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Investește în oameni!

„Revenirea foștilor deținuți pe piața muncii și integrarea lor în societate”

Proiect co-finanțat din Fondul Social European prin Programul Operațional Sectorial Dezvoltarea Resurselor Umane 2007 – 2013

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Proiect POSDRU/70/6.2/S/33488

Study regarding the development of an integrated inter-institutional mechanism for the social reintegration of former convicts





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List of abbreviations

ANOFM – National Agency for Employment (ro. Agenția Națională pentru Ocuparea Forței de Munca)

AJOFM – County Agency for Employment (ro. Agenția Județeană pentru Ocuparea Forței de Muncă)

ANP – National Administration of Prisons (ro. Administrația Națională a Penitenciarelor)

HG – Governmental Decision (ro. Hotărâre de Guvern)

OG – Governmental Ordinance (ro. Ordonanța Guvernului)

RRR – Reducing the Risk of Recidivism after Imprisonment (ro. Reducerea Riscului de Recidivă după Închisoare)





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Executive summary

This report aims to provide Romanian authorities with a set of suggestions on developing an integrated and functional system of ex-prisoner's reintegration of the labour market. Within the framework of the project "The return of former convicts to the labour market and their integration in society" POSDRU/70/6.2/S/33488, project co-financed from the European Social Fund, through the Sectoral Operational Programme Development of Human Resources 2007-2013 UNDP recruited two consultants, one international and one national, that have conducted, together with an inter-institutional working group, a research including evidence-based resettlement programs and good practices from different European member states. Based on important concepts such as normalization of prison life, responsabilisation of offenders, case management and sustainability, the report focuses on the interaction between employment and reentry in the society as a key-element for a life without recidivism. At such, reintegration is considered as well as a goal and as a mean to reduce reoffending.

Divided into six chapters, the report provides an introduction (I.), a systematic review of research studies on reentry (II.), an analytic comparison of good reintegration practices and models in EU member states (III.), comprehensive proposals to implement in order to reintegrate ex-prisoners into the labour market (IV.), a summary of all recommendations and actions to be undertaken for that purpose (V.), and an action plan to concretely optimize the implementation of effective and successful reintegration programs to sustainably support (ex-)prisoners along the detention and the release process to get back into employment schemes.

The suggested actions aim at consolidating human capital of prisoners while in prison and the connection of prisoners with the labour market. All the interventions are described within a process in which prison and probation services play a vital role. Recommendations on how to overcome legal and social obstacles are also put forward.

As McNeill (2009) puts it, "it is important to recognize [prison and probation services] vital role [...] in enabling constructive reparation by offenders – enabling them to pay back for their crimes – and in advocating for offenders so that they can access the social goods and resources which so often they have been denied" (McNeill, 2009: 22). In order to provide a comprehensive and overall comparison of the different European systems, the report includes a short analytical overview of probation services in Europe and underlines the importance of their activities towards guidance, help and support of offenders (van Kalmthout, Durnescu, 2008).

The report approach to protective integration combines strategies which aim at: "public education to enhance awareness about risks and how to manage them; support and integration of offenders to help them and thus reduce risks; pro-social supervision; appropriate and balanced restrictions on offenders; combining vigilance within communities with vigilance by statutory agencies; and effective partnership working" (Kemshall, 2008: 133).

Indeed, reintegrating prisoners into the job process shall be seen in a holistic way, since other interventions are needed to tackle unemployment such as housing, education, drug abuse, etc. Motivation, incentives, opportunities shall be developed in parallel to fighting normative and perceptive obstacles. Core elements of resettlement programs such as integrity, continuity, consistency and strong relationship between offender and care giver are underlined, explained and illustrated in the report through recommendations (N=15) and actions (N=19) to the stakeholders and the law-makers in an ambitious but still realistic manner that necessitates at first good will and political commitment.



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I. Introduction

The current report is part of the project ‘The return of former convicts to the labour market and their integration in society’ POSDRU/70/6.2/S/33488, project co-financed from the European Social Fund, through the Sectoral Operational Programme Development of Human Resources 2007-2013, in line with UNDP’s Country Program for Romania for 2010-2012. The project is implemented in partnership with the National Administration for Penitentiaries as Beneficiary, the West University of Timisoara, the National School of Political and Administrative Studies and the Regional Center for Adults’ Professional Training Calarasi.

The project goal is the social reintegration of former prisoners through the development of a network of social inclusion centers, increasing ex-offenders’ chances for integration into labor market through new skills in green jobs and a society which is more perceptive and less judgmental towards the ex-convicts. This goal complies with the revised Lisbon Strategy, the Integrated European Guidelines for Economic Growth and Employment regarding increased cohesion and improved labour market insertion, and the goals of the European Strategy for Competencies and Labour Mobility. The project goal also complies with the Protocol on Social Policy and the revised European Social Charter, as ratified by Romania under Law no. 74/1999, where in the Romanian State has committed to continue efforts towards social inclusion.

The project goal come as a direct response to those priorities and to a number of fundamental aspects underlined in the Operational program for the Development of Human Resources targeting offenders and ex-prisoners: social perceptions and prejudice, lack of assistance for social reintegration, insufficient skills for social reinsertion and social support, biases on the part of employers, absence of a mechanism to assess the social impact of former convicts and a monitoring of their lives once released from prison. The project also complies with the National Development Plan for 2007-2013, which emphasizes vocational training for vulnerable groups to include persons in detention, and an improvement of detention conditions and vocational training for prisoners. The project proposes activities that allow vocational training for prisoners through work in a semi-open regime, under Law no. 275/2006, Art. 23.

Following the project goal, and emphasizing on employability and employment in prison and after release, the first main principle of the report’s approach is that, as stipulated in its Article 7 by the **International Covenant on Economic, Social and Cultural Rights**, entered into force in January 1976, every citizen has the right to reasonable conditions of employment. Further, according to the **Council Recommendation 2004/741/EC on the implementation of Member States’ employment policies**, one of the priorities for all member states is “investing more and more effectively in human capital and lifelong learning, inter alia, by sharing costs and responsibilities between public authorities, companies and individuals; by broadening the supply of training, in particular for those most in need such as the low-skilled and older workers”. Due to a number of reasons inmates belong obviously to the category of law-skilled workers and therefore this Council Recommendation should be taken into consideration.

Once given the overall framework, the focus on prisoners and employment is encouraged by Rule 60 (2) of the **United Nations Standard Minimum Rules for the Treatment of Prisoners**. It stipulates that the prisoner shall be guarantee, as far as possible, a „gradual return to life in society”, which is a core concept of successful reentry programs (see Chapter II.). In the same line, and to ensure a completion of Rule 65 (“to lead law-abiding and self-supporting lives after their release), Rule 66 encourages developing among others “vocational guidance and training, and employment counseling”. Moreover, as to the work of prisoners, Rule 76(1) stipulates that prison administrations shall provide a “system of equitable remuneration”.



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Furthermore, **Council of Europe Recommendation Rec(2006)2 on the European Prison Rules** dedicates extensive articles to subjects like work (Rule 26 and 105), education (Rule 28 and 106), release (Rule 33 and 107), public awareness (Rule 90), implementation of the regime (Rule 103). Inter alia with other Council of Europe recommendations¹ they all emphasize the importance of developing the human capital in inmates and the cooperation with outside institutions and communities to facilitate the re-entry process of prisoners into the normal life. Most of these documents stress the importance of employment inside and outside prison as an essential element of successful reintegration.

The two international and national consultants for this report have been inspired by the idea that good practices are only to be developed, promoted and enhanced within “inclusive economic and social policies” that “see offenders as needing resocialisation which is the responsibility of the community as a whole” (*Cavadino & Dignan*, 2006:448). This means a holistic and “end to end” approach, considering that reintegration programs to the labour market after release are intrinsically tied to work and employability during detention.

To ensure this report a scientific and evidence-based background, a systematic review of evaluation studies was made in order to define and explain “**what works**” (Chapter II.). On the other hand, a desk-review of some “**good practices in EU member states**” following a general comparison of integration systems in all EU member states have been conducted (Chapter III.). With the help of general criteria to evaluate a best integration practice, and in a shortened setting, the comparative analysis has taken into account some conditions for effective change plans. The approach shall be integral and holistic, provide continuity of care and change, effective coordination and to be regularly evaluated and revised. In a more detailed frame, the use of specific criteria has allowed a systematic classification and thus an objective comparison of different systems. As to our purpose to “carry out a comparative analysis of the social exclusion prevention measures in at least eight EU member countries and identify out of these at least two models of best practices”,² some criteria are more decisive or relevant than others to reach this goal. Accordingly, we have established a non-exhaustive selection of major and secondary criteria to ensure a comprehensive and differentiated focus on this issue (see Chapter III. and the Annex).

The **transfer of knowledge and practice** from several countries to another where implementation shall take place raised many questions about whether it is relevant. In line with *Nelke’s* view (2009), a comparative study could be based on two principles: universalism and relativism. Universalism is when researchers examine different aspects of a policy or practice as if they are independent from their context. On the contrary a relativist approach pays full attention to the context in which one policy or practice develops. This study is closer to the second option since the authors consider that reintegration practices are very dependent on public sensibilities, political will, cultural features and institutional or legislative characteristics. Thus, the criminal justice practices are both meaningful within their local implementation structures and influenced by the latter, still they can be analyzed and compared by external experts on a common basis of general recognized standards (different from cultural common-sense). Encouraged by this approach, the connection between European experiences and “Prisoners’ reintegration into the labour market in Romania” has been developed using a 3-steps-structure proceeding with institutional, pre-release and post-release (Chapter IV.). In developing these analysis and recommendations the authors of this report drew on the ‘what works’ principles and also on the policies and practices that have been under scrutiny. Models and principles were adapted according to the Romanian institutional, legislative and social architecture. Therefore it is virtually impossible to assume that the suggested Romanian reintegration system is based on one imported model.

Finally, as a conclusion of the report, the summary of **recommendations and actions** to undertake (Chapter V.) and the description of an **Action plan** (Chapter VI.) will give decisive

¹ Recommendation No R (82) 16 on prison leave; Recommendation No. R (87) 3 on the European Prison Rules; Recommendation No R (89) 12 on education in prison etc.

² Terms of reference.





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orientations to stakeholders as to the implementation of what we have learned from other countries and research studies into and within the Romanian structures.





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I. What works in prisoner's reentry

Although rehabilitating ex-convicts has a long standing history we still know very little in terms of its effectiveness. There is evidence of working with prisoners or ex-prisoners that date back at the beginning of the 19th Century. In Denmark for instance the first large organization working to support released prisoners was created in 1843. So far, the most successful integration interventions are the **integrated and throughcare programs** that are comprehended as systematic proceedings (*Borzycki, 2005; Borzycki and Makkai, 2007*). Among them, the **strength-based approaches** are often used by social services. It aims at mobilizing and strengthening all available personal and community resources to help former prisoners to face challenges arising back into society (*Maruna and LeBel, 2002*).

1. Prisoners' challenges

During the conception and the implementation of intervention programs towards prisoners reintegration and reduction of recidivism, the following issues have to be taken into account:

- After release, former inmates face **many problems** which can lead to reiteration;
- Some persons present several **handicaps** (limited competences, addictions, lack of family and community support) which demand a comprehensive approach;
- Sentencing agencies in institutional and community fields shall establish **cooperation networking** with community services and NGOs to ensure an overall supervision and mobilize all resources;
- Priorities of communities in crime prevention matters, for instance towards integration of **cultural and visible minorities**;
- Difficulties of **reaching persons** leaving far away from urban centers;
- Develop and improve the support potential of **local communities** to help reintegrating former inmates (*Andrews and Bonta, 2007*).

