



**UNODC**

United Nations Office on Drugs and Crime



# **Assessing compliance with the Nelson Mandela Rules**

A checklist for internal inspection  
mechanisms

CRIMINAL JUSTICE HANDBOOK SERIES

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# **Assessing compliance with the Nelson Mandela Rules**

A CHECKLIST FOR INTERNAL INSPECTION MECHANISMS



UNITED NATIONS  
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*“The way that a society treats its prisoners is one of the sharpest reflections of its character. (...) 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 emphasize 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 continue to treat our prisoners in the old way, denying them their dignity and their rights as humans.”*

**Nelson Rolihlahla Mandela  
on the occasion of the official launch of the project “Retraining  
and human rights” of the Department of Correctional Services  
in Kroonstad, South Africa, on 25 June 1998.**

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# I.

## Introduction

The Standard Minimum Rules for the Treatment of Prisoners have constituted the universally acknowledged minimum standards for the management of prison facilities and the treatment of prisoners, and have been of tremendous value and influence in the development of prison laws, policies and practices in Member States all over the world.<sup>1</sup> Following an extensive inter-governmental review process initiated to reflect advances in international law and correctional science, the General Assembly adopted, in 2015,<sup>2</sup> a revised set of the rules as the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). A truly updated blueprint for prison management in the twenty-first century, the rules were to be known as the Nelson Mandela Rules in order to honour the legacy of the late President of South Africa, Nelson Rolihlahla Mandela, who had to spend 27 years in prison in the course of his struggle for human rights, democracy and the promotion of a culture of peace.

Within the United Nations system, the United Nations Office on Drugs and Crime (UNODC) acts as the custodian of the international standards and norms related to the treatment of prisoners, including the Nelson Mandela Rules. Accordingly, the General Assembly requested UNODC to ensure the broad dissemination of the Nelson Mandela Rules, to design guidance material and to provide technical assistance and advisory services to Member States in the field of penal reform in order to develop or strengthen penitentiary legislation, procedures, policies and practices in line with the rules.<sup>3</sup> This checklist constitutes a direct response to this request and forms part of the UNODC Global Programme on Addressing Prison Challenges, which provides for technical assistance geared at (a) reducing the scope of imprisonment; (b) improving prison conditions and strengthening prison management; and (c) supporting the social reintegration of prisoners upon release.

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<sup>1</sup>The Standard Minimum Rules for the Treatment of Prisoners were adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in 1955, and approved by the Economic and Social Council in its resolutions 663 C (XXIV) of 31 July and 2076 (LXII) of 13 May 1977.

<sup>2</sup>General Assembly resolution 70/175 entitled “United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)”.

<sup>3</sup>General Assembly resolution 70/175, para. 15.

## 1. Context

### United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)

#### Rule 83

1. There shall be a twofold system of regular inspections of prisons and penal services:
  - (a) Internal or administrative inspections conducted by the central prison administration;
  - (b) External inspections conducted by a body independent of the prison administration, which may include competent international or regional bodies.
2. In both cases, the objective of the inspections shall be to ensure that prisons are managed in accordance with existing laws, regulations, policies and procedures, with a view to bringing about the objectives of penal and corrections service, and that the rights of prisoners are protected.

Monitoring and inspection mechanisms shed a fresh and critical light on institutions which, by their very nature, are closed environments, and therefore require particular efforts to counter the risk of abuse. The basic function of monitoring and inspecting prisons, whether internal or external, should be seen against this background. It is to contribute to a safe, secure and humane prison environment by (a) getting a proper understanding of all relevant aspects of prisons, including structural causes of any problems identified; (b) comparing actual prison conditions, management and practice against relevant provisions in national and international law, and by (c) submitting a report and recommendations on how the prison system and the treatment of prisoners could be improved. Through a constructive dialogue with national authorities they can be crucial to initiate change and reform with a view to helping prisons live up to minimum standards.

The part of the Nelson Mandela Rules on internal and external inspections (rules 83-85), constitutes a major development vis-à-vis the vague formulation on the inspection of prisons in the original version of the Standard Minimum Rules of 1955. These provisions are a clear reflection of the significant development of international standards and practice with regard to independent monitoring and inspections of prisons in recent decades, both at the international and national levels. Central to this development are the mechanisms for the prevention of torture through regular external visits to places of deprivation of liberty, in particular the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the numerous national preventive mechanisms set up under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.<sup>4,5</sup> As it was the provisions in the Optional Protocol, in particular, which inspired the language of rules 84 and 85 of the Nelson Mandela Rules, it is unsurprising, therefore that the guidance provided by the Nelson Mandela Rules on authority,

<sup>4</sup>United Nations, *Treaty Series*, vol. 2375, No. 24841.

<sup>5</sup>At the regional level, see also the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, established under the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment of the Council of Europe; the Rapporteurship on the Rights of Persons Deprived of their Liberty, established by the Inter-American Commission for Human Rights, 119th session (2004); and the Rapporteurship on Prisons, Conditions of Detention and Policing in Africa, established by the African Commission on Human and Peoples' Rights, twentieth ordinary session (1996).

composition and activities of inspection mechanisms has been developed primarily with external inspection mechanisms in mind.<sup>6</sup>

The above notwithstanding, rule 83 of the Nelson Mandela Rules provides for a *twofold system for regular inspections of prisons*, which is to consist not only of external inspections conducted by a body independent of the prison administrations, but also of internal or administrative inspections to be conducted by the central prison administration.

#### **Internal inspections in the Prisons Service of Kenya**

The Kenya Prisons Service (KPS) is currently implementing a programme of comprehensive internal inspections for compliance with the Nelson Mandela Rules. The programme, which has been developed under the longstanding cooperation between KPS and the Raoul Wallenberg Institute for Human Rights and Humanitarian Law (RWI), sees small teams of officers visit a prison for a week-long inspection, using an instrument consisting of the Rules broken up into more than 500 individual elements. Other international standards, such as the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measure for Women Offenders (the Bangkok Rules) are also included, where relevant, and at the end of the week, detailed reports on the findings are delivered to the officer in charge of the prison.

The inspections are intended as a constructive process to help the prisons improve compliance, rather than criticize them for non-compliance. Following a first audit, the team will return to the concerned prison for a second week, meeting with relevant section heads to assist them in developing action plans to address any rule not yet met in full. KPS has found that compliance with most of the rules can be increased at little or no cost, with the focus on improving policies, procedures, training, documentation and accountability. Repeat inspections have demonstrated that numerous prisons could make meaningful steps in meeting the rules, despite constraints faced in terms of resources.

As well as monitoring change in compliance with the Rules, KPS uses the data from the audits to inform the design of training programmes for prison staff, as well as reform priorities at national level. Where common issues are identified across a range of institutions, KPS issues national policy directives to focus attention on priority areas that require attention and resource input. So far, nine prisons have been inspected — some of them multiple times — as part of the KPS-RWI cooperation, while KPS has independently inspected another seven institutions. In the longer term, KPS plans to enshrine this programme as a standardized national mechanism.

*Contribution submitted by the Kenya Prison Service/Raoul Wallenberg Institute in the course of the UNODC Expert Group meeting on the Review of Guidance Material on the Nelson Mandela Rules, held in Vienna, Austria, on 9 and 10 February 2017.*

## **2. Purpose**

In the light of the above, the overall purpose of this checklist is to assist Member States in conducting internal or administrative inspections to assess compliance of their national prison systems with the Nelson Mandela Rules, and thus to facilitate the practical application of the Rules at national level. More specifically, it aims to enhance the effectiveness and efficiency of *internal* inspection systems conducted by the central prison administration — as

<sup>6</sup>Rule 84(1), in particular, outlines the authority of inspectors to (a) access all information on the numbers of prisoner and places and locations of detention, as well as information relevant to the treatment of prisoners, including their records and conditions of detention; (b) to freely choose which prisons to visit, including by making unannounced visits at their own initiative, and which prisoners to interview; (c) to conduct private and fully confidential interviews with prisoners and prison staff in the course of their visits; and (d) to make recommendations to the prison administration and other competent authorities.

important agents of change now explicitly referred to in the Rules — in their task of contributing to the creation of prison conditions and management in line with national law as well as with international standards and norms.

A perspective of practical application must acknowledge the vast diversity of prison systems in the world,<sup>7</sup> including its implications on the extent to which the Nelson Mandela Rules are currently followed. This variety, together with the fact that national law and regulations will always serve as the primary source of reference for internal inspection mechanisms, needs to be taken into account in order to ensure the checklist's relevance in a maximum number of different national settings. The checklist must further take into account the basic features of prison systems in which it is meant to make a difference. As explicitly acknowledged in the Nelson Mandela Rules, imprisonment is afflictive by its very nature. The so-called “pains of imprisonment”<sup>8</sup> and the specific features of prisons as closed and hierarchical institutions have an immense impact on all those involved in the prison system — prisoners, prison staff and others — and they strongly influence interactions and life in prisons.

### 3. Target group

The target group of this checklist consists of officials who are tasked with undertaking internal or administrative inspections. As opposed to external inspections of prisons, however, little concrete information is available on internal inspections and their methodological approaches. Some Member States do not have formalized and comprehensive internal inspection mechanisms in place, while others have well-developed administrative inspection systems that have been set up as part of public management structures. Still others might be in-between, and conduct audits regarding selected thematic areas. This being said, broad features of existing internal inspection systems can be summarized as follows:

- *Composition*

The personnel of well-established internal inspections consist of officials from the central prison administration within the respective line Ministry. Those may include lawyers, former prison staff, staff currently serving in the prison administration's headquarters or other prison facilities, and other subject matter specialists. A full assessment of health-care services in prisons will further require the participation of medical experts independent of the prison administration.<sup>9</sup> Due regard should further be given to a balanced gender representation within the inspection team, and the participation of female inspectors should be mandatory when female prisons are inspected.<sup>10</sup>

- *Mandate*

The usual mandate of internal inspections consists of assessing compliance with national laws and regulations; evaluating effectiveness and efficiency of a prison system in achieving its purposes, including with regard to the treatment of prisoners; inspecting financial management, technical issues and infrastructure; and/or evaluating human resource management, including recruitment and training.

<sup>7</sup> See also preliminary observation 2 of the Nelson Mandela Rules.

<sup>8</sup> The criminologist Gresham M. Sykes argues that five fundamental deprivations characterized daily prison life, including the loss of liberty, desirable goods and services, sexual relationships, autonomy, and security - collectively referred to as the “pains of imprisonment” (Gresham M. Sykes, *The Society of Captives: A Study of a Maximum Security Prison*, Princeton, New Jersey, Princeton University Press, 2007).

<sup>9</sup> See chapter II.6.

<sup>10</sup> The Nelson Mandela Rules, rule 84(2). See also the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) (General Assembly resolution 65/229), rule 25(3).

- *Methodological approaches*

Internal inspection mechanisms provide for prison visits according to a plan encompassing the entire prison system. Checklists, which may be very detailed, are used as an essential tool to ensure a unified approach. Methods applied during visits include observation on the spot; accompanying prison staff in their daily work; a review of relevant administrative documents and prisoner files; and interviews and conversations with prison management, regular staff and other relevant stakeholders.

- *Follow-up*

Reports and recommendations are typically submitted to the central prison administration and are not made public.

Overall, internal inspections seem to focus on technical aspects, on the work and routines of prison management and staff and on compliance with national laws and regulations. International standards may be taken into account, in particular if these have been integrated into, or are cross-referenced in national legislation. A method central to external inspections, namely to seek the views of prisoners themselves, does not seem to be systematically included in internal inspections. In answering whether this should be the case, a number of professional and ethical dilemmas arise, as fundamental principles applicable to external inspections do not automatically make sense in the context of an internal inspection. Confidential interviews with prisoners, for example, will naturally pose problems related to, inter alia, trust and a risk of reprisals if the interview is conducted by an official from within the prison administration.

### **Internal inspections in the Directorate General of the Prison and Reintegration Administration of Algeria**

#### *Organizational structure and mission*

Internal inspections of prisons are the responsibility of the General Inspection of Prisons, set up within the Ministry of Justice as a subunit of the Directorate General of the Prison and Reintegration Administration (DGPR). Its mission is to effect periodic assessment visits of the functioning of prisons as well as the investigation of incidents and complaints from prisoners. An annual programme of inspection is established in coordination with DGPR and approved by the Minister of Justice. The General Inspection can also initiate an examination upon the request of the Minister of Justice. Its reports are transmitted to the Minister of Justice and DGPR for analysis and follow-up action by the services concerned.

#### *Focus of internal inspections*

Internal inspectors focus on the respect for the physical and moral integrity and human dignity of prisoners, the legality of their imprisonment (examined on the basis of court records), the conditions of imprisonment, the classification of prisoners, and information about their rights and obligations. Furthermore, inspectors check whether a systematic medical examination upon admission has been carried out and whether the prisoners have access to health-care services, when needed. Inspectors also check the quality and quantity of food, adherence to the right to family visits and to correspondence, and appeal procedures in disciplinary proceedings. Regular access to a shower, availability of bedding and the general hygienic conditions are also included. The same is true for access to various programmes in support of prisoners' social reintegration. Furthermore, the internal organization of prisons, the working conditions and the training needs of prison staff are analysed.

*The approach to inspection and follow-up*

Internal inspections of prisons are carried out on the basis of previous assessments and reports or a request or particular need expressed by a prison director or DGPR. When a visit reveals shortcomings, a follow-up visit is carried out. The objective of internal inspections is not only to monitor compliance with the laws and regulations in force, but also to provide guidance to prison management and staff, to propose solutions for existing challenges and gaps, to standardize management practice and working methods, and to disseminate good practices.

