

6 The future of the prison

Ioan Durnescu¹

6.1 A few words of caution

Attempting to predict the future of the prison is difficult, because of the range of different scenarios that have to be taken into account. Some outcomes might be more achievable than others in the light of existing trends but even then there will be abnormal events that cannot be expected or foreseen. For example, Swan's tend to be white so how do you account for the rare occurrence of a black Swan.² Nobody was able to predict the events surrounding the 7/11 terrorist attacks, yet they happened and have had a profound impact on world events since. Another challenge any prediction faces, is the chaotic and sometimes paradoxical nature of social processes. Social change seldom takes a linear and completely rational path. In most cases, social change takes a more hesitant and fragmented route where different actors push and pull towards different directions. This complexity is usually very difficult to capture in the exercise of social forecasting.

All these arguments call for a modest approach in relation to anticipating the future. In the end, we have to accept that predictions, especially those in the social area, are highly risky and ultimately inexact. Indeed, as Nadin³ observes, humans continue to make new discoveries that allow us to experience different perceptions of time and space. All these changes will surely have impact on our way of living, on our mutual interactions, and, eventually, on the way of administrating justice in ways that it is difficult to predict. In essence, attempting to predict the future can be little more than an 'educated guess' and acknowledging this provided the starting point for this project to consider the future of the prison. In the final conference, the project brought together around 80 participants from 25 different countries to consider current trends observed in the prison industry in Western democracies. Based on these observations, the position of this author in relation to the future of the prison is one of moderate optimism. From the methodological viewpoint, this paper takes the 'history of the present' approach developed by Foucault.⁴ Briefly, this approach involves a careful analysis of the processes that shape present institutions and phenomenon. It connects the erratic and discontinuous processes by which the past become present and opens up different ways to the future.⁵

¹ Ioan Durnescu is professor at the University of Bucharest, Faculty of Sociology and Social Work. He is currently a board member of the Confederation of European Probation. Email: iodurnescu@gmail.com

² Taleb, 2007.

³ Nadin, 2016.

⁴ Foucault, 1991.

⁵ Garland, 2014.

This chapter is structured in five main parts: the introduction, the prison as a concept, prison as a design, prison treatment, and some concluding remarks.

6.2 Prisons: A New Vision?

Foucault⁶ described twentieth century prisons as ‘vestiges of the past’, mainly because they were not only meant to maintain the social system, but also to contain disobedient bodies. Although many of the features of the modern prison remain the same, some important changes should be noted. One of the most visible changes in the recent past has been prison downsizing. Indeed, in the context of the unprecedented fiscal pressure and the actions of the Supreme Court in the United States, the number of prisoners started to decrease in the United States. In particular, the US Supreme Court decision⁷ that ordered the state of California to reduce the number of prisoners by 25% (from approximately 162,000 to 109,805 prisoners) within two years, played an important role. Based on this decision, Governor Jerry Brown signed the Public Safety Realignment provisions which transferred authority from the state level to the county level. By developing more ‘front-door’ community sanctions (including split sentences), diverting technical violations of parole from prison, shortening prison sentences and so on, it is expected that the prison population in California and other US states will decrease significantly. Although it is still too early to evaluate the success or otherwise of these measures, it seems that the main stakeholders in the criminal justice sector view them optimistically.⁸ The same trend towards community sanction diversification is noted also in Europe. For instance, a short prison sentence in countries like Sweden or Belgium does not involve prison anymore. In these cases, the prison sentence can be served under home detention with electronic monitoring.

Prison downsizing can also be observed throughout Europe to a greater or lesser extent. Based on the SPACE I for 2014,⁹ the European prison population rate decreased by 7% from 2013 to 2014 (from 134 inmates per 100,000 inhabitants in 2013 to 124 inmates per 100,000 inhabitants in 2014). Of course, it is too early to consider this a longer-term European trend since the European prison population rate increased between 2012 and 2013, from 127 inmates per 100,000 inhabitants to 134 inmates per 100,000 inhabitants. Moreover, this phenomenon is not present in all the European countries (see for instance, Belgium, Switzerland and Slovenia). Corresponding with prison downsizing, an increase of those subject to probation supervision can be noted at the European level. However, as Aebi et al.¹⁰ argue, these two phenomena are not necessarily related, as in many countries community sanctions seem to have had a net-widening effect and failed to provide robust alternatives to imprisonment. However, it seems that a bifurcation approach is becoming more and more evident in sentencing practices across Europe. In other

⁶ Foucault, 1975.