Time spent in prison has **collateral damages** on former inmates (*Borzycki, 2005; Borzycki and Makkai, 2007*). Some have lost their job and their belongings, some their apartment, some their contacts to friends and family; some might also have developed during detention mental problems or self-defeating attitudes, which all increase the risk of recidivism after release (*Arnull et al., 2007*).

And as to personal case management, which is recognized as a key-element of an effective individualized support and supervision, *Holt (2000)* points out 4 main aspects: **Consistency, continuity, consolidation and commitment**. *Durnescu et al. (2010)* added **compliance** as another important issue to this case management conceptualization.

2. Why is employment important?

A job represents more than just an income that enables to insure a **proper life quality**. Having a job means also to benefit from a structure and a routine given by the job schedule, and even an opportunity to enlarge someone's social acquaintances. Moreover, a job increases self-esteem and mental well-being (*Graffam et al., 2004*).

In Canada, around 75% of convicted entering prison facilities have no stable and regular job (*Gillis and Andrews, 2005*). For released inmates, many difficulties are on their way to find a job: low self-esteem, low motivation, lack of social competences, lack of training, mental problems, drug addiction, no stable housing, etc. Moreover, on top of these deficits come others like peers'



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negative influence, lack of family support and a problematic CV (*Visher et al.*, 2005; *Rakis*, 2005; *Graffam et al.*, 2004).

The employment situation remains very important as to reintegration since a positive job access means a **positive legal prognostic** (*Visher et al.*, 2005). A study conducted in the United Kingdom confirmed the assumption that **employment is decisive at tackling recidivism**. This 2001 Resettlement Survey showed that inmates having a job after release considered their reintegration chances higher than their peers without employment opportunities outside the prison (*Niven and Olagundoye*, 2002). Though, some studies have a critical assess toward employment programs for former inmates (*Visher et al.*, 2005), even with quasi-experimental research design (*Turner and Petersilia*, 1996).

This limitation of positive effects could be linked to a **lack of cooperation between partners and agencies**, as well as to a non-efficient implementation of the program components and actions. Reintegration programs on the labour market shall be foreseen with **courses preparing to work and employment, courses of vocational training and job initiation, and the supervision and the control by a case-manager of the effective presence of the convict at his work place** (*Visher et al.*, 2005).

The job and vocational training support shall be **started at the very beginning of the sentence** in order to establish a first check of the inmate's needs and therefore prepare any further activities and measures. Besides that, it could be used as an instrument to evaluate the person's development during his time serving and gain a better impression and some knowledge about its characteristics.

Finally, a **continually and intensive cooperation and networking between prison and probation services, public agencies, community services, NGOs and private companies** shall be a standard practice, as well as a better information exchange scheme between professionals working at different stages with the convicted person before and after his release (*Gillis et Andrews*, 2005).

3. 'What works' interventions

Taxman (2004) has pointed out different stages that prisoners go through during the sentence proceedings: the **institutional phase** starting from incarceration to 90 days before release (a.), the **pre-release phase** from 90 days before release to release day and the **post-release phase** up to 30 days after release (including a fourth stage up to two years after release merging for the purpose of this report with the post-release section.)

Institutional phase

Programs during the institutional phase are conceived to prepare inmates to reintegrate society after release in providing school teaching, health care, addiction treatments, vocational training, counseling and mentoring.

For instance, the Prison Industry Enhancement Program aims at facilitating the job search and to satisfy prisoners' financial needs providing them a job and an income during the prison time, and thus to enable them to **have some money at disposal when they're released**. An evaluation study using control sampling has shown that the program has a positive impact (between 5 and 10 %) on new arrests, new convictions and new imprisonment. The inmates participating at this program have **more often found a stable job and committed less recidivism** (*Smith et al.*, 2006).





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Still, results obtained by such programs targeting employment and social skills are difficult to evaluate. It is possible that their effectiveness are more relying on **motivation and commitment of both staff and inmates**, as well as on institutional dynamics, which impact is quite diffuse and not to be assessed in such short time-frame evaluation studies (*Griffiths et al., 2007*).

Pre-release phase

Partridge (2004) summarized some characteristics to be considered at the early stage of any support and supervision program starting in custody:

- “Models need to acknowledge **offenders’ experiences and needs**;
- **Continuity of contact with the same case manager** and other staff was essential to building confidence and rapport with the offender, particularly during the initial stages of supervision;
 - **The greater the level of task separation, the more offenders were confused** by why they were undertaking different elements of their supervision, particularly where contact with the case manager had been limited;
 - **Face-to-face contact** with a small case management team was beneficial for both staff and offenders; and
 - **Openness, flexibility and support** were key motivating factors for offenders – exemplified by three-way meetings between case managers, practitioners and offenders and where case managers attended initial meetings as offenders moved.”

In addition, *Petersilia (2004)* stated some principles to effective reentry programs, which shall also be taken into account already at the pre-release stage:

- “Treatment services should be behavioral in nature; interventions should employ the **cognitive behavioral** and social learning techniques of modeling;
 - Reinforcements in the program should be largely **positive** not negative;
 - Services should be **intensive**, lasting **three to twelve months** (depending on need) and occupy 40–70 percent of the offender’s time during the course of the program;
 - Treatment interventions should be used **primarily with higher-risk offenders**, targeting their criminogenic needs (dynamic risk factors for change);
 - The best strategy for discerning offender risk level is to rely on **actuarial based assessments instruments**;
 - Conducting interventions **in the community as opposed to an institutional setting** will increase treatment effectiveness;
 - In terms of staffing, there is a need to match styles and modes of treatment service to the learning styles of the offender (**specific responsivity**)”.

Post-release phase

As to the post-release process, *Taxman (2004)* set up important research findings to principles for reentry programming:

- “Emphasize **informal social controls** (family, peers and other informal community networks and supports);
- Ensure sufficient **duration** of intervention;
- Provide sufficient dosage of the intervention – **intensity and frequency**;
- Provide **comprehensive, integrated and flexible** services;
- Ensure **continuity**;
- Provide clear **communication** of offender responsibility and expectations.”

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In Canada, an evaluation study of the program “Practices of intensive supervision” (PSI), implemented with high-risk criminals, have shown that participants **had lower recidivism rates and longer periods of freedom after release** than those who didn’t participate to the program (*Serin, Young and Briggs, 2003*).

Supervision programs

Supervision programs are based on a control follow-up of conditional released inmates in the community. There are 4 models of such supervision:

➤ Risk-based supervision

According to some evaluation studies on such intensive supervision programs, it appears that they do not reduce recidivism significantly (*Paparozzi and Gendreau, 2005*). One explanation of their low effectiveness is that they target low-risk criminals instead of high-risk ones, although research results show that **intensive intervention is rather successful in prison and in the community with high-risk criminals** (*Andrews and Bonta, 2007; Paparozzi and Gendreau, 2005*).

According to *Paparozzi and Gendreau (2005)*, the “New Jersey Intensive Surveillance and Supervision Program” (ISSP) **reduced the high-risk criminals’ recidivism** rate taking par into the program up to 30% in comparison to other kind of traditional supervision, even if the control group was a lower-risk group. Besides, participants to the *ISSP* had more breaches of conditional release (7% more), but less reconviations (28% less) and a lower revocation rate (21% less), and these are statically significant differences.

Moreover, it has been shown that there is a **correlation between the probation officers’ supervision approach and the recidivism rate**. Recidivism occurs less frequently by convicted under a balanced supervision than by convicted under a strict conducted “social worker” or “rule-keeper” approach (*Paparozzi and Gendreau, 2005*).

➤ Need-based supervision

When treatment programs are **adjusted to criminals’ needs**, then this approach conducts to a light reduction of recidivism rate (*Maruna and LeBel, 2002*).

➤ Middle-ground supervision

This approach is based on a **mixture of the need- and the risk-models**, but there is some implementation difficulties since probation officers are not always aware of which one of both models they should use at what time (*Maruna and LeBel, 2002*).

➤ Strengthbased supervision

Based on the **strengthening of resources** (*Maruna and LeBel, 2002*), this approach hasn’t been evaluated much. Still, some studies confirm the pertinence of its basic principles (*Sampson and Laub, 2001*).

Once the prisoner is released and has started his/her reintegration into society, the support has to be **sustainable** in order to prevent any drop-out and future recidivism that could have been at first prevented by a short-term post-release program.

The program “**Offender Reentry Mapping**” has been conceived to enable the implication of the community in supporting released inmates. This program, assessing the needs of criminals, their family and their neighborhood (*Brazzell, 2007*), entitles following elements:



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- Listing support and implication of the **various community active members**;
- Developing diversified and complementary **dissemination methods**;
- Presenting the study results in order to create the conditions for a **positive community commitment** (*LaVigne, Cowan and Brazzell, 2006*).

The Intensive Supervision and Surveillance Programme (ISSP), set up in the UK, has given interesting outcomes and has been further recommended (*Moore et al., 2004*)

Another study emphasized on the **importance of cooperation**. Some intervention programs conducted in the UK towards juvenile recidivists were criticized because of their lack of good cooperation between agencies, lack of information transfer, weak risks and needs planning, and insufficiently documented interventions and evaluations (*Arnall et al., 2005*).

Conclusions & Principles

To summarize, reintegration programs, despite their possible good ideas, depend from a **structured and comprehensive implementation**. To this purpose, one shall take into account the “principles of effective correctional treatment” developed by *Andrews and Bonta (2007)* towards reintegration of released inmates:

- Concentrate on **specific target groups** and their particular problems and needs;
- Use appropriated methodology to **evaluate criminal needs and risk factors**;
- Consider criminals as **persons responsible** for their acts and their choices;
- Start the intervention from the beginning of the sentence and continue it until the released person is stabilized in the community (**through care**);
 - Ensure the **balance between surveillance and control** on the one hand, and support and assistance on the other hand;
 - Provide an **integrated and comprehensive approach**;
 - **Coordinate efforts** of all partners, close networking, information protocols, clear and common definitions of tasks, activities, services and schedules;
 - Implement **evidence-based** practices and models using new information systems;
 - Take into account priorities of **public safety**;
 - Involve the **community** within the planning and implementation of the program in order to facilitate an identification attitude;
 - Include in the program some long-term and regular **evaluation tools** in order to improve and clarify the program, also towards **public perception**.

Furthermore, some “key components of developing support” shall be:

- “A ‘network map’ or **list of agencies** to which offenders can be referred.
- **Market place sessions** in which representatives of agencies are brought into the prison to meet with groups of prisoners, affording prisoners the opportunity to obtain information and make appointments with a range of agencies.
 - **Regular meetings** of members of the action system including the prisoner.
 - **Training and education** (including vocational skills) to enhance employment opportunity with particular attention paid to the particular needs of women and minority ethnic prisoners.
 - Involvement of **relevant community organisations** (including religious groups) for prisoners from minority ethnic groups.
 - **Ongoing information on employment**, education and housing opportunities and benefits.



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- Considering the use of well-trained **volunteer mentors.**" (*Durnescu et al.*, 2010).





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II. Good practices in EU member states

➤ Denmark

General issues

Denmark belongs to the Nordic or Scandinavian group of countries characterized by a very low imprisonment rate (74 prisoners / 100000 citizens in April 2011³) and a generous welfare state. According to the the same source 21,7% of all prisoners are foreign prisoners. A number of 4900 people work in the Prison and Probation Service out of which 65% are uniform staff and 35% are non-uniformed staff (social workers, educators etc.).

In Denmark there are 5 close prisons, 8 open prisons and 36 institutions for preventative arrest. Prison and probation are managed under the same state organization called – Prison and Probation Department – that is under the authority of the Ministry of Justice.

Release

The general rule of release from prison is that prisoners are eligible for conditional release after serving 2/3 of the prison sentence. Prisoners with special merits could be released after serving ½ of the whole sentence. Prisoners with less than three months imprisonment are not eligible for parole.

