

UN 6th Survey (1995-97): PRISONS data (Questions 13-21) – validation

Introduction

1. By mid-June 2000 prisons data (ie information in response to Part IV of the UN 6th Survey) had been received from 56 jurisdictions, namely those of 52 member states (including the two jurisdictions in China – the Hong Kong Special Administrative Region and the rest of China, and the three jurisdictions in the UK – England and Wales, Northern Ireland and Scotland) and of Switzerland. The 52 member states constitute 28% of the total UN membership of 188 states.
2. The geographic distribution of the 56 responses is:

AFRICA 7, AMERICAS 3, ASIA 11, EUROPE 32, OCEANIA 3
3. There was evidence of misunderstandings in relation to certain questions (see paragraph 10 below), and some suggestions for changes in the next survey, in order to overcome the receipt of inadequate responses, are at paragraph 11.
4. The following is a commentary on the 56 responses, including comments on data entry and interpretation and suggestions for ‘reference back’ to the responding country for clarifications and for answers to questions that had been misunderstood.

Africa

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| 5. LESOTHO | (1) Capacity of penal institutions (13.2, 14.2) not given, nor sex of staff (15.2-3, 5-6).
(2) Probation inf. “not tabulated by Dep. of Prisons” (19). |
| NAMIBIA | Probation inf. not available (19) “Ministry of Prisons has no-one on probation”. |
| SENEGAL | Information on 16-21 “not available”. |
| SOUTH AFRICA | <u>REFER BACK</u> for clarification re Q16 as to what accounts for the missing 10,000 incarcerated in 1995 and 30,000 in 1997. |
| TANZANIA | <u>CORRECT</u> on database a typographical error in the response to 21.6 in 1997. It should be 17,645 (not 392). This is evident from examination of the figures given. |
| UGANDA | <u>IMPORTANT NOTE</u> Whole response only refers to Central Government Prisons (about 2/3 of the total). <u>REFER BACK</u> for information on Local Government Prisons in respect of Q13-17 and 21. Without the extra information the figures give an incomplete and misleading picture. |
| ZIMBABWE | (1) Responses to Q14 and 15.4-15.6 omit juveniles who are the responsibility of the Department of Social Welfare.
(2) Q18 has been misunderstood (answered merely by “2/3 of the sentence given is served”) but clear that information would not be available (as with 17 and 20). |

Americas

6. ARGENTINA IMPORTANT NOTE Whole response only refers to Federal Penitentiary Service (about 1/7 of the total). REFER BACK for information on Provincial Prisons (Carceles Provinciales) and 'Comisarias' in respect of Q13-16, 20 and 21. Without the extra information the figures give an incomplete and misleading picture. (Also no information on 17-19.)
- CHILE
(1) No information on juveniles Q14 + 15.4-15.6, or on time served Q18.
(2) The figures given in response to Q21 refer to pre-trial detainees/remand prisoners and sentenced prisoners combined. This may be a fault of the Spanish translation of this question since Panama and Spain do the same (but Argentina get it right). REFER BACK for information on convicted prisoners only, as intended.
- PANAMA
(1) No information on juveniles Q14 and 15.4-15.6.
(2) The figures given in response to Q21 refer to pre-trial detainees/remand prisoners and sentenced prisoners combined (cf Chile, Spain). REFER BACK for information on convicted prisoners only, as intended.

Asia

7. BAHRAIN
(1) No information given on juveniles Q14 and 15.4-15.6 or on Q17-20.
(2) Q16 shows that there were 642 convicted prisoners; Q21 is clearly incomplete and figures are impossibly low. Q21 data SHOULD BE REJECTED (and could REFER BACK for a correct response to that question).
- CHINA
(1) Capacity of institutions (Q13.2 + 14.2) not given.
(2) No answers are entered for 15.1-15.6 but equivalent information (for adults and juveniles taken together) is written underneath and SHOULD BE USED. Other countries, eg Ireland, Singapore, have given similar information (re adults and juveniles combined) but have written the information in 15.1. No doubt it is because they are written in the 15.1 box that the Irish and Singapore answers have been entered on the database but the Chinese has not been entered. AMEND DATABASE ACCORDINGLY.
(3) Question 16 is left completely blank but Q21 has been answered; the Q21 response may well give details of all prisoners. REFER BACK to get correct information (if available) for 16 and 21.
(4) No information on Q17-19.

