Bay Prison Complex in Sydney.

As the phenomenon of protective custody has become more pronounced, the complexity has changed dramatically. Normally only weak, immature prisoners and child molesters were the types most often housed in protective custody units. Today, a whole number of other categories are included as eligible for protective custody, amongst them the following:

- Prisoners nearing release and who try to avoid disciplinary infractions or other problems;
- Informants who act in the interest of the particular regime;
- Those taking refuge from prison situations like gambling or drug debts;
- Offenders with notorious criminal offences on the outside and who are not prison-wise;
- Organised crime informants who are imprisoned and whose identity is known;
- Gang members who require protection from imprisoned members of the group they attacked;
- Prisoners who turned state witnesses against co-defendants;
- Prisoners trying to manipulate the system;
- Prisoners who preyed on other prisoners and whose lives are endangered by those they formerly preyed on, and;
- Other categories, such as some homosexuals, people trying to commit suicide, former police and former correctional officials.

It is quite clear that protective custody can be a kaleidoscope, one that is increasingly difficult to manage. In many prisons separation is imposed within a protective custody unit to protect residents from each other. According to Henderson (1991:2) the following elements in prison contribute to the need for protective custody units:

- Greater accessibility of one prisoner to another, because of increased freedom of movement within prisons;
- Less stringent nature of modern-day prison discipline, providing less of a deterrent for rule-breaking;
- Greater concentration of hard-core prisoners in the same prison caused by practices of classification and thereby increasing the likelihood of violence in those prisons;
- Offence profiles, which often reflects a history of greater violence than in the past;
- Increasing numbers of first offenders with no experience of how to handle life in prison;
- Practices such as furloughs, day parole and other forms of temporary leave which creates a greater potential for contraband and pressure from other prisoners for favours;
- The growing drug culture, which produce a new class of informers who may request protective custody;
- Prisoners wanting to come away from gang affiliation, and;
- The increased likelihood of prisoners suing prison officials for failing to protect them.

It is clear that the reasons for and use of protective custody dictates a growing need for more space to keep prisoners separated and protected through the use of protective custody units.

## **6.7 PRE-RELEASE UNIT**

The pre-release unit forms an integral part of case management. It is here where the prisoner gets prepared for the day of release. The phase must be seen as a continuation of the treatment and development phase. The purpose of an eight-week stay in the pre-release unit is to prepare the prisoner to deal effectively with possible problems which he or she may be confronted with after release (Department of Correctional Services undated:67).

Programmes in the pre-release unit prepare the prisoner to deal with those problems which may occur on placement in a job, a place to stay, support systems in the community, continuous participation in education and training programmes and general streetwise programmes. During the pre-release programme the prisoner is exposed to aspects such as more freedom inside the unit, going to church outside prison, weekend leave, visiting shopping centres and going for employment interviews.

## **6.8 CONCLUSION**

Different units are essential for the implementation of practical unit management. Each unit has a different function and therefore a different reason for existence. Practice has shown in the past that prisons with a shotgun approach to different functions are not effective at all. The different units can be compared with a production line in a large factory. Every department knows exactly what is expected and therefore the production outputs are much higher than in factories where production lines do not exist. With the existence of different units, all energy can be directed towards common goals and this results in better achievements in terms of the set goals.

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## **CHAPTER 7: PERSONNEL ADMINISTRATION AND DIRECT SUPERVISION**

### **7.1 INTRODUCTION**

In order for any prison to be functional it must be staffed and personnel must fulfil certain roles. Unit management in prisons differs entirely from traditional management. The role of diverse architecture has already been discussed with the emphasis on forms of design which support unit management in prisons. The second most important aspect to architecture in unit management is direct supervision. Rather than being separated from prisoners by a barrier, direct supervision dictates that staff members are stationed right inside living units with the prisoners (Farbstein 1989:1). One of the primary duties of correctional officials in direct supervision prisons is to maintain personal contact with prisoners. The quality of security depends upon the ability of highly trained staff to detect and defuse potential problems and situations.

Direct supervision facilities offer prisoners a more normalised environment and increase the likelihood that prisoners will gravitate into smaller, more compatible groups. A number of countries around the world, such as Australia, New Zealand, Japan, Scandinavia, some Latin-American countries and nearly the whole of Western Europe exercise direct supervision. The Federal Prison System in America as a whole consists of direct supervision facilities. In Canada, the Unit Management model of offender management, of which the Correctional Services of Canada is a strong proponent, is based on the principles of the direct supervision approach.

Apart from the federal system, a number of state and local American prisons and jails have already introduced direct supervision. Support for direct supervision is increasing, as in South Africa, where new prisons are being erected in accordance with the philosophy of unit management. Namibia also places a new emphasis on rehabilitation of offenders. The result will be the worldwide staffing of a number of new generation correctional facilities, either by appointing new personnel or by retraining existing personnel. The important role that personnel and direct supervision will play in the introduction of unit management into prisons will form the basis of further discussions in this chapter.

## 7.2 PERSONNEL ADMINISTRATION

Personnel administration in this discussion will be based on two points of departure; the provision of staff to units, and the different roles personnel can play in unit management. According to Rauch (1987:14) in the past, correctional organisation tended to separate employees into groups more interested in internal departmental goals than in broader concerns of the criminal justice system. More recently, correctional organisations have tried to encourage a wider vision for their employees, refocusing attention on systemwide objectives. Unit management was developed as an organisational structure to meet this need. To make unit management work, a total team approach to corrections is required (Rauch 1987:14).

### 7.2.1 UNIT STAFFING

Stable staffing is the foundation of good control and good staff-prisoner relationships. Staff stability is an important management strategy as it ensures:

- Better continuity;
- Greater knowledge of prisoners;
- More predictable prisoner behaviour;
- Greater consistency among staff;
- Higher levels of experience among staff, and;
- A safer work environment (Victorian Office of Corrections 1990:40).

Rauch (1987:14) is of the opinion that most manuals on unit management list the following as requirements for success:

- **Leadership:** A commitment to unit management at the central office, regional office, institution and unit levels is imperative for successful implementation.
- **Unit plan and mission:** Each unit must have a written mission plan that defines the unit purpose.
- **Adequate resources:** These include time, money, material, personal commitment and **human resources**.
- **Quality performance:** Competent staff must give a quality performance.

- **Interdepartmental performance:** Unit management cannot function in a vacuum. Cooperation and assistance between various correctional disciplines are absolute needs.
- **Monitoring and evaluation:** A systematic approach to the evaluation of unit management is necessary to determine if its goals have been attained.
- **Analysis and refinement:** Efforts should be made to maximise overall effectiveness and efficiency.
- **Selection and assignment of staff:** This is perhaps the most **critical** resource. **Competency skills** should include the **commitment and personal resolve** necessary to implement and fulfil the principles of unit management.

In the view of Henderson (1982:13) the selection of staff for the units is of **critical** importance in the success of the project. Unit staff, and in particular managers, should be flexible, highly motivated individuals who can adapt to changing circumstances. Staff at all levels should be able to communicate well with prison populations and tolerate the stresses and ambiguities of implementing a radically new system.

Apart from being employees who set a positive tone, they must be selected from a representative range of disciplines, and be individuals of high credibility within correctional facilities. The bottom line is that staff who perform duties according to unit management principles, must be able to **adopt different roles at different times**. Although these roles are mostly amalgamated, they will be separated for the purposes of the discussion below.

### 7.2.2 THE CUSTODIAL ROLE

Custodial staff are the single most important group working in a prison. They have to ensure conditions of safety and humanity. In the past, however, this role had little to do with the programming and personal development of the prisoner. To be most effective, custodial management must involve more than just the use of security and prisoner-movement control systems. The general involvement in the daily activities of prisoners should not be seen as a way to turn custodial staff into social workers, nor should it be seen as a way of getting custodial staff to be “soft” on prisoners. Custodial staff should become involved in all areas of the prisoners’ life. This includes having a basic responsibility for their welfare. To be able to achieve this, custodial staff must:

- Have a good knowledge of the daily activities, commitments and associates of the prisoner;
- Be familiar with the background, motivations, problems, aspirations and needs of the prisoner, and;
- Be able, in the light of his or her knowledge, to manage the prisoner with insight and skill. This aspect is impossible without the first two points have been established.

A high level of involvement by custodial staff in all spheres of the life of the prisoner broadens the power base of officials and provides a basis for authority through good control, understanding, action and setting of high standards by means of care.

In fulfilling the custodial role, a number of traps do occur when being in close range of prisoners on a daily basis. According to the Victorian Office of Corrections (1990:72) prisoners always aim to have control over their environment, which includes custodial staff. Prisoners who successfully achieve control over officers are usually very patient, credible and subtle. They target individuals who are:

- Over familiar;
- Over friendly;
- Gullible;
- Timid;
- Easily obligated;
- Easily embarrassed;
- Lax about rules;
- Over concerned or anxious about their image;
- Inconsistent;
- Easy on trouble-makers;
- Have a “them and us” attitude, and;
- Like to gossip.

Custodial staff who are in control are respected by prisoners and treated as professionals. For custodial staff to stay in control, the following steps should be taken:



**Be a professional**

Make sure you understand what is expected of you. Never lower your own standards to meet those of the prisoner. Standards should always change in an upward direction.

**Do not compromise**

If prisoners act inappropriately in your presence, you are probably being tested. Do not ignore the problem, but deal with it. Make sure the prisoner knows your views without offending him or her. Ensure that a descriptive report on the file of the prisoner about the event adds weight to your action and let the prisoner know what you have done. Once a prisoner knows that you are prepared to act in a professional way, such conduct will quickly be terminated.

**Use discretion**

Never disclose details of your private life or the private lives of others to prisoners. Be cautious of casual remarks, particularly about other staff. Personnel should present a united front.

**Be in command**

Have a comprehensive knowledge of your duties. Do not be scared to find out if something is not known to you. Once you have made a mistake, remember everybody makes mistakes at times. Be sure to let the authorities know about it.

**7.2.3 THE DISCIPLINE ROLE**

Good discipline cannot be forced on others, as it normally results in grudging compliance. In the current environment in prisons, intelligent prisoners will undermine unreasonable and oppressive discipline. Discipline must be seen as an intellectual exercise in reason (Victorian Office of Corrections 1990:81). Effective disciplinarians always attempt to gain willing compliance. To achieve this, the following approach could be helpful:

- Always know why a rule is in place and why compliance is requested;
- Always enforce the rules and be able to explain why;
- Always expect good discipline;
- Always set limits clearly;

- Always know the consequence of misbehaviour and be able to explain it;
- Always try to reprimand in private;
- Always try to punish and reward quickly;
- Always be a good example;
- Always be consistent;
- Always know yourself and your prejudices;
- Always think before you act;
- Never ridicule prisoners;
- Never judge the person, only the behaviour;
- Never make unnecessary threats, and;
- Never punish a group for the actions of an individual.

#### **7.2.4 THE SECURITY ROLE**

People who see security in narrow terms criticise unit management for relegating security to second place, somewhere behind programmes, healthy staff-prisoner relationships and humane treatment. However, security has a much wider role in the prison than the narrow terms such as physical barriers, riot equipment and restraining devices. Unit management takes the approach that security remains important, but it serves as a background to prison activity. Good security must be dynamic and flexible and good security workers must be people who are interested in providing a service that accommodates the changing pace of an active prison community.

One of the by-products of good staff-prisoner interactions, high staff participation levels, and positive discipline and control systems is greater access to security-related information. According to the Victorian Office of Corrections (1990:78) experience shows that prisoners who live in a prison environment in which staff have control, are usually motivated to ensure that the environment is protected as breaches of security can make prison life unpleasant. By increasing the number of opportunities to talk to prisoners, staff will also increase the potential to gather security-related information. This makes prisoners predictable and being predictable they are far easier to control than unpredictable prisoners.

### **7.2.5 STAFF ACCESSIBILITY TO PRISONERS**

In order to facilitate direct supervision and to foster better supervision and informal interaction with prisoners and to identify problems at an early stage, it is important that prisoners have access to staff on a daily basis. According to Hawk (1996:3) personnel working in units under control of the Federal Bureau of Corrections in the United States of America have assigned duties in this regard. Every unit manager, case manager and counsellor shall tour the unit on a daily basis and be accessible to prisoners in the unit during day and evening hours.

Unit staff whose offices are not located in the unit shall establish schedules to provide ready access for prisoners of the unit. Unit managers shall also ensure that unit staff are available during non-working hours of prisoners and that evening and weekend duties do not detract from this accessibility. All areas inside the prison, like workshops, shall be visited on a monthly basis. Unit staff must visit prisoners in community hospitals at least weekly.

### **7.3 THE PROFESSIONAL CONDUCT OF PERSONNEL**

It is stated that many powers and responsibilities are conferred on personnel who work in unit management prisons. Correctional officials have to administer their powers fairly, justly and consistently in a professional and compassionate manner. The dignity and individuality of all prisoners must be respected. In keeping with these expectations correctional officials should conform to the following standards:

- Correctional officials will perform their duties in a manner that promotes:
  - ❖ Mutual respect amongst their colleagues;
  - ❖ The professional and public image of all correctional officials;
  - ❖ Improvement of the quality of service of the profession, and;
  - ❖ A cooperative and professional relationship with other arms of the criminal justice system.
- Correctional officials will respect and protect the privacy and legal rights of all prisoners.
- Correctional officials will protect the safety, health, welfare and well-being of prisoners with no view to personal gain beyond the terms of their employment.
- Correctional officials will carry out their duties in a manner that protects and safeguards the interests of the public, prisoners and colleagues.

- Correctional officials will respect the confidentiality of private information relating to prisoners and colleagues.
- Correctional officials will record any information that will contribute to sound decision-making affecting prisoners or the safety of the public or institution.
- Correctional officials will report any suspected unethical or corrupt behaviour which they believe could affect a prisoner, colleague or the prison department itself.
- Correctional officials will not use their official position to secure special privileges or advantage for themselves.
- Correctional officials will not introduce to, or remove from a prison, for any prisoner, any article or substance.
- Correctional officials will not act in any official capacity in matters in which they have a personal or financial interest.
- Correctional officials will not, at any time, perform their duties under the influence of any substance that may cause them to be intoxicated or suffer from impairment of their mental faculties.
- Correctional officials will not accept gifts or favours in the course of their duties.
- Correctional officials will not discriminate against any prisoner, colleague or prospective employee on the basis of race, sex, creed, political beliefs or national origin (Victorian Office of Corrections 1990:129).

#### **7.4 DIRECT SUPERVISION**

According to Craig and Rausch (1994:170) there is a group of prisoners that must be warehoused and a group of prisoners that will try to reintegrate into society. To facilitate the latter, the prison system must not be a numbers-driven system based on where a bed is available. Successful reintegration will depend on to what extent the right prisoners are targeted. Direct supervision can be used to ensure that prisoners are “routed effectively” during their sentences.

The way prisoners are supervised is, in the opinion of Zupan (1991:105), the most critical component of the philosophy of unit management. Supervision is, like architecture, meant to reduce stress associated with imprisonment and to increase control over the behaviour of prisoners. According to Nelson and O’Toole, as well as Gettinger (Zupan

1991:105) the puristic ideal with direct supervision over prisoners can be explained against the background of six objectives:

- Staff, rather than the prisoners, will control the prison and the behaviour of prisoners;
- Custodial staff will direct and control the behaviour of prisoners and the latter will be supervised directly and continuously;
- Rewards and punishment will be structured to ensure compliant prisoner behaviour;
- Open communication will be maintained between the custodial staff and prisoners;
- Prisoners will be advised of the rules and expectations of the prison, and;
- Prisoners will be treated equitably and fairly regardless of their personal characteristics or the reasons for which they are imprisoned.

In the opinion of Zupan (1991:105) certain critical behaviours are required for effective prisoner management in direct supervision prisons. The first is the relationship between the behaviour of a correctional official and the interpersonal climate inside the module. Correctional officials must produce a conflict free environment, both among prisoners and between prisoners and staff. Direct supervision results in the correctional official being in direct contact with prisoners the whole day. They cannot depend on architectural features such as grills and doors for protection. Effective correctional officials in direct supervision are those who engage in behaviour that negates verbal or physical confrontation.

Secondly, correctional officials have to protect themselves from manipulation by prisoners in the unit. Contact between prisoners and staff is frequent and direct. Under these circumstances friendships develop naturally. This may lead to manipulation and exploitation of staff. Once again, effective correctional officials must be able to protect themselves from this type of subtle manipulation.

The third critical behaviour, to be successful in direct supervision units, is to deal with every argument, peculiar behaviour and rule violation. It is important that minor rules be enforced at all times, as non-enforcement may lead to more serious infringements.

The concept of direct supervision differs from the conventional approach because correctional officials are stationed inside the housing unit and correctional officials are in direct contact with prisoners all the time. The concept encourages direct interaction

between staff and prisoners to prevent negative prisoner behaviour, and prisoners are grouped in such numbers that one official can manage them at a time. Staff are in interaction with prisoners for 24 hours a day (Nelson 1988:2-3).

According to a survey conducted by the National Institute of Corrections under administrators of nine direct supervision prisons in the United States of America, the concept proved to be an effective technique to manage prisoners. However, increased management attention and staff training were required (Nelson 1988:3).

The same survey proved that staff morale was improved through the concept. Direct supervision had a positive impact on staff morale in the following respects (Nelson 1988:4):

- Improvement of staff attitudes;
- Decrease in staff tension;
- Reduced use of sick leave;
- Improved treatment of prisoners by staff;
- Decreased number of staff-prisoner conflicts;
- Improved institutional cleanliness and orderliness, and;
- Reduction in employee misconduct and confrontations with management.

Personal safety is an important determinant of the quality of a work environment. Direct supervision prisons in the mentioned survey reported fewer incidents of violence. According to Nelson (1988:4) Pennsylvania's Bucks County reported that fights have dropped by at least 50% and the use of disciplinary segregation has declined by 30%. The Middlesex County of New Jersey reported no incidents of violence of any nature in the 18 months after introducing direct supervision. One administrator of a prison in the Larimar County in Colorado reported: "Much less violence, we are in charge for a change!"

## **7.5 THE SEVEN-DIMENSIONAL APPROACH TO OFFICIAL BEHAVIOUR CONTROL**

To achieve “total control” over prisoners, correctional officials must attend to all behaviours and activities of prisoners. Zupan (1991:107) emphasises seven dimensions as the most important for effective supervision and control over prisoners in units. These dimensions will be discussed in more detail below.

### **7.5.1 RESOLVING PRISONER PROBLEMS AND CONFLICTS**

One cannot discard the fact that conflicts and disputes will always arise among prisoners in the close confines of a prison. Minor daily conflicts can escalate into large-scale disruptions. Apart from having the potential of escalating over a period of time, minor problems can cause the sudden eruption of violence within the unit. From interviews with correctional officials, it became evident that seemingly insignificant acts, such as someone sitting in their favourite chair or receiving the smallest portion of food, could lead to major disturbances (Zupan 1991:110).

Proactive correctional officials will deal with conflicts at the first sign of disharmony. It is critical that correctional officials be alert to even minor sources of conflict and deal with them before they intensify. Conflict management and problem-solving abilities are very important and should form part of training schedules to enhance effectiveness. Correctional officials should also stay patient and calm during discussions about problems.

