



The European Organisation  
for Probation

*Expert Group on Foreign Nationals*

## **Good Practice Guide**

*Developing Services  
for European citizens  
detained abroad*

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## Introduction

Providing a service for your nationals detained abroad, for their families, and for those returning from prison abroad is a vital way of helping protect the basic human rights of European citizens. So often, these groups of individuals are forgotten - yet their experiences should not be ignored. For those suffering whilst in detention abroad, having the support of an organisation in their home country can make the difference between life and death. For their families, being able to speak to an organisation who understands and can guide them through the situation is invaluable. For those returning from prison abroad, there is often no one to assist them in re-settling in their home country. Providing a service to your nationals in prison abroad ultimately helps keep families together and contributes to prisoners leading crime-free lives after release.

The European Group for Prisoners Abroad is a network of organisations currently providing this service. Thanks to funding from the European Commission, we have been able to develop this manual to guide and assist other groups wishing to provide this service for their own nationals.

The aim of this guide is, therefore, to help both those who wish to begin providing this service and those who are in the early stages of doing so. We have included information on a whole range of services and issues. We have also included lots of sample documents and policies that you can adapt and use for your own work and which, we hope, will provide a useful resource. As the guide makes clear, the support of other member organizations of the CEP Expert Group on Foreign Nationals will complement the materials and information in this manual.

The first section contains information on setting up a new service for your nationals in prison abroad. This includes information on such issues such as obtaining funding, drawing up a budget and planning for your organisation's development.

In the second section, we look at how to prepare to provide services. It includes information on seeking and storing data, basic policies such as confidentiality, and ideas for how to organise the provision of services to prisoners overseas.

The third section focuses on the relationships that need to be established with key organisations and with the ones that can be helpful as your work develops. There are many networks that can be tapped into and this section provides some ideas for doing this.

The fourth section describes the range of services that can be offered to prisoners, families and returning prisoners. It is unlikely that any organisation will ever offer the whole range of services described. This section aims to give you an idea of what is possible, and some tips for each type of service, so that you can select what is most appropriate for your organisation and its resources.

The fifth section covers some difficult of the difficult issues that may arise in working with prisoners and their families and provides some guidance for organisations when they come across such issues.

In the sixth and final section, the topic of working with volunteers is explored. As volunteers are key to many organisations in this field, we have drawn together some information on recruiting, selecting, training and supporting volunteers.

Finally, in the appendix, we have included a whole range of documents that you can adapt for your own use. This includes sample letters to prisoners and families, policies and guidelines, and documentation for files.

We would like to thank the Grotius-II Criminal Justice Programme of the European Commission, without whom this guide would never have seen the light of day. We hope that this guide will inspire and guide others as they take on the ground-breaking and vital work of supporting European citizens in detention abroad.



## 1. Setting up

To start providing services for your nationals in prison abroad can be done quite simply. Many of the existing member organisations of the CEP Expert Group on Foreign Nationals were formed by one or more volunteers who had an interest, either personal or professional, in the situation of their nationals in prison abroad. They began by writing a few letters, talking with a few families and making links with other organisations that could help them. Often they were lent office space by another organisation in their country who was sympathetic to their work. Others were formed as a branch of an existing organisation. In either case, the most important things to remember are:

- **Do not advertise your services until you are ready**

You might decide, for example, only to work with prisoners in a certain country or only with the families of the prisoners. Take on new areas of work gradually and only once you are ready to cope with more work. It is extremely important (and extremely difficult) to propagate a realistic vision of what you can and cannot do.

- **Decide how much work you can cope with and set clear guidelines so that you do not become inundated**

Often word of mouth will spread news of your existence quickly and you may need to have a standard letter ready to send to other prisoners explaining that you cannot yet help them. It is a good idea to keep records of this so that in due course, you can contact them to offer them your services.

- **Keep track of your contact with prisoners and families**

Provided you have use of a computer, a simple database is the best way to do this. The CEP Expert Group on Foreign Nationals can provide a model database for you to adapt for your own use.

- **Introduce yourselves and seek to build a relationship with the relevant authorities**

This is extremely important as the authorities in your own country (such as your Ministry of Foreign Affairs or Ministry of Justice) probably already have information on

your nationals in prison abroad and establishing co-operation with them will be very useful in the future.

- **Make use of existing networks**

It is useful to begin building partnerships with existing organisations and NGOs who are already providing assistance to prisoners both in your own country and in the countries in which prisoners are held.

Other member organisations of the CEP Expert Group on Foreign Nationals can also provide you with guidance and support. There is information available on the website of the CEP, [www.cep-probation.org](http://www.cep-probation.org). For more information on this, please see [section 3.2](#).

### **1.1 Drawing up a defining document**

At some point, you will also need to begin considering structural issues. A defining document allows the new service to set out its work and its principles. This document is sometimes called a constitution and, for those organisations who are not part of a larger one, can be extremely useful for both operating and fundraising purposes. Some of the principle points to consider are:

- What to call the organisation
- Who you wish to work with (e.g. prisoners defined by nationality and/or residency; their families; returning prisoners)
- What services you aim to provide (advice and advocacy; grant-giving, prison-visiting etc)
- That your services are free and that you do not discriminate in any way<sup>1</sup>.

If your services are part of those offered by a larger organisation, you will probably not need to draw up a constitution as such but it will still be important to define your work and check that this fits within the wider remit of the organisation.

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<sup>1</sup> These are key principles for all members of the CEP Expert Group on Foreign Nationals' network.

## 1.2 Governance

Most organisations are overseen by a panel of individuals who provide both expertise and support to the organisation. Some of these panels have legal responsibilities for the organisation. It is a good idea to select individuals from relevant areas (for example, lawyers, government officials, NGO representatives etc.). Alternatively, if your organisation is formed as a branch of a bigger organisation, such a panel of individuals may already exist. It may however be helpful to ensure that some individuals representing your area of work join the panel.

## 1.3 Legislation

Each country has different legislation that defines how organisations must operate. Organisations which form part of a statutory agency such as their national Probation Service will be expected to abide by existing policies which ensure they respect all relevant legislation.

Non-governmental organisations within Europe can seek advice from:

- [European Council for Voluntary Organisations](http://www.cedag.org/) (<http://www.cedag.org/>)
- [The World of NGOs](http://www.ngo.at/) (<http://www.ngo.at/>)

It is important to be aware of international and national legislation concerning issues such as data protection (see [section 2.4.1](#)).

## 1.4 Setting a Budget

An essential first step to seeking funding is to set a budget for the organisation/service. This may include allowance for:

- Staff
- Rent of premises
- Furniture (desks, chairs etc)
- Overheads (heating, lighting etc)
- Equipment (computers, photocopiers, fax machines etc)

- Stationary
- Telephone connection and line rental
- Internet fee
- Printing and publishing
- Staff and volunteers' travel and subsistence expenses
- Grants for clients
- Affiliation to other organisations or publications
- Technical assistance (e.g. computer consultancy, auditor's fees)
- Training
- Insurance
- Bank charges

However, prior to any funds coming in, it may be necessary to negotiate with another organisation to allow you to operate under their wing in order to cover your basic costs such as postage costs for letters to prisoners, photocopying, telephone).

## **1.5 Strategic planning**

Another important activity is to set out a clear plan for the organisation/service i.e. what it aims to achieve and when. It is good to define your mission but also to have some specific objectives for each year. For some ideas, please look at [Appendix I](#).

## **1.6 Funding**

Obviously, finding some financial basis for your work is essential. Once the budget and the strategic vision have been determined, the organisation can begin to make applications for funding. Organisations can seek to funds through a variety of means:

### *1.6.1 Member subscriptions and private donations*

Many small voluntary sector organisations have grown out of self-help groups which have subsequently embarked on fundraising activities themselves. This tends to be a slow process which relies on the commitment and voluntary efforts of the initial members.

### *1.6.2 National Funding Possibilities*

- Ministry of Justice
- Ministry of Foreign Affairs
- Ministry of Home Affairs

National governments have a responsibility for the welfare of their citizens, even when abroad; a responsibility usually held by the Ministry of Foreign Affairs. In terms of funding new organisations to support prisoners held overseas and their families and provide practical advice and assistance on their return, it may be that the Ministry of Foreign Affairs should be approached in the first instance.

Some member organizations of the CEP Expert Group on Foreign Nationals are funded by the Ministry of Justice/Home Office as part of the budget allocated for the rehabilitation of offenders (e.g. the Netherlands).

### *1.6.3 Raising funds from private foundations and NGOs*

- Charitable Trusts
- Religious organisations
- Own fundraising activities

In countries where there is a less structured criminal justice system, with little funding for rehabilitation, it is possible that financial support could be obtained from religious organisations or the predominant Church.

Some countries have a strong charitable trust sector, often in specialist areas and it is worth approaching those with an interest in criminal justice issues, preserving family life or human rights and presenting a case which fits their grant-giving criteria. Some countries have a grant-giving database which allows you to search for funders and target certain groups. When writing funding applications, you must look at what specific criteria they request. Please see Appendix II for a sample generic funding application.

### *1.6.4 Obtaining grants from Europe*

Most European funds (i.e. those from the European Commission and the Council of Europe) are allocated on a time-limited project basis and are therefore very difficult to

access for start-up or running costs. Once groups are established, and have a legal constitution, they are eligible to apply for funds for specific activities to various funding streams, predominantly those emanating from the Directorate-General for Justice and Home Affairs. However, all European funds require varying degrees of match-funding (where your organisation has to contribute a part of the funding required for the project) from the applicant organisation, have complex application and audit procedures and rigid deadlines.

The European agenda is shifting towards mutual recognition and harmonisation and we hope there will be more funding streams being made available. Details of all European funding programmes are available via the [Europa website](http://www.europa.eu.int/) (<http://www.europa.eu.int/>).

#### *1.6.5 Donations in kind and free services*

It may be possible to negotiate for free services or donations in kind, such as:

- The services of a call centre
- A publisher for leaflets
- A website designer
- Translators
- Office-space
- Donations of magazines, books or newspapers

## **2. Preparing to provide services**

### **2.1 Communications**

It is essential to have a means for prisoners, families and other agencies to contact you. Obviously, this should never be your own address or phone number. It may be possible to arrange with the Post Office for a postbox or you may be able to ask another organisation to let mail be sent via themselves.

Some organisations have arranged for a call centre to receive phonecalls on their behalf. Basic details are entered by the call centre onto a database which volunteers can access and then make contact with the prisoner/family.

Given that people are increasingly turning to the internet for information and communication, you may like to think about setting up a website for your organisation. However, there are costs associated with this:

- The purchase of a domain name
- Expertise for designing the site (although you may find someone who can do this in a voluntary capacity).
- Time and fees involved in maintaining the site and keeping it up-to-date.

### **2.2 Basic leaflet**

It is important to develop a general leaflet outlining your services – both for use with prisoners and their families and for use with other agencies. These also add credibility to the organisation. Such a leaflet should include information on:

- Who you help
- How you help
- How you can be contacted
- Basic principles of your work (i.e. free, no discrimination, non-judgementalism etc)

A sample text is attached [Appendix III](#) can be adapted to your needs. It is also helpful to think about:

- A logo
- Standard colours
- Keeping the text simple and in large font with good spacing.

## **2.3 Seeking information from clients**

At the same time as providing information on the organisation, it is important to seek information from prisoners and families.

### *2.3.1 Information from prisoners*

In respect of prisoners, the most critical information to gather is:

- Their full name (and aliases) and date of birth
- Their prison address, prison number and country of detention
- Their nationality
- The address at which they can be written to (in some countries, this is always via the local Embassy or Consulate)
- The date they were arrested
- The charge on which they were arrested
- The circumstances of their arrest
- Whether they are on remand, sentenced etc
- If not yet sentenced, whether they have a lawyer and contact details for their lawyer
- If sentenced, length of sentence and whether they are appealing
- Any health or other problem issues
- Where and when they last lived in your country
- Their family contact(s) (name, address, phone number, email address, relationship to prisoner) and whether they want you to keep in touch with them
- That you have their permission to store this information (this is important because of data protection legislation).



Please see Appendix IV for a sample registration form. It is important to ensure prisoners are aware that you are unlikely to be informed if they change prison addresses or are released. Therefore if they are moved to another prison or released, they should let you know as soon as possible.

### *2.3.2 Information from families*

In respect of families, it is important to gather as much of the above information as the relative knows. It is also helpful to establish whether the relative:

- Has sent money to the prisoner or knows how to send money
- Is in touch with the local Consulate or Embassy or has their details
- Has already visited or has information on how to arrange visits
- Is in touch with the prisoner's lawyer or has their details
- Has any problems with which the family needs your assistance.

## **2.4 Storing information on clients**

### *2.4.1 Data protection*

National laws regarding data protection demand good data management practices. These include the obligation to process data fairly and in a secure manner and to use personal data for explicit and legitimate purposes. National laws also guarantee a series of rights for individuals, such as the right to be informed when personal data were processed and the reason for this processing, the right to access the data and, if necessary, to have the data amended or deleted.

It is important that any new group setting up is aware of the legislation they must respect, particularly in terms of the data they hold on their clients. Further information is available from the website: <http://www.europa.eu.int/citizens>.

### *2.4.2 Databases*

In order to store the data, it is helpful to develop a database. The CEP Expert Group on Foreign Nationals can provide a model database in English or French which runs on Access 2000 and can be adapted to your

needs. This allows you to keep records of your clients and your contact with them. It also allows you to produce labels for doing general mailings (e.g. of a newsletter) and produce statistical data (which is extremely important for fundraising applications). It may also be useful to keep a database of your other contacts (e.g. visitors, lawyers etc).

### *2.4.3 Client files*

Client files are also needed to store letters and other documents and to keep a record of actions on the case. These often contain:

- A cover sheet which sets out basic information on the case (see [Appendix V](#))
- An action sheet which allows those involved on the case to record their conversations and actions (see [Appendix VI](#))
- A chronological compilation of letters exchanged with the prisoner, his/her family or other agencies.

### *2.4.4 Identity numbers*

It is advisable to set up a system of giving identity numbers to each case. This prevents confusion and makes caseload organisation easier. Using a database means this can be done automatically.

### *2.4.5 Monitoring*

Setting up a means of recording contact with prisoners and families means that the amount of work you do can be monitored. This is extremely important in terms of applications for funding as it is essential to be able to state how many prisoners and families you are helping, where the prisoners are held etc.

## **2.5 Caseload organisation**

In order to cope with the influx of letters, phone calls, emails and faxes that is inevitable once you start offering your services, it is necessary to have a system for logging and prioritising these.

### 2.5.1 Logging and prioritising contact

It is essential to establish to a system for logging all incoming contacts from prisoners, families and other agencies. Whilst some of these may contain requests for action, some more urgent than others, and others may simply be providing you with information, without a system for logging them, it is only too easy to end up with a huge pile of outstanding messages and letters.

A simple spreadsheet as set out on the next page can be used:

<b>A</b>		<b>B</b>		<b>C</b>		<b>PENDING</b>	
Date of incoming contact	Name of client / ID number / country	Date of incoming contact	Name of client / ID number / country	Date of incoming contact	Name of client / ID number / country	Date when action is due	Name of client / ID number / country

- ⇒ Under the A column should be entered the most urgent requests (whether by letter, phone, email or fax) for assistance e.g. if a prisoner is ill. The date the request for action was received should also be logged with the earliest contact at the top of the list and subsequent requests entered in chronological order thereafter.
- ⇒ Under column B should be entered other requests for assistance e.g. requests for information, pen-pals etc. Again these should be entered chronologically.
- ⇒ Column C should be used to record other contacts from prisoners, families, and other agencies where an acknowledgement is required but no actual action.
- ⇒ Finally, the “Pending” column should be used where action is required at a later date e.g. a phone call to a lawyer needs to be made in a week’s time.

Once this system is set up, you need to ensure that time is distributed between work in the different categories to ensure that, gradually, all incoming contacts are responded to. As a general rule, the above categories should be applied to all incoming requests,

whether they be via mail, fax, email, or phone call. It is important to bear this in mind so that phone calls, for example, do not receive automatic priority over letters from prisoners.

It is important that the log is kept up-to-date so that any other member of the organisation can check the log sheet and obtain up-to-date and clear information on the work outstanding. The log sheet should include all outstanding work which requires a response (e.g. general enquiries, visitors, etc.)

### 2.5.2 *Distribution of work*

If you have more than one volunteer or staff member, you will need to distribute the work in a methodical manner. Usually, this is best done on a geographical basis as this enables the volunteers/staff to build up knowledge and contacts in the areas they cover. Obviously, if they are fluent in other languages, this should be reflected in the distribution of the work.

However, flexibility will also be needed, as there are times when one area/caseload will become particularly busy whilst others may be quieter. It is best therefore if the volunteers/staff have the means to assist each other at such times. It is essential, in order for this to be possible, for case notes to be written fully, and basic information on each particular area to be available centrally (see [section 4.1.2](#)).

A typical geographical distribution amongst 4 volunteers/staff members could be as follows:

<b>Area 1 English-speaking</b>	North America and the Caribbean	United Kingdom	Africa (except French-speaking countries)	Australia / New Zealand
<b>Area 2 Spanish / Portuguese-speaking</b>	South America	Spain	Portugal	
<b>Area 3 French-speaking</b>	France, Belgium, Luxembourg	Africa (French-speaking countries)		
<b>Area 4</b>	Middle East	Europe (except UK, France, Belgium, Luxembourg, Spain and Portugal)	Asia	

However, this will vary according to the distribution of the prisoners you deal with, the number of staff/volunteers you have and the languages they speak.