If the sentence is less than 8 years the conditional release (parole) decision is taken by the prison and probation service. If the sentence is above 8 years than Prison and Probation Department is responsible for this decision.

Over 3000 prisoners are released on parole yearly and about 1000 are rejected by the prison and probation authorities.

Other forms of release are also available:

- halfway house – before conditional release,
- ‚give and take‘ available after serving ½ of the sentence for those prisoners that want to attend school or undertake a job.

After the prisoner has been sentenced he is allocated to the nearest prison to his/her last domicile. Prisoners with at least four months of imprisonment are invited to elaborate an action plan. This plan is developed together with the prisoner, prison staff and the social worker from the prison. The equivalent document for the Romanian context is the plan for the individualization of punishment. Comparing with the Romanian tool this action plan has a more stronger focus on the after release period.

All the actions and measures included in this action are planned in order to facilitate coordination with the outside world after release. The document has to be drafted within 28 days from the imprisonment and it is reviewed every three months. The Action Plan is written on electronic format and follows the prisoner to the institutions he/she is placed in. This facilitates the relationship between prison service and probation or social services from outside prison.

Reintegration into the job market

³ World Prison Brief available at: http://www.prisonstudies.org/info/worldbrief/wpb_country.php?country=134 (retrieved on 3rd of November 2011)



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During the execution of prison sentence over 50 rehabilitation programs are organized by prison and probation staff.

Two months prior to release prisoners are included in special pre-release programs. The fundamental principle of these programs is the concept of 'Good Release' which aims at enhancing the liason between prisons and municipalities in order to secure the best possible release for the offender⁴. The principle of 'Good Release' states that 'no authority lets go before another one takes over'. By enforcing this principle into prisoner's transfer management the Danish authorities create the continuity of intervention between prison and the other outside institutions or agencies that could assist the ex-prisoner to overcome the obstacles in the desistance process.

In short, since 2010 there is a standard protocol that describes how, when and what each stakeholder is responsible for. Municipalities are not obliged to enter this agreement but more and more municipalities perceive the benefits of this initiative in terms of reducing crime. Every prison has a nominated person in charge with overall liason with the local municipalities. As noted above, before release every prisoner has an Action Plan that focus on areas like: employment, training/education, housing, substance abuse etc. If the cooperation with the local municipalities is needed this will be stated in the Action Plan. The probation officer who will take over the case after release will be responsible with the implementation of this plan.

Another important pre-release program available for juveniles and young offenders (15-25 years old) is Mentor. Within this program each juvenile and young prisoner could benefit from the company and advice from a mentor from outside prison. Normally these mentors are volunteers specially trained to work with prisoners while inside or outside the prison. The basic idea is for this mentor to act as a positive role model and provide help and advice for the prisoner.

An organization called KRIS established by ex-prisoners has offices in all big cities in Denmark assist ex-prisoners to reintegrate back into society.

Regarding the reintegration of ex-prisoners on the job market in 2006 Virksomhedsforum for Socialt Ansvar⁵ (the Business Forum for Corporate Social Responsibility) set up an initiative called High:Five that aims at assisting the Danish private and public companies to strengthening their social responsibility and to create jobs or training opportunities for young people who are at risk of social marginalization due to their criminal record. High:Five is financed by public funds. All High:Five employees are experienced advisors, and can assist companies in working with young people at risk.

High:Five is also trying to change the prevailing attitude towards criminal records and to establish a coordinated effort between the police, the Kriminalforsorgen (Prison and Probation Service), the district authorities and other stakeholders.

The mother company (VFSA) has established a steering committee to monitor the work of High:Five. The group consists of representatives from the businesses, the Kriminalforsorgen (Ministry of Justice), Ministry of Employment and the VFSA. High:Five is managed by a chief project manager who, along with a secretary is in charge of the High:Five secretariat. Scattered across Denmark are a number of project managers in charge of local work and student assistants to help the project managers.

A large number of companies agreed to work with High:Five and promote its messages and initiatives for young people at risk of discrimination because of the criminal record. Among these companies the most well known ones are McDonald's, Grundfos, Christiansen & Essenkær etc.

⁴ Louise Faltum Morton (Ministry of Justice/Denmark) - personal communication.

⁵ High:Five project available at: <http://highfive.net/en/side/businesses> (retrieved on 3rd of November 2011).





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High:Five has a special methodology of working with potential employers. First of all High:Five is working only with motivated, drug and alcohol free candidates that give up the criminal life style. It has also a procedure to approach potential companies. First they contact the company and inform about its work. Second they introduce a table with different types of offenders based on the risk categories: teenager, barrier-breaker, criminal, habitual offender and psychopath. On a vertical column the offences are also mentioned.

The employer is then asked what kind of employee he/she would be willing to try with. The candidates and the employers are then matched up. In order for a company to be included on the employers list they need to fulfill some criteria: all company needs to participate, there are some internal structures that provide mentorship to new employees, they have resources available, are motivated by social responsibility reasons etc. Employment is based on the job match agreement and is supported through a safety net that includes: mentoring at the job, mentoring for the free time, free counseling etc.

Since 2006 a number of 700 matches were concluded, out of which 70% continue with job or education and 5-6% return to crime.

According to an external evaluation ordered by the Ministry of Justice, High:Five was contacted by 340 potential candidates out of which 210 got employment. A number of 185 companies were in contact with High:Five. In 2008, 66% of employers were still active.

Recidivism⁶

Recidivism measured as the number of offenders who re-offend and receive a new sentence, whether suspended or not, within two years of their release or completion of a suspended sentence.

Recidivism, measured in 2010, differs for various groups of inmates and clients:

- the total recidivism rate is 26%
- the recidivism rate for offenders having served a prison sentence is 34%
- the recidivism rate for offenders having served a community service order is 18% ;
- the recidivism rate for offenders having served under the home curfew detention scheme is 20%.

➤ *England & Wales*

General issues

England and Wales, with a population of 53 million inhabitants, represent 89 % of the total population of the United Kingdom. Representing the archetype of the neo-liberalism state, it is reflected on the development of prison population with regard to the fact that the average prison population has increased on average by almost 4% in each year since 1993.

At the end of September 2011, there were 87,501 prisoners in England & Wales. The prison population rate (2011, stock) is about 152 per 100,000 inhabitants and the prison population rate (2006, flow) is even higher with 240.

⁶ The Danish Prisons and Probation Service in brief – available at: http://www.kriminalforsorgen.dk/Files/Filer/Publicationer/Brochurer/kort_og_godt_uk_2011.pdf (retrieved on 3rd of November 2011).



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At the end of August 2011, 86 prison establishments in England and Wales (64% of the estate) were overcrowded. In 13 of these establishments the overcrowding was at least 150% over the 100-limit. The proportion of juvenile and young adults (together between 15 and 20 years old) in prison is 8 %, and the proportion of aliens is about 13 %.

As to reoffending, since 2000 the proportion of offenders who were re-convicted has fallen from 43.0 per cent to 39.3 per cent – a fall of 3.7 percentage points. Since 2008, the proportion has fallen by 0.8 percentage points.

Punitivity

On the 26th of October 2011, the Justice Secretary Kenneth Clarke has announced a new sentencing regime that shall be vote by the end of 2011. This will see more dangerous criminals given life sentences, an end to the indeterminate sentencing system, to be replaced by long determinate prison terms, and mandatory custodial sentences to be available for both adults and 16-17 years olds convicted of aggravated knife and offensive weapon offences. It follows the Prime Minister's announcement on 21 June 2011 that the Government would review the Imprisonment for Public Protection (IPP) sentence with a view to replacing it with a new regime which would be better understood by the public and command greater confidence.

The new regime will include:

- **Mandatory life sentences** - a 'two strikes' policy so that a mandatory life sentence will be given to anyone convicted of a second very serious sexual or violent crime. This will mean that mandatory life sentences can be given for crimes other than murder
- **Extending the category of the most serious sexual and violent offences** to include child sex offences, terrorism offences and 'causing or allowing the death of a child' so that the new provisions will apply to them
- **The Extended Determinate Sentence (EDS)** – all dangerous criminals convicted of serious sexual and violent crimes will be imprisoned for at least two thirds of their sentence, marking an end to the regime which allowed the release of these offenders at the half-way point. Offenders convicted of the most serious sexual and violent crimes in this category will not be released before the end of their sentence without Parole Board approval
- **Extended licence period** – criminals who complete an EDS must then serve extended licence periods where they will be closely monitored and returned to prison if necessary. The courts have the power to give up to an extra five years of licence for violent offenders and eight years for sexual offenders on top of their prison sentence
- **Mandatory custodial sentence for aggravated knife possession** - 16 and 17 years olds – but not younger children - convicted of using a knife or offensive weapon to threaten and endanger will face a mandatory four month Detention and Training Order (DTO). The Government has already announced proposals for a mandatory six month sentence for adults convicted of the same offence.

The Bill plans to:

- make prisoners work harder, longer and on meaningful tasks;
- ensure prisoners earn money for victims, and not just for themselves;
- crack down on drug abuse inside prisons;
- demand more from offenders in tackling the root cause of their criminality;
- only put taxpayers' money into the programmes that work;
- create a new offence of aggravated knife possession, with a mandatory prison sentence of at least six months;



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- reduce the £2.1 billion per year legal aid bill for England and Wales.

Offender Assessment System (OASys)

OASys is the principal risk assessment and management system used by the National Offender Management Service's (NOMS) in England and Wales. It identifies static and dynamic risk factors and generates a summary score in order to assess likelihood of reconviction and risk of serious harm and to prepare a Sentence Plan.

The new OASys Violence Predictor (OVP) greatly improves prediction of: violence against the person; weapons; robbery; criminal damage; and public order ('violent-type') offences. The new OASys General Re-offending Predictor (OGP) improves prediction of other non-sexual ('general') offences.

- For both OVP and OGP, thinking and behaviour underlies most other risk factors, so scores should help targeting to offending behaviour programmes (which focus on thinking skills).
- Both predictors should help assessors to prioritise offenders under Offender Management and produce sentence plans which effectively target key risk factors. OVP addresses most serious further offending and can guide risk of serious harm assessment. NOMS should adopt them in place of the current OASys summary score, including necessary IT development, as a high priority.

Examples of good practices

All programs are aware of the 2006 concept of the London Resettlement Strategy identifying **seven pathways to address the main factors that will reduce re-offending**. These are accommodation; education, training and employment; health; drugs; finance debt and benefit; children and families and attitudes, thinking and behaviour. Through partners from each pathway sharing information and working together it is hoped that the offenders' specific needs will be able to be met much more effectively.

➤ Report: 'What's the Risk? Employing Young Adults with Criminal Convictions'

This report, published jointly by Business in the Community UK and the Transition to Adulthood Alliance, was produced by consulting with different employers across the UK who have implemented job schemes to support ex-offenders back into work.

Gaining employment is a barrier for most young people who have received a criminal conviction. In addition to this, all employers carry out a risk assessment on prospective employees as to whether they would be suitable for a position. A risk assessment for an individual with an unspent criminal conviction can stand as a significant barrier to employment.

The report states that young people with unspent convictions are among a group that are more likely to under-achieve in education, suffer from mental and physical health problems, and be experience long term unemployment. It is important for businesses to realise that reaching out to young people, to offer them work experience and skills, is a way that employers can directly challenge disadvantage in their own communities.

"By giving a job to someone with a criminal conviction, an employer is potentially helping that person to turn their life around, reducing the amount of tax payer's money spent on the consequences of offending, and even preventing future criminal activity."



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The report states that there is an opportunity for employers to share information on employing ex-offenders, so that more businesses understand the barriers that young people face when trying to get a job. Employers can also offer support and advice to other businesses on choosing the best candidates, who have unspent convictions, for work experience or employment.

