

“Multimedia Stimulus Education: Teaching with Film”

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Two short films have been made to illustrate the basic principles of two of the most important UN criminal justice documents – the Standard Minimum Rules for the Treatment of Prisoners and the UN Declaration of Basic Principles for the Victims of Crime and Abuse of Power. The first document contains 95 paragraphs which cover everything from accommodations of prisoners to complaints to aftercare. Its impact has been great in terms of prison reform and holding countries to certain standards. However, it is written from the perspective of prison managers and is not a document of prisoner rights. As part of an international effort to develop such a Prisoner Rights document, a short film was produced to squeeze out the essence of the most basic of prisoners rights and sensitize government officials and assist advocates in their efforts. The result – a 7 minute DVD has proven to be an excellent teaching tool for students to introduce them to UN Standards and Norms in criminal justice. It has been used in classrooms in Austria and Australia in diverse institutions.

The film **Making Standards Work** starts with the shocking statistical reality – 9 million prisoners worldwide, one half untried, often kept in dungeon like conditions, tortured by officials, abused by other prisoners, exposed to TB, with no treatment for AIDs, learning criminal skills in prison, and then given little support for re-integration. These are accompanied by vivid images of overcrowding and unsanitary conditions.

A former Director of the UN Crime Prevention and Criminal Justice Programme says the Standard Minimum Rules can be reduced to eight principles:

- 1) Right to be treated as a human being,
- 2) No torture
- 3) Decent Food,
- 4) Adequate Health Care,
- 5) Separation of Adults/Juveniles
- 6) Access to Justice,
- 7) Independent Inspection,
- 8) Right to Integration- These are illustrated with graphic footage provided by Penal Reform International.

A former Prison Manager from India describes the good practices she has instituted and the film closes with the former Executive Director of Penal Reform International who himself was tortured and he gives his personal reasons why he resisted.

The resulting discussions have varied. Some see the problems as distant and not relevant to their societies. Yet in the film, there is footage of Abu Ghraib, Latin America and the Soviet Union.

Often there is a discussion of the situation in their own country or what they could do about the situation of torture or degrading conditions in other countries. In other classes, there has been a sophisticated understanding of the difficulty of translating the Standards into reality and how this can be facilitated. Some students are interested in the legislative process (the history of the International Penal and Penitentiary Conferences), the relationship to other Human Rights instruments, the positions taken by countries over the years (particularly the US), and the Helsinki Declaration. Information about NGOs active in this field, Amnesty International, Penal Reform International, Howard League, International Commission of Catholic Prison Pastoral Care, or other organizations offering practical assistance to ex offenders and preventive activities are mentioned. Prison visits and discussions with prisoners have been arranged with those who wish to become engaged. The film generally leads the students to learn and do more.

The second film, **The Forgotten Ones** deals with the rights of victims of crime. It also opens with shocking statistics: 1,5 billion people are victims of crime each year, two thirds of all city dwellers are victimized, 400,000 die of violent crimes, robbery and murder rates are 8 times higher in developing countries, the effects on the poor are devastating, youth are primary victims, ½ million children are locked up, 100,000 women killed for “honor crimes”, 12,000 wives killed by husbands in Russia, a child is abused every 10 seconds in USA, death by sexual assault more common than from traffic accidents, malaria, AIDs and cancer combined.

The initiators of the UN Declaration, Irene Melup, Matti Joutson, and Irvin Waller, speak about the origins of the international efforts to do something for the “Forgotten Ones”. Again the Declaration (21 paragraphs), the Implementation of the Basic Principles (6 pre-ambulatory plus 6 operative and 11 subparagraphs) and the Plan of Action (46 paragraphs plus 73 subparagraphs) are reduced to Ten Principles, the students should learn.

Ten Principles:

- 1) respect and recognition in all stages of the proceedings
- 2) right to receive information throughout the process,
- 3) allow the views of the victim to be presented
- 4) provide assistance to the victim throughout the legal process
- 5) insure privacy and safety of the victim
- 6) use informal dispute resolution (restorative justice) processes when possible
- 7) a right to social assistance (medical, counseling, housing)
- 8) right to restitution from the offender
- 9) right to compensation by the state (from Victim Funds)
- 10) collaboration between private, governmental, and prosecutorial agencies.

The film victims speak of the shortcomings of the police, lack of support and the compensation received, and the fear of speaking out. The actress Julia Ormond, a UNODC goodwill Ambassador talks of these people as “survivors”, whose suffering is never over. The head of InterVict argues that compassion, dedication, and funds are as important as the principles.

Again, the in-class discussions have varied – often depending on the numbers of males in the class. Some students have been sensitive to the rights of the accused and the balance needed. Most recognize that the rights of victims as prescribed by the United Nations are far from the legal situation in most countries. Moreover, there is a contradiction between ensuring the privacy of the victim and open court confrontation between accuser and defendant. Few would have thought of youth as victims, as often abused by police and correction officials. We usually have a discussion about criminals as victims as well as offenders.

Most are outraged about the “Honor Killings” and wish to do something. Some students have been encouraged to work for Victim Support groups, refugee organizations, shelters, or for awareness raising or policy change women’s organizations (particularly connected to trafficked, sexually mutilated women, child brides, or pornography issues).

If there is time, we discuss why the victims of abuse of power were largely dropped from the Basic Principles because of certain powerful countries as well as the prospects of an International Convention for the Rights of Victims.