## **2.6 Standard policies**

It is helpful to draw up policies which ensure high quality of services and provide assurance of this to clients and other agencies. Such policies should include ones that address issues such as:

- Confidentiality (see [Appendix VII](#) for a sample policy)
- Complaints (see [Appendix VIII](#) for a sample policy)
- Equal opportunities (see [Appendix IX](#) for a sample policy)

## **3. Building relationships**

### **3.1 Relationship with Government**

#### *3.1.1 Ministry of Justice or Foreign affairs*

A good relationship with your Ministry of Justice or Foreign Affairs (i.e. whichever department is responsible for your nationals in detention abroad) is absolutely key to the successful functioning of your organisation. This may take a while to build up as it may take time to convince them of your credibility and of the value of your work. However, existing organisations who are working successfully with their Ministries of Justice/Foreign Affairs have found that:

- Agencies such as ours can lighten the load for their staff in particular in providing support for prisoners, families and returning prisoners and therefore in widening the humanitarian aid given to such individuals
- Our agencies can play a role in improving public protection by working to rehabilitate offenders whilst they are in prison and offering them services on their return.

Once they have accepted that a relationship with your organisation is beneficial to them, you will find that they may in return help you with:

- Information on prisoners' whereabouts
- Information on prisoners' legal situations
- Information on the local system or contacts

They can also ensure that the local Embassies or Consulates will co-operate directly with your organisation.

It is extremely important to nurture this relationship. However, there is a balance that must be achieved between this and advocating on behalf of prisoners and their families which may, at times, require a critical stance of the role of the Ministry of Foreign Affairs/Justice. Moreover, you should only give out information or take action on behalf of a prisoner if you have had their written consent to do so.

Once a good relationship has been built up, it may be possible to seek funding from the Ministry for your services. In some cases, they may give money for specific projects whilst in others they may be persuaded to give money for the running of the organisation. Several of the existing member organisations of the CEP Expert Group on Foreign Nationals already have good relations with their appropriate Ministry which in turn may help other organisations persuade their Ministries of the value of such a relationship. For some comments made by various Ministries about the value of working with member organisations of the CEP Expert Group on Foreign Nationals, please see [Appendix XI](#).

You may like to think about producing a newsletter specifically for Consuls visiting prisoners or asking if you can contribute to any mailing organised by their Head office.

## **3.2 Other networks**

### *3.2.1 the CEP Expert Group on Foreign Nationals*

The CEP Expert Group on Foreign Nationals network allows participants to share information, contacts and ideas for handling difficult issues. It also enables member organisations to provide mutual assistance e.g. *Prisoners Abroad* will try to assist with problems encountered in trying to provide services to your prisoners in the UK and may in turn be assisted by *Föreningen Bryggan* should they encounter problems providing services to British nationals in prison in Sweden.

As the network develops, we hope to be able to increase our sharing of resources e.g. prison visitors and information. This website is one of the main ways that these can be shared but members will always try to respond to individual requests from other members for assistance.

### *3.2.2 NGOs in the country of detention*

It is extremely useful to build contact with NGOs in the countries where your nationals are detained who can assist the prisoners or families you are dealing with. Sometimes other members of the CEP Expert Group on Foreign Nationals will be able to advise you of appropriate organisations and, again, our website contains links to other useful organisations. Other times, you may be able to

find organisations by browsing on the internet using words like “prisoner support” and the name of the country.

### 3.2.3 International networks

There are some international organisations which may be helpful. Again, the CEP website contains links to such organisations. You may be able to find networks based on:

- Human rights e.g.
  - ⇒ Amnesty International (<http://www.amnesty.org/>)
  - ⇒ Human Rights Watch (<http://www.hrw.org/>)
  - ⇒ Penal Reform International (<http://www.penalreform.org/>)
  - ⇒ Derechos - an internet-based human rights organisation (<http://www.derechos.org/>)
  - ⇒ FIDH: The International Federation for Human Rights (<http://www.fidh.org/fidh-en/index.htm>)
  
- Health e.g.
  - ⇒ The Red Cross/Crescent (<http://www.ifrc.org/>)
  - ⇒ Medecins sans Frontieres (<http://www.msf.org/>)
  
- With a religious base e.g.
  - ⇒ International Network of Prison ministries (<http://prisonministry.net/>)
  - ⇒ Le Secours Catholique (<http://www.secours-catholique.asso.fr/>)
  - ⇒ Council of European Bishops' Conferences (<http://www.kath.ch/ccee/>)
  - ⇒ The Anglican Diocese in Europe (<http://www.europe.anglican.org/>)
  
- Or a legal base e.g.
  - ⇒ Worldwide Bar Associations (<http://www.hg.org/bar.html>)
  - ⇒ International Human Rights Law Group (<http://www.hrlawgroup.org/>)
  - ⇒ Lawyers Committee for Human Rights (<http://www.lchr.org/>)
  - ⇒ International Criminal Defence Attorneys Association (<http://www.hri.ca/partners/aiad-icdaa/>)



- ⇒ [The Association of Independent European Lawyers](http://www.aiel.com/) (<http://www.aiel.com/>)
- ⇒ [The European Circuit](http://www.europeancircuit.com/) (<http://www.europeancircuit.com/>)
- ⇒ [International Commission of Jurists](http://www.icj.org/) (<http://www.icj.org/>)
- ⇒ [The European Young Bar Association \(EYBA\)](http://www.eyba.org/) (<http://www.eyba.org/>)
- ⇒ [The International Human Rights Committee at the Law Society, UK](http://www.tsg.org.uk/international.htm) (<http://www.tsg.org.uk/international.htm>)
- ⇒ [The International Law Society](http://www.international.lawsociety.org.uk/) (<http://www.international.lawsociety.org.uk/>)

It may be helpful to approach these organisations via the head office situated in your own country.

There are also several Christian-based networks looking after foreign prisoners:

- ⇒ [Prison Fellowship International](http://www.pfi.org/international.htm) (<http://www.pfi.org/international.htm>)
- ⇒ [Foreign Prisoners Support Group](mailto:fpsg-frankfurt@web.de) (mail to: [fpsg-frankfurt@web.de](mailto:fpsg-frankfurt@web.de))
- ⇒ [Christian Prison Ministries](mailto:info@christianprisonministries.nl) (mail to: [info@christianprisonministries.nl](mailto:info@christianprisonministries.nl))

### 3.2.4 *Expatriate communities*

It may be helpful to find out whether there are networks for the expatriate communities in countries where you are dealing with prisoners. Often best approached through your local Consulate/Embassy, such communities may prove fertile ground for recruiting visitors or other sources of local assistance.

### 3.2.5 *NGOs at home*

In particular, NGOs based in your own country who provide services to prisoners and/or families, may be open to extending their work to include your clients. This may mean that the prisoners you deal with can benefit from support from pen-pals, for example, or with education without you needing to set up such services from scratch. You will, nonetheless, need to be careful to respect the regulations of foreign jurisdictions as these may differ from those in your own country and may therefore effect the provision of these services.

### **3.3 With the media**

It is almost impossible not to have deal with the media at some stage of your existence. At some point, it is highly likely that a client of yours will attract media attention. Often this is when their case is particularly appealing (e.g. “young girl arrested in Thailand”) or severe (e.g. “50-year old man sentenced to death”). It may also be the result of a prisoner’s family seeking media attention for his/her situation.

#### *3.3.1 Press releases*

In such situations, it is helpful to prepare a statement which you can release to the press without having to give endless interviews. You can then select which, if any, interviews you will give. Such press statements should contain details of the work you are doing on the case, the reasons why it is of concern and what you believe should be done about it. It is best to be extremely cautious about making overt criticisms of other country’s prison conditions or legal systems as such criticism may result in further difficulties for the prisoner(s).

#### *3.3.2 Film and TV*

At other times, you may get enquiries from film or TV producers. Sometimes they are exploring ideas for a new film or programme and you should be careful not to invest too many resources in assisting them when, in reality, such a programme may never get off the ground. It is also important to establish what they will offer you in return for your assistance e.g. a donation or publicity for your organisation. Finally, it is a good idea to draw up a contract defining how they will work with your organisation and any prisoners/families who become involved in the production.

#### *3.3.3 Giving and arranging interviews*

Once again, it is important to be selective before agreeing to newspaper, radio or TV interviews. You will need to consider whether the programme will give you an opportunity to highlight your work and the case/issue appropriately.

In the case where the media would like to interview a prisoner/family or use their story, you must contact the prisoner/family first and only if they are willing should you give the media their number.

It is not generally advisable to seek media attention for a specific prisoner as this may appear to confer preferential treatment to this prisoner. Consequently it is best only to discuss individual cases with the media in response to a specific enquiry about that individual, or as an example to highlight an issue in general.

If families/clients choose to get involved in media work, you should seek to brief them fully on the pros and cons of media attention, what is involved in interviews, and offer a debrief after the interview. See [Appendix XI](#) for a sample information sheet on this subject and tips for clients/families.

#### *3.3.4 Seeking media attention*

There are however times, when media attention can be extremely useful in raising awareness of the situation faced by the prisoners and families you assist. This in turn may be helpful in raising the profile of your organisation which tends to help with raising funds and increasing support for your work. It is generally best to concentrate on general conditions or on a specific issue facing prisoners/their families and to prepare some case studies which illustrate your work. Media attention is more likely when you can offer interviews with ex-prisoners or relatives of prisoners.

Ideally, you should seek to build up a relationship with one or two serious journalists who you can trust to represent your work in a responsible manner.

#### *3.3.5 Saying no*

Sadly, whether you have actually responded positively to any media requests or not, you are likely to receive regular requests. Sometimes these requests may be made quite forcefully so that it may feel difficult to decline. However, this is often the best option if you are in any doubt as to the appropriateness of media attention or the effect that responding to such a media enquiry may have on the resources of your organisation.

Some countries have a mechanism for dealing with complaints about harassment or mistreatment by the media. You may find it helpful to contact this agency or to obtain its details for the prisoners and families you assist. You could also try contacting:

[The International Federation of Journalists](http://www.ifj.org/) (<http://www.ifj.org/>).

### **3.4 With funders**

If you have been successful in attracting funding, it is important to look after your relationship with your funders. Sending them regular reports of your work, contacting them if significant changes take place within your organisation are both important ways of looking after this relationship. It may also be useful to invite them to events or simply to visit your office. Certainly, any documents such as Annual Reports or newsletters should be sent to them as a matter of course. Funders tend to respond well to the organisations who keep in contact with them and keep them interested in their work.

### **3.5 With regulatory agencies**

You will need to ensure that your organisation complies with any relevant legislation in respect of:

- ⇒ Charity law
- ⇒ Health and safety
- ⇒ Employment
- ⇒ Human rights
- ⇒ Data protection

This will require regular consultation with the appropriate agency to check their terms of compliance and to send them the necessary information.

## **4. Providing services**

The range of services you provide may, initially, be extremely limited by the resources you have available to you. However the section below gives information on a range of services which are helpful to prisoners, returning prisoners and families and information on how to provide these services. You should not expect to be able to provide all the services outlined below but this list will give you some idea the services on which you wish to concentrate your resources.

### **4.1 For prisoners**

#### *4.1.1 Understanding prisoners' feelings*

To experience prison, especially for the first time, is very distressing. To experience it in a country that is not your own is immeasurably more difficult. Foreign prisoners are cut off from their family and friends; they are unfamiliar with the culture, and they probably cannot speak the language.

When a person becomes a prisoner, the individual loses their liberty. This is not simply a question of being confined to prison – it means losing the freedom to make their own decisions. They cannot choose what to do or when to do it - even basic things that we can take for granted like what to wear, what to eat, when to sleep, when to talk to other people. Everything a prisoner does is closely monitored and controlled. Personal objects, which reinforce an individual's sense of him or herself, are in many cases strictly limited, and most prisoners have little to call their own beyond their toiletry items and a few books.

Although prison is an environment strictly controlled by governing authorities, each institution will have its own culture, and there is frequently a hierarchy among the inmates with some being respected, and indeed feared, more than others. Anyone new to this environment must also acclimatise to such "social rankings" and the code of behaviour which goes with it. Certain categories of offender, for example sex offenders, will be low down in the pecking order and will probably have a more difficult time of it than most.

Foreign prisoners will often be left to themselves. Although the prison itself will have numerous rules, there will be an equally rigid, though unspoken, code governing what the inmates themselves consider acceptable and what is not (informing the authorities of another inmate's wrongdoing, for example, would be breaking the code).

Apart from loss of individual freedom, the prisoner loses normal contact with their family and friends, and relationships are put under severe strain. The family of a prisoner always suffers a great deal from the lack of contact. Feelings such as shame and anger can often be contributory factors to the break-up of families when one member goes to prison. Many friends will no longer contact someone who has been convicted and business relationships are often destroyed. As a result of this the prisoner often feels rejected and looked down upon by family and friends and, by extension, by society in general.

When someone is imprisoned, especially if it is the first time, they are likely to be in shock. The prisoner suddenly has to cope with a completely different environment and is bound by a rigid set of rules. The prisoner will experience a whole range of emotions:

- Fear. They will worry about how they will cope with prison life, which is an intimidating experience in itself. Added to this, they will naturally begin to worry about what is happening to their affairs and relationships outside.
- Guilt. They will probably feel guilty about the position they have placed their family in, not least the burden of losing the main earner, in many cases, and the financial consequences of having to raise funds for legal fees.
- Anger. They may feel angry with themselves for what they have done, or angry with the "system" that, as they see it, is not giving them a fair hearing.
- Frustration. They will feel frustrated at their inability to exercise any control over their situation.
- Loneliness. They will undoubtedly feel lonely, cut off as they are from their family and friends, and often with no other prisoners who speak their language to talk to.

- Depression and boredom. The lack of meaningful ways to occupy their time means that boredom is a major problem and depression can all too easily set in.

#### *4.1.2 Keeping in contact*

Wherever possible, it is important to establish direct communication with the individual prisoner. Generally, this will involve sending the prisoner a letter (see [Appendix XIII](#) for sample letter) and the leaflet (see [Appendix III](#)) on your organisation. In some cases, bearing in mind the prisoner's likely financial situation, it is helpful if you can include stamps of the country of his/her detention to enable the prisoner to reply (or send letters to family etc).

It may take some time for the prisoner's reply to reach you – or you may never hear directly from the prisoner. It should be born in mind that a substantial number of prisoners are illiterate or semi-literate. In addition, in some countries, your letter may never reach the prisoner or their reply may not be allowed out.

It is also important to be aware that letters to and from the prisoner are likely to be read, particularly during the remand period, and that this may affect what the prisoner can say in letters and what you should say or ask the prisoner. In addition, prison officials may censor incoming and outgoing mail and criticisms of the prison conditions or system may be unwise.

#### *4.1.3 Support, advocacy and referrals*

Another way to help prisoners is to provide them with an avenue to express themselves. Many prisoners feel unable to write to their families about the reality of their prison conditions or legal situation and are grateful for a chance to be able to write about these things to an organisation who will understand, not be shocked and not judge them. Sometimes that is all that prisoners will want from an organisation. Many are simply thankful to know that there is an organisation there for them if they need help. They see this as a kind of safety net.

On the other hand, many will need substantial help in overcoming problems, particularly relating to communication, isolation and, sometimes, mistreatment. In dealing with prisoners' requests for assistance, it is always important to remember to:

- Be clear what the prisoner is asking for and why
- Check that this lies within the remit of your service
- Keep the prisoner informed of action you have taken, what will happen next and regular updates on progress.

It is also important to be clear with prisoners what you can and cannot do for them. If you are not clear, prisoners will not know what to expect from your organisation and may appear demanding simply because they do not know how you can help them. You should also bear in mind that there are likely to be occasions when prisoners try to exploit those who try to assist them. A substantial number of prisoners have mental health problems and this means that some prisoners may be overly demanding or aggressive in the way they request your help. It is particularly important, in such cases, to be clear and fair in the services you offer them.

It may be helpful to refer prisoners/families to other organisations for assistance. Before making a referral, you should ensure that:

- You have up-to-date and accurate details of the organisation in question.
- The referral is an appropriate one. This may mean that you need to contact the organisation to check they will accept the referral (but should be careful not to disclose the client's name or details without their permission).

You should then:

- Either seek the client's permission to pass on their details to the organisation in question
- Or provide the client with the details of the organisation in order for them to make contact directly.

#### *4.1.4 Information*

One of the most useful things you can do for prisoners and their families is to provide them with information on the prison and legal system of the country in which the prisoner



is detained. You may be able to obtain this from the Consulate or Embassy in that country. Alternatively, you may be able to obtain and translate information provided by other member organizations of the CEP Expert Group on Foreign Nationals.

It is crucial to store any information that you collect centrally so that you can create your own information-base. This then ensures that everyone in the organisation is aware of and can make use of the information you gather. A template for storing basic information is to be found in Appendix XIV. Templates for gathering prison and legal information are to be found in Appendices XV and XVI.

It is also important to be aware the laws and conditions change all the time so any information should be issued with a disclaimer to this effect.

#### *4.1.5 Grants for prisoners*

It is unlikely that any new organisation will be in a position to offer grants to prisoners. In due course, however, this may be something you can fundraise for as, quite simply, unless your Embassies/Consulates provide financial support to prisoners, this is one of the most crucial things you can do to support prisoners. As you are probably already aware, in most countries in the developing world, prisoners will not survive unless they receive external support which enables them to purchase food, bedding, medicines etc.