- HONG KONG (1) REJECT Q13.1 and 14.1 answers which give number of prisoners not of prisons. REFER BACK for correct information.
- INDIA (1) Q15.2 response for 1995 should be 832 not 8832. AMEND DATABASE ACCORDINGLY.
(2) Q16 figures are incomplete. They are over 15% below figures for 1997 which were reported at the Asia-Pacific Correctional Conference, which themselves are believed to be some 60% below the true figure. The problem is that individual states and territories do not all supply the complete information. The response says that data (but note that this does not necessarily mean complete data) was available only from some of the 32 States and Union Territories – 23 in 1995, 30 in 1996, and 26 in 1997.
(3) Q16 does not only suffer from being incomplete. It is also internally inconsistent and the figures MUST BE REJECTED. The response suggests that in 1995 the sum of those in prison awaiting trial (16.2) and those sentenced (16.3) exceeds the total number incarcerated (16.1) by 133,000. The response suggests that in 1997 the sum of those in prison awaiting trial (16.2) and those sentenced (16.3) is over 40,000 short of the total number incarcerated (16.1). REFER BACK at least to obtain internal consistency here.
(4) For Q17 and 18 numbers are given, but the question requires averages. ? REFER BACK or make deductions from given data.
(5) Q21 reports on 98,978 convicted prisoners in 1997. But Q16 indicated that only about 50,000 were convicted and sentenced in 1997. REFER BACK for clarification.
(6) The Q21 response gives a total of adults and juveniles in 1997 which is only 43,705 compared with the overall total of 98,978. What age were the other 55,000? REFER BACK ON THIS TOO.
(7) There are unbelievably enormous variations between figures given for 1995, 1996 and 1997 in response to Q21. If more credible figures cannot be obtained the complete answer to Q21 MUST BE REJECTED.
- ISRAEL (1) The response to Q13.1 and 14.1 on the form MUST BE REJECTED since it gives numbers of prisoners not number of prisons. But print-out from database gives different figures. WHY? Where have such figures come from?
(2) The response given to Q15.1 is the total of staff in all prisons. So it MUST BE AMENDED to 3712 (in 1995) and 3454 (in 1997).
(3) No information has been given on Q17 and 18.
(4) The response to Q21 is incomplete. One could deduce the missing values but the deductions may be wrong In particular it seems unlikely that there are 138 male juveniles, as the deductions would lead to one to suppose.
- JORDAN [Response not received from Vienna.]

KOREA	For Q18 numbers are given but the question requires averages. <u>REFER BACK?</u> or make deductions from data given.
KYRGYZSTAN	(1) Q16 response totally wrong and <u>MUST BE REJECTED</u> . Latvia response and Ukraine non-response suggest that Russian language translation of question may be faulty. (2) Q21 response may be for full prison population. <u>REFER BACK</u> for correct response to Q21 and Q16.
MALAYSIA	(1) Total in 16.3 exceeds total in 16.1. <u>REFER BACK</u> . (2) Total in 21.1 = total at 16.3 which is what would be expected. But total of 21.4 (adults) and 21.7 (juveniles) is less than 21.1 in all 3 years (1995-7). What age are the missing people? <u>REFER BACK</u>
SINGAPORE	Q19 not answered ('not available'). <u>NO NEED TO REFER BACK</u>
SRI LANKA	[Response not received from Vienna.]

