



Natural hazards and prisons

Protecting human rights of people in prison in disaster prevention,
response and recovery



A guide to disaster risk reduction for prisons

Natural hazards and prisons: Protecting human rights of people in prison in disaster prevention, response and recovery

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Note on language: This guide uses the term people in prison and detainees to refer to people serving custodial sentences as well as people held in pre-trial detention.

Introduction

People in prison are among the most vulnerable to suffering from the negative effects of natural hazards, including extreme weather and climate change. Despite international and national momentum in many countries towards increasing and improving disaster risk reduction (DRR), the application of DRR in prison systems is often not a primary concern. Across the world, governments and states have policies, procedures and guidance on DRR, addressing vulnerabilities in their countries, but these rarely include mention of prisons or address the specific needs and circumstances of prisons and people in prison. In recent years people in prison and staff have been injured, sometimes fatally, because of damage and destruction caused by natural hazards, exacerbated by inadequate preparations, plans or steps taken by prison authorities to ensure their safety.

There is an increasing number of people in prisons accommodated in facilities that are vulnerable to natural hazards. According to data from the INFORM Risk Index cross-referenced with national prison population data from the World Prison Brief, almost 30 per cent (3,167,816 people) of the global prison population lives in the 12 countries most exposed to natural hazards.¹ For example, in Peru half of the country's prisons are located in areas that registered at least 301 disasters in 2018 constituting over 50 per cent of emergencies.²

Lack of proper emergency and disaster reduction plans have left prison management and staff ill-equipped to respond effectively and lacking the resources to manage or evacuate prison populations safely. The increasing threat of natural hazards has also provoked panic and unrest within prisons, with people fearing for their own lives and the safety of their families, sometimes resulting in protests and prison escapes. The safety of prison staff is also at risk when there is no emergency response plan, and prison staff may leave the prison for their own safety and for the safety and protection of their families.

People in prison are largely dependent on prison staff to ensure their health and safety during disasters. Unlike people in the community, they cannot make their own decisions to evacuate to safer areas or to stock up on basic supplies.



Their inherent vulnerability is heightened when prisons are overcrowded, poorly constructed or lacking adequate sanitation – a situation faced in a majority of countries. Older persons, people with disabilities, those with physical and mental health needs, pregnant women and breastfeeding mothers have unique unmet needs. People in prison are also not prioritised for responses including evacuation and the provision of resources due to stigma.

Where there are DRR plans in prison, they too often focus on immediate emergency response and prioritise security over human rights, with little consideration of the impact on individuals' rights including health and well-being or the safeguards that need to be in place in the event of a natural hazard.

Prison DRR plans should be based on international standards and best practice, and should be designed according to the local situation and informed by a risk analysis and knowledge of DRR measures which are appropriate and responsive to that context. It is essential to improve existing contingency plans and design new contingency measures to prepare for and manage any natural hazard including evolving or new identified risks and changes to the environment. Contingency plans and measures are also a key indicator of an effective prison regime. Prisons are part of society and the local community and, therefore, must be included in any response plan by local government as well as by humanitarian aid organisations.

1. Calculated with data from the World Prison Brief database available at: 'Highest to Lowest - Prison Population Total', World Prison Brief Database (Institute for Crime & Justice Policy Research), www.prisonstudies.org/highest-to-lowest/prison-populationtotal?field_region_taxonomy_tid=All [accessed on 1 November 2021]; INFORM Risk Index 2022 available at DRMKC - INFORM drmkc.jrc.ec.europa.eu/inform-index.

2. Based on data from INPE, Informe estadístico (Diciembre 2020), INPE/Unidad de Estadística and INDECI (2019). Compendio Estadístico del INDECI 2019 en la Preparación, Respuesta y Rehabilitación de la GRD. Lima: INDECI.

It is important to note that what works in one prison may not necessarily work in another (even in the same country) due to different standards of infrastructure, prison populations and their culture, resourcing, governance, management and staff culture.

This guide is informed by primary and desk research undertaken in the United States of America (US), Peru, the Philippines, New Zealand and Indonesia, as well as consultations with subject matter experts around the world. Other sources of information include analysis of publicly available documents on DRR.

Purpose of this guide

This guide will help to address the gap in the lack of information and guidance available on DRR for prisons. It seeks to guide prison management, prison staff and government agencies, including emergency management departments, policymakers, local or regional government authorities, civil society, non-governmental organisations (NGOs) and other stakeholders that may be involved in planning, mitigation, management or recovery from an emergency or disaster associated with a natural hazard impacting prison facilities, using a human rights-based approach to DRR.

This publication provides guidance for the management of disasters associated with natural hazards either within or in the proximity of a prison, which may affect the human rights, safety and well-being of people detained or working in the prison. It offers practical solutions on how prison management can improve their efforts in DRR. The suggested measures are management and operational processes which can be introduced by prison administrators within existing budgets or with little additional cost.

While the guide recognises different country contexts, taking into account location-specific challenges, including financial and resource challenges and culture and traditions of the prison system, it aims to present recommendations that can be adopted and adapted to suit any jurisdiction. The guide also draws on disaster management models developed by multilateral institutions and adapts their recommendations to the prison context to ensure consistency of practice and approach.

Good practices identified found during the research have been shared for the benefit of the user of this guide and the recommendations are intended to provide guidance for the development of new or improved DRR strategies.

Definitions

Natural hazards

Natural hazards are natural processes and phenomena which could be potentially damaging or harmful to people, property and the environment. For the purposes of this guide, they include the following types of hazards:

1. Environmental

These may include chemical, natural and biological hazards, many of which are drivers of hazard rather than hazards themselves. They include soil degradation, deforestation and sea-level rise.

2. Geological or geophysical

Including earthquakes, volcanic activity and related processes such as landslides, surface collapses and mud flows.

3. Hydrometeorological

Including tropical cyclones (also known as typhoons and hurricanes); floods, including flash floods; drought; heatwaves and cold spells; and coastal storm surges.³

Disaster

A serious disruption of the functioning of a community or a society at any scale due to hazardous events interacting with conditions of exposure, vulnerability and capacity, leading to one or more of the following: human, material, economic and environmental losses and impacts.⁴

Disaster risk

The potential loss of life, injury, or destroyed or damaged assets which could occur to a system, society or a community in a specific period of time, determined probabilistically as a function of hazard, exposure, vulnerability and capacity.⁵ For the purpose of this guide, a disaster risk is any process that could prevent the achievement of a prison's objectives of preservation of life, safeguarding human rights, rehabilitation and reintegration, maintaining security and protecting the public.

Disaster risk reduction

The development and application of policies and strategies to prevent new disaster risk, reduce existing disaster risk and manage residual risk, contributing to the strengthening of resilience and reduction of disaster losses.⁶

3. UNDRR Terminology: Hazard last accessed 29 September 2021 www.undrr.org/terminology/hazard.

4. UNDRR Terminology: Disaster last accessed 29 September 2021 www.undrr.org/terminology/disaster.

5. UNDRR Terminology: Disaster risk last accessed 29 September 2021 www.undrr.org/terminology/disaster-risk.

6. UNDRR Terminology: Disaster risk management last accessed 29 September 2021 www.undrr.org/terminology/disaster-risk-management.

Impact of disasters on people in prison

Natural hazards can have a devastating impact on the human rights of people in prison, including their health, well-being and safety. The effects can sometimes last longer than the initial disaster. Natural hazards also impact the safety, health and well-being of prison staff and the ability to do their jobs safely.

The following examples from around the world demonstrate the scale and impact of disasters on staff and those in the care of these systems.

Albania

The earthquake in Albania in 2019 caused damage to two buildings at Shen Koll prison in Lezha which had a capacity of 300 detainees. More than 260 pre-trial detainees and those serving sentences were transferred to Shkoder prison around 40 km away, resulting in problems of overcrowding and a shortage of resources.

France

In the summer of 2019, a heat wave causing temperatures to exceed 45° Celsius impacted more than 71,000 detainees across 187 French prisons. After people in prison complained about difficulties in obtaining fans and bottled water and tensions caused by excessive temperatures in overcrowded cells, the country's National Preventive Mechanism (NPM) recommended immediate action. The prison administration agreed to assess the possibility of developing an alert system, and prisons also reported that action was being taken to respond to high temperatures.⁷

Mozambique

In 2019, Cyclone Idai hit Mozambique and resulted in people needing to be transferred from prisons in heavily affected areas to safer places. Four of the seven prisons in Sofala province were heavily damaged by the cyclone, including in Buzi where around 40 detainees and prison staff were trapped on the roof, without food and water. Many of the detainees had no news of their families and loved ones.⁸ There was also damage to prison infrastructure, equipment, furniture, archives and various crops and animals.⁹

DISASTERS AFFECTING PRISONS AROUND THE WORLD: AFRICA & EUROPE

FRANCE
2019
Heatwave

ALBANIA
2019
Earthquake



MOZAMBIQUE
2019
Cyclone

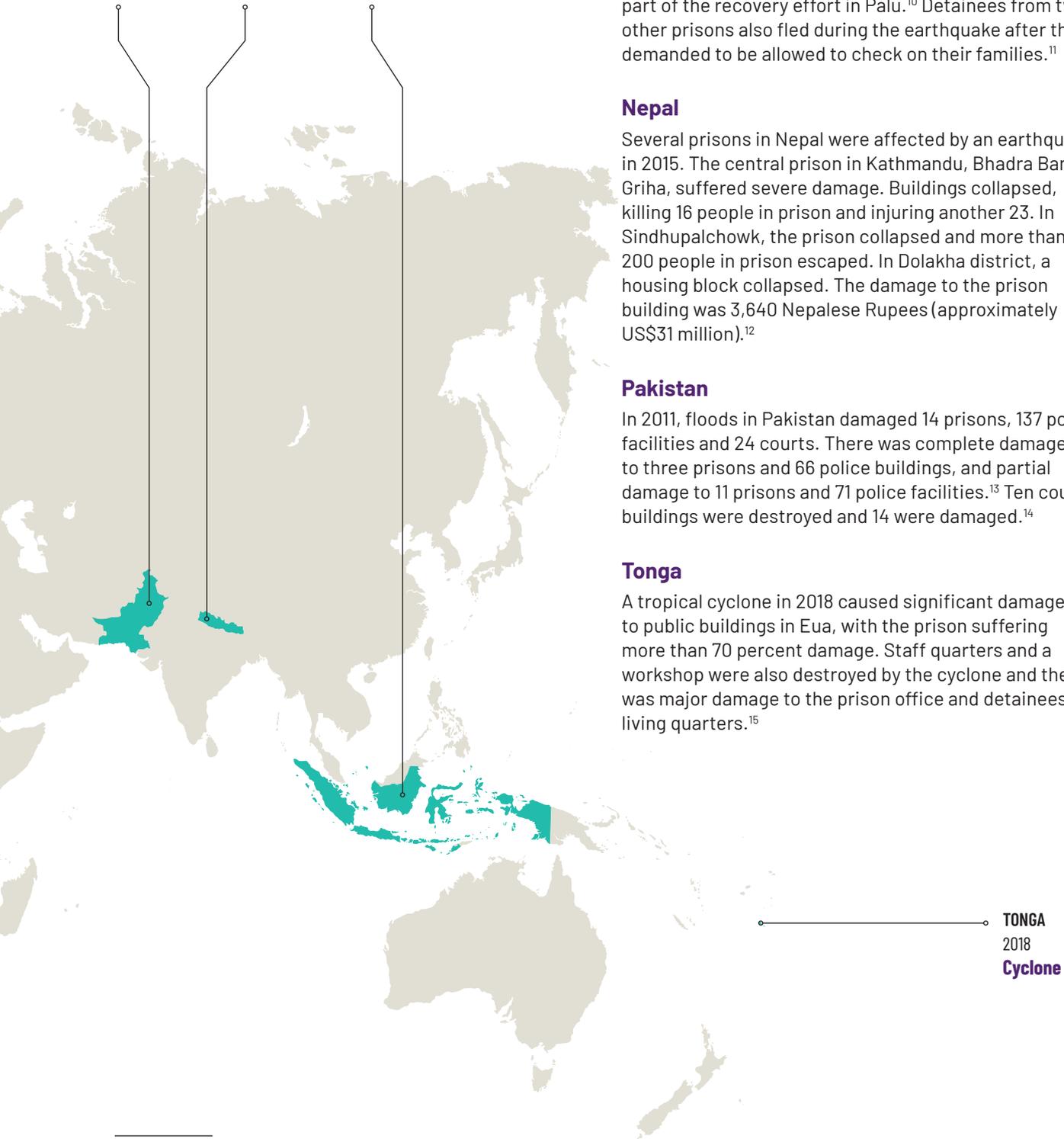
7. Le Contrôleur Général des Lieux de Privation de Liberté *Annual Report 2019*, p. 125.