The government is about to respond to its consultation on the sentencing Green Paper, which called on employers to create more avenues into work for ex-offenders. BITC has identified three critical factors for success to help companies committed to reducing re-offending through employment. It encourages companies to:

1. **Work in partnership and share the risk** – companies should work with voluntary organisations or statutory bodies responsible for young adult offenders who will better understand the barriers to employment they face. Together they can create sustainable pathways to work for these individuals.
2. **Provide work experience opportunities** – work placements offer young adults the opportunity to prove themselves, build their confidence, and enhance their employability. At the same time it allows companies to test whether a person is suitable for employment.
3. **Consider the circumstances and personal journey of the individual** – this includes realistically assessing risk and ensuring the company protects the individual and those with whom he/she comes into contact. Ideally only one or two colleagues should be involved in this process.

➤ Three aspects to the economic case for employment led resettlement services:

- The **economic cost of crime**, criminal justice process, penalties (particularly imprisonment) and consequent costs to the public purse
- The **economic benefit to the local community** from turning prisoners and ex-offenders into tax payers and reduced crime
- The **economic benefit to businesses** from the recruitment of ex-offenders

Furthermore, there is an inter-relationship between all three, but the evidence from a wide range of approaches to promoting offender employment is that the business advantage to employers should be the focus of any intervention.

This approach requires a strategic, inter departmental collaboration to reflect the complex resettlement needs of individual offenders, the objectives of the criminal justice agencies, skills and employment, health and social security and, crucially, the Ministry of Industry and associated bodies.

The evidence from a wide range of projects funded by the European Equal Initiative showed that the most effective practice in the settlement of offenders was when **organisations worked in partnership to address the range of reducing re-offending pathways**, developing flexible, needs-led services in recognition that offenders have complex and multiple issues (NEON Resettlement Manifesto 2007).

There are several recommendations linked to the implementation of the economic case for employment led resettlement services:

- The devolved prisons budget should be diverted to intensified **community resettlement programmes**, based on the Justice Reinvestment models;
- Sentencers, local authorities, probation, NGO's and community groups should be consulted and involved in developing and reviewing **community penalties** and resettlement programmes;





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- Establish a coalition/alliance between all relevant departments and employer representatives to develop a strategy to **promote offender employment** and ensure they are all aware of the economic and social costs of crime;
- Connect employers and prison service to invest in sector specific training pre-release to create a **pool of trained potential employees**, without the recruitment costs;
- Create an **intermediary body to work with employers and recruitment agencies**, to ensure that only appropriate and job ready ex-offenders are recommended for interview, offers support and advice to employers;
- Review **Equal Opportunity policies** to ensure ex-offenders have equal protection in recruitment practices;
- Promote the **recruitment of ex-offenders in procurement policies**, especially in the public sector;
- Convert prison workshops into **social enterprises** or intermediate labour.

➤ Inside-job (2011):

A new report from Policy Exchange has highlighted that those who work a 40-hour week could contribute to taxes while earning them a net wage and saving for a 'resettlement fund' for when they are released. The report, *Inside Job - Creating a market for real work in prison*, recommends that prisoners be encouraged to engage with 'real work' which would benefit themselves and society at the same time. The programme would also help to enhance their employment prospects when they are released.

Only 24,000 places are available for prisoners to work out of a prison population of 85,000. The report recommends that the privilege system be reformed to favour those who engage in work, and that some privileges, like television, be paid out of wages earned by prisoners.

The report emphasizes:

"To be successful in driving change throughout the Prison Service, the new agenda for real work in prison needs to be distinct from the current conception of work in prison, which is often activity for activity's sake, and mainly consists of non-commercial, short-term programmes and skills courses that are poorly paid, provide no social benefit and do not reflect the realities of employment."

Recommendations:

- A new model for real work in prison should focus on **creating new incentives**, removing the barriers to enterprise and devolving authority to governors to cultivate the market, rather than imposing a new policy programme from NOMS. There should be no big bang or planned economy, but a market-led growth of new work schemes.
- Although not all prisoners are ready and available for real work, prison governors should aspire to **grow the proportion of prisoners who are ready and available for work** over the medium to long-term, and to embed profitable, paid work as the core purposeful activity in their prison.
- There should be **greater transparency** about the amount and type of work currently undertaken throughout the estate and to aid comparison of best practice and to





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encourage improvement, the hours of full-time paid work should be described separately from the 'purposeful activity' total for individual prisons reported by HM Prison Service.

- NOMS should have a **clear view of the availability of workshops** across the prison estate, monitor utilisation and make this information freely available. They should also lend technical and legal support to local establishments through the real work tendering process and when contracts are being drafted locally. They should also publish details and data relating to the work taking place inside prisons in the interests of transparency and public awareness.

- To **avoid exploitation**, while still providing a labour cost incentive for employers to consider prison work opportunities, the government should examine the case for a Prison Minimum Wage to act as a fair wage for prisoner employment. This wage should be less than the National Minimum Wage to reflect the living costs that the state already provides prisoners.

➤ Pathfinder projects to Resettlement (1999-2003):

Resettlement efforts were more effective when:

- The sentence plan is based on a sound **assessment of risk and needs**
- Intervention **begins as soon as possible** after sentence
- Intervention includes attention to **attitudes and thinking**
- And attention to practical needs...with links to **community facilities**
- Case management is delivered "**through the gate**" and includes work on motivation.

➤ Achieve North West (2009-2013):

The study visit in Liverpool has provided an in-depth overview of an **employability** project financed by the European Social Fund (ESF) and run in the North West of England. Its aim is to provide services to improve the employment prospects of offenders.

Achieve North West works with 23 different **sub-contractors** on both a regional and individual Trust basis. These include a variety of voluntary and private sector organisations, as well as social enterprises. These providers deliver a range of interventions, all designed to assist participants on their journey towards employment.

The project is designed to **bridge the gap** that frequently exists between offenders and existing education, skills and employment services and to offer **links through the gate**. Research shows that 20% of the adult population struggle to some degree with aspects of literacy or numeracy and among offenders this figure can rise to over 80%. By tackling this problem the Probation Service can help offenders become more employable, thereby improving their chances of personal development and reducing the risk of further offending.

The team heading the *Achieve NW* Project is based in a Probation Trust, and a total of **42 case managers** are currently delivering the project in both prisons and probation across the region. Offenders benefit from the project by being able to access jobs, education or training, in addition to accessing advice on debt management, disclosure of convictions and work taster/volunteering experience.





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For offenders requiring additional **motivation**, 'Mobex Active' provides a stimulating range of outdoor activities, designed to build confidence, increase enthusiasm and encourage offenders to access education, training or employment. Four weeks per year are spent undertaking conservation work for the National Trust, gaining valuable work experience in a residential setting. Skills are recognised and developed through a focused, personal improvement plan, covering areas including motivation, confidence building, communication, problem solving and teamwork.

Many offenders have led chaotic lifestyles, and are not used to any sort of routine. Simply participating in a probation programme such as *Achieve North West* is a huge step forward, requiring them to **accept instruction, be punctual, disciplined, complete home assignments and behave in a way that is acceptable** to probation staff - all essential preparation for the world of work. For many offenders this is a turning point in their lives, resulting in a move into adult education, training or employment, and an opportunity to give back to the community what they've taken away by offending.

The first results at the end of 2011 showed a **10%-placement rate** in a stable job, the rest of the participants having increased and improved their skills with around 5 outcomes per person who participated to the program.

Finally, it shall be mentioned that *Achieve* took over the prison and probation services' task in supporting and supervising prisoners from inside to outside and offering them a consistent and persistent care from 'end to end', so far reintegration is concerned. In other words, the ESF money is replacing the State financial support and transfers responsibilities from civil servants to subcontractors.

➤ Austria

General issues

Austria, with a total country population (2011) of 8.4 million inhabitants and a total area of 84,000 km², presents a population density of 100/km². Considered as a strong conservative corporatism welfare state, the unemployment rate (10.2011) is with 6.4 % rather low and thus Austria shows a dynamic and successful market social economy.

However, the prison population rate (12.2009, stock) is considerable - 103.6 per 100,000 inhabitants, the prison population rate (2006, flow) is quite high - 161.7, and the prison overcrowding (2008) on the edge with 92.4 % (of total capacity).

There are a total of 27 prisons, among them 1 for juvenile - the proportion of juvenile (12.2009) was 3 % and the proportion of young adults (18-21 years old) (12.2009) was 8 %. The proportion of aliens (at the end of 2009) was about 45 %.

Release

Apart from the usual release measures developed in western countries, since the 1st of September 2010 there is the possibility to serve the sentence under home arrest within electronic monitoring. The first evaluation of the measure showed that 73 percent of people were assigned to electronic monitoring before their incarceration (front door clients). The second largest group of persons is already in custody and will serve the rest of the sentence outside (backdoor clients). In

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the first eight months (September 2010 – March 2011), the electronically monitored house arrest 227 times been approved.

Probation services

➤ Association NEUSTART for Probation, Mediation and Social Work.

The Association NEUSTART is a non-profit association having a quasi-monopole on probation activities for decades. In 2010, 557 full-time and 950 volunteer staff and employees worked at Neustart. 62 percent are women, and 65 percent of them work part-time.

In 2010, the repartition of Neustart clients was:

- 14,176 convicted persons on probation
- 96 convicted persons under electronic monitoring
- 4,458 former prisoners on prison release
- 8,200 persons doing community work

Since 1 September 2010, there is the possibility for so-called front- and backdoor clients to apply for electronically monitored house arrest, this means prisoners (backdoor client) with a maximal of 12 months left to serve, or convicted persons to a prison sentence not exceeding 12 months. There are some prerequisites that must be met - such as suitable accommodation in Austria, one domestic employment (38.5 hours per week) and an income high enough to support living costs. In addition, the client needs an upright health and accident insurance and those living with him in the same household must agree with the measure.

Remand to custody for the duration of electronically monitored house arrest request, if they find themselves in an orderly living conditions, a suitable apartment and the view of the housemates have nothing speaks against it. Again, except for employment or training opportunities, and be given an adequate income.

Critical factors that militate against an aptitude are, lack of structure to comply with the conditions, lack of social connections in Austria (unexplained alien or asylum legal situation) mentally strong adverse effects, unstable drug addiction, domestic violence (especially if a common dwelling used it) or there are sex offenders (in this case has an opinion of the review and evaluation center for violent and sex offenders), but even if the client refused his consent to the information of the employer (the latter is the case of limited information requirements less important).

With the electronically monitored house arrest should clients have the option to either stay in their community or to get a smooth transition from prison to reintegrate into society. This is to avoid negative effects of imprisonment and detention stigma and preventing degradation. Social relations are to be created or remain upright and professional activity shall be constructed with the aid of electronically monitored house arrest or sustained. Redundancies can be made possible at an earlier date. When done with the help of electronically monitored house arrest by timely and intensive care before discharge with better integration of social work supervision and control that will ultimately reduce the risk of recidivism and facilitates rehabilitation.

Examples of good practices

➤ Contrapunkt Soziale Betriebe GmbH is a profit-oriented company with social engagement.

Its core activity is the supply of services on the private and public market with the goal to support the professional reintegration of underprivileged persons. Employees receive temporary





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contracts and will be prepared within a staff development program to join the job market. Contrapunkt covers itself with its services supply and sales one third of all costs. The rest is financed by the jobs employment agency, the European social funds and the local cities.

The commitment of the clients and cooperation partners assists the reintegration of vulnerable groups. Contrapunkt proposes services in several fields:

- Textile (collection and sortation of old clothes, second-hand shops)
- Carpentry
- Services such as gardening, snow clearance, waste separation

Contrapunkt has set up over 100 consolidated containers for old textile. Every week, operating sites gather around 13 tons of used textiles. The best pieces will be for sell in the Contrapunkt second-hand shops, a larger part will be recycled and only a marginal part has to be thrown.

Gathered will be:

- All kind of clothes
- Leather goods
- Housing goods (blankets, bed sheets, etc.)
- Hats, bags, etc.

