



Handbook for prisoner management and enhancing human rights in closed environment

Ensuring justice

Enhancing human rights protection
for detained and sentenced persons
in Bosnia and Herzegovina

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**HANDBOOK FOR PRISONER MANAGEMENT
AND ENHANCING HUMAN RIGHTS IN CLOSED
ENVIRONMENT**

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Foreword

This Handbook was prepared for the treatment and prison officers in Bosnia and Herzegovina within the framework of the European Union/Council of Europe Horizontal Facility for Western Balkans and Turkey I project “Enhancing human rights protection for detained and sentenced persons in Bosnia and Herzegovina”.

The purpose of Handbook and human rights standards contained herein is not to replace the good existing local practices but to complement and enrich them with recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). The CoE, as the implementing partner in the project, believes that this material will directly contribute to providing purposeful regime for detainees and sentenced prisoners all the while upholding their human rights and that it will also be a valuable complement to the institutional training framework on the treatment of prisoners in BiH.

The drafting team benefited also from the expertise of the Working Group member appointed by the Federation BiH Ministry of Justice (Ivo Jelušić).

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Notes

Some of the material used in this Handbook is based on the earlier prepared Training manuals on core and advanced competencies for prison officers and Guidelines for developing treatment programmes for vulnerable categories of prisoners.

The languages in which the material is drafted are Bosnian, Croatian and Serbian, in accordance with the individual preference of the authors.

All references to prison staff in this material refer equally to male and female officers.

The definitions offered in this material are not quotes from legal documents but definitions jointly agreed among the authors to serve the purposes of this Handbook.

Authors would like to thank the interpreters for their contribution in drafting of this text: Vojislav Boljanić and Emir Muhić.

Overview of international sentence management practices

Definitions of the concepts of treatment used in other prison jurisdictions vary and depending on the legal framework, international law and international best practice. However, there is a common understanding of two basic concepts that permeate the execution of prison sentences in all jurisdictions, regardless of geographic terms:

- Rehabilitation/Resocialisation is a process during which the prisoner adopts new attitudes and behavioural norms that are needed for a new social role (life in accordance with the law) after release from prison.
- Reintegration is the act or process of integrating of prisoners back into society after release from prison.

Specific treatment programmes are compiled for different prisoner categories, according to their vulnerability and specific needs (women, minors, persons with physical disabilities, persons with mental disorders, drug users, and so on), type of offence (perpetrators of crimes of sexual nature, violent extremists, etc.), risk to themselves and the environment (low, medium, high), and so on.

Prisoner sentence plans are formulated and coordinated with security needs in a prison establishment, needs for appropriate treatment, and with prisoners' requirements. They can be adjusted to suit different structural and cultural environments.

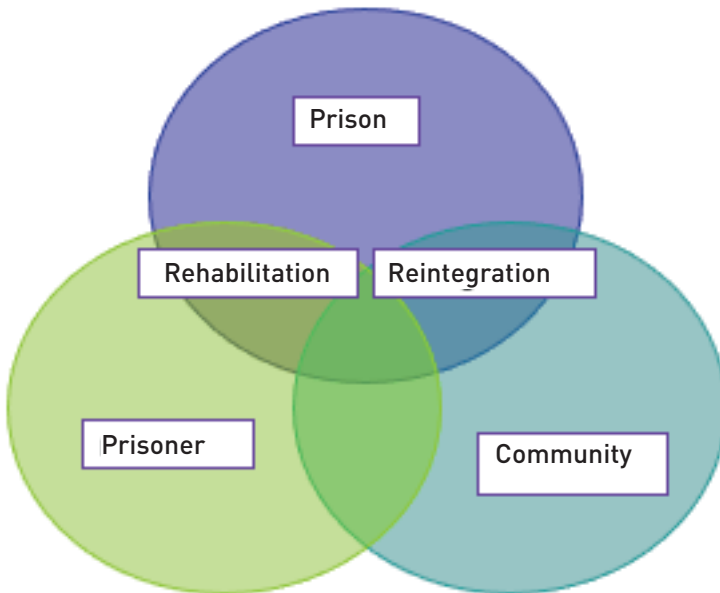
Prison jurisdictions in Bosnia and Herzegovina use the term individual treatment programme. This is formulated based on four key treatment principles: individualisation, assessment, non-segregation, and normalisation. It includes a set of measures taken by prison staff in order to change offensive behaviour.