If your organisation does find itself able to offer financial support to prisoners, some points to note are:

- Check what the prisoner needs financial support for
- Check that he/she is not getting this from anywhere else
- Establish how you will get the money to the prisoner and ensure that it is properly spent.

#### *4.1.6 Assistance from Probation*

Probation Services can assist their nationals in other countries in a number of ways:

- Pre-sentencing reports
- Working with offenders' families

- Support in preparing for release
- Support after release

How you can access this support for your nationals will depend on your relationship with your national Probation Service and the resources of your Probation Service. However, it is important to seek these services for your clients as they are, so often, left out of the provision of services for national prisoners.

#### *4.1.7 Books, magazines and newspapers*

Again, a service that is greatly appreciated by prisoners is to send them books, magazines or newspapers from their home country. It may be possible to arrange for magazine or newspaper publishers to donate copies for prisoners or you may find individuals who are willing to give you their books or magazines for sending out to prisoners.

In all cases, you should be aware that there are strict regulations in most countries concerning the receipt of such items. Hard-back books are rarely allowed and in some countries, it is necessary for the prisoner to receive advance permission to receive books, magazines or newspapers. In other countries, it may only be possible to send these items to the prison library. Most European prisons will not allow inmates to receive individual parcels, especially France and Spain because of their problems with ETA terrorists. There is a special procedure to follow with German prisons, whereby a letter must be enclosed, in German, which asks the Social Work department to accept the books on behalf of the prisoner and pass them on to him/her. It is always worth checking the arrangements before sending anything out to prisoners and advising their families of this.

If you are successful in obtaining a number of magazines, newspapers or books for dispatch to prisoners, it may be useful to introduce a request form for prisoners so that they can indicate which type of magazine etc they would be interested in receiving. [Appendix XVII](#) contains a sample request form which can be amended so that it is appropriate for your organisation.

As requests from prisoners are likely to outnumber the amount of magazines etc available, it is a good idea to maintain a waiting list, in chronological order by date of receipt of the request, so that magazines etc can be fairly allocated.

Prisoners who are receiving magazines etc need to be made aware that they must notify your organisation if they are moved prison or released to prevent magazines etc being wasted.

#### *4.1.8 Newsletter*

The production and distribution of a general newsletter is a good means of ensuring prisoners, families and other agencies receive information on your work and on issues affecting this. Once again, there are costs associated with this in terms of:

- Design (although you may find someone who can do this in a voluntary capacity).
- Printing
- Distribution

It is good to include a mix of contributions from prisoners and their families e.g. articles, poems with information/discussion of issues of relevance to them. It may also be possible to use this as a fundraising tool as many people who are willing to give donations to an organisation will appreciate receiving its newsletter.

A newsletter also enables an organisation to keep in touch with all the prisoners on its books. This can be as simple as you like but the important thing to remember is that it helps prisoners feel they are not forgotten. Prisoners particularly appreciate reading accounts of each other's experiences so it is good to seek contributions of articles and poems from them. It is also good to include articles from families as this can help prisoners gain some understanding of what their family may be going through.

#### *4.1.9 Pen pals*

Offering a pen-pal scheme to prisoners means that those prisoners who are particularly isolated can be given the individual support of a dedicated pen pal. In some countries,

such schemes already exist and the organisations providing them may be persuaded to extend their work to cover the prisoners you work with.

Otherwise you may like to think about setting up a specific scheme for your own organisation. Various avenues can be explored to attract pen pals e.g. putting up flyers in universities that have particular human rights interests and advertising in national volunteer bureaux. If you have a website, you could also advertise for pen pals on this.

Sample questionnaires for prisoners requesting a pen-pal and for individuals interested in becoming a pen-pal are to be found in Appendices XVIII and XIX.

Prisoners are generally matched with pen pals within their own age group and then by similar interests. However, if a prisoner has asked for a specific type of correspondent i.e. black female or gay man, the chances of finding a pen pal may be very limited. One way to remedy this situation is to match prisoners up with other prisoners. Many prisoners respond positively to this.

It should be noted that it is extremely important to ensure prisoners are never given their pen pal's home addresses. Mail from prisoners to pen pals should always go via your office. Pen pals should also be advised to be cautious about giving personal details about themselves.

#### *4.1.10 Prison visitors*

Other than perhaps the occasional visit from a member of their family and periodic visits from their Consul, the vast majority of prisoners abroad do not receive any visits. Therefore, another valuable service for prisoners is to provide them with a regular prison visitor. In some places, you may be able to tap into existing prison visiting networks. The CEP Expert Group on Foreign Nationals is building up a network of prison visitors who are willing to visit foreign prisoners. However, language may be an issue as the most important factor is that the visitor and the prisoner can communicate with each other.

Your organisation may also be able to recruit visitors locally (e.g. from the expatriate community or local Church – please see the section on recruiting volunteers).

You may also find you receive enquiries from individuals traveling to a certain country and willing to visit prisoners there. In these cases, it is often best to put them in touch with the local Embassy or Consulate.

It is important to be clear with both the prisoners and the visitors what their relationship should be as otherwise prisoners may not be clear what they can and cannot ask of their visitor and visitors may find themselves unable to cope with the demands that may be placed on them. Some other helpful points for visitors are to be found in [Appendix XX](#).

#### *4.1.11 Distance learning*

Providing prisoners with the means to advance their education allows them to make good use of their time in prison and gain skills which can be useful once they are released. However it is often an expensive service and demand may well outstrip supply.

It is therefore usually necessary to maintain a waiting-list and to inform prisoners who request a distance learning programme that it could be a good while before they will be able to start studying. In the meantime it is useful to seek information on the level of course they are interested in (plus their level of schooling to date) and the subject they wish to study. It is necessary to be sure that the prisoner only accesses the level of study they are capable of carrying through as otherwise an expensive course could be wasted.

Another issue that can take up a lot of time is getting the necessary permission from the prison authorities for the course materials to be accepted. It is advisable, before ordering the course, to make sure that this is going to be possible. It is useful to ask the prisoner to make enquiries of their educational department or of the prison director well in advance of actually providing the course as it can take a long time getting replies from prison authorities. The package of materials will often need to be sent to a teacher or social worker as prisoners are rarely allowed to receive the parcel themselves. In developing countries, the course materials will most often need to be taken in by consular staff so this needs to be arranged with them in advance.

Once the prisoner has begun their distance learning, there will certainly be times when they are in need of support and encouragement. It has to be borne in mind that they are

often attempting to study in really difficult conditions and under enormous stress due to their situation and the environment they are in.

Once all assignments have been satisfactorily completed, the student may need to request a certificate of completion from the college, as these are not always issued automatically. In the case of most prisoners, this may be the only verification that they have studied the course, as it is very difficult to sit examinations in prisons overseas.

Some prisoners may be keen to learn the language of the country of their imprisonment. For those who request such help, materials such as language dictionaries, self-teaching exercise or grammar books and simple phrasebooks may be provided. Often these can be obtained through donations. For those who want to learn the grammar and structure of a language, it may also be possible to provide (if the prisoner has access to a tape-recorder) language books with accompanying cassettes. Usually prisons will not accept cassettes that are not transparent, and so the master cassettes need to be taped onto blanks. In this way, the same cassettes can be used for many prisoners.

For any of these materials to be sent to a prison (especially in developed countries), permission must be sought either by the prisoner or through liaison with the social workers or educational departments.

You may also find there are prisoners who are keen to use their time constructively by teaching their own language to fellow prisoners, whether it is purely for something worthwhile to do or in order to supplement their living expenses. In such situations, it may be possible to offer them materials and support for this.

#### *4.1.12 Cards*

A service that is often underestimated in its value to prisoners is the dispatch of cards (e.g. birthday or Christmas cards) to prisoners. Many prisoners do not receive any cards from family or friends and truly appreciate receiving a card from your organisation. If you are using a database to record information on prisoners, a card can be organised for their birthday by looking up their date of birth. It may be possible to recruit volunteers to organise this service.

#### *4.1.13 Radio programmes*

Some organisations have been able to enter into an arrangement with a national radio station so that information and messages can be sent out to their nationals detained abroad. Sometimes this includes a talk on a specific issue or allows families to record a message for their relative detained abroad. This not only brings tremendous comfort to those who can pick up the programme from their prison overseas but also raises awareness generally of the situation of prisoners and their families.

#### *4.1.14 Translation*

For prisoners who do not understand the language of the country in which they are held, the provision of free translation of essential documents is extremely valuable. Often it is possible to recruit volunteer translators who can work from home. It is always important to ensure they will respect the confidentiality of prisoner. It is also important to verify the standard of their translation.

You may be able to recruit volunteer translators through a number of routes:

- Colleges where students are training as professional translators
- Networks of retired professionals
- Other organisations who may be willing to share their translators with you
- Advertising on your website or in relevant journals.

For other ideas, see the [section on recruiting volunteers](#).

#### *4.1.15 Support letters*

An important way of helping prisoners can also be found in providing or organising letters of support when a prisoner is being considered for:

- Bail
- Parole or early release
- Home leave
- Sentencing
- Pardon or clemency

Often the fact that they are foreign nationals in the prison system of the country in which they are held means that their situation is ignored, or barely understood, when consideration is given for these privileges. A letter from your organisation can therefore provide the authorities with an understanding of:

- The prisoner's home circumstances and background
- The prisoner's mental or physical health
- The prisoner's prospects on return to his/her home country
- The support available from your own organisation
- The support available from other organisations and/or the prisoner's family.

Some sample letters for parole and clemency can be found in [Appendices XXI](#) and [XXII](#).

#### *4.1.16 Assisting with prisoner transfer*

Ensuring that prisoners are aware of the possibility (where it exists) of transferring back, after sentence, to their home country is extremely important. Via the CEP website you can order a list of transfer agreements and a briefing sheet covering the issues involved in prisoner transfer. Above all else, it is crucial that prisoners receive information on transferring prior to being sentenced so that they can, if they wish, apply for transfer at the earliest opportunity once they have actually been sentenced. However, you will need to bear in mind that some countries have specific criteria (e.g. Thailand only allows prisoners to apply for transfer after they have served either 4 or 8 years, depending on their sentence) and that some agreements have clauses that prevent certain prisoners from being allowed to transfer (e.g. the Council of Europe Convention for the Transfer of Sentenced Persons requires all prisoners to have been finally sentenced with no outstanding fines before they can be considered for transfer).

Other than ensuring prisoners have received information on transfer, it can be helpful to track and assist the cases of those who do apply for transfer, chasing up the relevant authorities when necessary. This is also useful for helping individual prisoners and also for building up a general picture of how prisoner transfer agreements are working for the prisoners you look after.



Once prisoners have transferred back to your country, you may like to offer them a follow-up visit to talk about their experiences whilst in prison abroad and ensure they have the necessary support now they are back in prison in their home country. You may also find that gathering information on their experiences post-transfer is useful for other prisoners considering transferring.

## **4.2 Services for prisoners' families**

### *4.2.1 Understanding families' feelings*

Families can be affected by imprisonment just as much as a prisoner can be and sometimes more so. When the prisoner is in prison abroad, the difficulties felt by their family back home are often multiplied as they struggle to comprehend a foreign system and maintain communication with their relative or partner in prison. Many people suffer from isolation and loneliness, often exacerbated by a lack of support and understanding from other family members, friends or the outside community.

Shock is probably the first emotion families experience on learning of the arrest. With this comes all the distress of trying to understand what has happened as well as trying to find one's way through the intricacies of a foreign bureaucracy. The impact of being separated from one's partner or close relative can be felt in many different ways and can be influenced by different factors, such as:

- The nature of their relationship with your partner / relative; how close they were both emotionally and in practical terms (whether they were living together, whether they shared responsibility for children, whether they spoke on the phone regularly, for example).
- The level of support they can expect to receive from family, friends and their local community
- Their feelings about their partner's, or relative's, arrest and the nature of the alleged offence.

## 4.2.2 *Issues on which families may need advice and information*

### 4.2.2.1 The prisoner's situation

Above all else, families are likely to need basic information on:

- How to send money to their relative
- How to find a lawyer for their relative
- What the prison conditions are like
- How to arrange to visit their relative
- How to write to their relative
- How to contact the local Embassy/Consular office.

If they have not asked all these questions, it is important that you check that they have the information they need – in the shock of learning of the arrest, they may not know what to ask.

Information is extremely important for families as, even more than the prisoner, they are in the dark about what is happening to their relative and about the situation in which they find themselves.

Families will also appreciate assistance in communicating (for example, with prison officials and lawyers in the country in which their relative is held). Even booking a prison visit may prove incredibly difficult for a relative who does not speak the language and often feels intimidated.

A standard letter for offering families your services can be found in [Appendix XXIII](#).

### 4.2.2.2 Money

They may need to claim state benefits or sort out debts. In addition, they may be faced with suddenly having to find money for their partner / relative's needs (money for surviving in the prison and/or legal costs) and they may also be trying to get together

enough money to visit. It is important to get advice at an early stage rather than ignoring the problems. They may also need to consider that there may be a need for on-going financial support to their partner / relative and how to budget for this.

#### 4.2.2.3 Housing

Families may need information on claiming assistance, where available, with paying rent or mortgage or they may need help in sorting out their relative's housing (e.g. finding storage for their belongings, arranging to sub-let the property, securing the property, negotiating with the landlord or mortgage-provider for the prisoner's return).

#### 4.2.2.4 What to tell other people

They will need to decide how much to tell the rest of their family, friends and neighbours. Unfortunately, they may not be able to stop other people knowing about their situation which means there may be times when they face people saying hurtful things or doing things which upset them. In the case of an arrest with media coverage, prejudices in the local community may be strong. They are likely to need support from those close to them or to seek support from others who have been or are going through similar experiences. Your organisation may be able to put them in contact with other family members in similar situations.

#### 4.2.2.5 Care of the prisoner's children

Children are likely to be anxious and worried about where their parent is, and whether he or she will be coming back. They may also feel that they are in some way responsible for their mother/father being away. Those looking after them will need to provide to do their best to provide reassurance and stability. They may also need advice on guardianship of the children and whether they can claim state benefits for this. In the case of the children in lone parent families, carers such as grandparents may need particular support.

#### 4.2.2.6 Their own feelings

The grief caused by separation from one's partner or close relative who has been imprisoned abroad can be indescribable. Grief is a complicated emotion and every

experience is personal. The amount of pain and how long it lasts can vary greatly. Some people find it helpful to identify different stages in their emotional reaction:

- Shock, disbelief, numbness, a terrible sense of tiredness
- Acute and painful sense of loss
- Anger at the person or anger at oneself, guilt
- Gradual recovery from the intense pain and coping with everyday life

The feelings of loneliness, of worry and of simply missing the person who is in prison abroad may mean that they may need to find some additional sources of support. Having someone to talk to and off-load some of feelings to is really important. Families may also find it easier to cope if they can:

- Be realistic - not expecting to sort everything out at once
- Look after their physical well-being (diet, exercise etc.)
- Make time for their own needs, relieving stress, expressing their feelings
- Try not to look too far ahead - situations change
- See their doctor if they need help with sleeping or with feelings of depression.

#### *4.2.3 Support and referrals*

As for prisoners, one of the most important services you can provide for families is to offer a listening ear. Many families have not told anyone else about their situation. Knowing that your organisation will listen to them, will not judge them and will try to help them is incredibly valuable.

In dealing with phone calls from families, there are some techniques which may prove helpful:

##### *Stage One: Establishing a relationship*

- Devise a standard approach to answering the phone
- Let the phone ring at least 3 times before you answer
- Adopt a voice tone appropriate to the service you are offering.

### *Stage Two: Exploration*

- Try to establish the nature and purpose of the call
- Let the caller tell their story
- Acknowledge their emotions
- Maintain a pace which is appropriate to the caller's situation

### *Stage Three: Clarification*

- Ensure you have fully understood what the caller has told you
- Reflect back and summarise what they have said
- Allow appropriate silences

### *Stage Four: Action*

- Once you are clear about the caller's situation, enable them to decide what they might like you to do. Be aware that some callers may not want to take any action, just to talk to you.
- Establish options
- Give relevant information and referral details – check the caller has recorded it correctly
- Do not give advice unless it is your organisation's policy to do so. Giving advice may have legal implications and your organisation could be sued for wrongful advice. You should consider taking out insurance to protect your organisation against such circumstances.

### *Stage Five: End*

- Most callers will end the call themselves after stage four. However, you may need to initiate this process yourself.
- If it is the policy of your organisation to collect statistical data, this is the most appropriate time to ask for it.

### *Stage Six: After the call*

- Complete any paperwork
- Carry out any other tasks required e.g. research, advocacy etc.

Finally, putting them in touch with other organisations, either in the country in which their relative is held or in your own country, also helps break down their isolation. Other CEP Expert Group on Foreign Nationals agencies may be able to advise on finding such organisations.

#### *4.2.4 Putting families in touch with each other*

Families may also find it helpful to be offered the chance to be put in contact with other families. They may simply share the experience of having a relative in prison overseas or you may be able to put families in contact who have a relative in prison in the same country, or sometimes even the same prison. In these circumstances, the families can often support each other, pass on messages, combine visits or take out items for each other. Some helpful guidelines for families are to be found in [Appendix XXIV](#).