*Contribution submitted by the General Inspection of Prisons of Algeria in the course of the UNODC Expert Group meeting on the Review of Guidance Material on the Nelson Mandela Rules, held in Vienna, Austria, on 9 and 10 February 2017.*

## 4. Characteristics

### Objectives

Against the background of the envisaged functions of internal inspection systems and of their actual characteristics, this checklist will serve as an instrument to strengthen the capacity of internal inspections to fulfil their functions by also incorporating the core provisions of the Nelson Mandela Rules. More specifically, the specific objectives of this checklist are:

- To provide practical guidance for officials charged with conducting internal or administrative inspections according to rule 83 (1) (a) of the Nelson Mandela Rules;
- To assist internal inspection mechanisms in reviewing their methodology and coverage of thematic areas by identifying specific aspects of prison life to which the Nelson Mandela Rules draw attention.

### Types of use

While the checklist can be used in a variety of ways, two main types of use have guided its development:

- *Type 1: As a basic working tool for newly established internal inspection mechanisms*

Where internal inspections need to be established or find themselves in their initial phase, this checklist can be used as a basic tool for such newly established inspections in line with international standards and norms. It is at the same time simple and comprehensive enough to allow for decent initial assessments, notwithstanding the need to reflect specificities according to the national context, as required.

- *Type 2: As a tool for revision of existing inspection methods and tools*

Where internal inspection systems are already well-established, this checklist will be useful for reviewing, deepening and amending, as appropriate, existing approaches, including corresponding inspection checklists and methods, in order to make sure that all thematic areas and specific issues addressed in the Nelson Mandela Rules are adequately covered.

### **Internal audit processes in the Department of Corrections of Colorado, United States of America**

The Colorado Department of Corrections (CDOP) participates in annual internal audits to ensure that all standards of the American Correctional Association (ACA) are applied to policy and demonstrated in practice. The CDOP Accreditation Administrator trains groups of subject matter experts in education, food service, safety and security, health care and management each year to perform the internal audits in facilities on an annual basis. A team of seven to ten auditors will spend three to five days in each facility, where they will review documentation to allow for an assessment of each standard required by ACA. There are mandatory and non-mandatory files. Accreditation cannot be granted unless all mandatory files are 100 per cent compliant. Compliance is also dependent upon the monitoring of actual practice in addition to documentation review. The auditors will come in on all shifts of the facility to ensure that monitoring is completed to validate practice of the policies and standards. At the end of the audit, the facility is issued a score of compliance of mandatory and non-mandatory standards.

#### *National audit process*

Every three years, the National Office for the American Correctional Association will send a team of three auditors to facilities made of a security specialist, a health care specialist and a physical plant and life safety specialist. The team will audit the same files for ACA standard compliance and also move throughout the facility on all shifts to ensure that the practices of the facility are consistent with policy and standards.

#### *Internal security monitoring tools*

Additionally, in the State of Colorado, there are annual security inspections and vulnerability assessments by a team of subject matter experts who will utilize assessment tools to ensure that security practices in the prisons are consistent with public safety as well as policy and expected practices. Every warden is issued an after-action report when their security audit is completed, which includes recommendations and comments for improvement.

*Contribution submitted by the Colorado Department of Corrections in the course of the UNODC Expert Group meeting on the Review of Guidance Material on the Nelson Mandela Rules, held in Vienna, Austria, on 9 and 10 February 2017.*

## **Content and structure**

The checklist is structured along seven chapters, which cover the most important aspects of prisons in the light of the Nelson Mandela Rules. Such a structure, also used in the monitoring practices of external inspection bodies,<sup>11</sup> is also considered helpful because it facilitates dialogue and coordination, as appropriate, between internal and external inspection systems in their respective and complementary efforts to contribute to prison reform in line with national and international law.

Part II contains an *introductory narrative* to each chapter, which outlines the main rationale behind each thematic area and its corresponding provisions in the Nelson Mandela Rules. These outlines also highlight the main principles of relevance to the practical application of the Rules, and of the concrete indicators contained in the checklist.

Part III provides guidance on how to use the checklist in terms of methodology, including as regards specific considerations applicable to the thematic areas of health care and human resources management.

Part IV contains the actual checklist, which includes, for each chapter:

<sup>11</sup> See, for example, the database Detention Focus designed and maintained by the Association for the Prevention of Torture.

### Chapters of the checklist

1. Basic principles of treatment
2. Safeguards
3. Material conditions of imprisonment
4. Safety, order and discipline
5. Prison regime
6. Health care
7. Prison staff

a. Broad statements on *expected outcomes* which a prison system should ensure and/or produce through a variety of measures in order to be in compliance with the Nelson Mandela Rules;

b. A detailed list of *indicators* to assess the extent to which each expected outcome is achieved in practice. The indicators correspond to and build on specific provisions in the Nelson Mandela Rules, which are cross-referenced.<sup>12</sup>

In total, the seven chapters of the checklist encompass 36 expected outcomes and 241 indicators. In order to acknowledge the frequent inter-linkages between thematic areas, cross-references (marked with ) are included, where appropriate, which refer the user to other indicators of relevance.

### Key considerations for shaping the checklist

- *Reflection of the added value of internal inspections:*

The checklist reflects the specific role of internal monitoring and inspection mechanisms in fostering sound, fair and transparent prison management from within the administration. Accordingly, the checklist includes important questions relevant to the application of the Nelson Mandela Rules, which internal inspections can raise particularly well because of their status of being internal to the system. The insider knowledge of internal inspection teams can be used to assess, for example, security and safety arrangements, including the proper balance between security and safety on the one hand and a constructive prison regime on the other.<sup>13</sup>

- *Focus on the daily functioning and management of a prison:*

The checklist focuses on those aspects of the rules which directly relate to prison life, and which address prison staff and management. Aspects which are related to other actors, such as the central prison administration, other criminal justice actors or further outside parties do not constitute a primary focus of the tool.<sup>14</sup>

- *Simplicity and practicability:*

In recognition of the varying mandates and capacities of internal prison inspection systems the checklist presents a list of core issues which those mechanisms may want to focus on. While it does not cover each and every provision in the Nelson Mandela Rules, it still allows for a sound approach to assessing compliance with the rules. For reasons of

<sup>12</sup>Where particularly relevant, provisions in other international standards and norms are equally referred to.

<sup>13</sup>This approach is in line with the notion that internal inspection mechanisms should be considered as complementing external and independent inspections, the distinct value and importance of which remains undisputed, regardless of any internal inspection system (see also the report on the meeting of the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners held in Buenos Aires from 11 to 13 December 2012 (UNODC/CCPCJ/EG.6/2012/4), para. 14 (g)).

<sup>14</sup>The exception is the chapter on human resource management, where, for reasons of completeness, aspects have been included which may fall within the authority of the central prison administration, subject to the national context.

practicability, the items included in the checklist are a selection among other possible issues to be examined. In making this selection, due attention has been given to the main risks to human dignity present in the prison system with a view to contributing — at the very least — to “decent prisons”.

### Limitations of the checklist

This checklist does *not* imply, in any way, that internal inspections may *replace* the need for external inspections conducted by a body independent of the prison administration. Rather, it has been designed with a view to providing guidance on rule 83 (1) (a) of the Nelson Mandela Rules and its requirement that independent inspections be complemented by internal ones, to be conducted by the central prison administration. Similarly, the checklist is not intended to replace the value of comprehensive assessments of prison systems and their compliance with international standards and norms, utilizing tools specifically designed for this purpose, such as the UNODC Criminal Justice Assessment Toolkit<sup>15</sup> or other analytical documents tailored to specific settings or thematic areas.<sup>16</sup> However, the checklist can complement and be used alongside other, more comprehensive assessment efforts.

Finally, since the Nelson Mandela Rules “... do not seek to regulate the management of institutions set aside for young persons such as juvenile detention facilities or correctional schools”,<sup>17</sup> the checklist does not constitute a tailored tool for the inspection of juvenile detention centres.<sup>18</sup> The guidance included on juveniles deprived of their liberty reflects the extent to which this particular category has nevertheless been considered in the Nelson Mandela Rules.

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<sup>15</sup>The Criminal Justice Assessment Toolkit, including its part on custodial and non-custodial measures, is a standardized and cross-referenced set of practical tools designed to enable United Nations agencies, government officials engaged in criminal justice reform and other organizations and individuals to conduct comprehensive assessments of criminal justice systems, to identify areas of technical assistance, to assist agencies in the design of interventions that integrate United Nations standards and norms on crime prevention and criminal justice, and to assist in training on these issues.

<sup>16</sup>For post-conflict settings, see, for example, “A prison evaluation checklist for post-conflict settings” by UNODC, the Department of Peacekeeping Operations and the United Nations Development Programme, published in 2014. For matters related to prison infrastructure, see United Nations Office for Project Services, *Technical Guidance for Prison Planning* (Copenhagen, 2016).

<sup>17</sup>The Nelson Mandela Rules, preliminary observation 4(1).

<sup>18</sup>For a relevant tool, see UNODC, *Planning the Implementation of the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice: A Checklist* (Vienna, 2015), in particular strategies XIII and XV.

### Internal audits of prisons in the State of Hesse, Germany

Internal audits of prisons (in German: *Innenrevisionen*) in the State of Hesse fall within the responsibility of the supervisory authority of the Prison Service, namely Department IV for Law Enforcement of the Ministry of Justice. At least four internal audits are conducted per year, which ensures that within four years, every prison facility is inspected at least once. Audits can also be conducted at shorter intervals if special circumstances so require.

Internal audits are aimed at ensuring consistency and compliance by prison management with the applicable legal framework and financial management standards, as well as at optimizing the overall efficiency of prisons. The organizational structure and operations of prisons, the deployment of staff, the use of equipment and/or material and the prison atmosphere are equally examined in the course of internal audits. Besides the optimization of workflows, the inspections also work towards the improvement of working conditions for prison staff, treatment measures and programmes for prisoners and prison security.

Within Department IV, internal audits are organized by Section A (human resources, budget, controlling and prison organization), with the participation of representatives from Section B (rehabilitation), Section C (security) and Section D (legal and parliamentary affairs). Depending on the size and category of the prison, two to three employees of each section will participate in an audit. An audit generally takes one day.

The auditors use a checklist as an *aide mémoire*, which contains different thematic areas and which is continuously refined. The checklist covers the following areas:

- Human resources (including staff development);
- Administration and organization (including prisoner file management and food supplies);
- The prison regime, including treatment and supervision, prison regime planning, health care, education, work, physical exercise and recreation;
- Security and order, including the overall security concept, security systems, arms (including firearms), and fire safety;
- Policy, innovation and privatization.

Prisons to be audited are informed beforehand. Internal documents that are reviewed in the course of the audit comprise those related to: (a) conceptual design (e.g. the overall conception of the prison, including the prison regime); (b) work and educational programmes, both internal and external, including the overall number of hours such programmes are offered and in the management or supervision of which prison staff and/or employees are involved; (c) the number of enrolled prisoners and the capacities of the different work and treatment programmes; and (d) records of the last eight judicial procedures concluded. Individual prisoner files have to be made available to the audit team.

At the end of the audit, prison management and relevant prison staff receive advance notification of any inconsistencies and shortcomings identified, including advice on how to rectify them. Subsequently, a final evaluation of the prison in question is completed by integrating the audit results into the checklist, and is formally conveyed to prison management. Subject to the results, the evaluation will point towards positive aspects and/or shortcomings, and will include recommendations for improvement. A final meeting with prison management will be held as required in order to discuss strategies for the improvement of the identified shortcomings, and to provide advice on and support their implementation. The specialist sections supervise the implementation of necessary improvements and compliance with the instructions given in the final evaluation.

*Contribution submitted by the Prison Service of the State of Hesse, Germany, in the course of the UNODC Expert Group meeting on the Review of Guidance Material on the Nelson Mandela Rules, held in Vienna, Austria, on 9 and 10 February 2017.*

## II.

# Thematic areas addressed in the checklist

### 1. Basic principles of treatment

#### **United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)**

##### *Rule 1*

*All prisoners shall be treated with the respect due to their inherent dignity and value as human beings. No prisoner shall be subjected to, and all prisoners shall be protected from, torture and other cruel, inhuman or degrading treatment or punishment, for which no circumstances whatsoever may be invoked as a justification. The safety and security of prisoners, staff, service providers and visitors shall be ensured at all times.*

Rule 1 of the Nelson Mandela Rules is clear about the essential importance of an approach to prison management which is in line with the human dignity of prisoners. It is the most elementary principle at the heart of the Nelson Mandela Rules and binding international law,<sup>19</sup> and should guide all material conditions, as well as treatment and communication in prison. Its implementation is also the best guarantee for prisons to fulfil their societal purpose, i.e. the protection of society from crime not only by ensuring the safety and secure custody of prisoners, but also by supporting, as much as possible, the prospects for their successful social reintegration upon release.<sup>20</sup> This principle applies to all areas of prisons to be examined, and will therefore be visible throughout all chapters of the checklist.

The principle of human dignity also implies that the prison administration has a special duty of care towards prisoners, as is well recognized in international law.<sup>21</sup> In view of the strong dependence of prisoners on the authorities for meeting their needs and enjoying their rights, authorities have an obligation to take concrete positive measures to protect and promote human dignity. In a broader sense that may also be interpreted as extending to a duty of care vis-à-vis prison staff, i.e. for shaping their conditions of service in a way that enables them to discharge their duties in a professional manner.

 *6 expected outcomes and 38 corresponding indicators*

<sup>19</sup> See article 10 (1) of the International Covenant on Civil and Political Rights, General Assembly resolution 2200A(XXI) of 16 December 1966, annex.

<sup>20</sup> Ibid., article 10 (3).

<sup>21</sup> See for example the interim report of the Special Rapporteur on extrajudicial, summary or arbitrary executions (A/61/311), paras. 51-54.

