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**GUIDELINES FOR TRAINERS WITH PRACTICAL  
EXERCISES  
(Deliverable 3.2)**

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## FORWORD

In the framework of increasingly multi-ethnic correctional settings, where language and cultural barriers faced by foreign nationals pose significant challenges to prison systems, penitentiary staff play a pivotal role to ensure human rights protection and fair treatment of prisoners, also in the context of politics for the prevention of radicalization and extremism.

Against this framework, the European project B-COMPETENT (2019-21), co-funded by the Justice Programme, aims to provide penitentiary staff trainers with a set of multidisciplinary skills necessary to properly train prison staff, who will gain increased knowledge and understanding of the EU legislation and standards related to human rights, with a special focus on foreign inmates' needs and rights.

In particular, this *Guidelines for trainers with practical exercises*, based on the different documents that have been prepared in the course of this project and, especially on the *EJTN Handbook on Judicial Training Methodology* elaborated by the European Commission in 2006 and the *Human Rights and Prisons. Human Rights Trainer's Guide for Prison Officers*, elaborated by the Office of the United Nations High Commissioner for Human Rights on 2005, wants to contribute to this task in the specific context of the training of prison staff in the work with foreign prisoners.

## (I)

### METHODOLOGICAL FRAMEWORK

This *Guidelines for trainers with practical exercises* are based on different results obtained from the implementation of the B-Competent Project and from the methodology specially developed by other guides such as *EJTN Handbook on Judicial Training Methodology* elaborated by the European Commission in 2006<sup>1</sup> and the *Human Rights and Prisons. Human Rights Trainer's Guide for Prison Officers*, elaborated by the Office of the United Nations High Commissioner for Human Rights on 2005<sup>2</sup> which as the first one stated, constitute a joint effort to summarize the conclusions regarding the best European practices on prison training methodology in the field of foreigners deprived of liberty in order to assist those working in national training institutions in their planning tasks on developing methodology of training programs. It is also intended to advise trainers on the design and delivery of effective training sessions.

#### Trainers competencies

As the handbooks and manuals we consulted set out, the effective way to conceive training should be based not only on overwhelming merely passive and reactive attendees with a considerable amount of theoretical knowledge, but on the facilitation and promotion of professional development in a practical way, demonstrating the relevance of the topics and objectives.<sup>3</sup> This is developed by the EJNT Handbook as a "lifelong learning", which requires that the trainees professional knowledge, skills and behaviour be constantly questioned. When analysing the competence of a trainer in the prison environment, knowledge, skills, attitudes and values promoted by the prison system itself must be taken into account.

Thus, a training course for prison staff on Human Rights and, particularly, on the subject matter of this Project, foreign prisoners, should have as its main objectives of training, in line with those established by the United Nations, the following:

1. *“To provide information on international human rights standards relevant to the work of prison officials;*
2. *To encourage the development of skills necessary to transform that information into practical behaviour;*

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<sup>1</sup> [https://www.ejtn.eu/Documents/EJTN\\_JTM\\_Handbook\\_2016.pdf](https://www.ejtn.eu/Documents/EJTN_JTM_Handbook_2016.pdf)

<sup>2</sup> <https://www.ohchr.org/Documents/Publications/training11Add2sp.pdf>

<sup>3</sup> See EJTN, 2016, p. 8

3. *To sensitize prison officials to their particular role in promoting and protecting human rights, and to their own potential for affecting human rights in their daily work;*
4. *To reinforce prison officials' respect for, and faith in, human dignity and fundamental human rights;*
5. *To encourage and reinforce an ethos of legality, and of compliance with international human rights standards, within prisons;*
6. *To equip trainers of prison officials to provide effective human rights education and training.*"<sup>4</sup>

### **Planning a training program**

As is well stated by the *EJTN Handbook on Judicial Training Methodology* (p.11), any training planning process must follow some basic principles, especially, that any training programme should be needs oriented, and that it's approach should be "tailor-made". In the same sense, the OHCHR Guide expresses the importance of the participatory method, recalling 13 elements for the approach to training:

1. "Collegial presentations;
2. Training the trainers;
3. Interactive pedagogical techniques;
4. Audience specificity;
5. A practical approach;
6. Comprehensive presentation of standards;
7. Teaching to sensitize;
8. Flexibility of design and application;
9. Competence-based;
10. Evaluation tools;
11. The role of self-esteem;
12. Linkage to organizational policy;
13. Planned follow-up"<sup>5</sup>

Regarding the principles specified by the *EJTN Handbook*<sup>6</sup>, the training program must be geared towards responding to needs. In order to respond to these needs, their evaluation will be decisive through the continuous assessment of needs. On the other hand, it will only be possible to define concrete objectives for a training program if the specific environment and context of the potential target group is identified in advance; Consequently, the evaluation criteria of a training program can only be adequately defined if training objectives have been previously established that reflect the real needs of the operators.

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<sup>4</sup> Vid. OHCHR, 2005.. p. 1

<sup>5</sup> Ibidem.. p. 10 See pp. 5-8 to have a short description of every topic of the list.

<sup>6</sup> See *EJTN*, pp.11-15

In order to carry out a effective needs assessment, the combined use of several methods is recommended. The Handbook proposes some of them, that can be translated to the prison environment:

- Surveys between operators and users;
- Questionnaires delivered during a training action;
- Observation and identification of typical tasks within the prison system and the subsequent development of job profiles;
- Regular discussions on the development of job performance within the framework of interviews with the different operators of the system.<sup>7</sup>

Together with the need's assessment, timely planning is also important and must be reconciled with the economic and infrastructure realities, having on mind the possibility to responding to urgent training needs due, for example, as the Handbook highlights, to the constant legislative reforms and social changes in this area, reinforcing the idea of designing tailor-made training actions. As a good planning basis, any institution should have the foresight to reserve sufficient funds, the necessary human resources, open time slots all year round and the infrastructure capacity for ad hoc residential training courses”<sup>8</sup>

Regarding other of the Principles stated by the EJTN Handbook, the need that any training program should be “tailor-made”, this is, including various training formats, that also are welcome for the specific training for prison workers and trainers:

- “A mixed approach between residential and distance learning;
- A format specific to induction training for professional newcomers;
- A format providing a mix of knowledge-based, multi- or interdisciplinary and skills oriented training sessions;
- A format that accommodates specific training events dealing with practice-oriented and hands-on methods within European law as an integral part of domestic law;
- A format tailored for management and leadership skills development.<sup>9</sup>

### **Modern training methods and design**

Training has traditionally been understood as the transfer of knowledge and experiences from the trainer to the participant, in a classic pedagogical environment where the trainer defines what set of knowledge and skills the student must acquire, turning him into a passive spectator.

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<sup>7</sup> See the ETJN Handbook to have a develop explanation of each of this instruments.

<sup>8</sup> ETJN, p. 15.

<sup>9</sup> Idem, p. 16

However, the modern trend towards participatory learning in all stages of training implies designing training actions focused on the needs and interests of the recipient of said training.<sup>10</sup>

The United Nations High Commissioner for Human Rights has determined that Interactive Pedagogical Techniques “especially appropriate and effective in human rights training for adults: presentation and discussion, panel discussion, working groups, case studies, problem-solving/brainstorming, simulation/role-playing, field trips, practical exercises (including drafting), round-table discussions and visual aids [...] Without bowing to instrumentalist approaches to human rights, trainers must recognize that professionals will also want to know “what is in it for them?” – i.e. what value can a better understanding of human rights bring to their work? Training efforts which ignore either of these areas are likely to be neither credible nor effective.”<sup>11</sup>.

For this reason, in training programs, in addition to verifying the needs of the trainee, three basic objectives must be achieved, as previously stated:

- Receive information and knowledge, conceptualization and legislation related to Human Rights and its relationship with the work performance by the trainees;
- Acquire or reinforce skills, knowing the applicable regulations, this must be transferred to the daily exercise of the corresponding functions.
- Raise awareness, reinforce the need to promote and protect human rights in their work performance<sup>12</sup>

On the other hand, a participatory architecture for training is based on the following elements:

- Critical thinking,
- Examination of one's own values, attitudes and professional orientations,
- the "breakdown" of the established conceptions and patterns of conduct<sup>13</sup>

The key is to put things into question, reflect and re-learn. Adults must know why they need to learn something. They need to know the context in which they work and understand the difficulties they face in their daily work. The new competencies must be related to these difficulties. If the participants do not understand why they have to acquire a new competency, they will probably not use it after the training<sup>14</sup>.

In order to achieve this objective of internalization of aptitudes to develop the necessary capacities in the daily performance of the work of the personnel to be trained, the different European Guides consulted for this purpose highlight the need for the group of trainers to keep in mind in their presentations some fundamental aspects such as: project a

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<sup>10</sup> EJTN, p. 23.