### **7.5.2 BUILDING POSITIVE RAPPORT AND CREDIBILITY WITH PRISONERS**

Correctional officials are the formal leaders in units. They are expected to take responsibility for a positive tone for interaction between personnel and the prisoners. Staff who are unable to control their own emotions or degrade prisoners convey a message that antisocial behaviour is an acceptable norm. An environment of mutual respect can be created by demonstrating consistency in everyday interactions, using polite phrases, such as please and thank you, and remaining in emotional control during contacts with prisoners. Staff should never ignore verbal abuse by prisoners, but they

should also never react with violence or physical force. Zupan (1991:112) gives the example of a correctional official who abused prisoners verbally. When they reacted in the same way, the staff member took disciplinary action against the prisoners. This form of double standard conduct is unfair to prisoners and therefore ineffective behaviour.

Prisoners must be treated fairly to build credibility among them. A reputation for fairness is considered important to ensure prisoner cooperation. Equal treatment not only avoids favouritism and loss of credibility, but it prevents the rise of prisoner leadership. In one American facility, only 12 of 50 prisoners in a unit could eat at one time. The correctional official rotated the 12 who would be served first (Zupan 1991:112). Equal treatment also requires correctional officials to put aside any prejudices, for example, treating certain prisoners poorly because the correctional official has an aversion for the nature of offence for which a person was imprisoned.

A correctional official can also develop a positive reputation by treating prisoners with dignity. Prisoners who are belittled feel no obligation to cooperate with correctional officials. Degrading prisoners in the presence of others incites misbehaviour. Public humiliation will often lead to public challenges in order to regain pride.

### **7.5.3 MAINTAINING EFFECTIVE ADMINISTRATIVE AND STAFF RELATIONS**

The correctional official is considered the most important organisational member in direct supervision facilities. For this reason, maintenance of good relationships between staff members is important. A common method of manipulation by prisoners is to drive a wedge between different staff members by making staff members dependent on prisoners for friendships. To avoid this type of manipulation, correctional officials must present a united front. The most important in this regard is to refrain from expressing criticism of other officials in the presence of prisoners.

According to Zupan (1991:113) it is believed that prisoners will use conflict between officials for their own benefit to play officials off against each other. An officer should therefore not interfere with, or counteract the decisions of co-workers in regard to prisoners, unless the actions of the correctional official violate facility policies or the law.



The need for consistency between officials is also critical to maintain effective co-worker relations and for control over prisoners. The rules enforced on one shift must be the same rules enforced on other shifts. Inconsistency between officials provides opportunities for prisoners to manipulate staff and make it more difficult for other staff to enforce the rules.

Appropriate information to support the facility administration must be provided in a timely manner, not only for decision-making and prisoner programmes, but also to protect the correctional official and to keep communication channels open.

#### **7.5.4 MANAGING THE LIVING UNIT TO ASSURE A SAFE AND HUMANE ENVIRONMENT**

A critical component of direct supervision is the continuous and active observation of all prisoners and their activities. Active observation is crucial to gather information about what is occurring in the unit, to determine sources of conflict and tension and to identify and handle situations before they escalate into serious problems. Correctional officials should mingle with people in their units as it gives officials and prisoners alike a better understanding of each other and what is going on in the unit. Effective observation requires engagement in casual conversation, observation of actions of prisoners, attentive listening and asking of questions. Effective observation also entails investigating situations that appear out of the ordinary. Ignoring prisoners and isolating oneself from the activities of prisoners are examples of ineffective management of the living unit (Zupan 1991:116).

#### **7.5.5 RESPOND TO REQUESTS OF PRISONERS**

The correctional official is the only immediate contact that the prisoner has with the administration of the prison and the outside world. It is for this reason that correctional officials in direct supervision facilities face a daily barrage of requests for information, questions and complaints. The degree of isolation prisoners experience, is directly influenced by the manner in which a correctional official deals with their requests and complaints. Prisoners always need their requests to be acknowledged and responded to,

even if the response is to deny a request. Correctional officials must be able to say no to inappropriate requests from prisoners (Zupan 1991:118).

The correctional official responsible for investigating a request must provide prisoners with accurate information. According to correctional officials in American jails (Zupan 1991:119), prisoners have a need for officials to respond to requests in a polite and courteous manner. All requests must be treated with equal consideration and all promises must be fulfilled.

### **7.5.6 HANDLING DISCIPLINE**

Normally institutional rules and regulations govern prisoners and correctional officials. According to Zupan (1991:120) correctional officials in direct supervision facilities are actively encouraged by supervisors and administrators to enforce rules. Superiors view rule enforcement as a sign of effective job performance. The purpose of discipline is the maintenance of an orderly environment rather than punishment of particular prisoners.

#### **The use of progressive discipline**

Progressive discipline requires correctional officials to make distinctions between minor and serious violation of rules. Correctional officials in direct supervision prisons are granted the authority to administer informal discipline unilaterally for violation of minor rules, without taking formal action. The purpose of informal discipline is to put a stop to misconduct without removing the prisoner from the unit or charging him or her officially with a violation that will lead to a formal disciplinary hearing. Informal discipline includes the following (Zupan 1991:120):

- Counseling or relaxed discussion with the offender (discuss the rule violated, the reason for the rule, explain consequences of repeated violation of rules);
- Verbal reprimand, and;
- Locking the prisoner in his or her room for a short period of time.

The success of informal discipline depends on the willingness of the correctional official to follow through on warnings if bad conduct continues.

Formal discipline entails an in-house disciplinary hearing, resulting either in extended lockdown in the room of the prisoner, or transfer to a segregation unit.

### **Fair and consistent application of discipline**

Unfair discipline leads to unrest, hostility and a breakdown of order in the unit. The following critical behaviours are associated with the concept of fair and consistent application of discipline (Zupan 1991:121-122):

- Discipline must only be applied to the offending prisoner and not to all prisoners in the module;
- Prisoners must be disciplined in private, rather than in the presence of others;
- Avoid embarrassment and thereby prevent forcing prisoners into face-saving actions;
- Explain the reason for disciplinary actions;
- Identify the rule violated by the prisoner and allow for an opportunity to explain why the rule was violated, and;
- Discuss the rule violation with prisoners to make them understand that discipline was warranted.

### **7.5.7 SUPERVISING IN A WELL-ORGANISED MANNER**

According to correctional officials in American jails (Zupan 1991:123), effective direct supervision entails a broad range of skills and abilities. Effective supervision of prisoners is based on the following:

- Clearly communicate orders, requests and the requirements of a task;
- Assign tasks according to the ability of prisoners;
- Motivate prisoners by making use of positive reinforcement, praise and constructive criticism rather than threats and punishment;
- Make certain that prisoners are able to comply with orders;
- Provide regular feedback on performance of prisoners;
- Communicate official policy and rules on a regular basis to all prisoners (video tapes, meetings with prisoners upon arrival at the unit, discussing relevant issues during meal times);
- Spell out expectations and define the bounds of acceptable behaviour explicitly;

- Let prisoners know that the correctional official can be the only leader in the unit, and;
- Follow up on prisoner compliance.

## **7.6 EVALUATION OF DIRECT SUPERVISION**

Research done by Zupan (1991:133) shows that direct supervision introduces significant change into the work life of correctional officials. Firstly, it alters the environment in which correctional officials must function. Secondly, direct supervision redefines the responsibilities of the correctional official. According to Hackman (Zupan 1991:133) people are motivated by meaningfulness of the job. Direct supervision brought about a redesign of the work of the correctional official in accordance with a theory of job enrichment.

Analysis of the job performed in direct supervision prisons suggests, in the view of Zupan (1991:134), that the job possesses a number of enriching characteristics. Correctional officials have to observe more intensively, investigate and resolve problems of prisoners, manage difficult situations and manage the unit by making most decisions singlehandedly. Correctional officials also have to maintain order and exercise leadership in units by the use of their own wits. This leads not only to job enrichment, but also to job satisfaction. Direct supervision also makes it difficult for the correctional official to withdraw from contact with prisoners in the unit, which can result in a closer understanding of the problems prisoners experience.

## **7.7 CONCLUSION**

Nelson and O'Toole (1983:1) are of the opinion that direct supervision prisons are at least as secure as traditional prisons and they provide a higher level of safety for prisoners and staff alike. Aggravated assault in direct supervision facilities averaged 10.4 assaults in 1981 and 8.7 in 1982. In contrast, traditional prisons averaged 154.3 assaults in 1981 and 141.5 in 1982. According to Wener (Zupan 1991:127) violent incidents in American Federal Metropolitan Correctional Centres and other direct supervision facilities

decreased between 30% and 90%. Homosexuality virtually disappeared after the introduction of direct supervision.

The statement that direct supervision prisons are more secure than traditional prisons is borne out by the discussion of direct supervision above. It is, however, important that staff know what is expected of them. Roles must be defined and support systems provided to ensure that personnel are in a position to fulfil the roles expected of them.

There are a number of obvious benefits attached to direct supervision, such as better control, less violence and better rehabilitation opportunities, to mention but a few. In terms of the growing burden on prison officials to cope with growing numbers of prisoners, it must be said that direct supervision is a workable alternative to reduce prison populations on a more permanent basis.

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## **CHAPTER 8: CASE MANAGEMENT**

### **8.1 INTRODUCTION**

It is said that correctional facilities have two main functions. Prisoners must be kept in safe custody and they have to be rehabilitated by means of programme services. Experts believe that both these functions can be more effective if the size of caseloads for each correctional official is reduced. They maintain that smaller caseloads would allow officials to exercise better supervision and to devote more attention to each client and to render better services.

However, after much research in the 1960's and the 1970's on the ideal size of caseloads, results have shown that smaller caseloads do not significantly reduce recidivism in adults. This boils down to the fact that more supervision is not necessarily better supervision. According to Clear and Cole (1994:197) aspects such as social systems of the corrections agency, supervision experience, classification of offenders, types of treatment and the officials themselves have more impact on effectiveness than the size of caseloads. The latter facilitated the development of case management systems in the United States of America.

Case management systems have been developed to focus supervision efforts on the prisoners' problems. The National Institute of Corrections developed the so-called "model system" of case management in 1980. Although case management firstly became a common subject in probation, the concept became policy in unit management out of necessity to identify, together with prisoners, their personal needs and to be aware of resources and programmes which would assist in meeting those needs (Doherty & Ekstedt 155).

### **8.2 THE PURPOSE AND OBJECTIVES OF CASE MANAGEMENT**

According to the Correctional Services of Canada (1996:3) the purpose of case management is to provide direction and co-ordination for all activities related to the management of the sentence of an offender. Case management is a way of organising the movement of the offender through the correctional system. Specialists are allowed to

interact with the prisoner in an effective manner, to identify needs and resources and to specify a series of activities in which the prisoner should engage for the duration of his or her sentence.

By using case management, re-entry into the community can be a longer-term planned and supported event, rather than just a process towards the end of a sentence (Doherty & Ekstedt 156). Case management is an ongoing process of involvement by personnel, utilising specific skills and knowledge to facilitate desired change in offenders to reduce recidivism and at the same time to improve security.

The objectives of case management can be described as follows:

- To ensure that focus is placed on the individual;
- To enhance the role of the correctional official;
- To develop a more effective security system;
- To develop sound working relationships with prisoners based on clarity of roles and expectations;
- To identify and assess needs and problem areas;
- To develop, co-ordinate and implement realistic plans and programmes to meet these needs;
- To monitor and review plans on a regular basis, and;
- To make the prisoner's sentence as productive as possible.

### **8.3 ADVANTAGES OF CASE MANAGEMENT**

Case management must offer advantages to prisoners to make them co-operate with the system. Advantages for prisoners include the following:

- Encouragement and support to obtain maximum benefit out of their sentence;
- Contact with somebody who knows their background, with whom they can discuss long-term and crisis situations and with whom they have developed programmes and rapport, and;
- A safer environment and regular contact with officials.



Case management is also important for correctional officials because of the following reasons:

- It makes the career of the correctional official challenging, interesting and fulfilling;
- It offers correctional officials more control over prisoners and over the normal prison environment in comparison with the situation in traditional prisons, and;
- It creates opportunities for officials to become multi-skilled, something unavailable in traditional correctional official roles.

Case management also has advantages in terms of daily control and security. The following are examples of this:

- **Building trust**

Every prisoner has at least one case manager or official with whom a measure of trust can be developed and with whom problems can be discussed. There will be less need for protection and fewer suicides and assaults.

- **Reduction in security risk**

Correctional officials have the opportunity to manage aspects which could develop into security risks. The conduct of a number of aggressive prisoners, for example, can be redirected by the running of appropriate programmes.

- **Dynamic security**

Recording and utilising information on specific prisoners allows correctional officials to intercept problems before they can escalate into uncontrollable situations. It allows for security that prevents incidents before they occur. This is called dynamic security (Department of Correctional Services undated:33).

## **8.4 THE PROCESS OF CASE MANAGEMENT**

The process of case management is divided into five phases. Each of these phases has its own objectives and tasks, although some of the activities are common in more than one phase. The spending of time until the sentence is served is facilitated by these phases. The following phases reflect the major events in the offender's sentence:

- Initial assessment and placement;

- Correctional planning and institutional supervision;
- Preparing cases for decision;
- Decision on parole and release, and;
- Community supervision (Correctional Services of Canada 1996:11).

## ● PHASE I - INITIAL ASSESSMENT AND PLACEMENT

After a prisoner is sentenced, the case management process of collecting and organising begins. The purpose is to gain a clear understanding of the prisoner. Critical decisions with regard to the prisoner's institutional placement and programme needs are determined with this information. At this stage the information is already utilised to determine which offenders may function under community supervision at the earliest point in their sentences, as well as those who should be incarcerated for a longer period of time. Greater measures are taken to collect detailed information for violent offenders. This phase usually occurs during the first three months after sentencing.

### **The main objectives of phase I are:**

- "To ensure that an efficient system is in place for collecting all of the necessary information needed to assess and treat the newly-sentenced offender on an ongoing basis;
- To ensure that the needs of the newly-sentenced offender are fully identified and to determine whether these needs can be met effectively in a community setting;
- To identify the factors that contributed to the offender's criminal behaviour;
- To ensure placement of the offender at an institution appropriate to the identified security and programme needs, and;
- To ensure that a thorough penitentiary placement report is completed for the purpose of initial placement and community release potential" (Correctional Services of Canada 1996:12).

Information collected before the prisoner is sentenced, is also used in the initial assessment and placement phase, including the following:

- Police report;
- Pre-sentence reports;
- Victim impact statement;

- Sentencing judge's comments;
- Probation files, and;
- Young offender history.

Each phase in the case management process is earmarked by a number of documents which have to be completed in order to keep records updated. Case management officials are responsible for collection and filing of the different information or documents in each of the five phases of case management.

**The case documentation checklist** is a form used to keep track of the information gathering process and to ensure that essential information is put on file. The document is placed on top of the offender's case management file for quick reference if certain information has already been collected.

**Post-sentence community assessment** is completed to verify and add to the information provided by the offender. This assessment will include information such as the impact of the criminal action on the victim, information on the family of the offender and the social history of the offender.

**The placement report** provides an analysis of all information gathered to date, and concludes with an assessment of the security and programme needs of individual offenders. This form, like the others, is completed by the case management official. The decision of initial placement is based on a balance between public protection and the needs of the offender. The offender is placed at the lowest level of security necessary. The Director of the prison takes decisions on placement.

Risk (factors which led the offender into criminal behaviour and the criminal record) and needs (areas which can be changed to reduce the risk of recidivism) are identified by a comprehensive and integrated assessment process by making use of **offender intake assessment**. This is done at the beginning of the sentence so that programming and treatment can be focused appropriately.

**General statistical information on recidivism** is a questionnaire that provides a statistical probability of risk that an offender would present if released into the community. No decisions on parole should be taken without these statistics.

**The criminal profile report** puts together all relevant information gathered to date, to give the best possible understanding of the causes of criminal behaviour and the crime of the offender. The report is designed to provide a “picture” of the offender at the start of the sentence. Future behaviour is measured against this initial picture to determine if there has been any improvement. The report consists of three parts:

- Details of the current offence, which consist of information provided by the offender, police, courts, judges and victims;
- An analysis of the criminogenic factors such as patterns of criminal behaviour, contributory factors to the crime and assessments, and;
- Offence cycle - pattern of behaviour and indicators of continuing criminal behaviour.

## ● PHASE II - CORRECTIONAL PLANNING AND INSTITUTIONAL SUPERVISION

This phase revolves around the correctional plan, which is based on an analysis of the needs and supervision requirements of the prisoner. Various parties involved at both operational and specialised levels monitor progress throughout this phase. According to specific needs and participation in programmes offenders may be considered for privileges such as absence (permission to leave the prison) and private family visiting, and other programmes. The prisoner must be prepared for release as early as possible in the sentence as soon as it is determined that the risk can be managed in the community.

**The major objectives for phase II are as follows:**

- To ensure that the supervision approach and the intervention techniques used with each offender are effective;
- To implement and monitor correctional plans which will maintain the offender on a course intended to deal effectively with those critical problem areas that contributed to criminal behaviour;
- To ensure that human and material resources are used efficiently by focusing on areas most likely to reduce further criminal behaviour;
- To ensure continuity and consistency in case management throughout an institution and the sentence of an offender, and;
- To establish a baseline for behaviour from which progress on problem areas can be measured and decisions be made.

In this phase, a **correctional plan** is determined. The causes of criminal behaviour and the previously discussed criminal profile report form the basis of the correctional plan. From reviewing these reports it can be determined which of the criminogenic factors the offender can begin working on and in which sequence. The correctional plan is essentially a supervision tool, developed by authorities together with the offender. It focuses on factors that can be addressed during the sentence and it identifies long-term goals for the sentence period, the specific programmes, resources and supervision techniques.

The monitoring of progress is recorded in the **casework record**. This is the primary recording document in the supervision process. All short term objectives as well as action plans on how to achieve those objectives are outlined in the casework record.

The **activity record** is a documentation tool used by all personnel as observation notes to inform the responsible case manager of the prisoner's behaviour.

### ● **PHASE III - PREPARING CASES FOR DECISION**

This phase involves the systematic gathering, organisation and analysis of information received from a wide variety of internal and external sources from the time that the prisoner was arrested the first time. Although the gathering of information is the responsibility of the case manager, it requires the participation of all the unit personnel involved in the management of the case. The quality and consistency of information provided is essential for the effective preparation of cases. This aspect is not only crucial for the prisoner, but also for the overall management of the prisoner population.

**The objectives of preparing cases for decision making are:**

- To provide a sound information base for objective decisions;
- To ensure that the programme needs of prisoners and the degree of risk they represent are considered when assessing suitability for institutional and community programmes, transfers and conditional release, and;
- To ensure that cases are prepared timely and according to policies and requirements.

**Community assessment reports** are used to provide decision-makers with relevant information from sources within the community. Community assessment reports are

prepared for institutional decisions at various intervals. They are also included in case preparation for parole decisions such as temporary release, day parole, full parole or unconditional release. They can also be used for assessing the impact of the crime on victims.

The **progress summary report** is the primary report used in the decision-making process. It summarises all information collected on the individual case being presented for decision, as well as an analysis of the information in relation to the decision being made. The criminal profile report completed in phase one forms an integral part of the progress summary in terms of criminogenic factors and background information on criminal history. The progress summary report is completed for all decisions regarding private family visits, institutional transfer, temporary release, work release and parole. This report also discusses the patterns of persistent violent or drug-related behaviour.

The **institutional transfer interview** takes place when a prisoner applies for a transfer to another institution. Both the offender's request and the case file are reviewed before the institutional transfer interview takes place. The purpose of this interview is to discuss whether the transfer will benefit the progress in realising the goals and needs identified in the correctional plan.