## 2. Safeguards

### United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)

#### Rule 3

*Imprisonment and other measures that result in cutting off persons from the outside world are afflictive by the very fact of taking from these persons the right of self-determination by depriving them of their liberty. Therefore the prison system shall not, except as incidental to justifiable separation or the maintenance of discipline, aggravate the suffering inherent in such a situation.*

The closed environment of prisons, including the unequal power relations between prison staff and prisoners, produce vulnerabilities and the risks of abuse in different forms. The initial phase of a prisoner's stay in prison constitutes a particularly difficult situation, as newly arriving prisoners have to adjust to a radically different environment, a process which tends to cause disorientation and insecurity and which needs to be handled with sensitivity by the prison administration. This being said, the fact of being cut off from the outside world continues to affect individuals throughout their imprisonment and requires steps to mitigate corresponding risks and vulnerabilities.

It is for those reasons that the Nelson Mandela Rules stipulate a broad range of safeguards or protective measures geared to uphold the fundamental principle of humane treatment: prisoners are deprived of their liberty *as* punishment, and not *for* (additional) punishment. Adequate information on the rights and obligations of prisoners, for example on the right to contact family or significant others, on procedures to access legal advice and on the rules of prison life are essential for helping prisoners to adjust and for reducing the risk of abuse. Proper prisoner file management, an accessible and effective complaint system as well as external inspections are further measures to come to grips with the risks inherent in prison systems. Finally, special safeguards are needed for certain groups of prisoners who are particularly vulnerable due to characteristics that expose them to risks and possible discrimination by prison staff or fellow prisoners.

 *5 expected outcomes and 45 corresponding indicators*

## 3. Material conditions of imprisonment

### United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)

#### Rule 13

*All accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation.*

Material conditions constitute the first and most clearly visible aspect of any prison. The linkage between human dignity and decent standards of living in prisons imposes itself very clearly, in particular where overall prison infrastructure and material conditions in prisons are very poor, a challenge which affects numerous prison administrations worldwide.

As mentioned above, however, States assume a special responsibility to care for the basic needs and well-being of prisoners, as the deprivation of liberty means that prisoners' ability to do so themselves is severely curtailed. It is for this reason that the Human Rights Committee has made it very clear that the treatment of prisoners with humanity and respect for their dignity cannot be dependent on the material resources available in a State.<sup>22</sup> Any inspection will therefore need to carefully examine the material conditions in a prison as a key dimension of the overall quality of prison life. Material conditions should not aggravate the suffering which is inherent in imprisonment, but should be shaped in a way which minimizes any differences between prison life and life at liberty, thereby contributing to the social reintegration prospects of prisoners upon release.

In addition to the provisions of the Nelson Mandela Rules on accommodation, sanitation, hygiene and the provision of food and drinking water in prisons, the basic principles are equally relevant for material conditions. More specifically, decent living standards must be ensured without any discrimination. This implies the need to take appropriate measures of care for prisoners with special needs, including, for example, reasonable adjustments for prisoners with disabilities.

 3 expected outcomes and 20 corresponding indicators

#### 4. Security, order and discipline

##### **United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)**

###### *Rule 36*

*Discipline and order shall be maintained with no more restriction than is necessary to ensure safe custody, the secure operation of the prison and a well-ordered community life.*

Ensuring the secure custody of prisoners constitutes one of the core elements of any prison system. In any orderly run prison, management will pay significant attention to security and discipline. At the same time this is an area which is prone to abuse. It is fundamental, therefore, to shape the security regime in a way that helps to lower the tensions inherent in any prison environment and to reduce the likelihood of violent incidents. Evidence suggests that a core strategy to achieve this objective is to invest into the concept of *dynamic security*: fostering positive prisoner-staff relations, ensuring an adequate ratio of staff to prisoners, diverting the energy of prisoners into constructive activities and establishing a decent and balanced prison regime.<sup>23</sup>

Notwithstanding the benefits of the foregoing, situations of conflict and other security-related incidents are likely to occur in prison, where individuals are held against their will, in one form or the other. Professionalism and special skills on the part of the prison officials are crucial in such situations. In order to provide guidance to prison management and staff on how to act or respond appropriately in such circumstances, the Nelson Mandela Rules include specific provisions and restrictions related to, inter alia the imposition of disciplinary sanctions, including solitary confinement, cell and body searches as well as the use of force and

<sup>22</sup> Human Rights Committee, General Comment No. 21 on article 10 on the humane treatment of persons deprived of their liberty (HRI/GEN/1/Rev.6), para. 4.

<sup>23</sup> For further information and guidance on the concept of dynamic security, see UNODC, *Handbook on Dynamic Security and Prison Intelligence*, Criminal Justice Handbook Series (Vienna, 2015).

of instruments of restraint. Importantly, the rules also establish clear overall criteria applicable to restrictions, discipline and sanctions, such as the principles of fairness, proportionality, legality and necessity. The high relevance of these principles is strongly supported by findings of empirical research which suggest that a perception of fairness and legitimacy are ranked high when it comes to prisoners' assessing the quality of life in prison.

 6 expected outcomes and 42 corresponding indicators

## 5. Prison regime

### **United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)**

#### *Rule 4*

1. *The purposes of a sentence of imprisonment or similar measures deprivative of a person's liberty are primarily to protect society against crime and to reduce recidivism. Those purposes can be achieved only if the period of imprisonment is used to ensure, as far as possible, the reintegration of such persons into society upon release so that they can lead a law-abiding and self-supporting life.*
2. *To this end, prison administrations and other competent authorities should offer education, vocational training and work, as well as other forms of assistance that are appropriate and available, including those of a remedial, moral, spiritual, social and health- and sports-based nature. All such programmes, activities and services should be delivered in line with the individual treatment needs of prisoners.*

As clearly outlined in rule 4 of the Nelson Mandela Rules, it is crucial not to limit imprisonment to the deprivation of liberty alone if prisons are to make a positive contribution to protecting society from crime. The vast majority of prisoners will eventually return to society, and imprisonment in itself is not capable of addressing the various social reintegration issues which prisoners typically face. In order to avoid their re-offending, prisoners should be offered opportunities to obtain knowledge and skills which can assist them in their successful reintegration upon release. This principle is also firmly anchored in the International Covenant for Civil and Political Rights, and is thus legally binding upon its States parties.<sup>24</sup> While such treatment should be provided to all sentenced prisoners, pre-trial or under-trial prisoners should equally be offered opportunities for purposeful activity.

Two main dimensions of a rehabilitative prison regime can be distinguished. Firstly, prisons should offer a range of programmes and activities for prisoners. Subject to actual needs among prisoners, these may encompass educational, vocational training or work programmes; mental and/or physical health care interventions; substance abuse treatment; offending behaviour courses; and cultural, religious and recreational activities. Prison-based rehabilitation programmes help prisoners to (a) strengthen their feeling of self-worth and of self-efficacy that closed institutions tend to undermine; (b) address root causes that may have contributed to their offending; and (c) to develop the necessary knowledge, skills and attitudes for a successful resettlement upon release. Secondly, prisoners should be able and encouraged to maintain contact with the outside world. This involves keeping relationships with family members and friends as well as persons and institutions which can assist them on their way back into society.

<sup>24</sup>See article 10 (3) of the International Covenant on Civil and Political Rights, General Assembly Resolution 2200A (XXI): "The penitentiary system shall comprise treatment of prisoners the essential aim of which shall be their reformation and social rehabilitation".

Finally, a constructive prison regime, including contacts with the outside world, is also essential for reducing differences between prison life and life at liberty as much as possible. This is a key principle in the Nelson Mandela Rules,<sup>25</sup> which reflects the fact that, apart from being deprived of their liberty, prisoners retain their fundamental human rights.

 *7 expected outcomes and 40 corresponding indicators*

## 6. Health care

### **United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)**

#### *Rule 24 (1)*

The provision of health care for prisoners is a State responsibility. Prisoners should enjoy the same standards of health care that are available in the community, and should have access to necessary health-care services free of charge without discrimination on the grounds of their legal status.

The provision of health care in prisons is a crucial element of prison management for various reasons. First of all, the right to the highest attainable standard of physical and mental health, as embodied in the Covenant on Economic, Social and Cultural Rights, applies to everybody, including prisoners.<sup>26</sup> Secondly, the general health profile of prisoners tends to be comparatively lower than in the community, and there is a higher prevalence of mental illness, substance misuse and infectious diseases, such as HIV, tuberculosis and hepatitis among prisoners. Thirdly, a neglect to address health issues in prisons may result in the transfer of prison health problems into the wider community, just as community health problems can enter prisons. In that context it has been acknowledged that the lack of adequate health-care services in prisons not only significantly hinders the social reintegration of prisoners, but also risks leading to the spread of transmissible and life-threatening diseases in prisons and the community.

As the primary duty of health-care services is to treat prisoners as patients, they have a distinct role in prison settings which is not always straightforward to fulfil. Beyond challenges related to the infrastructure of and equipment and medical supplies available in prison clinics, the complex nature of their task may also relate to the need to uphold principles of medical ethics. These include, for example, the clinical independence of health-care professionals regarding health-related decisions and the confidentiality of medical information, but exclude their involvement in security matters, except insofar as those concern the health needs of prisoners. The Nelson Mandela Rules include detailed provisions on the above in order to ensure that health-care professionals (a) positively impact the quality of life in prisons; (b) protect or improve prisoners' physical and mental health, paying particular attention to prisoners with special health-care needs; (c) contribute to their prospects of a successful social reintegration; and (d) are guided on how to document and/or report cases of torture or ill treatment.

 *5 expected outcomes and 34 corresponding indicators*

<sup>25</sup> Rule 5(1).

<sup>26</sup> See Art. 12 of the International Covenant on Economic, Social and Cultural Rights, General Assembly resolution 2200A (XXI). See also Committee on Economic, Social and Cultural Rights, General Comment No. 14 on substantive issues arising in the implementation of the International Covenant on Economic, Social and Cultural Rights (E/C.12/2000/4), which clarifies that the right to health implies an obligation upon States Parties to refrain from "denying or limiting equal access for all persons, including prisoners or detainees (...) to preventive, curative and palliative health services".

## 7. Prison staff

### **United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)**

#### *Rule 74 (1)*

*The prison administration shall provide for the careful selection of every grade of the personnel, since it is on their integrity, humanity, professional capacity and personal suitability for the work that the proper administration of prisons depends.*

### **United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)**

#### *Rule 77*

*All prison staff shall at all times so conduct themselves and perform their duties as to influence the prisoners for good by their example and to command their respect.*

Prison staff are the most important element of any prison system. They are in constant contact with the prisoners, and it is in their interaction with prisoners that the basic principles of the Nelson Mandela Rules should become visible: respect for human dignity, fairness, consistency, non-discrimination and attention to the needs of prisoners. Furthermore, a positive attitude towards relations with prisoners plays a fundamental part in ensuring safety and security in prison, to the benefit of all those involved. Prison staff are therefore absolutely crucial when it comes to understanding and improving the quality of prison life, and must therefore constitute a core area of interest for any monitoring and inspection scheme.

In order for prison staff to carry out their demanding work in a professional manner and in line with international minimum standards, two broad conditions need to be fulfilled. Firstly, prison personnel need to have an environment which favours professionalism and respect for human dignity. This includes attention to having adequate resources as well as to the needs and rights of prison personnel. Secondly, prison personnel need to be equipped with the appropriate knowledge, attitude and skills in order to meet the expectations and standards of conduct that the Nelson Mandela Rules set forth. Internal inspections should therefore devote sufficient time to examining the conditions of service as well as the recruitment, selection and training of prison staff.



*4 expected outcomes and 22 corresponding indicators*

### III.

## How to use the checklist

As mentioned above, the checklist consists of seven chapters with a total of (a) 36 positive statements (referred to as expected outcomes) that prisons should strive for; and (b) a list of 241 indicators which will assist in determining whether or not the expected outcomes have been achieved, or whether progress is being made towards their achievement. The indicators constitute the methodological core of the checklist.

An indicator is “information that indicates a state or level of an object, event or activity”.<sup>27</sup> In the context of the checklist, the indicators are systematically related to specific provisions in the Nelson Mandela Rules and/or other relevant international standards and norms. Most of the indicators used in this checklist are *qualitative* (narrative, descriptive, categorical) as opposed to *quantitative* (expressed in numbers, percentages). Some of them are *objective* (fact-based), while others are *subjective* (judgement-based).<sup>28</sup> Information-gathering or data-collecting techniques in the context of internal inspections may include the following:

- *Interviews with personnel*

Interviews are the most important technique of information-gathering employed during inspection visits. The choice of interview partners will depend on the type of information inspectors need. The main interlocutors for internal inspections will be prison management and prison staff. Other actors, such as prison health-care professionals, social workers, psychologists, religious representatives and service providers will also be relevant interview partners.

- *Interviews with prisoners*

Because of the reasons mentioned above, prisoners, who are the main interview partners for external inspection mechanisms, will not be interviewed in a systematic way in the context of internal inspections. This obviously affects the quality of the assessment, as many of the issues dealt with in the checklist would equally require the perspective of the prisoners. It is therefore suggested that for internal inspections anonymized questionnaires be developed for voluntary completion by prisoners prior to an inspection visit, and to use the resulting information during the visit (see the annex for an example of prisoner surveys used in England and Wales, United Kingdom of Great Britain and Northern Ireland). Furthermore, prisoners might approach internal inspectors during the inspection with a wish for an interview. In such cases, and with due regard for the principle of “do no harm”, internal inspectors should talk to such prisoners.

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<sup>27</sup> Office of the High Commissioner for Human Rights, *Human Rights Indicators: A Guide to Measurement and Implementation* (HR/PUB/12/5), p. 172.