<sup>11</sup> See OHCHR, 2005, pp 5-6

<sup>12</sup> Idem, p. 9.

<sup>13</sup> Idem, p. 23.

<sup>14</sup> See pp. 23-26

professional image; structure the presentation following the traditional method: introduction, development / body and conclusion, adding a summary of the most important points; maintain eye contact with the participants, even physically approaching to establish direct dialogue; invite discussion; respect the timing of the presentation; use of simple auxiliary visual material that must be given to participants so that they can be evaluated later; facilitate the participation of participants who tend to remain silent through direct questions and recognizing the value of their answers; pay special attention to the different subjectivities of those who participate in the training; not allow discriminatory, intolerant, racist or sexist statements ...<sup>15</sup>

For a training of this type to be successfully completed, based on any of the techniques to be implemented, it will be recommended that the course could be evaluated by those who have been trained once it has finished<sup>16</sup>. But it also highly recommended that previously, a profile of possible trainees and their specific needs can be done. Therefore, a resource to keep in mind is the possibility of making a first assessment by carrying out a questionnaire at the beginning of the course that -following the example of the UN Handbook- could contain the following questions:

1. What is your level of studies? (field of study, diplomas or degrees obtained)
2. What functions are assigned to you?
3. Have you received training on human rights before? If yes, please develop.
4. What is the biggest challenge you face as a correctional officer?
5. In your opinion, what human rights issues are the most important to address in a course of this type?
6. Do you know of any international standards specifically applicable to the work carried out by prison officials? If so, can you name any of the instruments or treaties that contain these rules?
7. What rights does a person deprived of liberty have?
9. What rights should be guaranteed to a foreign person deprived of liberty?
10. Are there any other issues that you would like to bring to the attention of the team of instructors or that you would like to see addressed during the course?<sup>17</sup>

Nonetheless, beyond the different techniques that can be used to carry out in the design and implementation of training courses related to Human Rights, another element, which is rarely taken into account, consists of the adequacy of the place where said training will

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<sup>15</sup> See OHCHR, 2005, pp. 17-18

<sup>16</sup> See examples in OHCHR p. 195-196 and Prt IV of this Guide

<sup>17</sup> View exemple on p. 189.

be given. Thus, the OHCHR Guide specified that the venue of this type of courses should meet, at least, the following conditions:

- “Courses should be held at a location away from the normal place of work of the participants;
- The room used for a course should be of sufficient size for the number of people present;
- There should be a sufficient number of small ancillary rooms available for working groups, so that participants may focus without interruption on their assigned topics;
- Seating should be comfortable and flexible, allowing chairs, desks and tables to be moved around to accommodate various training techniques”<sup>18</sup>

### Technological base training and mixed (*blended*) learning

As is stated in the EJTN Handbook, there are great advantages on developing a technological base and blended training, as it can reach a higher number of people to be trained and is more cost-effective and enables a continuous learning process<sup>19</sup>. As the Handbook highlights, the blended learning could include:

- “Different methods to facilitate learning (lecture, discussion, guided practice, reading, games, case study, simulation);
- Different delivery methods (live classroom or computer mediated);
- Different scheduling (synchronous or asynchronous);
- Different levels of guidance (individual, instructor or expert led, or group or social learning)”<sup>20</sup>

And its advantages are:

- Facilitators of distance-learning courses can make sure that participants receive the same
- level of judicial knowledge so that during face-to-face meetings they can be more active in practical applications and the exchange of experience.
- Materials and the digital learning environment remain accessible for long-term consultation.
- The course can be carried out autonomously to suit individual schedules”<sup>21</sup>

This is the reason why the *B-Competent* Project has tried to adopt this kind of methodology developing an **Online training course**, based on 10 modules on topics related to the field of the work with foreign prisoners. The online course could be accessible for free and trainees could review the number of modules which consider necessary or the full course, and could see its progress through the response of online questionnaires at the end of each module.

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<sup>18</sup> OHCHR, 2005, p. 14

<sup>19</sup> See EJTN, 2016, p. 45.

<sup>20</sup> Ibidem.

<sup>21</sup> Ibidem, p. 46

The different guides prepared by the United Nations regarding instructors (particularly in the field of Human Rights) training, establish the need to provide those who carry out training tasks with written instructions regarding the sources, systems, and standards for human rights in order to “– To encourage the development of skills, and the formulation and application of policies, necessary to transform that information into practical professional behaviour”<sup>22</sup>. With regard to the project, this has been very relevant, since in relation to the subject it dealt with (foreign prisoners), discriminatory behaviors and its effects are often not recognized. For this reason, the *B-Competent* Project, established some of the module of the online course with content on human right standards on the topic. The complete list of the modules is the following:

- 1) The concepts of "immigration" and "international protection"
- 2) International protection: ECtHR, Court of Justice of the EU and UN HRC
- 3) Regulation of the administrative situation of non-nationals
- 4) International and European standards in the work with foreign inmates
- 5) Religious freedom and imprisonment. Part 1: General features
- 6) Religious freedom and imprisonment (Part 2): Radicalisation
- 7) The right to access to justice in equal terms – General Part
- 8) The right to access to justice and other rights – Part 1: Communication and health
- 9) The right to access to justice and other rights – Part 2: Women & children; Work
- 10) Conflict Theory - Alternative Conflict Resolution

As it can be seen, not only the introductory modules had a human right’s approach, but all the rest, conceiving a comprehensive concept of “access to justice”, as the real access to many rights in the daily life in prison.

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<sup>22</sup> See OHCHR, 2005, p. 15

## (II) PRACTICAL EXERCISES, EDUCATIONAL GAMES AND TESTS

### TEST ON APPLIED TOPICS

The following is the results evaluation questionnaire used in the Online course developed by the *B-Competent project*. As can be seen, it is composed of 10 different topics with multiple-choice questions. The correct answer is **highlighted** and below each question an explanation of the correct answer. This can be very practical and facilitates learning, also when the answers are wrong.

#### 1) The concepts of "immigration" and "international protection"

Access to information for foreign prisoners means:

- Getting informed in the moment of arrest in a language he/she understands
- Getting informed when transferred in detention/prison
- **All of above**

*According to International Covenant on Civil and Political Rights (ICCPR) adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966 articles 9,14 and also the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, Adopted by General Assembly resolution 43/173 of 9 December 1988, Principles 14 ,15 and 16, a (foreign) prisoners should have access to information for in the moment of arrest in a language he/she understands, communication of the detained or imprisoned person with the outside world, and in particular his family or counsel, getting informed when transferred in detention/prison etc*

Fair trial for foreign prisoners means:

- Right to receive legal assistance in criminal proceedings
- Right to be released pending trial, unless a judicial or other authority decides otherwise in the interest of the administration of justice

- **All of above**

*According to International Covenant on Civil and Political Rights (ICCPR) adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966 articles 14 and also the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, Adopted by General Assembly resolution 43/173 of 9 December 1988, principles 14, 17 and 18 a (foreign) prisoners should have right to receive legal assistance in criminal proceedings, right to be released pending trial, unless a judicial or other authority decides otherwise in the interest of the administration of justice*

Treatment means:

- Right to be protected from torture or inhuman or degrading treatment or punishment
- Right to have access to the same health care and treatment programmes that are available to other prisoners
- Right to freedom of thought, conscience and religion
- **All of above**

*According to International Covenant on Civil and Political Rights (ICCPR) adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966 articles 7, 10, 14 and also the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, Adopted by General Assembly resolution 43/173 of 9 December 1988, principles 6, 8 and 33, a (foreign) prisoners should have the right to be protected from torture or inhuman or degrading treatment or punishment, right to have access to the same health care and treatment programmes that are available to other prisoners, right to freedom of thought, conscience and religion*

Resettlement means:

- Right to receive treatment that is aimed at reformation and social rehabilitation to prepare for release into society
- Right to be protected from expulsion, return ('refoulement') or extradition to a State where there is a serious risk to be subjected to the death penalty, torture or other inhuman or degrading treatment or punishment
- Right to have the consent and the social reintegration of the prisoner taken into account in the decision on transfer to another country
- **All of above**

*The transition between prison and returning to the community can be difficult to navigate. Things may move slowly and it may not be anything like you expected. The Resettlement Services is a primary needs resettlement support service for prisoners with less than 18 months left to serve. The Resettlement Service provides one-to-one support from the prison to the community, assisting prisoners to access housing and welfare supports on release. According to Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted and opened for signature, ratification and accession by General Assembly resolution 39/46 of 10 December 1984, articles 14, 16 a (foreign) prisoners has the right to receive treatment, that is aimed at reformation and social rehabilitation to prepare for release into society, right to be protected from expulsion, return ('refoulement') or extradition to a State where there is a serious risk to be subjected to the death penalty, torture or other inhuman or degrading treatment or punishment, Right to have the consent and the social reintegration of the prisoner taken into account in the decision on transfer to another country*

## 2) International protection: ECtHR, Court of Justice of the EU and UN HRC

Regarding the International Covenant on Civil and Political Rights, which of the following alternatives should be the focus of prisons:

- Exemption from imprisonment for accused juvenile prisoners
- **Reform and rehabilitation, not punishment**
- Harsh punishment for minimizing the criminality
- The measurements towards prisons and hospital premises

*The article 10 paragraph 3 of the International Covenant on Civil and Political Rights, specifies that the penitentiary system shall comprise treatment of prisoners the essential aim of which shall be their reformation and social rehabilitation. Juvenile offenders shall be segregated from adults and be accorded treatment appropriate to their age and legal status*

What are the United Nations Standard Minimum Rules for the Treatment of Prisoners?

