

# Staff working conditions

Addressing risk factors to prevent torture and ill-treatment



***The General Controller has reported ‘consistently since the beginning of his mission, that respect for human rights in prison ... was also dependent on the working conditions of staff’.***  
(French General Controller of Places of Deprivation of Liberty)<sup>1</sup>

## 1. Definition and context

Prison officers come into contact with prisoners on a daily basis and their influence on how prisoners experience their detention cannot be overestimated. The way prison officers perceive the quality of their working life and how they are treated by managers and colleagues has a significant impact on the atmosphere in detention and the treatment of prisoners. Prison officers who feel valued, trusted and respected at work are more likely to apply these values to the treatment of prisoners.<sup>2</sup> While there are different kinds of staff who work in prisons, including specialised staff (such as social workers, medical staff and psychologists) or non-uniformed senior management, this paper focuses on prison officers.<sup>3</sup>

Prison officers carry out the operational task of running prisons on a day-to-day basis. They have direct contact with detainees and are responsible for their custody, classification, daily routine, security measures, programme of activities, their protection and access to the outside world. They may also be involved in determining rehabilitation and educational programmes. Prison officers have almost absolute power over detainees, who rely on staff for their basic needs and to ensure that their rights are respected. Prison officers therefore have an important duty of care to ensure that detainees are treated with respect for their dignity and humanity at all times.

There tends to be relatively little focus on prison officers in the study of prisons: their backgrounds, attitudes and experiences at work. They often have

low social standing or may even be negatively stereotyped in public opinion and media, and neglected in academic literature. In some countries and contexts, prison officers are not recruited but allocated to serve as prison officers, which can impact negatively on their motivation.

In practice, the work of prison officers varies greatly between prisons, countries and contexts. In some places, prison officers rarely enter prisoners’ areas,<sup>4</sup> while in others they build positive relationships with prisoners and use their interpersonal skills, discretion and authority to diffuse tensions without using force.<sup>5</sup>

This Factsheet seeks to assist monitoring bodies to identify factors relating to working conditions of prison officers which impact negatively on the treatment of prisoners, and therefore represent a risk factor for torture and other ill-treatment. It adopts a broad understanding of ‘working conditions’ to encompass all factors that can affect the quality of the working life of prison officers.

## 2. What are the main standards?

A number of United Nations and regional instruments contain provisions relating to prison officer working conditions. These congruently provide that prison officers should be professional civil servants with civilian status, and include standards relating to their recruitment and training. Some also explicitly require that prison officers receive adequate remuneration and benefits.

1 Contrôleur général des lieux de privation de liberté, ‘Avis du Contrôleur général des lieux de privation de liberté du 17 juin 2011 relatif à la supervision des personnels de surveillance et de sécurité’, *Journal officiel de la République française*, 12 juillet 2011, Texte 81 sur 134.

2 Liebling A, *Prisons and Their Moral Performance*, Oxford University Press, 2004, pp375-430.

3 Also known as correctional officers and detention officers. In this paper, ‘prison officer’ is used to mean all prison staff who carry out the role described (they may be employed by different types of organisation, for example public authorities, private companies, military or police institutions).

4 Coyle A, *Managing prisons in a time of change*, International Centre for Prison Studies, 2002, p36.

5 Liebling A, Price D, & Shefer G, *The prison officer*, Routledge, 2012, pp8-9.

## Main references

- UN Standard Minimum Rules for the Treatment of Prisoners, Section on Institutional personnel, Rules 46 to 55
- UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), Section 9 – Institutional personnel and training, Rules 29 to 35
- UN Rules for the Protection of Juveniles Deprived of their Liberty, Section V – Personnel, Rules 81 to 85
- UN Standard Minimum Rules for the Administration of Juvenile Justice, Rule 22
- Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, Section on Qualifications, training and counseling, Articles 18 to 21
- Principles and Best Practices on the Protection of Persons Deprived of Liberty in the Americas, Section on Personnel of places of deprivation of liberty, Principle XX
- Council of Europe European Prison Rules, Part V – Management and staff, Rules 71 to 81
- Guidelines and Measures for the Prohibition and Prevention of Torture, Cruel, Inhuman or Degrading Treatment or Punishment in Africa (The Robben Island Guidelines), Section on Training and Empowerment, Guidelines 45 & 46
- Council of Europe Committee of Ministers Recommendation No. R(97)12 on Staff Concerned with the Implementation of Sanctions and Measures (1997)

Relating to non-discrimination:

- Convention on the Elimination of Discrimination Against Women
- Convention on the Elimination of All Forms of Racial Discrimination