In addition to prisoner applications, cases are also reviewed regularly in order to ensure that prisoners are serving their sentences at the lowest level of security appropriate to the needs identified in the initial correctional plan.

#### ● **PHASE IV - PAROLE DECISIONS AND RELEASE**

A prepared case enables parole boards to decide whether or not to grant conditional release to the prisoner. The quality of prepared information will influence the quality of the decision taken by a parole board.

##### **Objectives in this phase are:**

- To ensure that the highest possible quality of information is available for determining the risk of re-offending, and;
- To assess the prisoner's potential for returning to society as a law-abiding citizen.

The key element in the decision is the assessment of the level of risk that the offender will present to the community. From the available information a “picture” of the risk of the prisoner will appear. Inaccurate information or incomplete files may change this “picture” completely. A hearing is held where the prisoner is present as well as the case manager so as to facilitate hearings and to provide additional information not included in the written submission.

## ● PHASE V - COMMUNITY SUPERVISION

Community supervision involves all those activities related to the reintegration and monitoring of the offender upon release into the community.

### **The goals are as follows:**

- To assist prisoners to meet immediate needs;
- To continue the correctional planning established during incarceration, and;
- To apply appropriate controls to manage the risk that the offender presents to the community.

A correctional plan is developed with the offender to outline the expectations of the community supervision period. Case management officials as well as private agencies, such as the Salvation Army, and the community provide community supervision. The conditionally released prisoner is required to report to a parole official upon release and it is decided how often the released prisoner must report. Any breach of conditions results in intervention and a review of the offender’s case, to ensure that the case remains a manageable risk within the community. Where the risk becomes unmanageable, a suspension is issued and the offender returns to custody.

During the five phases, all information must be presented professionally and the rights of offenders must always be respected. Decisions on programme involvement and other aspects are based on information completed throughout the case management process, therefore it must be accurate. Any observations that have not been recorded are not allowed in decision making.

## **8.5 CONCLUSION**

All personnel are part of the case management process and work within it with their own roles and responsibilities. Case management can only be effective if information is distributed in good time and if good communication exists between personnel members themselves and between personnel and prisoners. It is obvious that case managers must keep files updated and steps must be followed in a logical sequence. Successful case management requires mutual respect, the establishment of trust with prisoners and the inclusion of prisoners in all activities. Resistance and suspicion must be overcome. Case management is an ongoing process throughout the entire working relationship with a prisoner and the process should not be hurried, as this can do more damage than good to relations.



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## **CHAPTER 9: DEVELOPMENT AND TREATMENT PROGRAMMES**

### **9.1 INTRODUCTION**

Over the past two centuries, imprisonment was imposed on criminal offenders as a social and physical punishment. The idea of reforming criminals is, however, more recent. It originated in England, but really came into use the first time in the United States during the early 19th century, with the introduction of penitentiaries (Victorian Office of Corrections 1990:13).

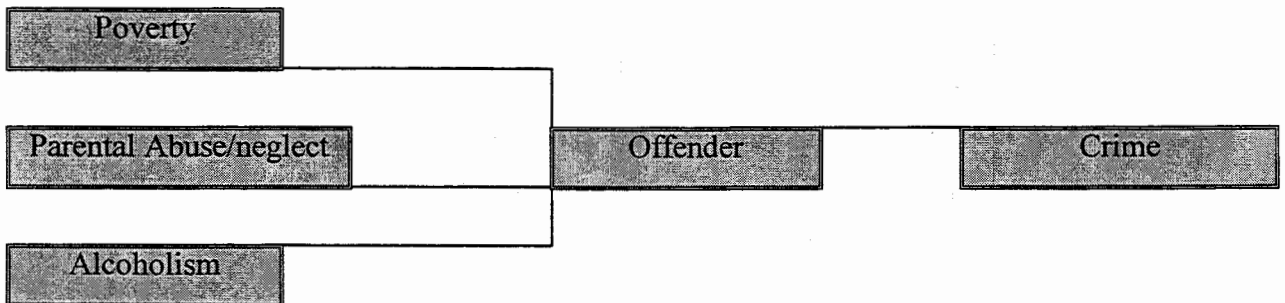
Australia followed suit shortly afterwards with major work being done in this regard by Captain Maconochie. Unfortunately there was little sympathy for Maconochie's rehabilitative views and he was sacked and returned to England. Implementing his radical scheme, Maconochie argued that the traditional regime produced mainly crushed, resentful and embittered men and women with no enterprise, as well as degraded convicts and jailers alike. Maconochie then developed his Marks System, in which each sentence would be indefinite, in that the periods of sentence were given an equivalence in marks, which had to be earned by good conduct and hard work before release could occur. Even luxuries such as bread and water had to be purchased from this bank of marks (Grant 1992:46). Perhaps the greatest benefit from the approach by Machonochie are the efforts to prevent the degradation of convicts and jailers.

An important goal of the criminal justice system in any country is to help offenders to become law-abiding citizens. Strategies such as incarceration in state-of-the-art designed prisons and intensive direct supervision do not lead to the long-term changes that many offenders require in order to live in the community. Treatment services and development programmes are always needed to bring about more permanent changes in conduct and behaviour.

Development programmes should be aimed at treating various problems that interfere with the ability of an offender to function acceptably in society. For example, many offenders failed to learn appropriate social behaviour when they were growing up. As adults, they are faced with such basic needs as learning how to get along with people and

how to maintain employment. Many offenders lack employment and educational skills, which limits their ability to earn a living. Troubled family backgrounds can distort perceptions of the world and feelings towards others. Drug abuse interferes with motivation and increases exposure to criminal lifestyles. Many offenders suffer mental health problems. According to the Solicitor General ( Correctional Services of Canada 1998:1) as many as 7.7% of the prisoners in the federal prison system in Canada suffer severe psychological problems.

According to Alleman and Gido (1998:22) criminality is seen as a byproduct of social and personal conditioning. Criminals are described as people who have been unduly exposed to and influenced by adverse social conditions. Once the cause is removed or eliminated, the consequences (criminal behaviour) will also be eliminated. By viewing criminality in terms of cause and effect, development programmes must be planned and designed for each individual offender. The following diagram illustrates the origin of criminal behaviour:



Research by the Correctional Services of Canada (1998:1) has shown that effective correctional treatment requires a careful match between the needs of offenders and programmes that address these specific needs. Programmes aimed at teaching behavioural skills are most effective. Treatments that match offender needs and the use of behavioural training techniques have been shown to reduce re-offending by 50% on average. On the other hand, the “get tough” programmes that rely primarily on incarceration have not been shown to produce reductions in re-offending (Correctional Services of Canada 1998:1).

Most prisons world-wide make use of development and treatment programmes. These programmes have been found to be similar around the globe, even more so in countries visited by the researcher during the study. Therefore, the emphasis in this chapter will not be on the programmes as such. Against the background of unit management (and

more specific more direct contact and interaction between prisoners and treatment staff), aspects which could lead to more effective implementation and execution of development and treatment programmes, such as the realities of instituting prison-based development programmes, principles of effective treatment, the typical profile of adult prisoners and the effectiveness of correctional educators will be discussed.

## **9.2 REALITIES OF INSTITUTING PRISON-BASED DEVELOPMENT PROGRAMMES**

There are a number of realities facing authorities when development programmes are implemented. These realities have a definite influence on the success of instituting programmed change in a prison environment. In the view of Alleman and Gido (1998:23) the following factors must be considered:

- Not all prisoners are responsive to rehabilitative and development programmes and some choose criminality as a way of life.
- If effective development programmes are not offered, prisoners generally come out of prison worse off than when they went in.
- Many programmes are ineffective, because of “window dressing”, allowing administrators to claim that programmes are being offered, while in fact they do not address individual needs.
- Development programming should include subtle, indirect, but effective means of overcoming prisoners’ attempts to deny and avoid responsibility for their actions. Offenders who do not come to have a degree of empathy for their victims will have difficulty altering their behaviour.
- Incarceration in maximum security warehoused institutions is expensive and generally ineffective in terms of development strategies. Such space should only be reserved for the most violent and habitual types of offenders.
- Prisons and staff have a built-in resistance factor to development programmes and policies that treat prisoners as positive and potentially productive human beings. While treatment philosophies have come and gone, the primary realities of security, custody and control in prisons have changed little.
- Effective treatment options exist, but they will not be used extensively, unless they seem to fit in with the overriding political or economic rationale.

- The only avenue by which the majority of prisoners can draw attention to unfair and inhumane prison conditions is through some form of collective violence or protest.
- The history of enlightened wardens is a history of their objectives and programmes being undermined by incompetent bureaucrats. Development programmes that are not understood, supported and participated in by all levels of the prison bureaucracy will eventually fail.
- Out of all the criminal justice agencies, prisons represent a significant opportunity for the change and reform of prisoners. It is only when prisoners are incarcerated that the system potentially has complete control over their behaviour and social environment. Ways in which incentives and programmes for development and change can be implemented effectively are often overshadowed by an excessive interest in custody of and control over the prison population.
- Offenders vary significantly from one another and respond differently to the way in which they are treated by the system. To reduce crime successfully, the criminal justice system must become more sophisticated and diverse in terms of its treatment options.

Apart from the above, the researcher is of the opinion that the physical layout of prisons influences development programmes. When physical barriers negate efforts by treatment staff and prisoners to reach each other, development programmes cannot be implemented, monitored and adapted to their full extent. This aspect enhances the potential for failure of a specific programme. The specific form of architecture in direct supervision prisons promotes contact between all staff and prisoners and can therefore play a positive role to enhance more effective programmes.

### **9.3 PRINCIPLES OF EFFECTIVE TREATMENT**

According to Andrews (1994:2) official punishment without the introduction of correctional treatment programmes does not work. Reviewers of the literature have routinely found that at least 40% of the better-controlled evaluations of correctional treatment services reported positive effects (Cullen & Applegate 1997:172). The proportion of studies reporting positive evidence was 75% in Kirby (1954), 59% in Baily (1966), 78% in Logan (1972) when Type of Treatment X Type of Client Interactions are

considered, 48% in Palmer (1975) and 47% in Lab and Whitehead (1988) (Cullen & Applegate 1997:172).

The above pattern of results strongly supports the idea that some development and treatment programmes are working under some circumstances with some offenders. According to Cullen and Applegate (1997:172) linkages among case, service and outcome are suggested by three principles of effective treatment known as **risk, need and responsivity**. Therefore, the provision of correctional treatment programmes must be consistent with these three principles. Andrews (1994:3) is also of the opinion that the delivery of appropriate correctional treatment service is dependent upon assessments that are sensitive to risk, need and responsivity.

### ● THE RISK PRINCIPLE

The risk principle suggests that higher levels of service are best reserved for higher levels of risk and that low-risk cases are best assigned to nominal service (Cullen & Applegate 1997:172). The key aspect of the risk principle is the ability to identify lower and higher risk cases. Empirically sound knowledge of risk factors has been part of the research field since at least the 1950's. The following list of potential risk factors was generated independently by Gluecks (1950) and Hirschi (1960):

- Energetic;
- Easily bored;
- Below average verbal intelligence;
- Weak self-control;
- Violation of many rules;
- Dislike in school;
- Weak conventional ambition;
- Poor family relations;
- Poor parental supervision, and;
- Antisocial attitudes and associates.

By making use of many predictive studies and meta-analyses of predictor variables, it became possible to provide a list of empirically validated risk factors (Andrews 1994:18). These risk factors can be divided into major risk factors and weaker risk factors. The

effects of treatment are found to be greater among higher risk cases than among lower risk cases (Cullen & Applegate 1997:172). The major risk factors include the following:

- Antisocial attitudes, values, beliefs, and cognitive-emotional states such as anger, resentment and defiance;
- Antisocial associates and relative isolation from anti-criminal people;
- A history of antisocial behaviour evident from a young age, and involving a number and variety of harmful acts in a variety of situations;
- Weak problem-solving and self-management skills in combination with a temperamentally aggressive and egocentric style;
- Family life characterised by low levels of affection and weak discipline and supervision, and;
- Generalised difficulties in domains of school, work and leisure (associated with substance abuse) as well as low levels of personal socio-economic achievement.

Among the weaker risk factors are the following:

- Lower class origins, as assessed by parental educational/occupational/financial indices and neighbourhood characteristics;
- Personal distress as assessed by measures of low self-esteem, anxiety, worry and depression, and;
- A host of biological/medical indicators that have yet to be well-integrated theoretically.

According to Andrews (1994:21) there is a clear tendency for appropriate intervention to be most powerful in higher as opposed to lower risk cases. However, Andrews (1994:20) also reports that there is a difference in treatment effects in different treatment conditions. Andrews and Lipsey (1990) studied the effects of treatment on higher risk probationers and found that augmented service reduced the recidivism rate of higher risk probationers relative to regular probation.

## ● THE NEED PRINCIPLE

Risk factors may be static or dynamic in nature. Criminogenic factors refer to dynamic risk factors and represent promising intermediate targets in a treatment programme to bring about **change** and reduce recidivism. To develop and maintain these favourable attitudes, associations and skills it is useful to enhance levels of reward and satisfaction

for anti-criminal alternative behaviour in the settings of home, school, work and recreation. Andrews and Bonta (1994:34) are of the opinion that the following are promising targets for change and should be incorporated in treatment programmes:

- Changing antisocial attitudes;
- Changing/managing antisocial feelings;
- Reducing antisocial peer associations;
- Promoting familial affection/communication;
- Promoting familial monitoring and supervision;
- Promoting child/family protection (preventing neglect/abuse);
- Promoting identification/association with anti-criminal role models;
- Increasing self-control and problem solving skills;
- Replacing skills of lying, stealing and aggression with more pro-social alternatives;
- Reducing substance abuse, and;
- Insuring the ability to recognise risky situations.

## ● THE RESPONSIVITY PRINCIPLE

The responsivity principle has to do with the selection of styles and modes of service that are capable of influencing the specific types of targets that are set with offenders and appropriately matched to the learning styles of offenders (Cullen & Applegate 1997:173). Generally people learn more from and are more greatly influenced by others who are respectful, caring, concerned, interested, enthusiastic and engaged. In correctional treatment settings, supervisors have available high-quality reinforcers and they make more effective models. Here the supervisors, workers, and even citizen volunteers provide the valuable service often missing in the offender's known environment. Authority can be influential when exercised with respect, with explanation (giving reasons), with guidance on how to comply, and in a firm but fair manner.

Style of communication is very important in the context of correctional treatment and development, particularly in interaction with **type** of offender (Andrews 1994:24). Interpersonally anxious offenders do not respond well to highly confrontational and critical interpersonal exchanges, while the less anxious offender can respond as long as there is the background conditioning of caring and respect. The less verbally and



cognitively immature offender will not pick up on highly verbal and analytical conversations. Generally, it is best for communication with offenders to be concrete and direct (Andrews 1994:24).

Development and treatment programmes in correctional settings can be effective. The following are, in the view of Andrews (National Institute of Corrections 1994:26), indicators of effective programmes:

- An empirically-validated theory underlying the intervention;
- Trained and clinically supervised service deliverers;
- Printed training/programme manuals;
- Criminogenic factors addressed;
- Use concrete cognitive behavioural approaches;
- Matching according to responsivity;
- Structured follow-up;
- Enthusiastic and engaged workers;
- Workers able to handle their authority without domination/abuse;
- Workers able to recognise antisocial thinking, feeling and acting, and are able to demonstrate and reinforce concrete alternatives, and;
- Workers predisposed to offer concrete problem solving and to engage in skill building.

#### **9.4 THE TYPICAL PROFILE OF ADULT PRISONER STUDENTS**

In the country with the biggest prisoner population in the world, the United States of America, most prisoners are adult males. This is also the tendency in Europe, Australia, Africa and other parts of the world, such as Latin-America, India, Japan and China. It is therefore very important to be aware of the typical profile of persons who will be incorporated into development and treatment programmes within correctional settings. Studies of this nature have been conducted by Sull (1995) in the United States.

The typical adult prisoner in the United States is functionally illiterate with an IQ of about 90. Education does not go beyond 9th or 10th grade and these people generally function at a 6th to 7th grade level. Age varies between the late teens and early thirties.

There is a very poor job history. Prior to prison 80% were earning less than poverty wages. Most are heavy substance abusers who come from a dysfunctional family unit and a large proportion are victims of child abuse.

The adult prisoner usually knows others who are or have been in prison and probably has at least one other family member who has been incarcerated. There is a long history of personal failure, while approximately 30% have serious learning disabilities. A large proportion have physical handicaps that impair learning, such as poor vision or hearing. About 95% of all prisoners return to society, and most to the same community where they have lived prior to incarceration (Sull 1995:29).

The behavioural traits of most prisoners are defensive with a negative attitude and very low self-esteem. They lack many social skills and are anti-social or non-social. They show little or no concern for the welfare of others and they lack conscience. There is a general lack in problem-solving and decision-making skills. Actions are self-centred, non-reflective and intolerant. They usually blame others for their actions or blame circumstances “beyond their control”. There is a general lack of self-confidence and self-respect. Reaction is normally on emotion or first impulse. Planning is absent, they are not goal-oriented, lack motivation and they are unable to form acceptable relationships. They display hostility toward authority, trust few people and are suspicious of others’ motives (Sull 1995:30).

Most prisoner students have deficits in the classroom, such as short attention spans, little experience with good study habits, poor writing-, reading-, listening- and speaking skills, diminished short- and long-term memories and little motivation to study outside of class. Furthermore, they cannot relate many educational concepts to their own lives, they question the value of education, because it does not produce “now”, they look upon the classroom as a reminder of their failure and they have a general fear for the classroom (Sull 1995:30).

## **9.5 THE MOST IMMEDIATE LEARNING NEEDS OF PRISONERS**

Apart from subject matter, correctional educators have a huge responsibility to teach prisoners a host of skills and traits. Nearly all these skills and traits show up as

personality and behavioural deficits on the side of the prisoner. According to Sull (1995:31) who was imprisoned himself, the following general areas are of the utmost importance for the student to succeed after incarceration:

- Analysing interpersonal problems and developing alternative pro-social ways of reacting to interpersonal conflict;
- Believing that they are important and that their lives offer value to themselves and to society;
- Being sensitive to other people's values, behaviour and feelings and to the ways their behaviour affects others;
- Accepting that they themselves are responsible for their own successes and failures;
- Learning effective communication skills (especially reading, writing, speaking and listening);
- Gaining a variety of practical employability skills and information;
- Learning to live and work in a community environment, and;
- Understanding and accepting the value of an education.

## **9.6 THE EFFECTIVENESS OF THE CORRECTIONAL OFFICIAL AS EDUCATOR**

One of the goals of unit management is to enhance contact between the prisoner and correctional staff. This, in turn, will lead to more effective interaction and trust between staff and prisoners. The correctional official has an important role as educator and can be instrumental in a permanent change away from crime. According to Epictetus, a Greek philosopher, "only the educated are free." Therefore, the greater the portfolio of resources a prisoner student can stock, the better his/her chances will be for success in the unlocked market.

The responsibility of teaching prisoners is not limited to formally appointed educators only. All staff members have the same development responsibilities while the prisoner is in their care. However, teaching the prisoner student is much more difficult than teaching any other student. Correctional educators have been described as the only wizards of change a prisoner will ever meet (Sull 1995:73). The following aspects are listed as the core values for the effective development and education of the student who is a prisoner:

- **BE PATIENT**

Many factors influence the ability and pace of a prisoner to learn. Usually it is a combination of pre-prison life and life during imprisonment. Allow a student to learn at the pace he/she can best handle.