- **They are not legally binding but offer guidelines in international and national law with respect to any person held in any form of custody.**
- They are legally binding norms which are needed to be implemented by the states.
- They are generally regarded as being good principles and practice for the prisoners' human rights.
- The rules set out standards for judicial procedures of the prisoners.

*The rules were first adopted on 30 August 1955 during a UN Congress on the Prevention of Crime and the Treatment of Offenders, held at Geneva, and approved by the Economic and Social Council in resolutions of 31 July 1957 and 13 May 1977. Since their adoption by the Economic and Social Council in 1957, the Standard Minimum Rules for the Treatment of Prisoners (SMR) have served as the universally acknowledged minimum standards for the treatment of prisoners. Despite their legally non-binding nature, the rules have been important worldwide as a source for relevant national legislation as well as of practical guidance for prison management.*

What is the function of The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (the Committee)?

- To analyze the legislation of the countries regarding human rights
- To serve as a mechanism for gathering complaints of the prisoners
- **To visit all places of detention, defined by the convention**
- To draft guidelines regarding the functioning of prisons.

*According to Article 7 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment the Committee shall organize visits to places where persons are deprived of their liberty by a public authority. Apart from periodic visits, the Committee may organize such other visits as appear to it to be required in the circumstances*

What is the role of European Court of Human Rights towards individual complaints?

- The European Court of Human Rights does not have the jurisdiction to decide on individual complaints.
- The European Court of Human Rights may accept individual complaints only in very rare cases.
- The Court has jurisdiction to decide on complaints (“applications”) submitted by individuals from the moment it is created as a court.
- **The Court has jurisdiction to decide on complaints (“applications”) submitted by individuals from 1998.**

*According to the Protocol No. 11 to the Convention for the Protection of Human Rights and Fundamental Freedoms, which entered into force in 1998 (article 34 of the European Convention on Human Rights) the Court may receive applications from any person, non-governmental organization or group of individuals claiming to be the victim of a violation by one of the High Contracting Parties of the rights set forth in the Convention or the Protocols thereto. The High Contracting Parties undertake not to hinder in any way the effective exercise of this right.*

What is UN Human Rights Committee?

- **It is the supervisory body of independent experts that monitors implementation of the International Covenant on Civil and Political Rights by its State parties.**
- It analyzes the implementation of the International Covenant on Civil and Political Rights by its State parties without considering communications from individuals who claim to be victims of violations of their rights under the Covenant.
- It plays the role of the court for giving justice in cases when the rights of individuals are violated from the state parties.
- It is a decision-making body that monitors implementation of the International Covenant on Civil and Political Rights by its State parties.

*According to Article 28, par 2 of the International Covenant on Civil and Political Rights, the Committee shall be composed of nationals of the States Parties to the present Covenant, who shall be persons of high moral character and recognized competence in the field of human rights, consideration being given to the usefulness of the participation of some persons having legal experience. • Article 40 stipulates that the Committee shall study the reports submitted by the States Parties to the present Covenant. It shall transmit its reports, and such general comments as it may consider appropriate, to the States Parties. The Committee may also transmit to the Economic and Social Council these comments along with the copies of the reports it has received from States Parties to the present Covenant*

Does the Court of Justice of European Union deal with areas such as fundamental human rights?

- The Court of Justice of European Union has the task to examine the legality of EU measures in the trade field.
- **The Court's primary task is to examine the legality of EU measures and ensure the uniform interpretation and application of EU law.**
- The Court of Justice identifies an obligation on administrations and national courts to apply EU law and other international instruments in full within their sphere of competence.
- The Court of Justice of European Union identifies infringements committed by Member States towards each other.

*Following the entry into force of the Treaty of Lisbon, the Court will be able to apply and interpret the Charter of Fundamental Rights of the European Union of 7 December 2000, which is recognized under the Treaty of Lisbon as having the same legal value as the Treaties*

According to the European Prison Rules do all foreign nationals have special rights in comparison to other prisoners?

- The European Prison Rules do not recognize any specific rights towards foreign nationals.
- The European Prison Rules recognize some specific rights only towards foreign nationals but not towards refugees or stateless persons.
- **The European Prison Rules recognize specific rights towards all foreign nationals including refugees or stateless persons.**
- The European Prison Rules recognize some specific rights only towards refugees or stateless persons excluding foreign nationals in general.

*According to Rule 38 (1), prisoners who are foreign nationals shall be allowed reasonable facilities to communicate with the diplomatic and consular representatives of the State to which they belong. • On the other side, paragraph 2 of this article, has sanctioned that prisoners who are nationals of States without diplomatic or consular representation in the country and refugees or stateless persons shall be allowed similar facilities to communicate with the diplomatic representative of the State which takes charge of their interests or any national or international authority whose task it is to protect such persons.*

Does Vienna Convention on Consular Relations serve as a tool to guarantee the rights of foreign prisoners?

- Vienna Convention on Consular Relations does not provide for any specific rights to foreign prisoners.
- Vienna Convention on Consular Relations guarantees only the communication of foreign prisoners with their families.
- Vienna Convention on Consular Relations guarantees the communication of nationals with the sending state, without specifying other means of communication.
- **Vienna Convention on Consular Relations guarantees the communication of nationals with the sending state, with the authorities, consular officials, as well as with the legal representation.**

*According to article 36 of this Convention it is guaranteed the communication of nationals with the sending state, with the authorities, consular officials, as well as with the legal representation. Article 36 of this Convention contains the following provisions: consular officers shall be free to communicate with nationals of the sending State and to have access to them. • Nationals of the*

*sending State shall have the same freedom with respect to communication with and access to consular officers of the sending State.*

According to Vienna Convention on Consular Relations which of the following alternatives is incorrect?

- A prisoner who does not adequately understand or speak the language used by the authorities is entitled to receive relevant information promptly in a language which he understands.
- Prisoners who are foreign nationals shall be allowed reasonable facilities to communicate with diplomatic representatives of their State.
- **Prisoners who are nationals of States without diplomatic representation in the country or refugees or stateless persons cannot enjoy the same rights as other foreign prisoners, starting from the lack of nationality.**
- Prisoners who are nationals of States without diplomatic representation in the country or refugees or stateless persons shall be allowed reasonable facilities to communicate with the diplomatic representative of the State which takes charge of their interests or any national or international authority whose task it is to protect such persons.

*Vienna Convention on Consular Relations as a binding treaty has guaranteed to the foreign prisoners the following legal measurements: • A prisoner who does not adequately understand or speak the language used by the authorities is entitled to receive relevant information promptly in a language which he understands. • Prisoners who are foreign nationals shall be allowed reasonable facilities to communicate with diplomatic representatives of their State. • On the other side, prisoners who are nationals of States without diplomatic representation in the country or refugees or stateless persons shall be allowed reasonable facilities to communicate with the diplomatic representative of the State which takes charge of their interests or any national or international authority whose task it is to protect such persons*

### 3) Regulation of the administrative situation of non-nationals

Migration is:

- an episodic event.
- **a systemic and complex event.**
- a choice that depends exclusively on globalization
- a phenomenon that is currently experiencing a decrease trend

*Migration is a systemic and complex event, that situates in the multiplicity of political, economic, environmental, meteorological, demographic influences that inevitably connote it. In fact, there are some pushing causes that determines the flown of a huge number of people from a country to the other, that can be divided into five macro-areas and other micro-ones.*

What are the international norms which deal with the protection of refugees?