#### *4.2.5 Holding events for families*

Another way of helping families is to hold an event that gives them the opportunity to meet other families and/or other agencies, your own staff/volunteers, returned prisoners etc. Organising such events may require a lot of time and resources but can also be very rewarding for all those who attend.

#### *4.2.6 Family newsletter*

Producing a newsletter specifically for families may be another way that your organisation can address families' needs. Again, this takes time and resources but it does allow you to focus on the issues that matter most to families that may not always be relevant for prisoners to read about.

#### *4.2.7 Support for children*

One of the issues that organisations working with the families of prisoners held overseas are often asked about is what to tell the children. Some information on this is included in [Appendix XXV](#).

Some organisations have also found it helpful to organise events for children. For example, one organisation is able to run sessions for teenagers and for 4 – 12 year olds. The groups are run by two leaders who offer creative activities, trips, holidays, training, outings to the cinema or theatre and support the children with issues at school, or with their parents. The children have a forum where they can talk openly about how they feel.

#### *4.2.8 Financial assistance*

In most countries, any provision that exists to assist families with the cost of visiting prisoners does not usually extend to families visiting prisoners held overseas. Although financial limitations may mean it is unlikely your organisation will be able to offer such financial assistance, this may be something you can fundraise for in due course.

If you are able to offer some kind of financial assistance, it will be important to manage the fund so that as many people as possible can benefit. Demand will not doubt outstrip supply. Therefore, it is probably best to offer limited grants on a first come, first served basis.

#### *4.2.9 The prisoner's release*

Families will appreciate extra help and support as the time of their relative's release approaches. Often they will have little precise information on the date of the release and the arrangements for the prisoner to return home. Sometimes they will need to find money to pay for the prisoner's travel; at other times, he/she will be deported and will need to make their way home from the airport.

Organisations can assist families at this time by helping them get hold of information about the release arrangements. They can also help by giving the members of the prisoner's family a chance to talk through how they may be feeling about the prisoner's return. Preparing for the release of a family member from prison abroad may raise many questions. Despite the optimism of the anticipated release, it can also be a stressful time. In particular, it can be reassuring for families to know that the kind of questions they are probably asking themselves are quite normal:

- *What is X going to be like now ?*

- *How has s/he changed ?*
- *How have I changed ?*
- *Will we still get on with each other ?*

In the situation where the prisoner is returning to the home they shared with their partner, it is sometimes advisable for them to stay elsewhere initially whilst the couple (and any children) get to know each other again.

Some information for families preparing for their relative's release and coping with their return is to be found in [Appendix XXVI](#).

### **4.3 Services for ex-offenders**

#### *4.3.1 Understanding the feelings of ex-offenders*

Initially, the prisoner who is about to be released may go through a period of uncertainty. He or she may not know how they will even get back to their home country. In the Philippines, for example, the immigration authorities will not release a prisoner until he or she has obtained a flight home. In other countries, foreign prisoners find themselves ordered to pack and leave the prison with minimal notice and required to use their own resources to get home. Even for prisoners being deported to their home country, information on their exact return is often kept from them and delays are common.

This uncertainty is not helped by the fact that most prisoners who return to another country on release do not receive any preparation for their resettlement. They therefore find themselves totally unprepared for their return to their own country. Many have lost contact with their family and friends during their imprisonment abroad and there is little by way of international co-operation to facilitate the ex-prisoner's return.

Most returning ex-prisoners are disoriented following their release and struggle to adapt to life outside prison. Some also return with mental or physical health problems or have been traumatised by their experiences in prison.



### *4.3.2 Deportees*

Many prisoners are deported to their home country following their release from prison. For some of these “deportees”, this means leaving a country where they have spent many years, leaving behind their families and homes and returning to the country of their nationality. Many have been away from that country for so long, often since childhood, that they are effectively coming to an alien country where they have no friends or family, no knowledge of how to find work or accommodation and, sometimes, no knowledge even of the language. For those who have been forced to leave behind their family, the distress can be immense. They have often only been given a few days’ notice of their deportation and have had no time to prepare for their release in any meaningful way.

They will probably need a lot of help adapting to life in their “new” home country. They are unlikely to have close family or friends in the country and will probably have little knowledge of the culture. Sometimes, they do not even speak the language of their home country.

### *4.3.3 Preparation in advance of their release*

Where possible, it is important for prisoners to try to do some preparation for their resettlement prior to their release. Above all, advising prisoners to ensure they have identification and information about themselves will make their return easier. Here are a few things prisoners can do in advance of their release:

- Contact their local Consul to find out about the release process and travel arrangements.
- Talk to the prison authorities and the Consulate about obtaining travel papers (if possible, a full passport) and for identification purposes on return.
- Get together any other forms of identification (especially if it includes a photograph) they may have e.g. Driving Licence and Birth Certificate.
- Obtain copies of any official documentation that maybe available concerning any health problems, drug or alcohol problems or treatment programmes they may have undertaken.

- Think about whether they may have outstanding charges which they will have to face on their return. In such cases, they may wish to contact the Probation Service in advance of their return.
- Obtain documentation from the prison to show that they have been released and have not escaped.
- Try to bring as much money as they can with them, as this will help them during the initial days of their release.
- Check with any relatives or friends to see if they can offer them any temporary help e.g. a place to sleep for a few days.

#### *4.3.4 Help on their return*

What you can actually do for ex-prisoners once they return will depend on many things but will be governed by your own resources and those available generally to ex-prisoners in your country. You may be able to assist prisoners with:

- Admission to local hostels
- Referrals for medical care. This is particularly important for ex-prisoners returning from prisons in the developing world who may be carrying infectious diseases such as TB and Hepatitis.
- Counselling
- Access to training, education and employment programmes
- Referrals for alcohol or drug dependency problems
- Liaison with other agencies
- Support from other ex-prisoners from abroad.

#### *4.3.5 Longer-term assistance*

Often, organisations working with their nationals in prison abroad will find that even those who have returned many years ago from prison still contact them for help. This is often because those ex-prisoners are still experiencing difficulties. They will appreciate any support you can give them, recognition of what they are suffering and an acknowledgement that they are not alone in this. If possible, you should seek to refer them for counseling.

#### 4.3.6 Trauma and Post-traumatic stress disorder

It is perhaps not yet widely recognised that a number of foreign ex-prisoners returning to your country may suffer from Post-traumatic Stress Disorder (PTSD), caused by their experiences or the things they witnessed whilst in prison abroad.

The symptoms experienced by those suffering from PTSD include:

- Recurring thoughts or nightmares
- Having trouble sleeping or changes in appetite
- Experiencing anxiety and fear, especially when exposed to events or situations reminiscent of the trauma
- Being on edge, being easily startled or becoming overly alert
- Feeling depressed, sad and having low energy
- Experiencing memory problems including difficulty in remembering aspects of the trauma
- Feeling "scattered" and unable to focus on work or daily activities
- Having difficulty making decisions
- Feeling irritable, easily agitated, or angry and resentful
- Feeling emotionally "numb," withdrawn, disconnected or different from others
- Spontaneously crying, feeling a sense of despair and hopelessness
- Feeling extremely protective of, or fearful for, the safety of loved ones
- Not being able to face certain aspects of the trauma, and avoiding activities, places, or even people that remind you of the event.

Individuals who feel they are unable to regain control of their lives, or who experience the following symptoms for more than a month, should consider seeking outside professional mental health assistance.

More information can be obtained from the following sources:

- [The International Society for Traumatic Stress Studies](http://www.istss.org/) (<http://www.istss.org/>)
- [European Society for Traumatic Stress Studies](http://www.estss.org/) (<http://www.estss.org/>)

#### *4.3.7 Supervision of ex-offenders*

An issue for many of the organisations working with ex-offenders from abroad is the lack of supervision and support provided by statutory authorities once the ex-offender has returned to his/her own country. Not only may this impede the access that this group of ex-offenders has to the provision of services for other ex-offenders but it also raises issues of public protection. Some of the ex-offenders returning from abroad will have served lengthy sentences for very serious crimes and some of them may be at risk of further offending, particularly without adequate support and supervision.

Data protection legislation and general principles of confidentiality prohibit the disclosure of personal data to third parties, but there may be exceptions to this e.g. where disclosing information is likely to help prevent or detect crime. It is important to find out and agree the circumstances where this is appropriate for your organisation.

If your organisation holds information on a returning ex-prisoner who you, or the detaining authority, reasonably believe is someone who is likely to commit further crimes, disclosure of information on that prisoner to the relevant local authorities (e.g. police) may be permitted and indeed desirable. If your organisation has always been clear with its clients about the circumstances in which it will disclose data, and prisoners have given their consent to disclosure of personal data in certain circumstances (see [confidentiality policy](#)), this process will be much simpler. If the individual you are dealing with has not previously given his/her consent to the disclosure of personal data in such circumstances, then data protection legislation may allow you to pass on his/her name but it would be unwise to volunteer any other information. You should check the legislation that applies in your country.

Above all else, it is important to find a balance between:

- Respecting client privacy
- Conforming to current data protection legislation
- Protecting the integrity of your organisation
- Protecting the public.

## 5. Difficult Cases and Issues

Those working with prisoners, both overseas and returned, and their families may find that some issues occur which are particularly difficult or stressful to deal with. The following section looks at the issues that may be difficult for the organisation itself.

### 5.1 Staff/volunteer and client relations

It is essential that staff/volunteers should observe clear professional boundaries at all times in their dealings with clients. They should also expect certain standards of behaviour from clients. Clients and staff should treat each other with respect. The following guidelines may be helpful:

- All clients should receive equal treatment. No client should be offered preferential treatment, unless this is deemed necessary, for example, owing to a disability. Clients wishing to make a complaint should be able to do so through a complaints procedure.
- Staff/volunteers should not socialise with clients, borrow money from them or lend money to them.
- Staff/volunteers should never give their personal details or personal details of other staff/volunteers to clients.
- Staff/volunteers should not visit clients or their families at home unless there is a clear professional need. They should not visit unaccompanied.

It is unacceptable for staff/volunteers to act abusively towards clients. Failure to treat clients in an appropriate manner should result in some kind of disciplinary action being taken against them. It is equally unacceptable for clients to act abusively towards staff or volunteers (see [section 5.1.3.](#))

### 5.1.1 *Dealing with distressed callers*

Working with people in distress can be challenging and difficult. However, there are some key points and skills which can help you to support a distressed caller in the most effective way:

- Remember that you are not the cause of the distress
- Distressed people may sound confused. It may be difficult to get a clear picture of the situation
- It is a positive sign that the person is able to be distressed on the phone
- Be aware of the boundaries of your service
- Be aware of your own limitations.

#### Key skills:

- Allow the caller to have their first outpouring of emotion. An interruption may block the release or make the caller feel angry and unheard.
- Use active listening. Appropriate “umms” and “uh huhs” will let the caller know you are with them
- Acknowledge their distress. Telling the caller that you are aware of how distressed they are can help to validate their experience
- Allow silences. Give the caller space to collect their thoughts.
- Slow down. Feelings and emotions are slower than thoughts. Distressed callers will need more time to express themselves.
- Develop clarity about the situation. When appropriate, try to establish the cause of the distress. It is often useful to check why they chose to call now.
- Don't ask too many questions. Trying to get too much information from the caller can make them feel their emotional state is being ignored. They may start to feel frustrated and angry. Check you are not asking questions to fill an uncomfortable silence.
- Remember that by listening you are providing an excellent service. Don't provide information or make a referral unless you are sure it's what the caller wants. The caller may feel you are trying to get them off the line by doing this.

- DO NOT give advice. Distressed callers can ask you what you would do in their situation. Return the focus to how **they** might deal with **their** situation. Develop a range of options where possible.

After the call:

- Discuss the call with a colleague. Even if you don't feel emotional yourself, it is good practice to discuss these calls.
- Be aware that you may feel emotional later.

### *5.1.2 Dealing with repeat callers*

Many organisations, at some point, run into problems with a caller who is using their service inappropriately and won't stop calling. This may be someone who is simply phoning for a chat because they are lonely or could be a series of abusive calls. Whatever the reason, calls of this nature can be problematic.

In the case of calls where the caller simply wants to chat, much depends on your organisation's boundaries. If the organisation offers a befriending service, these calls are perfectly acceptable. If, however, the purpose of the service is to help callers to move on by providing information and support, these calls can be in a category of nuisance calls. They take up a lot of time and can mean other callers are prevented from getting through to the service.

Be aware that a repeat caller may have mental health problems. This is something to take into consideration when thinking about possible strategies for dealing with such calls:

- Be very clear about the boundaries of your service. If it is not appropriate for you to work with a particular caller, be open and honest about the limitations of your service. If you attempt to work with a caller whose needs are not met by your service, you may be preventing them from accessing appropriate support from another agency. If repeat callers are beyond the remit of your organisation, the sooner the caller is discouraged, the better for you and for them.

- Always try to offer an appropriate alternative referral. Try to offer more than one option if possible.
- Be consistent. It is important that all staff/volunteers are clear about the boundaries and don't attempt to step outside of these.
- Share as much information as possible about difficult calls with your colleagues. In this way, it becomes possible to spot repeat callers and to plan an effective strategy to deal with them.
- Confront the caller with the consequences of their actions. Make them aware of the calls you are unable to answer or the stress their demands are putting on your service.
- If the phones are quiet, do not be tempted to allow the caller more time than you would if you were busy. This simply encourages the caller to keep contacting you.
- If you decide that you are able to work with the caller in some way but still feel you would like to control the number of times they call you, consider devising a "contract" that both sides can commit to. For example, you might want to offer 15 minutes every day at a time that is convenient.
- Don't allow yourself to be sidetracked whatever their story. If their call is not within the remit of your service, you cannot allow them to continue.
- It often requires assertiveness to rid a service of a nuisance call. If you have made the decision to end the call, you must tell the caller what you intend to do, why you are doing it and then act. *"I'm sorry, we cannot offer you any more support/information/guidance on this issue and I'm going to end the call now"*. Then hang-up immediately.

### 5.1.3 *Dealing with abusive or offensive behaviour*

Occasionally, organisations will find receive an offensive letter or will get a visit from an irate or abusive returned prisoner/family member. Staff/volunteers should therefore be aware that we deal with a client group who are threatened, abused and under stress. Occasionally feelings of anger and resentment will be deflected on to those that help them. However, no staff member/volunteer should have to deal with threats and abuse and the person behaving in this way must know this is unacceptable.



For example, if you are taking a phone call which becomes abusive, you may like to explain to the caller that your organisation cannot accept calls from people who use abusive language. Focus on the behaviour, not the caller:

*“I’m not able to continue with this call if you use abusive language”.*

If appropriate, invite the caller to continue and accept any apology if offered:

*“Let’s get back to the issue you raised”.*

If the abuse continues, advise the caller that you are terminating the call and do so. This points out the consequence of their behaviour:

*“I am going to end this call now”.*

A sample procedure for dealing with serious situations of offensive or threatening behaviour can be found in [Appendix XXVII](#).

#### 5.1.4 Ending calls

Ending techniques are simple and straightforward. The techniques can be used for all types of call, regardless of whether the caller is distressed or angry. The key issue is that it involves you taking control and becoming more assertive with the caller.

When to end a call:

- The call is going round in circles
- All the caller’s options have been explored within the boundaries of the service
- The caller is abusive, threatening, drunk or using drugs.

How to end a call:

Ending techniques may be conveyed to the caller as follows:

- Summarise the essence of the call including any options you have suggested.  
*“So, what we have discussed today is...”*
- Check if the caller was wanting anything else. *“Have we covered everything you wanted to raise ?”*

- Invite the caller to ring the service again if this is appropriate. *“If you need to call us again, ....”*

It is important to leave the caller feeling that they have been listened to even if their problem has not been solved. This will encourage them to call again in the future if they need to.

#### *5.1.5 Working with prisoners charged/convicted of serious sexual or violent offences*

Some staff/volunteers may find the type of offences which some prisoners have been imprisoned, personally difficult. Moreover, organisations themselves may have to cope with public attitudes which question why they should work on behalf of those who have committed violent or sexual offences (or drug trafficking). Whilst it is important to recognise the feelings that such crimes engender and to support staff/volunteers who are struggling with these, it is, of course, essential to remember the philosophy of organisations such as ours – that foreign national prisoners are being punished, through their imprisonment, for the offence that they have committed, that the work of our organisations is to reduce the additional suffering caused by their situation as foreigners in that country and to assist in the rehabilitation of such individuals back into our society.

#### *5.1.6 Conflicts of interest*

There are times when your organisation may be asked to do something by a prisoner or his/her family that conflicts with other interests e.g. those of your organisation, or those of someone else you are in touch with in that case. For example, a prisoner’s mother might ask you to help her arrange a visit when you know, in fact, that the prisoner does not wish his mother to visit him. Or a prisoner might ask you to write to the press about his/her case when you believe it will not be in that prisoner’s best interests. Sometimes you may find you have been asked for help by both a prisoner’s wife and his girlfriend who do not know of each other’s existence!

In all such cases, the important principle to remember is that it is the prisoner who is responsible for his/her actions and that they must be asked to advise you on how to proceed. If in any doubt about how to proceed in a case, write to the prisoner and ask

him/her exactly what they want you to do and make it clear what the situation will be if you do not hear back from them.