## 3. Types and situations of risk

### 3.1 Factors related to the institution and its culture

Prisons vary greatly in their purpose and nature. There are low, medium and high security prisons, closed and open prisons; prisons specifically for men, women and juveniles among others. Some prisons accommodate thousands of detainees while others house only small numbers. Each prison has its own **atmosphere and set of shared values** about the way things are done. While in some importance is placed on professionalism, respect and rehabilitation, others are characterised by a climate of anxiety, distrust and abuse. It is useful to keep in mind that the organisational culture of a prison has a significant influence on the working conditions and experiences of prison officers employed within it.<sup>6</sup>

A study aimed at measuring the quality of life in Doncaster prison in the UK observed that there was much similarity in how prisoners, staff and managers described the positive ethos of the prison.<sup>7</sup>

*'The policy here is that you are here as, not for, punishment' (prisoner). 'The way the organization relates to you affects the way you relate to each other, which affects the way you relate to your job (officer).' (Quotes from Doncaster prison, UK)<sup>8</sup>*

The **institution in charge of a prison** plays an important role in shaping its culture and thus the experiences of its staff. Even though international standards provide that prison staff should be civilian, in a number of countries prisons are run by the military or police. The ethos, structure and practices of these institutions naturally influence the conditions in which prison officers work. For example, military and police run institutions tend to be very hierarchical and regimented, and characterised by distrust towards detainees and a punitive approach to imprisonment. This often manifests itself in a culture of violence,<sup>9</sup> with negative implications for detainees as well as staff.

While the majority of prisons are operated by authorities, a number are outsourced to **private companies**.<sup>10</sup> Prison staff working in the two distinct types of institution have been found to have

6 PRI/APT, *Institutional culture in detention: a framework for preventive monitoring*, 2013.

7 Liebling A, *Prisons and Their Moral Performance*, Oxford University Press, 2004, p418.

8 *Ibid.*

9 Inter-American Commission on Human Rights, *Report on the human rights of persons deprived of their liberty in the Americas*, 2011, p62.

10 The broader issue of ensuring the respect for human rights in private prisons is important for monitoring bodies but beyond the scope of this paper.

significantly different perceptions of the quality of their working lives in a number of aspects.<sup>11</sup> Among other things, this has been attributed to the fact that private sector prisons are less likely to be unionised, and managers have more flexibility in ‘hiring and firing’, resulting in a higher turnover. Unions can play an important role in representing staff interests and improving their working conditions. However, in some contexts they have had a negative effect on industrial relations and the working atmosphere inside prisons, in particular when local union representatives were intransigent and resistant to change.<sup>12</sup>

A common aspect of prison culture is that prison officers ‘see themselves as part of an unvalued, unappreciated occupational group’.<sup>13</sup> This often includes a perception that managers are bureaucrats who do not understand the nature of the operational work, the dangers and difficulties involved, and that **prison management** does not properly support officers. Trust, legitimacy and fairness are as important for prison officers as they are for prisoners. The way they feel treated by the organisation and management impacts on their motivation and on how they treat prisoners. Negative experiences and emotions are usually linked to a lower quality of life for prisoners.<sup>14</sup> Professional leadership by senior managers is therefore of key importance. This includes effective communication with staff and their representatives and a commitment to uphold or improve good working conditions for prison staff.

A clear **code of ethics and disciplinary procedures** which are applied in a fair and transparent way can also build staff confidence in management and help to protect detainees, staff and the institution from inappropriate and abusive behaviour.<sup>15</sup>

Prison officers frequently have a strong **‘esprit de corps’**, which emphasises solidarity with fellow officers.

It also often includes not siding with or being ‘soft’ on prisoners.<sup>16</sup> There can be significant peer pressure from prison officers as a group about ‘the way things are done’, and officers who do not conform may suffer intimidation, harassment and ostracism. For example, a unit of a Scottish prison was reportedly shunned by the rest of the prisoner officer workforce because it worked with prisoners who were labelled the most dangerous and disruptive in a supportive and constructive way.<sup>17</sup> In extreme cases, prison officers can suffer violence from colleagues as part of their training or initiation rites as a way of ‘socialising’ them into a punitive culture.

*‘There were reports that ‘a member of the Buenos Aires Penitentiary Service had been subjected to various forms of physical ill-treatment as a ritual to “welcome” him to that department’s Special Intervention Group (GIE).’<sup>18</sup>*

The Inter-American Commission on Human Rights (IAHCR) considers that when state agents responsible for the custody of persons deprived of their liberty are themselves subjected to torture or cruel, inhumane and degrading treatment by their own colleagues, the system is being turned on its head and distorted. This distortion makes it more likely that those officers will subject those in their custody to similar or even worse violence.<sup>19</sup>

**Discrimination** is common within prisons and is likely to affect staff as well as prisoners. Minorities may be discriminated against by managers, peers and prisoners. This can range from direct abuse to ‘indirect’ forms of discrimination such as racist or other discriminatory language being tolerated by managers, or to simply not being professionally encouraged or being overlooked for training and promotions. This not only violates the human rights of staff, but also affects their motivation and attrition and consequently how they treat prisoners.<sup>20</sup> It is

11 McLean C, and Liebling A, ‘Prison staff in the public and private sector’, in Bennet J, Crewe B, & Wahidin A, (eds.), *Understanding prison staff*, Willan Publishing, 2008, p97.