- The set of principles deriving from the international customary law
- The Responsibility of States for Internationally Wrongful Acts document
- The Universal Declaration of Human Rights (1948)
- **None of the above**

*The Convention relating to the Status of Refugees, adopted 28 July 1951, together with the Protocol of 31 January 1967, is the centrepiece of international refugee protection. According to the legislation, States are expected to cooperate with us in ensuring that the rights of refugees are respected and protected.*

The Dublin system (choose the right answer):

- **encompasses various regulations, directives and decisions with the aim of harmonizing the States' national legislations**
- represents a part of the art. 79 of Treaty on the Functioning of the European Union
- does not foresee mandatory rules that identify the responsible country for the application for international protection
- has never been subjected to an evolution since its birth

*From the original Dublin Convention of 1990, there was a succession of different various regulations, directives and decisions with the aim of harmonizing the States' national legislations, up to the current Regulation n. 604 of 2013, better known as "Dublin III".*

Is the "first entry rule" subject to exceptions?

- No, in any case
- Only for risks of inhuman or degrading treatments in one of the States
- **Yes, it is**
- Only to facilitate family reunification

*There are some exceptions to mention, which mitigate the strict first entry rule: they are the sovereignty clause, where a non-responsible Member State independently decides to examine an asylum application; the humanitarian clause, according to which the responsible Member State requests to a non-responsible one to take in charge an applicant, in order to bring together any families or because of other humanitarian grounds; and the last one, that occurs when the transfer of an applicant to the responsible Member State proves impossible because, for example, there is a real risk of inhuman or degrading treatment in the State's reception conditions and centers.*

#### **4) International and European standards in the work with foreign inmates**

According to the Mandela Rules in order for the principle of non-discrimination to be put into practice, prison administrations shall take account of the individual needs of prisoners, in particular the most vulnerable categories in prison settings.

- **True**
- **False**

*Rule 2 of the Mandela Rules states: 1. The present rules shall be applied impartially. There shall be no discrimination on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or any other status. The religious beliefs and moral precepts of prisoners shall be respected. 2. In order for the principle of non-discrimination to be put into practice, prison administrations shall take account of the individual needs of prisoners, in particular the most vulnerable categories in prison settings. Measures to protect and promote the rights of prisoners with special needs are required and shall not be regarded as discriminatory*

According to the European Prison Rules, training for prison staff should not include international standards.

- **True**
- **False**

*Rule 81 paragraph 4 states: The training of all staff shall include instruction in the international and regional human rights instruments and standards, especially the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5) and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ETS No. 126), as well as in the application of the European Prison Rules.*

According to the Council of Europe (CoE) Recommendation concerning foreign prisoners, training for staff members who will work with foreign detainees should include the respect of cultural diversity and a sensitization to the problems faced by foreign prisoners.

- **True**
- False

*Paragraph 39 of the Council of Europe (CoE) Recommendation concerning foreign prisoners states: 39.1. Staff involved in the admission of foreign prisoners shall be appropriately trained to deal with them. 39.2. Persons who work with foreign prisoners shall be trained to respect cultural diversity and to understand the particular problems faced by such prisoners. 39.3. Such training may include learning languages spoken most often by foreign prisoners. 39.4. Training programmes shall be evaluated and revised regularly to ensure they reflect changing populations and social circumstances. 39.5. Persons who deal with foreign suspects and offenders shall be kept informed of current national law and practices and international and regional human rights law and standards relating to their treatment, including this recommendation*

According to the Recommendation on the European Rules for juvenile offenders subject to sanctions or measures, the needs of juveniles who belong to ethnic or linguistic minorities should be disregarded.

- True
- **False**

*According to Paragraph 106 Recommendation on the European Rules for juvenile offenders subject to sanctions or measures: 106.1. Special arrangements shall be made to meet the needs of juveniles who belong to ethnic or linguistic minorities in institutions. 106.2. As far as practicable, the cultural practices of different groups shall be allowed to continue in the institution. 106.3. Linguistic needs shall be met by using competent interpreters and by providing written material in the range of languages used in a particular institution.*

## 5) Religious freedom and imprisonment. Part 1: General features

Following what it has been said during the lesson, how “secularism” can be described?

- Secularism is something abstract, that cannot be translated into practice
- **Secularism is the legal principle that separates States from Churches**
- Secularism represents the synonymous of “pluralism”
- None of the above

*The secularism can be described as the split between legal system and religious set of rules, so it consists of that principle which separates States from Churches and permeates the current constitutionalism*

Which one of the following sentences is true?

- Religious freedom is strongly safeguarded only by the European Convention of Human Rights
- It is important to guarantee the freedom to express the religious creed but not to protect the free choice of not belonging to any of an existing religion;
- **There are some difficulties in defining what religion is, according to the idea that the States should avoid taking position on it**
- Every State has a list of safeguarded religions, so they distinguish between what is and what it is not religion

*States should assure an equal protection for all religions, according to the principle of secularism*

Article 9 of the European Convention of Human Rights states that:

- **Everyone has the right to freedom of thought, conscience and religion and to manifest his or her faith and the freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society**
- Everyone has the right to freedom of thought, conscience and religion and the States cannot limit this freedom in any cases, because it deals with every individual's deep beliefs
- Religious freedom is not safeguarded by Article 9 but by Article 2 of Protocol No. 1 of the European Convention of Human Rights
- Everyone has the right to freedom of thought, conscience and religion and to manifest his or her faith and the freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society. Moreover, Art. 9 advises the right of parents to educate their children in conformity to their own religious creeds.

*Art. 9 of the European Convention of Human Rights expressly states: "1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance. 2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others". Otherwise, the right to education of parents in conformity with their religious beliefs is stated in Article 2 of Protocol No. 1 of the Convention.*

According to the European Court of Human Rights case-law (choose the right answer):

- There is not the possibility of questioning the genuine volunteer of believers at all

- There is only one possibility of questioning the genuine volunteer of believers, when the applicant does not act manifestly in a religious-sided manner
- **States are not allowed to ascertain the sincerity of individuals but there are some exceptional cases, for example when religion is invoked to obtain some benefits**
- States are always allowed to determine the sincerity of the individual's deep beliefs

*In some cases (for example, X. v. the United Kingdom and Kostas v. the former Yugoslav Republic of Macedonia) the EHCR refused to recognize the spiritual reasons, that apparently underpinned the applicants' actions, because they only aimed at obtaining benefits and not at manifesting a religious creed*

Which one of the following sentences, regarding religious freedom and prison environment is true?

- Religious freedom can be totally restricted during the detention because the needs of security and order in prison always prevail
- Religious freedom is a part of the prison treatment program and can be manifested only with the celebration of the typical rituals
- Obviously, there are rules that favor religious freedom because it represents a fundamental right of every prisoner but they have to be interpreted strictly
- **During the term of the sentence, prisoners continue to enjoy their fundamental rights, except for personal freedom, including religious freedom, that can be restricted only in the presence of any valid justifications.**

*As strongly affirmed by the European Court of Human Rights and by a lot of academics and legal norms, prisoners maintain their fundamental right to have and to manifest a religion or beliefs. So, the administrative body and public powers, and particularly prisons staff who deal with detainees on a daily basis, should consider this aspect, in order to preserve prisoners' identity and to better guarantee their rehabilitation. In this frame, the restrictions to this fundamental right occur only in residual hypotheses and represent the exception*

## **6) Religious freedom and imprisonment (Part 2): Radicalisation**

Which one of the following sentences is correct?

- Radicalisation represents a process that deals only with religious reasons

- Radicalisation is a phenomenon that deals with both religious and political reasons but originates in religious contexts as hotspots for radicalisation
- **Radicalisation consists of a process of embracing opinions, views and ideas that could lead to violent acts against countries or international organisation, that seriously intimidate the population**
- Radicalisation is a process that originates in prison and lead the prisoner to the commission of violent acts

*Art. 1 of Council Framework Decision of 13 June 2002 on combating terrorism - 2002/475/JHA, revised in 2017 by the European Commission defined radicalisation as the act of “embracing opinions, views and ideas that could lead to terrorist acts”, that consist of offenses “which, given their nature or context, may seriously damage a country or an international organisation where committed with the aim of: seriously intimidating a population, or unduly compelling a Government or international organisation to perform or abstain from performing any act, or seriously destabilising or destroying the fundamental political, constitutional, economic or social structures of a country or an international organisation”.*

Among the other issues, what does the Directive (EU) 2017/541 of the European Parliament and of the Council state?