### *5.1.7 Illiteracy amongst prisoners*

Organisations such as ours rely largely on written communication for contact with its clients. However, it is widely known that the levels of illiteracy and semi-literacy amongst prisoners are extremely high. For example, a survey<sup>2</sup> undertaken in 1990 by the French penal administration among 1,000 prisoners concluded that there was a higher rate of illiteracy in prison than outside: 40% of those entering prison were below the threshold of functional literacy; 20% of those entering prison had very great difficulty even at the level of words and phrases. More than half of those entering prison lacked any educational qualification.

In the absence of any research, it can only be assumed that levels of illiteracy and semi-literacy amongst foreign national prisoners reflect those in the domestic prison population. Therefore organisations working with their nationals in prison abroad should be aware that this is likely to be an issue for a significant number of prisoners. Ways to help include:

- Communicating through prison visitors where possible (whilst remaining aware of confidentiality issues)
- Ensuring literature is easy-to-read and simple language is used
- Acknowledging that sometimes you may need to correspond with a prisoner via another prisoner
- Seeking ways to improve prisoner's literacy problems.

The issues above relate to ones that the organisation may find difficult to deal with. In the sections that follow, we will look at some of the situations that may present themselves and prove challenging or distressing for those involved.

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<sup>2</sup> Annual Report of the prison administration, 1994

## 5.2 Hunger strikes

Occasionally, agencies will receive letters from prisoners announcing that they are planning to start, or have already started a hunger-strike. Going on hunger-strike is often the last resort for prisoners. It is sometimes, for them, the only way to attract attention to their cause or their suffering; it can be an individual action or a group one. Carrying out a hunger-strike is generally treated as an issue of prison order, discipline and security. Hunger-strikes can last from 1 to more than 100 days and are sometimes accompanied by a refusal to take any fluids.

How a prison will treat a hunger-striking prisoner will vary from country to country. Generally, if a prisoner is carrying out a lengthy hunger-strike, s/he can be force-fed, but only after an official decision has been made and under medical surveillance, and only from the point when it is believed their life is in danger. Only a doctor can take the decision if s/he believes that the life of the hunger-striker is in danger. The medical treatment generally consists of an intravenous drip and vitamin therapy (vitamin B1 in particular).

For prisoners, it is important that they are aware of the damage that hunger-striking can do to their bodies. Clinically speaking, the consecutive signs of a hunger-strike show three phases. For the first 8 to 10 days, the body survives on its own reserves. Blood pressure falls. Painful feelings in the stomach occur. The general condition of the hunger-striker weakens, lassitude sets in. This phase is mentally very difficult. Between the 10<sup>th</sup> and 20<sup>th</sup> days, the body dips into its fat reserves (8 kilos for each average individual). The lassitude is succeeded by excitement and even sometimes euphoria. It is only from the 18<sup>th</sup> or the 20<sup>th</sup> day that the serious, and irreversible, consequences set in: difficulty with urination linked to dehydration for those refusing to take fluids, jaundice, very painful abdominal syndromes, heart irregularities, swelling due to deficiency disease, and finally, cerebral disorders. Obsessions, impaired vision, epileptic fits, dementia are frequent outcomes if coma and death have not yet ensued.

Fortunately, it is extremely rare that prisoners carry out a hunger-strike beyond a week or so. Usually, the attention that this attracts to their situation will begin to resolve the difficulties they are having and the hunger-strike can be ended. For an agency who

receives a letter informing them of a prisoner intending to go on hunger-strike, the most important thing is to find out what the problems are that the prisoner is seeking to resolve and to assist him/her in this.

### **5.3 Self-harm and Suicide threats**

It is extremely distressing to receive a letter from a prisoner stating that s/he has tried to harm or even kill themselves. Once again, these threats tend to be an extreme means to seek attention for their problems. Once again, it is important to assist the prisoner in resolving his/her problems. However, at other times, the feelings that have led the prisoner to this point may be the result of sheer desperation at their situation and sometimes, there is little one can do from so far away except to write to the prisoner, sending caring words and to alert the prison authorities to the prisoner's state of mind.

### **5.4 Deaths in custody**

It is even more distressing, of course, to be informed of the death of a prisoner you have been looking after. The death may be the result of a successful suicide attempt or of an existing or sudden medical problem. Whichever is the case, the impact of the death will be felt both amongst the other prisoners (some of whom may also be your clients) and in your own country (especially if the prisoner has family). As an agency, it is important to offer your support to the other prisoners and to the family. It is also important to look after the individual volunteers/staff in your agency who may be affected by the death.

### **5.5 Miscarriages of justice**

A substantial number of the prisoners you work with are likely to declare to declare themselves innocent of the crime with which they have been charged/convicted. Obviously not all those who declare themselves innocent are in reality innocent. Some agencies deal with this by not attempting to deal distinguish between the two. Others have set up panels of Pro Bono lawyers to review such cases. It is always best to proceed with extreme caution before jumping to support a prisoner's claim of innocence – in reality this can often only be judged by a lawyer. On the other hand, an agency does

not want to give them impression it is turning its back on prisoners who need help. The CEP Expert Group on Foreign Nationals' leaflet "*Prisoners' rights and the Legal Process*" may be useful in this situation. Information on the various international human rights agreements can be found on the CEP website.

## **5.6 Torture and serious mistreatment**

Periodically, organisations will receive either direct or indirect reports of torture or serious mistreatment of a national in prison abroad. In such cases, the first step is to contact the Ministry of Foreign Affairs/Ministry of Justice to see if they are aware of the case and what action they are taken. If possible, it is also useful to contact the prisoner's lawyer. Finally, it may be helpful to make contact with any human rights organisations working in the country of the prisoner's detention.

## **5.7 Prisoners who have received the death sentence**

The death penalty is still imposed in a range of countries (for a briefing sheet on this topic, please visit the CEP website). An organisation's response to one of its nationals receiving a death sentence will be governed by regime of the country in which that national is held. In the US, a prisoner can be put in contact with a number of organisations which work with those sentenced to death a government. Details can be found on the Death penalty website (<http://www.deathpenaltyinfo.org/>).

In other countries, it is generally useful to take a very careful approach to such cases. The media may be keen to become involved. However, in our experience, Ministries of Foreign Affairs/of Justice may feel handicapped when the media are involved in the case. The authorities in the sentencing country may become afraid to lose face which may, as a result, reduce the options they feel they have available in dealing with the situation. Backroom diplomacy is therefore likely to be the most appropriate route to follow. However, every case and every country is different and advice from your colleagues of the CEP Expert Group on Foreign Nationals may be helpful. on Foreign Nationals may be helpful.

## **6. Working with Volunteers**

There are many ways that volunteers can assist an organisation in its work with nationals imprisoned abroad and their families. Some organisations would not exist if it were not for the dedication of a group of volunteers. Volunteers can be sought to assist in many ways, including:

- Translation - translating documents for the organisation and/or its clients
- Lawyers - providing Pro Bono services to assist the organisation and/or its clients
- Office volunteers - assisting with mailings, sending books etc
- Pen pals – corresponding with individual prisoners
- Study coaches - supporting prisoners in distance learning programmes
- Researchers - gathering information on criminal justice systems and prison conditions abroad
- Overseas visitors – visiting prisoners
- Prisoner support – providing information, support and assistance for prisoners
- Family support – providing a listening ear for families
- Assistance for returned prisoners – providing practical or emotional support for returned prisoners
- Fundraising – helping the organisation raise funds for its work or seeking gifts in kind (e.g. books, magazines etc) for distribution to prisoners.

### **6.1 Recruitment and accreditation**

Whether the volunteers will be based in your office, will be working from home or will be based overseas makes a large difference to their recruitment. Ways to attract volunteers include:

- Your website (if you have one)
- Newspaper advertisement
- Consuls/Embassies
- Specialised routes (e.g. translating networks and institutes for volunteer translators)
- Colleges and universities
- Networks of retired professionals

Once you have attracted the interest of a potential volunteer, you will need to vet them to make sure they are appropriate for your work. This should include:

- Ensuring they have a good understanding of your work and are sympathetic to its aims
- Ensuring they do not have an inappropriate criminal record
- Ensuring they have appropriate skills and expectations for the role
- Finding out whether they have any special needs you should take account of (e.g. health issues)
- Taking up character references.

## **6.2 Training**

Once you have agreed to take on a volunteer, you will need to consider how best to train them for their work with you. Some essential parts of this will be:

- Ensuring they sign a confidentiality statement
- Ensuring they understand how the organisation works
- Ensuring they know other people in the organisation and who to turn to for support
- Ensuring they have specific guidance on their role with your organisation.

## **6.3 Support and retention**

It is essential that volunteers feel valued and that you continually strive to ensure this. Informal acknowledgement (e.g. a phone call to thank them for a piece of work) is as important as formal acknowledgement (mention in annual report, newsletter etc). It is also important to keep them involved and up-to-date with what is happening in your organisation and, if possible, to give them a way to express their views about this.

Volunteers must be clear that professional boundaries must be observed at all times and you will need to supervise them in some way to ensure this is the case. You should also make it clear to your volunteers who they can turn to if they need support or are dealing with a difficult issue.

If it is possible, you should seek to reimburse them for their essential expenses but this will obviously depend on your own resources.



Finally, for the volunteers who are not based in your office (and sometimes not even in your country), make sure you make a real effort to keep in contact with them regularly and in a personal way (e.g. phone call or visit). This can make a real difference to a volunteer's motivation and sense that what he/she does is valued by your organisation.

You may also wish to consider taking out insurance for your organisation so that it is protected against a volunteer who carries out inappropriate action and leads the organisation into disrepute (or worse).

However, do remember that volunteers can be the lifeblood of an organisation and without them, none of the organisations who comprise the network of the CEP Expert Group on Foreign Nationals could provide the range of services they do.

## Conclusion

Setting up to provide services to your nationals in prison abroad is no easy task but we hope that this guide has provided you with practical advice for doing just that. It may feel daunting – and the range of services covered in this guide may make you feel that you can never do all this. You don't have to! Do not lose sight of the fact that all the organisations who contributed to this guide started small, some still are, and it is only by each one of us doing what we can that we will make a difference to the lives of European citizens held in prisons abroad. As some prisoners and their families have said:

*“Thank you and all at your organisation for your understanding and support  
in our darkest moments”*

*“Once again thank you for the way your organisation is helping and uplifting prisoners  
abroad just by being there for us and we know that we're not alone”*

*“Once again I would like to thank everyone of you for your great support because without  
your organisation, it would be hell for us”*

*“Keep up the good work - it makes a huge difference to us incarcerated in foreign  
prisons”*

*“Without your help there would be a dark void and the light at the end of the tunnel too  
far to be seen”*

*“We just want to thank you for all your help, for just being there when we all needed  
someone to be there and to care” (wife of prisoner)*

*“I am so thankful to you and your organisation for all your help. You have treated us with  
genuine concern throughout and for that I'll always be  
very grateful” (mother of prisoner)*

# Appendices

## Appendix I: Strategic planning sample

### Mission

To provide information, advice and support to XXX nationals detained overseas, to their families and friends, and to released prisoners trying to re-establish themselves in society.

### Vision

XXXX is working towards the day when all XXXX nationals detained abroad are held in conditions that meet or supersede internationally recognised standards on imprisonment; do not face disadvantage as a result of language barriers, distance from home or lack of social support whilst in prison and upon release and are allowed to complete their sentence as close as possible to their families.

### Values

All XXXX's services are free. We provide support to prisoners and their families in a non-judgmental and sensitive manner. XXXX provides its service according to need and irrespective of the nature of prisoners' alleged/proven offences or background.

### Key Objectives:

#### 1. Safeguarding and improving the welfare of our clients

##### *Specific Goals:*

- *To deliver high quality services to our client group*
- *To maintain and develop effective partnerships with other organisations in order to meet client needs.*

#### 2. Raising awareness of the needs of our clients

##### *Specific Goals:*

- *To enhance our public profile*
- *To lobby effectively on key issues*

3. Improving and maintaining an efficient infrastructure to ensure delivery of a quality service

*Specific Goals:*

- *To develop improved information systems to benefit staff and clients*
- *To maintain and develop a professional work environment*
- *To develop staff and volunteers who are well trained and valued.*

Targets can then be set for each of the goals which determine what should be achieved towards that goal in a given period of time (e.g. one year). These targets should be **specific, measurable, achievable, realistic and time-bound** i.e. SMART!

## Appendix II: Sample fundraising letter

We are the only [an] organisation giving advice, information and emotional support to XXXX nationals imprisoned abroad, returned prisoners, and prisoners' families here in XXXX. Our current caseload includes over XXXX prisoners in XXXX countries, XXXX returned prisoners, and XXXX family members.

Many XXXX prisoners live in appalling conditions where everyday is a fight for mental and physical survival. Many are incarcerated on remand and most are extremely frightened and bewildered by what is happening to them. Prisoners experiencing the worst conditions have to pay for essentials like food, soap, and clothing, or even 'buy' a cell to avoid sleeping outside. One inmate in Asia described conditions as follows:

*"All the prisoners are treated, and live, like animals. Throughout my pregnancy I lost about 45lbs. The food in prison is one cup of rice a day (after picking out ants, bugs and other revolting things), one bad egg and gruel. At birth my child weighed two kilos...I was very lucky to have him weigh this much..."*

Examples of the wide range of services XXXX provides to our clients are:

- Information on foreign criminal justice systems and prisoners' rights
- Translation of legal documents
- Pre-sentencing reports
- Monthly survival grants to enable prisoners to buy essentials such as food and toiletries
- Vitamins tablets to help prevent malnutrition and associated conditions
- Quarterly newsletter, magazines and books
- Educational courses and arts materials to encourage constructive use of time in prison
- A penpal scheme to ease prisoners' isolation
- Emotional and practical support and advice to prisoners' families, including providing travel grants to help them visit their relative in prison

These services make a real difference in the lives of prisoners and their families by providing .....

The nature of our client group means XXXX is a very difficult organisation for which to raise funds. Funding for core costs is the most difficult to obtain but is absolutely vital for running the high quality services XXXX provides. In light of this, I would like to ask you to consider making a grant which will enable us to continue to develop and improve services to our clients.

## **Appendix III: Sample leaflet for prisoners**

You can adapt the text below to suit your organisation:

### **In prison abroad? A guide to how XXXX can help you**

Being arrested and held in prison abroad can be a bewildering, terrifying and lonely experience. You may not understand the people around you and may know little or nothing of the local criminal justice system.

XXXX provides a vital service to XXXX nationals in prison abroad, to their families and to released prisoners returning to XXXX. This leaflet explains the ways in which we can help you.

#### **Support**

When you or your family contact XXXX, we will keep in touch you and respond to your letters. We can liaise with the prison, your lawyer or the XXXX Embassy on your behalf. We aim to provide a personal service and will try to respond your needs.

We will send you and your family regular copies of our newsletter. Where they exist, we can also put you in touch with local XXXX-speaking prison visitors. We can also send you:

- Magazines and newspapers
- Donated paperback books
- Education materials, language text books and courses.
- If you would like someone to write to you on a regular basis, we can try to match you with a pen-pal who shares your interests.

#### **Information**

We aim to provide the information you need to help you through the system. We will try to provide information on the prison and criminal justice system of the country in which

you are held. We can also provide information on how you can, in some countries, apply for transfer back to **XXXX**.

### **Financial Assistance**

If you have no other source of income, we provide the following direct financial assistance:

### **Representations and Liaison**

We monitor complaints about prison conditions and treatment, and lobby, where necessary, with the appropriate agencies who can help. Some countries are obviously more amenable to representations than others but we do whatever is possible. If you wish, we will keep in touch with the Embassy representative about your situation and can also refer you to other organisations.

### **Help For Your Family:**

**XXXX** will also offer your family or friends advice, information and support.

### **After Release:**

When you are released from prison, we can help you re-settle in **XXXX**. For example, we can try and help you find emergency accommodation.

### **Some facts about our organisation:**

All our services are free.

We make no moral judgement about the people we work with; we help convicted and unconvicted, guilty or innocent, solely on the basis of need.

Please contact us if you require any further information or assistance.

Address:

Phone number:

Email:

Website:



## Appendix IV: Sample registration form

---

# Information about you

Please fill out as much of the form as you can.

### SECTION 1 – PERSONAL DETAILS

First Name: ..... Surname: .....

Prisoner Number: ..... Prison Name: .....

Prison Address: .....

.....

Country: .....

Date of Birth: ..... day / month / year Are you: (please tick)  Male  Female

Please state the date you were last resident in **XXXX**: .....

Please give your last **XXXX** address (If different to the family contact address given below) : .....

.....

..... County ..... Postcode .....

### SECTION 2 – FAMILY DETAILS

Please give names and contact details of people you would like us to contact. We will send them information about **XXXX** including services we provide to families of prisoners.

Name: ..... Name: .....

Address: ..... Address: .....

.....

.....

Postcode: ..... Postcode: .....

Tel. No.: ..... Tel. No.: .....

Their Relationship To You ..... Their Relationship To You .....

**SECTION 3 – FIRST CONTACT**

How did you **first** hear of **XXXX** (please tick)

- Another inmate
- Consul
- we contacted you
- Your family
- Friend
- Other, please specify.....

Did the Consul inform you about our organisation (please tick)  Yes  No

**SECTION 4 – DETAILS OF OFFENCE**

Date of arrest day / month / year ..... Trial date day / month / year .....

Alleged offence .....

Sentence (yrs) ..... (mths) ..... Plus (e.g. fines) .....

Appeal date day / month / year ..... Result of Appeal .....