- **SHOW INITIATIVE, LEADERSHIP AND CONSISTENCY**

Teachers who cannot make decisions appear to lack leadership and do not earn the respect of their students. Students look upon the decisions of the educator as factors that help them determine how they will react to you. Decisions and actions must be consistent to avoid mixed messages.

- **GIVE ALL STUDENTS AN INITIAL DOSE OF AUTOMATIC RESPECT**

Most prisoners initially give personnel some respect, mainly because they are dependent on staff members for nearly all their needs in prison. However, in the long run their respect will have to be earned over a period of time. Give all of them an initial dose of respect from your side and indicate that it can only go up or down, thereby placing responsibility in the hands of the prisoner to maintain that respect.

- **BE MODEST**

It is important to remember that the class or interaction with the prisoner is normally not about the official, but about the prisoner. Be modest and try to boost the self-confidence of the prisoner as much as possible.

- **DO NOT TAKE YOURSELF TOO SERIOUSLY**

Always try to lighten up in potential stressful situations. This will lead to more acceptable interaction, better response and better acceptance from prisoners.

- **SHOW ENTHUSIASM FOR YOUR DUTIES AND YOUR SUBJECT**

Once prisoners perceive that you show no enthusiasm for what you do, they will see no reason to give back enthusiasm. This will lead to fruitless efforts to equip prisoners with much needed skills to refrain from committing crime after their release from prison.

- **TEAMWORK AND INDIVIDUALITY ARE EQUALLY IMPORTANT**

Many prisoners have a history of difficulty in working with others. Emphasis should be placed on the importance of teamwork. However, the importance of establishing their own individual identities must not be forgotten. Positive sides of capabilities and personalities must be determined and developed.

- **GET TO KNOW THE NAMES OF ALL PRISONERS YOU DEAL WITH**

Using the name of a person helps show people that you are interested in them as individuals and they can expect to be treated as such. Normally this aspect makes people feel more comfortable and welcome, and it creates strong feelings about their own identity. In a classroom setting it can be more helpful to address prisoners who are students by their last name. This approach offers the student more respect and it assists in establishing the amount of formality that is important for any classroom. As mutual earned respect increases, there can be a gradual switch to a first name basis.

- **BE A GOOD COMMUNICATOR**

Most prisoners have not developed their listening, comprehension, and language skills to the level of others of the same age. Speak in a clear, articulate manner and at an acceptable tempo. Make use of reflection to see if a message has been understood.

- **USE GOOD MANNERS**

By simply making use of items such as “good morning”, “please” and “thank you” a certain tone will be established during interaction with prisoners and respect will be earned.

- **HAVE A REASON FOR EVERYTHING DONE AND ACT IN A HUMANE WAY**

Be able to explain the need for certain acts. Avoid “better-than-you” attitudes, as it will only lead to tension and ineffective interaction. Make the prisoner feel as if he or she is important as a human being. Support and encouragement should always fall on the positive side, but learn to be firm when necessary. It is extremely important to give each person his or her own space.

## 9.7 CONCLUSION

One might argue that prisoners deserve certain kinds of help merely because they are human beings and citizens towards whom society has some obligations. This rationale, however, also applies to all other citizens. Other citizens do not transgress laws the way sentenced prisoners have done. Therefore, normal law-abiding citizens may claim development programmes are more justifiable outside the criminal justice system. In my opinion, and against the background that 95% of prisoners return to the community, imprisonment must be seen as punishment, and development and treatment programmes must be seen as efforts to avoid future victimisation of law-abiding citizens.

According to Cullen and Applegate (1997:51) treatment is more likely to be effective if it is voluntary and the voluntary quality makes it ethically more defensible. Within the context of punishment, however, treatment can never be truly voluntary. DiIulio (1991:114) suggests that development and treatment programmes can be defined as part of what we mean by humane conditions of confinement.

The world over, the mission of a prison is to keep prisoners - to keep them inside, to keep them safe, to keep them in line with regulations, to keep them healthy, and to keep them busy. Many existing development and treatment programmes offered in prison, such as training, education, labour, recreation and social services can only be justified as constructive activities, in other words, to "keep them busy". Constructive activities only lead to orderly, safe and secure operation of prisons and serve to avoid idleness.

Prison staff should take more responsibility in the treatment, development and reintegration of prisoners. This can be achieved through awareness of the typical profile of prisoners who are students, the principles of effective treatment and more effective, positive efforts to intervene in the life of the prisoner. These efforts can, however, only be attempts, as the prisoners ought to take the responsibility upon themselves to make these efforts work.

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## **CHAPTER 10: DOCUMENTATION**

### **10.1 INTRODUCTION**

Proper case management cannot take place within the concept of unit management without proper record keeping. Certain documentation needs to be completed to monitor the advancement of a prisoner through the system, from the time the person is admitted until the time of release and even afterwards during parole or other form of community sentence. Without the necessary documentation the rehabilitation duty can easily be negated to the level of non-existence. This chapter will deal with different documentation that should be completed in order to keep a record of the rehabilitation and custodial process of the prisoner. Besides record keeping, the documentation can also be utilised for assessment procedures and decisions about the release of the prisoner or his/her advancement to other programmes.

### **10.2 THE CASE MANAGEMENT FILE**

The case management file forms the basis for documentation of the case to be managed. All documents about a particular prisoner are kept in the case management file. Basic information, like the name, registration number, aliases, date of birth, offence, sentence and classification particulars are indicated on the outside of the case management file. Information for the case management file is set out in annexure A.

### **CASE STUDY: THE UNITED STATES FEDERAL BUREAU OF PRISONS**

During a visit to the United States the researcher studied the documentation system of the Federal Bureau of Prisons. The use of a prisoner file was specifically studied during a visit to the United States of America in November 1998. The same filing system is used in all 93 federal prisons (in November/December 1998) maintained by the Federal Bureau of Prisons. This allows for a prisoner to be transferred to any prison in the American federal prison system and records will always be uniform. The Federal Bureau of Prisons in the United States of America makes use of a specific central file order. All material in the "Inmate Central File" is organised according to the six-position, which means that there are six different sections according to which documentation is filed. With the exception of one section, all information in this file may be disclosed to the prisoner. The Federal Bureau of Prisons uses the following sections:



- **Section one: Sentence data and detainee/inmate financial responsibility programme**

Section one contains sentencing reports, court documents and other documents applicable to the crime committed by the prisoner, fingerprints and detention action letters. It is particularly important to note that all prisoners detained in the Federal Prison System in the United States of America are paid for participation in rehabilitation and working programmes. There is also a complete record system of the money each prisoner receives from outside the prison. Money in these accounts may be utilised to pay fines imposed by the courts in agreed instalments. Cost of incarceration and damages caused by the prisoner while imprisoned may also be deducted from this money. Restitution as determined by the court may also be paid out of funds available in the account of a prisoner. A full report on all financial matters is also kept in section one of the central file (Federal Bureau of Prisons 1997:6).

- **Section two: Classification and parole materials**

Forms like requests for transfers, custody classification forms, inmate activity records for each institution, parole forms and parole appeals, the most current progress report and all material relating to classification are kept in this section. This enables the case management team to have all relevant information available in cases of reclassification and recommendations on parole. Reports on parole violations are also filed in this section of the central file (Federal Bureau of Prisons 1997:7).

- **Section three: Mail, visits and property**

The section on mail, visits and property is used to determine exactly what a prisoner has in his or her possession. Prisoners are only allowed certain items, which must fit into a designated locker. This includes a prescribed number of letters, photographs and personal property. All excess property must be sent home by the prisoner or is destroyed by prison authorities with the consent of the prisoner. Section three is further used to keep a record of the phone numbers the prisoner will be allowed to call during his or her stay in prison. Each prisoner is allowed to list a maximum of thirty phone numbers that may be phoned for private purposes. Numbers may be added to and removed from the list as long as they do not exceed the total of thirty. If a number is not listed the prisoner will not be able to phone it, because it will not be programmed into the computer-connected telephone. Calls to lawyers and calls in connection with sentences can be

permitted during certain hours from official phones, and are facilitated by case managers. Section three is also used to file documents about inmate to inmate correspondence approvals, commissary issue cards, admission and orientation programme checklists and intake screening forms (Federal Bureau of Prisons 1997:8).

- **Section four: Conduct, work and accommodation reports**

Correspondence about aspects such as incident reports, chronological disciplinary records, inmate rights and disciplinary hearings, administrative detention orders, special housing unit records and special housing reviews are filed in section four of the central file (Federal Bureau of Prisons 1997:8). This section provides an immediate overview of the conduct of a particular prisoner during incarceration.

- **Section five: Release processing**

Section five is used to record documents related to the release of a prisoner. These documents include unit release preparation checklists, programme review reports, notification of community treatment programmes, release correspondence, deportation notice, certificates of mandatory release and release authorisation (Federal Bureau of Prisons 1997:9). All victims of the crime of a to-be-released prisoner must be informed in good time about potential parole of the offender and the victim has a right to be present and deliver input when parole hearings take place. Such input is taken into consideration when decisions on parole are made. Decisions about denial or approval of furlough are also filed in this section, as it is applicable to release.

- **Section six: Chronological general correspondence**

All general correspondence is filed in this section. General correspondence may include, but is not limited to, furlough applications, records of escorted trips, requests by prisoners and consent forms (Federal Bureau of Prisons 1997:10).

In addition to the six sections in the central file, a privacy folder is to be located on the top of section 5 of the inmate central file. The privacy folder contains two sections and information and documentation in these sections may not be disclosed to the prisoner. Section I includes central inmate monitoring documents and victim/witness information, while section II includes all other non-disclosable material from the central file like

visitor information, psychological intake screening, confidential investigations and observation cases (Federal Bureau of Prisons 1997:10).

### **10.3 PRISONER IDENTIFICATION AND DATA FORM**

The unit manager receives the prisoner identification form when the prisoner is received. The information on the form should be heeded by the unit manager. The prisoner identification form must be kept at hand in the reception area while the prisoner is there. Afterwards the form is attached to the case management file. Before it is filed, the form must be completed by the social worker, the medical service worker and the unit manager. The prisoner identification form is incorporated in annexure B.

The data form gives more detail on the prisoner. Aspects such as education, employment, health, drug and alcohol history and programme planning are addressed in the data form (Department of Correctional Services undated:77). The data form also forms part of annexure B.

### **10.4 PRISONER CONTACT SCREENING FORM**

The prisoner contact screening form is used to determine different risk dimensions after a prisoner has entered the prison system. Risk is measured in low, medium and high categories. Those prisoners interviewed upon reception who have high and medium risk factors should be considered for further assessment and management intervention. The guide also indicates which prisoners should be assessed further in terms of suicide risk. The complete prisoner contact screening form is marked annexure C.

### **10.5 NEEDS CHECKLIST**

The needs checklist is completed by prisoners themselves. The purpose of the completion of the needs checklist is to determine the social, health, and life skill needs of the prisoner as expressed by him- or herself. Annexure D contains complete information on the needs checklist.

## **10.6 IN-DEPTH ASSESSMENT**

In-depth assessment can be described as the most important assessment procedure. All aspects that influence the position of the prisoner are scrutinised. Drug and alcohol use, the mental state of the prisoner, suicidal history, social support systems, intellectual abilities, housing and legal issues are some of the topics touched upon in the in-depth assessment. The relevant questionnaire is marked annexure E.

## **10.7 EDUCATION PROFILE SCREENING**

The educational profile screening form is used to determine the educational and work history of the prisoner. Short-term educational goals are also addressed. Annexure F contains complete detail about the educational profile screening form.

## **10.8 PRISONER HISTORY CHECK IN RELATION TO ALLOCATION OF EMPLOYMENT**

One of the important aspects to address during incarceration is the employment history of the prisoner. Employment, or the lack of employment normally plays an important role in the criminal behaviour of prisoners. It is therefore important that employment potential should be developed during the time of imprisonment. The history check in relation to allocation of employment is marked annexure G.

## **10.9 ALCOHOL AND OTHER DRUG ASSESSMENT**

In order to do recommendations for social and medical workers in connection with alcohol and drug abuse, the latter should be determined. Alcohol and drug assessment forms the cornerstone of a number of rehabilitation programmes. Annexure H gives full detail on alcohol and drug assessment.

## **10.10 CASE MANAGEMENT PRISONER REFERRAL FORM**

Case management is the most important single action in direct supervision prisons. Although the case manager is not responsible for taking every single action needed to rehabilitate the prisoner, the case manager is responsible for the referral of the prisoner. The latter takes place in consultation with the case management team. As part of good

record keeping, the case management prisoner referral form is used to record all referrals of prisoners for specific treatment. The particular form is marked annexure I.

### **10.11 INDIVIDUAL CASE PLAN**

In an effort to co-ordinate and facilitate effective rehabilitation efforts, each prisoner must have an individual case plan. The individual case plan makes provision for a number of objectives and it is the action plan for the treatment and rehabilitation of individual prisoners. All areas for development can be addressed in the individual case plan and the individual case plans can vary. An example of the individual case plan is set out in annexure J.

### **10.12 ORIENTATION INFORMATION CHECK LIST**

The orientation information checklist is used to ascertain whether the prisoner went through an induction programme when the prison was entered. A large number of important categories are addressed in the check list. Some topics included in the check list are description of the prison, explanation of case management, expectations of the prisoner, rules of the prison, communication channels, grievance procedures and access to medical services. The orientation information checklist forms part of the assessment process. Annexure K gives detail about the orientation information checklist.

### **10.13 CONCLUSION**

It is evident that case management cannot take place without proper record keeping. Although record keeping may vary from one prison to another, it is important to have complete documentation on every case. The use of documentation not only assists in determining what needs of the prisoner should be addressed, but it also indicates whether treatment efforts are made by the personnel of that prison. A good documentation system also provides a record of the efforts the prisoner has made to improve his or her own situation. Apart from that, documentation can assist government organisations in decision-making about aspects such as the release of the prisoner and it can direct efforts to assist the prisoner on future decisions. It also provides an important history according to which well-founded decisions can be made in the interests of the offender, the community and the justice system as a whole.

#### **10.14 LIST OF REFERENCES**

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Federal Bureau of Prisons, 1997. Program Statement: Inmate Central File, Privacy Folder and Parole Mini-files. Washington DC: U. S. Department of Justice.

## **CHAPTER 11: UNIT MANAGEMENT IN SOUTH AFRICA**

### **11.1 INTRODUCTION**

The underlying idea of unit management in South African prisons emerged from a public statement by the Minister of Correctional Services on 16 February 1996 that there will be a shift in emphasis away from safe custody in its purist form to more dignified treatment prisoners and rehabilitation of prisoners. It was also mentioned that demilitarisation of the Department of Correctional Services in South Africa will be the point of departure to realise this shift in emphasis.

In addition to demilitarisation, the Department of Correctional Services decided to embark on unit management, which is described by Houston (1995:261) as a service-delivery vehicle. Although there was a new emphasis on rehabilitation, the South African Department of Correctional Services is on record as saying that there is a movement away from talking about rehabilitation “in the sense of a consulting-room atmosphere”. The new focus is on support and development of the prisoner.

A process was then started to erect prisons that were conducive to dignified detention and the rehabilitation of prisoners. The first such prison to be erected in South Africa, and Southern Africa, for this purpose, was the Malmesbury Prison in the Western Cape. The researcher visited this prison for ten days during 1998 to enable himself to give an accurate description of the implementation of unit management in South African prisons. Most of the information to be discussed in this chapter was obtained during the research visit.

### **11.2 MALMESBURY PRISON**

Malmesbury Prison is situated about 50 kilometers north of Cape Town in the Western Cape. The state-of-the-art architecture puts South Africa right on the cutting edge of prison development in Africa. Malmesbury Prison was planned and developed with the help of American experts in prison design. The design is in line with other new developments that the researcher experienced during research visits to The Netherlands, Germany, Switzerland, Austria and the Federal Prison System in the United States of

America. The mentioned developments are all enhancing direct supervision and case management to the full and the design of Malmesbury Prison is also in line with illustrations in literature of what is recommended as suitable architectural design for direct supervision to succeed (Spens 1994:71).

Malmesbury Prison provides for the detention of male prisoners with sentences of more than two years. The prison has a maximum capacity of 950 and at the time of the research visit Malmesbury had a daily lock-up of 679. A total personnel corps of 349, including administrative staff, controls the prisoners,. Although not all staff members come into contact with the prisoners on a daily basis, the staff-prisoner ratio of 1:2 during the period of the visit indicates a good balance to ensure that Malmesbury Prison functions well.

### **11.3 SELECTION FOR PLACEMENT IN MALMESBURY PRISON**

Originally, the intention was that 100 prisoners would be admitted to the new prison and that the system would be tested and expanded accordingly. On the opening of the prison, it was indicated that the prison should be filled to capacity as soon as possible. The reason for this decision originated from high overcrowding in other Western Cape prisons. Therefore, prisoners were transferred from all over the Western Cape to the new prison. This particular factor could influence the effectiveness of Malmesbury Prison in the long run, as staff did not have the expertise or receive adequate training or the proper opportunity to adapt to the new management approach.

Unit management was also implemented at Malmesbury Prison against the background of the existing policy, which originated in 1959. This rigid policy was not designed for unit management principles. Although the policy was suitable in some ways, effective unit management demands certain actions which were in conflict with the official policy of the time. One such demand was the statutory duties of the institutional committee, a body that makes decisions about prisoners on most aspects of prison life, even though the members of the body get to see the prisoner only once in six months and do normally not even know the prisoner by name or otherwise. This body is in conflict with the case management team and decentralised decision-making by the unit team who are in contact with the prisoner on at least a daily basis.



Prisoners who were initially transferred to Malmesbury Prison were selected according to the following prescribed guidelines:

The prisoner must/may

- Be of the medium custodial category (in terms of security classification);
- Be a resident of the western cape and be accessible to the support system;
- Be in any crime category;
- Be between the ages of 21 and 45;
- Preferably be of the a or b privilege group;
- Be trainable;
- Still have to serve at least two years, and a maximum of four years, of the sentence (date of half the sentence being calculated as placement date);
- Have committed no disciplinary offences, or received any additional sentence for a criminal offence committed in prison, during the past year;
- Declare in writing his willingness to be transferred to Malmesbury prison and actively participate in the available programmes. Mention is also made that the prisoner may be transferred back to the former prison if he does not participate actively in the programmes, and;
- Prisoners are selected according to their highest qualification, with the aim of using the facilities and available education programmes to their full potential. Sufficient time must be allowed for an entire level of training to be completed.

Each prisoner undergoes a training course named “Investment in Excellence” before he is transferred to Malmesbury Prison.

#### **11.4 ASSESSMENT OF PRISONERS AND DECISION-MAKING POWERS OF STAFF**

The new prison is provided with the most modern equipment for facilitating the assessment of prisoners. Furthermore, the assessment instrument is largely interactive. It is also known that the instrument is still in the research phase. The personnel member at Malmesbury Prison carries out the assessment test by accompanying the prisoner while the prisoner enters all the information onto the computer screen by touching it. However, the assessment reports can only be printed at Correctional Services Head Office in

Pretoria. This aspect has a restrictive influence on successful operations connected with the placement and referral of prisoners, as profiles of the prisoners are not available and decisions are delayed. Therefore, assessment was a futile exercise under these circumstances, which would most certainly have a hampering effect on the implementation of unit management in the new prison.