⁷ Brown v. Plata, 2009.

⁸ see Petersilia, 2014.

⁹ Aebi et al., 2014.

¹⁰ Aebi et al., 2015.

words, prison populations are becoming characterized by a more high risk and marginalized population while those on probation tend to be categorized as low to medium risk, many of them being sentenced for traffic or property offences. According to Morton et al.,¹¹ the prison population in Denmark and other Western European countries is less educated, have more prior convictions, are involved more in psychiatric treatment or hospitalization, and are more ethnically diverse.

As a result of all these changes, it can be anticipated that prison will continue to play an important role within the criminal justice system by selecting and isolating the most 'dangerous' (multi-recidivists, violent offenders, sex offenders), drawn mainly from the most deprived social groupings. In this sense, prisons are likely to play an important role as diagnostic centers where offenders will be assessed and allocated to different pathways. This movement seems to be supported by other transformations in the criminal justice sector such as split sentences (sentences that are partly served in prison and partly in community), the proliferation of electronic monitoring or the judicialization of prisons. By prison judicialization, we mean the deeper and deeper involvement of the judiciary in the execution of the penal sentence. More and more, we are witnessing jurisdictions where judges take up roles inside prisons to ensure that human rights obligations are maintained, or to decide on prison modalities or different forms of early release. The presence of decision makers inside prisons could lead to more individualized pathways between those serving prison sentences inside and outside the prison establishment. We will come back to this aspect in the section dedicated to prison treatment.

To summarize our vision for the future of the prisons we can speculate that the use of imprisonment is likely to become less and reserved for only the 'most dangerous' populations (whatever they will be defined). Apart from isolating this group, prison will continue to play an important assessment role in categorizing prisoners in order to allocate them to different regimes, be it closed or open conditions.

6.3 Prisons: The Social Design

Different conceptions regarding the role of society have inspired certain visions about social discipline. The same applies to prison design. When prisons were conceptualized as sites of punishment, control and surveillance, they tended to be based on Bentham's notion of the 'panopticon', characterized by a central tower and radial wings. When prisons were designed for confinement purposes, they were built in such a way as to reduce the free movement of the prisoners inside the prison establishment. Fences, solid doors and heavy keys were common to these prisons of the eighteenth and nineteenth century. In the twentieth century, more and more prison spaces were designed according to different ideologies of punishment. One of the most prominent is that of learning and rehabilitation. Based on the idea that recidivism and crime rates could be reduced through education and other correctional activities, some prison architects imagined a new architecture of

¹¹ Morton et. al, 2016.

incarceration whereby ‘the places of real terror’¹²were replaced with ‘invisible pedagogy’.¹³ Within the learning philosophy, prisoners belong to accountable groups, close to the external space and are surrounded by gardens.¹⁴ The new design is meant to produce ‘hope-infused environments’ where prisoners can flourish.¹⁵

The same trend towards buildings oriented outwards and green views, can be noted in some new architectural plans.



Combining design principles from colleges and hospitals, KMD and HMC, two architecture firms, built a women’s jail in San Diego that aims at ‘reducing assault, vandalism, and, eventually, recidivism’.¹⁶

Other architectural designs are based on the so-called ‘social design’, which suggests that prisons are embedded in the community and that contact between prisoners and the members of the community is as open as possible. One such design was created recently by Glen Santayana¹⁷, a student at Harvard’s Graduate School of Design. This project entitled PriSchool is so-called, because it is both a school of criminology and also embedded in the local community. The design has four blocks: one school of criminology, the prison itself, a pre-release centre, and a community centre. As it can be seen in the pictures below, the buildings are connected to show how the functions are intertwined.



¹² Evans, 1982, p. 169.

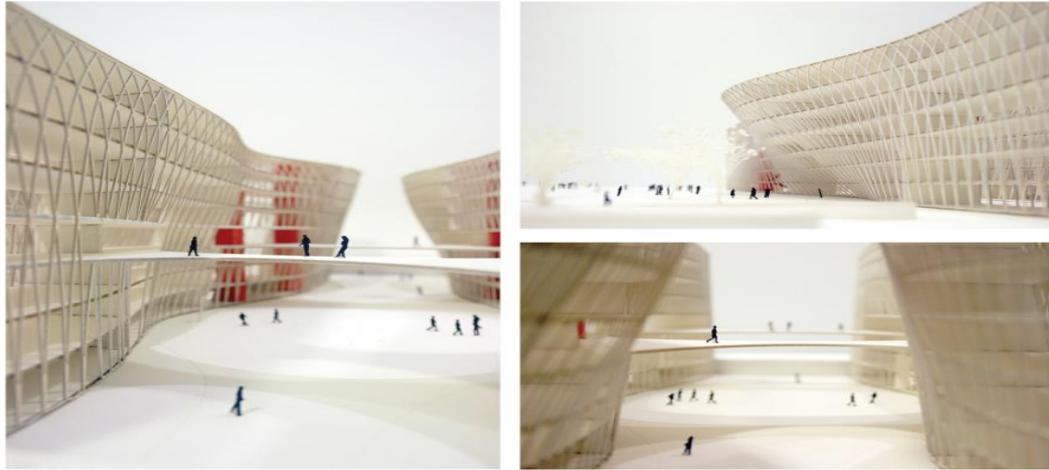
¹³ Henley, 2003, p. 2.