12 See for example Liebling A, *Prisons and Their Moral Performance*, Oxford University Press, 2004, p403.

13 Crawley E, & Crawley P, ‘Understanding prison officers: culture, cohesion and conflicts’ in Bennet J, Crewe B, & Wahidin A, (eds.), *Understanding prison staff*, Willan Publishing, 2008, p134.

14 Liebling A, *Prisons and Their Moral Performance*, Oxford University Press, 2004, pp419 & 425.

15 The Council of Europe has recommended that prison services adopt a code of ethics for staff. See *Recommendation CM/Rec(2012)5 of the Committee of Ministers to member States on the European Code of Ethics for Prison Staff*. For example, the Isle of Man Prison Service has a *Code of Conduct and Discipline*, available at <http://www.gov.im/lib/docs/hr/tomcs/Handbook/codeofconductioprisonservice.pdf> <accessed 29 October 2013>

16 Liebling A, Price D, & Shefer G, *The prison officer*, Routledge, 2012, p163.

17 Sim J, ‘An inconvenient criminological truth’: pain, punishment and prison officers’ in Bennet J, Crewe B, & Wahidin A, (eds.), *Understanding prison staff*, Willan Publishing, 2008, p188.

18 Inter-American Commission on Human Rights, *Report on the human rights of persons deprived of their liberty in the Americas*, 2011, p63.

19 *Ibid.*

20 Singh Bui H, and Fossii J, ‘The experiences of black and minority ethnic prison staff’ in Bennet J, Crewe B, & Wahidin A, (eds.), *Understanding prison staff*, Willan Publishing, 2008, p57.

therefore important that prison authorities put in place clear regulations, policies and mechanisms to prevent and address discriminatory behaviour.<sup>21</sup>

*‘An officer who had experienced direct racist abuse from a colleague had been deeply affected: “I often think about leaving the prison service, my home life is affected, I don’t know what to do. My aim was to keep a low profile and to blend in but I can’t handle what I am now encountering.”’<sup>22</sup>*

Over the last few decades, an increasing number of women prison officers have been employed, including in men’s prisons around the world, with recognised benefits.<sup>23</sup> However, women prison officers often experience gender-based discrimination, in particular in the masculine environment of a prison.<sup>24</sup> Studies have documented that this includes ‘remarks about their appearance, sexual joking and teasing, false rumours about sexual involvement with inmates or other staff, obscene phone calls, and constant reminders of their ‘female’ status’.<sup>25</sup> Women prison staff may also be disadvantaged professionally because of a mistaken perception that they are unable to perform prison officer work to the same standard as men.

*A high ranking prison officer in Zimbabwe reported that most female prison officers are discriminated against and shunned by their male counterparts at work and by society at large. ‘[M]ost female prison officers are looked down upon by their male counterparts who do not appreciate their efforts. Some sections of society also regard female officers as having loose morals.’ The officer reported that, if a female officer attains a higher rank, fellow officers do not give her due respect owing to the widespread, but incorrect, belief that female officers can only get promoted if they engage in immoral behaviour with their bosses.’<sup>26</sup>*

### What could monitoring bodies check?

- What type of institution is in charge of the prison? How does this affect the organisational culture and the working conditions of staff?
- What is the organigram for the prison/organisation? How do prison officers view their management? To what extent do prison officers feel supported by management?
- Are prison officers unionised? What is the influence of the union on working conditions, industrial relations and the working atmosphere in prisons?
- What is the atmosphere among colleagues?
- Are there indications of a punitive ‘esprit de corps’? Have prison officers felt pressure from colleagues to act a certain way towards prisoners?
- Have prison officers experienced discrimination or abuse at work?
- Are women prison officers given the same roles, opportunities and salary/benefits as male prison officers?
- Are regulations, policies and mechanisms in place to prevent and address discriminatory practices? Do officers have confidence in these?