- **The importance of the training of proper staff in the execution of de-radicalisation or disengagement and exit or rehabilitation programmes**
- The above-said Directive does not regulate the phenomenon of radicalisation but it deals with immigration law
- The Directive (EU) 2017/541 fights against the spread of terrorism and the prevention measures in the matter but it does not focus on radicalisation
- None of the above

*§33 of the aforementioned EU Directive, asserts that “Member States should, depending on the relevant needs and particular circumstances in each Member State, provide support to professionals, including civil society partners likely to come in contact with persons vulnerable to radicalisation. Such support measures may include, in particular, training and awareness-raising measures aimed at enabling them to identify and address signs of radicalisation [...]”.*

In the light of what it has been said about the relationship between prison and radicalisation, choose the right answer:

- Certainly, prisons constitute hotspots of violent radicalisation but a major part of European States did not adopt countermeasures because of the few number of alarming cases

- Prison is not vulnerable to radicalisation, that mostly takes place outside penitentiaries
- **Prisons contribute to a significant isolation of inmates, so they can result vulnerable to radicalisation processes**
- The overcrowding, even though it is a wound of the penitentiary system in Europe, prevents from isolation of detainees because of the huge number of prisoners

*Prison constitutes an environment that appears very stressful, both for detainees and for prison staff, due to some structural problems such as the overpopulation. In this sense, some detainees, particularly foreign ones, who do not speak the national language and are often far from their communities and families, live in a condition of isolation that may lead to a radicalisation process*

According to the handbook drafted by the international commission led by Austria, Germany and France was instituted in 2009, an ongoing process of radicalisation can be detected (choice the right answer):

- **In the changes in the routines of prisoners, for example looking at the different organisation of cells or changes in religious practises**
- By offering to one prisoner to report news to the penitentiary administration in return for some benefits
- By subjecting the detainee to a pressing interrogation
- Only by looking at obvious changes in prisoners' life because it is very difficult to identify indirect markers

*The markers of an ongoing radicalisation could be detected some indirect signals: for example, changes in religious practises, a shift in the every-day life of prisoners, in inmates' private life, in the different organisation of cells, in the contents of the communications inside and outside prison, in the fruition of mass-media and in the renewed interest of the detainee, particularly in political matters*

Is it possible to adopt some programmes in order to rehabilitate radicalised prisoners?

- Absolutely not
- **Yes, for example by means of dialogue with professional figures or by ideological re-elaboration**
- Only by using particularly restrictive measures
- Yes, with the solely intervention of well-trained prison staff

*A lot of measures can be implemented, such as conversations with educators, as well as other professional figures, for example cultural mediators. Furthermore, the collaboration of the external society (i.e. public bodies, volunteers, ministers of worship) is crucial, as well.*

## 7) The right to access to justice in equal terms – General Part

According to the Directive 2010/64/EU on the right to interpretation and translation in criminal proceedings, suspects or accused who do not speak the language of the proceeding do NOT have the right to interpretation.

- True
- **False**

*Directive 2010/64/EU on the right to interpretation and translation in criminal proceedings grants to suspects and accused who do not speak the language of the proceeding the right to request an interpreter at any stage of the criminal proceeding. Interpretation should also be granted for consultations with the lawyer. The directive also grants the right to the translation of documents that are essential for the criminal proceeding.*

According to the Mandela Rules, prison life should be very different from life at liberty

- True
- **False**

*Rule 5 of the Mandela Rules states: The prison regime should seek to minimize any differences between prison life and life at liberty that tend to lessen the responsibility of the prisoners or the respect due to their dignity as human beings.*

According to the European Prison Rules, special accommodations should be made for detainees who are also foreign nationals.

- **True**
- False

*Rule 37 of the European Prison Rules states: Positive measures shall be taken to meet the distinctive needs of prisoners who are foreign nationals.*

Council of Europe Recommendation concerning foreign prisoners advises member states to give foreign nationals access to interpretation and translation facilities and the possibility to learn a language that will enable them to communicate more effectively

- **True**

- False

*According to Paragraph 8 of the Recommendation concerning foreign prisoners: Foreign prisoners who so require shall be given appropriate access to interpretation and translation facilities and the possibility to learn a language that will enable them to communicate more effectively.*

## 8) The right to access to justice and other rights – Part 1: Communication and health

Facilitating and strengthening foreign prisoners' right to contact with the outside world can be beneficial to:

- Avoid isolation of the prisoner
- Improving prisoners and workers relations
- Creating a more relaxed atmosphere
- **All the above**

*As explained in the introduction and in the spirit of the different international instruments studied, facilitating and strengthening foreign national prisoners' contact with the outside world has benefits on an individual level (reducing the isolation of the prisoner), which in turn has positive effects on prisoners' relations with other prisoners and workers, resulting in an overall better environment for all*

Can foreign prisoners communicate with their families in their own language?

- Never, due to security reasons
- Never, but an interpreter can act as a mediator with the family
- **Always, except for well-justified security reasons**
- Only with their closest relatives

*As established by various international standards such as Rule 22.2 of the 2012 Council of Europe Recommendation on Foreign Prisoners, the prisoner's right to communicate and interact in his or her own language should prevail and may only be restricted for well-founded security reasons*

Taking into account the principle of flexibility and the particular circumstances of foreign prisoners, it should be allowed:

- Longer family visits

- Consecutive days visits
- More telephone calls
- **All the above**

*As we have seen, different countries such as Sweden, Estonia or the United Kingdom have applied good practices to implement the principle of flexibility in communications as set out, for example, in Rule 22 of the 2012 Council of Europe Recommendation on Foreign Prisoners.*

Regarding the right to access to health:

- **It should be guaranteed at least in the same conditions than people outside prison**
- it should be guaranteed for free only if there's no economic crisis
- Interpreter's for medical examination should not be available due to security reasons
- Answers A and B are correct

*As stated for example in the 1988 UN Body of Principles for the Protection of All Persons under Any Form of Detention, medical care for prisoners should be at least the same as outside. Answer B is not correct because those same rules state that medical care should be free of charge, and the Committee for the Prevention of Torture has established that economic crises cannot excuse States from applying this rule.*

## **9) The right to access to justice and other rights – Part 2: Women & children; Work**

In European countries, babies and young children can stay in prison with their mothers with the age limit on 3 years.

- True
- **False**

*In most European countries, babies and young children can stay in prison with their mothers: 3 years is the most common age limit. Examples: - In Sweden the general policy is that children should not live in a prison environment. Babies are rarely accepted into a prison, but they can be accommodated for up to a year and the average stay is 3 months. - In Germany, mothers are allowed to have their children with them in prison until the child reaches 6 years of age. There are 6 closed prisons which allow children up to 3 years old, and 2 open prisons which allow children up to the age of 6. - In the Netherlands children may stay until their fourth birthday in Ter Peel prison, and in 5 other closed prisons up to 9 months. - In Iceland only very young babies*

*who are breastfeeding or who have special needs may stay in prison. - Portugal, Spain and Switzerland allow children up to 3 years, Finland up to 2 years, to stay in prison. - Denmark allows male and female prisoners to have their children with them if they will be released by the time the child is 3 but in practice few children are ever held in prisons. - In Estonia the age limit is four years - In Italy, since 2011 a father or mother is allowed to be under house arrest with their children. The law makes it easier for male and female inmates with children up to 10 years of age to serve their sentences at home, someone else's or in a shelter if there is no risk of recidivism.*

Punishment by close confinement or disciplinary segregation cannot be applied to pregnant women, women with infants and breastfeeding mothers in prison if it is an act considered serious.

- True
- **False**

*Bangkok Rules, United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders, Resolution adopted by the General Assembly on 21 December 2010: Rule 22: Punishment by close confinement or disciplinary segregation shall not be applied to pregnant women, women with infants and breastfeeding mothers in prison. Rule 23: Disciplinary sanctions for women prisoners shall not include a prohibition of family contact, especially with children.*

Staff who come into contact with children and their imprisoned parents shall receive training in areas including how to respect children's needs and rights.

- **True**
- False

*Recommendation CM/Rec(2018)5 of the Committee of Ministers to member States concerning children with imprisoned parents, (Adopted by the Committee of Ministers on 4 April 2018 at the 1312th meeting of the Ministers' Deputies): Principles: 47. Staff who come into contact with children and their imprisoned parents shall receive training in areas including how to respect children's needs and rights, the impact of imprisonment and the prison setting on children and the parental role, how to support imprisoned parents and their children and better understand the specific problems they face, how to make visits child-friendly and to search children in a child-friendly manner. 48. In order to ensure efficiency and quality of the support, protection and care provided to children and their imprisoned parents, staff training programmes shall be evidence-based, reflect current national law and practices and international and regional human rights law and standards relating to children, and shall be revised regularly.*

Also foreign prisoners have the right, where appropriate, to suitable work and vocational training, including programmes outside prison.

