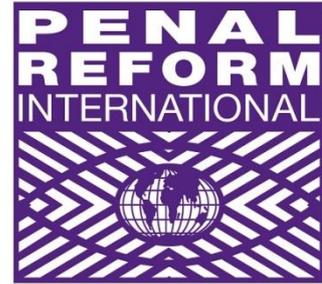


Penal Reform International Strategic Plan

2015–2020



Vision

Fair, effective and proportionate criminal justice systems worldwide that are non-discriminatory and respect the rights of disadvantaged people.

Mission

We promote safe and secure societies where offenders are held to account, victims' rights are recognised, sentences are proportionate and the primary purpose of prison is social rehabilitation not retribution.

Values

We believe:

- That implementation of internationally agreed standards protects the rights of men, women and child suspects, defendants and convicted offenders, especially prisoners.
- That these standards are universal but should be implemented to provide culturally and socially appropriate solutions in each country.
- That a gender perspective must be applied to ensure the needs of women and girls within the criminal justice system are recognized and respected.
- That particularly vulnerable groups within the criminal justice system require special provision to meet their needs.
- That the death penalty is unacceptable in all circumstances and should be abolished and replaced with a humane alternative.
- That all our interventions should seek to 'do no harm'. We risk assess our work to minimise the potential for inadvertent harm or adverse consequences, particularly when engaging with prisoners and their families.
- That sustained economic development should be based on the rule of law and on access to justice, so that all people, including those who are marginalised, can benefit from development.

The way we work

Penal Reform International (PRI) is an international, independent non-governmental organisation (NGO). We do not accept funds where this would threaten our autonomy or distort our expert assessment of what is needed. We work as a catalyst for systemic change through a mix of advocacy and practical programmes for reform. We use our consultative status at the United Nations and other bodies to provide technical assistance and offer our

expertise and experience. Our work is evidence-based and targeted to the needs of specific beneficiary groups.

We work in partnership with intergovernmental, governmental and non-governmental bodies, joining forces to strengthen our voice or providing technical assistance to develop partners' skills and knowledge. We support the role of civil society in promoting criminal justice reforms at the level of legislation, policy and practice.

We aim to provide value for money for our funders through efficient and effective use of resources.

We have developed a **Theory of Change** setting out how we aim to bring about systemic change. The first step is to develop an evidence base to demonstrate the need for change and to advocate for reform at the international, regional or national level. Where there is a political will to change we provide technical assistance so that legislation and penal policy will enable it to happen; we seek to build awareness and public support for the change, working with civil society and other organisations. We provide training and information resources to develop the skills and capacity of those implementing reform. And we seek to learn the lessons from the results in order to spread good practice and knowledge.

Innovation

We aim to be the global leader in the field of penal reform by:

1. Identifying trends in criminal justice and penal policy and proposing integrated solutions to problems;
2. Testing these in practice and learning from experience;
3. Developing new policies, information and training resources to promote reform;
4. Sharing our learning and that of others to establish fair and humane justice systems.

The context in which we work

In drawing up our plan, we sought comments from a wide range of stakeholders, including PRI partners, and relied on expert input from the many independent experts we use in the course of our activities. In particular, we drew on the findings of our report on *The Use and Practice of Imprisonment: Current Trends and Future Challenges* (available at www.penalreform.org). This examines global rates of imprisonment; sentencing policy, and the impact of imprisonment on some particularly vulnerable groups of people in detention. It shows that although the total number of people in detention has increased almost everywhere over the last 20 years, there is a great deal of regional variation. However, this increase in prison population does not necessarily reflect an increase in crime. Indeed, the relationship between the use of imprisonment and serious crime is not straightforward and most research indicates no clear link between the two.

Latest data from the UN shows a slight decrease in the rate of people held in pre-trial detention worldwide between 2004 and 2012 (down from 30% to 27%). There is an increasing recognition of the importance of legal aid in reducing the rate of pre-trial detention and improving trial procedures and implementation of the UN Principles and Guidelines to

Access to legal aid in criminal cases should bring about a further reduction in the use of pre-trial detention.