¹⁴ Henley, 2003.

¹⁵ Jewkes, 2016. For more information on past and present prison designs see Jewkes and Johnson, 2007.

¹⁶ Available at: <http://www.popularmechanics.com/technology/design/a16980/how-to-build-a-better-jail/>

¹⁷ For more about this project, visit: <http://www.archdaily.com/464371/a-radical-new-approach-to-prison-design>



Prisoners and students take criminology lessons together, students getting the chance to learn about real situations that can lead to crime and prisoners receiving intellectual stimulation and opportunities to understand better the etiology of their own behavior. In the next section, another project along these lines is presented to highlight this interest in mixing criminal with non-criminal groups in rehabilitative interventions.

Based on these current developments, we could speculate that prison design will continue to receive more and more attention in the future. Under the influence of a 'normalization' approach, prison spaces are likely to become more humane, furniture to be more attractive and functional, walls to be painted in many colors, and above all a lot of green views. Functionally speaking, prisons of the future are likely to allow in-group interactions but also intense cooperation with the outside community. This cooperation could take the form of volunteers from the outside to come and undertake activities inside the prison while prisoners, especially those approaching release, will have the opportunity to go outside to undertake education or jobs. Security and technology are likely to play an important role within prisons, given that those offenders sentenced to such sanctions will be likely to be those presenting a higher risk. As far as the application of technology is concerned, it is likely that electronic monitoring and the use of the Internet will become part of the normal routines of many prisons. Despite a traditional resistance to progress and change, there are already prisons in Europe that have utilized access to the Internet in prisoner's cells (for example, Norway, Australia among others).¹⁸ ICT already plays a very important role in many jurisdictions, not only as a means of communication but also for delivering workshops, e-learning and so on. The project Prison Cloud in Penitenciaire Inrichting Beveren/Belgium is a good example of how ICT could be integrated into the management of the prison and its architecture.

¹⁸ For more, see:

<http://www.prisonreformtrust.org.uk/Portals/0/Documents/Through%20the%20gateway.pdf>

6.4 Prisons: Treatment

Changes to the concept of detention are perhaps more visible in the treatment field within prisons than anywhere else. Most of these changes seem to be politically promoted, or at least supported, on grounds of cost-efficiency but also by European initiatives such as the Council of Europe Recommendation R (2006)² on the European Prison Rules. One of the consequences of recent economic crises, is that governments have become more cautious about how they deal with public money and are more interested in cost-effectiveness. As prisons and prisoners are usually very expensive for the State, the rational conclusion is that they should be maintained only for those who need to be isolated from the wider community. Without overplaying the importance of the Council of Europe recommendations, the penitentiary systems of the European countries seem to be more and more dominated by those concepts promoted in these documents such as, normalization, human rights, respect, reintegration as the final aim of custody, responsabilization and so on.

Another set of European initiatives that have shaped the treatment of prisoners, has been the European Charter of Fundamental Rights, European Court of Human Rights (so-called Strasbourg Court) and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). These three mechanisms together work in a dynamic way to ensure that the prisoner's basic rights are acknowledged and protected. They have established minimum standards of detention (e.g., minimum 4 square meters per prisoner) in those countries governed by the Council of Europe. One could expect that in the future, prisoner's human rights will be further consolidated in the jurisprudence of the European Court of Justice (so-called Luxembourg Court) and also in the regulations emanated by the European Commission. The same trend is supported in some of the European countries by involving the judiciary more and more in the prison life. This phenomenon of judicialization of the prison is more prevalent in those countries belonging to the Roman law tradition. Currently, we have *juge d'application de peine* in France, *tribunale de sorveglianza* in Italy, *juez de vigilancia penitenciaria* in Spain and so on, who are responsible for overseeing the custodial decisions and the prisoner's rights.