<sup>28</sup> For more on these categories, see *ibid.*, pp. 14 and 15.

- *Review of internal documentation*

Most importantly, this source of information includes a detailed review of prisoner files,<sup>29</sup> including records or registers regarding disciplinary proceedings, restrictive measures, body and cell searches, and the use of force and firearms. It also includes documents related to the legal, procedural and organizational framework applicable to the prison organization, e.g. standard operating procedures, staffing plans, daily reports and training plans.

- *Observations*

The presence of internal inspectors in prisons provides an opportunity to observe and examine relevant aspects and parts of the prison, such as infrastructure and material conditions in cells and common areas, the prison clinic(s), the kitchen or canteen, workshop facilities, and premises used for prisoners undergoing disciplinary sanctions. Importantly, observations should also include witnessing key processes in prison, such as those related to safety and security, admission, outdoor exercise, or vocational training and/or work.

- *Physical measurements*

The assessment of certain conditions may require physical measurements. This includes, for instance, the size of cells and of windows in cells, temperature and ventilation.

- *Review of external reports*

A variety of external actors may produce reports that might be crucial for a full understanding of the situation at the prison, including external inspection mechanisms such as the national preventive mechanisms under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, but also civil society organizations, academic institutions, or the media.

The thorough application of the above information-gathering techniques, accompanied by critical examination and cross-checking, should allow internal inspectors to determine the current extent of achievement of the indicators. The checklist uses a combination of *scoring* and *narrative description* for this purpose. While the score indicates a rough overall result, a separate comments section will allow for its further refinement. The comments should provide a short summary of the main state of achievement, in particular with regard to problems of application.

In combining the scores and comments for all indicators of an expected outcome, internal inspectors will be able not only to develop a tentative statement on achievement regarding the outcome in question, but also to identify the main challenges and the main avenues for change. These statements and conclusions will then form the basis for their report and recommendations.

## The methodology for health-care inspections in prisons

Inspecting prison health care is different from inspecting other areas, as it (a) requires inspectors with specialized medical knowledge and competences; and (b) raises ethical challenges with regard to the distinct role of prison health-care professionals and having access to confidential medical data. In general, external inspection mechanisms will be in a better position to meet those challenges owing to their composition (typically including a medical expert) and, in particular, their independence from the prison system. Internal inspections,

<sup>29</sup>For limitations applicable to accessing medical files of prisoners, see the methodological instructions in chapter II.6. on health care.

on the other hand, do not necessarily encompass medical expertise, and primarily consist of officials from within the prison administration. Their lack of independence constitutes a serious obstacle to in view of safeguards regarding the confidentiality of medical information, and bars them from accessing the personal medical files of prisoners. At the same time, health care in prisons constitutes an important element of prison inspections, including internal inspections, and internal inspections would lose a lot of valuable information if the topic were excluded altogether.

In the light of the above, the following two approaches to including, to different degrees, health care in internal prison inspections may be considered:

- *Type 1: Internal inspection by officials from within the prison administration without the participation of medical personnel independent from the prison administration.*

In this case, the inspection of prison health care is limited to aspects which can, to a certain degree, be assessed without medical expertise or access to personal medical files. This being said, and as dedicated medical expertise within the inspection team very much strengthens assessments of even those limited aspects, the second option is strongly preferred.

- *Type 2: Internal inspection by officials from within the prison administration with the participation of medical personnel independent from the prison administration (e.g. seconded by the ministry of health).*

In this case, the inspection team is in a position to assess general aspects, while the medical expert, independently assesses the aspects requiring medical expertise and access to medical files.<sup>30</sup> Such an approach allows the inspection team to comprehensively cover the area of health care in prisons.

## The methodology of inspecting human resources management in prisons

Many of the provisions of the Nelson Mandela Rules related to prison staff are directed more towards the central prison administration and may not be within the control of an individual prison's management. Subject to the national context, not all of the indicators below may therefore need to be examined in the course of internal inspections of individual prisons. As they are, however, important for a comprehensive assessment of compliance with the Nelson Mandela Rules, human resource management aspects which may fall under the responsibility of the central prison administration are nevertheless included for additional inspection and consultations at headquarters level, where applicable.

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<sup>30</sup> Medical confidentiality requires that no information accessed by the health-care expert, whether obtained from individual medical files or by means of interviews with prisoners or prison health-care professionals, may be included in the report of the internal inspection to the extent that such information would make it possible to identify individual prisoners.



# IV.

## Checklist for assessing compliance with the Nelson Mandela Rules

### 1. Basic principles of treatment

Expected outcome 1.1: Prisoners are treated with respect for their inherent dignity as human beings.		😊	😐	😞
Indicators	Rule	Achievement		
1.1.1 Prison management/staff show awareness of the importance of positive prisoner-staff relations based on respect and fairness.	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
1.1.2 All prison staff have undergone training in communication skills and attitudes supporting respect for human dignity.	76(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
1.1.3 Prison management has in place a zero-tolerance policy as regards staff misconduct and ill treatment.	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
1.1.4 Prison management follows up on complaints regarding misconduct and ill treatment.  <sup>1</sup>	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

1.1.5 Information from prisoners indicates a perception of fair and consistent treatment among the prison population.	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
1.1.6 Reports and information from external sources (e.g. external inspections, civil society organizations and the media) confirm the above.	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

<b>Expected outcome 1.2: Prisoners are treated without discrimination, while the needs of special categories of prisoners are catered for.</b>				
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
1.2.1 Prison management is attentive to any discriminatory patterns vis-à-vis prisoners and/or groups of prisoners, or prison staff. <sup>2</sup>	2(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
1.2.2 Prison staff know about relevant policies and show awareness of the principle of equal treatment and non-discrimination.	2(1-2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
1.2.3 Prisoners who may require special attention or support are proactively identified and assisted.	2(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
1.2.4. Untried prisoners benefit from a special regime in line with the presumption of their innocence. <sup>3</sup>	111(3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

1.2.5 The gender-specific needs of women and the lower risk which they generally pose are reflected in a distinct regime for women prisoners.	2(1-2) <sup>4</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
1.2.6 Reasonable accommodations and adjustments are in place for prisoners with disabilities.	5(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
1.2.7 Privileges for prisoners are granted on the basis of clear criteria laid down in prison policies.	2(1), 95	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

<b>Expected outcome 1.3: Safety is ensured for every person in prison, including prisoners, staff, service providers and visitors.</b>				
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
1.3.1 Prisons are adequately staffed during the day and at night to allow for sufficient supervision in line with the facility's security category.  <sup>5</sup>	1, 12(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments (during the day):</i>		<i>Comments (during the night):</i>		
1.3.2 Prison staff wear clothing or symbols that clearly distinguish them from prisoners.	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
1.3.3 Prison staff have received training about policies and procedures for dealing with inter-prisoner violence, including about systemic causes.	1, 76(1c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

1.3.4 All cases of inter-prisoner violence and subsequent action taken by prison staff are documented.	1, 8(f)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
1.3.5 External service providers report that they can perform their duties in the prison in a safe and effective manner.	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
1.3.6 All cases of self-harm or suicide in prison, including attempts, and subsequent action taken by prison or health-care staff are documented.	1, 8(f)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
1.3.7 Placement of prisoners in shared cells or dormitories is done after careful consideration of their suitability for associating with one another.	1, 12(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
1.3.8 Evacuation plans and safety measures and protocols, including fire safety measures and protocols, are in place, and are known by prison management and relevant staff.	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

<b>Expected outcome 1.4:</b> <b>Certain categories of prisoners are separated by allocating them to separate prisons or, should this not be possible, to entirely separate parts of the prison.</b>				
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
1.4.1 Female prisoners are separated from male prisoners.	11(a)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

1.4.2 Untried prisoners are separated from convicted prisoners.	11(b)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
1.4.3 Juvenile prisoners (under the age of 18) are separated from adult prisoners.	11(d)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
<b>Expected outcome 1.5: Allocation and treatment are based on an individual assessment of each prisoner's risks and needs (classification).</b>				
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
1.5.1 Every sentenced prisoner is classified as soon as possible to assess the risks that prisoner may pose and to design a suitable treatment programme.	93(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
1.5.2 Individual assessments carried out to classify prisoners take into account factors related to their offences and personal backgrounds.	93(1), 94	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
1.5.3 Individual assessments form the basis for a prisoner's allocation to a certain prison regime with the least restrictive environment necessary.	3, 36, 89(1-2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
1.5.4 The results of risks and needs assessments and corresponding allocation decisions are reviewed on a regular basis.	3, 92(3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

1.5.5 In addition to security, allocation decisions reflect factors related to rehabilitation (e.g. treatment needs) and vulnerability.  <sup>6</sup>	2(2), 89(1-2)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
1.5.6 Gender-specific aspects are firmly integrated into the classification of women prisoners.	2 <sup>7</sup>	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				

<b>Expected outcome 1.6: Allegations of ill treatment of prisoners as well as custodial deaths, disappearances and serious injury are subject to a standardized process of scrutiny and external investigations.</b>				
Indicators	Rule	Achievement		
1.6.1 Any ill treatment, custodial death, disappearance or serious injury of a prisoner, or allegation thereof, is critically examined.	71 (1-2)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
1.6.2 Any allegation or suspicion of ill treatment is promptly reported to a competent authority independent of the prison authority.	57(3), 71(2)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
1.6.3 A similar procedure is followed for any custodial death, disappearance or serious injury of a prisoner.	71(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
1.6.4 Prison management cooperates with the authorities conducting investigations into any such cases and the circumstances surrounding them.	71(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				

1.6.5 Evidence is preserved, victims and witnesses are protected, and potentially implicated staff is excluded from the investigation. <sup>8</sup>	57(2), 71(1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
1.6.6 Any ill treatment, custodial death, disappearance or serious injury of a prisoner or allegation thereof is recorded.	8 (d) and (f)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
1.6.7 Family members or significant others are notified of a prisoner's death or, subject to the prisoner's consent, of his or her serious injury or illness.	69	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
1.6.8 The body of a deceased prisoner is treated with dignity, and released to the family or significant others as soon as possible.	72	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

## 2. Safeguards

<b>Expected outcome 2.1: The admission process of prisoners reflects their particular vulnerability during that stage of imprisonment.</b>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		😊	😐	😞
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
2.1.1 No prisoner is held in prison without a valid commitment order.	7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
2.1.2 Untried prisoners are promptly informed about the reasons for their detention and the charges against them.	119(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

2.1.3 Prison staff ensure that prisoners can immediately inform their families or designated contact persons about their imprisonment.  <sup>9</sup>	68 <sup>10</sup>	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.1.4 Prisoners are promptly informed in writing about their rights and obligations, the applicable legal framework, and any other relevant matters.	71(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.1.5 Prisoners receive such written information in a language they understand, or, if necessary, the information is conveyed with the help of an interpreter in a language they understand.	55	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.1.6 Illiterate prisoners or prisoners with sensory disabilities receive the information orally or in any other manner appropriate in the light of their needs.	55(2)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.1.7 Prison staff ask for any special needs a prisoner may have, and inform him or her about existing arrangements for meeting them.	2(2), 5(2)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.1.8 Prison staff are particularly sensitive to the state of prisoners during admission, including the risk of self-harm or suicide.  <sup>11</sup>	1, 2(2)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				

Expected outcome 2.2: A standardized prisoner file management is in place and managed in a professional manner.		😊	😐	😞
Indicators	Rule	Achievement		
2.2.1 All prisoner files are well-organised and contain the specific items listed in rule 7, entered in the files upon each prisoner's admission. <sup>12</sup> 📖 <sup>13</sup>	7	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.2.2 All prisoner files further contain the specific items listed in rule 8, entered in the files in the course of imprisonment. <sup>14</sup> 📖 <sup>15</sup>	8	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.2.3 There is a clear chain of responsibility for the administration and maintenance of the prisoner file management system.	6	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.2.4 Administrators for each entry can be identified, and procedures are in place to prevent unauthorized access or modification of prisoner files.	6	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.2.5 Only those members of the prison's staff whose professional responsibilities so require have access to prisoner files or relevant parts thereof.📖 <sup>16</sup>	9	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.2.6 Prisoners are granted access to the information contained in the files, subject to authorized redactions.📖 <sup>17</sup>	9	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				

2.2.7 Prisoners can receive an official copy of the files upon their release, subject to authorized redactions.	9	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
2.2.8 The prisoner file management system is used to generate reliable data about trends relating to and characteristics of the prison population.	10	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

Expected outcome 2.3: Access to legal advice and, where applicable, to consular representatives, is guaranteed and provided in practice.				
Indicators	Rule	Achievement		
2.3.1 Prison staff inform prisoners of their right to access to legal advice on any legal matter without delay.	54(b), 61(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
2.3.2 Prisoners are informed about how to get a legal adviser of their own choice and access legal aid if they cannot afford one.	54(b), 61(3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
2.3.3 Untried prisoners are informed of their potential entitlement to having a legal adviser assigned without payment if they cannot afford one.	119(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
2.3.4 Upon request, prison staff provide untried prisoners with writing materials for preparing documents related to their defence.	120(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

2.3.5 Arrangements for prisoners to meet with their legal advisors are adequate with regard to physical space, time and confidentiality. <sup>18</sup>	61(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
2.3.6 Prison staff facilitate access to an independent and competent interpreter in cases where prisoners do not speak the local language.	61(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
2.3.7 Correspondence between prisoners and their legal advisors is not censored or intercepted. <sup>19</sup>	61(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
2.3.8 Prisoners have physical and/or electronical access to documents related to their legal proceedings or are allowed to keep such documents with them.	53	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
2.3.9 Foreign nationals are informed of, and granted the right to notify and to communicate with their consular representatives.	62	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