Oceania

8. AUSTRALIA	No information has been given on 17, 19 or 20.
FIJI	(1) For Q17 and 18 numbers are given but the question requires averages. ? <u>REFER BACK</u> or make deductions from given data (2) Q19 not answered.
TONGA	(1) Q13.1 answer probably gives number of prisoners but certainly does not give number of prisons. <u>REFER BACK</u> , also to check answer to 14.1 (2) Q16. <u>REFER BACK</u> to find out why there is such a discrepancy between 16.1 and the total of 16.2-16.6. Database has 222 for 16.1 but response is 232. <u>AMEND DATABASE</u> (3) No answer given to Q19 and 20. (4) Q21. The answer given to Q16 implies that Q21 includes pre-trials and sentenced prisoners combined. <u>REFER BACK</u> for information on convicted prisoners only, as intended.

Europe

9. ANDORRA (1) The answers to Q14.1 and 14.2 (in both cases zero) have been omitted from the database. AMEND DATABASE
(2) No information given on Q19.
(3) Q20 has been misunderstood. The answer 'all prisoners that have been released' has been given. REFER BACK for information needed.
- AZERBAIJAN (1) In response to Q16 only the number of sentenced prisoners has been given (16.3). Council of Europe report shows that 3,730 prisoners were on remand at 1.6.97. ? REFER BACK for full answers to Q16.
(2) No answer given to Q17 and 19.
- BELARUS No answer given to Q15 (staff number) ? REFER BACK
- BELGIUM (1) No information given on Q14 and 15.4-6, apart from suggestion that 'communautés' deal with juveniles.
(2) No answer given for Q17 and 18 (unless feint mark in marking signifies answer) REFER BACK
(3) Incomplete answer to Q21 (only 21.1 completed)
? REFER BACK
- BULGARIA Information 'not available' for Q17 and 18. No information given on Q19.
- CYPRUS (1) Q13 and 14. There is only one prison for 240 people (adults and juveniles). These figures have been repeated in answering Q13 and Q14. Beware of adding results of 13 and 14 to get erroneous total of 2 prisons for 480.
(2) Q16. Figures are 4 times larger than annual totals given to Council of Europe. REFER back for clarification.
(3) Q19 and 20 not answered.
(4) Q21. Total of sentenced prisoners greatly exceeds figures given to Council of Europe. REFER BACK
- CZECH REPUBLIC Q19 deleted, presumably because no-one on probation in 1995 and 1997.
- DENMARK (1) Questions on juveniles (14 and 15.4-15.6) deleted. No juveniles? REFER BACK
(2) Q21.4 to Q21.10 answers are incomplete. REFER BACK, especially for numbers of females (adults and juveniles separately).
- ESTONIA Q13.2 and 14.2 relating to capacity of prisons. No information given. ? REFER BACK
- FINLAND Q13.1 and 14.1 not to be added (as with CYPRUS). The juvenile prison is part of an adult prison.
- GERMANY Answers 'not available' to Q17-20.