### 3.2 Factors related to recruitment, training and initial placement

*‘Unfortunately [...] the status of prison staff is very low in most countries. Little attention is given to their proper recruitment and training. A large majority will not have sought a career in the prison service in particular, eg they might be former military personnel, people who have been unable to find other employment etc.’<sup>27</sup>*

21 Mechanisms to address racism include, for example, ‘race relations committees, race relations officers, sophisticated range-setting ethnic monitoring, regular audits and racial complaints procedures’, see Singh Bui H, and Fossii J, ‘The experiences of black and minority ethnic prison staff’ in Bennet J, Crewe B, & Wahidin A, (eds.), *Understanding prison staff*, Willan Publishing, 2008, p51.

22 Singh Bui H, and Fossii J, ‘The experiences of black and minority ethnic prison staff’ in Bennet J, Crewe B, & Wahidin A, (eds.), *Understanding prison staff*, Willan Publishing, 2008, p57.

23 ‘The presence of women “softens” the prison environment and normalizes it to an extent by introducing a female presence into a male-dominated environment’, see Newbold, G, Women Officers Working in Men’s Prisons, *Social Policy Journal of New Zealand*, Issue 25, 2005, p110.

24 Rule 30 of the Bangkok Rules requires that, ‘There shall be a clear and sustained commitment at the managerial level in prison administrations to prevent and address gender-based discrimination against women staff’.

25 Lambert E, Paoline III, E Hogan N, & Baker D, Gender Similarities and Differences in Correctional Staff Work Attitudes and Perceptions of the Work Environment, *Western Criminology Review*, Vol 8, No 1, 2007, p17.

26 The Zimbabwean, ‘Prison officers battle stigma’, 6 March 2013, <http://www.thezimbabwean.co/news/zimbabwe/64109/prison-officers-battle-stigma.html>.

27 UNODC, Criminal Justice Assessment Toolkit: The prison system, Section 6.4 - Personnel, p35.

Ensuring that people with the right personal qualities and skills are employed as prison officers is important both for the prison system as an organisation and for individual staff members. It increases the likelihood that they will come to the role with a sense of vocation, will gain satisfaction from their work and remain motivated and committed. Penitentiary systems therefore need an **active recruitment policy**, which has a clear idea of the kind of people it wishes to recruit, sets out the nature of the work to attract the right candidates, and has criteria and procedures for selection, which include the appropriate character, skills and qualifications as well as considerations of diversity.<sup>28</sup>

In reality, many prison systems find it difficult to attract staff of a high quality. This may be for a number of reasons, including a lack of active recruitment policies or unattractive conditions of service, low social status of work or competition from other professions such as law enforcement agencies. Prison systems often fail to recruit diverse staff, representational of the prison population, despite evidence that this increases the legitimacy of the organisation and can bring other concrete benefits such as improved communication and cooperation with prisoners. Where staff are not recruited through an application process, but (involuntarily) allocated or drafted to duty as prison officers, this will naturally have a negative impact on their motivation.

**Training** is crucial to ensure that prison officers are equipped to perform their duties and to do their job well. Training should provide prison officers with the skills they require for their role, including interpersonal communication skills and good prison management, and the essential values of their profession,<sup>29</sup> including respect for the dignity and non-discrimination of all people in the prison. Training programmes should be based on an organisational vision for staff professionalism and part of a coherent approach to staff professional development, with courses mandatory upon recruitment and at regular intervals throughout their career.

*'In order to avoid wastage of manpower through dissatisfaction leading to early resignation, and establish a solid basis for subsequent training, arrangements should be made to orient recruits on entry and give them a realistic perception of their work.'*<sup>30</sup>

In practice, prison officer training is often cursory, involving a few weeks upon recruitment and only limited opportunities thereafter. In some jurisdictions, this is in stark contrast to other law enforcement roles, and even more so by comparison to public service roles with responsibility for the care of individuals such as mental healthcare.<sup>31</sup> It is also common for training to focus on security, discipline and related technical aspects, without sufficient attention to interpersonal skills and values.

*In Georgia, 'following the opening of a Penitentiary and Probation Training Centre in November 2005, all prison staff were in the process of undergoing a 45-day retraining session comprising subjects such as relevant legislation, psychology and conflict prevention'.*<sup>32</sup>

Monitoring bodies should remain aware that trainings can be the setting in which new recruits are 'weaned onto' negative values of an institutional culture, for example through masculine, sexualised activities or abusive and derogatory conduct condoned in such trainings.<sup>33</sup>

*'A female officer commented that "at training college you're taught never to trust the bastards!" (...)* Numerous new officers were shocked at the degree of verbal and physiological abuse meted out by their trainers (...). Many of my interviewees, male and female, remarked upon the militaristic, paternalistic and abusive nature of their basic training.'<sup>34</sup>

Experiences of new recruits in their **initial placement** are significant in shaping their views of their role, the prison and prisoners. While initial training may be well intentioned, first placements are sometimes used to socialise new officers into 'the way things are really done'. Sometimes, new officers are deliberately placed in some of the most difficult roles or shifts

28 See Coyle A, *A human rights approach to prison management*, International Centre for Prison Studies, 2009, pp22-23.

29 See Council of Europe Committee of Ministers, *Recommendation No. R(97)12 on Staff Concerned with the Implementation of Sanctions and Measures*, 1997, para. 16.