<b>Expected outcome 2.4: Requests and complaints mechanisms for prisoners are safe, accessible and effective.</b>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		😊	😐	😞
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
2.4.1 Upon admission, prisoners are informed about existing internal and external complaints mechanisms and how to use them.	54(b)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

2.4.2 Every day requests or complaints can be addressed to the prison director or the prison staff representing him/her.	56(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.4.3 Requests or complaints can also be addressed to the central prison administration and the judicial or other competent authorities without censorship as to substance.	56(3)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.4.4 Request or complaints can also be addressed, in full confidentiality, to independent monitoring and inspection mechanisms.	56(2)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.4.5 Adequate safeguards and facilities exist for submitting complaints safely and confidentially and for preventing reprisals or intimidation.	57(2)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.4.6 If a prisoner is unable to file a complaint, his or her legal adviser, a member of the prisoner's family or any other person with knowledge of the case may do so.	56(4)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.4.7 All requests and complaints are recorded in the prisoner's file, unless they are of a confidential nature. <sup>20</sup>	8(d)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.4.8 Recorded requests and complaints are analysed in order to identify and address structural or systemic problems at the prison.	8(d), 10	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				

2.4.9 All requests and complaints are promptly dealt with and replied to without delay. <sup>21</sup>	57(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
<b>Expected outcome 2.5: Prisoners are transferred with respect for their safety and human dignity.</b>				
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
2.5.1 The prison administration or other public authorities bear all costs related to any prisoner transfer.	73(3)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.5.2 Conditions of transport meet minimum requirements regarding safety, space, ventilation, light, hygiene and nutrition.	1, 73(2)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.5.3 Prisoners are informed of the reasons for their transfers.	54(d)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.5.4 Prisoners can immediately notify their family members or other designated contact persons of their transfer to another institution. <sup>22</sup>	68 <sup>23</sup>	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.5.5 Prisoner files, including medical files, and personal possessions of prisoners, as applicable, are transferred to the receiving prison.	26(2), 67	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				

2.5.6 Measures exist to minimize prisoners' exposure to public view, insult, curiosity and publicity in the course of transfers.	73(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.5.7 Instruments of restraint used during transfer are removed when prisoners appear before a judicial or administrative authority.  <sup>24</sup>	47(2.a)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.5.8 In such situations, prisoners are further allowed to wear their own clothing or other inconspicuous clothing.	19(3)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.5.9 All transfers are medically cleared by health-care professionals, and access to necessary health services during transfers is ensured.	27(2), 33	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.5.10 Female prisoners to be transferred to another institution are escorted by female officers.	81(3)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
2.5.11 All transfers and relevant circumstances, including the use of instruments of restraint, are documented.  <sup>25</sup>	7(c)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				

### 3. Material conditions of imprisonment

Expected outcome 3.1: All accommodations used by prisoners are in decent condition and meet minimum health requirements.		😊	😐	😞
Indicators	Rule	Achievement		
3.1.1 Occupation levels in living accommodations are based on a minimum floor space allocation per prisoner. <sup>26</sup>	13	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
3.1.2 Each prisoner has a separate bed and separate bedding which is sufficient and is kept clean.	21	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
3.1.3 Cubic content of air, lighting, heating and ventilation in all accommodation used by prisoners meet requirements of health. <ul style="list-style-type: none"> <li>• <i>Fresh air can enter through windows which are large enough.</i></li> <li>• <i>Natural and artificial light is sufficient for prisoners to read and work without injury to eyesight.</i>📖<sup>27</sup></li> </ul>	13, 14	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
3.1.4 All parts of the prison used by prisoners are properly maintained and kept clean.	17	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
3.1.5 Special adaptations create a healthy environment for pregnant women, breastfeeding mothers and mothers with children.📖 <sup>28</sup>	2(2), 28 <sup>29</sup>	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments::</i>				

3.1.6 Reasonable adaptations and adjustments in the prison allow persons with disabilities to take part in prison life as much as possible.	2(2), 5(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
3.1.7 A physician or public health body regularly inspects health factors in prisoner accommodation and advises the prison director. <sup>30</sup>	35(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
3.1.8 The prison director gives effect to the advice. If he or she is in disagreement or if the matter lies beyond his or her competence, he or she reports to a higher authority. <sup>31</sup>	35(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

<b>Expected outcome 3.2: Sanitation facilities and conditions of hygiene are adequate for prisoners to maintain a proper appearance compatible with their self-respect.</b>				
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
3.2.1 Sanitary facilities (toilets) in the prison are clean, adequate and accessible whenever needed.	15	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
3.2.2 Separate bathing and shower installations are available for women and men, and are accessible as often as necessary. <sup>32</sup>	11(a), 16	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
3.2.3 Water and individual toilet articles, including for the maintenance of hair and beard, are provided free of charge, as are sanitary pads for women.	2(2), <sup>33</sup> 18	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

3.2.4 Clothing provided by the prison is adequate to keep the prisoner in good health, and is not degrading or humiliating.	19(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
3.2.5 Functioning laundry facilities exist for maintaining prisoners' clothing clean and in proper condition.	19(2), 20	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

<b>Expected outcome 3.3: Food and drinking water for prisoners is provided in adequate quantity and is of adequate quality.</b>				
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
3.3.1 Prisoners have access to clean and safe drinking water free of charge whenever needed. <sup>34</sup>	22(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
3.3.2 Criteria regarding quality, quantity and preparation of food exist and are met in practice.	22(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
3.3.3 Special health and dietary needs of prisoners are met, including for pregnant or breastfeeding women prisoners. <sup>35</sup>	2(2), 22(1) <sup>36</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
3.3.4 Meals are served at usual hours (as per community standards) and are free of charge. <sup>37</sup>	22(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

3.3.5 Hygiene and ventilation in kitchen areas is adequate, and food warehouses are protected against moisture and other harmful influences.	17	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Yes      Partly      No</p>				
<i>Comments:</i>				
3.3.6 A physician or public health body regularly inspects the quantity, quality, preparation and service of food and drinking water. <sup>38</sup>	35(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Yes      Partly      No</p>				
<i>Comments:</i>				
3.3.7 The prison director gives effect to the advice. If he or she is in disagreement or if the matter lies beyond his or her competence, he or she reports to a higher authority. <sup>39</sup>	35(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Yes      Partly      No</p>				
<i>Comments:</i>				

#### 4. Security, order and discipline

<b>Expected outcome 4.1: Prison security is ensured through an adequate balance of physical, procedural and dynamic security.</b>				
Indicators	Rule	Achievement		
4.1.1 Prison infrastructure and other physical security features are sufficient to ensure the secure custody of prisoners.	1, 89(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Yes      Partly      No</p>				
<i>Comments:</i>				
4.1.2 Prison staff follow standardized security procedures related to movement control and accounting of prisoners.	1, 76(1)(c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Yes      Partly      No</p>				
<i>Comments:</i>				

4.1.3 Prison staff have established positive prisoner-staff relations and are well aware of the characteristics of and dynamics within the prison population.	1, 76(1)(c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
4.1.4 Prison management exercises effective control over the prison population, including through an adequate number of prison staff. <sup>40</sup>	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
4.1.5 Prison management does not rely on prisoners for any disciplinary functions, whether in a formal or informal manner.	1, 40(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
4.1.6 Security audits of the prison facility are carried out by experts or specialized agencies on a regular basis. <sup>41</sup>	1, 40(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
<b>Expected outcome 4.2: Disciplinary sanctions against prisoners are imposed by the competent authority, are fair and proportionate, and never amount to torture or ill treatment.</b>				
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
4.2.1 Clear regulations govern the imposition of disciplinary sanctions as per the following principles, of which prison staff are aware: • <i>Proportionality between conduct and sanctions</i> • <i>Fairness, due process and non-discrimination.</i>	37, 39	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
4.2.2 Prison staff are trained in and, to the extent possible, resort to alternative dispute resolution mechanisms to prevent or resolve conflicts.	38(1), 76(1c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

<p>4.2.3 The following procedural safeguards governing disciplinary sanctions are in place and applied by prison staff in practice. Prisoners:</p> <ul style="list-style-type: none"> <li>• Are informed about accusations in an understandable language;</li> <li>• Have adequate time facilities for the preparation of their defence;</li> <li>• Are allowed to defend themselves or through legal assistance when the interests of justice so require (e.g. serious disciplinary charges);</li> <li>• Are assisted by a competent interpreter free of charge, if necessary;</li> <li>• Can seek a judicial review of disciplinary sanctions. <sup>42</sup></li> </ul>	41(2-4), 76(1.a,c)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<p>Comments:</p>				
<p>4.2.4 Restrictions or sanctions never include any of the following practices:</p> <ul style="list-style-type: none"> <li>• Indefinite or prolonged solitary confinement;</li> <li>• Placing a prisoner in a dark or constantly lit cell;</li> <li>• Corporal punishment;</li> <li>• Reduction of diet or drinking water;</li> <li>• Collective punishment;</li> <li>• Prohibition of family contact. <sup>43</sup></li> </ul>	43(1,3)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<p>Comments:</p>				
<p>4.2.5 No restriction or disciplinary sanction, including solitary confinement, negatively affect minimum living conditions.<sup>44</sup></p>	42	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<p>Comments:</p>				
<p>4.2.6 Prisoners are not sanctioned for conduct which is a direct result of their mental illness or intellectual disability.</p>	39(3)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<p>Comments:</p>				
<p>4.2.7 All disciplinary sanctions are recorded, including the offence, the sanction's type and duration, and the person or authority imposing it. <sup>45</sup></p>	8(e)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<p>Comments:</p>				

Expected outcome 4.3: Solitary confinement is used only in exceptional cases, for as short a time as possible, and is subject to strict procedural guarantees. <sup>46</sup>		  		
Indicators	Rule	Achievement		
4.3.1 Procedural safeguards are in place and applied in order to ensure that solitary confinement is: <ul style="list-style-type: none"> <li>• <i>Used as a last resort, after alternatives have been thoroughly considered;</i></li> <li>• <i>Authorized by the competent authority;</i></li> <li>• <i>Imposed for as short a time as possible;</i></li> <li>• <i>Subject to independent review.</i><sup>47</sup></li> </ul>	37, 43(1b), 45(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				
4.3.2 Prison staff are aware of the harmful consequences of solitary confinement on the physical and mental health of prisoners.	76(1a,c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				
4.3.3 Certain forms of solitary confinement are prohibited, including: <ul style="list-style-type: none"> <li>• <i>Indefinite and prolonged solitary confinement (beyond 15 consecutive days);</i></li> <li>• <i>Solitary confinement by virtue of a prisoner's sentence.</i></li> </ul>	43(1), 45(1), 42	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				
4.3.4 Certain categories of prisoners are never subjected to solitary confinement, including: <ul style="list-style-type: none"> <li>• <i>Prisoners with mental or physical disabilities when their conditions would likely be exacerbated;</i></li> <li>• <i>Juveniles deprived of their liberty (i.e. below the age of 18 years);</i></li> <li>• <i>Pregnant women, women with infants and breastfeeding mothers.</i></li> </ul>	45(2) <sup>48</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				
4.3.5 Measures are taken to alleviate the potential detrimental effects of solitary confinement during and upon finalization of its imposition.  <sup>49</sup>	38(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

4.3.6 The imposition, duration and any other relevant information related to solitary confinement are duly recorded in the prisoner's file.  <sup>50</sup>	8(c), 39(2)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
4.3.7 Decisions on other forms of involuntary separation, e.g. for protection, consider the prisoner's opinion, and are regularly reviewed.	1, 36, 37(d) <sup>51</sup>	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
<b>Expected outcome 4.4:</b> <b>Cell and body searches are carried out only when necessary and proportionate, with due respect for privacy and the human dignity of the individual being searched.</b>				
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
4.4.1 Cell and body searches are conducted only when necessary, and are proportionate to legitimate security considerations. <sup>52</sup>	50	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
4.4.2 Circumstances of and procedures for cell and body searches are regulated. For body searches, this applies to, in particular: <ul style="list-style-type: none"> <li>• <i>Conditions of searches (out of other prisoners' sight, by staff of same sex),<sup>53</sup></i></li> <li>• <i>Appropriate alternatives, in particular to intrusive searches;</i></li> <li>• <i>Intrusive searches, including strip and body cavity searches.</i></li> </ul>	50, 52	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
4.4.3 Prison staff in charge of conducting searches are aware of the above principles and regulations, and have received appropriate training.	52, 76(1b)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
4.4.4 Alternatives to intrusive body searches (e.g. scans) are available, and effectively limit the resort to strip or body cavity searches.	52(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				

4.4.5 Body cavity searches are conducted by qualified health-care staff <sup>54</sup> only (at a minimum, by prison staff trained in hygiene, health, safety).	52(2)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
4.4.6 Records of all searches are kept, including the reasons, identities of the persons involved and the results. <sup>55</sup>	51	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
<b>Expected outcome 4.5: Instruments of restraint are only used in clearly defined circumstances, when lesser forms of control fail, and only for the time strictly required.</b>				
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
4.5.1 The use of chains, irons, or other inherently degrading or painful restraints, such as body-worn electric shock devices, is prohibited.	47(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
4.5.2 Prison regulations limit the use of other instruments of restraint to the following circumstances: <ul style="list-style-type: none"> <li>• As a precaution against escape during a transfer;</li> <li>• If ordered by the director, to avoid that prisoners injure themselves/others, or damage property.<sup>56</sup></li> </ul>	47(2)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
4.5.3 Instruments of restraint are only applied when no lesser form of control is effective, with the least intrusive method and for the shortest time necessary.	48(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
4.5.4 Instruments of restraint are never used as a disciplinary sanction or to otherwise punish prisoners.	43(2), 47(2)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				