GREECE	(1) No answers given to Q17 ('only 1996 data available'), Q18 and 19 'n/a' (2) <u>AMEND</u> answer to Q21.4 to 3,278.
HUNGARY	(1) Q13-15 not answered. <u>REFER BACK</u> . Prison Administration have the information needed. (2) Q17-18 not answered.
ICELAND	(1) The answers to questions 14.1 and 14.2 (in both cases zero) have been omitted from the database. <u>AMEND DATABASE</u>
IRELAND	(1) <u>REJECT</u> answers to Q13.1 and 14.1 which give number of prisoners not prisons. <u>REFER BACK</u> for correct information (number of adult and juvenile prisoners). (2) Q16 answer incomplete. <u>REFER BACK FOR 16.3-16.6</u> (3) Q17-19 not answered. (4) Q21 answer includes parolees and so is not comparable with other countries. <u>REFER BACK</u> for correct information or <u>REJECT Q21</u> .
LATVIA	(1) Q15.1-Q15.6. Nothing adds up correctly. <u>REFER BACK</u> (2) Q16. Figures totally wrong. Must be <u>REJECTED</u> . <u>REFER BACK</u>
LITHUANIA	Not quite complete but reasons always given.
MOLDOVA	Answer to Q17 'not available'.
NETHERLANDS	(1) Q14.2 should read 1,345 (1995), 1,410 (1997). <u>AMEND DATABASE</u> (2) Q16. These figures omit juveniles and TB (psychiatric) prisoners. <u>REFER BACK</u> for full total Q17, 19, 20 answers not available. Q21.1-21.3 are not answered and Q21.4 gives number of adult convicted prisoners as 11,770. This is incorrect. 11,770 is the total of pre-trial and sentenced prisoners <u>combined</u> (but excluding juveniles and TB (psychiatric) prisoners). Also Q21.7-21.9 (juveniles) are not answered. <u>REFER BACK</u> for answers to 21.1-21.3, correct totals to 21.4-21.6 and answers to 21.7-21.9 (juveniles).
NORWAY	(1) Quality of data (from Statistics Norway) is poor throughout. <u>INFORMATION SHOULD BE SOUGHT FROM PRISON AND PROBATION ADMINISTRATION</u> (2) Database omits answer to Q14.1 (zero in both years) and should be <u>AMENDED</u> (3) Q18 and 19 not answered. ? <u>REFER BACK</u> (4) Q20 gives total number released to parole during year. ? <u>REFER BACK</u>
PORTUGAL	Not quite complete but reasons always given.

ROMANIA	<p>(1) Q13.2 and 14.2 answers may accurately reflect <u>number of beds</u> but the official capacity is under 34,000. <u>NB</u> difference between these two measures.</p> <p>(2) Q19 not answered – don't have probation.</p> <p>(3) Q20 gives total number for whole year.</p>
SLOVAKIA	<p>(1) Q16 has been misunderstood. Q16.4 answer given should have been entered as 16.2. <u>AMEND</u> database ? <u>after REFERRING BACK</u>.</p> <p>(2) Q18 and 20 marked 'not applicable'.</p> <p>(3) Q19 gives total for whole year, not for selected day.</p>
SLOVENIA	<p>(1) Q16 has been misunderstood. Q16 answer given should have been entered as 16.2. <u>AMEND</u> database ? <u>after REFERRING BACK</u></p> <p>(2) Q17 and 19 not answered.</p>
SPAIN	<p>(1) No answer to Q19</p> <p>(2) Q21 gives answer for pre-trial and sentenced <u>combined</u>. <u>REFER BACK</u> for information on convicted prisoners only.</p>
SWEDEN	<p>(1) Questions on juveniles (14 and 15.4-15.6) marked 'not applicable'. Are there no juveniles? <u>REFER BACK</u></p> <p>(2) Q15.2 and 15.3. Information on sex of prison staff marked 'not available'.</p>
SWITZERLAND	<p>(1) Answer to Q14.1 is none. But not on database. <u>AMEND DATABASE</u></p> <p>(2) Q19 and 20 are marked cf. commentaire [BUT no commentaire was attached.]</p>
TURKEY	<p>(1) Q15.2 plus 15.3 do not equal 15.1, but discrepancy is just 30. ? <u>REFER BACK</u></p> <p>(2) Q19 answer indicates no-one on probation.</p>
UKRAINE	<p>(1) Q13 and 14 answers not received. [Are they available in Vienna?]</p> <p>(2) Q16 and 17 answers not received. [Are they available in Vienna?]</p> <p>(3) Q21 answer is for pre-trial and sentenced prisoners <u>combined</u>. <u>REFER BACK</u> for data on convicted prisoners.</p>
UK: ENG & WALES	<p>(1) 13 and 14. Many 'juvenile prisons' are part of 'adult prisons' so beware of adding 13 and 14 and getting an erroneous total.</p> <p>(2) Q13.2 and 14.2. Number of beds quoted is more than official CNA.</p>
UK: N. IRELAND	<p>(1) Q13-15 not answered. <u>REFER BACK</u> perhaps to Prison Administration.</p> <p>(2) Q17, 20 'not available'.</p>
UK: SCOTLAND	<p>(1) Q15. Answers to 15.5 and 15.6 don't add to 15.4 <u>REFER BACK</u></p> <p>(2) Q18. Information 'not collected'.</p> <p>(3) Q19 and 20. Information 'not available'.</p>