8. Operational update on Cyclone Idai: Assistance for separated families, deep concern for rural villages, ICRC, 22 March 2019 www.icrc.org/en/document/operational-update-cyclone-idai-assistance-separated-families-deep-concern-rural-villages.

9. Post-Cyclone Idai Cabinet for Reconstruction, *Mozambique Cyclone Idai Post Disaster Needs Assessment*, Government of Mozambique, May 2019, p. 148.

**DISASTERS AFFECTING PRISONS AROUND THE WORLD:
ASIA & OCEANIA**

PAKISTAN 2011 Flooding	NEPAL 2015 Earthquake	INDONESIA 2018 Earthquake
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Indonesia

During the 2018 earthquake on the island of Sulawesi, detainees at a prison in the city of Palu were released by the warden after a tsunami warning was issued. Out of the 500 individuals released, 105 did not return. Many of those who returned to the prison volunteered to be part of the recovery effort in Palu.¹⁰ Detainees from two other prisons also fled during the earthquake after they demanded to be allowed to check on their families.¹¹

Nepal

Several prisons in Nepal were affected by an earthquake in 2015. The central prison in Kathmandu, Bhadra Bandi Griha, suffered severe damage. Buildings collapsed, killing 16 people in prison and injuring another 23. In Sindhupalchowk, the prison collapsed and more than 200 people in prison escaped. In Dolakha district, a housing block collapsed. The damage to the prison building was 3,640 Nepalese Rupees (approximately US\$31 million).¹²

Pakistan

In 2011, floods in Pakistan damaged 14 prisons, 137 police facilities and 24 courts. There was complete damage to three prisons and 66 police buildings, and partial damage to 11 prisons and 71 police facilities.¹³ Ten court buildings were destroyed and 14 were damaged.¹⁴

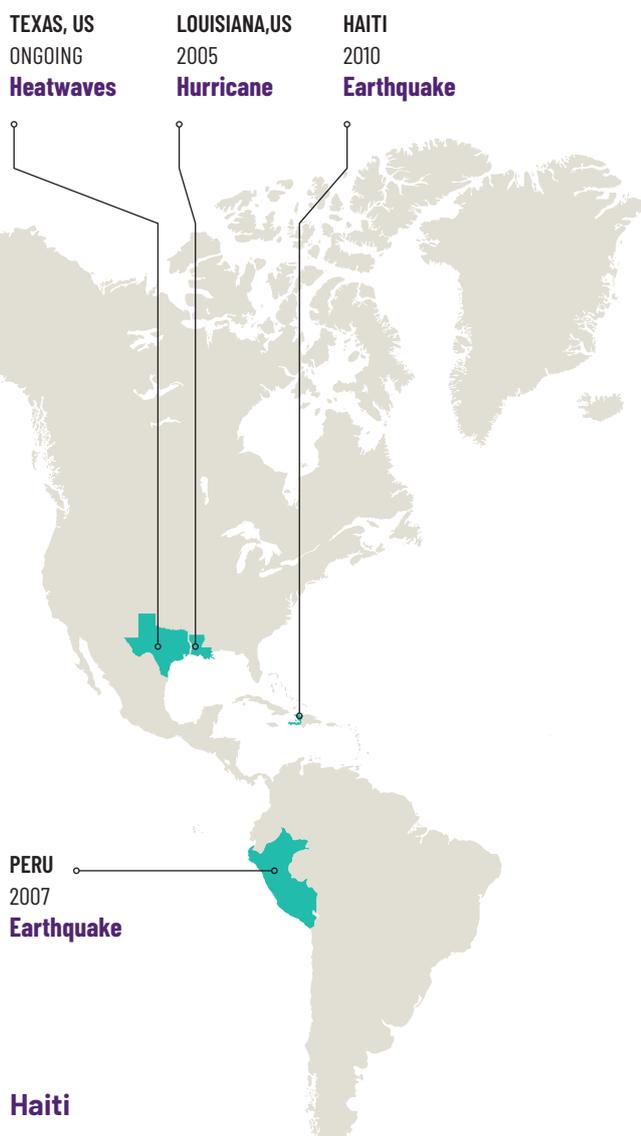
Tonga

A tropical cyclone in 2018 caused significant damage to public buildings in Eua, with the prison suffering more than 70 percent damage. Staff quarters and a workshop were also destroyed by the cyclone and there was major damage to the prison office and detainees' living quarters.¹⁵

TONGA
2018
Cyclone

10. 'Palu quake provides a shot at redemption for Indonesian prisoners', *Channel Asia News*, 28 September 2019 www.channelnewsasia.com/asia/indonesia-palu-quake-prisoners-inmates-volunteer-help-victims-858031.
 11. 'Sulawesi quake: Indonesia confirms multiple mass prison breaks in quake-tsunami zone' *The Straits Times*, updated 5 October 2018, www.straitstimes.com/asia/se-asia/indonesia-confirms-multiple-mass-prison-breaks-in-quake-tsunami-zone.
 12. National Planning Commission, *Nepal Earthquake 2015 Post Disaster Needs Assessment - Vol. B : Sector Reports*, Government of Nepal, 2015, p. 263.
 13. Asian Development Bank and World Bank, *Pakistan Floods: Preliminary Damage and Needs Assessment*, 2011, p. 35.
 14. *Ibid.* p. 150.
 15. Government of Tonga, *Post-disaster Rapid Assessment: Tropical Cyclone Gita*, February 2018, p. 93.

DISASTERS AFFECTING PRISONS AROUND THE WORLD: THE AMERICAS



Haiti

During the 2010 earthquake, Les Cayes prison in Haiti suffered damage and many detainees escaped.¹⁶ Detainees reportedly damaged facilities and destroyed records, and a number were killed in the violence and shootings by police. The earthquake damage also reduced cell space and led to even poorer conditions than before.¹⁷

Louisiana, US

During Hurricane Katrina in 2005, thousands of men, women and children held in prison at the Orleans Parish Prison (OPP) were abandoned by prison officers and left locked in their cells with rising water levels and without food, water or ventilation; they had to break windows to get air.¹⁸ An explicit decision was made in the lead up to the hurricane not to evacuate the prison.¹⁹ Shortly before the hurricane, another 2,000 detainees were transferred to OPP because it was thought to be a strong enough building to withstand the storm.²⁰ The eventual evacuation was slow. Detainees were taken to a highway overpass in the city by boat where they spent two days before being taken to other prisons around the state.²¹

Texas, US

Many prisons lack air conditioning and can reach up to 50° Celsius during summer heatwaves, leading to heat-related deaths and other adverse health conditions. In response to litigation in 2011 and a federal court order,²² the Texas Department of Criminal Justice is putting policies in place to mitigate exposure to extreme heat.²³ Some heat sensitive individuals are being moved to air-conditioned prisons and transferred to converted solitary confinement cells (so called “cool beds”).²⁴ These individuals leave their current regime and may not be able to access the rehabilitative or educational classes or activities they were attending. Moreover, they are at increased risk of abuse and violence because the officers who manage these cells are trained to deal with people in solitary confinement.

Peru

The Pisco earthquake of 15 August 2007 resulted in the walls and ceilings of Tambo de Mora prison in Chincha collapsing and muddy water flooding prison cells. The prison had been built in the coastal desert on sandy soil, not fit to withstand an earthquake. Over 600 detainees fled the prison in fear for their lives and to see their families.²⁵ By the end of August, the Peruvian authorities had managed to find 242 detainees who had escaped, some were re-arrested and some surrendered voluntarily. They were then relocated to prisons in other parts of the country.²⁶

16. UN Human Rights Council, *Report of the independent expert on the situation of human rights in Haiti, Michel Forst A/HRC/14/44/Add.*, 31 May 2010.

17. Human Rights Watch, *World Report 2011: Haiti*, www.hrw.org/world-report/2011/country-chapters/haiti#51206f.

18. American Civil Liberties Union *Abandoned and Abused* 2006 p. 9 www.aclu.org/sites/default/files/field_document/oppreport20060809.pdf.

19. *Ibid.* p. 19.

20. The Urban Institute ‘After Katrina: Washed Away? Justice in New Orleans’ August 2007 p. 6.

21. American Civil Liberties Union *Abandoned and Abused* 2006 p. 65 www.aclu.org/sites/default/files/field_document/oppreport20060809.pdf.

22. After a 2011 lawsuit brought against the Texas Department of Criminal Justice to regulate temperatures in its prisons, temperatures now must be regulated to below 31 degrees Celsius for those who are heat sensitive (older people, people with disabilities, those taking medication which disrupts the body’s ability to regulate its own temperature). ‘Federal Judge Orders Texas to Cool Down Prison’, *Courthouse New Service*, 30 Jul. 2017.

23. In spring 2021 the Texas legislature failed to pass a bill that would have required all TDCJ facilities to have air conditioning by 2029 (the bill passed in the House but failed in the Senate). ‘One Bill in Texas Legislature Would Ease Extreme Heat in Texas Prisons. Another Makes it Worse’, *The Intercept*, 25 Sep. 2021.

24. Interview with the Texas Inmate Family Association, 27 February 2020.

25. ‘Peru quake lets inmates escape’ *The Seattle Times* 18 August 2007 www.seattletimes.com/nation-world/peru-quake-lets-inmates-escape.

26. ‘Regresan a la cárcel 242 presos peruanos que se fugaron tras el terremoto’ *El País* 25 August 2007 elpais.com/internacional/2007/08/25/actualidad/1187992801_850215.html.

International frameworks and guidance relevant to DRR in prisons

There is no international convention on disaster risk reduction, but international standards on the treatment of detainees are relevant and should be drawn upon in planning and responding to natural hazards affecting prisons. Furthermore, national and multinational DRR guides available, while not specifically written for prisons, provide useful guidelines for any prison system to formulate a DRR framework.