4.5.5 Instruments of restraint are never used on women during labour, childbirth or immediately after childbirth.	48(2) <sup>57</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
4.5.6 Health-care professionals are immediately alerted by the prison director when he or she authorizes the use of instruments of restraint. <sup>58</sup>	47(2b)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
4.5.7 Prison staff have received training in the use of both instruments of restraint and other control techniques, which can assist in reducing the resort to instruments of restraint.	49, 76(1c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
4.5.8 Records of the use of instruments of restraint are kept, including the reasons and circumstances.	8(c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
<b>Expected outcome 4.6: Force and arms are only used as a means of last resort, and in a way which is proportionate to the threat posed.</b>				
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
4.6.1 Prison staff in direct contact with prisoners are not armed, except for special circumstances laid down in prison regulations.	82(3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
4.6.2 Force is only used when unavoidable <sup>59</sup> in cases of: <ul style="list-style-type: none"> <li>• <i>Self-defence;</i></li> <li>• <i>Attempted escapes; or</i></li> <li>• <i>Physical resistance to a legitimate order.</i></li> </ul>	82(1) <sup>60</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

<p>4.6.3 Firearms are only used when unavoidable in cases of:</p> <ul style="list-style-type: none"> <li>• <i>Self-defence against the immediate threat of death or serious injury;</i></li> <li>• <i>Defence of others against the immediate threat of death or serious injury;</i></li> <li>• <i>Attempted escapes, when strictly necessary.</i></li> </ul>	82 <sup>61</sup>	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<p>Comments:</p>				
<p>4.6.4 Prison staff are adequately trained in the use of force, in particular in techniques for restraining aggressive prisoners.</p>	82(2), 76(1c) <sup>62</sup>	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<p>Comments:</p>				
<p>4.6.5 Prison staff with access to firearms have been adequately trained in their use.</p>	82(3), 76(1c) <sup>63</sup>	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<p>Comments:</p>				
<p>4.6.6 Any use of force or firearms against a prisoner is immediately reported to the prison director.</p>	82(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<p>Comments:</p>				
<p>4.6.7 Assistance/medical aid is rendered to injured or affected prisoners at the earliest possible moment upon the use of force/ firearms.<sup>64</sup></p>	27(1) <sup>65</sup>	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<p>Comments:</p>				
<p>4.6.8 Appropriate documentation with regard to all incidents involving the use of force or firearms exists.<sup>66</sup></p>	8(c) and (f)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<p>Comments:</p>				

## 5. Prison regime

Expected outcome 5.1: Prisoners spend time out of cell and have access to physical exercise and recreational activities.		  		
Indicators	Rule	Achievement		
5.1.1 All prisoners, including those subject to disciplinary sanctions or restrictive measures, spend at least one hour per day in the open air. <sup>67</sup>	23(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
5.1.2 Prisoners spend a reasonable time outside of their cells engaged in purposeful activity. <sup>68</sup>	4(2), 5(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
5.1.3 Those with physical aptitude, in particular young prisoners, have access to physical/recreational training/equipment during exercise. <sup>69</sup>	23(2)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
5.1.4 A schedule of recreational/cultural activities is available and implemented to benefit the mental and physical health of prisoners.	105	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
Expected outcome 5.2: Education and vocational training programmes are offered in line with actual needs among the prison population.		  		
Indicators	Rule	Achievement		
5.2.1 Education/training needs of prisoners are assessed upon admission. Enrolment is identified as part of individual treatment programmes. <sup>70</sup>	94	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				

5.2.2 Education classes of different levels and vocational training in different disciplines are conducted by teachers and trainers.	98(2), 104(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
5.2.3 A particular focus in this regard is put on illiterate and young prisoners, all of whom have access to educational programmes.	104(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
5.2.4 An adequately stocked library for use by all categories of prisoners exists, and observations confirm that it is broadly used by prisoners.  <sup>71</sup>	64	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
5.2.5 Curricula used for education classes and vocational training, including distance learning, are similar to those used outside of prison.	98(2), 104(2)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
5.2.6 Education and vocational training result in official certification, as far as practical, without indication that it was obtained in prison.	5(1), 104(2)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
5.2.7 The selection of vocational training programmes follows actual market needs in the community.	98 (1-2)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				

Expected outcome 5.3: Prisoners have the opportunity to perform meaningful work in conditions respectful of safety, health and other minimum standards.		😊 😐 😞		
Indicators	Rule	Achievement		
5.3.1 The prison offers opportunities for all prisoners, including untried prisoners, to work and/or to engage in other constructive activities. 📖 <sup>72</sup>	96(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
Comments:				
5.3.2 Whereas sentenced prisoners may be required to work, the participation of untried prisoners in work programmes is voluntary.	116	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
Comments:				
5.3.3 Within the limits of proper vocational selection and security/safety, prisoners are able to choose the type of work they wish to perform.	98(3)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
Comments:				
5.3.4 Procedures related to prison-based work programmes prescribe: <ul style="list-style-type: none"> <li>• Health and safety standards similar to those applicable to work outside;</li> <li>• Maximum daily/weekly working hours, including at least one day of rest.</li> </ul>	101, 102	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
Comments:				
5.3.5 Type, organization and methods of prison-based work resemble as closely as possible similar work outside. No work programme involves: <ul style="list-style-type: none"> <li>• Labour of an afflictive (i.e. harmful) nature;</li> <li>• Slavery or servitude;</li> <li>• Prisoners working for the personal or private benefit of staff.</li> </ul>	97, 99(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
Comments:				

5.3.6 Work programmes are primarily oriented towards supporting social reintegration as opposed to making a financial profit for the prison.	99(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
5.3.7 For the work which they perform, prisoners receive an equitable remuneration, defined by law.	103(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
5.3.8 Prisoners are allowed to spend a part of their earnings on approved articles in prisons, and to send a part of their earnings to their families.	103(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
<b>Expected outcome 5.4: Prisoners' freedom of religion is respected and ensured.</b>				
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
5.4.1 The prison administration respects the decision of a prisoner to choose or to change his or her religion.	65	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
5.4.2 For all religions sufficiently represented in prison, a qualified religious representative delivers pastoral care and holds regular services.	65(1-2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
5.4.3 The prison administration does not refuse access of a prisoner to a qualified representative of his or her (officially recognized) religion.	65(3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

5.4.4 The decision of prisoners not to participate in religious activities, or to object to visits by religious representatives, is equally respected.	65(3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
5.4.5 Prisoners have access to books of religious observance and instructions unless such material incites hatred. <sup>73</sup>	66	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
5.4.6 Upon request, the prison administration provides food that respects prisoners' religious dietary requirements.	2(1), 22	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
<b>Expected outcome 5.5: Prison visits are actively facilitated in order to ensure the maintenance of prisoners' social contacts.</b>				
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
5.5.1 Visits of a prisoner's family and friends can take place at regular intervals, as frequently as possible, and without charges.  <sup>74</sup>	58(1b), 106	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
5.5.2 As a general rule, prisoners are allocated to prisons close to their homes or place of social rehabilitation, to the extent possible.  <sup>75</sup>	59	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
5.5.3 Arrangements are made to counterbalance the disadvantages faced by prisoners detained in locations far from their homes.	2(2), 58(1b) <sup>76</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

5.5.4 Visit facilities allow for a positive visiting experience, preferably including contact visits, in particular in the case of visiting children.	58(1b) <sup>77</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
5.5.5 Restrictions of the means of family contact are only allowed for a limited time, as strictly required for maintaining security/order.  <sup>78</sup>	43(3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
5.5.6 Search/entry procedures for visitors are not degrading, at least as protective as those for prisoners, and exclude body cavity searches.  <sup>79</sup>	60(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
5.5.7 Visitors are informed about search procedures, including that their withdrawal of consent to being searched may lead to a refusal of access.	60(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
5.5.8 Where conjugal visits are allowed, prisoners have access to respective premises in a non-discriminatory, safe and dignified manner.	58(2) <sup>80</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
<b>Expected outcome 5.6:</b> Correspondence with the outside world is actively facilitated to assist prisoners in maintaining social contacts and in staying abreast of outside developments.				
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
5.6.1 Prisoners are allowed to correspond with their family and friends in writing, by phone and by other means (e.g. digital).	58(1a)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

5.6.2 Restrictions on written or other correspondence, e.g. interception or censorship, are clearly outlined in prison regulations.  <sup>81</sup>	58(1a)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
5.6.3 Prisoners have access to important items of news, e.g. through newspapers, radio, TV and other means.  <sup>82</sup>	63	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
<b>Expected outcome 5.7: Prison management actively prepares prisoners for their release by facilitating access to after-care services.</b>				
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
5.7.1 Throughout a prisoner's sentence, prison staff assist prisoners in establishing or maintaining relations with post-release service providers.	88(2), 107	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
5.7.2 Representatives of post-release service providers have access to prisoners and are consulted by prison staff in a timely manner.	88(1), 108(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
5.7.3 For prisoners approaching the end of their sentence, a pre-release regime facilitates their gradual return to society.	78	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
5.7.4 Prisoners have appropriate identity documents, information and means to reach their destination upon release, and to start resettlement.	108(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

## 6. Health care

Note: Indicators marked in red can only be assessed by medical personnel independent from the prison administration (e.g. seconded from the Ministry of Health).

Expected outcome 6.1: A health-care service is in place which takes professional care of the physical and mental health of prisoners.		😊	😐	😞
Indicators	Rule	Achievement		
6.1.1 The health-care service consists of an interdisciplinary team with qualified personnel, including expertise in psychology and psychiatry.	25, 109(3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Yes      Partly      No</p> <p>Comments:</p>				
6.1.2 The services of a qualified dentist are available for every prisoner.	25(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Yes      Partly      No</p> <p>Comments:</p>				
6.1.3 The health-care service is organized in close relationship to, or is integrated into the general public health administration.	24(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Yes      Partly      No</p> <p>Comments:</p>				
6.1.4 This relationship ensures continuity of treatment and care upon release (e.g. for HIV, TB, other infectious diseases or drug dependence).	24(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Yes      Partly      No</p> <p>Comments:</p>				
6.1.5 Health facilities and equipment, including medical supplies, are adequate and correspond to the actual health needs in the prison population.	24(1), 25(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Yes      Partly      No</p> <p>Comments:</p>				

Expected outcome 6.2: Prisoners have access to health-care services according to their health needs.		😊	😐	😞
Indicators	Rule	Achievement		
6.2.1 Access to necessary health-care services is provided free of charge and without discrimination on the grounds of prisoners' legal status.	24(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
6.2.2 Procedures are in place to ensure prompt access to medical attention in urgent cases (e.g. on call arrangements on a 24 hours basis).	27(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
6.2.3 Prisoners who require specialized treatment/surgery exceeding the capacity of the prison's health facilities are transferred to outside hospitals.	27(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
6.2.4 Physicians or other qualified health-care professionals have daily access to prisoners who require their attention.	31	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
6.2.5 They report to the prison director all cases in which (conditions of) imprisonment injuriously affect(s) a prisoner's physical/mental health.	33	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
6.2.6 Prisoners can approach the health-care service on a confidential basis, without respective requests being screened by prison staff.	32(1c)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				

6.2.7 Special accommodation for all necessary pre- and postnatal care and treatment is in place in prisons or prison wings for women.  <sup>83</sup>	28 <sup>84</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yes      Partly      No				
<i>Comments:</i>				
6.2.8 Prison management ensures that children of pregnant women prisoners are born in a hospital outside the prison. <sup>85</sup>	28	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yes      Partly      No				
<i>Comments:</i>				
6.2.9 Professional care by child specialists, including specific health care, is offered to children who remain in prison with their parent.  <sup>86</sup>	29(1) <sup>87</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yes      Partly      No				
<i>Comments:</i>				
6.2.10 Qualified health-care professionals cater for the needs of prisoners with mental disabilities, including psychiatric treatment.	109 (2-3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yes      Partly      No				
<i>Comments:</i>				
6.2.11 Those who should not be detained in prison due to severe mental disabilities or health conditions are transferred to mental-health facilities.	109(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yes      Partly      No				
<i>Comments:</i>				
<b>Expected outcome 6.3: Health-care services are being offered in line with professional ethical standards.</b>				
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
6.3.1 Prison management and staff do not ignore or overrule any clinical decision taken by health-care professionals.  <sup>88</sup>	27(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yes      Partly      No				
<i>Comments:</i>				

6.3.2 All medical information of prisoners is confidential, unless such confidentiality would result in an imminent threat to the patient/ others.	26(1), 32(1c)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
6.3.3 Medical examinations are undertaken out of hearing and out of sight of prison staff, unless health-care professionals request otherwise.	31	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
6.3.4 Health-care professionals act in full clinical independence, i.e. all their health-related decisions are purely based on clinical grounds.	25(2), 32(1a)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
6.3.5 The health-care service keeps accurate and up-to-date medical files of all prisoners.	26(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
6.3.6 Health-care professionals document and report any sign of torture or ill treatment of prisoners to the competent authority. <sup>89</sup>  <sup>90</sup>	34	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
6.3.7 Prisoners are informed about their health conditions and possible treatment, including through access, upon request, to their medical files.	32(1b)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
6.3.8 The autonomy of prisoners regarding their own health is respected, including their free and informed consent to medical interventions.	26(1), 32(1b)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				

<b>Expected outcome 6.4: Health-care staff professionally respond to their potential involvement in disciplinary regimes as well as to allegations or signs of ill treatment.</b>				
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
6.4.1 Health-care professionals are not involved in imposing disciplinary sanctions or restrictive measures, but are informed without delay.  <sup>91</sup>	46(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
6.4.2 They report to the director any adverse health effects of the above, and advise on remedial action, including termination.  <sup>92</sup>	33, 46(2-3)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
6.4.3 Health-care professionals pay particular attention to prisoners held under involuntary separation through visits on a daily basis.	46(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
6.4.4 They provide prompt medical assistance and treatment to these prisoners upon their request or upon the request of prison staff.	46(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				

