

### **Independent Prison Monitor Volunteer Agreement and Code of Conduct**

We appreciate your commitment to HMIPS and the role of Independent Prison Monitor. We will do the best we can to make your volunteer experience with us enjoyable and rewarding. To make sure you have the best possible experience we have created this agreement which sets out our commitment to you and what the role necessitates.

HMIPS is committed to:

- Making your volunteering experience as rewarding as possible.
- Providing you with an induction.
- Providing support throughout your volunteer experience.
- Including you in meetings and opportunities to develop Independent Prison Monitoring
- Explaining the standards we expect and to encourage and support you to achieve and maintain them.
- Providing a named person who will be your point of contact whilst volunteering, who will discuss your volunteering and any achievements and issues arising on a regular basis.
- Helping you to develop your volunteering role with us.
- Honouring the time commitment agree to give us.
- Providing training required to undertake the role and to ensure you know what to do to stay safe.
- Reimbursing agreed out-of-pocket expenses following procedures set out in our guidance document.
- Providing adequate insurance to cover for volunteers whilst undertaking volunteering approved and authorised by us.
- Ensuring that all volunteers are treated fairly and in accordance with our Equality and Diversity Policy.
- Trying to resolve fairly, any issues or difficulties you may have whilst you volunteer with us before they become problems. In the event of an unresolved problem, to offer an opportunity to discuss the issue in accordance with the relevant policies.
- Follow up on any feedback or questions you may have regarding your involvement as a volunteer.

I, \_\_\_\_\_ agree to volunteer with \_\_\_\_\_ and am committed to the following:

- Performing my volunteering role to the best of my ability.
- Working as agreed in my volunteer role description.
- Following the organisation's policies and procedures.
- Familiarise myself and ask if I'm not sure about what to do stay safe whilst volunteering.
- Maintaining the confidential information of the organisation.
- Meeting time and other commitments as agreed but when unable to do so to give reasonable notice so that other arrangements can be made.
- Give as much notice as possible if I decide to end my role as an Independent Prison Monitor
- Providing references and to agree to checks under the Disclosure Scotland scheme, as required.
- Return any loaned equipment when ending my volunteering.
- Follow the code of conduct for Independent Prison Monitors attached as appendix one
- Inform HMIPS without delay if prescribed any anticoagulant medication or suffer illness or injury that may preclude you from volunteering as an IPM.
- Also where possible to give 4 weeks' notice to your PMC when needing to leave the role.

This agreement is not intended to be a legally binding contract between us and may be stopped at any time by either party.

Signed:

[Independent Prison Monitor]

[Prison Monitoring Co-ordinator]

## **INDEPENDENT PRISON MONITOR'S CODE OF CONDUCT**

Monitoring prisons through visits is a delicate and sensitive task. For reasons both of ethics and efficiency, it is important that those Independent Prison Monitor conducting visits keep in mind and respect a number of basic principles.

The following principles are mainly taken from the basic principles of monitoring identified in the United Nations Training Manual on Human Rights Monitoring. They have been adapted, when necessary, in order to take into account the specificities of monitoring prisons in Scotland.

The independent prison monitoring code of conduct supports the continued development of recruitment strategies, working practices and training. The code of conduct is part of the terms and conditions of appointment for an Independent Prison Monitor

The code of conduct as follows:

### **1. Do no harm**

Prisoners are particularly vulnerable and their safety should always be kept in mind by Independent Prison Monitors, who should not take any action or measure which could endanger an individual or a group. In particular, in cases of allegations of torture or ill-treatment, the principle of confidentiality, security and sensitivity should be kept in mind. This should be considered particularly where there is a perception of fear of reprisal.

### **2. Exercise good judgment**

Independent Prison Monitors should have an awareness of the HMIPS Standards and Prison Rules against which they are conducting their monitoring. However, whatever their number, relevance and precision, rules cannot substitute for good personal judgement and common sense. Independent Prison Monitors should therefore possess and exercise good judgment in all circumstances.

### **3. Respect the authorities and the staff in charge**

Unless a minimum basis of mutual respect is established between the prison staff and the Independent Prison Monitors, the effectiveness of our work in prisons might be jeopardised. Independent Prison Monitors should always respect the functioning of the authorities and try to identify the hierarchic levels and their responsibilities so as to be able to address any problem at the right level.

### **4. Respect the persons imprisoned**

Whatever the reasons for imprisonment, prisoners must be treated with respect and courtesy. The Independent Prison Monitor should always introduce him or herself.