On demand, Contrapunkt sends recycling bags or pick them up for free. The best pieces issued from the textile become a new outfit. With our own creations, T-shirts receive a new design and comply with mode expectations of customers. There is also the idea of individually designed furniture with the help of specialized staff.

Any type of wooden work can be delivered:

- Kitchen, bedroom, bathroom
- Shelves, cupboard, doors
- Restoration of old furniture

Contrapunkt insures employees' management, networking and placement for private companies and industry sector, and further tutorial competences with work-related evaluation, offer of traineeship and follow-up care services.

The environmental issue is targeted as to problematic goods with regard with pollution will be at different stages recycled. Textile goods (others than for second-hand shop) will be bought from Romania, Hungary, Italy and Bosnia-Herzegovina. Only a very small amount will be carefully depolluted. Rest goods of wooden work will be transformed and sold as trimming and offcuts.

➤ Schritt für Schritt

It is a reintegration programme co-financed by EQUAL and the Ministry of economy and employment. 443 participants are involved in a process of care, follow-up and case-management proposed by the social worker (module 1) - module 2 contains 18 activities (inside and outside the prison), and module 3 deals with work training.

The clients' profile is:

- Inmates with a prison sentence over 6 months
- Only persons with needs
- Only persons with regular work permit
- 20% were women
- From 18 years old on
- 64% without any education degree
- 67% had debts



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- 60% had been once drug-addicted
- 92% had been sentenced more than once
- 68% had been imprisoned more than once
- 2/3 without relationship
- 68% worked in prison

The contact was established 4 months (average) before release, and 6 meetings took place between the social worker and the inmate.

- 55% of the participants remained in the program after release, during a 3 months period and 8 meetings with a social worker.
- 86% of remaining convicts in the program had a place to leave.
- Half of remaining convicts in the program had a job or similar occupation on the job market

➤ **Estonia**

General issues

Estonia belongs to the Baltic states with a long Russian influence but also with rapid changes and deep reforms in the criminal justice sector.

In terms of the custodial rate, Estonia is although decreasing one of the countries with high imprisonment (254 prisoners / 100000 citizens – World Prison Brief⁷). Specific for this country is that 20,3% of the prisoners are on pre-trial detention and 39,4 % are considered foreigners.

In Estonia there are five prisons. Only one of them (Tartu) is relatively new with small cells. The other three are old establishments with large dormitories. In 2007, 1558 people were employed by the prison service out of which 977 were uniformed staff.

In 2010 prison service was amalgamated with probation service and formed Prison and Probation Department.

Release

During the execution of the prison sentence prisoners could benefit from different forms of release: placement in the open prison, prison leave for up to 21 days a year, conditional release and full release.

Conditional release could be granted by the court only after the prisoner had served ½ or 2/3 of the sentence and other substantive conditions were fulfilled. This measure could be granted only after the consultation with the probation service from the last domicile of the prisoners.

The minimum term for conditional release is 1 year. During conditional release the prisoner has to fulfill different conditions such as: to visit probation service on a regular basis, to inform about his/her income, to ask permission for trips longer than 15 days, to ask permission from the probation officer for changing the domicile, school or work.

In the same time the court could also impose different obligations such as: to compensate the victims, not to drink alcohol, to take electronic monitoring etc.

⁷ Available at : http://www.prisonstudies.org/info/worldbrief/wpb_country.php?country=135 (retrieved on the 4th of November 2011).



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Probation service is responsible for supervising ex-prisoner after release. When released the prisoner is entitled to receive his/her savings or the minimum unemployment benefit. If his/her savings are lower than the unemployment benefit that the prisoner is entitled to receive the difference.

Reintegration into the job market

Members of the voluntary chain



Support persons. A person released from prison will have his/her voluntary support person who has undergone training and who provides the developmental activities and has conversations with him/her. The support person assists and enforces the prisoner through coaching, helping to realise his/her rights and coping with difficult situations in everyday life after release. The support is based on the specific needs of the prisoner and in co-operation with prison officers and the prisoner himself/herself, a plan of action for release is made. Support person has (with a written permit of the prisoner) access to information concerning the prisoner which necessary for the release plan.

Captains. Usually leaders of NGOs, are support persons that instruct, guide and support other support persons. Captain's mission is to find additional support and motivate people. He is a correspondent for one of the smaller regional volunteer coordinators. Thanks to the captains, the local coordinator can effectively monitor the volunteer work done in his/her region. This allows to react quickly both to the needs of the prison and the local government.





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Volunteer coordinators. The Regional Coordinator is in paid employment, her job is to interact with local government officials and exchange information about the services offered by a the support persons and NGOs in a given local government area, liaise with the prison in order to be informed about the needs of the people to be released from prison, coordinate and motivate the captains to manage and update the database (services offered, NGO contacts and their functional abilities), to organize volunteers training and offer advice, support and supervision to the captains and support persons.

Project coordinator. The project is coordinated by the Estonian Council of Churches (ECC) who signed a contract of good will with the Ministry of Justice. ECC is responsible for managing the regional volunteer coordinators who in turn manage the support persons.

Prison social workers, psychologists, chaplains, probation officers. The primary task of the prison officers is to ensure the possibility of contact between inmates and volunteers. Prison officers can spread information about the support persons network and can recommend the inmates to use the service. Prison social workers give information to the volunteer coordinators about the inmates who want to use the support service and according to the input from the prison, the coordinator provides the necessary number of volunteers, looks up service providers and consults with local government social workers about the people being released to their community. Prison will also send a letter to the local government informing them about the person being released and his/her needs for social services etc.

Local government social workers. Local government social workers are the people that former detainees turn to when they have no place of residence or when they need social benefits. In addition, social workers give advice to former detainees, including debt counselling. The network of volunteer support persons is a good partner for social workers in providing necessary social support for the former detainees.

Employers. Employers include companies, as well as the state, local governments, and the third sector. The coordinator's role is to involve the support network of potential employers who engage former detainees in their work community. The employer's role is to instruct former inmates, as is also done for ordinary new employees, and where possible, to offer the former inmate a mentor in the working environment. This may, for instance, be a more experienced colleague who helps newcomers adjust to their tasks and the organisational culture as smoothly as possible.

The tasks of a support person

1. The support person goes through a basic training.
2. According to the needs of the prison, the coordinator contacts the captains who then will look for suitable support persons for specific inmates.
3. The support person will start to visit the inmate three months before the release from prison and will do so regularly until the liberation of the detainee.
4. A written cooperation agreement between the detainee and his/her support person will be signed, which gives the support person authorized access to information about the detainee.
5. The support person and the prison social worker will map the prisoner's coping problems and risk factors to ensure the prisoner would be prepared to enter the community when released from prison.
6. The prison official, prisoner and the support person will make a detailed plan of release preparation, defining the goals of the prisoner and the role of the support person in the release process.
7. The support person contacts the local government to discuss the needs of the former inmate for social support, accommodation issues, services provided by the locality,





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NGO contacts in the community etc.

8. The support person helps the released person with his/her first errands and also helps him/her adjust to the community.

9. The support person and the released prisoner will meet regularly (the minimum time of 6 months to avoid an immediate rebound).

10. The support person will give up to date information to his/her captain and the local coordinator about the progress made with the released prisoner. In case of malfunctions, they are to be notified immediately.

11. Captain and the regional coordinator will offer support and supervision to the support person.

The support person will start working with the client already in prison. The first **three months** will involve talking through practical issues, including how to find a place of residence, work, friends, and networks. In addition, it is advisable that the prisoner undergoes a social program, such as anger management, victim empathy, or the like. A particular program will depend on the support network of NGOs, and prison capacity, but also on the needs of the prisoner. With the help of the prison social worker and the support person, the prisoner can start rebuilding his/her pro-social relations and contacts, the local government will be contacted for social benefits and place of residence, where applicable. The aim of all this is to try to minimize the risks when being released. The support person and prisoner will map the needs of the prisoner and the possible solutions to them. They will also start looking for a job to go to after release.

After the release process, the support person will contact the local government social worker with whom to discuss the needs of the released prisoner and local opportunities, including for example, place of residence, social benefits. What is important is that the former detainee would formulate a positive and pro-social self-image, allowing him/her to keep away from criminal activity. The first few days after the release, the support person's help and advice is critical. First six weeks after release, it is essential that the support person is there for the former prisoner, because this period is characterized by culture shock and difficulties in entering the new environment. The role of the support person should last **6-24 months after release**, when a released prisoner acquires social skills. At the same time, the released person will begin to adapt to life outside of prison, forms a positive self image and attitude change.

Conditions for the support person

Before becoming a support person, one must complete a basic training course (minimum of 35-40h), which covers topics such as the nature of crime and its impact on the victim, the offender and the community. Also, the psychological phases which a released person passes, will be covered, the support person's role, working in a network of support persons, and practical issues such as helping the former prisoner to look for a job and write his/her CV, public welfare, probation, assistance organizations and the like. Whenever there's a problem, the support person can turn to their captains who in turn shall inform the appropriate coordinator, if necessary.

Coordinating the support service

When providing the support service, it is important that the support people are not likely to remain permanently connected with the project, and vary according to changes in interest and the like. However, it is necessary to ensure that the support service as a whole does not stop when someone's interest participate subsides. In order to ensure the operation of the service, there's a need for a project coordinator, a project manager and an organization that would be in charge for coordinating all the activities. The coordinating body can be one of the local service providers (recognized NGO with good administration capabilities), for example, or some nationwide body like the Estonian Council of Churches. Project coordinator acts as a manager of four regional coordinators (East, West, North and South). All coordinators are paid employees, whose job is to maintain the support system.





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Subordinate to the project coordinator are regional coordinators. Their partners are prisons, local governments, NGOs, and employers in the region. Subordinate to the local coordinators, in turn, are captains and their subordinates in a way are the support persons. In addition to captains coordinating the support persons, the local coordinators also have to be informed about all the activities and intervene where necessary, such as providing support or training. Captains are a necessary actor in the system, as they are usually from the same NGOs as the support person, which guarantees peer-support and thus helps to keep up the support persons' motivation and prevent the cessation of their interest.

➤ France

General issues

France is the largest country of the European Union with the second biggest population (65 million inhabitants) and a density of 97/km². It is considered as a strong welfare state in a conservative corporatism form, but a continually high unemployment rate (2011: 9 %) is challenging the economy and especially the labour market.

The proportion of vulnerable groups such as juvenile inmates (1 % of the total prison population), women (5 %) and foreigners (20 %) has been decreasing over the last years and therefore they do not represent a major issue on the political prison agenda. With 64,000 inmates to the 1st of October 2011, the prison population rate (per 100,000 inhabitants) remains under 100, but the overcrowding concerns around 10,000 inmates because the new opened prisons did not provide in absolute terms as much places as they shall have since many old prisons were closed at the same time (total of 189 penitentiaries).

The prison landscape faces modern changes since the late 1980's with the construction of dozens of facilities, introducing Public-Private-Partnership through delegated management and building contracts with national companies.

➤ Private-Public-Partnership:

In 2011, 43% of places in French prisons are under delegated management (26,000 places out of 60 000). Procurement delegated management on a long-term consists of global contracts and multi-service benefits covering many benefit from the functions of stewardship and logistic to support actions towards prison services in its mission of rehabilitation.

- Stewardship functions and logistics:
 - Restoration: the incumbent ensures the preparation, packaging and distribution 3 meals a day, according to the laws and regulations on standards nutrition, hygiene and sanitary control of the entire food chain.
 - Hotel and laundry: the incumbent provides a package to all indigent inmates, as well as maintenance, renewal and washing effects of clothing, bedding and effects of hotel linen.
 - Canteen: the incumbent provides direct sales to inmates of products and services, in addition to what is being provided by the prison administration.
 - Maintenance: this service includes the maintenance of property, maintenance and renewal of personal property and the provision of energy and fluids.
 - Cleaning: the incumbent supervises the cleaning of facilities and provides cleaning products.
 - Transport: the incumbent ensures the provision, maintenance and renewal of a fleet of vehicles to ensure lines of communication and transportation of prisoners.