**SECTION 5 - CONTACTS**

Do you have a social worker/welfare officer in the prison? (please tick)  Yes  No

Name of your social worker/welfare officer (within the prison) .....

Do you have anyone other than the consul visiting you? (please tick)  Yes  No

If yes, please give details (i.e member of family or prison visitor) .....

Do you have legal representation? (please tick)  Yes  No  Don't know

Is a legal aid/state lawyer available? (please tick)  Yes  No  Don't know

Lawyer's details: Name .....

Tel. No ..... Fax. No ..... Email .....

Is there any other agency with whom you would like us to be in touch? (e.g. social worker, probation service).....

**SECTION 6 – OTHER RELEVANT INFORMATION**

If you wish, please give any other relevant information (including circumstances of arrest).....

.....

.....

.....

.....

.....

If there is anything else that you think we need to know, please use a separate piece of paper to tell us about it.

**SECTION 7 – RESETTLEMENT ISSUES**

Earliest possible date of release ..... day / month / year / ..... / .....

Is there a deportation order against you? (please tick)  Yes  No  Don't know

Are there any issues concerning your return to and resettlement in **XXXX**, which you would like to tell us about at this stage?

**SECTION 8 – HEALTH ISSUES**

Do you have you a disability? (please tick)  Yes  No If Yes, please specify .....

Do you have any current health problems? (please tick)  Yes  No If Yes, please specify .....

Do you have a medical condition for which you require urgent or ongoing treatment or medication?

Yes  No If Yes, please specify .....

If yes, are you having difficulty getting treatment for your condition? (please tick)  Yes  No

If yes, please specify problems .....

Do you have to pay for any treatment you need?

(please tick)  Yes  No If Yes, please specify how much .....

Do you have, or have you ever had any mental health problems (e.g. depression)?

(please tick)  Yes  No If Yes, please give details.....

Have you ever had any treatment for these mental health problems?

(please tick)  Yes  No If Yes, please give details.....

**Do you need support or advice in the following areas?**

**HIV and/or AIDS** (please tick)     Yes     No    *If Yes, please give details* .....

.....

**Drugs Issues** (please tick)     Yes     No    *If Yes, please give details* .....

.....

**Alcohol Issues** (please tick)     Yes     No    *If Yes, please give details* .....

.....

**Gambling issues** (please tick)     Yes     No    *If Yes, please give details* .....

.....

**Other health-related issues** (please tick)     Yes     No    *If Yes, please give details* .....

.....

**In order to assist you, we may need to seek access to your medical records. Please tick here to indicate that you are willing for us to do this**   

**SECTION 9 – ETHNIC MONITORING**

*Please note the information you provide in this section will not affect the help that you receive from us. This information is for our own internal monitoring purposes so as to ensure that we operate an equal opportunities policy.*

**How would you describe your ethnic origin** (please tick):

- |                                      |   |   |   |
|--------------------------------------|---|---|---|
| <input type="checkbox"/> White       | <input type="checkbox"/> Black African                | <input type="checkbox"/> Black other [please specify] | <input type="checkbox"/> Pakistani              |
| <input type="checkbox"/> Chinese     | <input type="checkbox"/> Irish                        | <input type="checkbox"/> Black Caribbean              | <input type="checkbox"/> Indian                 |
| <input type="checkbox"/> Bangladeshi | <input type="checkbox"/> Other Asian [please specify] |   | <input type="checkbox"/> Other [please specify] |

*If OTHER, please specify:* .....

**Is XXX your first language?**     Yes     No    *If NO, which language do you speak/read:* .....

## SECTION 10 – SERVICES & INFORMATION

If you would like to apply for assistance or information, please tick the relevant boxes:

- Application form for penpals .....
- Application form for magazine subscriptions .....
- Are you interested in applying for an educational correspondence course? .....   
If so, what subject? .....
- Information on receiving art materials .....

### C - GENERAL INFORMATION LEAFLETS

1. Information on the prison system (where available) .....
2. Information on the judicial system (where available) .....
3. Information on customs fines in France (France only) .....
4. Information on prisoner transfer (only available for certain countries) .....
5. Information on how we work with the press and media .....
6. Information on the Schengen Treaty and how it affects you (EU countries only) .....
7. Information on legal assistance and human rights agencies .....

### DATA PROTECTION STATEMENT

Under the provisions of the Data Protection legislation, **XXXX** needs your permission to keep the information on this form on our database. This enables us to keep in contact with you, monitor your situation, respond to your needs and ensure that we provide an equal service to all clients. We also use this information anonymously when we produce reports and statistics.

We will not normally share this information with anyone else without your permission but we will need to tell relevant authorities about any danger to yourself or others. Please tick here if you are happy for us to do this.

We do need to hold information from other sources, i.e. your family members who may have already contacted us but we need your permission for this. If you are happy for us to hold this information on our database, please tick here.

If you are happy for us to share information about your case with the family named on your form, please tick here.

By completing and signing the enclosed Information Form, you are confirming your willingness for us to keep your details for these purposes.

Name: .....

Address: .....

.....

.....

.....

Signature .....

Date.....

## Appendix V: Sample file cover sheet

Client		Family and Friends	
<b>Name of client</b>	_____	<b>Name of contact</b>	_____
<b>Prison name</b>	_____	<b>Address</b>	_____
<b>Prison Address</b>	_____ _____ _____ _____		_____ _____ _____ _____
<b>Prison number</b>	_____		_____
<b>Country</b>	_____	<b>Phone</b>	_____
<b>Date of birth</b>	_____	<b>Email</b>	_____
<b>Gender</b>	M / F	<b>Relationship to client</b>	_____
		<b>How did they first hear of you?</b>	_____
Any other Personal Details e.g. health _____			
Offence Details			
<b>Date Arrested</b>	_____	<b>Trial Date if known</b>	_____
<b>Charge</b>	_____		
<b>Circumstances of arrest</b>	_____		
	_____		
	_____		
<b>Status</b>	Bail / Remand / Sentenced	<b>Sentence length if appropriate</b>	_____
Any other details e.g. if appealing _____			
Other Essentials			
<b>Lawyer's details if known</b>	<b>Name</b> _____		
	<b>Address</b> _____		
	_____		
<b>Tel</b>	_____	<b>Fax</b>	_____
	<b>Email</b> _____		





## **Appendix VII: Sample Confidentiality policy**

### **General**

- Staff members must not pass information on clients to any third party without the permission of the client. Information is only passed on to third parties where the prisoner has authorised us in writing to do this or in exceptional circumstances (see below).
- Where there is a conflict of interest, our ultimate duty of confidentiality is to the prisoner or family member who has given us this information.
- If a client is not willing for us to pass relevant details about their situation to other agencies, we will make it clear to them that this may hinder our efforts to help them. For example, there are occasions, when it is necessary to give out information e.g. when trying to find emergency accommodation for a returned prisoner.
- Confidential information is confidential to the agency not to individual staff members/volunteers. Staff/volunteers must be informed when a client might pose a danger to them. If a client is assessed as being dangerous this must be dealt with appropriately.
- An explanation of our confidentiality policy is sent out with the registration pack to prisoners. A full copy of the policy will be sent out on request.
- Breaches of confidentiality will be treated as a serious disciplinary offence.

### **Exceptional Circumstances**

- There are exceptional circumstances where, on the evidence of an internal needs assessment or reports from other agencies, a returned prisoner presents a

perceived danger to the public. Where this is the case, we will alert the appropriate authorities. All clients are informed of this possibility when they register with our organisation.

- Where a client is threatening to seriously harm himself/herself, the confidentiality policy will be waived so that the responsible staff member/volunteer can alert the appropriate authorities. Again, clients are made aware of this when they register with our organisation.
- We are legally obliged to inform the police if a client expresses a clear intention to commit a criminal act.

### **Access to Files**

- Access to client files is on a "need to know" basis. Ex-clients, working as volunteers, are not authorised under any circumstances to view either open or archived case files.
- Clients have the right of access to their own files under controlled circumstances. If a client requests to see his file, s/he needs to give at least 24 hours notice. Case notes must be removed from the files before they are given to clients.

### **Staff and Confidentiality**

- Confidentiality also applies to relationships with other staff members/volunteers. It is not permissible to pass the personal details of other staff members/volunteers on to clients or other third parties.

## **Appendix VIII: Sample Complaints policy**

XXXX is committed to the provision of high quality services; however, on occasion some people might feel disappointed with us. Where users are not satisfied with the service we provide, we encourage them to make use of our complaints policy so that they can help us to deliver a better service to all users

### **Process**

#### **What can individuals complain about?**

We welcome complaints from individuals about all aspects of our service, for example, unacceptable delay in responding to correspondence or unprofessional staff behaviour.

#### **Who can complain?**

The complaints procedure is essentially designed for prisoners and their families. However, we recognise that agencies and other institutions may also feel disappointed with us. In these circumstances they should follow this procedure too.

#### **How to complain**

**Stage One:** contact the person or team with whom you are unhappy and discuss the matter with them. If you are still unhappy and want to make a formal complaint then go on to stage two. We recognise that some people may feel uncomfortable about directly contacting the person who is the subject of their complaint. In that case, they should move directly to stage two.

**Stage Two:** Write to the Director or the Team manager stating that you wish to make a complaint. If the complaint requires extensive investigation or there is some other reason for delay, you will be sent a letter of acknowledgment informing you that this is the case and telling you the latest date by which you will receive a

written response to your complaint. You will receive either an acknowledgement or a formal written response within 10 days of receipt of the complaint.

**Stage Three:** If you continue to be unhappy about the situation, and the response you have received falls short of your expectations, you can make a written request for the situation to be reviewed. This will be done via a panel made up of trustees and staff - not those involved in the original complaint or those who investigated it. You will receive a written acknowledgement and a written response within four weeks of receipt of your request.

Information on our complaints procedure will be included in all information packs sent to users. Copies of the full procedure will be sent out on request.

All complaints and their resolutions will be stored on file. This file should be reviewed annually by the organisation.

## **Appendix IX: Sample Equal Opportunities policy**

XXXX is aware as an organisation that there are barriers to equal opportunities in the community in which we work. We are committed to identifying and removing these barriers.

### **The value of Equal Opportunities.**

- To respect the contribution of the range of communities, people and cultures.
- To recognise the existence of injustice and to tackle it.
- To maximise the potential of individuals.
- To develop an organisation which is responsive, accessible and accountable.

### **Clients**

Current resources enable us to work only for XXX and their families or dependants.

Our policy is never to refuse provision of its services to a potential client who falls within these parameters.

XXXX provides its service according to need and irrespective of the nature of the alleged/proven offence. We do not discriminate on grounds of political views, mental or physical disability, sex, ethnic origin, religion, sexual orientation, HIV status of the individual prisoner.

However, XXXX reserves the right to review cases where prisoners make offensive or discriminatory comments or behave in aggressive ways.

### **Trustees**

Trustees should be chosen for their particular skills and level of commitment. However, to be effective, a trustee must have the capacity to reflect the interests and needs of all stakeholders in the organisation, including clients and their families. XXX recognises the value of diverse views in enhancing the effectiveness of the organisation.

## **Volunteers and placements**

XXXX recruits volunteers and placements whose experience, interests and skills are most appropriate to the task they are asked to carry out. We do not discriminate on grounds of political views, mental or physical disability, sex, ethnic origin, religion, sexual orientation, HIV status of the individual. However, we do reserve the right to carry out police checks on volunteers and placements in order to ensure the suitability of the volunteer/placement.

## **Staff**

XXXX employs staff whose experience, interests and skills are most appropriate to the job. We do not discriminate on grounds of political views, mental or physical disability, sex, ethnic origin, religion, sexual orientation, HIV status of the individual. However, we do reserve the right to carry out police checks on new staff in order to ensure the suitability of all new appointments.

All employees are treated equally and fairly. Decisions on recruitment, selection, training, promotion and career development will be based solely on objective, job related criteria. Objectives will be agreed in yearly appraisal meetings and then monitored in monthly supervision sessions.

## **Implementing the policy**

We will:

- ◆ Monitor job applicants, staff, volunteers, placements and trustees in terms of ethnic origin, nationality, sex, age, marital/parental status, HIV status, sexual orientation and disability. This data will be collected anonymously and voluntarily and will in no way affect success or failure within the organisation;
- ◆ Give priority to training for staff, volunteers, placement and trustees on matters which concern equal opportunities;

- ◆ Include a section on Equal Opportunities in the induction of staff, volunteers, placements, trustees and returned clients and families of clients who visit or make use of the office;
- ◆ Ensure that all communication reflects non-discriminatory policies;
- ◆ Have guidelines on how to promote and monitor equal opportunities in appropriate areas of our work;
- ◆ Have a section on breaches of this policy in the grievance procedure and in the contract with clients and their families;
- ◆ Review this policy and its effectiveness on a yearly basis;

Implementation of this policy is the responsibility of every individual involved in XXXX.

Management responsibility for the implementation of this policy rests with the senior management of the organisation and the Chair of the Board of Trustees.

## Appendix X: Quotes from Ministries of Justice/Foreign Affairs

The following quotes illustrate, and may be useful in persuading other Ministries of Justice/Foreign Affairs of, the value in the work of member organisations of the CEP Expert Group on Foreign Nationals:

*“The efforts of the Unit, aimed to assist the return and resocialisation of Dutch prisoners abroad, cannot be appreciated highly enough”.*

*“The open-minded listening to the prisoners, the confidential relationship, the tie with home is of a priceless value for the morale and for the resocialisation [of Dutch prisoners]”.*

J.J. van Aartsen,  
Minister of Foreign Affairs, The Netherlands

*“We are delighted to be working in close partnership with Prisoners Abroad. We share the aim of looking after British prisoners overseas. By working together we can do that far more effectively than if we were working apart. Their excellent work saves lives and helps families through the trauma of having loved ones imprisoned overseas”.*

*“Hundreds of British prisoners and their families rely on Prisoners Abroad. The staff of Prisoners Abroad are dedicated to helping British prisoners all around the world, many of them in countries where prison conditions are terrible. We are proud to be working so closely with them”.*

Baroness Scotland  
Foreign and Commonwealth Office, UK.



**Appendix XI: List of members and associate-members of the CEP Expert Group on Foreign Nationals**

**MEMBERS**

**IRELAND:**

**Irish Commission for Prisoners Overseas**

Columba Centre,  
Maynooth  
Co. Kildare  
Telephone: + 353 1 505 3156  
Fax: + 353 1 601 6401  
Email: icpo@iecon.ie

*In the UK:*

The Irish Centre  
50 - 52 Camden Square  
London NW1 9XB  
Telephona: +44 20 7482 4148  
Fax: +44 20 7482 4815  
Email: icpolondon@hotmail.com

**NETHERLANDS:**

**Reclassering Nederland  
Unit Buitenland & Buitenlandse  
Betrekkingen**

Postbus 136  
3500 AC Utrecht  
Telephone: +31 30 2879 900  
Fax: +31 30 2879 998  
Email: secr.bbb@srn.minjus.nl  
Website: [www.reclassering.nl](http://www.reclassering.nl)

**SWEDEN**

**Bryggan Abroad**

Ormvråksvägen 7 B  
311 39 Falkenberg  
Telephone: +46 346 87 856

**SPAIN**

**Fundacion Espanoles en El Mundo**

C/ Ferraz 55 · 4º Izquierda  
28008 Madrid  
Telephone: +34 915490156  
Fax: +34 915449957  
E-mail: fundacion@espamundo.org  
Website:  
[www.espanolesenelmundo.org](http://www.espanolesenelmundo.org)

**ASSOCIATE MEMBERS**

**ALBANIA**

**Refraction**

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Email: refraction@albmail.com

**BELGIUM**

**Dienst Sociale Reintegratie Brussel /  
Service de Réinsertion Sociale de  
Bruxelles**

Goedheidsstraat 4A bus 12  
1000 Brussel  
Telephone: +32 2 537 73 17  
Email: martine.pieraerts@skynet.be

**LITHUANIA**

**Civil Defence Fund**

Architektu str. 4-10  
2043 Vilnius  
Telephone: +370 699 969 23  
(Russian, Polish)  
Telephone: +370 699 206 20  
(English, Russian)  
Fax: +370 5 244 21 92  
Email: kausinis@takas.lt

**MALTA**

**Mid-Dlam Ghad-Dawl (From  
Darkness to Light)**

Dar it-Tama  
144 Matty Grima Street  
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## **Appendix XII: Sample information sheet on working with the media**

Media exposure is essential for our organisation. Through the media we can make people aware of the issues facing our nationals imprisoned overseas. The more people who read about our work in a newspaper or see us on the TV, the more support we have in campaigning for the welfare of XXXs held in foreign jails. This, however, can be quite difficult because journalists like to back their stories up with real-life case studies. It is the real-life stories which sell papers, not facts and figures alone.

We would be extremely grateful if you would be willing to get involved in some media work. This could involve an interview with your local paper; a magazine article about you and your loved one – perhaps a diary piece; or an interview on local TV or radio.

You need to be aware of both the positive and negative aspects of getting involved in media work:

- Telling your story will not get your loved one released from prison; however, it may influence policy makers and helps us to highlight particular issues affecting prisoners
- It will also help inform the general public of the consequences of getting in trouble abroad
- If you are keeping your situation a secret, it will be more difficult to do so if you are involved in media work
- Media interest will show your loved one that they are not forgotten
- Some questions may be difficult or you may not want to answer them – you do not have to
- Sometimes you may give an interview and it is then not published, this can be very disappointing
- It may attract attention in a negative way in the foreign country your loved one is held in.