<b>Expected outcome 6.5: The physical and mental health of prisoners is professionally examined upon admission, and appropriate measures are taken.</b>				
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
6.5.1 Admission procedures include a prisoner's medical examination, as soon as possible, by a physician or qualified health-care professional.	30	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				

6.5.2 Health-care professionals identify prisoners' overall health-care needs and subsequently take all necessary measures for treatment.	30(a)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
6.5.3 Particular attention is paid to any signs of ill treatment to which arriving prisoners may have been subjected prior to admission. <sup>93</sup>	30(b), 34	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
6.5.4 Particular attention is paid to signs of psychological or other stress, including suicide/self-harm risks and withdrawal symptoms. <sup>94</sup>	30(c)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
6.5.5 Cases of contagious diseases are identified and adequate measures are taken, such as clinical isolation during the infectious period.	30(d)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
6.5.6 The fitness of a prisoner to work, exercise and participate in other activities is determined in the course of the medical examination.	30(e)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				

## 7. Prison staff

<b>Expected outcome 7.1:</b> <b>Prison personnel are recruited in a way so as to ensure integrity, humanity, professional capacity and personal suitability.</b>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>   			
Indicators	Rule	Achievement		
7.1.1 Recruitment of prison staff is based on an active and transparent recruitment policy, with clear criteria of and procedures for selection. <sup>95</sup>	74(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				

7.1.2 Job descriptions for prison officer vacancies specify selection criteria, including the necessary personal attributes, skills and education.	74(1), 75(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
7.1.3 The selection of candidates is done by trained recruitment officers, and includes testing of their personal attributes, integrity and motivation.	74(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
7.1.4 A recruitment policy promotes an overall composition of the prison staff work force which is representative of the national population.	2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
<b>Expected outcome 7.2: The quantity and quality of prison staff establish favourable conditions for creating a prison environment based on respect for human dignity.</b>				
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
7.2.1 The staff-prisoner ratio is adequate to ensure the secure, safe and humane custody of prisoners.  <sup>96</sup>	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
7.2.2 Prison management actively supports a positive self-understanding of the work of prison staff as a “a social service of great importance”.	74(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
7.2.3 Prison staff include a sufficient number of specialists, e.g. social workers, teachers, trade instructors, psychiatrists and psychologists.	78(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

7.2.4 Social workers, teachers and trade instructors are employed on a permanent basis.	78(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
7.2.5 Women prisoners are supervised only by female staff, and women prisons/ wings are under the authority of a female officer. <sup>97</sup>	81(1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
<b>Expected outcome 7.3: Working conditions are appropriate and ensure a positive identification of staff with their work.</b>				
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
7.3.1 Prison staff are employed on a full-time basis with civil service status.	74(3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
7.3.2 Prison staff have security of tenure subject only to good conduct, efficiency and physical fitness.	74(3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
7.3.3 Staff salaries are adequate to attract suitable men and women, and are paid on time.	74(3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				
7.3.4 Conditions of service, including physical working conditions, are favourable to the exacting nature of the work and the risks involved.	74(3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	Partly	No
<i>Comments:</i>				

7.3.5 Employment benefits and support services for prison staff exist, including counselling to deal with challenges at work.	74(3)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
7.3.6 Systems are in place to effectively address behaviour that is not in line with professional conduct of prison staff, including corruption.	77	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
<b>Expected outcome 7.4: Prison staff are equipped with the necessary knowledge, skills and attitude to do work in line with professional and human rights standards.</b>				
<b>Indicators</b>	<b>Rule</b>	<b>Achievement</b>		
7.4.1 Training of prison staff prior to entering on duty includes, at a minimum, components in the following categories: <ul style="list-style-type: none"> <li>• <i>Relevant national legislations, regulations and policies, as well as applicable regional and international instruments;</i></li> <li>• <i>Rights and duties of prison staff in the exercise of their functions, including the prohibition of torture and ill treatment;</i></li> <li>• <i>Security and safety, including the concept of dynamic security, the use of force and instruments of restraint and the management of violent offenders, including negotiation and mediation;</i></li> <li>• <i>First aid, the psychosocial needs of prisoners and social care/assistance.</i></li> </ul>	76(1), 82(2)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
7.4.2 Prison staff demonstrate that this training provided them with the knowledge, attitude and skills to perform their work professionally.	75(2)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
7.4.3 Prison directors receive tailored training on the management skills required for their particular function.	79(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				

7.4.4 Prison staff with specialized functions and those assigned to work with certain categories of prisoners have received specific training.	2(2), 76(2) <sup>98</sup>	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
7.4.5 Prison management ensures the availability of, and promotes participation in continuous in-service training courses for prison staff.	75(3)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
7.4.6 Access to in-service training and career opportunities is transparent and provides for equal opportunities for male and female prison staff.	75(3) <sup>99</sup>	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				
7.4.7 All training programmes referred to above are participatory and include both theoretical and practical (scenario-based) components.	75(1)	<input type="checkbox"/> Yes	<input type="checkbox"/> Partly	<input type="checkbox"/> No
<i>Comments:</i>				

## Endnotes to checklist

- <sup>1</sup>For misconduct in relation to prisoners, including the imposition of disciplinary sanctions, see expected outcome 4.2.
- <sup>2</sup>More specifically, rule 2 (1) of the Nelson Mandela Rules prohibits discrimination on the following grounds: race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or any other status.
- <sup>3</sup>See also indicators 2.1.2 (information about reasons for detention and charges), 2.3.3 (access to legal advice), 2.3.4 (provision of writing material to prepare for their defence), 5.3.1 (opportunities to participate in the prison regime) and 5.3.2 (voluntary enrolment in work programmes).
- <sup>4</sup>See also the Bangkok Rules. The Bangkok Rules provide detailed guidance on gender-sensitive prison management with regard to, inter alia, classification, security and safety, mental and physical health-care services and women prisoners with special needs (e.g. pregnant women, breastfeeding mothers, and mothers with children).
- <sup>5</sup>See also indicator 4.1.4 (prison staff exercising effective control).
- <sup>6</sup>See also indicator 5.5.2 (allocation of prisoners close to their homes).
- <sup>7</sup>See also the Bangkok Rules, rules 40 and 41.
- <sup>8</sup>This exclusion should encompass a prohibition of contact with the witnesses, the victim and the victim's family.
- <sup>9</sup>See also indicators 2.3.9 (foreign prisoners) and 2.5.4 (transfers).
- <sup>10</sup>In the case of the admission of a juvenile, his or her parents or guardians will need to be notified at the time of commitment (see rule 21 (d) of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, General Assembly resolution 45/113, annex).
- <sup>11</sup>See also indicator 6.5.4 (medical examinations upon admission).
- <sup>12</sup>Rule 7 requires the following information to be entered in the prisoner file management system upon admission of every prisoner: (a) precise identity information respecting self-perceived gender; (b) the reasons for the prisoner's commitment and the responsible authority, in addition to date, time and place of arrest; (c) the day and hour of the prisoner's admission and release as well as of any transfer; (d) any visible injuries and complaints about prior ill treatment; (e) an inventory of the prisoner's personal property; (f) names of the prisoner's family members, including, where applicable, his or her children, the children's ages, location and custody or guardianship status; and (g) emergency contact details and information on the prisoner's next of kin.
- <sup>13</sup>See also indicator 6.3.5 (medical files).
- <sup>14</sup>Rule 8 requires the following information to be entered in the prisoner file management system in the course of imprisonment: (a) information related to the judicial process, including dates of court hearings and legal representation; (b) initial assessment and classification reports; (c) information related to behaviour and discipline; (d) requests and complaints, including allegations of torture or ill treatment, unless of a confidential nature; (e) information on the imposition of disciplinary sanctions; and (f) information on the circumstances and causes of any injuries or death and, in the case of the latter, the destination of the remains.
- <sup>15</sup>See also indicator 6.3.5 (medical files).
- <sup>16</sup>See also indicator 6.3.2 (confidentiality of medical information).
- <sup>17</sup>See also indicator 6.3.7 (prisoners' access to their medical files).
- <sup>18</sup>Such consultations may be held within sight, but not within hearing of prison staff.
- <sup>19</sup>See also indicator 5.6.2 (restrictions on other types of correspondence).
- <sup>20</sup>See also indicator 2.2.2 (prisoner file management).
- <sup>21</sup>See also indicator 1.6.2 (procedures applicable to allegations of torture and ill treatment).
- <sup>22</sup>See also indicator 2.1.3 (notifications upon initial admission).
- <sup>23</sup>In the case of the transfer of a juvenile, his or her parents or guardians will need to be notified at the time of commitment (see rule 21 (d) of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty).
- <sup>24</sup>See also indicator 4.5.1 (prohibited instruments of restraint).
- <sup>25</sup>See also indicator 2.2.2 (prisoner file management).
- <sup>26</sup>The International Committee of the Red Cross has recommended specifications in respect of these dimensions, e.g. minimum space per prisoner of no less than 5.4 m<sup>2</sup> per person in single cell accommodation, and no less than 3.4 m<sup>2</sup> in shared or dormitory accommodation, including when bunk beds are used. In Europe, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment has established a minimum standard for personal living space in prison as follows: 6 m<sup>2</sup> for a single occupancy cell (plus sanitary facility), and 4 m<sup>2</sup> in a multi-occupancy cell (plus a fully partitioned sanitary facility) (see Pier Giorgio Nembrini, *Water, Sanitation, Hygiene and Habitat in Prisons* (Geneva, International Committee of the Red Cross, 2005), p. 25; Council of Europe, "Living space per prisoner in prison establishments: CPT standards" (CPT/Inf (2015)44)).
- <sup>27</sup>See also indicator 4.2.5 (prohibition of restricting minimum living conditions).
- <sup>28</sup>See also indicators 3.3.3 (special health and dietary needs) and 6.2.7 (special accommodation for pre- and postnatal care).
- <sup>29</sup>See also the Bangkok Rules, rules 48-52 .
- <sup>30</sup>See also indicator 3.3.6 (food inspections).
- <sup>31</sup>See also indicator 3.3.7 (food inspections).
- <sup>32</sup>At least once a week in a temperate climate.

- <sup>33</sup> See also the Bangkok Rules, rule 5.
- <sup>34</sup> See also indicator 4.2.4 (prohibition of reducing diet or drinking water).
- <sup>35</sup> See also indicator 5.4.6 (religious dietary requirements).
- <sup>36</sup> See also the Bangkok Rules, rule 48.
- <sup>37</sup> See also indicator 4.2.4 (prohibition of reducing diet or drinking water).
- <sup>38</sup> See also indicator 3.1.7 (health inspections in accommodation areas).
- <sup>39</sup> See also indicator 3.1.8 (health inspections in accommodation areas).
- <sup>40</sup> See also indicator 7.2.1 (prisoner/staff ratio).
- <sup>41</sup> See also indicator 1.3.8 (evacuation plans and safety measures).
- <sup>42</sup> See also expected outcome 6.4 (role of health-care professionals).
- <sup>43</sup> See also indicators 4.3.3 (prohibited forms of solitary confinement) and 5.5.5 (restriction of the means of family contact).
- <sup>44</sup> These include, in particular, the provisions in this checklist as related to light, ventilation, temperature, sanitation, nutrition, drinking water, access to open air and physical exercise, personal hygiene, health care and adequate personal space.
- <sup>45</sup> See also indicator 2.2.2 (prisoner file management).
- <sup>46</sup> As per rule 44 of the Nelson Mandela Rules, solitary confinement refers to the confinement of prisoners for 22 hours or more a day without meaningful human contact.
- <sup>47</sup> See also expected outcome 6.4 (role of health-care professionals).
- <sup>48</sup> See also the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, rule 67, and the Bangkok Rules, rule 22.
- <sup>49</sup> See also expected outcome 6.4 (role of health-care professionals).
- <sup>50</sup> See also indicator 2.2.2 (prisoner file management).
- <sup>51</sup> See also Council of Europe, Twenty-first General Report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment: 1 August 2010-31 July 2011 (CPT/Inf(2011)28), para. 57 (d).
- <sup>52</sup> More specifically this means that cell and body searches are not used to unnecessarily intrude upon prisoners' privacy, and always take the least intrusive form required.
- <sup>53</sup> If the prisoner is transgender, the search should be conducted by a staff member of the prisoner's choice.
- <sup>54</sup> This individual should be different from the health-care professional primarily responsible for the care of the prisoners.
- <sup>55</sup> See also indicator 2.2.2 (prisoner file management).
- <sup>56</sup> See also expected outcome 6.4 (role of health-care professionals).
- <sup>57</sup> See also the Bangkok Rules, rule 24.
- <sup>58</sup> See also expected outcome 6.4 (role of health-care professionals).
- <sup>59</sup> This means that non-violent or less intrusive means have been considered and/or used, restraint is exercised, and attention is paid to minimizing damage and injury in order to respect and preserve human life.
- <sup>60</sup> See also the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Havana from 27 August to 7 September 1990 (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.2, annex, principles 4, 5 and 15.
- <sup>61</sup> See also the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, principle 16.
- <sup>62</sup> *Ibid.*, principle 19.
- <sup>63</sup> *Ibid.*
- <sup>64</sup> See also indicators 6.2.2 (emergency health care) and 6.2.3 (transfer to hospital for the purpose of surgery).
- <sup>65</sup> Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, principle 5.
- <sup>66</sup> See also indicator 2.2.2 (prisoner file management).
- <sup>67</sup> Subject to suitable weather conditions.
- <sup>68</sup> See also expected outcome 5.2 (access to education and vocational training) and 5.3 (access to work).
- <sup>69</sup> See also indicator 6.5.6 (determination of a prisoner's fitness to participate in activities).
- <sup>70</sup> *Ibid.*
- <sup>71</sup> See also indicator 5.6.3 (access to important items of news).
- <sup>72</sup> See also indicator 6.5.6 (determination of a prisoner's fitness to participate in activities).
- <sup>73</sup> See article 20 (2) of the International Covenant on Civil and Political Rights; see also the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence (A/HCR/22/17/Add.4, appendix).
- <sup>74</sup> See also indicator 5.5.5 (restrictions of family contacts).
- <sup>75</sup> See also indicators 1.5.3 and 1.5.5 (other criteria for the allocation of prisoners).
- <sup>76</sup> See also the Bangkok Rules, rule 26.
- <sup>77</sup> *Ibid.*, rule 28.
- <sup>78</sup> See also indicator 4.2.4 (prohibited sanctions and restrictive measures).