- Support functions to the mission of rehabilitation:





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- Prison labor: the licensee proposes paid employment to inmates who request it, or under the general service (activities necessary for daily operation of the facility, including the functions of restoration, hotel, laundry, canteen and maintenance), or in production facilities.
- Vocational training: the incumbent provides individualized training within training programs approved by the prison administration.

Probation organisation

Supporting those entrusted by the court, the probation and insertion staff counts 4,000 civil servants and is involved in and outside prison after evaluating the situation of each. The management of these individuals also involves work on the criminal act and the monitoring compliance with the obligations imposed in the trial to prevent recidivism.

The employees of prison rehabilitation and probation have the mission to assist in judicial decision-making and to implement the decisions in criminal matters, restriction or deprivation of freedom. Prison and probation staff accompanies persons detained with a project of sentence enforcement.

- They help the court: they propose management measures of sentence to the judge, depending on the situation of the convicted.
- They assist in preparation for release from prison: to facilitate access of prisoners to insertion devices and common facilities (housing, care, training, work ...). To do this, prison and probation staff develops and coordinates a network of partner institutions and associations.
- They provide valuable assistance to maintain family ties. They pay particular attention to the problems of poverty, illiteracy and drug abuse. They facilitate the access of detainees to the culture by scheduling activities adapted to the prison environment.

Prison and probation officers are also involved outside the prison.

- They bring to the judicial review of all elements relevant to the preparation and implementation of sentences.
- They help people sentenced to understand the sentence. They impulse with them a process of rehabilitation including the development of program to prevent recidivism.
- They ensure compliance with the obligations imposed on persons sentenced to restriction or deprivation of liberty (parole, community service, parole, electronic monitoring ...).
- In the context of public policy, they promote the access of persons placed under judicial control to social and professional integration facilities.

To carry out these missions, they work with other prison staff and rely on a network of institutional partners and associations.

Release

Following measures can be proposed to inmates as to release: parole, suspension of sentence for medical reasons, semi-liberty, work release or electronic monitoring (PSE). Temporary absences may be granted under certain conditions. The criminal court may decide, upon conviction, the sentence will be a development. On the 1st of January 2010, 7292 people were under one of these measures (PSE, parole, work release).

Whereas early release (parole, work release or PSE) is already routinely offered to prisoners since 2004 when they satisfy the conditions (residual sentence, serious project of rehabilitation, etc.), the prison Act of 24 November 2009 provides a sensitive development of these measures and parole, broadening access conditions. Indeed, one of the key principles that inspired the law is that the sentence of imprisonment should be used as a last resort and can be executed in several ways.





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The major development over the last decade is the wide use of electronic monitoring or "electronic bracelet". It is a way to run a prison sentence without being incarcerated, or can be decided under house arrest as an alternative to pre-trial detention, or finally as an early release form at the end of sentence. The PSE enable to run a professional activity, to receive education, vocational training, an internship or temporary employment, seek employment, participate in critical family life, from medical treatment or s invest in any other project of integration or reintegration likely to prevent recidivism.

At the 1st of June 2011, the number of persons placed under electronic surveillance was 7,645 in comparison with 5,785 in June 2010. This significant increase is expected to reach a target of 10,000 placements under electronic surveillance at the beginning of January 2012.

The Prison Act of 24 November 2009 extends the use of electronic monitoring arrangements to sentences of less than or equal to two years against a year earlier. In addition, since the 1st of January 2011, the possibility of using electronic monitoring has been extended to convicts at the end of sentence (four months' imprisonment).

May benefit from a PSE as part of a development of sentence:

- those sentenced to one or more sentences of imprisonment for a term not exceeding two years or convicted with a remaining term of imprisonment not exceeding two years (one year for offenses committed by a legal recidivist)
- persons admitted for parole if they have executed a period in PSE (up to a year before being available for parole)
- persons detained for a judicial restraint, without any qualifying period.

Can benefit from electronic monitoring at the end of sentence:

- persons sentenced to imprisonment not exceeding five years, with less than four months to execute, subject to consent to the measure, when it is compatible with their personality, and there is no risk of reoffending or it is not physically impossible to implement the placement.

Contributing to the effort of individualization of the sentence, the electronic bracelet also has an indisputable economic advantage. While the average cost of a day's detention was in 2009 € 83.86 (€ 58.90 in a semi-open prison), the total daily cost of a measure of electronic monitoring was 11.89 €.

Examples of good practices:

➤ Convention with the national employment service (2010)

In order to expand vocational rehabilitation of inmates, the Department of Justice and Freedoms and the employment center signed an agreement. It will allow people under the hand of justice to better prepare their reintegration into working life by accessing services from the employment center.

The national agreement signed with the new operator "employment center" will allow the Prison Service for integration and probation (SPIP) to offer personalized assistance to persons detained in search of a job, to anticipate and facilitate return to work. As part of the partnership employment center / Justice, the employment center provides the necessary human, financial and material resources. It can provide as part of its tasks technical support to the SPIP for their actions in the field of employability of prisoners. They can anticipate their release by registering at employment center. They can access all services, including assistance benefits to the confirmation





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of the project: evaluation of skills and professional abilities, skills assessment, as well as vocational training system.

In 2011, in accordance with the national convention, and in order to promote the employability of persons placed under judicial, and contribute to the fight against recidivism, the director of the prison services of Lyon the regional director of the employment center of Auvergne signed a partnership which is a continuation of a national framework agreement.

The objectives of this regional agreement is to focus on supporting people from the labor, and mobilize around a course and a professional project, inform sentenced persons and warned of their rights and duties to maintain a link with external reality, and also to avoid any drop out just after release.

To achieve these objectives, employment counselors and stakeholders of prison services undertake to ensure, on a regular basis, continuous relations with employers through job fairs, professional meetings, proposals employment in the four territories in the region. Workshops, job search, assessment and career guidance counselors will be organized by the employment center of Auvergne in prisons.

In 2010, 145 advisers from employment centers intervened (= 62.5 full-time equivalent positions):

- 17,932 detainees were followed by an adviser
- 19,370 plans to vocational guidance
- 11,209 actions to accompany the job search
- 13,555 intermediations with companies and external agencies

30.3% of detainees followed by a counselor from employment center have obtained an employability solution after release from detention:

- 2,099 were employed
- 1,222 incorporated a training
- 2,106 incorporated a accompaniment measure run by the employment center.

➤ Job and training toward labour reintegration⁸

"From the outside are all the features of a high security jail, including armed guards in watchtowers in a prison that includes murderers, rapists and gangsters with too much time on their hands. So the largest prison labour program has been developed here. Around a dozen companies have set up workshops. Inmates are putting together small parts that will go into planes assembled at the Airbus assembly lines down the road. Others are working on the air-conditioning, no less, for the A380 superjumbo aircraft!

Alain is one of the prison "aerospace" workers. He says one day he will have to find work in the "real world." He adds, "this work is good for us psychologically because otherwise we would be locked up in a cell all day long and this allows us to see something else. You can think that you are a little outside of the prison walls because even though this is still definitely a jail, at least in this workshop you do not see the bars."

Next door is the carpentry section favored by convicted bank robbers. Inmates are building furniture. Some will go into student halls of residence. The inmates put in a 35-hour working week - and have deadlines to respect. The quality of their work is monitored. In other words, just like the outside. A big change, since many inmates are new to the world of legal work.

⁸ Issued from a press article: <http://www.france24.com/en/20100210-working-in-prison-muret-toulouse-france-inmates-salaries-airbus-a380> (retrieved on the 4th of November 2011).





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Patrice, with a screwdriver in hand, says that one day he will be on the outside and will have to get used to the daily work rhythm again. This workshop prepares him for that day. He hopes what he is doing now will help him to get a job later on.

Inmates' wages help improve their daily lives - over two hundred have bought computers with their jobs or a satellite TV subscription. And around 10% of their salary is docked and goes towards their victims. Nevertheless, salaries between 400 and 800 euros a month are far less than on the outside. Prison manager Christophe Usanos points out that inmates do not pay rent and low wages are the trade-off to entice companies - otherwise they would probably set up similar workshops in low cost countries.

Jail staff and inmates seem to agree that wages are secondary. In all, 9,000 prisoners work behind bars. Nearly all of them will be released one day. Preparing them for that day, rather than seeing them return as repeat offenders, is the real goal."

➤ **Germany**

General issues

With a biggest country population (2011: 82 million inhabitants) and a total area of 357,000 km², the German population density is high with 229/km². Despite an unemployment rate (10.2011) of 7.2 %, Germany still provides a welfare state in a conservative corporatism way.

At the beginning of 2011, there were 71,200 prisoners in 175 closed facilities and 19 open prisons. As a result of progressive criminal policies, the prison population rate (03.2011, stock) remains under 86.5 (per 100,000 inhabitants) and the proportion of juveniles and young adults (18-21 years old) (03.2011) is about 8 %.

Probation organisation

At a federal level, about 2,500 full-time probation officers supervise about 170,000 delinquent people.⁹

- A client costs the taxpayers about 2.50 € per day inclusive of the pension provision.
- A prison day costs an average of 100 €.
- In Hesse, the only Land with electronic monitoring, this measure costs around 70 € a day.
- 78 percent of the clients are sentenced under general criminal law.
- 22 percent of the clients are convicted under juvenile criminal law.
- Probation officers monitor the fulfillment of the sentence requirements.
- Probation officers are studied and trained social workers.

Examples of good practices

➤ ZUBILIS (2005-2007)

⁹ <http://www.bewaehrungshelfer-online.de/site/index.php?/categories/8-ZAHLEN,-DATEN,-FAKTEN> (retrieved on the 06th of November 2011).



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ZUBILIS is the latest element in a comprehensive strategy of articulating the broad spectrum of education and training opportunities that exist in the prisons of North Rhine-Westphalia with new approaches to the effective employment integration of ex-offenders. This strategy is based on three pillars:

- **1%** Work on the first pillar started in 1998 with the launch of MABIS (Equal Employment Project: Focus on employability of offenders), a programme for market oriented employment preparation, which provides individualised vocational or employment guidance, and initial contact with potential employers, during the final months of the inmates' periods of detention. The European Union supported the development of this programme through the EMPLOYMENT-Integra Community Initiative;

This project was based on three ideas:

- to improve employment and vocational training in prison
- to have post-release access to labour
- to have after-care services

Re-imprisonment was reduced by:

- 10% for those offenders with vocational qualification
- 25% for those with employment
- 50% for those with vocational qualification and employment

Placement rate in work projects of offenders improved with strong involvement of probation officers, from 48% to 75%.

- **2%** The second pillar, MABIS.NeT, was established during the period 2002 to 2005 to complement the MABIS programme through the creation of a state-wide network of aftercare agencies that liaise closely with the MABIS counsellors in the prisons and ensure continuity of training, placement and other resettlement services for ex-offenders after their release. MABIS.NeT was implemented as a Development Partnership during the first round of EQUAL;

- **3%** ZUBILIS, the third pillar, underpins the continuing operation of MABIS and MABIS.NeT and, in particular, focuses on new approaches to adapting the training provision in the penal system to changing labour market needs and the new skills required. It also explores new job opportunities that could be created through close cooperation with temporary employment agencies.

Successful placement in employment is the strongest lever for preventing recidivism. This is demonstrated impressively by the outcomes of a sample survey conducted amongst ex-offenders who had enrolled in a vocational preparation programme during their period of custody. Within the four years after their release, 80% of those who remained unemployed after completion of their course lapsed back into offending and were re-arrested. In contrast, the corresponding figure for those who found employment in the field in which they had been training was only 33%. Amongst those who had failed the examination or had discontinued their course, the rate of recidivism was 90% for the unemployed, against 65% for those who had found a job.