30 *Ibid.*, para. 13.

31 Sim J, 'An inconvenient criminological truth': pain, punishment and prison officers' in Bennet J, Crewe B, & Wahidin A, (eds.), *Understanding prison staff*, Willan Publishing, 2008, p200.

32 European Committee for the Prevention of Torture (CPT) report on its 2007 visit to Georgia, CPT/Inf(2007)42, para 86.

33 Cited in Sim, J, 'An inconvenient criminological truth': pain, punishment and prison officers' in Bennet J, Crewe B, & Wahidin A, (eds.), *Understanding prison staff*, Willan Publishing, 2008, p200.

34 *Ibid.*

in a prison. In order to cope, they can feel forced to abandon principles and values conveyed in trainings and accept the practices of a less respectful, punitive or even abusive prison culture.

### Would could monitoring bodies check?

- What is the demographic of prison officers in the prison/organisation (age, educational and professional backgrounds, level of experience, ethnic backgrounds and gender mix)? How does this compare with the population/other comparable public services?
- How are prison officers recruited? Are they employed through an application process or conscripted to serve as prison officers?
- Does the prison/organisation have an active recruitment policy for prison officers, with clear criteria and procedures of selection? Does it encourage women and people from minority groups to apply and ensure non-discrimination in recruitment?
- Is the prison able to attract the right staff?
- Does the organisation have a vision for staff professionalism and a coherent programme for staff professional development?
- What training do prison officers receive upon appointment and throughout their career? Does this include interpersonal communication skills and the values that underpin the work?
- How do prison officers perceive the usefulness/nature of the training they have received?
- How are promotions decided upon? How do prison officers perceive the opportunities for professional development within the organisation?
- How are initial placements allocated? What is the experience of prison officers in these initial placements?
- What are the retention/turnover rates of prison officers? How does this compare with other public service professions?

### 3.3 Conditions of service

To attract and retain a professional, competent and motivated workforce, conditions of service for prison officers need to ‘enable them and their families to have a decent standard of living, given the risks, responsibilities and stressful situations inherent in their work, and the technical capacity their profession demands’.<sup>35</sup> The salary level and other conditions of service should seek to provide prison officers with a standing in the community that reflects the important contribution they make to society.

In many contexts, prison staff receive low salaries which may also be paid irregularly, unsurprisingly impacting negatively on the performance of their duties. As a rule of thumb, prison officer **remuneration and benefits** (eg pension, health insurance) should be in the range of other comparable public service professions, for example police officers, teachers or nurses, and take into account the complex and sometimes dangerous nature of the role.<sup>36</sup>

*‘The working conditions of prison staff are deplorable, according to CONAPREV, “police officers’ salaries are simply very poor, given the number of hours they work away from their homes, trying to support their families”.’ (Inter-American Commission on Human Rights)<sup>37</sup>*

Low salaries can also encourage corruption, which can become institutionalised and by its nature leads to discrimination (in favour of those who can pay) and other human rights abuses.

*In Ukraine, ‘a number of prisoners alleged that they had been asked to pay money to staff in order to be allowed to exercise their rights (e.g. concerning visits, correspondence, access to a shower, access to medical care, transfer to a hospital, etc.) or be granted certain privileges, such as extra visits. Further, some allegations were heard of staff members requesting payment in order to place a prisoner in a disciplinary cell or arrange conditional release’.<sup>38</sup>*

Prisons are sometimes located in isolated places, away from urban settlements, making it difficult for

35 Inter-American Commission on Human Rights (IACHR), *Report of the IACHR on the situation of persons deprived of their liberty in Honduras*, 2013, p33.

36 See UNODC *Criminal Justice Toolkit*, p35, op.cit.: ‘Their salaries (of prison staff) are normally quite inadequate, which contributes to dissatisfaction and corrupt practices. If the prison service is within the Ministry of Interior, however and have military status, then they might have a range of additional privileges, as well as comparatively higher salaries. These are some of the key reasons for resistance to the transfer of the responsibility of the system from the Ministry of Interior to the Ministry of Justice.’

37 Inter-American Commission on Human Rights (IACHR), *Report of the IACHR on the situation of persons deprived of their liberty in Honduras*, 2013, p34.