- **True**

- False

*Recommendation CM/Rec(2012)12 of the Committee of Ministers to member States concerning foreign prisoners (Adopted by the Committee of Ministers on 10 October 2012 at the 1152nd meeting of the Ministers' Deputies). On Chapter V about Conditions of imprisonment, the section dedicated to Work establishes: 27.1. Foreign prisoners shall have access, where appropriate, to suitable work and vocational training, including programmes outside prison. 27.2. Where necessary, specific measures shall be taken to ensure that foreign prisoners have access to income producing work.*

## 10) Conflict Theory - Alternative Conflict Resolution

In the light of what emerged during the video-lesson, what of the following sentence is true?

- **The recourse to imprisonment is the main tool to fight against crimes, even if it seems to be ineffective in deterring crimes and represents an excessive cost to the community**
- The imprisonment is the solely remedy that can be used to fight against for security reasons
- States will abandon the use of imprisonment in the next future
- Imprisonment is a tool that allow to temporary disregard prisoners' rights

*Imprisonment still represents a major tool to fight against crimes. However, some studies shown that it is not so effective in deterring crimes and represents an excessive cost to the community, too.*

The restorative justice is:

- Only a theory elaborated by academics but that cannot be concretely applied in the criminal justice circuit
- **A way of facing crimes based on the reparation of the harm done by criminals to the victims and their families and towards the social community itself, as well**
- A procedure in which the victims are involved in the criminal process to contribute to the determination of offenders' sentences
- an obliged step during the criminal processes

*Restorative justice is a different way of facing the consequences of crimes, it is based on the reparation of the harm done by offenders, on the basis of the power of dialogue. This reparation activity has also a moral meaning and operates towards victims and community, as well.*

The restorative justice procedures:

- Encompasses only the victim-offender mediation (VOM) and the Family Group Conference (FGC)
- **Can be predominantly divided into three main categories that are victim-offender mediation (VOM), the Family Group Conference (FGC) and the sentencing circles, but there are also other variants of restorative justice procedures, depending on the considered State**
- One differs from the others in the fact that in some of them there are not a dialogue way of proceeding
- None of the above

*A lot of restorative justice procedures can be identified and it depends mainly on the different country that comes through. However, these procedures can be predominantly divided into three main categories that are victim-offender mediation (VOM), the Family Group Conference (FGC) and the sentencing circles.*

One of the main features of restorative justice programmes is:

- the importance of also granting a financial return to the victims of crimes
- the domination of the victims above the offenders, because of their bad conduct
- **the importance for the offender to take awareness and responsibility for their bad actions, in order to prevent the commission of future offenses**
- The necessity to broadcast the contents of the mediation procedure to let the community know about its outcomes.

*It is crucial for the offenders to take responsibility of their bad actions and to start a process of radical change in their lives, in order to prevent the commission of future offenses*

The Victim Empathy Training:

- **is a restorative justice procedure that can be adopted within prisons**
- represents a way of avoiding more restrictive legal measures, by learning how to feel empathy towards victims of crimes

- is a restorative justice procedure that is not adopted by the Italian criminal justice system, yet
- has not been introduced, yet

*The Victim Empathy Training is a variant of the aforesaid Victims-Offenders Mediation. In this procedure of consciousness, the offender, who is serving a term of imprisonment, meet a substitute victim with the aim of stimulating the offender's empathy. These experiences can be found, for example, in Italy and Germany.*

Restorative justice programmes have some weakness points. Which one of the following answers is correct?

- Can completely substitute the ordinary criminal justice proceedings, leaving to victims the choice of the sentence
- **Must respect the constitutional asset of the States and their discretion in criminal policy**
- Are the only option to verify the sincere intentions of rehabilitation of offenders
- Restorative justice does not have weakness points

*Restorative justice has to be read in the light of constitutional principles, that represent a guarantee for both victims and offenders. These principles are a shelter to the risks deriving from an unregulated use of the restorative justice, both inside and outside prisons, that are the possible privatisation of justice, the tension between authority and freedom, a critical victim break-in of the in the system but also to the risk that restorative justice becomes an instrument of power.*

## PRACTICAL EXERCISES, EDUCACIONALS GAMES

### Some training strategies

The training strategies following highlighted are taken from the list described by the EJTN Handbook of 2016, Although many others could be highlighted, this list is not intended, in any case, to be exhaustive but rather exemplary<sup>23</sup>.

#### 1. *Brainstorming*

In brainstorming, “participants are invited to generate ideas or solutions to challenging problems. The participants voice ideas as they occur to them. All ideas are noted down on a flipchart by the trainer and are not criticized. Only after all the responses are recorded is there subsequent analysis or categorisation, and a discussion on the appropriateness of the ideas”<sup>24</sup>.

#### 2. *Snowball or Pyramid Building Technique*

A good description of this method is explained by the EJNT Handbook: “the training adopts the following structure: 1. the participants work individually; 2. then in pairs; 3. then in groups of four; 4. then in groups of eight” and the tasks assigned can be “answer a specific question; make a list of keywords related to a topic; agree or disagree with a certain idea. The trainer invites a representative from each group to present the results of their discussions to the other groups, presenting their conclusions.”<sup>25</sup>

#### 3. *Icebreakers*

As the Handbook describes, icebreakers are short exercises that can be used at the beginning of a training action so that attendees get to know each other before entering the subject. It also has the aim to the trainer to see and evaluate the behaviour of the trainees. The EJTN Handbook describes interesting examples:

- “Silent I.D. Give each person a piece of paper with instructions to write words or draw pictures that describe themselves without talking. Then they are to pin their paper on their

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<sup>23</sup> View the *EJTN Handbook* 2016, pp 27-39, and the UN’s Office of the High Commissioner for Human Rights, 2005, pp 12-14.

<sup>24</sup> EJTN, 2016, p. 27

<sup>25</sup> Ibid, p. 28

chest, walk around, and look at each other. Pictures are collected and shuffled and participants try to identify to whom each picture belongs.

- Paired Sharing. Ask the participants to move around the room and find someone they do not know or who they know the least of anyone else. When everyone is in pairs, the facilitator announces the topic partners can talk about, and a designated amount of time to do so.
- Who Is It? People write down something about themselves they think no one knows. The leader reads the slips of paper and others guess whom the person is. It is amazing to see the things some people reveal about themselves.
- Common Ground. In small groups, have participants come up with six things they have in common and have them share these with the large group.”<sup>26</sup>

#### 4. *Simulated Hearings and Role Play Exercises*

This one is also another very good described method in the EJTN Handbook: “Role play involves the allocation of a particular role to a group or sub-group (for example, prosecutor, defence and court; or police officer, offender, witness and victim). Participants will then be asked to perform a task (such as a moot problem) from different perspectives. The use of role play and/or mooting brings an element of practical application to courses. It is a training technique that either demonstrates the theory or helps trainees to put in practice what they have learned and to find “proof”: does the theory work as supposed? These techniques have many advantages, as this type of group work involves co-operative group work and collective formulation of strategies, it plays out realistic situations, and brings concepts to life.”<sup>27</sup>

#### 5. *Problem solving: the seven steps of problem analysis*

This is one of the last examples of methods described by the EJNT Handbook that we wanted to highlight. The said Handbook explains this method “is used to identify problems, analyse them and find appropriate ways to resolve them. The manner in which solving problems can be approached varies from one problem to another. It could be applied within working groups or in the framework of informal discussions.” As to this, it describes the seven steps approach:

1. “Read the case thoroughly. To understand fully what is happening in a case, it is necessary to read the case carefully and thoroughly. Making notes is a plus.
2. Define the central issue. Many cases will involve several issues or problems. Identify the most important problems and separate them from the less important issues.
3. Functional areas. After identifying what appears to be a major underlying issue, examine related problems in the functional areas (for example marketing, finance, personnel, and so on). Functional area problems may help you identify deep-rooted problems that are the responsibility of top management.
4. Define the judicial context: frame the significant law, regulations, etc.