➤ ISA (Integration Straffälliger in Arbeit = Integration of criminals into labour; since 2009)

Financed by the European Social Fund, ISA is a joint project between PräventSozial, and the care-associations of two small cities Pforzheim and Ortenau under the direction and Coordination of the Joint Welfare Association of Baden-Wuerttemberg.

The aim of this project is to improve the chances of integration in the labor market of criminal or at risk of offending women and men through the development and promotion of their ability to work





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and by the stabilization of their personal life situation. Per project site can be continuously supervised up to ten participants.

The project is supported by the Ministry of Labour and Social Affairs of Baden-Wuerttemberg through the European Social Fund.

Since April 2009, the ESF-ISA project is supported through the job center in Stuttgart as part of the relation of Supports additional jobs to § 16d of the social code. Since its approval by the job center in Stuttgart started a total of 51 persons, including two women. The assignments were made by the job center branches in Stuttgart. The programme time amounted to an average of 116 days, with a relatively wide dispersion - between 14 days and 12 months. The youngest participant was 18 years old, the oldest mid-50.

An educator and a social worker are responsible for the guidance and supervision of participants. The regular work time of participants is 25 hours per week. Employment includes both the time periods of labor input as well as the times of skills training and individual follow-up.

In the past two years there were different locations and activities. Depending on the weather, the activities took place in a garage or outdoors. Many of the activities are done in cooperation with cities and municipalities and with forestry - and historic preservation offices.

All activities comply with the principles of community profit and additionality. Among other things, the following activities took place:

- Forestry work, such as young tree care, land clearing, fencing, cleaning of playgrounds, etc.;
- Care and maintenance of historical monuments;
- Renovations of the living groups of PräventSozial and maintenance of outdoor areas;
- Manufacture of wooden lamps for social Christmas market.

The weekly skills trainings usually take place on Thursday. In the form of group sessions with the participants, different issues connected with their daily life are assessed. The following areas are covered: health, law, finance, job training, social skills.

In addition to the work assignments, participants will be coached individually, that means consulting, support, assistance and accompaniment in different life situations. They create application documents, research for job vacancies and internships. Each person receives an individually created profiling file as the basis for goal planning and target validation.

➤ **Scotland**

General issues

Although is part of the United Kingdom, Scotland has its own Government and therefore its own Prison Service. As a general observation, most of the punishment aspects in Scotland define themselves in opposition with the ones in England and Wales. To take just one example, if probation service is tuned more and more towards law enforcement in England and Wales in Scotland the welfare rationale of probation service has been recently re-affirmed.

Scottish Prison Service is an Agency of the Government that was established in 1993. The prison system in Scotland is comprised with 13 public prisons and 2 privately managed prisons.

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As in March 2010 there were 4,086 prison staff, working with 7,967 prisoners. In 2011 the prison population rate was 155 prisoners per 100,000 inhabitants (8167 prisoners), out of which 19.9% were on pre-trial detention and 3.9% foreign prisoners¹⁰.

Release

As a rule short term prisoners (with sentences under 4 years) could be unconditionally released after serving one half of the sentence. Long term prisoners (with sentences above 4 years) could be considered for early release by the Parole Board after serving one half of the sentence. Normally these prisoners are released on licence and supervised by a probation officer (social worker) on release. Another form of release is the temporary release which operates from an open prison and that means that the person could go supervised to work or study outside the prison five days a week and go an address away from prison for 48 hours every second week, under licence.

Reintegration on the job market

Three month prior to release prisoners are included in a special program that aims at preparing inmates for safety release from prison. In this respect, the Scottish prison service uses the Integrated Case Management system that involves all the relevant resources for each case: prison staff, social workers, service suppliers, inmate and his/her family. All these actors help prisoner develop a release plan.

In 2006 the Scottish Executive accepted the proposal coming from Wise Group, Scottish Prison Service and Family Outside to set up the project called – The Routes out of Prison Project (Roop).¹¹

The Wise Group is a social enterprise established in 1983 that aims to support its clients, usually the long-term unemployed, living in areas of high unemployment and social deprivation into long-term, sustainable employment.

Families Outside: Scotland's only national charity that works solely to support the families of people involved in the criminal justice system by providing information and support to families to ameliorate the negative effects of imprisonment on families.

The Roop project was set up to offer peer support to prisoners serving short term sentences, recruited in prison and supported outside. An inspiration for this project was the 'Life Coaching' Project which had been run by the Wise Group.

The aims of the project was:

- 'To facilitate and encourage access to services for short-term prisoners
- To enhance employability of short-term prisoners
- To reduce re-offending
- To promote positive mental health
- To support ex-offenders to re-build/retain relationships with families
- To develop good practice between Scottish Prison Service and partner agencies in working with families.' (p. 14)

The working procedure of this Project is described in details at page 16:

¹⁰ *World Prison Brief*, available at: http://www.prisonstudies.org/info/worldbrief/wpb_country.php?country=171 (retrieved on the 5th of November 2011).

¹¹ The information below was extracted from a recently published report: *Evaluation of Routes out of Prison*.



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1.8 Central to the RooP model are the Life Coaches, who support clients after their release from prison having received a sentence of between three months and four years. As RooP is a peer support project, the initial Scottish Government funding of the service required 70% of Life Coaches to have an ex-offending background, with the remainder to reside in areas of multiple deprivations. While there have been a number of changes to the staff group over the life of the Project, these percentages have generally been maintained.

1.9 The RooP model provides clients with a 'through the gate' service whereby a prison-based Life Coach (Prison Life Coach) meets and recruits eligible clients about six weeks before they are due to be released. Individuals who are willing to work with RooP in the community complete an Action Plan with the Prison Life Coach which identifies their 'barriers' to resettlement and the issues with which they would like help and support. The Action Plan is then passed to a Community Life Coach, who endeavours to meet with the client at least twice in the prison before they are released in order to build a working relationship in which needs and expectations are established. The Community Life Coach will arrange to meet the client following their release; either at the prison gate, at one of the Project's offices or elsewhere in the community such as a café or a library. For safety reasons, Life Coaches are not permitted to meet clients in their homes.

1.10 The role of the Community Life Coach is to meet the needs identified on each client's individual Action Plan by signposting clients to appropriate services, accompanying them to appointments, advocating on their behalf and providing practical assistance with tasks such as opening a bank account or registering with a GP. In this sense the work of the Community Life Coach is very much 'outcome-focused'. However the phase one evaluation found that Life Coaches also often provide additional support to clients by giving them 'someone to talk to', motivating them to make positive changes to their lifestyles and building their confidence by keeping them busy during the day and giving praise and encouragement. In this sense, RooP provides a 'bridging model' of support from the prison to the community and other community services.

1.11 Once the client has successfully addressed their issues and the Life Coach feels they are 'job-ready', the client is passed to one of RooP's Employment Consultants, who will help them find employment, training or education.

This aspect of the service is flexible; as some clients will progress to an Employment Consultant quicker than others, while in some cases the client may never be 'job-ready' and will only ever work with their Life Coach. Like the Life Coaches, Employment Consultants will meet with the client either in one of RooP's offices or elsewhere in the community, and will work with the client to identify what options are available to them. The Employment Consultant will then assist the client with, for example, job searches, applications and CVs and interview techniques.'

Recidivism

Project. When analyzed the 'return to custody rates for clients who engaged at least once in the community and those who did not engage at all the result was that 40% of the former returned to prison compared with 44% of the latter' (p. 5). Therefore there is a difference of 4% between those directly benefiting from RooP and those not included in the project.





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Apart from that, the evaluation showed that 'nearly a fifth of engaging clients (19%, n=293) achieved a 'hard', or employment, training or education related outcome, with 5% of Roop clients securing employment.' (p. 4)

➤ Sweden

General issues

Sweden is the archetypal example of the welfare state. This example was also included in this comparative analysis because it has some particular features that could be of use for the Romanian reform.

In Sweden there are 55 prisons, six of which are for women. Most of the prisoners are kept in small prisons with up to 45 beds. There are only few prisons larger prisons with 100-200 beds. Almost all prisoners in Sweden have their own cell.

At 1.10.2010 there were 7 106 prisoners which means that the prison population rate is 78 prisoners per 100 000 inhabitants. Almost a quarter of prisoners are on remand and 28,3% are considered foreigners.¹²

Release

Since 2007 there are different forms of special release (Lindstrom and Leijonram, 2007¹³):

- *Work release* – prisoners could spend the day out of the prison for work, education or treatment.
- *Care service* – especially for prisoners who need treatment
- *Half-way house* – almost similar as an open prison under the supervision of Prison and Probation Service.
- *Extended work release*: the prisoner is allowed to serve the sentence at home under controlled circumstances (e.g. intensive supervision with tagging).
- *Conditional release* is available after serving 2/3 from the sentence. The rest of the sentence is executed under supervision for at least one year.

Reintegration on the job market

Important and specific for the Swedish system is that since 2008 probation officer is responsible for sentence planning and all the stakeholders (prison staff, social services, hospitals etc.) are obliged to co-operate.

In the 80s an integrated system was set up – KrAmi – that was meant to be an innovative and integrated employment and social skills education and labour market programme for young people who have a history of criminality.

The working procedure of KrAmi is described on the Eurofound website as follows:

¹² *World Prison Brief* available at: http://www.prisonstudies.org/info/worldbrief/wpb_country.php?country=166 (retrieved on the 5th of November 2011).

¹³ Available at:

http://fondationinternationalepenaleetpenitentiaire.org/Site/documents/Stavern/29_Stavern_Report%20Sweden.pdf (retrieved on the 5th of November 2011).



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'The programme runs for six months, although this can extend to several years for young people who require a longer programme. Strict programme and ground rules are put in place and attendance on the programme is based on adherence to these rules. The programme contains four main areas of activity: induction, counselling, practical work experience and recreational activities. An important part of the programme is to build the trust and confidence of young people. The bulk of the programme is spent in work experience programmes where young people learn to about work demands, gain experience and learn about searching for work. A wage subsidy for employing a young person on work placement can be provided by the Labour Market Board. The aim overall is to help the young people find work that interests them and then to build this into a work training position. An important part of the programme is the practical help and support that individual participants receive in order to help the young people understand socially acceptable behaviour, to understand how to create good relationships with others, manage their own social lives, solve everyday problems and find and keep jobs.¹⁴

Recidivism

Recidivism studies for the Nordic countries show that recidivism after imprisonment for those released in 2005 was 30 % within 2 years¹⁵.

¹⁴ Available at: <http://www.eurofound.europa.eu/areas/socialprotection/casestudies/sw2.htm> (retrieved on the 5th of November 2011).

¹⁵ *Nordic cooperation in judicial statistics* – available at: <http://www.krus.no/upload/EU-konferansen/RagnarKristoffersen.pdf> (retrieved on the 7th of November 2011).





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III. Prisoner's reintegration into the labour market in Romania

The Romanian context of ex-prisoner's reintegration on the labor market is based on the following pieces of legislation and agreements:

A. Prison legislation and regulations

- Law no. 275/2006 on the execution of punishments and other measures imposed by judiciary during trial, further changed by Law no. 83/2010.
- Government Decision no. 1897/2006 regarding the approval of the Regulations concerning the implementation of Law no. 275/2006.
- ANP-ANOFM Protocol of cooperation (27.08.2008) as amended.