International human rights standards

When a state deprives someone of their liberty, it takes on the duty of care to protect their life, safety and health, as laid out in international and regional human rights standards. This duty of care is critical because people in prison have no alternative but to rely on the authorities to promote and protect their human rights. International standards, therefore, need to be incorporated in disaster planning, response and recovery to ensure prison administrations' responses uphold human rights.

Overarching all approaches to DRR is the UN International Covenant on Civil and Political Rights (ICCPR)'s Article 6 on the right to life, which states that 'Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.'

Relevant provisions from the UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), the UN Rules on the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and the UN Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules) include:

- People in prison must be treated with respect for their inherent dignity and value as human beings.
- The safety of people in prison, staff, service providers and visitors at all times is paramount.
- The provision of healthcare for people detained remains a state responsibility and all prisons shall ensure prompt access to medical attention in urgent cases.

- Food and water must be provided without exception.
- Any form of transportation should provide adequate conditions, and accurate records should be kept when someone is transferred from a facility to another location (as an important safeguard against human rights violations).
- In line with the principle of non-discrimination, detainees' individual needs need to be catered for, in particular the most vulnerable people in prison including women and children.

The Bangkok Rules and the United Nations Standard Minimum Rules for Non-Custodial Measures (the Tokyo Rules) also provide basic principles and guidance to policymakers, legislators and sentencing authorities on measures to reduce the use of imprisonment and prison populations.

Sendai Framework for Disaster Risk Reduction 2015–2030 and the Sustainable Development Goals

The Sendai Framework for Disaster Risk Reduction 2015-2030 (Sendai Framework) was the first major agreement of the 2030 sustainable development agenda that provides UN member states with concrete actions to protect development gains from the risk of disaster.

It aims to achieve the substantial reduction of disaster risk and losses in lives, livelihoods and health and in the economic, physical, social, cultural and environmental assets of persons, businesses, communities and countries.

It recognises that the State has the primary role to reduce disaster risk, but that responsibility should be shared with other stakeholders including local government, the private sector and non-governmental agencies.

The Sendai Framework outlines seven clear targets and 13 guiding principles, all of which are relevant to prison systems, but especially relevant are:

(d) Disaster risk reduction requires an all-of-society engagement and partnership. It also requires empowerment and inclusive, accessible and non-discriminatory participation, paying special attention to people disproportionately affected by disasters, especially the poorest. A gender, age, disability and cultural perspective should be integrated in all policies and practices, and women and youth leadership should be promoted. In this context, special attention should be paid to the improvement of organized voluntary work of citizens;

(e) Disaster risk reduction and management depends on coordination mechanisms within and across sectors and with relevant stakeholders at all levels, and it requires the full engagement of all State institutions of an executive and legislative nature at national and local levels and a clear articulation of responsibilities across public and private stakeholders, including business and academia, to ensure mutual outreach, partnership, complementarity in roles and accountability and follow-up;

(f) While the enabling, guiding and coordinating role of national and federal State Governments remain essential, it is necessary to empower local authorities and local communities to reduce disaster risk, including through resources, incentives and decision-making responsibilities, as appropriate;

(j) Addressing underlying disaster risk factors through disaster risk-informed public and private investments is more cost-effective than primary reliance on post-disaster response and recovery, and contributes to sustainable development;

(k) In the post-disaster recovery, rehabilitation and reconstruction phase, it is critical to prevent the creation of and to reduce disaster risk by “Building Back Better” and increasing public education and awareness of disaster risk;

DRR plans should contribute and be aligned to the goals and targets outlined in the Sustainable Development Goals (SDGs). Monitoring of the Sendai Framework is intended to complement monitoring of 11 indicators under three of the SDGs. Other sources state that there are 25 indicators under Goal 10 related to disaster risk reduction and its role in development strategy.²⁷ In aligning prison DRR plans to the SDGs, countries can ensure they are meeting their commitments to the SDGs and ensuring that no person

is left behind. Under Goal 11, ‘Make cities and human settlements inclusive, safe, resilient and sustainable’, there are relevant targets which should be looked to in developing and monitoring DRR for prisons.²⁸

Index for risk management: INFORM

INFORM is self-described as ‘collaboration of the European Union and Inter-Agency Standing Committee Reference Group on Risk, Early Warning and Preparedness and the European Commission... and is a multi-stakeholder forum for developing shared, quantitative analysis relevant to humanitarian crises and disasters.’²⁹

The INFORM risk management model identifies three dimensions of risk that can be adopted by a prison system when undertaking risk assessments³⁰:

1. Hazards and exposure (events that could occur and exposure to them)
2. Vulnerability (the susceptibility of communities to those hazards)
3. Lack of coping capacity (lack of resources available that can alleviate the impact)

INFORM explores the **institutional and infrastructural** capacity to cope with disasters offering a useful tool for DRR in prisons.

The INFORM model outlines useful areas to consider during the process of risk assessment³¹:

- Ensure that DRR is a national and local priority with a strong institutional basis for implementation.
- Identify, assess and monitor disaster risks and enhance early warning.
- Use knowledge, innovation and education to build a culture of safety and resilience at all levels.
- Reduce the underlying risk factors.
- Strengthen disaster preparedness for effective response at all levels, including cross-agency coordination.

27. United Nations Office for Disaster Risk Reduction *Disaster Risk Reduction and Resilience in the 2030 Agenda for Sustainable Development* 2015 p. 2 www.preventionweb.net/files/46052_disasterriskreductioninthe2030agend.pdf.

28. United Nations Office for Disaster Risk Reduction *The Sendai Framework and the SDGs* www.undrr.org/implementing-sendai-framework/sf-and-sdgs accessed 12 October 2021.

29. European Commission, DRMKC - INFORM, drmkc.jrc.ec.europa.eu/inform-index#:~:text=INFORM%20is%20a%20collaboration%20of%20the%20Inter-Agency%20Standing,quantitative%20analysis%20relevant%20to%20humanitarian%20crises%20and%20disasters, accessed 24 October 2021.

30. Marin-Ferrer, M. et al, *Index for Risk Management INFORM Concept and Methodology Report – Version 2017*. EUR 28655 EN. Luxembourg (Luxembourg): Publications Office of the European Union; 2017. JRC106949.

31. *Ibid*, p. 42.

A guide to disaster risk reduction for prisons



Photo: An officer supervises as people in custody evacuate to another prison during flooding. Thailand, 2011.

A guide to disaster risk reduction for prisons

Planning, prevention and mitigation



Planning, prevention and mitigation is crucial to disaster risk reduction. Understanding the risks, their likelihood and scale and putting in place both physical measures and policy approaches for prevention and mitigation is a core component of DRR and can contribute greatly to preventing the devastating impacts of natural hazards.

Planning

Having a proper DRR policy ensures that all measures and necessary steps required to prevent, mitigate, respond and recover from a disaster are identified, planned and prepared for.

A policy framework document should set out clear guidelines and be informed by an understanding of disaster risk factors. It should include steps on prevention, mitigation, preparedness, response, recovery and post-disaster needs assessment.

A national policy framework document should set out the requirements and responsibilities of the prison system making clear how it fits into the overall national (or local) strategy for DRR.

DRR strategies for prisons have been adopted by justice ministries and prison administrations around the world with varying degrees of success and there are some good examples to draw upon (See below: *National DRR policy frameworks for prisons*).

National DRR policy frameworks for prisons

The United States Department of Justice, National Institute of Corrections, published a *“Guide to Preparing for and Responding to Prison Emergencies”* in 2005 and in 2009 published a *“Guide to Preparing for and Responding to Jail Emergencies”*. Both publications recognise the critical need for prisons and jails (primarily pre-trial detention facilities in the US) to have an emergency plan for disasters. The publications give guidance to US prisons and jails in planning for emergencies, including those associated with natural hazards and in developing the appropriate response capacities to cope with these events where they cannot be prevented.³²

However, there is still no nationally coordinated strategic planning across the US with prisons and jails not explicitly included in the federal government’s nationwide emergency planning.³³ In 2020 a proposed bill was introduced to improve disaster response and recovery plans in prisons across the country.³⁴ It was reintroduced in August 2021, having not been passed in the last Congress.

In the Philippines, the Bureau of Jail Management and Penology (BJMP) issued a circular to jails in 2020 entitled *Mainstreaming Disaster Risk Reduction and Management in BJMP*. The circular provides a national framework for jails (also referring to pre-trial detention facilities in the Philippines) for Disaster Risk Reduction and Management (which is the term used by all Philippine government agencies for DRR) and mandates the creation of DRR committees at the national headquarters, regional and jail levels. The document’s aim is, among other measures, to provide a comprehensive system and integrated approach to DRR in jails and to identify the roles of different stakeholders.³⁵

Irrespective of the presence or absence of a national, state or local government DRR framework, prisons should have their own disaster-related standard operating procedures (SOPs) and processes in coordination with other public bodies at local and national levels. Policy documents should provide illustrative templates for the requirements of contingency planning and should inform the development of individualised contingency plans taking into account the specifics of particular prisons, including prison infrastructure and their location in areas prone to natural hazards.

Risk assessment

The starting place for a policy framework is a disaster risk assessment that identifies the risks and the measures that are required to mitigate and manage their potential consequences, including by minimising the impact on the prison and the lives of individuals. Disaster risk assessment should be a core part of a prison’s function to ensure that it meets its obligations to ensure the safety and security of people in prison,

32. National Institute of Corrections, *Guide to preparing for and responding to Jail Emergencies*, p. 8.

33. ‘Just leave them to die’ *The Appeal* 22 February 2019 www.theappeal.org/mdc-brooklyn-jail-prison-emergency-preparedness.

34. *Correctional Facility Disaster Preparedness Act of 2020*, S. 4748, 116th Congress (2019-2020) www.congress.gov/bills/116th-congress/senate-bill/4748/text?r=1&s=1.

35. Bureau of Jail Management and Penology *Mainstreaming Disaster Risk Reduction and Management (DRRM) in BJMP, providing a framework and creating for this purpose DRRM committees in the NHQ, regional and jail levels 2020* p. 2 www.bjmp.gov.ph/images/files/policies/2020/MC-87%2001.21.2020%20DISASTER%20RISK%20REDUCTION%20AND%20MANAGEMENT.pdf.

staff, service providers and visitors. A prison risk assessment should include all areas of the prison, including the grounds, staff facilities and surrounding environment and should cover:

Physical location and exposure to natural hazards

An assessment of a prison's location and its associated exposure to natural hazards should ideally take place during the planning phase before constructing the prison. It should include consideration of the natural hazards the area is prone to as well as their likelihood and scale, the best building structure and materials available and appropriate ancillary services such as electricity generator plants and water sources. It should also include consideration of the physical security requirements to suit the local environment as well as how and where people can be evacuated swiftly during an emergency (see prevention and mitigation section on the following page).

Vulnerability of the prison infrastructure and population

An assessment should be conducted of each facility's design including entrances, exits, corridors, doors, the number of floors and the security system to identify bottlenecks which may be hazardous in an evacuation. In many prisons around the world, officers and detainees themselves use padlocks on their cells, creating a huge risk in the event of an emergency requiring a quick evacuation.