Many countries have seen an increase in the numbers serving life and long-term imprisonment. Zero tolerance policies have contributed to this development. The 'war on drugs' is a driver of lengthy prison sentences, and a 2013 UNODC study suggests that drug possession offences (which are the least serious offences) constitute 8 out of 10 drug-related offences. The report recommends that drug use should be treated as a public health rather than a criminal justice problem.

There are some global trends in terms of the nature of the prison population. The number of women prisoners as a proportion of the total prison population has increased (up to 6.5% of the world's prisoners as compared to 5.3% in 2000). Women offenders are often convicted of petty crimes linked to poverty – theft, fraud and drug-related offences. Only a small minority are convicted of violent offences – and a large majority of these have themselves been the victims of violence. Also on the increase are the numbers of foreign prisoners, who are at high risk of being remanded in detention.

One positive recent change is that the rate of children held in prisons decreased from 53 to 42 per 100,000 children between 2006 and 2011. However, on the other hand, evidence suggests that a number of states are reducing the minimum age of criminal responsibility, resulting in the criminalisation of more - and younger - children.

The report also refers to changes in prison management. These include transferring responsibility for prisons to the Ministry of Justice (from the Ministry of Interior or military authorities); and for the Ministry of Health to take responsibility for prisoners' health care rather than the prison service.

Over the past few years there has been increasing interest in the role of technology in penal policy. It brings some advantages but also carries some risks as opportunities for improving conditions can also lead to human contact being replaced by remote monitoring systems that increase prisoners' sense of isolation.

In many countries, the cost of keeping people in prison is very high (financially and socially) and in some countries the increasing cost has led to a re-examination of the costs and benefits of imprisonment rather than alternative community-based sanctions. But whatever resources are available, ultimately, a country's penal policy reflects the political decisions of the government of the day. Some adopt a punitive approach, while others are more willing to focus on rehabilitation and reintegration programmes.

In 2014, we celebrated our 25th anniversary. Looking back, we can see that much progress has been made - for example there has been a move towards abolition of the death penalty in many countries. A number of countries have ratified the Optional Protocol to the Convention against Torture, setting up preventive monitoring mechanisms to reduce the incidence of abuse and ill-treatment of prisoners. There is greater use of alternatives to detention through probation and community service orders.

However, many problems remain largely unchanged. There are currently over 10 million men, women and children in prison around the world, a large proportion of whom are imprisoned for minor, non-violent offences. Most come from the poorest and most marginalised sections of society, vulnerable because of age, gender, race, nationality, ethnicity, class or by reason of mental illness or disability. Around one third of these people are in detention awaiting trial – sometimes for years. While legally presumed innocent, in practice they are often living in unhealthy conditions and, lacking access to legal aid, with little hope of a fair trial. Torture remains prevalent in many countries and we remain committed to its reduction and prevention.

The over-use of imprisonment comes with high (and sometimes hidden) costs. There is little evidence that imprisonment has a deterrent effect – indeed, the evidence shows that community sentences are more effective in reducing re-offending than short prison sentences. However, the impact of even a relatively short term of imprisonment can be devastating for the prisoner, their families and the community. Prisoners around the world are often kept in insanitary and overcrowded conditions and the spread of TB, HIV and AIDS is very significantly higher than for the general population. This unavoidably affects the wider community when prisoners are released, as most will be. Families are directly affected by the loss of the main earner or caregiver and children of prisoners suffer from the loss of their parent and potential break-up of the home and family. Unless there are rehabilitation and reintegration programmes to prepare and support prisoners before and after release, they will return to the same situation that led to the crime in the first place.

Outcomes

Through implementation of our strategic plan at international, regional and national levels, we will make progress towards a fair and proportionate system of justice. The outcomes set out below provide a range of options for action which will vary from country to country according to local need and funding available at any one time. They will be realised through advocacy initiatives, practical programmes and projects delivered through PRI offices or with local partners.

Outcome 1

A criminal justice system that respects the rule of law, upholds the rights of suspects and defendants and prevents the unnecessary use of pre-trial detention.