In addition to this, there is a lack of clarity about the role of the Institutional Committee. In line with the philosophy of unit management, the unit management team must do all assessment. Legislation at the time of the operationalisation of the Malmesbury Prison however, provided for an Institutional Committee, which is in conflict with the philosophy of unit management in terms of maximal decentralisation. Unit management will also necessitate a great deal of delegation of powers to exploit the concept to the full, as decision-making powers ought to be delegated to the lowest level possible. The unit team was not able to take decentralised control over each prisoner. This aspect could lead to problems in terms of cooperation between unit staff and prisoners in each unit.

## **11.5 PROGRAMMES FOR PRISONERS**

Inside Malmesbury Prison various programmes are offered to prisoners, including educational qualifications. Provision is made for skills training. However, at present, no workshop is equipped and no training is being given. Funds have been made available to equip the workshops and the indications were that by September 1998, they should be fully functional. This was still not the case in January 1999. During informal interviews prisoners expressed their dissatisfaction with the particular situation. Prisoners have access to recreation facilities and spend time outside the cells until 22:00.

There is a great deal of uncertainty among personnel about their role in unit management, and as a result, participating management cannot be said to be practiced. Case management is not implemented to the full. The role of case workers is not spelled out in detail and these people cannot act as role models for the prisoners. Also, the fact that the case workers are young and inexperienced, compared with some of the more experienced prisoners in their care, is a matter for concern. There are communication problems between prisoners and personnel as a result of language and cultural differences. Case workers will handle 20 to 30 cases each.

## **11.6 STAFF PLACEMENT AND TRAINING**

Personnel who are employed at Malmesbury Prison applied to work at the new prison, but did not realise that it was to be run on the concept of unit management. This means that the personnel have not necessarily changed their ideas in terms of traditional prison methods. In one unit, 30 personnel members have had an average of 2 years and 7 months' experience. Two personnel members in the group each have 21 years of service, which pushes up the average a great deal. Personnel have a low average age and their emotional maturity is not as advanced as one would wish. If it is believed that younger personnel are a better choice (e.g. because they have not got into the habits of traditional prisons and are therefore more adaptable) then it would make more sense to detain only first offenders there. In this case, the level of experience of the personnel would match that of the prisoners.

Personnel training consisted of a week-long work session in Paarl, where a work-procedure manual was drawn up. The opinion of the personnel was that this training session was rather aimed at developing proper job descriptions for each post. Personnel were exposed to a conflict handling session presented by John Shafard from the USA. However, this session was attended only by members of management. Crossroads (which covers behaviour modification) was presented to social workers. At no stage were personnel introduced to the philosophy and theory of unit management in its full context.

## **11.7 REMUNERATION OF PRISONERS**

Prisoners who do certain jobs receive gratuity. However, there are quite a number of prisoners who are idle at this stage and are given no work opportunities. These prisoners are deprived of any earnings. Furthermore, it appears that anyone who receives schooling and training receives no remuneration. The lack of equipment in workshops is aggravating the situation.

## **11.8 THE STANDARD MINIMUM RULES AND NORMALISATION**

One interesting aspect in the new prison is that prisoners are detained in the cells in pairs. This practice conflicts with Standard Minimum Rule 9(1). However, it is also practised in some prisons in the United States and the Federal prison system in the United States makes extensive use of pairing up prisoners in cells. In modern prisons the notion is away from dormitories and single cells, and prisoners are placed together in pairs. According to Nelson (Kerle 1998:191) prisoners who are given the concrete choice of behaving appropriately and, as a result, being housed in a relatively desirable general population housing unit, or behaving non-compliantly with the certainty of being placed in administrative segregation, the decision is not a difficult one for most inmates.

## **11.9 CONCLUSION**

With the introduction of unit management into South African prisons, the current policy and its implementations, will have to be reconciled with the philosophy of unit management so as to ensure that all the legal aspects regarding the detention of prisoners are complied with. Furthermore, the legal aspects should not inhibit the process of development, but rather promote it. Where legislation and unit management clash, the latter should not necessarily defer to the former. The necessary amendment to legislation could be crucial and should provide for the uniqueness of unit management.

The fact that there is a selection process based on applications by the prisoners is praiseworthy, firstly because it silences any criticism of its fairness towards the broad spectrum of the prisoner population; secondly, it removes any initial misgivings. The initial concern of the researcher before the visit to Malmesbury Prison was that detention in single cells and double cells could have potential human rights implications. However, detention at Malmesbury is voluntary, as it is based on applications by the prisoners. One can assume that the prisoners who go to Malmesbury prefer to be in single or double cells, (provided that they were made aware of this fact beforehand).

The selection process that is used is sufficient to allow prisoners who need training to be admitted to Malmesbury Prison. In the selection process, one must bear in mind that, because of the argument that prisoners in general find the conditions at Malmesbury Prison to be better than at the traditional prisons, assessment on merit in each individual

application will be important. The selection criteria should not be applied rigidly, but should serve only as guidelines. This means that a prisoner should not be disqualified summarily if not all the criteria are met. However, if a certain criterion is essential for the success of unit management, it should be prescribed by legislation (a practical example would be that if it were decided that unit management would be applied only to first offenders, this could be prescribed as a criterion by legislation).

It would seem that the specific role of the Institutional Committee and the unit management team should be spelled out more clearly. In order to implement unit management to its full extent, assessment should be done within the units. Personnel working in units would have to be empowered to perform this function. At this stage, the unit management teams are not equipped to act as substitutes for the Institutional Committee, both in terms of experience in the functions of the Institutional Committee, and of training and delegation of powers. The Institutional Committee currently performs four main functions, namely treatment, discipline, disciplinary action and referral. These functions are hampered at present by uncertainty with regard to certain decision-making powers. It is possible that the official delegations of powers as issued by the Commissioner, could make provision specifically and individually for unit management prisons. A decision-making power that is generally found at director level could be permitted at a lower level, in the case of unit management prisons, provided that it is officially delegated.

The non-availability of assessment results impedes the successful implementation of unit management. Assessment should be completed within 48 hours. At the end of the assessment process, profiles ought to be available and a complete case management plan which addresses individual needs, should be in place. Unit managers should immediately be placed in a position to start a development programme for each individual.

From informal discussions with prisoners in some units, it is clear that the unavailability of workshops has led to great dissatisfaction. There are indications of lack of trust and faith in the system. Prisoners feel that facilities are not in place, they are far away from their families (in spite of the fact that it was their own choice) and the needs of prisoners are not being addressed. Some of the prisoners are members of gangs and the lack of meaningful programmes could give rise to gang activities on a large scale. Here, the social circumstances in particular should be taken into account as a large percentage of

prisoners cannot receive regular visits due to their distance from home. Although other alternatives have been offered to prisoners, every prisoner the researcher has spoken to indicated that he came to Malmesbury Prison for a specific purpose and wishes to achieve that purpose.

It is very important that the personnel at a unit management prison believe in the philosophy of unit management and are reconciled to it. When drastic change occurs and one has to adapt to a change of direction, personnel placement should be done with care and in accordance with certain guidelines. It is not clear what the criteria were for the placement of personnel at Malmesbury Prison, other than the fact that they applied to work there. It is a fact that direct supervision places greater demands on personnel than is the case in traditional prisons. Every personnel member must be fully committed to the new direction. The personnel at Malmesbury Prison also have a great need for training.

If unit management in the Netherlands may be held up as an example, the remuneration of a person forms a major part of normalisation. It also plays a role in rehabilitation and development in that prisoners learn that one receives payment for positive work. All prisoners in the Netherlands penological system (as well as other parts of the world) who participate in a programme (of whatever sort) are remunerated for it. This remuneration is put towards the hire of the TV and for purchases. In the Federal Prison system in the United States this remuneration can also be utilised to pay fines or restitution orders by courts (Boin 1998:123). Any damage to the cells is paid for by the prisoner out of his earnings from participating in a programme. The underlying philosophy however, is that remuneration is received for work done, even if this is only through attending school, but that any damage due to misconduct must be repaired and paid for out of remuneration or other income. South Africa should also embark on this road.

### 11.10 LIST OF SOURCES

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Houston, J. 1995. Correctional Management: Function, Skills and System. Chicago: Nelson-Hall Publishers.

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## **CHAPTER 12: FINDINGS AND RECOMMENDATIONS**

### **12.1 INTRODUCTION**

The aim in this chapter is to make scientific descriptions and associated findings and recommendations against the background of the investigation *supra*. The approach to findings will be positivistic, which is described by Vold (1958:4) as the meaningful relation between a given phenomenon and the complete existing knowledge system.

Recommendations in this chapter will be based on the deterministic approach. This means that science rests on the point of departure that the world is orderly and it can be made orderly through human interference (Van der Westhuizen 1982:180). This implies that the course of the universe is not lawless and that each consequence has an origin. Recommendations will therefore be based on the ability to predict future circumstances accurately on the grounds of known circumstances and to utilise them to the optimal.

Findings and recommendations will be made in an attempt to contribute to the successful implementation of unit management in South African, and indeed in African prisons. This will be done against the background of the rationale of this particular investigation and in an effort to pave the way for the future development of prisoners and the enhancement of professionalism in correctional systems.

### **12.2 FINDINGS**

#### **● THE RATIONALE OF THE INVESTIGATION**

The rationale for this investigation serves as a point of departure for the findings. If one examines one of the first milestones in the treatment of offenders, namely the United Nations Standard Minimum Rules for the Treatment of Offenders, which was compiled in 1955 and reviewed continually to achieve greater success with respect to their adoption and implementation, there should be a definite point of departure in the approach to prisoners. According to Strydom, Pretorius and Klinck (1997:122) this point of departure is stated in rules 58 and 59. The latter reads as follows:



58. *“The purpose and justification of a sentence of imprisonment or a similar measure deprivative of liberty is ultimately to protect society against crime. This end can only be achieved if the period of imprisonment is used to ensure, so far as possible, that upon his return to society the offender is not only willing but able to lead a law-abiding and self-supporting life.*

59. *To this end, the institution should utilise all the remedial, educational, moral, spiritual and other forces and forms of assistance which are appropriate and available and should seek to apply them to the individual treatment needs of the prisoners.”*

Giving consideration to the rationale discussed in chapter one of this investigation, it is evident that South Africa can no longer afford to continue the *status quo* of only warehousing prisoners on such a large scale as is the case at the moment. Corrections should very urgently embark on a different approach. Although such a decision was made as long ago as 1996, the visit to Malmesbury Prison as discussed in chapter 11 sadly revealed that, despite new structures and decisions to change, the unit management approach has not been implemented yet.

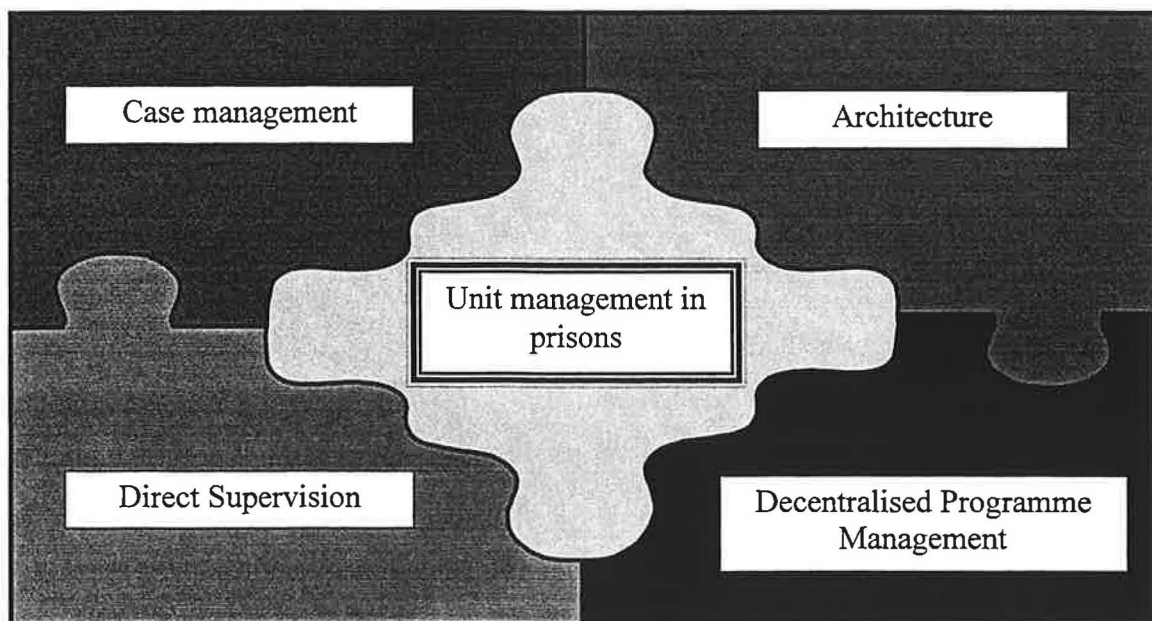
## ● THE PHILOSOPHY OF UNIT MANAGEMENT

Philosophically, unit management can be summarised as a decentralised approach to prison management by means of design, a set of programmes, case management and direct supervision. During a visit to the Federal Bureau of Prisons in the United States of America by the researcher, it became evident that unit management emphasises decentralisation and delegated authority to a multi-disciplinary unit team. Each team is headed by a unit manager and includes case managers, correctional counsellors, unit officers and other role players such as the unit psychologist and education advisor.

The importance of decentralised management is reiterated by Houston (1995:84) when he calls it the heart of unit management. The global picture about the philosophy of unit management is completed when Biles from Australia (1988:12) states that unit management involves the management of small groups of prisoners on a decentralised semi-autonomous basis. Ultimately Zupan (1991:105) sees direct supervision and architecture as the two critical components of unit management, while Bayens (et al 1997:32) describes unit management as a philosophy of both design and management.

Luyt (1998:25-29) described architecture, direct supervision and case management as the pillars of unit management. Clear and Cole (1994:166) described unit management as an approach of podular architectural design and decentralised management policies that emphasise interaction of inmates and staff and provision of services.

Correctional centres are broken down into defined units that will be served by multidisciplinary teams under the control of a unit manager. Units operate as self-contained prisoner living areas. It facilitates devolution of responsibility for decision-making in relation to everyday prisoner management and the running of programmes in accordance with the needs of each case (prisoner). Units provide for more constructive interaction between prisoners and staff, while the whole area can be supervised with ease. The above discussion leads one to infer that the philosophy of unit management cannot be complete without four central themes. Findings and recommendations in this study will therefore be aligned with the identified central themes. Against this background, unit management in prisons can be illustrated as follows:



## ● CASE MANAGEMENT

Doherty and Ekstedt (undated:155) mention that case management became policy in unit management out of the necessity to identify, **together with prisoners**, their personal needs and to be aware of how those needs could be met. Supervision efforts are therefore focussed on the problems of each individual prisoner. The implementation of individualised, realistic plans and programmes is arguably the biggest benefit arising

from case management, while it also ensures a safer environment and stable contact with the same staff on a regular basis.

Unit management is not mentioned by name in the Standard Minimum Rules for the Treatment of Offenders (Strydom, Pretorius and Klinck 1997:167-168), but the mentioned rules include principles that explicitly address case management, which can be linked strongly to unit management. This highly rated international guideline on dealing with prisoners cannot be ignored and it can play an important role in effective case management. The following sections are applicable to case management:

*Article 63 (1): "The fulfilment of these principles requires **individualisation of treatment** and for this purpose a flexible system of classifying prisoners in groups; it is therefore desirable that such groups be distributed in **separate institutions for the treatment of each group.**"*

*Article 63 (3): "It is desirable that **the number of prisoners in closed institutions should not be so large that the individualisation of treatment is hindered.** In some countries it is considered that the population of such institutions should not exceed five hundred. In open institutions the populations should be as small as possible."*

*Article 69: "As soon as possible after the admission and **after a study of the personality of each prisoner with a sentence of suitable length, a programme of treatment shall be prepared for him in the light of the knowledge obtained about his individual needs, his capacities and dispositions.**"*

Luyt (1998:27) maintains that the purpose of case management is to provide direction and co-ordination for **all activities related to the management of the sentence** of an offender. Case management is, therefore, a way of organising the movement of the offender through the correctional system. All supervision efforts are focussed on the problems and needs of prisoners. It is an ongoing process of involvement by staff, utilising specific skills and knowledge to facilitate desired change in offenders to reduce recidivism and at the same time improve security inside prisons (Luyt 1998:27).

Case management is very important in sentence planning, as it adheres to objectives such as ensuring that focus is placed on each individual prisoner, a sound working relationship

based on the clarity of roles and expectations is developed with prisoners, needs are assessed and problem areas are addressed, and a realistic plan of programmes is developed, implemented, co-ordinated and monitored on a regular basis. Through the process of case management, maximum productivity on the side of the prisoner can be guaranteed.

In terms of long-time rivals, namely programmes and security, the dynamics of case management ensures that development programmes are imposed on the security framework, making security part of the approach. Unit staff, who can be compared with traditional custodial staff, are full partners in both security and programmes and they demand accountability from prisoners for at least eleven hours of the day. They also serve as stable, regular contacts who know the background of the prisoners in their unit. Mutual trust develops and it leads to a more challenging career for officials, more control over prisoners and reduction in security risk because of dynamic security.

## ● ARCHITECTURE

It has already been mentioned that the design of correctional facilities reflects the nature of and outlook on rehabilitation. Inhumanely large warehouses, as most of the prisons in South Africa are, result in the weakening of authority and subsequent lack of control, less recognition of human rights, a prisoner society conducive to violence and an atmosphere and environment where normality is totally absent (Luyt 1998:26). Zupan (1991:73) stated that the fundamental goal of new architectural design and prisoner management is to create an **interactive environment** in which both **prisoners and staff are safe** and where **the needs of prisoners are addressed and they are treated humanely**. In this regard traditional prison design in South Africa has failed dismally. This is also the case in other parts of the world. Traditional design resulted in the complete failure of any form of development, due to overcrowding and overbearing security in prisons of excessive size.

Certain important aspects can be shaped by design. These include the following:

- An interactive environment where normality is emphasised;
- The fulfilment of safety needs for staff and prisoners;
- The creation of personal space and the maintenance of privacy;

- Encouragement of social relations and recreation;
- Fulfilment of developmental needs;
- Better family contact, and;
- Easy detection of attempts to manipulate the environment.

Where traditional prisons are abnormal and degrading in terms of architectural scale and allow for overcrowding, new architectural designs aim at exactly the opposite, namely smaller living units, more normal interaction between people, rules that are prevalent in free society, more comfort, noise reduction, lower levels of stress, more natural light and virtually no overcrowding.

In traditional South African prisons about half the number of on-duty staff will be utilised to operate manual gates. The obvious result is less staff to attend to prisoners and their needs. The use of technology as an integral part of new prison design allows prison managers to operate with lower levels of staffing. Electronic systems are replacing static guards and more people are becoming available to attend to the real issue in prisons, namely the needs of prisoners. In this way architecture contributes largely to more effective direct supervision.

One major objective of new architectural prison design is to use the physical plant to improve the ability of personnel to manage the prisoner population effectively. For this reason, different units can be found in prisons that are managed according to the unit management concept. Units are grouped to reflect the differences in philosophies, defined objectives, individual abilities and needs of the prisoner population. This principle ensures better management, control, service delivery, direct supervision and interaction between prisoners and case workers. Each unit functions separately, but simultaneously within the confines of the larger institution. Unit grouping is very important to pursue common objectives and interlocking programmes. However, units will be self-contained in respect of security and surveillance, facilities and equipment, accommodation, recreation facilities, counselling rooms, catering facilities and tuck shops. All the mentioned amenities do not necessarily form part of each unit.