38 CPT report on its 2009 visit to Ukraine, CPT/Inf(2011)29, para. 145.

prison officers to **access services and facilities** such as shops, doctors, social activities and schools for their children.<sup>39</sup> In some contexts, prison officers are required to live in a community made up only of other prison officers, making it difficult for themselves and their families to lead a 'normal', diversified social life. They may also be required to transfer regularly to work in different prisons, with all the challenges of relocation. These circumstances may require additional subsidies such as for housing, travel, medical care and education for children, etc. in order to prevent inequitable living conditions of prison officers and their families.

### What could monitoring bodies check?

- What is the salary for prison officers and how is it set?
- How does this compare to other comparable public services (such as the police service, nurses or teachers)?
- How does the location of the prison or prison accommodation affect the lives of prison officers and their families (access to facilities, social opportunities etc)?
- What is the benefits package for prison officers? Does this include subsidies for living costs and services (if necessary given location etc)?
- Do prison officers perceive the salary and benefits to be adequate?
- Are there indications of prison officer corruption (indicating potential problems with pay levels)?
- Are prison officers subject to transfer? If so how are transfers decided upon and does this take into account the situation of the officer and their family at the time?
- What is the social status of prison officers (in the eyes of prison officers and others)?

### 3.4 Prison officer well-being

Working in a prison is a demanding role and has a significant **emotional impact** on staff. Prisons are punitive and often violent environments, with a climate of hopelessness, anxiety, fear and distress. Prison officers may experience an 'ever-present risk' of assault,<sup>40</sup> and at the same time have to deal with challenging situations such as self-harm and suicide attempts. Working day to day in such an environment has its toll, with documented effects including depression, a sense of isolation, poor physical health, sleepless nights, difficulties relaxing, 'bringing the job home', and emotional desensitisation, sometimes resulting in alcohol and drug dependency.<sup>41</sup>

*'It's changed me in a lot of ways – I'm much more cynical, my husband says I'm much more serious. You mature at an incredibly quick rate. I remember my first six months in the Prison Service and being so overwhelmed by how depressing it was (...). And I think part of it is a reaction to the people you meet – they're not happy people and their lives aren't happy and their lives are so full of horrible and nasty events, and that's bound to have an impact on people.'*<sup>42</sup>

Alongside the broader emotional impact, prison officers can experience high levels of **work-related stress**. While traditionally considered mere 'turn-keys' (people who just lock up and unlock prisoners in their cells) their job is much more complex.<sup>43</sup> Feeling overstrained and unable to find the necessary time for the different tasks required are common sources of stress. Some prison officers report having difficulties knowing how to reconcile the two main aims of their work: 'custody', ie maintaining security and control, and 'care' ie building relationships with prisoners and helping them to deal with their offending behaviour.<sup>44</sup> Feeling unrecognised and unsupported by management can add to stress levels. In some countries, the introduction of a performance culture (managerialism) has led to increased anxiety among prison officers due to the shift to a less secure, more efficiency-focused work environment.<sup>45</sup> The

39 Coyle A, *A Human rights approach to prison management*, International Centre for Prison Studies, p30.

40 Liebling A, Price D, & Shefer G, *The prison officer*, Routledge, 2012, p72.

41 *Ibid*, pp65 & 160.

42 *Ibid*, p130.

43 On any one day, prison officers can be required to be 'gatekeepers, agents of criminal justice, peacemakers, instruments of change and delivers and interpreters of policy'. Cited in Liebling A, Price D, & Shefer G, *The prison officer*, Routledge, 2012, p42.

44 It is well-recognised that these two roles are compatible and that developing positive relationships between prison officers and prisoners enhances security in prisons (also known as dynamic security). However prison officers may need to be trained on the interpersonal skills necessary and/or encouraged to use them. See for example European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), *Report to the Swedish Government on the visit to Sweden carried out by the CPT from 9 to 18 June 2009 (CPT/Inf (2009) 34)*, 2009, para. 33.

45 Liebling A, *Prisons and their moral performance*, Oxford University Press, 2004, pp378-379.

use of technology in prison settings can support officers, but also does have negative implications, for example if resulting in reduction of staff levels or in the monotonous duty of only officer to monitor a screen for a whole day/shift.