1. An assessment of the prison population:

- Prison overcrowding levels and the associated risks.
- The category and classification of the prison population (high security, medium security or low security); their security category will also inform the development of an evacuation plan.
- The composition of the prison population to ensure separation of categories during evacuation (women, men, children, and those assigned to different security levels) as well as those held in pre-trial detention, solitary confinement, under forms of sanction, and those held in protective custody.
- Number of people with mobility needs such as older people, people with disabilities or health needs, where they are housed in the prison and a description of what these needs are.

- An assessment of groups or individuals with other special needs during evacuation, such as pregnant women, women with infants, people with mental health needs and groups or individuals at risk of violence during any evacuation; their needs vis-à-vis natural hazards could be determined during the regular risk and needs assessment including at admission.
- Consideration of language and other communication needs in relation to emergency preparedness and during evacuations.
- Assessment of healthcare provision, its capacity, the ease of evacuating short-and-long term patients staying in any healthcare unit as well as access to healthcare and first aid for people injured during a natural hazard.

2. An assessment of human and material resources:

- Staffing levels, prisoner-staff ratios and rates of staff absence.
- The ability and preparedness of staff and detainees to temporarily relocate due to natural hazard.
- The level of knowledge and experience of natural hazard management among staff and detainees.
- An examination of staff training on contingency planning, management and emergency response.
- An assessment of detainees' competencies and whether they could be trained and involved in emergency planning and response.
- The availability of emergency response equipment and supplies, including transport for evacuation.
- An examination of the availability of police, fire service, and NGOs to support the prison and whether they are aware of their roles and responsibilities in DRR response.
- A review of each prison's financial resources and funding both to prepare for and respond to a disaster.

Importance of early action

In 2010, more than 300 detainees, including 135 women, in New Zealand were flown from Christchurch prisons by the national Defence Force to be housed temporarily in facilities amid concerns for their safety after an earthquake damaged a prison building, destabilising the infrastructure. Prison authorities stated that the relocations also allowed some staff to take time off work to be with their families and deal with any earthquake impacts on their own homes.³⁶

36. 'Christchurch prisoners transferred north' *Stuff*, 8 September 2010 www.stuff.co.nz/the-press/news/christchurch-earthquake-2011/canterbury-earthquake-2010/4108604/Christchurch-prisoners-transferred-north.

Prison systems should use all the information and data gathered from risk assessments to develop a DRR strategy and coordinate with relevant bodies involved in risk assessment. This could include a disaster risk and control assessment template showing:

1. A description of the disaster risk.
2. The position of the prison official allocated with oversight of the disaster risk.
3. The current rating of likelihood and impact of the hazard.
4. The systems or processes that are in place to reduce and manage the disaster risk.
5. Actions that need to be taken to improve DRR either by improving existing systems or developing new ones.
6. A forecast of likelihood and impact if all proposed actions are effective.

Prevention and mitigation

Once a thorough risk assessment has taken place and the risks and likelihood of those risks are known, the prison should begin to take steps to prevent and mitigate the impact of natural hazards.

Infrastructure

When designing or renovating a prison facility, authorities should prioritise the ability of the buildings to withstand natural hazards. The International Committee of the Red Cross, in its guidance on building humane prisons, emphasises the importance of site selection in mitigating harm caused by natural hazards, including damage to buildings, injuries and casualties and building design can improve response procedures during an emergency.³⁷

In its *Technical guidance for prison planning: Technical and operational considerations based on the Nelson Mandela Rules* the United Nations Office for Project Services (UNOPS) outlines the following relevant considerations for building prisons³⁸:

- Ground water levels.
- Geology and soil types.
- Vegetation.
- Existing buildings and heritage issues.
- Existing land use and road access.
- Contaminated site issues.
- Security and peace-keeping issues.
- Climatic conditions affecting design solutions.

- Flood plains that may affect even short-term use of the land.
- The existing status of road linkages.
- Expected seasonal weather changes such as flooding during the rainy season, or heavy snowfall in winter.

The UNOPS guidance also points out that remote locations have implications for access and availability of:

- Food, water, and fuel supplies.
- Medical care, firefighting and other essential services.
- Access for visitors and staff.
- Trained operational and medical staff.
- Work and rehabilitative opportunities.
- Ease and cost of transferring detainees and procurement of supplies.
- Access to relevant NGOs and independent external monitoring mechanisms.
- The suitability of the site in consideration of disaster risk resilience.

All of these implications can have a significant impact on DRR in prisons and it is therefore recommended that due consideration be given to building new facilities or relocating people to areas which are not remote. If a facility is in a remote area focus must be given to ensuring the right capacities can be made available in times of emergency.

Given that some natural hazards may occur with very little warning, it is advisable to have, where appropriate, measures in place to minimise the adverse impacts of a hazardous event. Physical measures that can be put in place include flood levies, ocean wave barriers and earthquake resistant materials, impact and fire-resistant windows and doors, braced frames, roof and ground drainage systems, and use of engineering techniques or technology to achieve hazard resistance and resilience in structures or systems.

In earthquake zones, prison buildings should be built or reinforced with seismic-resistant materials as per national regulations and international standards, and inspections by relevant bodies should be conducted on a regular basis.

Design decisions that take the natural environment into account and use of local building knowledge, materials and skill in managing the climate will reduce short- and long-term costs and provide an environment that is more conducive for living and working. Sustainable design not only makes a prison a better neighbour to its surrounding communities but can also help it to be resilient in the face of natural or human-made hazards.

³⁷ International Committee of the Red Cross *Towards Human Prisons: A Principled and Participatory Approach to Prison Planning and Design* 2018 p. 37.

³⁸ United Nations Office for Project Services, *Technical guidance for prison planning. Technical and operational considerations based on the Nelson Mandela Rules*, 2016, p. 51.

Reducing prison overcrowding

Overcrowding and high levels of capacity have an impact on prisons' ability to properly provide for the needs and protect the rights of its population in normal circumstances but would exacerbate the impact of any natural hazard. Prison overcrowding remains high in many countries around the world with over 118 countries and territories with prison occupancy levels higher than 100 per cent.³⁹ Haiti and the Philippines, which are both at high risk of disaster according to INFORM Risk Index data,⁴⁰ have occupancy levels over 450 per cent.⁴¹ In Peru, which has an overcrowding rate of over 223 per cent,⁴² prison overcrowding appears to be one of the main vulnerabilities exacerbating the impact of natural hazards in prisons.

If a prison system or particular facility is overcrowded, efforts should be made to reduce the prison population. This will help to improve the effectiveness of any DRR measures. Such steps, which should be adopted by policy and lawmakers as part of wider criminal justice reform efforts, include:

- Investing in non-custodial alternatives, both pre-trial and post sentencing as well as ending the use of cash bail which prevents those with low incomes from being released from pre-trial detention.
- Diverting those convicted of minor and non-violent offences (including drug offences) out of the criminal justice system altogether.
- Investing in long-term strategies for crime prevention and reduction.
- Reducing high rates of pre-trial detention by improving access to justice.
- Making special or alternative arrangements for people with special needs such as children, mothers with dependent children, people with mental health needs, people with disabilities, people with serious health conditions and older persons.
- Prisons that require significant hazard mitigation measures to be installed at significant cost could be prioritised for closure as part of a strategy to lower the prison population.

Impact of prison overcrowding on DRR planning

Sarita Colonia (officially known as Establecimiento Penitenciario del Callao ex Sarita Colonia) in Peru is located near the coastline and Jorge Chávez International Airport, Peru's biggest airport terminal. From 2020 - 2021, the Peruvian government carried out expansion works at the airport, doubling its operating capacity.

Even prior to the expansion, the evacuation route for the prison was problematic. It did not allow for the evacuation of large numbers of detainees in the timeframe needed – should there be an earthquake nearby, the first tsunami wave is estimated to take around 18 minutes to hit the coast. The second runway, built as part of the expansion now cuts off the evacuation route of the prison entirely and there are also doubts that the prison building walls could withstand the height and power of tsunami waves.

Santa Colonia has a capacity of 572 but houses 3,087 detainees – that is, a 539 per cent occupancy rate.⁴³ The National Institute of Civil Defence (INDECI – a public body which serves as a technical advisor of the Ministry of Defence of Peru) inquired about their evacuation plan in case of a tsunami.⁴⁴ According to two INDECI officials and a former president of National Penitentiary Institute (INPE), there are no formal DRR plans for the prison. In case of an emergency such as a tsunami, all detainees will be moved to the roof of the prison.⁴⁵ The current occupancy rate however raises questions about the safety of the roof to hold this many people, let alone access for those with mobility problems. In Peru's prisons, yards are used as the safe areas for assembly during an emergency. DRR plans do not include temporary relocation measures. General practice is that individuals are only evacuated to a nearby hospital if severely injured, ill or dying. Otherwise, all detainees shall remain inside the prisons in the event of a natural disaster.

39. Penal Reform International, *Global Prison Trends 2021*, May 2021 p.8.

40. INFORM Risk Index 2022 available at DRMKC – INFORM drmkc.jrc.ec.europa.eu/inform-index.

41. Penal Reform International *Global Prison Trends 2021 May 2021* p. 9.

42. World Prison Brief Peru, www.prisonstudies.org/country/peru accessed 22 September 2021.

43. Unidades de Registro Penitenciario, INPE/Unidad de Estadística *Situación actual de la capacidad de albergue, sobrepoblación y hacinamiento según oficina regional: Diciembre 2020, 2021*.

44. Tavera, H. 2020 *Análisis y evaluación de los patrones de sismicidad y escenarios sísmicos en el borde occidental del Perú*. Instituto Geofísico del Perú.

45. Interview with INDECI officials in Peru, July 2021.

A guide to disaster risk reduction for prisons

Preparedness and response



Contingency planning

As part of its overarching DRR plan, prisons should have a contingency plan to be deployed in the event of a disaster. The purpose of a contingency plan is to provide a clear template of instructions and activities to ensure that responses to natural hazards are undertaken with the minimum risk of harm to people in prison, prison staff, the environment, the local community and the public.

Emergency response guidelines

In **Indonesia**, the Director-General of Corrections of the Ministry of Law and Human Rights has published comprehensive guidelines on DRR in prisons. The guidelines serve as a good practice example because they provide a comprehensive template for SOPs for earthquakes, tsunamis, smog, volcanic eruptions, fires, floods and landslides setting out clearly what is required in each hazardous event including components covering the activities before, during and after the occurrence of a disaster. The guidelines recognise international best practice measures for DRR and set out the stages for preparedness that each prison must establish, including:

Standby teams: the standby team is a team of correction officers who are provided with the training and resources on DRR and emergency response. They are on duty 24 hours a day and are guided by the SOP for the relevant hazards.

Risk assessment: including hazards, vulnerabilities, and the capacity for reducing and managing the disaster risk.

Preparedness plan: prepare an evacuation plan identifying evacuation routes and communication systems including being connected to the early detection system managed by the relevant agencies. Prisons should also install emergency route and exit signs throughout the prison to expedite safe evacuations when alarms are raised.

Evacuation plan: the guidelines empower facilities to develop their own evacuation plan based on the classification and category of their prison population and the security and safety of people in prison and staff.