## ● DESIGN AND LAYOUT ISSUES

- **Living conditions**

Features such as bars, grey walls and long corridors that send messages of degraded humanity are avoided in new designs. Campus-like institutions with an open atmosphere and as much freedom as possible within restricted areas are designed. Decoration and furnishings are attractive, reduce noise levels and create a more relaxed atmosphere. Normality is enhanced through the availability of facilities such as laundry, telephones, television and ablution facilities inside the housing units.

- **Size and location**

New institutions are designed to keep a maximum of between 400 and 600 prisoners, who are grouped in housing units of 50 to 60 people. Prisons should be located near communities from which prisoners are drawn and sited reasonably near to urban areas with good transport networks. During visits by the investigator to Switzerland (Oberschöngrün) and Austria (Vienna, Klagenfurt and Pressbaum) it was found that prisons are right inside towns and cities.

- **Staff and management**

The designs of institutions encourage informal contact between prisoners and staff. They are organised around small management teams and planned to enable staff to oversee and control without confrontation in an unobtrusive manner. Difficult prisoners who do not behave are placed in more restrictive accommodation or are transferred to units of control.

- **Work incentives**

Programmes are provided that encourage prisoners to work. There is normally much competition for the best jobs and prisoners in the most rewarding and productive jobs earn more than the rest. For those prisoners who do not work, there is an agreed programme of constructive activity, whether in industry, education, prison maintenance or some combination of the mentioned activities.

- **DIRECT SUPERVISION**

Direct supervision dictates that staff members are stationed inside living units with no barriers between personnel and prisoners (Farbstein 1989:1). Personnel on a continuous basis must fulfill certain roles. Stability in staffing is regarded as the foundation of good

control and staff-prisoner relationships. The following roles are the most important to ensure direct supervision and decentralised programme management:

- The unit manager

The unit manager performs a major role in the planning, development, administration and evaluation of a unit programme for incarcerated prisoners. The unit manager must have a broad understanding of the field of criminology and corrections, must display management skills in the administration of a treatment programme and must have comprehensive knowledge of the dynamics of human behaviour. Furthermore, it is the duty of unit managers to supervise prisoners, respond to emergencies, conduct searches and perform all duties that will lead to safe custody of prisoners.

The unit manager directs and manages a housing or other unit within a major institution and is responsible for the total administration of the unit as well as the overall planning, development and implementation of individual programmes tailored to meet the particular needs of prisoners in the unit. Unit managers are responsible for the quality control of all parole progress reports, transfer recommendations, correspondence with persons such as attorneys, judges and probation officers, and also for all unit team actions, like total treatment programmes according to the needs of each individual prisoner.

- The case management coordinator

The case management coordinator assists the institution administration by keeping abreast of case management techniques and resources available, in order to provide accurate assistance and information in connection with individual case management and programming. The case management coordinator is responsible for implementing case management policy, serves as a resource for institution and administrative staff in case management, and conducts training for the staff concerned, while the case manager normally deals with individual cases.

- The correctional treatment specialist or case manager

The correctional treatment specialist will normally function as a case manager and is called the correctional counsellor in some systems. Individual counselling is one of the major duties of the correctional treatment specialist. Individual sessions vary in methods

and intensity and focus on assisting individual prisoners to understand his reason for detainment, as well as assisting him in developing adjustment techniques. The case manager helps the offender to view problems objectively and to deal with them realistically, strives to motivate the offender to achieve whatever potentials permit and to increase feelings of worth and pride.

Group guidance of a varying nature is also conducted to establish standards and values, and to improve character traits and available skills. Other aspects dealt with include institutional adjustment, release planning, and improved interpersonal skills. Prisoners are interviewed during intake and day-to-day problems of assigned caseloads are solved, normally on the spot through a variety of means. Appropriate documentation and prisoner files are maintained.

Staff should be competent, flexible, highly motivated and able to adapt to changing circumstances, while good communication skills and tolerance are very important. Staff must adopt different roles at different times, which include the custodial role, the discipline role, the security role and the role of counsellor.

Direct supervision must be used to reduce stress in prison environments, while at the same time increasing control over the conduct of prisoners. In the process prisoners must be treated equitably and fairly. Through direct supervision, a conflict-free environment can be created and maintained. In doing so, verbal and physical confrontation is limited, while positive interaction is maximised.

The positive results of direct supervision on staff morale as spelt out by Nelson (1988:4) must be seen as a positive motivator to implement the approach in prison environments. Direct supervision specifically contributed in the following respects:

- Improved staff attitudes;
- Decreased staff tension;
- Reduced use of sick leave;
- Improved treatment of prisoners by staff;
- Decreased number of conflicts;
- Improved institutional cleanliness and orderliness, and;
- Reduction in employee misconduct.



Through direct supervision mechanisms are created to ensure effective supervision and control over prisoners. These mechanisms are the following:

- The resolution of prisoner problems and conflicts;
- The building of positive rapport and credibility with prisoners;
- The maintenance of effective administrative and staff relations;
- The management of living units to assure a safe and humane environment;
- Response to requests of prisoners;
- Well maintained discipline by means of progressive actions, and;
- Well organised supervision.

From this study it became evident that direct supervision prisons are at least as safe as traditional prisons, but results have shown that direct supervision provides a higher level of safety for prisoners and staff.

## ● **DECENTRALISED PROGRAMME MANAGEMENT**

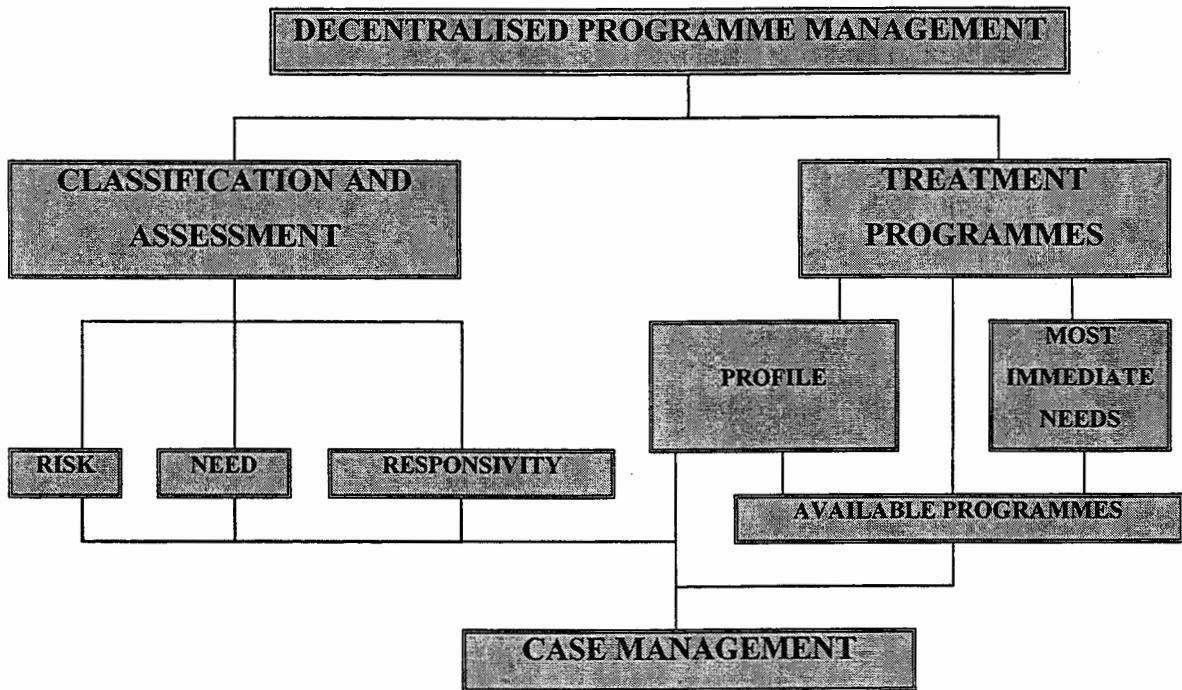
Programme management within the philosophy of unit management starts off with the assessment process. What is important, however, is that the unit management team fulfils the role of classification and all related assessment procedures. This procedure differs largely from traditional prisons, particularly in South Africa, where an institutional committee does assessment, but this committee is only in contact with the individual prisoner every six months, and then only for the assessment procedure. Normally, contact between the institutional committee and the individual prisoner is limited to a six-monthly sitting, whereas in unit management, assessment is an ongoing process and takes place daily.

All correctional programmes are offered on a decentralised basis. Correctional programmes are stated in measurable terms. Time limits, levels of performance and expected accomplishments are established for each individual. Programme review meetings take place on a regular basis. Each individual is subjected to a programme review every 180 days and within the last year of the sentence, programme review takes place every 90 days.

In the Canadian system, the risk of recidivism forms an integral part of assessment. When a prisoner has a high risk of recidivism, more intense programming can take place. A higher risk of recidivism will also influence the release date of a prisoner. Programmes must be designed to facilitate the successful return to the community by the prisoner. These designs must take into account the realities of instituting prison-based development programmes.

Assessment should identify which prisoners are or will be responsive to rehabilitative and development programmes, as this could be the breeding ground to ensure a decline in recidivism. Literature reviews, as discussed in the chapter about treatment programmes, strongly supports the idea that **some development and treatment programmes** are working for **some offenders** under **some circumstances**. The latter is closely linked to risk, need and responsivity, all of which is closely linked to case management.

The following illustration can be made to explain decentralised programme management:



### ● DOCUMENTATION

It is obvious that case management results in new responsibilities on the side of correctional officials. Proper management of each individual sentence can only be possible if proper actions are taken to improve the situation of the individual. Apart from this, basic information about each prisoner must be available. The former can only

realise if the necessary documentation is completed. The importance of documentation cannot be over-emphasised. Not only does it serve as a source of reference for the advancement of the prisoner through the correctional system (in what is sometimes a prolonged period of time), but it can also serve as a legal information instrument when claims against a correctional regime originate. Without proper record keeping and documentation it could be difficult to prove that human dignity has been upheld during incarceration and that real efforts have been made to equip offenders for a better life. If the necessary records are not kept, the result could easily be a total failure of the correctional role in the reduction of crime.

## **12.3 RECOMMENDATIONS**

### **12.3.1 GENERAL**

All the recommendations made below derive from the preceding study. Recommendations will be made in connection with those aspects that not only contribute to penal science, but that can also contribute to more effective prison practices. None of the recommendations will be prescriptive, but they will most certainly have relevance to the South African penal system, in terms of potential implementation. All recommendations must therefore be evaluated against the background of the fact that South Africa decided to embark on unit management in prisons, mainly because of the fact that the existing system failed to promote crime prevention objectives and created a number of other problems as discussed in chapter 1 of this study.

### **12.3.2 THE PURPOSE OF THE CORRECTIONAL SYSTEM**

One significant aspect that contributes to the value of this study, both in terms of the need for change and timing of the results of the study, is the new legislation regulating imprisonment in South Africa. The Correctional Services Act 111 of 1998 formally came into force on 19 November 1998, opening a new era of opportunities in penal reform. Against the background of the new legislation, one should pay attention to the newly defined **purpose of the correctional system** in South Africa. According to Section 2 of the Correctional Services Act 111 of 1998 (Republic of South Africa 1998:16) the purpose of the correctional system is to contribute to maintaining and protecting a just, peaceful and safe society by:

- (a) *enforcing sentences of the courts in a manner prescribed by this Act;*
- (b) *detaining all prisoners in safe custody whilst ensuring their human dignity; and*
- (c) *promoting the social responsibility and human development of all prisoners and persons subject to community corrections.*

To fulfil the requirements of the Act, one should pay attention to what is intended by the concept of “human dignity.” According to the United Nations High Commissioner for Human Rights (1998 Draft:21) human dignity entails that all prisoners be treated at all times in a humane and dignified manner according to, *inter alia*, the following principles:

- All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.
- All persons shall be provided promptly with information on their rights.
- The families, legal representatives and, if appropriate, diplomatic missions, of prisoners are to receive full information.
- All prisoners shall be offered prompt medical examination and treatment.
- Accommodation for prisoners shall provide adequate cubic contents of air, floor space, lighting, heating and ventilation, and;
- Prisoners required to share sleeping accommodation shall be carefully selected and supervised at night.

Apart from the above, there are other international and regional standards such as the Standard Minimum Rules, the Kampala Declaration and the European Prison Rules, but it would not be appropriate to discuss all of these here. It is, however, important to note that unit management can fulfil the expectations stipulated in the new South African Correctional Services Act 111 of 1998. With respect to privacy, accommodation requirements, supervision at night and selection of partners to share accommodation, small living units create the platform for the maintenance of human dignity.

Furthermore, case management, as an integral part of unit management, can be described as the ideal tool to ensure **human development**. Prisoners are also called upon to take part in all processes, whereby **social responsibility** is expected. The new South African Correctional Services Act 111 of 1998 explicitly provides for case management committees in Section 42. The result of this Section is that case management should be a

natural product resulting from the duties of the case management committee, not only in prisons where unit management is implemented, but in all South African prisons.

The essence of the contents of Section 2 (b) and (c) of the Correctional Services Act 111 of 1998 has been reiterated throughout this study and will also form part of further recommendations. The implementation of unit management into prisons, however, must be regarded as a suitable service delivery vehicle to fulfil the purpose of the correctional system as described in Section 2 of the Correctional Services Act 111 of 1998. Unit management could therefore form the foundation for adhering to the new legislation.

### 12.3.3 CONTROL IN PRISONS

Sparks, Bottoms and Hay (1996:119) define an orderly situation as any long-standing pattern of social relations, characterised by a minimum level of respect for persons, in which the expectations that participants have of one another are commonly met, though not necessarily without contestation. Prisons are always controlled. However, the concept of control is, for a range of reasons, a problematic one. The prison officials control some prisons, others are controlled by the prisoners. An open question could be: "Should officials and prisoners not control the prison together?" The answer of the investigator is: *"Yes, but only through mutual responsibility for mutual interests."* The purpose of this statement is merely to stress the importance of participation by prisoners in processes of utmost importance for their improvement, development and advancement to a life without crime. Andrews (1994:2) stated that punishment without the introduction of correctional treatment does not work. For treatment to work, the prisoner must be an active ingredient in the recipe. The same is true for control in prisons. According to Sparks, Bottoms and Hay (1996:118) control in prisons covers a range of phenomena incorporating disorderly behaviour, subversion and mental disturbance and stretching from minor infractions to killings in prison.

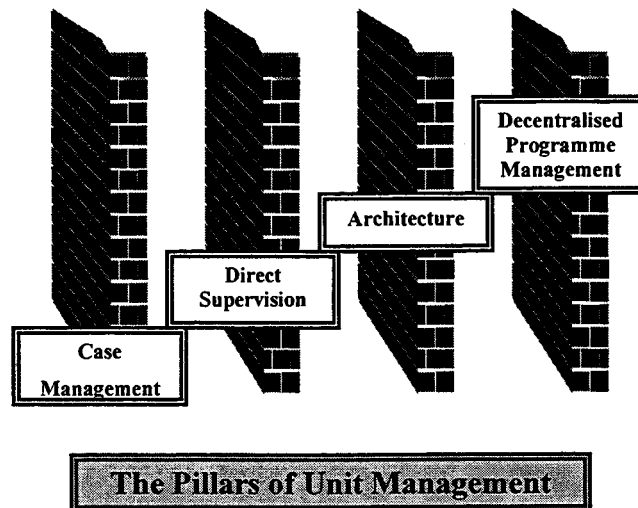
Rowe and others (Houston 1999:328) found that control in American Federal prisons improved after the implementation of unit management. Prisoner assaults on other prisoners increased dramatically after unit management was implemented. Assaults are more likely to be observed in functional units because of better surveillance and prisoner-staff interaction. Control in South African prisons can only benefit from the implementation of unit management. The statistics mentioned in chapter 1, about the

problem of control in a number of South African prisons point to the necessity of the full implementation of unit management.

What South Africa needs is for each correctional official to become professional. Through a multi-disciplinary approach, all correctional officials can contribute to the development and implementation of programmes. Only through involvement can the aim of active custody be realised.

### 12.3.4 THE PILLARS OF UNIT MANAGEMENT

Luyt (1998:26) mentioned that unit management is built on three pillars. These pillars are case management, architecture and direct supervision. Decentralised programme management can be added as a fourth pillar. The foundation of unit management can be illustrated as follows:



These pillars of unit management can function as entities, but must be integrated to allow unit management to be implemented to its full potential. Refer to the jigsaw puzzle under **Philosophy of unit management** in this chapter, where the interaction between the four pillars is illustrated.

The following recommendations are applicable to the pillars of unit management:

CASE MANAGEMENT	DIRECT SUPERVISION	DECENTRALISED PROGRAMME MANAGEMENT
1. Case management should provide direction and co-ordination for all activities related to the management of the sentence of offenders and	1. Staff members should be stationed inside living units with prisoners to facilitate daily contact. 2. Normalisation within living units	1. Programmes should only be determined in relation to classification and assessment and these programme needs should be

<p>offenders must be afforded the opportunity for change and improvement through their own efforts and through provided services.</p> <ol style="list-style-type: none"> <li>2. Supervision efforts should be focussed on the problems of prisoners.</li> <li>3. It should be an ongoing process of involvement to facilitate desired change in offenders to reduce recidivism and to improve security.</li> <li>4. Re-entry into the community should be a long term planned and supported event for each individual.</li> <li>5. Sound relationships should be developed between prisoners and staff.</li> <li>6. Needs are assessed and individual realistic plans of programmes are developed, implemented, co-ordinated and monitored on a regular basis.</li> <li>7. Sentences of prisoners should be as productive as possible.</li> <li>8. Treatment programmes should be revamped.</li> <li>9. Case management should be utilised to allow staff to become multi-skilled by enriching the duties of normal custodial staff. By doing so, the problem of programme staff versus security staff, prevalent in traditional prisons, can be neutralised.</li> <li>10. Sentence planning should be the most important aspect of case management.</li> <li>11. All documentation should be updated and completed on a regular basis as this will be the only source of complete information about each prisoner. To do so, strict measures should be implemented to keep individual files updated.</li> </ol>	<p>should be one of the primary aims of direct supervision.</p> <ol style="list-style-type: none"> <li>3. Staff should be highly trained and have the ability to detect and defuse potential problem situations in order to ensure quality security.</li> <li>4. Prisoners should attain access to more physical amenities such as control over lights, games and recreation equipment.</li> <li>5. As interaction is more often initiated by prisoners, staff should be trained to respond positively to this interaction.</li> <li>6. Direct supervision should be used to reduce staff tension and improve attitudes, which should result in lower absenteeism.</li> <li>7. Positive feelings about personal safety should be utilised to ensure less conflict between staff and prisoners and to improve the treatment of prisoners by staff.</li> <li>8. Improved attitudes should lead to better control over prisoners. Active custody should form the cornerstone in this regard.</li> <li>9. Positive report and credibility should form part of the direct supervision approach.</li> <li>10. supervision should be executed in an organised way and fair discipline should be maintained at all times.</li> </ol>	<p>adhered to by unit staff.</p> <ol style="list-style-type: none"> <li>2. Programmes should be designed to address needs successfully and facilitate the successful return of the offender to the community.</li> <li>3. Set objectives should form an integral part of each programme and these objectives must be reached.</li> <li>4. The exact role of the legally prescribed case management committee should be clarified in clear terms to ensure that programme needs are addressed successfully.</li> <li>5. Unit staff should be trained to do assessment and to implement and maintain decentralised programmes.</li> <li>6. Programmes should be reviewed on a regular basis.</li> <li>7. Where needs are identified for which no programme exists, new programmes should be developed to address those needs.</li> <li>8. Unit staff should be adamant about participation in programmes and evaluations should make provision for incentives for those who deliver full support to complete programmes and to advance towards set goals.</li> </ol>
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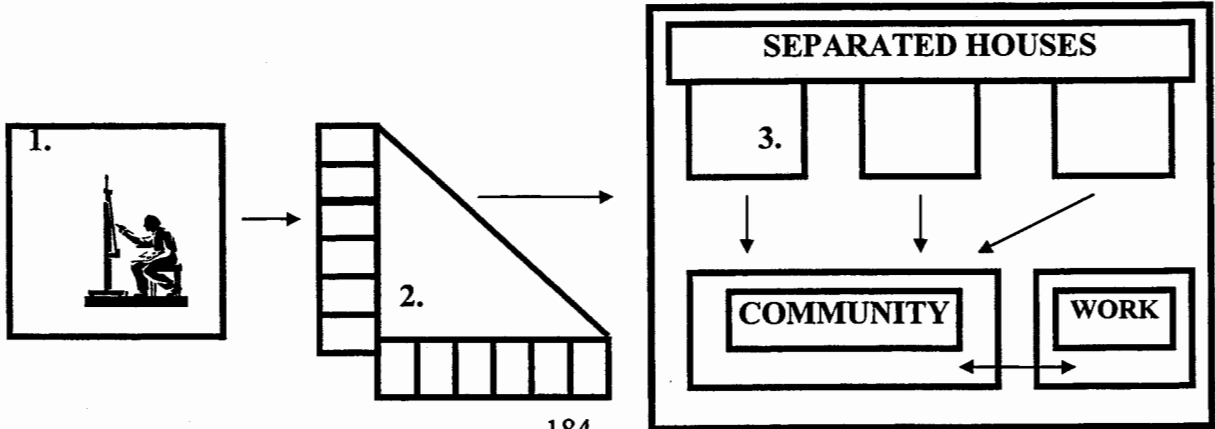
# ARCHITECTURE

To advance to a new form of imprisonment, architecture must form an integral part of the new approach. Modern designs contribute largely to effective unit management. However, during a visit to the United States of America, the researcher has been informed that in at least one State prison (which was not visited) built to modern designs but which operated in a traditional management style, control and security problems continued to be acute. The conclusion to be drawn from this is simple: A clear management philosophy is fundamental to the smooth and effective operation of any prison system. If one looks at the discussion on the Malmesbury Prison, the latter statement is reinforced. In effect, architecture alone is not enough to facilitate a change from traditional prison management to what can be achieved through unit management.