It has been argued that these treatment developments, based on the principles of normalization, responsabilization and reintegration, have turned prisoners from being passive recipients of the interventions into real 'entrepreneurs of the self'.¹⁹ If they want to enjoy more benefits or to be released earlier, prisoners are now expected to be actively involved in their own reform and demonstrate progress. Prison systems are now equipped with complex rewards schemes that encourage prisoners to progress from basic regimes to more advanced ones, with more freedom and more responsibilities. These have been supported by complex standardized tools such as risk-needs assessment, case management and so on. Decisions regarding the appropriate prison regime, application for home leave and

¹⁹ Crewe, 2009, p. 137.

work opportunities outside of the prison, are currently based on this type of standardized assessment. On one hand, these standardized forms result in more predictable and accountable practice, but on the other hand, they can promote a 'one size fits all' approach and lead to staff de-professionalization. One way or another, these assessment and management forms appear likely to survive such criticisms and will probably be maintained in the future. Standardized, manual-based programs also seem to fit well with this dominant discourse and programs aimed at addressing anger management, offending behavior, drink driving and so on, which are nowadays routine in European prisons. Risk protocols, case management, standardized programs and so on could be seen to be part of a growing emphasis on evidence-based prison practice. Practices that have been evaluated and found effective in reducing reoffending or prison incidents, are nowadays more likely to spread across Europe.²⁰

Related to this concern with evidence-based practice, but also to the victim movement, more and more countries have introduced victim-offender mediation schemes. In some cases, these schemes also function 'back-door', meaning that prisoners can also be involved in mediation cases. It is to be expected that these schemes will be developed and promoted widely as victims increasingly become more central to European criminal justice systems. Based on the EU Directive 29/2012, that established minimum standards on the rights, support and protection of victims of crime, it can be expected that victims will also play a more active role in the decision-making process, perhaps even when it comes to conditional release or a prisoner's transfer between EU member states.

Evidence-based interventions seem to travel from one country to another via increased cooperation between the member states of the EU. This cooperation is facilitated by organizations such as EuroPris or CEP. The European Commission has itself established expert groupings that bring together specialists in different areas of custody. Conferences, seminars, workshops and so on are also important opportunities to increase cooperation between prisons systems in Europe. This cooperation is also facilitated by other contemporary social trends. Freedom of movement between the EU countries and the desire for a better life has led to significant migration from Eastern Europe to Western Europe. Besides economical benefits, this movement has also increased the level of crimes committed by non-nationals in some European jurisdictions. As a result of legal and cultural conditions, these non-nationals often end up in prisons geographically far removed from their own countries. This has contributed to prison overcrowding in some countries and, most significantly, exclusion from mainstream prison culture, due to language difficulties and the lack of socially supportive networks.²¹ As a result, the European Commission and the EU member states are now exploring ways to address the difficulties faced by foreign national prisoners. Three promising initiatives are the introduction of the framework decisions on the transfer of supervision order²², on

²⁰ see Seiter and Kadela, 2003 for an on-going review of what works in prisoner reentry.

²¹ see also van Kalmthout et al., 2007; Bosworth, 2011; Bhui, 2007; Barnoux & Wood, 2013.

²² Council Framework Decision 2009/829/JHA on the application of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention.

prisoner's transfer²³ and on probationer's transfer.²⁴ These initiatives are expected to lead to fewer foreign national offenders in European prisons. However, this decrease may be soon replaced by an increase of foreign prisoners originating from outside the European Union, mostly from those conflict zones of the middle east.

As well as requiring increased cooperation, the presence of foreign national prisoners in prisons requires that prison staff become more culturally attentive and open to accommodating difference. Concepts such as 'normalization' and 'responsibilization' also place added pressure on staff to become more involved with prisoners in what has been termed a 'dynamic security' approach. There are many definitions of what dynamic security means in practice, but what is important is that, within this approach, staff are expected to develop positive relationships with prisoners. Staff are also expected to be aware of what is going on in the prison and provide fair treatment towards inmates. At the same time, prisoners should be involved in constructive and purposeful activities that contribute to their reintegration. It seems that this concept is becoming more and more popular in Europe and fits well with the other transformations in the penal field.