Contingency plan: each prison is required to prepare a contingency plan which outlines the key elements that need to be developed in advance so that staff are aware of their responsibilities and roles during a disaster.

If a response operation is required, the contingency plan would be activated. The contingency plan contains all the measures and steps that have been previously identified and tested as the required action to take in responding to the disaster.⁴⁶

In the **Philippines**, as part of the standard operating procedure, every jail facility has its own operational plan known as 'Oplan' to be ready to respond to natural and human-made hazards. The plan is customised depending on the type of hazard and consists of a guide on the execution of the plan, including the specific tasks of the jail warden, personnel and detainees before, during and after disasters. Regular drills are conducted monthly to execute different scenarios. The roles of the rescuers, responders and media are also included. The Oplan is regularly updated, especially when there is a change in personnel or a change in the jail's environment or circumstances. For example, upon transferring to a new building, the Naga City Jail Female Dormitory revised its Oplan to update the execution and coordination during drills. In addition, when detainees have suggestions, these are acknowledged and considered in the development of the plan if applicable.

In the **United States**, the Texas Commission on Jail Standards (TCJS) mandates that all facilities have written and approved plans for all kinds of emergency, including procedures for an evacuation in case of a hurricane (among other reasons). The guidelines state that all evacuations must be approved by the Bureau Major (a senior supervisor in the jail) or above. All evacuations should have an incident commander who is responsible for gathering information from all available sources and who decides which evacuation plan to implement and for determining the most efficient, safe and secure evacuation route. Incident commanders are also responsible for obtaining approval for the evacuation from the Bureau Major, for all communications with other services and for ensuring the safety of detainees with mobility difficulties.⁴⁷

Contingency plans must be prison specific to reflect the prison population, the prison's own staffing levels, prison location and layout, available support and ancillary services. It is also good practice to have contingency plans customised for each type of hazard or risk that is likely to impact the prison, as is the practice in the Philippines, for example. Every prison system must have its own contingency plan prepared based on previous natural hazard experience and disaster risk assessments, tested for effectiveness through exercise drills.

⁴⁶ Ministry of law and human rights of the Republic of Indonesia, *Guidelines for disaster management in correctional Institutions* December 2019.

⁴⁷ Texas Commission on Jail Standards *Emergency Plan* 2019.

These documents must be kept in a secure and accessible location and ready to be used in the case of an emergency. Contingency plans must be easy to understand and use by staff and others involved in incident response. All persons in the prison, including detainees and staff must be aware of the details of the emergency plans.

The key principles of contingency planning are:

- Preserving life, preventing injury and minimising damage to property.
- Protecting the human rights of people in prison.
- Maintaining the safety of the public by preventing escapes from prison.
- Restoring the prison regime as soon as possible (while also being cognisant of addressing the vulnerabilities that led the disaster to occur in the first place).
- Providing care and support to those affected during an incident, and post-incident care in the aftermath.
- Preserving evidence and lessons learned.

The benefit of contingency planning is that it helps to minimise risks by:

- Giving operations staff the confidence to manage incidents safely and within pre-prepared, tested and approved procedures.
- Ensuring that incidents are reported to a central operations unit in accordance with instructions so that resources and support can be activated without delay.
- Ensuring that the staff, people in prison, the local community and the public receive appropriate care by supporting all those involved directly and indirectly with an incident both during and after a natural hazard including the provision of post-incident care.

Contingency plans should include:

- Command and control structures which identify and allocate roles and responsibilities to staff.
- Identified risks.
- Reference to DRR plans.
- Basic procedures, such as first aid, emergency, health and safety measures.
- Communication strategies that ensure that people in prison are aware of risks and processes and are involved, as far as is practicable and within security concerns.

- Plans for procuring, and storing emergency supplies including medicines, food and water both within the prison and at the planned evacuation site.

Provision of emergency supplies

The Correction Bureau in **Japan** under the Ministry of Justice, provides correctional institutions with power generators for emergencies, preserved food and water to last for seven days for all detainees.⁴⁸

- A clear line of command, such as identifying who is responsible when a natural hazard impacts the environment surrounding the prison: will the emergency services and local authorities be responsible for the safety of people in prison and staff or does this responsibility remain with the prison service?

Lack of cross-agency coordination

In 2019, a burst water pipe at the Lurigancho prison in Lima, **Peru**, created a water shortage in the prison and surrounding areas for several days. As it was the responsibility of the local government to manage the disaster risk, they arranged for tanker trucks to supply water to the affected areas but excluded the prison from their response measures. The prison was not recognised by the local authority as being part of their responsibility, which meant the National Penitentiary Institute (INPE) had to step in to provide water for people in prison.

- Plans for bringing in additional staff to respond to and manage the emergency, such as staff on leave, seeking regional or national support required to respond to the disaster, conduct logistical operations and implement long-term recovery strategies.
- Criteria for establishing temporary release schemes, the process for enabling releases (including who has the authority to grant release) and the terms on how detainees will return to prison or report to criminal justice authorities.

Contingency plans should be reviewed and audited on a regular basis to ensure they are still appropriate, are known about by staff, detainees and external agencies, and to assess whether drills are actually taking place and how they are run.

48. Interview with a representative from the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, July 2021.

Communications

Communications systems should be efficient in disseminating early warnings and the state of preparedness in coordination with all relevant support agencies and stakeholders. For example, each prison should have an effective communications plan that involves the police and fire service and other needed external agencies, including communication with people in prison, their families, staff members, service providers and other prison visitors.

Prisons should establish a system for contacting staff in case of an emergency, for example a phone tree or an instant messaging platform, to inform staff to gather at the prison during an emergency. It is important that staff are trained in the use of communications equipment and technology and that tabletop and mock exercises are undertaken to ensure readiness of any communications infrastructure. Communication about disaster risk and response must be accessible to everyone, including consideration of different language needs, mental health needs, literacy and education levels. Styles of communication about disaster risk and response may need to be adapted for certain groups of people in prison such as children. The same must also be communicated to external agencies and partners.

Prison management must also ensure detainees' access to contact with the outside world including families, lawyers and independent monitors and complaints mechanisms, both in the event of evacuation and in case of sheltering in place in the facility.

Prisons should also consider that regular communications systems may collapse during a natural hazard which means backups and alternatives should be sought such as satellite phones.

Evacuation plan

An evacuation plan should be embedded within DRR plans and contingency plans. Evacuation plans must take account of the safety and human rights of people in prison and (legitimate and real) concerns regarding public security. Consideration needs to be given to the impact of any evacuation on detainees as well as implications for staff. Protecting the human rights of people in prison must be a primary consideration in the evacuation, transport of detainees and in the management of detainees at the receiving facility.

Decision-making

- Identifying who has the authority to make the decision on evacuation.
- Identifying and deciding where to evacuate to, ensuring sufficient space and suitable conditions for detainees and staff.

Transportation and logistics

- Assessing how long it will take to evacuate everyone, including time taken to unlock all cells, transfer people onto transport as well as the distance to the evacuation location and how long it will take to travel there.
- Availability, safety and suitability of evacuation transport and ensuring it is possible to properly separate different categories of people during transportation (including by gender and adults from children and by risk/security level).
- Ensure adequate resources for the size of the population so that all can be evacuated and transported safely, securely and in a timely manner, including the availability of vehicles and drivers.
- Plans on how to relocate people who have mobility difficulties and who have specific health needs and ensuring that medication required by individual detainees is transported securely with them.

Security

- Determining the level of security and the type and number of escorts (including police escorts) required, including the availability of female staff to accompany women and girls.
- Determining the category and security classification of people in prison going to the evacuation space and whether there is enough space for all to be housed appropriately and safely.
- Identifying the security requirements, including staffing levels, for the identified evacuation space.

Conditions at the evacuation site

- Ensure there are stockpiles and pre-positioned emergency supplies including medicines, food and water at the evacuation site.
- Ensure that people in prison with special needs have those needs met at the evacuation site.
- Preventing risk of peer-to-peer violence through proper separation of detainees by their security classification (see point on security above) as well as ensuring sensitive information which, if revealed, may put an individual at risk. Uncertainty caused by the situation can also cause unrest and violence.
- Consideration of continuity of ongoing educational, training and other rehabilitation programmes where feasible (particularly if the 'temporary' facility holds people for longer periods of time).
- The availability of medical staff and medical supplies during evacuation and consideration of how to ensure continuity of ongoing medical care at the evacuation site.

Protection of other rights

- Plans to ensure that the files of people in prison are transported with them and that their belongings are kept safe and secure.
- Plans to ensure that detainees' families and lawyers are informed about the evacuation in a timely manner and that detainees can remain in contact with them at the evacuation site.
- Contingency plans to ensure court hearings, medical appointments, parole hearings and other key dates can still be met or are rescheduled and that detainees are informed of this.
- Ensuring that no person remains in prison beyond their planned release date as a result of the evacuation
- Safeguard must be in place to protect people in prison from torture and ill-treatment during evacuation and at the evacuation site, including proper oversight.
- Prison monitors and independent oversight bodies must be able to access and visit the evacuation site under the same terms which allow them to visit regular places of detention.

Return

- An evaluation on how and when to return evacuees to prison and how to ensure their safety and the safety of others during this process. Returning to prison can be the most high-risk period for escapes during the entire evacuation process

Staff working conditions and training

Staff safety is paramount during emergency response periods, not only for themselves but also for the people they are in charge of protecting. If prison staff are unsafe and unable to do their jobs, the safety of detainees and overall prison security will deteriorate.

Prison management should ensure there are sufficient prisoner-staff ratios. There may be a need for more staff during an emergency response to ensure the safety of detainees during evacuations and the distribution of food and emergency supplies. Prison management should, therefore, plan for back up staff, and if regular prison staff are not available, emergency services personnel could be deployed requiring additional safeguards to be in place to prevent any human rights violations. In addition, management and those overseeing staff scheduling should ensure staff are able to take regular breaks and that shifts give staff adequate opportunities to rest. Staff should be given, and trained on, the necessary protective equipment to allow them to respond to natural hazards safely. This may include breathing masks, hard hats, waterproof clothing and shoes, gloves, goggles and hearing

Healthcare

Prison healthcare services have a responsibility to ensure that people in prison are not exposed to injuries from natural hazards during evacuation or if they remain on site. They must also ensure continuity of healthcare, to the extent possible, during the emergency and in the recovery period, this must include continuity of mental healthcare.

Close links with national healthcare services and local healthcare providers in the community will be essential in ensuring that detainees' health is prioritised during the emergency response. It may also be necessary to liaise with external support organisations for the provision of emergency medical assistance. Protecting the mental healthcare needs of people in prison during and after natural hazards and extreme weather events should be a priority.

protection.⁴⁹ To support staff well-being, staff should be given opportunities to debrief as well as access to psychological counselling in the aftermath of a disaster.

In many countries prison staff live on prison grounds; therefore, DRR plans must include their safety. Prisons should also ensure that staff have their own emergency plans in place for their own families to ensure their safety. If staff know their families are safe, they will feel confident coming to work and will be less likely to abscond or abandon their duties.

It is important that all staff understand their roles and responsibilities prior to a natural hazard to ensure that DRR is effective, their safety is ensured and the rights of people in prison are protected. Disaster response and evacuation drills are an important part of staff training. Training should be given to new staff, and refresher training should take place on a regular basis for all staff. Training could also be conducted by peers to be more cost-effective and build a sense of responsibility, ownership and leadership among certain staff.