The opposite, however, can be achieved in traditional prisons. Unit management operates successfully in the older prisons built to traditional designs in the American Federal Prison System. This was confirmed in a study done by the Home Office in Britain (Home Office 1985:74). In Canada too, unit management has been implemented successfully in traditional structures. Today, these prisons are known as hybrid prisons. As South Africa has a large number of prisons, where existing structures or parts thereof can be used for unit management (Durban, Modderbee, Johannesburg, Pretoria) it is recommended that a thorough study precede the implementation of unit management in more traditional structures.

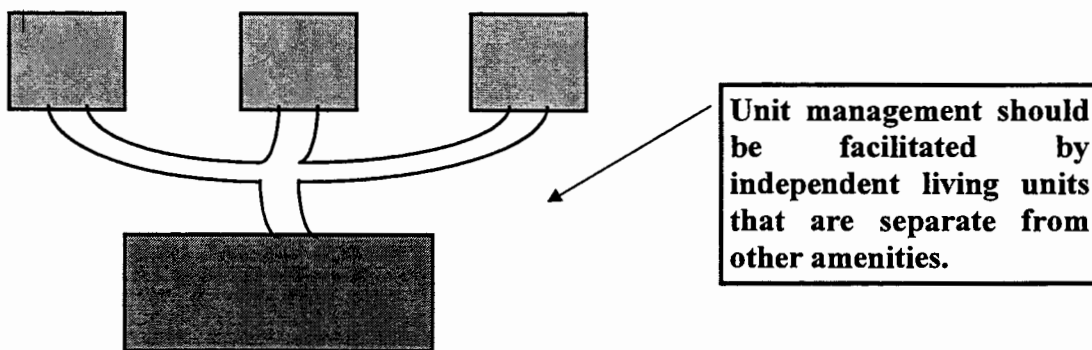
Prisoners should develop a sense of place in the largeness of the total prison. The following diagram shows how this should be achieved, making provision for:

- 1. **A small individual room;**
- 2. **An individual house with a stable group of 50 to 60 persons, and;**
- 3. **The total institutional community of 400 to 500 prisoners.**





A separated and identifiable individual house is fundamental to the design philosophy. The house becomes the symbol with which the prisoner consciously and unconsciously identifies and it serves as a separate element within the overall design of the institution. Housing units give management more flexibility as all housing units do not need to be run in the same way. Design should therefore be of such nature that small units are apart and autonomous in terms of purpose and management teams. Prisoners of similar typology and criminal background should be housed together, with one housing unit assigned for aggressive predatory offenders. The above can be illustrated as follows:



Prisoners should be prohibited from visiting other housing units and mingling should only take place in central facilities. Prisoners incarcerated in the American Federal Prison system are only allowed to walk around on outdoor footpaths at restricted walking speed. Generally spoken, the architecture used to erect the Malmesbury Prison in South Africa can be described as aligned with unit management designs in prisons visited by the investigator as well as designs described in literature.

## 12.4 CONCLUSION

With democracy in the embryo stage in South Africa, crime is rising at an alarming rate. One needs only to compare imprisonment rates over the last six years to determine the dramatic rise in the prisoner population. It is clear that freedom did not necessarily go hand in hand with responsibility.

The South African Department of Correctional Services is at the receiving end of the Criminal Justice System. Ironically, the same receiver is also the main provider of

offenders to the community after sentences have been served. In traditional prisons it is often the case that half-rotten goods are received, to be delivered totally rotten. In the rotting process, the lives of even the correctional officials are influenced. By making use of unit management, much more effective efforts can be made to bring about change. Unit management is a dynamic process that demands commitment from officials and prisoners alike.

***We shape our prisons and afterwards our prisons shape us!*** This statement has never been more relevant than is the case in South African corrections. Prison structures developed to enhance minimum interaction between correctional officials and prisoners developed passive custody with the minimum involvement in sentences. It allowed gangsterism to flourish and left correctional officials without control. What is needed now, is to move forward. The creation of new structures to create new people, both in terms of the keeper and the kept has never been more essential. Unit management creates the ideal opportunity to start a new generation where ***we shape our prisons in order for them to shape us!***

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**ANNEXURE A:**  
**CASE MANAGEMENT FILE**

**Reg no.** : \_\_\_\_\_

**Name** : \_\_\_\_\_

**Aliases** : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Date of birth** : \_\_\_\_\_

**Offence(s)** : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Sentence(s)** : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Classification  
& Placement** : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**General information**

This form is to be given to the Unit Manager receiving this prisoner. The Unit Manager must heed the information noted on this form. This form must be held in the Unit Office while accomodated in the Reception Area and then attached to the prisoner's Case File.

**Prisoner identification**

Name : \_\_\_\_\_ Date of birth : \_\_\_\_\_  
Reg. no : \_\_\_\_\_ Unit : \_\_\_\_\_  
Cell no : \_\_\_\_\_

**Part 1**

Social work contact screening clearance.

I have completed contact screening. Yes No  
I have made a referral. Yes No

**REFERRAL INFORMATION:**

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**ACTION REQUIRED:**

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Any special supervision requirements Yes No

\_\_\_\_\_  
**Name of Screening Officer**

\_\_\_\_\_  
**Signature**

**Part 2**

Prison medical services health clearance.

I have completed a health assessment.                      Yes                      No

I have made a referral for a psychiatric assessment    Yes                      No

**REMARKS:**

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**Signature**

**Position**

**Date**

**Time**

**Part 3**

Unit manager's clearance.

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**Name of unit manager**

**Signature**

**Date**

**Time**



**ANNEXURE B:**  
**PRISONER IDENTIFICATION**

# CONFIDENTIAL

Department of Correctional Services

## **PRISONER CONTACT SCREENING FORM**

### INSTRUCTIONS TO INTERVIEWERS

This is a semi-structured interview. The interviewer should use a recognised interview procedure, but it is not necessary to ask the questions verbatim. It is important that the information requested on this form be obtained in full. Checklists have been included at the end of each question to provide the interviewer with a reminder of the types and areas of information that should be gathered.

The interviewer should introduce him/herself to the prisoner, then say something like,

“I want to talk to you to find out what needs to be done now to help you through this process of being admitted into prison. I will take notes so that I can put together a plan with you to deal with those things that need to be attended to quickest. If there is anything that you want to know during the interview, just ask me, OK? Do you have any questions before we begin?”

### PRISONER IDENTIFICATION

Name : \_\_\_\_\_

Alias/es: \_\_\_\_\_

Reg. no : \_\_\_\_\_

Date of birth : \_\_\_\_\_ Age : \_\_\_\_\_ Years : \_\_\_\_\_ Months : \_\_\_\_\_

Language spoken at home : \_\_\_\_\_ Requires interpreter : \_\_\_\_\_

Date of reception : \_\_\_\_\_ Time of interview : \_\_\_\_\_

Name of interviewer : \_\_\_\_\_

## DATA FORM

Registration number: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Date of birth: \_\_\_\_\_

Country/State of birth: \_\_\_\_\_ Date arrived in RSA: \_\_\_\_\_

Citizenship: \_\_\_\_\_

First language: \_\_\_\_\_ Interpreter required: Yes No - if so,

Language: \_\_\_\_\_

Marital status: \_\_\_\_\_ Partner's name: \_\_\_\_\_

Do you have children: \_\_\_\_\_

Next of kin name: \_\_\_\_\_

Next of kin address: \_\_\_\_\_

Do you receive any visits: Yes No

With whom: \_\_\_\_\_ How often: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## EDUCATION

Age at leaving school: \_\_\_\_\_ Highest level achieved: \_\_\_\_\_

Do you have any problems with *Reading* or *Writing*: Yes No

Do you have any problems with *Numeracy*: Yes No

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**EMPLOYMENT**

Do you have any *Trade* or other *Job Qualifications*: Yes No

If so, state which ones:

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What was your last job: \_\_\_\_\_

Longest period of employment: \_\_\_\_\_ When was this: \_\_\_\_\_

Main type of work: \_\_\_\_\_

Comments: \_\_\_\_\_

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**HEALTH**

Do you have any illnesses requiring Prescribed Medication: Yes No

If so state the Condition and the Medication:

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**DRUG AND ALCOHOL HISTORY**

Have you ever used Drugs or Alcohol: Yes No

If so which ones and to what extent:

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Do you think that you have a problem or have had a problem in the past with substances:

Yes No

Do you wish to see a Social Worker in this regard: Yes No

Comments:

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### **CENTRE EXPERIENCE**

Have you been to a Centre before: Yes No

If so state where, when and length of sentence:

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Have you experienced any problems in a Centre either in the past or during this sentence:

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### **PROGRAMME PLANNING**

What Programmes, Courses, Groups or Work have you been doing so far in this sentence:

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What Programmes, Courses, Groups or Work etc. would you like to be involved in:

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Do you have any Post-Release Plans at present:

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Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**ANNEXURE C:**  
**PRISONER CONTACT SCREENING**

## PRISONER CONTACT SCREENING FORM

Instructions: This suicide risk assessment guide from section (A) is to be completed by the interviewer. Score one cell on each risk dimension.

<b>RISK DIMENSION</b>	<b>LOW RISK</b>	<b>MEDIUM RISK</b>	<b>HIGH RISK</b>
1.Imprisonment	Adjusted to imprisonment	Escape from poor adjustment	First time in prison
2.Coping with prison life	Able to cope	Can cope but has problems	Very poor coping skills
3.Mental state	Stable no psychiatric history	Stable with recurring psychiatric problems	Psychiatric illness or rehabilitating from recent psychiatric illness
4.Drug and alcohol factors	Informed recreational user or non user	Ongoing drug and alcohol problem	Required medical and/or observation following arrest
5.Sleep pattern	Satisfactory	Restless or nervous	Waking early (disturbing thoughts)
6.Self control	Able to control self	Episodic loss of control in the past	Feels like s/he could lose control now
7.Evidence of hopelessness	Reasonably future oriented	Ambivalent but future orientated	Exhibit profound hopelessness
8.Maturation	Appropriate for subgroup, no problems other than being an offender	Any age, with chronic emotional, mental or physical problems	Over 40 years of age with chronic mental/physical problem or under 24 years of age with evidence of emotional volatility
9.Social support	Appropriately satisfied with level of support	Low level of support and dissatisfied	No active or emotional support by family or friends
10.Number of previous suicide attempts	None	1 or 2 non serious attempts	3 or more non serious attempts or 1 or more serious attempts
11.Period since 1st attempt	5 years or more	Between 3 months and 5 years	Less than 3 months
12.Period since last attempt	More than 1 year	Between 1 year and 3 months	Less than 3 months
13.Current suicidal thoughts	Normal passing thoughts and fears	Imaginative thoughts of suicide or self harm with no plan	Suicidal or self harm thoughts with a well thought out plan
<b>NUMBER OF RISK FACTORS</b>	<b>TOTAL NO OF LOW RISK FACTORS</b>	<b>TOTAL NO OF MEDIUM RISK FACTORS</b>	<b>TOTAL NO OF HIGH RISK FACTORS</b>

Note, there are no norms for this guide. The guide indicates that those prisoners interviewed upon reception who have HIGH and MEDIUM risk factors should be considered for further assessment and management issues. Prisoners who have indicators in any cell marked with \*\*\* should be assessed further for suicide risk.



**ANNEXURE D:**  
**NEEDS CHECKLIST**

## NEEDS CHECKLIST

**Name of prisoner:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Please circle any of the following areas which relate to you:

1. I need help in setting specific goals.
2. I need a planned programme to help me live without using alcohol/drugs or breaking the law.
3. I want to change my lifestyle.
4. I want to learn better ways of coping with my problems.
5. I want to learn to communicate more honestly with \_\_\_\_\_
6. I want to talk more easily with others.
7. I want to learn how to stop being so tense.
8. I need help in organising a more effective job search.
9. I want to learn to manage my financial affairs.
10. I need to upgrade my skill, so I can improve my employment situation.
11. I want to learn how to improve my physical fitness.
12. I want to find a better job.
13. I would like to talk to someone about \_\_\_\_\_
14. I would like to attend \_\_\_\_\_
15. I would like to avoid getting into trouble.
16. I need to stop using drugs.
17. I want to stop drinking completely.
18. I want to understand the conditions under which I get into trouble.
19. I would like to control my drinking.
20. I need regular contact with a person whom I can trust to discuss my problems and concerns.
21. I want a counsellor/therapist to help me understand my needs and develop greater awareness.
22. I want to learn how to say no when friends put pressure on me.
23. I want to learn how to handle aggression by others.

24. I need to learn to deal with anger.
25. I want to learn how to feel at ease with others.
26. I want to be able to improve my sleeping patterns.
27. I want to learn how to plan my time better.
28. I think I may have a gambling problem.
29. I spend much of my free time "just killing time".
30. My only problem is that I am in prison.
31. At the moment I do not have many problems at all.
32. I would like \_\_\_\_\_

---

**SIGNATURE OF PRISONER**

---

**DATE**

**ANNEXURE E:**  
**IN-DEPTH ASSESSMENT**

INTERVIEWER'S QUESTIONS	PRISONER'S RESPONSE
<b>SECTION A: INTRODUCTORY QUESTIONS</b>	<b>SECTION A: INTRODUCTORY QUESTIONS</b>
<p>1. First of all, tell me if you have ever been in custody before and if so when and where that was?</p> <ul style="list-style-type: none"> <li>- juvenile detention centre</li> <li>- police cells</li> <li>- prison</li> <li>- first time in prison</li> <li>- escape</li> </ul>	<p>1. Prior history of imprisonment. Note if prisoner is a first timer or an escapee.</p>
<p>2. What's your biggest concern or worry at this point in time?</p>	<p>2. Current concerns.</p>
<p>3. Is there anything that can be taken care of right away for you or your family?</p>	<p>3. Immediate problems to be resolved.</p>
<b>DRUG AND ALCOHOL ABUSE</b>	<b>DRUG AND ALCOHOL ABUSE</b>
<p>4. Were you under the influence of alcohol or other drugs at the time of your arrest?</p> <ul style="list-style-type: none"> <li>- conscious/unconscious/semi-conscious at arrest</li> <li>- what drugs/what alcohol/what combination at time of arrest</li> <li>- taken to hospital/casualty</li> </ul>	<p>4. Influence of alcohol or other drugs at time of arrest.</p>
<p>5. Do you have an alcohol or other drug problem?</p> <ul style="list-style-type: none"> <li>- habitual</li> <li>- recreational</li> <li>- episodic</li> </ul>	<p>5. Stated alcohol and other drug problem.</p>
<b>MENTAL STATE</b>	<b>MENTAL STATE</b>
<p>6. Have you ever had any such problems?</p> <p>Checklist</p> <ul style="list-style-type: none"> <li>- emotional problems</li> <li>- relationship/marriage problems</li> <li>- alcohol or other drug problems</li> <li>- depression</li> <li>- anxiety</li> <li>- angry outbursts</li> <li>- loneliness</li> <li>- grief or loss of someone close</li> <li>- psychiatric problems such as hallucinations</li> </ul> <p>Note any symptoms or observations of profound hopelessness.</p>	<p>6. Emotional or relationship problems (describe symptoms or note diagnosis). Note any expressions of profound hopelessness.</p>
<p>7. Have you ever talked to anybody about these problems you have had?</p> <p>Checklist</p> <ul style="list-style-type: none"> <li>- friends/family</li> <li>- doctor-psychiatrist, counsellor, psychologist</li> </ul>	<p>7. Talked about problem to, and when, etc.</p>

INTERVIEWER'S QUESTIONS	PRISONERS RESPONSE
<p>8. How do you think you will be able to cope with being in prison? Checklist</p> <ul style="list-style-type: none"> <li>- feels confident about coping</li> <li>- though outwardly robust appears to be vulnerable</li> <li>- very concerned about self and safety</li> </ul>	<p>8. Coping with prison life.</p>
<p>9. How have you been sleeping lately? Checklist</p> <ul style="list-style-type: none"> <li>- sleeping well</li> <li>- problems in getting off to sleep (explain)</li> <li>- waking early</li> <li>- bad dreams</li> </ul>	<p>9. Sleep pattern.</p>
SUICIDAL HISTORY	SUICIDAL HISTORY
<p>10. Have you ever been in a situation like this where you might have felt out of control, tell me what happened and what you did? Note if the prisoner feels that s/he could lose control now. (Describe any self detrimental behaviour e.g. self abuse, accident proneness etc).</p>	<p>10. Self detrimental behaviour eg. self attacking, accident proneness etc. Note feelings of "losing self control now".</p>
<p>11. Have you had any thoughts of harming or killing yourself in the last 24 hours? If so tell me what have you been thinking about? Checklist</p> <ul style="list-style-type: none"> <li>- the inmate has a reasonably detailed plan for killing him/herself.</li> <li>- the inmate has an accessible method to carry out the stated act.</li> </ul>	<p>11. Self destructive thoughts in last 24 hours.</p>
<p>12. Have you told anyone about this? (If so, what did they recommend, did they delay impulses, what follow-up now?) Checklist</p> <ul style="list-style-type: none"> <li>- family/friend</li> <li>- counsellor/doctor</li> <li>- police officer/custodial officer</li> </ul>	<p>12. Has talked about thoughts to;</p>
SOCIAL SUPPORT	SOCIAL SUPPORT
<p>13. Are you currently in a relationship? (If so, any problems with this relationship?) Checklist</p> <ul style="list-style-type: none"> <li>- married or de facto relationship</li> <li>- single</li> <li>- separated, divorced or widowed within the last six months</li> <li>- is currently a loner on the outside of prison</li> </ul>	<p>13. Current relationships. (How supportive?)</p>