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<sup>26</sup> Ibid, p. 29

<sup>27</sup> Ibid, p. 35

5. Identify the constraints to the problem. Constraints may limit the solutions available.
6. Identify all the relevant alternatives. The list should include all the relevant alternatives that could solve the problem(s) that were identified in step 2.
7. Select the best alternative. Evaluate each alternative in light of the available information. If you have carefully taken the previous five steps, a decent solution to the case should be apparent.”<sup>28</sup>

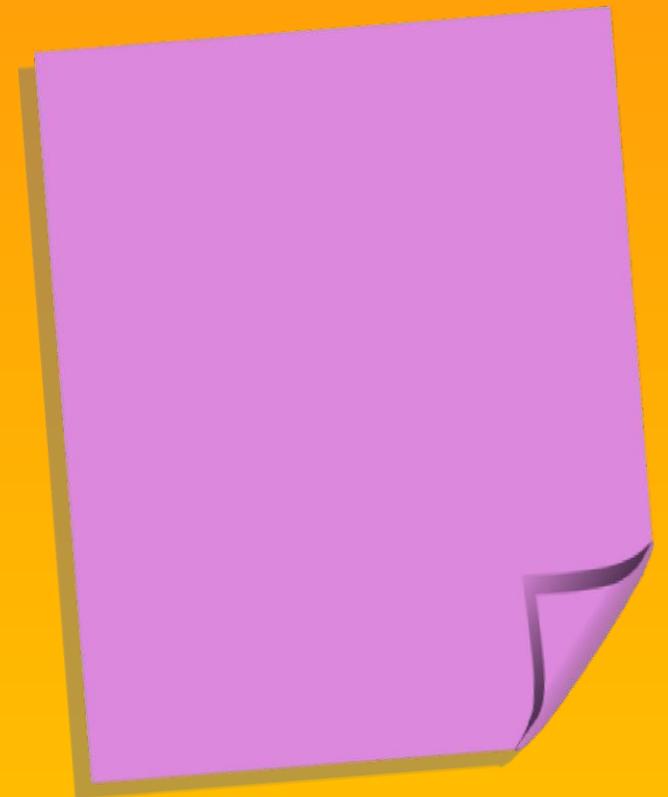
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<sup>28</sup> Ibid, p. 36

## WHAT'S THE PROBLEM?

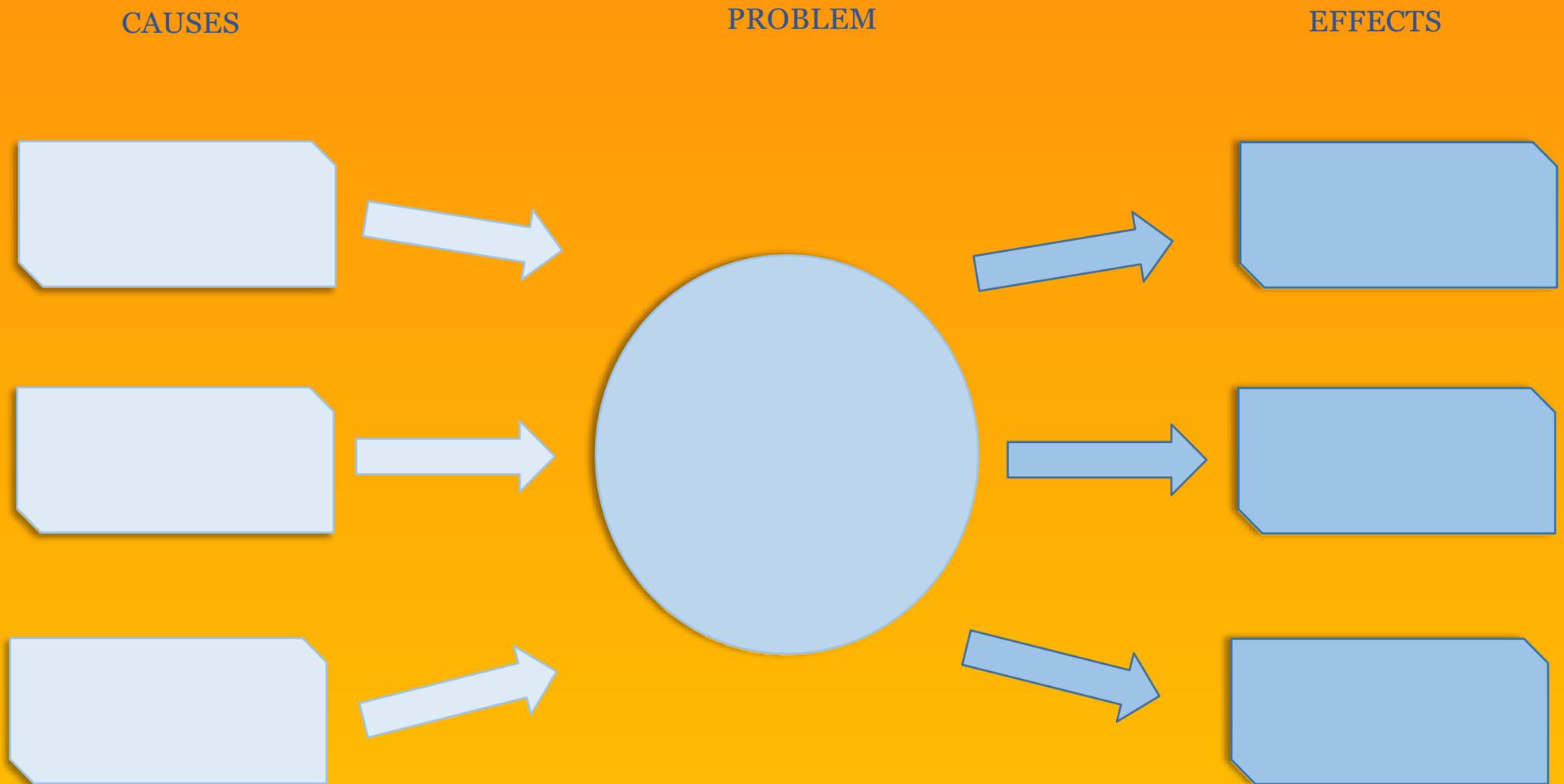
Think about what you consider to be the main problems faced by prison staff in dealing with foreign detainees in prisons.

Write them down in this page and then share them with your colleagues. Discuss which of them you consider most important and choose one or two to be discussed later in the next exercises.



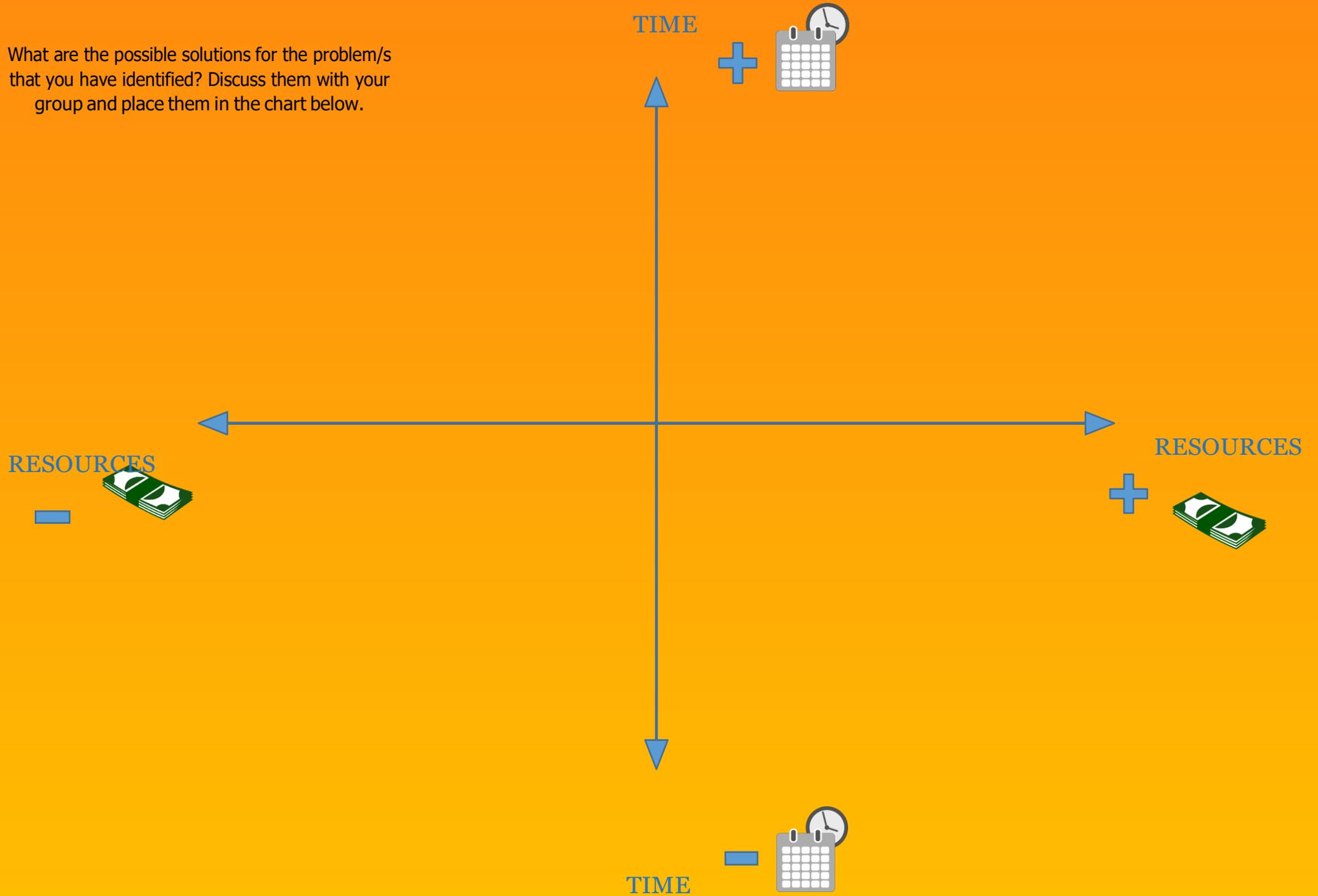
## CAUSES AND EFFECTS

What are the causes and consequences of the problem/s that you have chosen to discuss? Write them down and discuss them with your colleagues. Identify the causes that you wish to discuss later in the next exercises.