The potential benefits of education and employment in reducing reoffending has also received considerable attention in recent years. One reason for this might be that both work and education seem to correlate strongly with the absence of recidivism.²⁵ However, it is important to highlight here that provision of both could require fundamental changes in order to become relevant in the reintegration process. As mentioned by the experts involved in the project Prison of the future but also in different TEDD Talks, education needs to change from being school-like enterprise into being an activity that prepares prisoners for life after prison. Therefore, education is not only about academic achievement but also about life skills. Educational opportunities are now expected to help prisoners both better understand the world and themselves. An interesting example of this kind, that is also supported by the new social design of prisons, is the projects Learning Together (UK) or Inside Out (USA) where students from universities study criminology together with students from different prisons. This way of working together helps prisoners understand their own potential, and working alongside university students reduces a sense of 'otherness' in order to promote a more inclusive and tolerant society.

At the same time, employment should not be a means of generating income for the prison administration, but should be viewed as a way to bring prisoners closer to the labor market. Work is increasingly configured, together with vocational training, apprenticeship and other forms of employment interventions, that aim at increasing

²³ Council Framework Decision 2008/909/JHA on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union.

²⁴ Council Framework Decision 2008/947/JHA on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions.

²⁵ See, for instance, Davis et al., 2013.

prisoner's employability after release. Another significant feature of current education and work initiatives, is that they increasingly tend to be organized in partnership with the agencies from outside the prison sector. Universities, schools, NGOs and private enterprises are becoming increasingly involved in delivering education programs in prisons. Prisoners are given the opportunity to engage with education programs outside the prison perimeter. Increasingly, employers are recruiting their staff from within the prison population. This closeness between prison and community makes the prison boundaries less rigid and more permeable. Agencies from the community have greater access to prison and prisoners while prisoners are more able to spend more time outside of the prison environment in order to find jobs, education or accommodation. Prison regimes have been adapted in a way to facilitate this dynamic. Semi-open or open regimes for example were created exactly to this aim – to enable prisoners to gradually return to freedom.

A good example of these blurred prison boundaries is the White Building²⁶ near to the Veenhuizen Prison in The Netherlands, which is designed as a rehabilitation centre for prisoners with less than six months to release. This building is located outside the main prison perimeter and brings together prisoners and creative professionals to release the creative potential of the inmates and in doing so prepare prisoners for release in a more optimistic and innovative way. Perhaps the most important aspect of this initiative is that the White Building is conceived as a meeting point for people with different life experiences on the creativity ground where all people are equal.

An increasingly important role in the prisoner's transition to freedom is played by the probation services. In almost all European countries, probation services enter the prisons to contribute to pre-release programs and, after release, they ensure the post-release supervision.

6.5 Conclusions: The Prison and Probation Complex

As already noted, the evolution of prison has to be contextualized within larger societal transformations. Although the prison system retains a high degree of autonomy in most jurisdictions, public sensibilities, economic pressures and the evidence-based practice agenda are all shaping the way prison is conceptualized, designed and experienced. Although we might still call them prisons or penitentiary institutions, the meaning of these institutions is completely different than two centuries ago. At least at the ideological level, prison is no longer only a place of isolation, but a place where prisoners can learn and grow through education, work and other purposeful activities. Prisons are not hidden behind high walls, but can be increasingly accessed by the judiciary, professionals and the public at large. Depending on their level of risk, prisoners are moved around the prison system and beyond. Both 'front door' and the 'back door' of the prison appear less rigid than

²⁶ For more, visit: <https://medium.com/re-form/the-white-building-7356ed78cc58#.4neprov7s>

one hundred years ago. In some countries, a prisoner within six months or one year prior to their release can be moved to a half-way house or other types of transition facilities or even be incarcerated in their own homes. Probation services operate around and inside prisons. Prison boundaries are becoming more flexible and allow more dynamic interactions. In some cases, the judiciary has moved from the court into prisons in order to individualize both the punishment and the way it is implemented. This flexibility together with the presence of the decision makers (the judges), may facilitate a more individualized pathway of implementing penal sanctions. Custodial and non-custodial sanctions could be placed on a continuum of punishment regimes, conditions and obligations that could be designed like menus that can be used by the sentencers in a creative way. New sanctions, such as free-form sanction or split sentence, could be developed further in order to allow implementation judges (surveillance judges, penitentiary judges, problem solving judges and so on) to respond swiftly to changes in the offender's life or circumstances and also to individualize the sentence at the micro level.