### **5. Be credible**

Independent Prison Monitors should explain clearly, to prisoners and prison staff, the objectives and the limitations of their monitoring work and behave accordingly. They should commit to any undertakings that they are unlikely or unable to keep, not take any action that they cannot follow through. The Independent Prison Monitors can support, advocate and where necessary investigate however cannot for example provide legal or medical advice to a person in prison regardless of their individual qualifications or expertise.

### **6. Respect confidentiality**

Respect for the confidentiality of the information provided in private interviews is essential. Independent Prison Monitor should not make any representation using the name of a person in prison without his or her express and informed consent. If the issue is a medical matter written consent is required from the prisoner.

Independent Prison Monitor should make sure that the person in prison fully understands the benefits as well as the possible risks or negative consequences of any action taken on their behalf. Independent Prison Monitors, are bound to respect a prisoners confidentiality.

## **7. Respect security**

Security refers to the personal security of Independent Prison Monitor , the security of the prisoners who are in contact with them and the overall security of the prison. Independent Prison Monitor are key-holders in the prison and must have completed local induction and key security prior to the uplift of any keys. If an Independent Prison Monitor is on the rota to perform a night visit, the prison must be informed in advance to ensure that the Independent Prison Monitor can be recognised and external doors be opened for them. In the event of a night visit the Independent Prison Monitor will not be allowed to access keys, or speak with any prisoner. They may accompany staff on a night patrol around the prison and monitor in the electronic control room (ECR).

It is important to respect the internal rules of the prison visited and to seek advice or request any special dispensation from those in charge. The prison authorities may invoke security reasons for not allowing an Independent Prison Monitor to specific places or put conditions on interviews with specific prisoners. This must be respected, however should be challenged for defensibility through the appropriate channels.

Independent Prison Monitor should refrain from introducing or removing any object without the prior agreement of the prison authorities. They should display their identity by wearing a badge indicating that they are an Independent Prison Monitor and this should be worn on an independent prison monitoring lanyard.

Regarding the security of the prisoners visited, the Independent Prison Monitor should consider how to use information in such a way as not to put individuals at risk. Independent Prison Monitor should make repeat visits and meet again most of the prisoners seen previously to make sure they have not suffered reprisals.

## **8. Be consistent, persistent and patient**

The legitimacy of the independent prison monitoring mechanism is established over time, mainly as a result of the relevance, persistence and consistency of its work. Monitoring prisons requires efficiency, regularity and continuity. It implies visiting regularly the same places, and building up enough evidence to draw well founded conclusions and make recommendations. It is essential to be persistent also in the follow-up activities.

## **9. Be accurate and precise**

During the on-site visit it is important to collect sound and precise information in order to be able to draft well documented reports to support relevant recommendations.

## **10. Be sensitive**

Particularly when interviewing prisoners, Independent Prison Monitor should be sensitive to the situation, mood and needs of the individual, as well as to the need to take the necessary steps to protect his or her security. In cases of allegations of torture and ill-treatment, Independent Prison Monitor should be aware of the problems of re-traumatization.

## **11. Be objective**

Independent Prison Monitor must strive to record actual facts, and to engage with the prison staff, any other relevant staff and prisoners in a manner that is not coloured by feelings or preconceived opinions.

### **12. Behave with integrity**

Independent Prison Monitor should treat all prisoners, prison authorities and staff, and their fellow Independent Prison Monitor with decency and respect. They should not be motivated by self-interest and should be scrupulously honest. In all their dealings they should operate in accordance with the international human rights standards that they are mandated to uphold. Any concerns should be raised through the appropriate escalation channels.

### **13. Be visible**

Within the prison, Independent Prison Monitor should make sure that prison staff, other relevant staff and prisoners are aware of the methodology and mandate of the independent prison monitoring scheme and that they know how to approach them.

Posters should be available on each prison landing notice board and prisoners should have received a leaflet describing the service and setting expectations as part of their induction to the prison. Outside the prison, the work of prison monitoring should be publicised through written reports from the HMIPS head office only. No contact should be made to the media or comments made on social media by any Independent Prison Monitor or collective group of Independent Prison Monitor regarding the work of independent prison monitoring or individual prisoners, Governors in Charge or any staff. This will result in instant removal from the role of Independent Prison Monitor and is considered a confidentiality breach and breach of this code.

### **14. Conflicts of Interest**

It is possible that during an Independent Prison Monitoring visit that an Independent Prison Monitor may know an individual in prison for a variety of reasons. In the event that there is any potential for a conflict of interest arising the Independent Prison Monitor must inform the regional PMC to determine the nature of the potential conflict of interest and to allow any reasonable adjustments to be considered and implemented.