*‘Management at all levels should strive to prevent working conditions likely to give rise to stress symptoms among the staff by suitable arrangements for physical safety, reasonable working hours, decision latitude, open communication and a psychologically supportive climate in each work unit. Where staff have been exposed to traumatic incidents in the course of duty, they should be offered immediate assistance in the form of debriefing sessions followed, if necessary, by personal counselling and any other necessary long-term measures.’<sup>46</sup>*

An **inadequate staff/prisoner ratio** hampers the ability of prison officers to carry out their functions and creates an insecure environment within prisons. As the CPT has noted ‘[i]n addition to creating a potentially dangerous situation for vulnerable prisoners, it also poses dangers for staff, whose position can be compromised by their inability to exert proper control over – and develop a constructive dialogue with – prisoners’.<sup>47</sup> Furthermore, inadequate staffing levels can mean staff are expected to undertake significant amounts of overtime and very long shifts in order to maintain basic security, which can lead to ‘high levels of stress in staff and their premature burnout’.<sup>48</sup>

*In Ukraine, ‘a number of custodial staff were working 24-hour shifts (with an interruption of up to four hours to rest). At Colony No. 89, the delegation’s attention was drawn to the fact that some members of staff had at times to work for up to two days in a row in order to cope with the*

*workload (eg to replace colleagues on sick leave, additional escorting duties). The situation was said to be particularly difficult for staff with little experience’.<sup>49</sup>*

As the UN Special Rapporteur on Torture has noted ‘conditions of detention are appalling in the vast majority of countries and must often be qualified as cruel, inhuman and degrading’,<sup>50</sup> including poor physical infrastructure, insufficient space, air and light, a lack of sewerage and waste disposal or other unhygienic conditions. While prison staff sometimes work in very comfortable **physical working conditions**, in stark contrast to those in which prisoners are detained, at other times they are subject to the ‘same conditions as inmates, and in some circumstances, to conditions that are even worse’.<sup>51</sup> Prison staff are also exposed with regard to their health. Many studies have shown that the risk of infection with diseases such as hepatitis B and C and tuberculosis (TB) is significantly higher among prisoners than in the general population, in particular where prisons are overcrowded and detainees subject to unhealthy conditions such as lack of air, light, sanitary facilities and means of personal hygiene, and adequate nutrition.<sup>52</sup>

*In San Pedro Sula Prison, Honduras, ‘one of the watch towers around the perimeter is located in a place where a large amount of garbage is thrown and piles up, and water accumulates. The guards on duty at this post climb up on portable ladders and stay there for six to eight hours, with no access to a bathroom, and exposed to a hot, unhealthy environment and a constant smell of putrefaction’.<sup>53</sup>*

Traditionally, law enforcement personnel rely on support from superiors and on solidarity between peers to address difficulties at work.<sup>54</sup> Some prisons

46 See Council of Europe Committee of Ministers, *Recommendation No. R(97)12 on Staff Concerned with the Implementation of Sanctions and Measures*, 1997, paras. 42, 43.

47 CPT report on its 2012 visit to Portugal, CPT/Inf(2013)4, para. 57.

48 European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), *11th General Report on the CPT’s activities (CPT/Inf (2001) 16)*, 2001, para. 26.

49 CPT report on its 2012 visit to Ukraine, CPT/Inf (2013)23, para. 24.

50 UN Special Rapporteur on Torture, *Study on the phenomena of torture, cruel, inhuman or degrading treatment or punishment in the world, including an assessment of conditions of detention (A/HRC/13/39/Add.5)*, 2010, paras. 9 & 229 – 237.

51 Inter-American Commission on Human Rights (IACHR), *Report of the IACHR on the situation of persons deprived of their liberty in Honduras*, 2013, p33.

52 UNODC/World Health Organization, *Good governance for prison health in the 21st century: A policy brief on the organization of prison health*, October 2013, pp2,3.

53 Inter-American Commission on Human Rights (IACHR), *Report of the IACHR on the situation of persons deprived of their liberty in Honduras*, 2013, p33.

54 Contrôleur général des lieux de privation de liberté, ‘Avis du Contrôleur général des lieux de privation de liberté du 17 juin 2011 relatif à la supervision des personnels de surveillance et de sécurité’, *Journal officiel de la République française*, 12 juillet 2011, Texte 81 sur 134.



have established mentoring programmes, in which staff members are trained to provide support to new recruits.<sup>55</sup> In addition to these, it is important that prisons provide independent **support services**, including counselling by trained professionals, with whom staff can speak voluntarily and in confidence about their work, challenges and concerns.<sup>56</sup> It should be borne in mind that admitting to problems and seeking help is commonly considered a sign of weakness which is looked down upon among prison officers and within law enforcement culture more generally. The prison administration will therefore need to proactively ensure that prison officers feel able to use support services.

#### What could monitoring bodies check?

- How has work affected prison officers personally and in their family/private lives?
- What do prison officers perceive as the best/most difficult aspects of their work?
- What is the staff/prisoner ratio in the prison?
- Is the prison overcrowded? How does this affect prison officers' ability to carry out their tasks and develop positive relationships with prisoners?
- What are the working hours for prison officers? Do they work in shifts? Are prison officers required to do overtime? Are they remunerated for it?
- Are prison officers satisfied with the working hours/shift system?
- What are the physical working conditions of prison officers?
- Are there support services available for prison officers, including counselling to help them deal with challenges at work? Do prison officers feel able to make use of these? Do they perceive them to be helpful?