In this context, prison of the future could become a hybrid prison and a diagnostic center and will work closely with probation services in a sort of prison-probation complex. As their role will be to protect the public and support desistance, this complex could be rebranded as 'Desistance Centers'. The same penal sentence could involve detention, semi-detention, half-way houses, electronic monitoring, back to detention, freedom, rehabilitation program and so on, depending on the individual features and the progress of the case. These penal transformations seem to be anticipated by the recent changes in the prison concept, design and the treatment areas. Of course, as history teaches us, the future will still surprise us no matter how ambitious we are in our predictions. Not least, public pressure or issues such as the radicalization of prisoners could moderate or even re-shape these trends in directions that we do not even want to think of.

References

- Aebi, M, F., Burkhardt, C., Tiago, M., M. (2014). SPACE I. Available at: http://www.coe.int/t/DGHL/STANDARDSETTING/PRISONS/default_en.asp
- Aebi, M., F., Burkhardt, C. Tiago, M., M. (2015). SPACE I- Prison Population. Available at: http://www.ilsole24ore.com/pdf2010/Editrice/ILSOLE24ORE/ILSOLE24ORE/Online/Oggetti_Correlati/Documenti/Notizie/2016/03/carceri-report-consiglio-ue.pdf
- Barnoux, M., Wood, J. (2012). The specific needs of foreign national prisoners and the threat to their mental health from being imprisoned in a foreign country. *Aggression And Violent Behavior*, 18, 240-246.
doi:10.1016/j.avb.2012.11.012
- Bhui, H., S. (2007) Alien experience: Foreign national prisoners after the deportation crisis, *Probation Journal*, 54: 368-382.
- Bosworth, M. (2011) Deportation, Detention and Foreign-National Prisoners in England and Wales, *Citizenship Studies*, 15(5), 583-95.

- Brown v. Plata case (2009), Available at:
<http://www.supremecourt.gov/opinions/10pdf/09-1233.pdf>
- Council Framework Decision 2008/909/JHA on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union. Available at: <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32008F0909>
- Council Framework Decision 2008/947/JHA on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions, Available at: <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32008F0947>
- Council Framework Decision 2009/829/JHA on the application of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention, Available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:294:0020:0040:EN:PDF>
- Council of Europe Recommendation R (2006)2 on the European Prison Rules, Available at:
http://www.coe.int/t/dgi/criminallawcoop/Presentation/Documents/European-Prison-Rules_978-92-871-5982-3.pdf
- Crewe, B. (2009). *The Prisoner Society: Power, Adaptation and Social Life in an English Prison*. Oxford: OUP.
- EU Directive 29/2012 on establishing minimum standards on the rights, support and protection of victims of crime, Available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:315:0057:0073:EN:PDF>
- Evans, R. (1982). *The Fabrication of Virtue: English prison architecture*. Cambridge, Cambridge University Press
- Foucault, M. (1975). *Discipline and Punish: the birth of a prison*. London: Routledge.
- Foucault, M. (1991). *Discipline and Punish: the birth of a prison*. London: Penguin.
- Garland, D. (2014). What is a “history of the present”? On Foucault’s genealogies and their critical preconditions. *Punishment & Society* 16(4), 365-384.
- Henley, S. (2003). The 21st Century Model Prison. *Proceedings of the Fourth International Space Syntax Symposium*, London.
- Jewkes, Y. (2016). *How to build better prisons*. The Conversation, 25th February 2016.
- Jewkes, Y. & Johnson, H. (2007). The evolution of prison architecture, in Jewkes, Y. (ed.) *Handbook on Prisons*. Cullompton: Willan Publishing.
- Morton L.F; Kollerup, S.; Graunbol, H.M. (2016). Evidence based rehabilitation. Conference presentation at Prison of the Future, 2-4 March 2016.
- Nadin M. (2016). *Civilizatia Analfabetismului*. Ed. Spandugino, Bucharest.
- Petersilia, J. (2014) California Prison Downsizing and Its Impact on Local Criminal Justice Systems. *Harvard Law & Policy Review*, 8.
- Seiter, R. & Kadela, K. (2003). Prisoner reentry: what works, what does not, and what is promising. *Crime & Delinquency*, 49(3): 360-388.
- Taleb, N. (2007). *The black swan: the impact of the highly improbable*. New York, Random House.
- The future of the prison Project, Available at:
<http://www.europris.org/projects/prisons-of-the-future/>

Van Kalmthout, A., F. Hofstee-van der Meulen, & Dunkel, F. (2007). Comparative Overview, Conclusions and Recommendations. Kalmthout, a. van, Hofstee-van der Meulen, F. & Dunkel, F. (eds.). *Foreigners in European Prisons*, Volume 1. Nijmegen: Wolf Legal Publishers, pp. 7–88.