Any staff member involved in DRR, including those assessing the vulnerabilities of individuals within the prison population vis-à-vis natural hazards, must be provided with the appropriate level of training to demonstrate the required competencies to effectively undertake that role. All staff should be trained in basic procedures, such as first aid, basic fire safety and response measures and communication during emergencies. This is important because staff are the first on the scene in the event of a natural hazard. Staff must also receive adequate training on how to use and respond to alarm systems.

49. The National Institute for Occupational Safety and Health *Hazard Based Guidelines: Personal Protective Equipment for Workers in Hurricane Flood Response* www.cdc.gov/niosh/topics/emres/pre-workers.html.



Photo: Mass casualty earthquake drill at the site of a former prison: the fire officers assess and assist a volunteer actor, Barbados, 2017.

Prisons should ensure that there are dedicated staff trained and responsible for the management and handling of pre-positioned non-perishable foods, medicine, equipment such as electricity generator sets, sandbags, clothing, blankets and water.

Staff should also be trained on how to manage these stockpiles to ensure essential equipment works and does not go missing and to check expiry dates on food and medicines and replace when required. Staff should also be trained on the safe storage or relocation of prison administration records.

Contingency plan drills

Contingency plans must be tested through drills involving staff, people detained, agencies such as fire and emergency services as well as local NGOs and other support agencies at the community level where relevant and available. Contingency plan drills play an important role in ensuring that the prison system is ready to respond to any natural hazard.

A core component of testing out a contingency plan is conducting an evacuation drill on different scenarios – for example earthquakes, tsunamis or flash floods– depending on each area. This can be done step-by-step, first training staff on the evacuation before training detainees. Prisons could also consider conducting the drill with volunteers from the local community, then with suitably identified detainees before conducting it with the whole prison population. Drills should be practiced regularly to ensure all staff and people in prison know what they need to do and to test how effective the plan is. Drills will inform the need for improvements or changes. Practicing evacuation and contingency plan drills also helps to cultivate a culture and prioritisation of DRR and detainees’ involvement in the process.

Interagency involvement in drills

In 2017, the National Penitentiary institute (INPE) in Peru and other agencies organised their first earthquake evacuation national drill involving 69 prisons housing 85,000 people.⁵⁰ With the active involvement of people in prison, the drill practised the safe evacuation of people detained to secure zones. Representatives of the prison population participated in the review of the security zone. A rescue brigade was used to transport the injured, and the fire brigade undertook a firefighting drill.

Involving detainees in drills

In the Philippines, before the coronavirus pandemic, Tacloban City’s Disaster Risk Reduction and Management Office conducted DRR training in the city’s jail. However, since the COVID-19-related lockdowns commenced, DRR training sessions are carried out internally, primarily through drills implemented by the jail personnel and incident management team. All detainees participate in the implementation of drills stated in the Oplan (operational plan), with the supervision of the general perimeter security personnel in the jail. The jail personnel guide detainees to luminous signs installed in different parts of the facility. These signs include directions and designated exit points in case of emergency. During earthquake drills, detainees are taught to stay calm, told where to go and who to follow.

Early warning systems

Early warning systems are communications systems designed to help communities prepare for hazardous events. Such systems save lives, protect infrastructure and save money.⁵¹

Prisons should have access to their country’s early warning system and work collaboratively with the responsible agencies to ensure the effectiveness of the early warning system at alerting prisons. Processes should be developed to alert staff and people in prisons about natural hazards and corresponding required action when an alarm is raised.

A prison located in a zone exposed to natural hazards should have a good assessment of disaster risks (see above section on risk assessments starting on page 11) and good links with early warning systems to effectively anticipate, respond to and recover from the impacts of likely, imminent or current disasters.

Open-source information on natural hazard risks

Prison administrations can make use of open source and publicly available information about disaster risks faced in their country or region. For example, Indonesia’s prisons have access to InaRISK, a portal that displays information on disaster threats.⁵² In the US and covering the Caribbean, the National Weather Service provides forecast information about extreme weather to better support emergency managers, first responders, government officials, businesses and the public to take advance action to reduce the impacts of extreme weather events.⁵³ Some prison facilities have been evacuated due to forecasted hurricane and wind changes fuelling wild fires or preparing to shelter in place due to severe storms thanks to this service.

50. ‘Mañana se realiza el primer simulacro de sismo en penales del país’, Ministry of Justice and Human Rights, 5 October 2017, www.minjus.gob.pe/ultimas-noticias/noticias-destacadas/manana-se-realiza-el-primer-simulacro-de-sismo-en-penales-del-pais.

51. Rogers, D. and Tsirkunov, V. *Global Assessment Report on Disaster Risk Reduction: Costs and benefits of early warning systems* 2010 P. 1.

52. InaRisk, a disaster risk assessment portal provided by the National Disaster Management Agency that displays information on disaster threats, vulnerability, capacity, and disaster risk. InaRisk can be used by all Correctional Institutions to get information about disaster risk in their respective regions, and also to learn about steps that can be taken before a disaster occurs, during a disaster, and after a disaster, to reduce disaster risk. *Guidelines document for disaster management in correctional institutions*, Dec. 2019.

53. National Weather Service, www.weather.gov/wrn/about.

Prison authorities should make use of national and multinational early warning systems for their country and region to prepare and make ready evacuation shelters in advance of any natural hazard event. It is the responsibility of prison administrators to establish effective links to the various early warning systems in their country or region.

Involving people in prison in DRR

There is scope for people detained alongside prison staff to play a valuable role in DRR. Their involvement is pragmatic and cost-effective and can also help individuals feel empowered and part of the collective responsibility to respond to disasters. This can also assist in rehabilitation – a primary purpose of prison as set out in the UN Nelson Mandela Rules.

In line with a human rights-based approach, people in prison should be able to have a say in prison management, including in times of natural hazards, to ensure that their needs and rights are properly respected, as their lives also depend on how well DRR plans are managed and implemented. Their involvement may come with risks that must be well regulated and monitored to protect against abuse and exploitation. Care must also be taken to ensure that prison authorities do not derogate their responsibility for disaster preparedness and response in facilities where self-government of prisons exist.

Training people in prison on first response

In the **Philippines**, women in Naga City Jail (pre-trial detention) are involved in DRR by utilising their skills in first aid and are designated as nurses. Other women are elected by their peers to serve as leaders and coordinators for each cell block to support the jail administration by relaying information. Nurses also reach out to other service providers in case situations worsen. All women in jail that are involved in the DRR efforts are given relevant training for their roles. Unlike many jails in the Philippines, Naga City Jail is not massively overcrowded. Overcrowding and generally poor conditions in jails will have an impact on the sustainability of the DRR efforts and involvement of detainees. If the nurse-to-prisoner ratio becomes overwhelming then it will be difficult to cater to a greater number of people in prison, and this will also affect the quality of healthcare they receive.

After the 2012 earthquake that hit the province of Cebu, an evacuation took place at Cebu City Jail for women coordinated and led by the 'inmate patroller'. This person led all detainees out of their cells, prioritising older, ill and pregnant women. A landline was made available by the jail warden so they could contact their families to check on them, and a television was provided to update them on the impact of the earthquake in the local community.⁵⁴

Supporting cooperation between detainees and staff

In many countries, a kind of 'self-government' exists in prisons where detainees organise and take responsibility for their own safety, health and well-being, usually in response to the failure of the prison to do so. In **Peru**, interviews with people who had served prison sentences found that this is the case in some prisons where detainees organise themselves to form brigades to increase cooperation and solidarity among detainees and security staff during times of natural hazards and emergencies.

The different brigades are identified by different shirt colours representing the service offered by the brigade such as first-aid, and signalling emergency exits and evacuation routes. Each brigade is responsible for training the other people in their cell blocks.

Among the duties of the brigades is crowd control to maintain good order and discipline and helping to share any food and provisions among themselves. The brigades organise additional drills in their cell blocks and purchase emergency supplies in readiness for a natural hazard.

In women's prisons in Peru, older people and those with mobility issues are housed on the ground floor of the prison and share a cell with a younger person who can help in case there is a need to evacuate to a safe area inside the prison.

Although this kind of approach should not replace the responsibility of prison authorities, prison authorities can promote the participation of detainees in managing their own safety and building on their skills and capacities and in doing so, promoting their rehabilitation.

Supporting local community response

During Hurricane Irma, detainees in Balsam Ghut prison in the **British Virgin Islands** were left trapped in a prison without access to food or water. The hurricane caused severe damage to the prison including to the roof, thereby letting in rainwater, and they were freed by a local resident. Local news reports said freed detainees sought to get home to check on their families' safety. Residents also reported that many went around the community helping their neighbours take out their furniture and board up their homes.

In the aftermath of the 2018 earthquake that hit the island of Sulawesi in **Indonesia**, many of the detainees who returned to prison in Palu (after being allowed to leave for their own safety and to check on their families) organised themselves into volunteer teams to support the local community relief effort. The detainees saw that ongoing support was needed, but many volunteers and official relief workers had already returned home. The detainees looked for areas they could help and even gave themselves a name, a logo and a uniform to be identifiable to the community. The prison gave them permission to leave every day, and they helped distribute food, clear rubble, erect tents and repair damaged infrastructure. The Head of Rehabilitation at the prison commented on how positive the initiative was for the volunteers as it gave them a sense of purpose and a way to be able to give back to society.⁵⁵

54. Gaillard, J. et al *Reducing and managing the risk of disaster in Philippine jails and prisons: Disaster prevention and management policy brief series #1*, 2016 P. 7.

55. 'Palu quake provides a shot at redemption for Indonesian prisoners', *Channel Asia News*, 28 September 2019 www.channelnewsasia.com/asia/indonesia-palu-quake-prisoners-inmates-volunteer-help-victims-858031.

Prisons must not be incentivising detainees to do hazardous labour to avoid harsher treatment or prison conditions. Refusing to undertake labour as part of the aftermath of a natural hazard must not result in punishment. Enlisting people in prison for various roles in DRR should be voluntary, individuals should receive reasonable compensation and they should have the same rights protections as workers in the community including precautions to protect their safety and health. In addition, their task must not be of an afflictive nature, and they should not be held in slavery or servitude as per Rule 97 of the UN Nelson Mandela Rules.⁵⁶

Funding and resources

The measures set out in this guide are in the main management and operational processes that can be introduced by prison administrators through careful decision-making, within existing budgets or with little additional cost except where additional funding is required to stockpile items such as food, clothes and blankets and the cost of support services and equipment, for example, power generators and transport for evacuation. There are also additional measures and processes that prison administrators can introduce for little cost to ensure effective DRR.

However, many prison systems already suffer from lack of resources and struggle to meet the basic needs of detainees and staff such as food, healthcare, clothing and even shelter in a safe, hygienic environment, or deliver a rehabilitative-focused regime. It requires resources to be able to make substantial improvements to existing infrastructure to prevent serious damage caused by natural hazards and to abide by national and international standards (for example in terms of earthquake proof structures). These factors can have a significant impact on DRR. For this reason, national and state governments should increase (or provide adequate) funding available to prison administrators to improve their ongoing operations and capacity to manage natural hazard events.