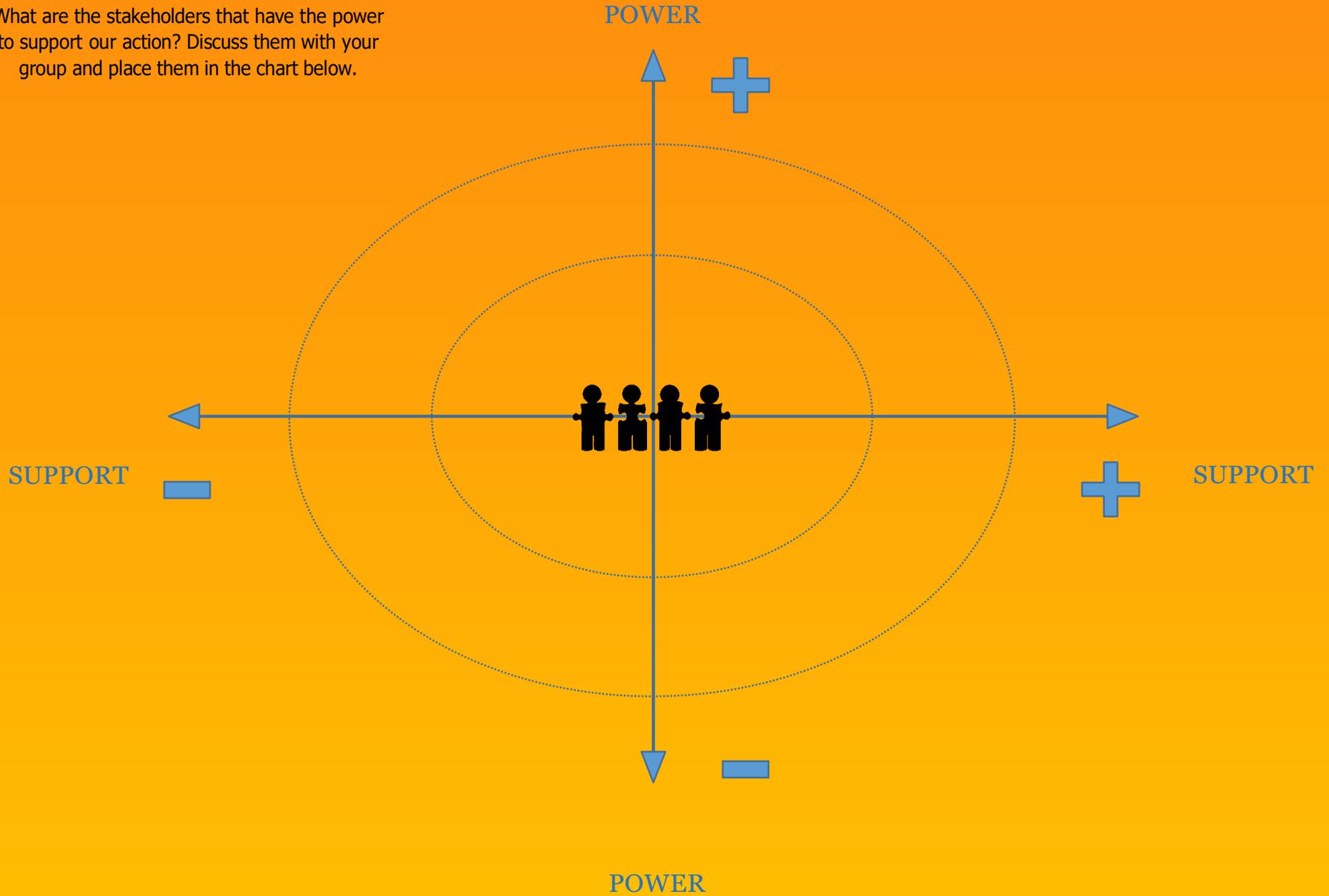
# PROBLEM SOLVING

What are the possible solutions for the problem/s that you have identified? Discuss them with your group and place them in the chart below.



## WHO CAN SUPPORT US?

What are the stakeholders that have the power to support our action? Discuss them with your group and place them in the chart below.



# HOW DO WE ACHIEVE CHANGE?

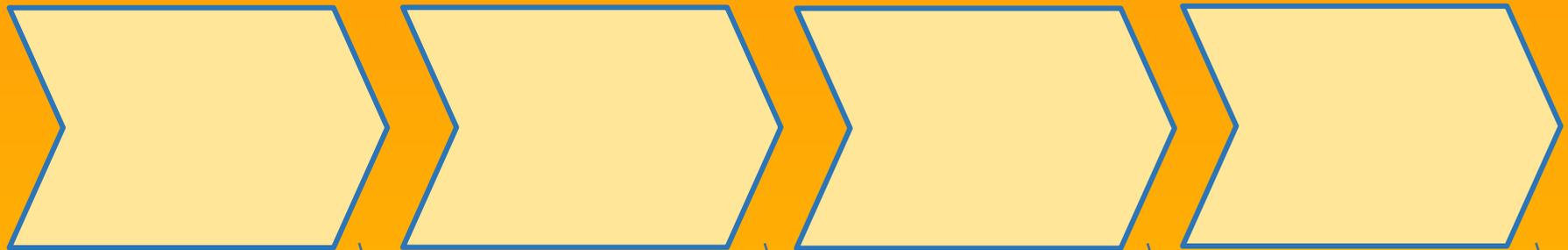
Discuss with your colleagues an action plan to implement the solution to the problem that you have identified. Use the chart below to write down time, activities and stakeholders.



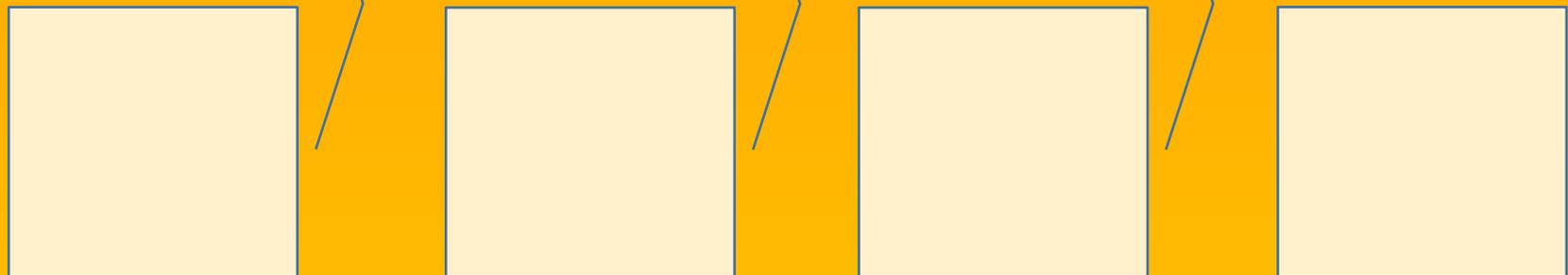
TIME



ACTION



WHO



**(III)**  
**FEEDBACK QUESTIONNAIRE FOR THE EVALUATION OF THE  
TRAINING ACTIVITIES  
(TEMPLATE)**

**Training Evaluation  
Form**

<b>Topic:</b>	
<b>Date</b>	
<b>Organized by</b>	

**Evaluation of the training**

**1. Position:**

Non-profit organization	
Prison Authorities and prison officers	
Other, specify	

**2. Please indicate your impressions of the items listed below.:**

Specifics	Strongly agree	Agree	Neutral	Disagree	Strongly disagree
How do you rate the training overall					
The trainer was knowledgeable on the subject matters					
The quality of information and instruction					
Participation and interaction were encouraged					

**3. How important was the topic covered in this activity for your daily work?**

Very important	
Important	
Not important	

**4. If you have any further comments/ suggestions on the aspects of the training that can be improved:**

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(IV)

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