To achieve this outcome we will work with partners and others to:

- Advocate for pre-trial justice through increased use of bail and other non-custodial measures to reduce the use of pre-trial detention
- Promote implementation of the UN Principles and Guidelines for legal aid in criminal justice systems.
- Divert minor offenders away from the formal justice system at the initial stages of the criminal justice process; through increased use of warnings, cautions, mediation and restorative justice.
- Promote public and social health solutions to crime.

- Support measures to improve criminal justice procedures so that cases are prepared for hearing without undue delay and with respect for the defendants' rights to a fair trial.
- Promote independent monitoring of all places of pre-trial detention, including police stations, to prevent torture and ill-treatment.
- Respect the rights of vulnerable groups including foreign nationals and people with mental illness who face particular difficulties in understanding and enforcing their rights.
- Apply a gender perspective and implement the provisions of the Bangkok Rules relating to women and girls in the criminal justice system.
- Respect the rights of children by developing child-friendly justice systems that comply with international standards relating to children.

Outcome 2

Fair and proportionate sentencing that takes account of the circumstances of both the offence and offender.

To achieve this outcome we will work with partners and others to:

- Reduce the unnecessary use of imprisonment for minor or non-violent offenders by promoting non-custodial sanctions.
- Implement practical programmes to establish and develop probation systems and community service sanctions.
- Promote the use of sanctions including restriction of liberty and electronic monitoring as part of a programme of support and supervision for offenders.
- Restrict the application of mandatory sentences.
- Advocate for the abolition of the death penalty and replacement with a humane alternative that allows for a review.
- Help review and amend legislation and criminal codes to reduce the over-use of imprisonment and provide for early release schemes.
- Promote sentencing policy and practice that takes account of the interests of dependent children when determining the appropriate sentence.
- Apply a gender perspective to take account of the relevant Bangkok Rules with regard to sentencing options relating to women.
- Disseminate information about good practice models through international advocacy, media and website resources
- Recognize the needs of vulnerable people and take these into account for In determining an appropriate sanction.
- Respect the rights of child offenders by ensuring that detention is only used as a measure of last resort and for the shortest possible time.

Outcome 3

Humane treatment and conditions for prisoners and prevention of torture in all places of detention.

To achieve this outcome we will work with partners and others to:

- Reduce overcrowding in prisons, particularly through increased use of diversion and community-based sanctions.
- Advocate for conditions in prison that meet the current standards in the Standard Minimum Rules (SMR) for the treatment of prisoners and other relevant international and regional standards.
- Advocate for a targeted revision of the SMR to improve standards in specified areas and implementation of the revised standards.
- Promote safety and security in places of detention for staff as well as prisoners.
- Prevent and reduce punitive treatment and conditions for death row prisoners.
- Promote accountability, good governance and transparency in penal and corrections systems and institutions.
- Advocate for states to establish independent and effective external monitoring bodies, including preventive monitoring mechanisms; and provide training for their members.
- Promote and develop effective complaints systems for people in detention.
- Help to develop professional prison and corrections services, through accountability, skill development and training.
- Implement the provisions of the Bangkok Rules for women offenders.
- Respect the needs of particularly vulnerable groups in detention through the provision of healthcare, psychosocial support or other interventions as appropriate.
- Encourage the involvement of civil society in the provision of services and support to prisoners.
- Respect the rights of children held in detention through implementing the relevant international standards.

Outcome 4

Safer communities through rehabilitation, reintegration interventions and interventions to reduce re-offending.

To achieve this outcome we will work with partners and others to:

- Promote an integrated and holistic approach to rehabilitation that starts from the sentencing stage, providing plans for each individual offender.
- Provide education, healthcare treatment (as needed) and vocational training to prepare prisoners for release.
- Encourage contact between offenders and their families, unless this is against the offender's interests.
- Promote restorative justice procedures to hold offenders accountable for their actions and recognise the rights of and harm done to victims.
- Promote and support early release schemes that provide support to offenders to reduce the risk of re-offending.
- Support the use of electronic monitoring provision that plays a part in the supervision of offenders, not as a substitute for this or as a net-widening exercise.
- Promote the use of bail and probation hostels, half-way houses and continuity of medical/psychiatric treatment or programmes to provide ongoing support for offenders.