## 4. What can monitoring bodies do?

When analysing risk factors for torture and other ill-treatment in prisons, monitoring bodies should keep in mind that prison officer working conditions and their levels of job satisfaction impacts on the way they carry out their duties and how they treat prisoners. Monitoring bodies can address this factor in different ways.

Monitoring bodies can gather background information on the working conditions of prison officers in relation to the relevant institutional and legislative framework. This will include information about the organisation of prison administration (institution in charge, organisational structure, number of prison officers and officer/prisoner ratio, demographic composition, turnover, etc) and aspects that are centralised, which might include recruitment, training, salary levels and benefits. This information can be gathered from the ministry or government department responsible for prison administration and screening of legislation applicable to prison officers such as general labour laws. If the state/prison system is federal or decentralised, monitors will need to understand which level of government is responsible for setting policy and legislation relating to working conditions. Knowledge about the prison organisation and its functioning will also be gathered over time during the preparation and conduct of each prison visit.

Monitoring bodies should consider looking at staff working conditions in selected visits (for example the first visit to a prison), as a component of regular visits, or when there are particular indications of staffing issues affecting the treatment of prisoners – this can be specified within the monitoring body's internal programme of visits. During visits, monitors should interview prison officers about their working conditions, their perceptions of these and seek to understand how this affects their motivation and behaviour towards prisoners. Interviews can be conducted in focus groups and individually, and are an important way to cross-check information received from other sources. Interviews in private are recommended when looking into possible issues of peer pressure or abuse among colleagues.

Monitors may also be able to gather information on prison officer working conditions from other staff, including the prison director, specialised staff, trade union representatives (who may be prison officers

<sup>55</sup> For example in Hong Kong. See Morgan N, and Morgan I, *30th Asian and Pacific Conference of Correctional Administrators 2010*, Conference Report, 2010, p35.

<sup>56</sup> Contrôleur général des lieux de privation de liberté, 'Avis du Contrôleur général des lieux de privation de liberté du 17 juin 2011 relatif à la supervision des personnels de surveillance et de sécurité', Journal officiel de la République française, 12 juillet 2011, Texte 81 sur 134.

themselves) or training academies. Some information relating to staffing can be gathered from documents, such as the staff list, working schedules or training curricula.

Monitoring bodies can choose to act on this issue in a number of ways:

- Raising concerns regarding prison officer working conditions in the concluding conversation with the prison director.
- Including findings and recommendations on prison officer working conditions in regular visit or annual reports. For example, the European Committee on the Prevention of Torture (CPT) frequently includes a section on staffing in prisons in its visit reports.
- Publishing thematic reports or opinion pieces focusing on prison officer working conditions or specific aspects thereof. For example, in 2011, the French National Preventive Mechanism

published an opinion in the French Official Journal on the need for counselling services for law enforcement and security personnel working in places of detention.<sup>57</sup>

- Ensuring that reports covering broader human rights issues in prisons include prison officers' experiences and perspectives where relevant. For example, in 2005 Her Majesty's Inspectorate of Prisons for England and Wales published a thematic report on race issues in prisons, which included issues of discrimination faced by black and other ethnic minority prison staff.<sup>58</sup>

Being responsive to working conditions of staff benefits the treatment of prisoners, and addresses the prevalent perception that human rights bodies are partially protective of prisoners while ignoring the rights of prison staff. Monitors should explain their preventive mandate, including that they are impartial and seek to address gaps in human rights protection and practices of abuse and malpractice as a whole, which includes the working conditions of staff.

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57 Contrôleur général des lieux de privation de liberté, 'Avis du Contrôleur général des lieux de privation de liberté du 17 juin 2011 relatif à la supervision des personnels de surveillance et de sécurité', Journal officiel de la République française, 12 juillet 2011, Texte 81 sur 134.

58 Her Majesty's Inspectorate of Prisons, *Parallel Worlds. A Thematic Review of Race Issues in the Prison Service*, London, Home Office, 2005.



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## About this Factsheet

This Factsheet is part of PRI/APT's Detention Monitoring Tool, which aims to provide analysis and practical guidance to help monitoring bodies, including National Preventive Mechanisms, to fulfil their preventive mandate as effectively as possible when visiting police facilities or prisons.

All resources in the tool are also available online at [www.penalreform.org](http://www.penalreform.org) and [www.apt.ch](http://www.apt.ch).