Problems with questions, revealed by examination of responses

10. A number of questions were misunderstood by a few respondents. The following were the four most important points in this connection:

- a) There is evidence that some Russian language respondents had not understood Question 16. Perhaps the Russian translation of the question was inadequate. The need for REFERENCE BACK has been indicated under the individual countries.
- b) Question 20 was answered in one way by some countries and in another by others. The two sets of answers cannot be treated as identical and the database MUST BE AMENDED ACCORDINGLY. The question asks for the number of persons on parole on a selected day. Some countries (23) have answered this question correctly or have given an annual average instead. But others have given the total for the whole year (4 explicitly state they have done this) and in the absence of a selected date being specified by the respondent there is no certainty that the others have not done the same. Responses to Q20 must therefore be REJECTED (apart from the 23 mentioned above* or there must be REFERENCE BACK to check what the response covers and whether or not the country can give information relating to a selected day.
- c) There is evidence that Spanish respondents have misunderstood Question 21. The Spanish translation of 'convicted' is inadequate. It is a translation of 'convicted and imprisoned' and led to three of the four Spanish language respondents believing that they should also include pre-trial prisoners. The need for reference back has been indicated under the individual countries.
- d) Question 21 asks for the number of convicted prisoners on a selected day. The database, by contrast, suggests that the question was about the number of convicted prisoners admitted to prison. AMEND the database accordingly.

* The 23 countries which have correctly answered question 20 by giving the number of persons on parole on a selected day (or by giving an annual average) are: BELARUS, BULGARIA, CHILE, DENMARK, ESTONIA, HONG KONG, HUNGARY, ICELAND, INDIA, IRELAND, KYRGYZSTAN, LATVIA, LESOTHO, LITHUANIA, MOLDOVA, PANAMA, PORTUGAL, SOUTH AFRICA, SPAIN, SWEDEN, TURKEY, UKRAINE, UK: ENGLAND AND WALES. Other responses to Q20 should be REJECTED or there must be REFERENCE BACK to the countries concerned (see para 10b above).

Suggestions for changes to wording of questions in the next survey

11. It may be of course that decisions will be taken to alter the prison data that will be sought in the next survey. But, on the assumption that no such decisions are taken, the following are some suggestions in respect of the existing questions.

Q13 and 14. (1) It could perhaps be spelt out even more clearly that the questions 13.1 and 14.1 are about numbers of prisons NOT prisoners.

(2) Q13.2 and 14.2 might be reworded to make it clear that it is the official capacity of the institutions that is required.

Q16 It would be best to re-design this question so that the total persons incarcerated (16.1) equals the sum of the following sub-questions. This probably means the addition of a (16.7) question 'other – please specify'.

Q17 and 18 A number of countries had difficulty in providing the 'average length' of time which these two questions ask for. Some gave numbers instead and others left the questions unanswered. Either an explanation of how to calculate 'average length' should be given or – bearing in mind that many countries do not record the length of pre-trial detention or of time actually served – the questions should be changed.

Q19 It would help to start with a question 'Do you have persons held on probation? YES/NO'.

Q20 Many (perhaps most) countries will not know how many persons are on parole on a selected day, only how many prisoners have been released on parole over a specified period. The question needs revising to take account of this and to avoid the problem set out at para 10b.

Q21 It is necessary to make clear how this question relates to question 16 (ie should the total of convicted persons at Q21.1 equal the total of sentenced prisoners at Q16.3?) It will be best if what is sought at 16.3 is the same as the total at 21.1. This probably means amending 21.1 to ask for the number of sentenced prisoners instead of convicted prisoners. 'Convicted prisoners' in many countries includes people who are still regarded as 'pre-trial detainees/remand prisoners' because their sentence has either not been passed or not been confirmed.