Making use of existing staff resources

The Corrections Bureau of the Ministry of Justice of Japan ensures that supervising officers take turns to be on night duty so that they can swiftly respond to a disaster, easing the pressure on the prison warden (prison director). In addition, the authorities provide accommodation areas contiguous with the prison for free so that the officers can be easily available to respond in case of a disaster.⁵⁷ These are good

practice examples of a staff rota system that takes into account the possibility of a natural hazard occurring, and these practices have been adopted within existing budgetary allocations.

National funding mechanisms for DRR

Some countries have separate funding streams for DRR. In the US through the Federal Emergency Management Agency (FEMA), county jails (pre-trial detention facilities which are operated by local government) can recoup some costs for losses if they already have an incident command in place, and the costs will help with the clean-up and recovery in the aftermath. This funding is not only for jails but for any stakeholder involved with incident management and support responsibilities.⁵⁸

Prison administrators could also explore if there are any opportunities for external funding from multi-lateral institutions for natural hazard management, for example, from institutions such as the Global Facility for Disaster Reduction and Recovery (GFDRR). GFDRR is a grant-funding mechanism, managed by the World Bank, that supports disaster risk management projects worldwide.⁵⁹ The World Bank also supports countries in managing emergency preparedness and recovery as do agencies such as the United Nations Development Programme (UNDP), the United Nations Office on Drugs and Crime (UNODC) and the ICRC. Where there is humanitarian response taking place in an affected community, it is important that prisons are not excluded from this.

Practical response

The measures set out below are an outline of what should happen in practical response to a disaster emergency. The specific actions to be taken will depend on each prison's local situation, but in general, the prison official in charge of overseeing the emergency (sometimes known as an incident commander) should:

- Activate the evacuation plan if necessary.
- Activate a shelter in place plan in case evacuation from the prison is not possible and people must shelter in their existing prison.
- Ensure the safety of those on prison escort, including those being transferred to court, hospital or another prison while they are in transit, as well as the safety of accompanying officers and drivers.
- Inform relevant external authorities and agencies including local emergency services.
- Implement the distribution of previously procured and pre-positioned food, water, clothes, blankets, medicines and other needs.

56. United Nations Office on Drugs and Crime *The United Nations Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules)*, 2015, Rule 97.

57. Interview with a representative from the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, July 2021.

58. US Department of Homeland Security Federal Emergency Management Agency *National Incident Management System 2017* p. 16 www.fema.gov/sites/default/files/2020-07/fema_nims_doctrine-2017.pdf.

59. Global Facility for Disaster Reduction and Recovery, www.gfdr.org/en/global-facility-disaster-reduction-and-recovery.

Good governance

Good prison governance is an essential element of DRR for ensuring and enabling the protection of human rights. Prison and criminal justice authorities should ensure the following:

Strong leadership and clear decision-making responsibilities as well as a clear division of these responsibilities. Having a well-defined set of rules and procedures in place such as a DRR policy, contingency plan and evacuation plan are essential pre-requisites, but prison managers should also be allowed to make decisions at the local level, within agreed national frameworks. This allows them to better respond to local conditions and the specific situation they face for expediency and congruity, for example, in relation to evacuation.

Pre-existing coordination and cooperation with other agencies including healthcare providers, emergency response services and local government. There needs to be consensus between agencies on how to respond to emergencies to ensure that prisons are not excluded or forgotten from any community response, that agencies know their responsibilities and that they are able to access the prison. For example, local emergency services should be included in contingency plan drills to ensure they are familiar with the layout of their local prison and so that emergency plans can consider the speed of their arrival and allow for their access. In the Philippines, the Bureau of Fire Protection conducts the fire drills in Tacloban City jail as well as first aid training to both jail staff and detainees.

Accountability, transparency and oversight throughout all planning, response and recovery from disasters associated with natural hazards. As per Rule 54 of the UN Nelson Mandela Rules, all detainees should have access to information about prison rules and regulations and their rights and obligations, including in times of crisis and emergency. Prison monitoring bodies must also have access to inspecting and monitoring prison conditions, including evacuation facilities during emergencies, where safety allows. The involvement of other agencies and civil society also opens prisons and prison policies to public

scrutiny. Improving accountability and transparency will also contribute to building trust between detainees, their families and prison authorities, resulting in improved outcomes during emergencies caused by natural hazards.

Emergency measures should be proportionate and not go further than needed. There need to be safeguards in place to ensure the emergency is not used as an excuse for authorities to limit detainees' rights. For example, access to basic rights such as healthcare provision must be provided at all times and measures on the grounds of security during evaluations must not constitute ill-treatment.

Mitigation measures to ensure the continuation of services and upholding of human rights including enabling people in prison to maintain contact with families, contingency planning to continue rehabilitation programmes, especially if these are essential to individuals being able to complete their sentence and be eligible for release, and continuation of the same level of healthcare provision.

International cooperation and evidence-based decision-making on best practice approaches including learning from similar countries in terms of their risk profile and available resources.

A well-resourced system with sufficient trained staff, and with adequate facilities that meet international standards, and sufficient pre-positioned supplies and emergency response equipment is much better placed to respond in a disaster than an under-resourced and overstretched system. However, recognising that many prison systems around the world are under-resourced, steps should be taken to maximise low-cost solutions such as training, cooperation with external agencies and making use of existing community resources and infrastructure. For example, municipal buildings such as schools or stadiums can be utilised as accommodation for evacuated detainees.

Sustainable measures which have long-term impact and contribute to overall improvements to the prison system, management, protection of rights and well-being of people in prison and the prevention of disastrous impacts of natural hazards.

- Engage relevant engineers and technicians to ensure the continued capabilities and functioning of the plumbing and electrical power systems; engineers and technicians will be required to be present on site to address any malfunctions that will likely occur.
- Engage external emergency response such as firefighters, police and others to support the prison based on previously agreed cooperation.
- Deploy the necessary equipment – such as breathing equipment, rescue equipment, handheld radio communication systems and electricity generators as well as backpacks with emergency supplies (flashlights etc.).
- Activate an agreed communications plan to ensure that people in detention and their families are communicated with about the situation and steps which will be taken regarding their safety and well-being such as evacuation or shelter in place, provision of supplies, changes to regime etc. This should be done as far as the security situation allows. For example, it may not be within security protocols to give information about the location where detainees will be evacuated to until the evacuation is complete, but it should be communicated to families, monitoring bodies and lawyers as soon as possible.

- Ensure sufficient availability of back up staff in case local staff are unable to reach the prison due to the emergency or ensuring their or their families' safety.
- A media plan should be deployed for communicating with external news media or a plan to make use of other platforms such as social media to deliver timely information on the situation.
- Use dynamic security⁶⁰ as well as the prison's classification and categorisation mechanisms to monitor individuals; ensure that those categorised as high risk and detainees previously identified as escape risks are in a secure location to prevent escape; prison management should also monitor the relationship between detainees and frontline staff.
- Deploy individuals that have previously been identified, vetted and trained to undertake their identified role in emergency disaster management.
- Implement any agreed early release scheme or temporary release for detainees based on risk assessments, with due consideration for people in prison with special needs such as older persons, people with disabilities, with serious health conditions, pregnant women and nursing mothers etc; after the emergency, those on temporary release schemes should return to prison or report to criminal justice authorities, only if deemed necessary.
- Ensure legal documents and case files are stored securely, if only paper copies exist, but they should preferably be electronic and backed up to avoid damage, for example from flood waters, fire etc; ensure access to records of the prison population (court, medical etc.) during the emergency, including in any evacuation location.

Furthermore, steps should be taken by probation agencies and staff to ensure the safety and well-being of those serving non-custodial sentences, including by adjusting supervision or reporting requirements if these become unrealistic or unsafe to fulfil during the emergency.

COVID-19 implications on DRR

COVID-19 remains a threat both in the community and in prisons where its impact can be felt more acutely given the restrictive and confined nature of the prison environment. It is imperative that prison authorities take steps to mitigate the impact of restrictive measures necessitated by COVID-19, to continue to respect the rights of people in prisons and to protect their health and safety and that of staff members.

People in prison face a heightened risk of contracting the virus and suffering its fatal effects. In some jurisdictions, deaths in prison are proportionately far higher than in the community. This is due to cramped living conditions that do not allow for physical distancing, unhygienic conditions, the typically poorer health status and higher social vulnerability of prison populations, and the regular flow of staff and others in and out of prisons.

Contingency plans for natural hazards should be reviewed in consideration of restrictions brought in to stem the spread of COVID-19, such as physical distancing measures, the need for masks and other PPE, improved personal hygiene or access to a vaccination plan. A review of existing contingency plans may be necessary to consider the impact of COVID-19 on emergency response.

Integrating COVID-19 protocols into contingency plan drills

In February 2021, a contingency drill for an earthquake and tsunami was undertaken by the National Penitentiary Institute (INPE) in Peru to test out the resilience of their contingency measures in the event of an earthquake or a tsunami while under restrictions enforced due to COVID-19.⁶¹ Normal contingency plan processes and procedures required for the management of natural hazards are identified in the guide but as was demonstrated by the Peruvian prison authorities, it is the responsibility of prison managers to test the resilience of their disaster risk reduction strategies in consideration of COVID-19.

60. Dynamic security is a prison management approach whereby staff get to know the people they supervise, develop positive relationships understand the risks they pose and get to know their individual needs and any vulnerabilities. Dynamic security creates a more positive climate in prisons, fosters cooperation and establishes trust between detainees and staff enabling better communication and coordination, all essential for effective emergency response.

61. 'Penal Ica realiza simulacro de sismo en tiempo de pandemia', INPE, 21 February 2021, www.gob.pe/institucion/inpe/noticias/343290-penal-ica-realiza-simulacro-de-sismo-en-tiempo-de-pandemia.

A guide to disaster risk reduction for prisons

Recovery



After the occurrence of a natural hazard and persons and infrastructure are no longer at immediate risk, the recovery process should begin (although this process can already begin during the response period). This will include assessing the stability and safety of buildings and infrastructure, ensuring the ongoing health and well-being needs of detainees and staff, assessing human rights protection needs and, importantly, serve as an opportunity to make improvements and adjustments to DRR, taking into account lessons learned from the disaster.

Recovery processes

Short-term and medium-term recovery

If a prison building has been damaged or destroyed, short-term housing may be needed immediately. Such accommodation must be able to meet the minimum standards as laid out in the UN Nelson Mandela Rules. It will be important for the security of the prison and the human rights of people in prison that transition plans to a permanent facility are managed effectively.

Any short- and medium-term shelter facilities will require, at a minimum, access to healthcare services, water supply, sanitation, sheltered accommodation, food preparation areas, a security barrier and perimeter controls, showers, laundry, power, and heating or ventilation, depending on the climate. The same provision should also be made for staff living at these facilities; staff working conditions should not be unreasonable or unsafe, and they should have the necessary equipment and training to work in these facilities.