If you decide that you would like to get involved in media work please contact us. If you agree to be involved in media work, we guarantee that we will never pass your name or

number, or the name of your relative or friend, on to a journalist without calling you first. All information about you remains confidential until you give us this permission.

Some further tips for clients/families:

*If you do decide to enter into a contract with a print or broadcast publisher, you may find these guidelines helpful.*

1. In your dealings with any publication make sure you are accompanied or represented by a legal advisor.
2. Keep a dated record of all conversations.
3. There is no copyright in ideas - only in the written words or pictures. If you write the story yourself or with the help of a 'ghost-writer', make sure you keep copyright.
4. Insist on selling 'first national rights' *only*. If a publication wants to purchase 'all rights' it will be to make money by selling your story to others. Your fee should reflect the value of the material to the publisher if it is to be re-published in any form — including film & TV or electronically via databases.
5. If you are not able to write the story yourself, insist that a journalist is assigned to help you write it, on condition that the finished product requires your written approval before publication.
6. Do not part with tapes, photographs or original documents until the terms of your contract are agreed. Ensure that the contract includes satisfactory arrangements for the return of all materials including personal photographs.
7. Try to negotiate the right to approve the manner in which the material is published. If you are not happy about how it is to be presented you should be willing to forgo the fee rather than risk sensational or misleading coverage.
8. Don't be bullied into terms that you are not comfortable with. It is YOUR story, and you will have to live with the consequences if it is handled badly.

## **Appendix XIII: Sample introductory letter to a prisoner**

Dear

Thank you for your recent letter.

As you may be aware, XXX is a charity providing practical support and campaigning for the welfare of XXX nationals who are imprisoned abroad. We also help the families involved, and with resettlement on release and return to XXXX. I enclose some general information about the work we do and some details of the XXXX schemes we offer. If you are interested in taking part in any of these, we will be happy to send you the relevant forms. You are very welcome to make use of our services.

In addition, I enclose a questionnaire that I would be grateful if you could complete and return. Completing and signing the form is essential in order for us to help you if you need us to do some work on your behalf e.g. contacting the prison or lawyer about your case.

In the meantime, you are welcome to write to us further if you would like any information or assistance.

With best wishes

## Appendix XIV: Basic information template

Country	
Staff/volunteer responsible	
Name(s) of Foreign Ministry staff and contact details	
Contact name(s) and details of local Consular/Embassy staff	
Details of any prison visitors/ local organisations who regularly liase with you	
How to send money	
How to arrange visits	
Recommendations for translators (names only)	
Where to find basic information on the prison/legal system	
Any special information	
What can and cannot be sent into prisons	

Relevant transfer information	
Parole and early release details	
Date of information	

**Appendix XV: A template for gathering prison information**

**Country**

**What are the prison conditions generally like?**

**What food and drink is provided by each prison and what else can be obtained?**

**What about general health and hygiene in the prisons?**



**What are the opportunities for work?**

**How does the prisoner receive and have access to money?**

**How can visits be arranged?**

**What are the regulations concerning letters, parcels, etc.?**

**Any other relevant information**

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Role: \_\_\_\_\_

**Appendix XVI: A template for gathering legal information**

**Country**

**What type of legal system is there?**

**How is the case investigated? What happens during the remand period?**

**What provisions are there for bail?**

**What happens at the trial?**

**What is the appeals procedure?**

**What provisions are there for transfer between prisons in the jurisdiction or transfer back to prisoner's home country?**

**What provisions are there for early release and parole for non nationals?**

**What provisions are there for clemency or pardon for non-nationals?**

**What provision is there for the reduction of a sentence e.g. for good behaviour?**

**What effect do financial penalties have on remission and release?**

**Is there a standard deportation procedure?**

**Date** ..... **Name** .....  
**Role** .....

## Appendix XVII: A sample magazine request form for prisoners

We operate a waiting-list system for subscriptions to the various magazines and newspapers which are donated to us on a regular basis but the lists for the most popular ones are always very long and can mean waiting for up to a year or more. Some subscriptions go to clients with very long sentences and rarely become available. The system is as follows:

Place a tick in the box beside any of the magazines you would like to receive, fill out your personal details on the back of the form and return it to your caseworker. Your name will then be added to the appropriate waiting lists and we will allocate you a subscription as soon as one is available:

Xxxxxxxx

Xxxxxxxx

Xxxxxxxx

xxxxxxx

We also send out donated newspapers, whenever possible, each week to everyone on the lists in turn.

If your prison only allows you magazines direct from the publishers please tick this box. Your name and address will be given to the publishers and they will need to be kept informed of any change of address.

### DIRECT ONLY

<p><i>PLEASE PRINT</i></p> <p><b>YOUR NAME</b> _____</p> <p><b>PRISON NAME</b> _____</p> <p><b>PRISON ADDRESS</b> _____</p> <p>_____</p> <p>_____</p> <p><b>DATE</b> _____</p>
--

## Appendix XVIII: A sample pen-pal request form for prisoners

We will try to put you in touch with a pen-pal who shares your interests. Please add comments below and be as specific as possible so we can do our best to match you up. We send a similar form to our pen-pals.

When we have identified a suitable person we will write to your pen-pal with your name and address and they will write to you direct. Your letters should be addressed to your pen-pal (full name please) at our address: XXXX. We will then forward them unopened. Please mark PENPAL at the bottom left of the envelope.

Please put your name on the back of the envelope but your address only on the letter inside.

➡ **MUSIC: (STATE WHICH)**

➡ **SPORT/GAMES:**

➡ **OUTDOOR ACTIVITIES:**

➡ **POLITICS AND CURRENT AFFAIRS:**

➡ **CARS/MOTORBIKES:**

➡ **BOOKS AND WRITING:**

➡ **CINEMA/THEATRE:**

➡ **TV:**

➡ **ART:**

➡ **FASHION:**



➡ **WILDLIFE & ANIMALS**

➡ **SCIENCE: (STATE WHICH)**

➡ **RELIGION: (STATE WHICH)**

➡ **LANGUAGES: (STATE WHICH)**

➡ **PLEASE STATE ANY OTHER INTERESTS**

Would you like to correspond with another inmate in your home country or abroad?  YES  NO

**YOUR NAME** \_\_\_\_\_

**PRISON NAME** \_\_\_\_\_

**PRISON ADDRESS** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**COUNTRY** \_\_\_\_\_

**YOUR AGE** \_\_\_\_\_

**YOUR SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

***Please return the completed form to: XXXX.  
Thank you.***

## **Guidelines for prisoners**

Writing is a good way of passing the time and can help to keep you in touch with what is happening in the outside world. Alternatively we often have requests from inmates in this country who would like to correspond with inmates in other countries.

Here are some guidelines to help you get the most from your correspondence.

### ***Writing to your pen-pal***

When we receive your application form, we will try to match you up with a suitable pen-pal, taking into account your interests and other information that you give us. When this is done we will send your name and address to your prospective pen-pal who will make the first contact. There is often a waiting list for pen-pals so please be patient if you do not hear from us straight away.

Please bear in mind that we are not a dating agency. While we will do our best to match you with someone who has similar interests, we cannot take into consideration requests for pen-pals of a particular height, shape, appearance or marital status. In any case, as we do not ask for a photo or a self description, we have no idea what our prospective pen-pals look like!

All information that we have on you is held in the strictest of confidence and no details apart from your name and address will be passed on to your prospective pen-pal. It is entirely up to you if you wish to disclose details of the offence for which you have been imprisoned.

Enjoy writing. If, however, you find that you and your pen-pal are totally incompatible, let us know so that we can find someone else for each of you. Obviously, it is better if you and your pen-pal can agree to end your correspondence amicably but if this is not possible, once again, please let us know. If you feel able to do so, it would be helpful if you could let your pen-pal know too.

### ***Post and enclosures***

It is our policy not to give out the addresses of our pen-pals. When writing, please address your letter to:

Full name of pen-pal

c/o xxxx

Please mark PENPAL in the bottom left corner and put your name only (we realise this is not always possible) on the back of the envelope. Please write your address clearly on the letter itself. As soon as your letter arrives here we will forward it on to your pen-pal.

If you have moved, please pass your new address on to your pen-pal and on to us. This is important as many correspondences lapse due to incorrect addresses.

Your pen-pal may ask whether he/she may send you some small items such as books or magazines. Before you say yes, please check with the relevant prison authorities that you are allowed to accept such material. It is a waste of time and money for people to send gifts which are subsequently rejected by the prison.

Please don't put pressure on your pen-pal to send you money. Many people cannot afford to do this and it is unfair to ask. If you persist in asking for something that your pen-pal cannot afford, it may cause resentment between you and spoil a good friendship.

### **UNACCEPTABLE BEHAVIOUR**

***We neither read nor monitor letters passing between pen-pals. Very occasionally, however, we receive complaints from pen-pals that letters have taken an unwelcome turn. When this happens we will have no hesitation in refusing to forward further letters and in rejecting any further applications for pen-pals.***

***Please remember that unsolicited sexual or romantic remarks are always upsetting. Pen-pals do not normally want to receive this kind of letter and will always report such incidents to our organisation.***

***Please remember too that your pen-pal will have his or her own private life. Do not expect them to treat you as if you were the only person in their life.***

***Unfortunately, we have discovered evidence of criminal activity in some correspondence. Consequently, we will intermittently open pen pal letters in order to monitor the contents. Any evidence whatsoever of criminal activity will be reported to the police.***

## Appendix XIX: A sample pen-pal information form

We will try to put you in touch with a prisoner who shares your interests. Please add comments below and be as specific as possible so we can do our best to match you up. We send a similar form to our clients.

When we have identified a suitable person we will write to you with the name and address of your pen-pal and you can write to them direct. The prisoner will reply by writing to us and we will forward the letter to you unopened.

➡ **MUSIC: (STATE WHICH)**

➡ **SPORT/GAMES:**

➡ **OUTDOOR ACTIVITIES:**

➡ **POLITICS AND CURRENT AFFAIRS:**

➡ **CARS/MOTORBIKES:**

➡ **BOOKS AND WRITING:**

➡ **CINEMA/THEATRE:**

➡ **TV:**

➡ **ART:**

➡ **FASHION:**

➡ **WILDLIFE & ANIMALS**

➡ **SCIENCE: (STATE WHICH)**

➡ RELIGION: (STATE WHICH)

➡ LANGUAGES: (STATE WHICH)

➡ PLEASE STATE ANY OTHER INTERESTS

YOUR NAME

**Your address**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

TELEPHONE: \_\_\_\_\_ AGE: \_\_\_\_\_

YOUR SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

*Please return the completed form to:  
xxx*

## **Some guidelines for pen-pals writing to prisoners**

Writing to prisoners is not always easy, although it can often be rewarding. Fortunately, most of our clients are looking for someone with whom they can maintain a friendly correspondence but there are occasions on which a great deal of anger, bitterness and frustration can arise. For this reason writing to our clients demands a certain level of maturity which is why we do not accept any pen-pals under the age of eighteen. It also demands emotional stability and the ability to put another person first whilst remaining true to oneself. This leaflet gives some advice and information and also deals with some of the difficulties that may arise.

### ***Writing to clients***

- When we receive your application form, we will try to match you up with a suitable pen-pal, taking into account your interests and other information that you give us. When this is done, we will send you the name and address of a client who has requested a pen-pal; it will then be up to you to make the first contact. There is often a waiting list for pen-pals so please be patient if you do not hear from us straight away.
- All information on our clients is held in the strictest confidence and for this reason no details apart from a name and address will be passed on to you. Asking a prisoner about his or her offence can be seen as intrusive and offensive, perhaps causing irreparable damage to a relationship; if a prisoner wants you to know about his/her offence he/she will volunteer the information when he/she is ready. However, as some people would not wish to write to people convicted of sexual offences, you will be asked about this on the application form.
- All mail going into prisons will be opened and inspected for contraband before being passed to the recipient; in some countries the mail will also be censored. Be wary of including unrestrained criticism of prison authorities, religion or governments. These may well cause offence and it is not unheard of for the recipient to suffer as a consequence.
- Don't make promises that you can't keep. Disappointments in prison are especially hurtful. Always ensure that something is possible before you undertake to do it.
- Enjoy writing. If you find that you are totally incompatible, let us know so that we can find someone else for each of you. Obviously, it is better if you and your pen-pal can agree to end your correspondence amicably but if this is not possible, once again, please let us know.
- Do write about ordinary, everyday things even if they seem trivial. Such news helps to introduce a sense of normality into what is an essentially abnormal situation and acts as an emotional lifeline.
- We will try to provide you with any support that you may need. Please feel free to discuss the situation with us if you have any worries with regard to your pen-pal.

## ***Post and enclosures***

When writing, please put...

- **Your name, c/o our organisation** on the top of your letters and on the back of the envelope, except for the USA when it should be on the top left hand corner of the front of the envelope. If this is not done it is likely that the letter will not reach your pen-pal. Furthermore, if letters are returned for one reason or another, we are in a position to monitor the situation. We will forward replies unopened from your pen-pal as soon as they arrive in our office.
- Underline the prisoner's surname, and write it in **BLOCK CAPITALS** to avoid confusion when it reaches the prison. If your pen-pal has an inmate number it is very important that you include this as part of the address.
- If you move, let us know your new address and telephone number. It is, of course, also helpful if you can let us know if your pen-pal is moved to another address as we will not always be immediately informed of this.
- Do send books, magazines, newspapers, presents etc. if you wish but **check first** on what you are allowed to send into the prison. Your pen-pal should be able to tell you him/herself what he or she is able to receive or it may be that they will need to ask for special permission before anything can be sent. In any case, don't send anything in the hope that it may slip through as this is a waste of your time and money; it may even result in your pen-pal being punished and persistent flouting of these regulations may lead to tighter restrictions being imposed. If there is any doubt please consult us.
- You may find that your pen-pal asks you for money. If you choose to do so, do not send it by post but ask us for advice on the best way to send it.

Bear in mind that a pen-pal may resort to emotional blackmail in order to persuade you to send money; some may be writing to a number of different people asking for money and some may be receiving money from others already. Don't be afraid to say no if, for whatever reason, you don't want to send money and never send money that you can't afford as this may cause you to feel resentment toward your pen-pal. "He might not write again if I don't comply", is not a good reason to send money or do anything else for that matter.

## ***Personal details***

Always bear in mind that, in most cases, your pen-pal will be released eventually and will return to this country. If he or she has your address it will be very easy to trace you. For this reason, it is essential that all mail from your pen-pal is sent via our office, as directed above. Some pen-pals have chosen to disregard this advice and this has, on occasion, led to unfortunate results. For the same reason, you should not pass your phone number on to your pen-pal.

### ***Possible reasons for pen-pals not replying***

- There are a number of reasons why your pen-pal may not be reply to your letters. It may be that they have written and that their letters are lost somewhere in the system. For example, letters may be confiscated or, where all letters to and from remand prisoners have to go through a judge, there may be bureaucratic delays.
- Remember that prisoners are often moved without warning and that mail is not always re-directed to them. It may be that your pen-pal has been moved to the punishment block where he/she may not be allowed to receive mail.
- It may be that your pen-pal has no money to purchase stamps and stationery.
- Many prisoners are heavily involved in their own legal situations or in some form of education. This, of course, places great demand on their time and may limit the frequency with which they may respond to your letters.
- Your pen-pal may be experiencing an emotional crisis and may not want to reply immediately.

### ***What if prisoners' letters become romantic/sexual?***

Although not a frequent occurrence, it can be a very upsetting experience to discover that letters from pen-pals are taking an unwelcome turn. In the unlikely event of this happening, here are a few suggestions on how to cope with the situation:

- Do not try to avoid the subject and hope that it will go away; your pen-pal may think that you are tacitly accepting this behaviour
- Do not treat the subject humorously as this, too, may be interpreted as tacit acceptance
- If you are not prepared to accept this behaviour, say so - kindly, understandingly, but clearly as soon as this arises. If the pen-pal persists, please don't hesitate to get in touch with us and we will contact the person to reinforce what you have said. If the pen-pal still persists, we will have no hesitation in refusing to forward further letters and ultimately we can find another correspondent for you
- Never give the impression that your pen-pal is the only person in your life - or that you want to be the only person in his/hers.

### ***Equal opportunities***

Since we are an equal opportunities organisation, which does not discriminate against anyone on the basis of gender, race, religion, or disability, all pen-pals are requested to comply with this policy.

When considering applications from pen-pals, we will not take into account any discriminatory requirements. If a pen-pal's behaviour is offensive, we reserve the right to exclude her/him from the scheme. Similar rules apply to clients.