- Implement the provisions of the Bangkok Rules for women offenders.
- Encourage the involvement of civil society in supporting offenders to reintegrate successfully into the community.
- Respect the rights of children to all appropriate measures of support during and after detention.

Implementation of the Plan

These activities offer a range of possible interventions to achieve the above outcomes. It will not be practicable to implement them in all countries or at all times. What the plan does is to provide options for interventions that will be taken forward where and when the opportunity arises. It provides direction for our fundraising initiatives and ensures that our activities are proactively co-ordinated towards specific outcomes.

Operational plans will set out how progress towards the outcomes will be achieved in any year, matching resources to the needs of our target beneficiaries in the criminal justice and penal systems.

Monitoring, evaluation and learning

Over the past year we have developed a new system for monitoring and evaluation and this will be fully implemented over the next 12 months. An organisation-wide plan for monitoring outcomes and outputs against measurable indicators is being finalised. It will be incorporated into our operational planning process to enable us to demonstrate the extent to which progress towards the outcomes is achieved and the impact of our work. An increased focus on organisational learning and development will improve our effectiveness and efficiency. Evaluations enable us to identify lessons learnt and apply them; where possible, our programme budgets will include provision for independent evaluations to demonstrate this commitment. We aim to share the experience and learning from evaluations with others.

Where we work

Offices

We currently have five offices. The head office is based in the United Kingdom, which leads and co-ordinates international advocacy; policy and programme development; fundraising; website and information resources; monitoring and evaluation functions. It also provides overall governance, personnel, financial and administrative functions.

We have four regional offices: Our Central Asia office is based in Astana, Kazakhstan. Practical programmes of reform and advocacy activities are carried out in Kazakhstan, Kyrgyzstan and Tajikistan. Our South Caucasus office is based in Tblisi, Georgia, and works in Armenia and Azerbaijan as well as Georgia. Our Moscow office covers work in Belarus, Russia and Ukraine. Our Middle East and North Africa office works over a number of countries of the region, including Algeria, Egypt, Jordan, Morocco, Tunisia and Yemen.

In the increasingly challenging funding climate, we have no plans to extend the number of regional offices. However, there may be situations where it is more effective for us to employ

PRI staff in local offices in order to deliver our projects most efficiently. For example, if we expand our work in Yemen, we plan to locate PRI project staff in our NGO partner office there. Similarly, we plan to open a small project office in Tajikistan to implement an ongoing project there.

Partners

We also work with and through local partners in a number of other countries. Over the past few years, with support from UK Aid, we have re-established contact with NGO and professional partners in East Africa (Kenya, Tanzania and Uganda) and in South Asia (Bangladesh, India and Pakistan). Over the next planning period we aim to continue, strengthen and expand our partnership working with other NGOs and there may be good strategic reasons to expand our projects into new countries in this way, for example for safer working in post-conflict countries.

We will continue to maintain and build on our extensive network of national and international experts, alliances and like-minded organisations. This has strengthened our work on specific themes – such as abolition of the death penalty, torture prevention, revision of the SMR, child-friendly justice and support for women offenders.

In 2014 we established links with the Interdisciplinary Centre for Criminological and Prison-related Studies in Chile and will continue to share information and experience with them.

Funding

With the exception of two core grants, our income comes from grants by institutional donors for specific projects and programmes. Inevitably this limits our ability to be proactive and flexible as we compete for funds with other NGOs.

We seek to diversify our funding streams and in parallel with this strategic plan a fundraising strategy has been developed, seeking to broaden the base for funding to provide future sustainability. But the funding environment is a challenging one and restricts our capacity to control implementation of our strategic plan. By defining our plan as an integrated set of options, we will be able to make progress towards outcomes in a way that will be co-ordinated and maximises the use of limited resources.

The post-2015 UN development goals

We expect the post-2015 development goals will impact on the funding environment. At this time, new goals under discussion include:

- 'good governance and effective institutions'; and
- 'stable and peaceful societies'.

When the post-2015 development goals are agreed, we will review this strategic plan to assess how best we can contribute to achievement of the new goals and seek funding to support this.

Revised 16 December 2014