Interventions focus on social and psychological processes to reduce one's affiliation and committing criminal acts to the extent that there is no longer a risk of committing an offence. Interventions achieve this by acting on the reasons motivating people to commit crimes, as well as attitudes, beliefs, and perceptions that encourage them to commit crimes. They should also provide opportunities to learn new skills and coping mechanisms. Interventions can be in the fields of education, vocational education, religious provision beliefs, psychological and cognitive intervention, creative, cultural, and recreational activities.

Prison jurisdictions in Bosnia and Herzegovina define intervention as a corrective influence by special programmes (emotion management programme, antisocial attitudes, social and communication skills, programme for users and addicts of psychoactive substances). These are planned and structured processes, designed to help prisoners refrain from perpetrating criminal offences in the future. They are always directed to respond to specific needs of each individual.

Integrated file management is described as a multi-disciplinary approach, aimed at the prisoner, work with the prisoner to obtain initial assessment, identifying needs, setting goals, programme of intervention and periodic checking and measurement of success. Adopting an integrated file management approach can make a significant contribution to the successful refraining from perpetrating criminal offenses in the future.

Prison jurisdictions in Bosnia and Herzegovina use the term prisoner treatment to describe an integrated file management process. This primarily represents a combination of work of treatment and security departments, as well as other departments (medical department, commercial and instruction department, and general department).



Definition of terms

Individualisation: A specific treatment programme is determined individually for each prisoner, with special attention paid to the needs and capabilities of vulnerable prisoners.

Assessment: Risk the prisoner poses to themselves and the environment is assessed, including other prisoners and prison staff, with an assessment of needs for each prisoner individually.

Non-segregation: This principle prohibits the separation of individuals within the group regardless of their crime. There must be no discrimination on any grounds (ethnic, racial, religious, etc.)

Normalisation: This principle stresses the need to keep vulnerable categories of prisoners in similar conditions under which persons with such special needs outside prison are treated. Individual treatment plan or procedure is a precisely defined, systematically organised and clearly worded action plan for performing penological treatment of any prisoner during imprisonment¹.

Educator/treatment officer is an employee of rehabilitation/treatment department, who constitutes an individual treatment plan (in close collaboration with a multidisciplinary prison team), and is the leader and coordinator of all activities related to the implementation of penological treatment in prison. In addition to drawing up the plan, their task is to plan, implement, evaluate, periodically analyse, and, if necessary, revise the individual treatment plan.

Multidisciplinary approach to treatment allows for simultaneous action of different educational influences of all participants in the process of prisoner resocialisation. For this purpose, multi-disciplinary teams of individual experts are formed: treatment department (assistant director, head of admission and release department, psychologist, pedagogue, special pedagogue, treatment officer, social worker), security department (assistant director, supervisor/sergeant), commercial and instruction department (managers and instructors), and medical department (doctor or medical technician).

The term prisoner for purposes of this document includes the terms detainee, prisoner, and convicted person serving prison sentence.

¹ More instructions on dealing with general prison population and vulnerable prisoners are in Guidelines on basic and enhanced skills of prison officers with operational procedures in Bosnia and Herzegovina

The purpose of Handbook and human rights standards contained herein is not to replace the good existing local practices but to complement and enrich them with recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). The Council of Europe, as the project implementer, believes that this material will directly contribute to ensuring a meaningful regime for detainees and convicted prisoners with the best possible respect for human rights, but will also be a valuable contribution to institutional training on prisoner treatment in BiH.

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