INTERVIEWER'S QUESTIONS	PRISONER'S RESPONSE
<p>14. Will your family or friends be able to support you in some way while you are in prison?</p> <p>Checklist</p> <ul style="list-style-type: none"> <li>- family or friends will visit regularly/will have regular phone contact</li> <li>- family or friends will be able to assist with outside matters</li> <li>- family or friends will be able to provide cash to purchase items</li> <li>- family or friends will be able to provide items of clothing that are allowed</li> <li>- other forms of support (specify type of support)</li> </ul>	<p>14. What types of support will be provided and by whom?</p>
SECTION B: INTELLECTUAL DISABILITY	SECTION B: INTELLECTUAL DISABILITY
<p>Consider whether the inmate displays any behavioural factors that could be associated with intellectual disability eg childlike demeanour/responses, inappropriate reactions to situations or if s/he is receiving psychiatric treatment/medication etc.</p>	<p>Age left school _____</p> <p>Last school grade or form _____</p> <p>List attainments/certificates gained</p> <p>_____</p> <p>_____</p>
<p>1. How old were you when you left school?</p> <p>2. How far did you go at school?</p> <p>If the inmate left school at 18 years of age or younger and /or during high school or during a lower grade, ask the following questions</p> <p>3. Have you ever</p> <ul style="list-style-type: none"> <li>- attended a special school, O.A. class, or sheltered workshop</li> <li>- received an invalid pension</li> <li>- been under the care of a State Department</li> </ul>	<p><b>INDICATORS</b> <span style="float: right;"><b>YES NO</b></span></p> <p>1. Left school at age of 15 or younger.</p> <p>2. Left school at high school or at lower grade.</p> <p>3. Attended special school, or class or sheltered workshop.</p> <p>4. Receives invalid pension.</p> <p>5. Has been under care of State Dept.</p> <p><b>BEHAVIOURAL OBSERVATIONS</b> <span style="float: right;"><b>YES NO</b></span></p> <p>1. Displays childlike demeanour/responses.</p> <p>2. Receives ongoing psychiatric treatment.</p> <p>3. Has inappropriate reactions to situations.</p> <p><i>Three or more "YES" indicators from 1 to 5 (above) plus any behavioural observations suggest the need for further assessment by a psychologist for intellectual disability</i></p>
SECTION C: SOCIAL WELLBEING	SECTION C: SOCIAL WELLBEING
<p>1. Can you give me the names of two of your next of kin, or persons whom you wish to be contacted in case of an emergency?</p>	<p>1. Next of kin or nominated persons.</p>
<p>2. Do your next of kin need to be told that you are here?</p>	<p>2. Contact person informed. (if yes)</p>
<p>3. Do you have any dependents?</p>	<p>3. Dependents</p>

<p>4. If you were employed at the time of sentencing, are there outstanding matters that you need to fix up with your employer?</p> <ul style="list-style-type: none"> <li>- employer informed</li> <li>- pay issues dealt with</li> </ul>	<p>4. Employment arrangements.</p>
<p><b>HOUSING</b></p>	<p><b>HOUSING</b></p>
<p>5. Are there some outstanding accomodation issues that you need to fix up as a result of your imprisonment?</p> <p>Checklist</p> <ul style="list-style-type: none"> <li>- tenancy matters with a Department</li> <li>- relocation of public housing when released from prison</li> <li>- wants to arrange for rent payments to continue</li> <li>- requires accomodation when released soon</li> </ul>	<p>5. Accomodation issues</p>
<p>6. Is your property which you have had to leave outside prison safe?</p> <p>Checklist</p> <ul style="list-style-type: none"> <li>- care</li> <li>- home/flat</li> <li>- personal papers, medical/pension card</li> <li>- pets</li> </ul>	<p>6. Safety of property</p>
<p>7. Are there any outstanding social security issues that you need to fix up as a result of your imprisonment?</p> <p>Checklist</p> <ul style="list-style-type: none"> <li>- does not receive social security benefits</li> <li>- has invalid pension</li> <li>- has organised collection of cheque</li> </ul>	<p>7. Social security issues.</p>
<p><b>LEGAL ISSUES</b></p>	<p><b>LEGAL ISSUES</b></p>
<p>8. In regard to outstanding legal matters, do any of the following matters need attending to:</p> <p>Checklist</p> <ul style="list-style-type: none"> <li>- Are you appealing on the sentence or conviction?</li> <li>- Are all your legal matters up to date?</li> <li>- Do you need to see Legal Aid?</li> <li>- Are you currently on a community service order?</li> <li>- If serving a community service order, who do you report to and where?</li> <li>- Did the Judge make any comments on the Warrant that you (and this Department) have to take notice of? (Check Warrant for Judge's comments).</li> </ul>	<p>8. Legal issues</p>



<p><b>SECTION D: FEMALE PRISONERS</b> Does the prisoner have a suspected or confirmed pregnancy. (Give details and any problems) ..... .....</p>	<p><b>SECTION D: FEMALE PRISONERS</b> Does the prisoner have a suspected or confirmed pregnancy. (Give details and any problems) ..... .....</p>
<p><b>SECTION E: CORRECTIONS HEALTH SERVICE NOTIFICATIONS</b> Note any information obtained from the Corrections Health Service about this inmate. (Transfer any relevant information to the "Attention Details" section inside case file). ..... ..... .....</p>	<p><b>SECTION E: CORRECTIONS HEALTH SERVICE NOTIFICATIONS</b> Note any information obtained from the Corrections Health Service about this inmate. (Transfer any relevant information to the "Attention Details" section inside case file). ..... ..... .....</p>
<p>Check and list. Check both the current name of the inmate and any aliases on computer for any reported history of suicidal/self harm incidents from previous imprisonment. List any incidents recorded ..... ..... .....</p>	<p>Check and list. Check both the current name of the inmate and any aliases on computer for any reported history of suicidal/self harm incidents from previous imprisonment. List any incidents recorded ..... ..... .....</p>
<p><b>ADMINISTRATION: THE FOLLOWING SECTION IS TO BE COMPLETED BY THE INTERVIEWER</b> Did the prisoner complete the interview, refuse to answer any question or was unable to answer any question? Note questions and reasons if any? .....</p>	<p><b>ADMINISTRATION: THE FOLLOWING SECTION IS TO BE COMPLETED BY THE INTERVIEWER</b> Did the prisoner complete the interview, refuse to answer any question or was unable to answer any question? Note questions and reasons if any? .....</p>
<p><b>THE FOLLOWING REFERRALS ARE RECOMMENDED TO,</b>  Psychologist for, - suicide risk assessment - intellectual disability - other problem arising form interview .....  Reason ..... .....</p>	<p><b>THE FOLLOWING REFERRALS ARE RECOMMENDED TO,</b>  Psychologist for, - suicide risk assessment - intellectual disability - other problem arising form interview .....  Reason ..... .....</p>
<p><b>SOCIAL WORKER FOR</b> Reason ..... .....</p>	<p><b>SOCIAL WORKER FOR</b> Reason ..... .....</p>
<p><b>CORRECTIONAL HEALTH SERVICE FOR,</b> Reason: .....</p>	<p><b>CORRECTIONAL HEALTH SERVICE FOR,</b> Reason: .....</p>

<p><b>OTHER REFERRALS AS DEEMED NEEDED</b></p> <p>Reasons</p> <p>.....</p> <p>.....</p>	<p><b>OTHER REFERRALS AS DEEMED NEEDED</b></p> <p>Reasons</p> <p>.....</p> <p>.....</p>
<p>This prisoner has a condition/problem (not covered above) that should be brought to the attention of ..... Give details</p> <p>.....</p> <p>.....</p>	<p>This prisoner has a condition/problem (not covered above) that should be brought to the attention of ..... Give details</p> <p>.....</p> <p>.....</p>
<p>Transfer the following information to the "Attention Details" located inside the front of the case file:</p> <p>.....</p> <p>.....</p>	<p>Transfer the following information to the "Attention Details" located inside the front of the case file:</p> <p>.....</p> <p>.....</p>
<p><b>SIGNATURE OF INTERVIEWING OFFICER:</b> .....</p> <p><b>DATE:</b> .....</p> <p><b>POSITION OF INTERVIEWING OFFICER</b></p> <p>.....</p>	<p><b>SIGNATURE OF INTERVIEWING OFFICER:</b> .....</p> <p><b>DATE:</b> .....</p> <p><b>POSITION OF INTERVIEWING OFFICER</b></p> <p>.....</p>

**ANNEXURE F:**  
**EDUCATION PROFILE SCREENING**

**EDUCATION PROFILE SCREENING  
(CONFIDENTIAL)**

INTERVIEWER: \_\_\_\_\_ DATE: \_\_\_\_\_

PRISON: \_\_\_\_\_

NAME: \_\_\_\_\_ REG NO: \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_

Health Factors that may effect education/work program: \_\_\_\_\_

**SECTION A**

Educational History:

\_\_\_\_\_

\_\_\_\_\_ Level reached: \_\_\_\_\_

Current Course Enrolments Details: \_\_\_\_\_

**SECTION B**

**WORK SKILLS AUDIT**

Work History:

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Vocational Training or Trade Courses Completed (Include Courses attended during imprisonment):

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General Interests:

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**SECTION C**

Short Term Educational Goals/Educational Needs:

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**COMMENTS:**

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**ANNEXURE G:**

**PRISONER HISTORY CHECK IN  
RELATION TO ALLOCATION OF  
EMPLOYMENT**

# PRISONER HISTORY CHECK IN RELATION TO ALLOCATION OF EMPLOYMENT

## PRISONER DETAILS

Surname: \_\_\_\_\_ Given names: \_\_\_\_\_

Alias: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Reg no.: \_\_\_\_\_

Safe custodial classification: \_\_\_\_\_

Sentence: \_\_\_\_\_

Arrived at unit on: \_\_\_\_\_ From: \_\_\_\_\_

Details of previous employment at this prison: see attached history.

Has the prisoner any history in respect of the following? (If any - please supply full details)

Escape: \_\_\_\_\_

Recaptured: \_\_\_\_\_

Other serious matters: \_\_\_\_\_

\_\_\_\_\_

(If inspection of the prisoner's warrant reveals a history of either escape or attempted escape the decision regarding employment is to be made carefully)

Officer responsible for allocation of the position:

\_\_\_\_\_

Not/recommended: Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Institutional committee's decision:

Approved/not approved:      Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Position available for allocation: \_\_\_\_\_

Started in position:      Date: \_\_\_\_\_



**ANNEXURE H:**  
**ALCOHOL AND OTHER DRUG**  
**ASSESSMENT**

## ALCOHOL AND OTHER DRUG ASSESSMENT

Date of interview: \_\_\_\_\_ day \_\_\_\_\_ month \_\_\_\_\_ year

Prisoner name: \_\_\_\_\_ Reg no.: \_\_\_\_\_

Received from: \_\_\_\_\_

### RECOMMENDATIONS FOR SOCIAL WORKERS/MEDICAL PERSONNEL AND CASE MANAGERS

\* Further drug & alcohol assessment to be undertaken by social worker.

1. Yes/priority (within 2 weeks)
2. Yes (within 3 months)
3. No

\* Further drug & alcohol assessment/treatment requested by inmate: Yes/No

\* Date D & A assessment completed by case officer/social worker/medical personnel \_\_\_\_\_ day \_\_\_\_\_ month \_\_\_\_\_ year

\* Referral to other services recommended:

Service(s): \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Interviewer name: \_\_\_\_\_

1. Sex: 1. male 2. female

a. (If female): Are you currently pregnant?  
 1. Yes            2. No            3. Not sure

2. Date of birth/age: \_\_\_\_\_

3. What is your first language? \_\_\_\_\_

4. How long is your sentence?

(i) Maximum \_\_\_\_\_

(ii) Are you appealing? 1. Yes            2. No

5. (Those with outstanding charges) When do you appear in court?

(i) Next court appearance: \_\_\_\_\_ day \_\_\_\_\_ month \_\_\_\_\_ year

(ii) Where: \_\_\_\_\_

1. Local            2. District            3. Supreme

(iii) Reason for appearance: \_\_\_\_\_  
 \_\_\_\_\_

6. What are the most serious offences/charges you are currently in prison for?

1. \_\_\_\_\_ 3. \_\_\_\_\_

2. \_\_\_\_\_ 4. \_\_\_\_\_

7. (I) Have you ever been to prison before?

1. Yes            2. No

If yes: (ii) How many times? \_\_\_\_\_

8. Are you withdrawing (do you feel sick) from a lack of drugs or alcohol at present?            Yes  
 No

1. Alcohol    2. Drugs    3. Both    4. No, but I expect to    5. No    6. Unsure

9. What drugs have you used the most in the past year?

(a) Name of drug	(b) How often?	(c) How much?	(d) Last used?
1.			
2.			
3.			
4.			

10. (i) In the past year have you used needles when taking drugs?  
(ii) (If yes) Have you shared needles with anyone in the past year?
1. Yes-used needles
  2. Yes-used and shared needles
  3. No
  4. Unsure
11. In the past year has your use of drugs or alcohol caused you any problems?
1. drugs
  2. alcohol
  3. both
  4. nothing
  5. unsure
12. Were you under the influence of drugs or alcohol when you committed, or allegedly committed, any of the offences/charges you are currently in prison for?
1. drugs
  2. alcohol
  3. both
  4. nothing
13. At the time of committing, or allegedly committing, any of these charges/offences were you:  
(circle each relevant case)
1. doing so to get money to buy drugs
  2. doing so to get money to buy alcohol
  3. withdrawing from a lack of drugs
  4. withdrawing from a lack of alcohol
  5. charged with possession of drugs
  6. unsure/other \_\_\_\_\_  
(If never)
1. Have you had a drink in the past 12 months? Yes/No
14. How often do you have a drink of alcohol?
1. never
  2. monthly or less
  3. 2 to 4 times a month
  4. 2 to 3 times a week
  5. 4 or more times a week  
(If never)
- (a) Have you had a drink in the past 12 months? Yes/No

15. How many standard drinks of alcohol do you have on a typical day when you are drinking?
  1. 1 or 2
  2. 3 or 4
  3. 5 or 6
  4. 7 to 9
  5. 10 to 20
  6. more than 20
  
16. How often do you have six or more drinks on one occasion
  1. never
  2. less than monthly
  3. monthly
  4. weekly
  5. daily or almost daily
  
17. How often during the last year have you found that you were not able to stop drinking once you had started?
  1. never
  2. less than monthly
  3. monthly
  4. weekly
  5. daily or almost daily
  
18. How often in the past year have you failed to do what was normally expected of you because of drinking?
  1. never
  2. less than monthly
  3. monthly
  4. weekly
  5. daily or almost daily
  
19. How often in the past year have you needed a drink in the morning to get yourself going after a heavy drinking session?
  1. never
  2. less than monthly
  3. monthly
  4. weekly
  5. daily or almost daily
  
20. How often during the last year have you had feelings of guilt or regrets about drinking?
  1. never
  2. less than monthly
  3. monthly
  4. weekly

5. daily or almost daily
21. How often during the last year have you been unable to remember what happened the night before because you had been drinking?
1. never
  2. less than monthly
  3. monthly
  4. weekly
  5. daily or almost daily
22. Have you or has somebody else been injured as a result of your drinking?
1. no
  2. yes, but not in the last year
  3. yes, during the last year
23. Has a relative, a friend, a doctor or other health worker been concerned about your drinking or suggested you cut down?
1. no
  2. yes, but not in the last year
  3. yes, during the last year
24. (i) What medication(s) are you on at present? (Write name/s) \_\_\_\_\_
- (ii) What are you on the medication for? \_\_\_\_\_
- (iii) (If psycho-active) How often do you take more than the prescribed amount?
1. never
  2. rarely
  3. sometimes
  4. often
  5. always
25. Do you have any health problems related to your alcohol or drug use?
1. Yes                      2. No
- (describe) \_\_\_\_\_
26. Have you ever tried drug/alcohol treatment in the community?      1. Yes 2. No
- (if yes describe) \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**ANNEXURE I:**

**CASE MANAGEMENT  
PRISONER REFERRAL FORM**

**CASE MANAGEMENT  
PRISONER REFERRAL FORM**

TO: \_\_\_\_\_

FROM: \_\_\_\_\_

Prisoner: \_\_\_\_\_ was seen by myself on:

Date: \_\_\_\_\_ At: \_\_\_\_\_

**Summary of Discussion:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Action Recommended:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_

**Action Taken:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name and Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**ANNEXURE J:**  
**INDIVIDUAL CASE PLAN**

# INDIVIDUAL CASE PLAN

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Unit: \_\_\_\_\_

Date of Plan: \_\_\_\_\_ Date of Review: \_\_\_\_\_

Plan prepared by: \_\_\_\_\_

Persons in Attendance: \_\_\_\_\_

Priority number	Objective/Goals	Activity/Method (How will the objective be achieved)	Person/s responsible

# INDIVIDUAL CASE PLAN

**DATE COMMENCED:** \_\_\_\_\_

**Goals:**

Work: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Action plan: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

⊕ Timeframe: \_\_\_\_\_

Personal/Social: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Action Plan: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

⊕ Timeframe: \_\_\_\_\_

Health/Physical fitness: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Action Plan: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

⊕ Timeframe: \_\_\_\_\_

Activities interested in: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Action Plan: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

⊕ Timeframe: \_\_\_\_\_

**ANNEXURE K:**  
**ORIENTATION INFORMATION**  
**CHECKLIST**

## ORIENTATION INFORMATION CHECKLIST

1. Description of the centre	Yes	No
2. Brief explanation of case management and the role of the case officer	Yes	No
3. The purpose of the CMP and the confidentiality of information	Yes	No
4. Expectations regarding interaction and participation in all programmes	Yes	No
5. Rules/regulations pertaining to the correctinal centre and accommodation, visits	Yes	No
6. The disciplinary process - brief on offender misconduct	Yes	No
7. The roles, identities, locations and availability of all relevant staff	Yes	No
8. An outline of the centre's daily routine	Yes	No
9. Rules of the centre and sections	Yes	No
10. Lines and method of communication	Yes	No
11. Telephone and mail procedures	Yes	No
12. Prisoner's property, dress code and purchases	Yes	No
13. Clothing - laundry, replacement, etc.	Yes	No
14. Grievance procedure	Yes	No
15. Fire and safety rules	Yes	No
16. Access to medical services	Yes	No
17. Programmes, activities (recreational, hobby & sporting)	Yes	No
18. Religious services	Yes	No
19. Release preparation and reintegration process	Yes	No
20. Finding and overview of support systems to facilitate transfers (access to community integration officer)	Yes	No
21. Support by community corrections personnel	Yes	No
22. Opportunities to prepare maximally for reintegration	Yes	No
23. Additional information considered by case officer as relevant	Yes	No

Signature of prisoner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of case officer: \_\_\_\_\_ Date: \_\_\_\_\_

**COMPLETED: YES/NO**