## Appendix XX: Guidelines for prison visitors

1. Visitors should never give out their address or phone number to prisoners. If you visit on a regular basis, there should be no need for the prisoner to have any contact with you outside of the arranged visits. If any emergency arises, prisoners will always be able to contact their Embassy for assistance. Should there be any need for communication with the family of the prisoner, this can also be facilitated through xxxxx.
2. Whilst visitors may empathise with the person they are visiting, they should guard against becoming too emotionally involved with them. Emotionally, prisoners are very vulnerable people and visitor-prisoner relationships should never go beyond simple friendship.
3. Do remember that there are always two sides to every story and that you cannot necessarily believe everything you hear.
4. Always observe the prison rules regarding visits. Do not, for example, be tempted to take out a letter at the prisoner's request if the prison rules do not permit it (they are unlikely to). Similarly, do not bring anything in which is not permitted. Prisoners may try to pressurise you to do these things, especially initially, but soon stop once they realise that you know what the procedures are.
5. If at times visiting is frustrating due to excessive bureaucracy/poor organisation by the prison, always try to remain courteous toward the prison staff. This can only make your visits easier and in the long run will make things easier for any other visitors. Sometimes you may not be allowed to visit, on what appears to be the whim of the guard on duty. It is always best not to question the authorities - apart from not getting you anywhere it could make life more difficult for the person you are visiting.
6. Be careful not to talk about yourself too much, at the expense of listening to the person you are visiting. Remember that some people are shy and will take time to open up to you. You also need to be responsible for your own actions, and especially for what you chose to disclose about yourself.

7. Prisoners generally have their own jargon to describe their lives in the prison and it may take a visitor a while to attune to this. Whilst it is obviously helpful to understand the jargon, visitors should be wary of using it themselves. Visitors are not inmates and will almost certainly not be respected for trying to act like them.
  
8. Dress appropriately and with regard to the place you are visiting. If you have any questions, please feel free to contact xxxxx.

## **Appendix XXI: Sample parole support letter from local Probation Service**

To Whom It May Concern

RE: Prisoner's name, prison #, address

At the request of X (your organisation), we have drawn up the following report concerning Mr X, born XX and currently held in X prison in X.

In particular, we were asked to examine the options available to Mr X in terms of professional training and therapeutic treatment should he be granted parole by the X Ministry of Justice.

The above mentioned forms of training and treatment are part of a number of conditions put in place by the French authorities in order for someone to be considered for parole. Another important condition is evidence of a stable home address. In the case of Mr X, this condition has been met as he will be returning to live with his mother. Mr X will be welcome to live with his mother, Mrs X and he can move in at her address:.....

Concerning a therapeutic treatment should Mr X be granted parole, the Psychiatric Centre of X has confirmed that it would be willing to interview Mr X and to offer him treatment if appropriate. The Centre specialises in working with ex-offenders.

Arranging a professional training is a little more complicated. Nonetheless, the X business (which specialises in reintegration and employment) has confirmed that it is willing, in principle, to offer an intensive training to Mr X. Nevertheless, this is dependent on the local authorities being willing to finance this project. This can only be decided when Mr X presents himself in person to the local authorities in order to register for state benefits. Therefore, it will only be when his social security benefits have been allocated that the Social Services will be in a position to decide whether Mr X qualifies for the

intensive professional training programme. However, it is important to be aware that every Dutch citizen qualifies for social security if he or she does not have any other source of financial assistance.

In the light of Mr X's past, it is clear that it will not be easy for him to re-enter the employment market. The training programme is therefore all the more important.

The Probation Service of X is willing to offer voluntary supervision to Mr X if he is willing to accept this.

Yours faithfully

X

Enc.

Letter of consent in principle from the X Psychiatric Centre

Letter form the X business, specialising in reintegration and employment of ex-offenders

## Appendix XXII: Sample support letter for clemency

Your Majesty,

it is with profound respect that I write concerning ....., a xxx National serving a .... year sentence at .....Prison.

I am ....., a caseworker at xxxx. xxxx was established in xxxx and works on behalf of xxx nationals arrested abroad, both whilst incarcerated and after release. I have enclosed some information on the work that we do. We ensure that returning prisoners receive comprehensive advice and guidance on resettlement and rehabilitation, including referral to specialist agencies where appropriate. We have been in contact with ..... since .....

(Usually put something supportive in here depending on how much contact we have had with the client/how well we know them, e.g. has studied a course, showed remorse in his/her letters etc.)

We understand that ..... will be deported to xxxxx after release. Since its establishment, our organisation has acquired substantial experience in helping returning prisoners to re-establish themselves in the community. It is our experience that two of the most important factors for successful rehabilitation are accommodation and employment. In order to help returning clients acquire these, we have developed a strong network of contacts with government and voluntary housing and employment agencies. We will do whatever we can to ensure that ..... is able to return to xxxx and play a positive role in society.

I am aware that ..... will soon be petitioning Your Majesty for your most gracious royal pardon. May we add our voice to his when he beseeches Your Majesty to allow him to restart his life.

I remain your obedient servant

.....

## **Appendix XXIII: Sample letter to a family of a prisoner abroad**

Dear

As you may be aware, XXXX is a charity providing practical support and campaigning for the welfare of XXXX nationals who are imprisoned abroad. We also help the families involved, and with resettlement on release and return to XXXX.

Please find enclosed a leaflet which outlines the work that we do.

We are also enclosing a registration form and a monitoring form that asks for some basic information about yourself, your situation and, above all, how we can help you. You are not obliged to complete either of them, but it would help us if you can. Your answers will be treated in the strictest of confidence and will not be passed on to anyone outside of our organisation.

If there is anything that you think we can do for you or any further information that you would like, please do not hesitate to contact us.

Best wishes

## **Appendix XXIV: Guidelines for families being put in contact with each other**

Here are a few guidelines which we hope will make the experience a good one:

- Ask if it is a good time for the person who you are calling to talk - they may be very happy to talk, but have someone there, be putting the kids to bed etc.
- You may like to think in advance about how long you will want to spend on the phone call, especially if calling a mobile phone
- It will obviously be better to ring after 6pm or at the weekend, as it is cheaper
- You could take it in turns to ring so that one person does not always end up paying the cost of the call
- Allow the other person time to talk as well - listen as well as talk
- You do not have to tell the caller what offence your relative is being held for if you do not want to
- Please respect the confidential nature of the calls – do not chat to other people about the person you have been linked to or what you have talked about
- Don't give out your address unless you are sure you want to
- Think carefully before getting involved in carrying out errands (e.g. taking things out on a visit for another family) - occasionally this can go wrong and lead to people blaming each other
- Please show sensitivity during your calls
- Give your phone calls a chance - it can take time for some people to feel comfortable and able to discuss things of a personal nature
- You may like to agree at the end of the call when you will next call each other

You are welcome to contact us at any time if you have any problems or concerns. We do hope it goes well – we have seen such contacts work very well in the past and hope it will be a good experience for you.

## **Appendix XXV: What to tell children**

This leaflet provides information on two of the main issues confronted by the carers of children whose parent is in prison abroad. The first section looks at the immediate impact of that parent's arrest - when, what and how to tell children. The second section looks at the on-going effects on children of their parent's imprisonment and how their carer can help them cope.

### **1. ON LEARNING OF THE ARREST**

One of the first and most difficult issues a parent or relative may face when learning of their partner's/ relative's arrest overseas is what and how to tell the children. People often feel they must protect the children from what is happening, especially during the initial period of shock. However, children often pick up far more than adults realise and are usually aware that something is going on. They will probably cope better with the crisis in their family life if they feel they are being given the truth and that the family is facing the situation together.

#### **Should you tell the child ?**

One of the most difficult things can be deciding whether to tell the child. There are no easy answers but there are a number of points that you can think about:

- Will the child find out elsewhere or overhear a conversation ?
- What are the consequences of not telling the child ?
- Will you be able to maintain a story to explain their parent's absence ?
- What are the consequences of telling the child ?
- How might they react ?
- Will they need to talk to other people ?
- Will you be too upset to tell them ?
- Can you explain their parent's absence in the short / longer term ?

Some people choose not to tell their child immediately as a way of coping whilst they find out basic information first. However, children who are not told the truth at any stage about where their parent is can become confused as they often sense that something



has happened which they don't understand. They may think that they aren't allowed to ask questions or they may imagine things which will worry them more.

In many cases, people intend to tell their child but not knowing how to do so means they keep putting it off. As time passes, it may become increasingly difficult to raise the issue and the deception may need to become more and more complicated.

### **Not telling**

Many people recognise that they need to tell the child but, in reality, find it impossible to do so. There may be fears of the child telling others which might lead to harassment or bullying. There may also be concerns that the child may blame and reject the parent who is in prison abroad and it may therefore feel easier to shield them from the truth. Some people choose to tell the child that the parent is working abroad or is visiting relatives overseas. However, there is no doubt that whilst such explanations may work in the short-term, it is almost inevitable that the child will find out the truth at some stage even if it is from someone else.

*"I can't bring myself to tell my children where their father really is. I've never told them he is in prison. I say he works in France. Now my daughter is getting older and I think she'll soon realise and I worry about the reaction and what she'll think of us for not being honest with her".*

### **How should you tell them ?**

It is your choice whether and when to tell your child but if you do, there are a number of things you may like to bear in mind:

- Do you want someone else to be with you, either at the time or immediately afterwards?
- Provide basic, honest and simple information and stop there
- Provide reassurance that their parent is OK
- Allow time for their questions and for them being upset
- Reassure them that you love them and will look after them

You will need to plan some of what you are going to say - each child is different and you are the best judge of how they should be told.

## **2. LONGER TERM:**

### **How will my child show his or her feelings ?**

All children are different and will show their feelings in different ways:

*“The youngest is very clingy now, won’t sleep without me, wants to know my every move, wants to see his dad”.*

*“Since last year, because their father is not here. My son has been very disruptive, not concentrating on school work and has a temper and temper tantrums. The teachers don’t understand why as I could not confide in them”*

Some of the effects you may encounter include the child becoming babyish, fretful, clingy, isolated, anxious, attention-seeking or aggressive. He or she may become too quiet and suffer from depression. They may begin overeating or may lack appetite. They may start bed-wetting, having nightmares or temper-tantrums. Some will have difficulties at school. Children are often afraid that they will lose the other parent, that they will be bullied and that other people will find out.

These are sometimes passing phases whilst the child comes to terms with the situation and their parent’s absence. Some children will not display any of these symptoms. However, sometimes you may find it helpful to seek outside support and advice on dealing with the child’s behaviour.

### **What can you do to help them cope ?**

Children are likely to be anxious and worried about where their parent is, and whether he or she will be coming back. They may also feel that they are in some way responsible for their mother/father being away. If you can dispel some of these fears, then the child will be less troubled. Once you have told your child, the most important thing is to keep

listening to them. If they don't want to talk about it, don't force them. Children will cope best if given love, understanding, constant reassurance and time to express themselves.

Some other helpful suggestions made by parents in similar situations about helping your child cope are:

- Respect them as individuals - no matter what age they are, they have opinions which should not be ignored. Babies and very young children will obviously not be able to understand what has happened but you can still talk to them about the other parent.
- Be honest and open with them.
- Share your own feelings. If you are upset, say so. If you are angry, explain why. Don't exclude them by saying nothing.
- Give them time for questions.
- Allow time for their tears and anger.
- Don't be afraid to ask for advice on meeting their needs
- It may be helpful for your child to have a second person who they feel they can trust - a relative, friend or teacher. There may be things they feel unable to tell you, perhaps because they are worried that it will upset you.
- Keeping a routine going can be important as it helps children feel more secure if they know what to expect each day.
- Being consistent and setting clear rules on behaviour can sometimes feel like more hard work than it is worth, but in the longer term can help keep the family on an even keel.

Whatever the length of time their parent is away, it is important to give the child a sense of the future. Count days to special events like birthdays, school holidays and, if appropriate, the next visit. Older children may like to keep a diary. You need to take account of your child's wishes when it comes to keeping in touch - by using letters and drawings (and, if appropriate, by telephone calls and visits), your child can choose how much contact they have. They will need your support and encouragement in the choices they make. They also need to know that it is still OK to love their parent who is in prison - whether it appears that the parent has done wrong or not - and that their parent still loves them. Above all else, they will need constant reassurance from you and help in maintaining contact with their parent in prison abroad.

### **What about other people ?**

Unfortunately, you may not be able to stop other people knowing about your situation which means there may be times when you will have to help your child deal with people saying or doing things which upset them. In the case of an arrest with media coverage, prejudices and fears in the local community may be strong. The children will need your support and reassurance that they have done nothing wrong. You may also like to think about confiding in your child's teacher so that they are aware of the additional stress on your child. You can ask the teacher to treat the information you give them as completely confidential - other staff only need to know that there are changed family circumstances and that one parent is no longer at home.

### **What about your own feelings ?**

The absence of the parent who is in prison abroad changes relationships within the family. The carer at home has to take on more responsibility and in some cases, assume a responsibility they did not have before. Grandparents, siblings and friends may suddenly find themselves caring for a child when there is no one else to do so. The burden of child-care may feel overwhelming at times especially when combined with worrying about the welfare of the person who is in prison abroad. At times, you may well feel tired and irritable. Finding another adult, a family member, friend, or someone in the same situation to talk to and off-load some of your feelings is really important.

## **Appendix XXVI: Preparing for a relative's release**

As the release of your relative from prison abroad gets closer, there are a number of issues that you may like to think about in terms of how the separation may have affected you both.

- **Loss of communication**

Visits, if they were possible at all, may not have contributed all that much to keeping communication going - talking about feelings may have been avoided because it was too painful or difficult. Communication through letters and phone-calls may have been restricted to urgent matters.

- **Change of roles**

You may have gained independence during your relative's imprisonment or you may have become responsible for their well-being in a way that was not the case before their arrest. Parents whose children are now grown-up may have found that they have resumed a responsibility for their son or daughter's welfare that they have not had for many years; partners may have found that they have taken on much more responsibility than before the imprisonment.

- **Experiences during imprisonment / absence**

Both of you have lived through many different things during the time your relative has been away in prison. It may take a long time to learn what this time has really been like for each of you. In some cases, the person returning from prison may have led a very protected existence and may have difficulty adjusting to the responsibility of every-day life outside prison. In others, the person returning from prison may have had traumatic experiences, which may be very difficult for them to talk about.

- **Adjusting**

They may have been away for so long that they are totally disorientated and out of touch. They may, for example, have become unfamiliar with how much things cost or with getting around on public transport. Their children, if they have any, will have grown up in their absence and they may feel distanced from them.

- **Health**

They may return with health problems (physical or psychological) or with addiction to drugs or tranquillisers. The prison conditions they have endured may have led to physical health problems and their experiences during imprisonment can sometimes lead to mental health problems. The boredom of prison life may have led some people into using drugs.

- **Expectations**

You are each likely to have your own expectations of what will happen once the person is back. For example, both of you may have hopes for the person finding work, for living arrangements and for the relationship itself. If there are children, there may also be expectations around the person assuming the active role of being a parent once again.

Recognising how each of you may have been affected in these different ways can make it easier to accept each other's feelings and behaviour once your relative returns from prison abroad.

### **WHAT ABOUT THE DAY OF RELEASE ITSELF ?**

Ideally, you will have had some chance to communicate with your relative/partner about what they would like to happen when they arrive home. Some people like to plan a party to celebrate the return of their relative/partner. However, it is worth bearing in mind that for the person returning from prison, suddenly being surrounded by a lot of people may be quite daunting. Added to that is the likely availability of alcohol to which the person may have become unaccustomed.

Often the person is on a huge emotional high immediately after their return, which may last for several days. They may feel reluctant to take the steps necessary to involve themselves in every-day life e.g. signing on for benefits. It is important they do not feel pressurised and are allowed plenty of time and space to adjust whilst being encouraged and supported to get through the essential tasks. If they are returning from prison in the developing world, it is crucial that they see a doctor who can give them a medical check-up (including for infectious diseases such as TB and Hepatitis) and arrange any medical treatment or counselling that may be needed.

### **What helps:**

- Taking it slowly
- Allowing time to get reacquainted
- Not expecting it to be the same as before
- Some privacy and peace
- Honesty and openness
- Spending time, beforehand, talking with any children involved about the future
- Getting support from family, friends or professionals.

### **LONGER TERM**

Some returning prisoners adjust more easily than others to the longer-term impact of returning from prison abroad. This process of re-adjustment is not determined purely by the person's character - it is therefore not helpful to expect the person to "pull themselves together". What they may have been through is likely to have changed them as a person and they may need support in adjusting to life outside prison. Some returning prisoners have found being in a small room difficult; others find opening and shutting doors strange; many find it hard to get used to everyday life with its bills and worries. Most experience feelings of vulnerability, isolation and feeling like a stranger. There may have been many changes that have taken place in their absence which may take time to adjust to. Some find it easy enough to fall back into the familiarity of daily life whilst others struggle with the aftermath of their imprisonment and find it difficult to find their place in the every-day routines of being home. Some people also experience flash-backs relating to their experiences whilst away but may find it difficult to talk about how they are feeling.

### **What helps:**

- Keeping talking to each other
- Allowing time for the person to readjust
- Not expecting them to be the same as before
- Making time for your own needs, relieving stress, expressing your feelings
- Finding support, either separately or together - through friends, other family members or a professional agency.

## **Appendix XXVII: Dealing with abusive, offensive or threatening behaviour**

In every such situation of a client behaving in an abusive, offensive or threatening manner, the organisation should write to the client concerned (if an overseas client) or speak to them personally (if a returned prisoner or family member) drawing their attention to your equal opportunities policy (if you have one) and warning them that future behaviour of this kind will result in sanctions against them.

Where the abusive, threatening or offensive behaviour repeated is particularly severe in the first instance, the organisation should agree an appropriate course of action with the staff/volunteers concerned. Suitable courses of action could include:

- An agreement to refuse further dealings with the client. In this situation the client should be informed of this in writing
- A second and final letter to the client from the organisation
- The file being taken over by another member of staff/volunteer

A client who feels unfairly treated should be asked to use the complaints procedure ([see appendix VII.](#))