Immediate response and assessment

Two strong earthquakes hit Christchurch and the wider region of Canterbury, **New Zealand**, on 4 September 2010 and 22 February 2011. In the aftermath of the 2010 earthquake the New Zealand Department of Corrections temporarily relocated people from Christchurch's prisons

as a precautionary measure to ease the pressure on the water supply system as there was a risk that it would not function adequately if there was a fire outbreak at the prison.⁶²

Both earthquakes created significant challenges for prisons in the short and long term, in terms of assisting staff and restoring facilities.⁶³ The earthquakes caused extensive damage to water infrastructure in men's and women's prisons, costing an estimated NZ\$2.5 million (approx. US\$1.76 million) to replace. The total expenditure on earthquake recovery for the Department of Corrections was NZ\$11.103 million (approx. US\$7.8 million) including NZ\$3.572 million (approx. US\$2.5 million) in assets damaged beyond repair as well as the temporary relocation of people in prison to allow buildings to be assessed for damage by structural engineers.⁶⁴

Rehabilitation and reconstruction

Recovery from natural hazards in **Peru** consists of two processes: rehabilitation and reconstruction. Rehabilitation is reactive and falls under the responsibility of INDECI and refers to the provision of basic services immediately after the event and the relocation of the affected population. Reconstruction, which falls under the responsibility of the National Centre for Disaster Risk Estimation, Prevention and Reduction (CENEPRED), refers to a risk assessment of the damages. If a prison collapses, an evaluation of the type of soil or infrastructure is needed. The assessment looks at why the building collapsed and whether the building complied with construction regulations and seismic resistant infrastructure. Reconstruction must be based on a risk assessment to decide on whether to rebuild *in situ* or to relocate to another area based on vulnerability studies.

As with the immediate response, prisons should ensure that recovery plans (which should be part of the overall DRR plans) include provision for the continuation of services such as rehabilitation programmes, healthcare and especially mental health services. The impacts of disasters on survivors' mental health have been well documented; experiencing a disaster can result in a range of psychological health effects such as anxiety, depression and post-traumatic stress disorder.⁶⁵

62. 'Christchurch earthquake: 500 prisoners moved amid water problems' *New Zealand Herald* 7 September 2010 www.nzherald.co.nz/nz/christchurch-earthquake-500-prisoners-moved-amid-water-problems/KZE3H64PW0SHWYOHTFEFKZJPDVQ.

63. New Zealand Department of Corrections *Annual Report 1 July 2010 – 30 June 2011* p. 6.

64. *Ibid* p. 86.

65. Makwana, N. 'Disaster and its impact on mental health: A narrative review' *Journal of Family Medicine and Primary Care* 8(10), 2019, pp. 3091–3092.

Efforts to avoid prison overcrowding in temporary facilities should be prioritised, and authorities should consider retaining or adapting prison activities. If long-term buildings will be added over time, careful consideration should be given to the suitability of the site for a transformation from a short- and medium-term to a permanent facility.⁶⁶

Long-term recovery

One consequential benefit of disaster recovery is the opportunity to address structural issues of the prison system and avoid disaster risk creation.

Post disaster needs assessment (PDNA) findings

The PDNA conducted after the **Haiti 2010** earthquake emphasised the need to rebuild the entire prison system as there were many inadequacies. The assessment called for prison overcrowding to be reduced through building new facilities and making use of alternatives to pre-trial detention.⁶⁷ However, there is little evidence that these recommendations have been implemented. There continues to be an overcrowding rate of over 450 per cent with almost 82 per cent of the prison population being pre-trial detainees.⁶⁸

Rebuilding a prison system should address systemic issues such as prison overcrowding and should create appropriate detention facilities and conditions. In addition, the new prison physical infrastructure would be built and equipped to withstand future disaster events (See the paragraph on infrastructure page 13).

Accountability processes

A significant part of the recovery process is ensuring public scrutiny and accountability of the decisions made and the results of those decisions, allowing stakeholders, including people in prison, the opportunity to understand these decisions and influence future planning and implementation. The accountability process should ensure lessons learned are established and adopted, that those responsible for decisions made are held accountable and that compensation is paid to those affected if necessary. Accountability processes could, for example, include parliamentary scrutiny or judicial review.

All deaths in custody occurring during the disaster, including those that appear to be caused by the disaster, must be properly documented, registered and reported

to competent authorities. All deaths caused by neglect or omission must be identified to determine if the loss of life could have been avoided.⁶⁹

Inspections and visits from monitoring and oversight bodies are critical in the immediate aftermath to ensure scrutiny so that human rights violations are prevented, and where they do occur, authorities are held accountable. Oversight is also crucial to ensure that measures taken in response to the natural hazard are proportionate, protect the safety, health and well-being of people in detention and do not have a negative impact on their human rights.

Prisons must also have appropriate and transparent complaint mechanisms in place so that detainees can make complaints during and in the aftermath and recovery stages of a disaster. Prisons could consider establishing new channels for making complaints related to the disaster such as a dedicated phone line. Complaint mechanisms should be easy to access, and the process for making and resolving complaints should be properly communicated to people in prison.

Community engagement post disaster

Following the Canterbury earthquakes in **New Zealand** in 2010 and 2011, the Department of Corrections sought to consult with community organisations and representative bodies on how it could better contribute to the local community. This community engagement involved public meetings, hui [assemblies] and prison open days to promote community understanding of prison operations and information about prison activities and to provide opportunities for members of the public to share their views.⁷⁰

Accountability should also be embedded in planning and response stages, including public oversight and monitoring of DRR, inspections and monitoring of prison conditions, risks that may contribute to or exacerbate a natural hazard, for example basic health and safety measures and prevention of new risk creation by building new prisons in hazard-prone areas.

Emergency management debrief

A debrief is a structured meeting with staff and all those involved in DRR to go through the process of the incident management to identify lessons learned and areas for improvement. It is necessary to undertake a debrief meeting to inform the work of a post disaster needs assessment (PDNA), which will be undertaken to determine the cost, damage of the natural hazard and post recovery efforts.

66. United Nations Office for Project Services *Technical guidance for prison planning. Technical and operational considerations based on the Nelson Mandela Rules*, 2016, pp. 71–72.

67. Government of Haiti, *Haiti Earthquake PDNA: Assessment of damage, losses, general and sectoral needs*, March 2010.

68. Penal Reform International *Global Prison Trends 2021* May 2021 p. 9; World Prison Brief Haiti, www.prisonstudies.org/country/haiti accessed 30 September 2021.

69. Penal Reform International and the Association for the Prevention of Torture *Detention Monitoring Tool: Incident management and independent investigations* 2018 p. 3.

70. New Zealand Department of Corrections *Annual Report 1 July 2010 – 30 June 2011* p. 96.

People in prison should also be given the opportunity to participate in a debrief about the management of the emergency response and raise their questions and concerns, alongside frontline staff.

A debrief should consider the following:

- Could any deaths or injuries have been avoided? Did any human rights concerns emerge?
- The operational procedures followed – were incidents managed according to an approved contingency plan?
- The actions from staff involved in the emergency management – did any training issues emerge?
- The operational lessons to be learned – did anything go wrong? Were there any security breaches or concerted acts of indiscipline?
- The welfare of people in prison, staff, support agencies and local community organisations involved in the incident – do any staff members or detainees require counselling support?
- Any immediate identifiable gaps to improve the contingency plan?

Post Disaster Needs Assessment

A Post Disaster Needs Assessment (PDNA) needs to be conducted soon after the natural hazard occurred to assess the impact of the disaster to set out a recovery path, determine the cost implications of the damage and a swift recovery of services and a restoration of the prison regime. The DRR policy should set out the guidelines for the PDNA by the prison service and its supervising authority. It is crucial that people in prison be involved in the PDNA so that their concerns and priorities are considered.

A PDNA should assess:

- Physical infrastructure, including relocation needs.
- The effect on the delivery of the prison regime, for example education and training activities, healthcare provision.
- The effect on vulnerabilities, for example any new security or natural hazard risks.
- Equipment, information systems and technology destroyed.
- If the impact of the disaster left any immediate or long-term negative effects on the physical and mental health and well-being of people in prison and staff.
- The cost and funding of recovery efforts.

Conclusion

It is important that prisons take disaster risk reduction steps to enable them to safeguard the lives, human rights and welfare of people in prison and staff. There are immediate and long-term steps that prisons and criminal justice systems can take to make them more resilient to natural hazards.

Immediate response

Disaster risk reduction policy document

Every prison system must develop a disaster risk reduction policy document which sets out guidelines for prisons' disaster risk reduction frameworks for effective mitigation, prevention, response and recovery measures based on a comprehensive risk assessment

Contingency plan

Every prison system must have a contingency plan as part of its core operational service especially due to the nature of the prison environment and to ensure that the prison system discharges its duties to protect the lives, well-being and human rights of those that live and work there. Contingency plans must be practiced, and staff, detainees and other agencies must all be aware of their role and responsibilities in the event of a disaster.

Systemic reform

However, climate-related hazards are only expected to become more frequent and larger in scale. It is imperative that prisons and criminal justice systems take steps to mitigate the impact of this very vulnerable population. Improving DRR is a means to more strategic and holistic reform, reducing the footprint of prisons and jails and making them more humane.

When considering systematic reform to address natural hazards, prison systems should look at the following.

Overcrowding

Take steps to reduce prison populations and especially reduce overcrowding. Overcrowding puts everyone at risk because there are too many people for the prison to effectively manage with their available resources. Reducing the number of people with special needs in detention, reducing the use of pre-trial detention, ending measures such as cash bail and increasing the use of non-custodial sentences and alternatives to pre-trial detention are all effective means to reducing

prison populations. A reduced prison population would make prisons better able to respond to natural hazards and fewer people would be at risk due to existing vulnerabilities.

Prison building

Consider how and where prisons are built. Ideally not in areas which are high risk for natural hazards, but they should also be built to better withstand the impact of adverse weather and heatwaves. The characteristics of the expected prison population should also be considered; high security prisons are expensive and their populations more difficult to manage when a natural hazard occurs. Authorities should engage competent professionals with expertise in prison design and development and make use of guidance available from the ICRC and UNOPS to build prisons which respond to the environment and culture of the country and prisons. It is also imperative to make use of more nature-based solutions, improving ventilation and shading and using design and materials that protect the people inside. Well designed and built prison infrastructure will save money and resources in the long-term, preventing the need for costly repairs after a natural hazard.

Funding

Increase funding for prisons so they are able to enact these changes. Prison budgets around the world are minimal, and this leaves prisons without sufficient means to effectively protect their populations in non-emergency times, let alone prepare for and respond to natural hazards. There are low-cost solutions that would have a high impact, for example training, developing partnerships and plans for cooperating with other agencies and making use of local resources.

Accountability and transparency

Increase accountability and transparency of prison management and policy in the preparation, response and recovery from disasters associated with natural hazard, which would contribute to improved trust between prison authorities and detainees and their families and increase public trust in the system. Consequently, the building of fairer more resilient, and responsive systems would be supported, helping realise criminal justice systems that are fairer and more resilient overall.

About Penal Reform International

Penal Reform International (PRI) is an independent non-governmental organisation that develops and promotes fair, effective and proportionate responses to criminal justice problems worldwide. We work to promote criminal justice systems that uphold human rights for all and do no harm. We run practical human rights programmes and support reforms that make criminal justice fair and effective. Our primary objectives are to secure trials that are impartial, sentencing practices that are proportionate and promote social rehabilitation, and humane conditions of detention where alternatives to imprisonment are not possible. We work through country missions, regional hubs, remote coordination, and through partners.

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