- <sup>79</sup> See also expected outcome 4.4 (as related to body searches of prisoners).
- <sup>80</sup> See also the Bangkok Rules, rule 27, which specifies that where conjugal visits are allowed, women prisoners shall be able to exercise this right on an equal basis with men.
- <sup>81</sup> See also indicator 2.3.7 (correspondence between a prisoner and his or her legal advisor).
- <sup>82</sup> See also indicator 5.2.4 (prison libraries).
- <sup>83</sup> See also indicator 3.3.3 (special health/dietary needs for breastfeeding or pregnant women prisoners).
- <sup>84</sup> See also the Bangkok Rules, rule 48.
- <sup>85</sup> If, in exceptional circumstances, this proves impracticable, the birth certificate does not mention that the child was born in prison.
- <sup>86</sup> See also indicator 3.1.5 (accommodation adaptations for women with children).
- <sup>87</sup> See also the Bangkok Rules, rule 51.
- <sup>88</sup> See also indicators 3.1.7 and 8 (health inspections in accommodation areas), 3.3.6 and 7 (food inspections) and 6.4.2 (reporting on adverse health effects of disciplinary sanctions or restrictive measure).
- <sup>89</sup> However, in such situations procedural safeguards should be taken to avoid exposing the prisoner or associated persons to any foreseeable risk of harm.
- <sup>90</sup> See also indicator 6.5.3 (particular attention to signs of ill treatment during medical examinations upon admission).
- <sup>91</sup> See also indicator 4.5.6 (informing health-care professional of the use of instruments of restraint).
- <sup>92</sup> See also indicator 4.2.5 (minimum living conditions under disciplinary or restrictive measures).
- <sup>93</sup> See also indicator 6.3.6 (documentation and reporting of cases of ill treatment).
- <sup>94</sup> See also indicator 2.1.8 (sensitivity of prison staff to the state of prisoners upon admission).
- <sup>95</sup> These may need to include vetting procedures of candidates, in particular in, but not limited to, post-conflict settings.
- <sup>96</sup> See also indicator 4.1.4 (effective control over the prison population).
- <sup>97</sup> See also indicator 2.5.10 (supervision by female officers during transfers).
- <sup>98</sup> See also the Bangkok Rules, rules 29 and 33-35.
- <sup>99</sup> *Ibid.*, rules 29 and 30.



# Annex

## **The use of anonymized questionnaires for prisoners in the course of inspections in England and Wales**

Her Majesty's Inspectorate of Prisons for England and Wales is an independent body and reports on conditions for and treatment of those in prison and other places of deprivation of liberty. In the course of its work, the Inspectorate also ensures due consideration is given to the perspective of prisoners by means of anonymized questionnaires given to randomly selected prisoners, a methodology of equal relevance for internal inspections. Simplified excerpts of the current questionnaire of the Inspectorate are reproduced below in order to inspire internal inspection mechanisms intending to use a similar methodology in the course of their work (a fully revised version will be released in the near future). The list of questions below does not constitute the complete questionnaire, nor is it tailored to the structure of the checklist. The complete version includes, for example, detailed answering options for each question which are ticked by the prisoners, thereby facilitating a consistent evaluation of the questionnaires according to common criteria. In the excerpt below such answering options are included only for those questions with particular illustrative value. Internal inspection mechanisms are therefore encouraged to develop their own questionnaires tailored to their particular national context, and to mainly rely on the questions below for illustrative purposes.

*Excerpts reproduced with the kind permission of Her Majesty's Inspectorate of Prisons following the UNODC Expert Group meeting on the Review of Guidance Material on the Nelson Mandela Rules, held in Vienna, Austria, on 9 and 10 February 2017.*

**About you**

1. How old are you?

2. Are you sentenced?

3. How long is your sentence?

4. Are you a foreign national?

5. Do you understand spoken English?

6. Do you understand written English?

7. What is your ethnic origin?

8. What is your religion?

9. Do you consider yourself to have a disability (i.e. do you need help with any long-term physical, mental or learning needs)?

10. Is this your first time in prison?

11. Do you have children under the age of 18?

### Courts, transfers and escorts

12. On your most recent journey here, how long did you spend in the van?

13. On your most recent journey here, were you offered anything to eat or drink?

14. On your most recent journey here, were you offered a toilet break?

15. On your most recent journey here, was the van clean?

16. On your most recent journey here, did you feel safe?

17. On your most recent journey here, how were you treated by the escort staff?

### Reception, first night and induction

18. How long were you in reception?

19. When you were searched, was this carried out in a respectful way?

20. Overall, how were you treated in reception?

21. Did you have any of the following problems when you first arrived here?

<i>Loss of property</i>	<input type="checkbox"/>	<i>Physical health</i>	<input type="checkbox"/>
<i>Housing problems</i>	<input type="checkbox"/>	<i>Mental health</i>	<input type="checkbox"/>
<i>Contacting employers</i>	<input type="checkbox"/>	<i>Needing protection from other prisoners</i>	<input type="checkbox"/>
<i>Contacting family</i>	<input type="checkbox"/>	<i>Getting phone numbers</i>	<input type="checkbox"/>
<i>Childcare</i>	<input type="checkbox"/>	<i>Other</i>	<input type="checkbox"/>
<i>Money worries</i>	<input type="checkbox"/>	<i>Did not have any problems</i>	<input type="checkbox"/>
<i>Feeling depressed or suicidal</i>	<input type="checkbox"/>		

22. Did you receive any help/support from staff in dealing with these problems when you first arrived here?

23. When you first arrived here, were you offered information on the following?

*What was going to happen to you*

*What support was available for people feeling depressed or suicidal*

*How to make routine requests (applications)*

*Your entitlement to visits*

*Health services*

*Chaplaincy*

*Not offered any information*

24. Did you feel safe on your first night here?

25. How soon after you arrived here did you receive an education assessment?

### Reception, first night and induction

26. How easy is it to:

	<i>Very easy</i>	<i>Easy</i>	<i>Neither</i>	<i>Difficult</i>	<i>Very difficult</i>	<i>Not applicable</i>
<i>Communicate with your legal adviser?</i>	<input type="checkbox"/>					
<i>Attend legal visits?</i>	<input type="checkbox"/>					

27. Have staff here ever opened letters from your legal adviser when you were not with them?

28. Can you get legal books in the library?

29. Please answer the following questions about the wing/unit you are currently living in:

	<i>Yes</i>	<i>No</i>	<i>Don't know</i>
<i>Do you normally have enough clean, suitable clothes for the week?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Are you normally able to have a shower every day?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Do you normally receive clean sheets every week?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	No	Don't know
<i>Do you normally get cell cleaning materials every week?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Is your cell call bell normally answered within five minutes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Is it normally quiet enough for you to be able to relax or sleep in your cell at night time?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>If you need to, can you normally get your stored property?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

30. What is the food like here?

31. Does the shop/canteen sell a wide enough range of goods to meet your needs?

32. Are your religious beliefs respected?

33. Are you able to speak to a chaplain of your faith in private if you want to?

34. How easy or difficult is it for you to attend religious services?

### Requests and complaints

35. Is it easy to make a request or complaint?

36. Please answer the following questions about requests and complaints:

	Not made one	Yes	No
<i>Are requests/complaints dealt with fairly?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Are requests/complaints dealt with quickly (within seven days)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

37. Have you ever been prevented from making a request/complaint when you wanted to?

38. How easy or difficult is it for you to see members of independent inspection mechanisms?

### Relationships with staff

39. Do most staff treat you with respect?

40. Is there a member of staff you can turn to for help if you have a problem?

41. Has a member of staff checked on you personally in the last week to see how you are getting on?

42. How often do staff normally speak to you during association?

### Safety

43. Have you ever felt unsafe here?

44. Do you feel unsafe now?

45. In which areas have you felt unsafe?

<i>Never felt unsafe</i>	<input type="checkbox"/>	<i>At meal times</i>	<input type="checkbox"/>
<i>Everywhere</i>	<input type="checkbox"/>	<i>At health services</i>	<input type="checkbox"/>
<i>Segregation unit</i>	<input type="checkbox"/>	<i>Visits area</i>	<input type="checkbox"/>
<i>Association areas</i>	<input type="checkbox"/>	<i>In wing showers</i>	<input type="checkbox"/>
<i>Reception area</i>	<input type="checkbox"/>	<i>In gym showers</i>	<input type="checkbox"/>
<i>At the gym</i>	<input type="checkbox"/>	<i>In corridors/stairwells</i>	<input type="checkbox"/>
<i>In an exercise yard</i>	<input type="checkbox"/>	<i>On your landing/wing</i>	<input type="checkbox"/>
<i>At work</i>	<input type="checkbox"/>	<i>In your cell</i>	<input type="checkbox"/>
<i>During movement</i>	<input type="checkbox"/>	<i>At religious services</i>	<input type="checkbox"/>
<i>At education</i>	<input type="checkbox"/>		

46. Have you been victimized by other prisoners here?

47. If yes, what did the incident(s) involve/what was it about?

- Insulting remarks (about you or your family or friends)*
- Physical abuse (being hit, kicked or assaulted)*
- Sexual abuse*
- Feeling threatened or intimidated*
- Having your canteen/property taken*
- Medication*
- Debt*
- Drugs*
- Your race or ethnic origin*
- Your religion/religious beliefs*
- Your nationality*
- You are from a different part of the country than others*
- You are from a traveller community*
- Your sexual orientation*
- Your age*
- You have a disability*
- You were new here*
- Your offence/crime*
- Gang-related issues*

48. Have you been victimized by staff here?

49. If yes, what did the incident(s) involve/what was it about?

- Insulting remarks (about you or your family or friends)*
- Physical abuse (being hit, kicked or assaulted)*
- Sexual abuse*
- Feeling threatened or intimidated*
- Having your canteen/property taken*
- Medication*
- Debt*
- Drugs*
- Your race or ethnic origin*
- Your religion/religious beliefs*
- Your nationality*
- You are from a different part of the country than others*
- You are from a traveller community*
- Your sexual orientation*

- Your age
- You have a disability
- You were new here

50. If you have been victimized by prisoners or staff, did you report it?

### Health services

51. How easy or difficult is it to see the following people?

	<i>Don't know</i>	<i>Very easy</i>	<i>Easy</i>	<i>Neither</i>	<i>Difficult</i>	<i>Very difficult</i>
<i>The doctor</i>	<input type="checkbox"/>					
<i>The nurse</i>	<input type="checkbox"/>					
<i>The dentist</i>	<input type="checkbox"/>					

52. What do you think of the quality of the health service from the following people?

	<i>Not been</i>	<i>Very good</i>	<i>Good</i>	<i>Neither</i>	<i>Bad</i>	<i>Very Bad</i>
<i>The doctor</i>	<input type="checkbox"/>					
<i>The nurse</i>	<input type="checkbox"/>					
<i>The dentist</i>	<input type="checkbox"/>					

53. What do you think of the overall quality of the health services here?

54. Are you currently taking medication?

55. Do you have any emotional or mental health problems?

56. Are you being helped/supported by anyone in this prison (e.g. a psychologist, psychiatrist, nurse, mental-health worker, counsellor or any other member of staff)?

### Drugs and alcohol

57. Did you have a problem with drugs when you came into this prison?



67. Are you currently involved in the following?

	<i>Not been involved</i>	<i>Yes</i>	<i>No</i>	<i>Don't know</i>
<i>Prison job</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Vocational or skills training</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Education (including basic skills)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Offending behaviour programmes</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

68. How often do you usually go to the library?

69. Does the library have a wide enough range of materials to meet your needs?

70. How many times do you usually go to the gym each week?

71. How many times do you usually go outside for exercise each week?

72. How many times do you usually have association each week?

73. How many hours do you usually spend out of your cell on a weekday?  
(Please include hours at education, at work etc.)

### Contact with family and friends

74. Have staff supported you and helped you to maintain contact with your family/friends while in this prison?

75. Have you had any problems with sending or receiving mail (letters or parcels)?

76. Have you had any problems getting access to the telephones?

77. How easy or difficult is it for your family and friends to get here?

### Preparation for release

78. Do you have a named offender manager (home probation officer) in the probation service?

79. What type of contact have you had with your offender manager since being in prison?

80. Do you have a sentence plan?

81. How involved were you in the development of your sentence plan?

82. Who is working with you to achieve your sentence plan targets?

- Do not have a sentence plan/not sentenced*
- Nobody*
- Offender supervisor*
- Offender manager*
- Named/personal officer*
- Staff from other departments*

83. Can you achieve any of your sentence plan targets in this prison?

84. Do you feel that any staff member has helped you to prepare for your release?

85. Do you know of anyone in this prison who can help you with the following on release?

	<i>Do not need help</i>	<i>Yes</i>	<i>No</i>
<i>Employment</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Accommodation</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Benefits</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Finances</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Education</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Drugs and alcohol</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

86. Have you done anything, or has anything happened to you here, that you think will make you less likely to offend in the future?







# UNODC

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