B. Social inclusion legislation

- Law no. 416/2001 regarding the minimum income with further modifications.
- Government Decision no. 1099/2001 on the approval of the methodology norms for the application of Law no. 416/2001.
- Government Ordinance no 129/2000 regarding vocational training for adults.
- Law no. 116/2002 regarding the prevention and fighting social exclusion
- Government Decision no. 1149/2002 on the implementation of Law no. 116/2002.
- Law no. 76/2002 regarding the system of unemployment insurance and the stimulation of job occupation, as amended.
- Government Decision no. 377/2002 for approving the measures for granting access to measures of stimulating job occupancy, as amended.
- Law no. 375/2002 for approving the Government Decision no. 129/2000 on the life long learning for adults.
- Law no. 107 / 2004 for modifying Law no. 76/2002.
- Order no. 171/2004 for approving the procedures for the rights of the people searching for a job during the vocational training.
- Law no. 202/2006 on the organization and functioning of National Agency for Labor
- Government Decision no. 1217/2006 on the national mechanism on social inclusion.

For structuring reasons the following sections will follow the prisoner's route through the prison system from admission towards the reintegration stage.

IV. 1. Institutional stage

Institutional stage covers the timeframe from admission to the pre-release stage. From the employment perspective the aim of this stage is to develop the human capital of prisoners in order to enhance their motivation and skills relevant to the labour market. As noted in Section II, in order to enhance the employability of prisoners prison, administration provides services like: formal education, offending behaviour, substance misuse and so on. Since the focus of this report is employment, these connected services, although essential, will be discussed only when strictly necessary.

Once the person has been sentenced, the commission for the individualization of execution decides what is the legal regime that applies to that prisoner. In this commission sits: the director of the prison, the head of the regime office, the doctor, the head of the education service and the head



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of the psycho-social service. Apart from deciding the regime that applies to each prisoner, this commission also decides on the individual plan for psychosocial activities (execution plan from now on). This decision is made based on the following criteria: prisoner's behaviour, personality, age, health state and the possibilities for reintegration.

Recommendation no 1

Bearing in mind that one criterion is 'the possibilities for reintegration', it is recommended to involve as guests representatives from social services, employment agency or other competent authorities that could contribute to the social reintegration of the prisoner after release. When prisoner has been involved previously with probation service (e.g. prisoner was under the probation supervision, different reports were drafted for the prisoner etc.) all the relevant information shall be transferred to prison social reintegration service.

Action – art. 14 from Law no. 83/2010 shall include one more paragraph stating that when deemed necessary the president of the commission could invite representatives from relevant and competent authorities to contribute to the execution plan.

A communication system between prison and probation shall be set up to ensure a more direct communication and flow of information. It could be of important assistance in this respect.

During the execution of imprisonment prisoners could, if they wish so, to participate to educational, recreational activities also to vocational training (ro. formare profesionala).

One important activity related to employment is education. As it was noted in Section II education is important for at least two reasons: 1. it helps decreasing the level of risk of reconviction after release and 2. it helps prisoners become eligible for more numerous and more complex vocational courses. The number of prisoners registered in the formal education in prison has decreased from 2803 prisoners (2009-2010) to 2402 prisoners (2010-2011). Only 271 prisoners registered for high school or other equivalent level in 2010-2011.

Recommendation no 2

It is desirable for ANP in partnership with Ministry of Education, Research, Youth and Sport to find solutions to increase the number and the level of formal education in prisons, including high school level.

It is also recommended that prisoners in open regime shall attend school in the normal school from the community if geographical conditions allow.

Action – administrative mechanisms (e.g. protocols).

In order to increase the level of vocational competencies ANP signed a protocol of cooperation with ANOFM (27.08.2008). On the basis of this protocol all the inmates with less than 9 month before release could demand a vocational training (art.4). This requirement is based on art. 66 alin. 4) of Law no. 107/2004 that stipulates that prisoners with less that 9 months until release are entitled to vocational training paid from the unemployment insurance budget. The rationale behind this seems to be related to the risk of deprofessionalization if the new competencies are not exercised for a long time. The same type restrain could be found also in the subsequent legislation (see also Order no. 171/2004). Training centres belonging to the ANOFM or authorized centres for vocational training can deliver these courses. The representatives of prison administration select the participants.



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Recommendation no 3

While understanding the associated risks of deprofessionalization it is recommended that the 9 month limit should be abandoned. Prisoners should be able to attend vocational training during the whole detention time. Once this requirement is removed prisoners will be able to participate in more than one vocational training and therefore their employment perspectives could be improved significantly. To tackle the risk of deprofessionalization debriefing or refreshment courses could be organized from time to time. Further more, this risk could be also diminished if the prisoner has the opportunity to practice his/her new qualification during detention.

Action – art. 66 alin. 4) of Law no. 107/2004 shall be reformulated so that the 9 months limit is removed. This also applies to the subsequent regulations.

In 2010 based on the ANP-ANOFM Protocol and also on some European projects, a number of 115 courses were organized (decrease from 133 in 2009) involving 1320 prisoners (decrease from 1524 prisoners in 2009). Most of the vocational courses belong to the first level of qualification (see the Annex of HG no. 522/2003) that involves simple and routine activities such as: carpenter, construction worker and so on. There is no evidence of any prognosis or market analysis in order to prepare the prisoners for real and existing jobs.

Recommendation no 4

ANOFM in partnership with ANP should run market analysis so that the training classes will be organized according to the market demands and not only based on the existing infrastructure and prisoner's level of education. Commerce and Industry Chamber (ro. Camera de Comerț și Industrie) could be also involved since it represents the potential employers.

Action – ANP representatives could ask ANOFM to conduct such an analysis. According to art. 6 alin. 1. lit. n) of Law no 202/2006 ANOFM is responsible for organizing, financing or coordinating reports, studies etc. that inform future policies or programs. Commerce and Industry Chamber could be also invited to contribute.

According to art. 57 of Law no. 275/2006, prisoners could be involved in paid activities, domestic activities and work in disaster situations. Law no 83/2010 adds to these categories also the voluntary work.

Recommendation no 5

Following the example of Denmark, the competencies used by prisoners in all these types of work could be certified in order to provide prisoners with documents attesting their work abilities. Further more, hard working prisoners could be also rewarded with recommendation letters from the prison administration. This letter shall include information on the activities and programmes that prisoner conducted in prison.

Action – ANP representatives could ask vocational training suppliers (established according to art. 6 of OG no 129/2000) to evaluate and certify competencies used by prisoners during their work. Prisons shall use more extensively the provision of the internal order regarding the rewards for voluntary work in order to enhance the prisoner's motivation to work inside and outside prison.



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According to the ANP-ANOFM Protocol, prisoners could also benefit from information, counselling and work mediation provided by employment agencies or the vocational training suppliers. Due to the lack of resources, the number of prisoners participating in this activity also decreased from 4375 prisoners in 2009 to 3918 prisoners in 2010.

Prisoners are informed about the available jobs through a list of vacancies transmitted by the County Employment Agency (ro. Agențiile județene de ocupare a forței de muncă - AJOFM) every month. In the vast majority of Romanian prisons these lists are posted in the most visible places.

IV. 2. Pre-release stage

In order for the prisoners to be able to adjust to freedom, Romanian legislation (especially Law no. 275/2006) provides for the progressive and regressive regime whereby, in principle, prisoners close to their release shall enjoy more freedom. This freedom should be used for a gradual return to society, realistic planning for accommodation and employment and so on. Due to the novelty of the open regime in the Romanian legislation, the prison leave that should be the essential element of this regime is not fully utilized. For example, the number of prison leave has decreased in 2010 to 1590 from 2505 prison leave in 2009. This decrease is more visible among the prison leave for more than 24 hours – from 1303 in 2009 to 577 in 2010.

Recommendation no 6

Prisoners in open regime shall be able to enjoy as much freedom as possible without putting in danger the public safety. Therefore, prisoners shall be able to attend vocational or educational classes outside prison, work in a 'normal' company, attend job interviews, visit social services or probation services and so on. If the open prison is in a remote place measures shall be taken to set up external sections or half-way houses close to the places that provide relevant opportunities for the prisoners. In order to structure the decisions regarding the risk or escape, self-harm and re-offending, Prison Administration shall develop an actuarial tool.

Action - prisons could use the existing infrastructures (e.g. GAZ) and transform them in half-way houses or inclusion centres. These centres shall provide temporary accommodation for prisoners while in open regime or after release.

Six months before the prisoner is eligible for conditional release inmates are included in one of the pre-release programs such as PRO-Lib or Reducing the Risk of Recidivism after Imprisonment (RRR).

Both programs aim at preparing prisoners for the normal life outside the prison. One important component of these programs is the preparation of prisoners for getting a job. Some programs are based on a pen and paper exercise focusing on how to write an application, how to write a CV, disclosure advice etc. Reducing the Risk of Recidivism after Imprisonment (RRR) also includes one session – The Market – that brings the representative of the Employment Agency inside the prison to discuss and plan with the prisoner the employment strategy. One important element of these programs is the development of motivation for a pro-social life and therefore for a legitimate employment.

Recommendation no 7



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Following the example of Denmark, prisoners in open prisons shall be encouraged to visit the Employment Agency, Social Services, Probation Service or potential employers before released. By doing that prisoners can be treated in their natural environment.

In some cases prisoners can also attend vocational courses during the pre-release stage. Due to the lack of financial resources, poor infrastructure (e.g. workshops) and the low level of education among prisoners, the number of these courses organized by the Employment Agency or the accredited training suppliers is still very small.

Recommendation no 8

In order to increase the number of vocational courses during pre-release stage, local prisons with open regime could encourage prisoners to participate in such courses outside prison. This measure has multiple advantages that could enhance the prisoner's chances after release: gradual transfer to freedom, contact with real jobs and employers etc.

Action – when contracting vocational training, suppliers prisons and employment agencies shall stipulate in the terms of references that the suppliers shall cover in some cases the costs for traveling and accommodation of prisoners attending classes outside prison. This requirement is based on art. 2 of the Order no. 171/2004. To consolidate this provision it could be useful to amend HG no. 377/2002 in order to cover the following social costs for prisoners: medical assessments, medical tests for attending the classes and also travel costs to and from the training facility.

Another institution from outside prison that could facilitate employment after release and is involved also in prison activities is the probation service. This involvement of the probation service inside prison is more on the experimental and ad hoc bases. Although art. 3 alin. 2. Of OG 92/2000 provides for the probation services to co-operate with prison staff in offering reintegration programs for prisoners, due to limited resources, this is taking place very seldom. The Reduction of the Recidivism Risk after Imprisonment (RRR) is delivered in almost half of the prisons. In their case probation services participate in the running of the program and other agencies are invited to attend the Market Place session on a voluntary bases.

Recommendation no 9

In the transfer management of the prisoner from the inside to the outside world employment agencies, social services, local authorities, probation services, health services, drug agencies and so on shall have a stronger legislative bases with clear responsibilities, cooperation mechanisms and sanctions for non compliance.

Action – ANP shall initiate with the Ministry of Justice a draft law on interagency cooperation for prisoner reintegration. Before initiating this law ANP shall conduct a cost-benefit analysis that would compare the costs of one reintegrated offender with one recidivist. This analysis might provide convincing arguments for promoting such a law.

While the prisoner is inside the prison, the main responsibility for educative, health, cultural, social activities belong to the prison administration. The involvement of outside institutions or organizations in the prisoner's life is only isolated and that contributes to the 'civil death' of the prisoners.

Recommendation no. 10





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Probation services should be involved more in the treatment of prisoners especially in the last part of detention. The transfer of responsibility from prison to probation service should take place while the prisoner is still in prison. Prison service should contribute to this process. Probation service should take the responsibility for preparing all prisoners for release. Those prisoners that will not come under the probation supervision upon release shall be referred to social services by the probation service. In order for this provision to be implemented, important resources will have to be made available to probation services. Before probation services are able to implement fully this recommendation together with prison services, a list of priorities could be set up. For instance, juveniles and young offenders could be considered as a priority to pre-release and after-release services.

Social services should set up a special compartment or nominate special people within their structures to deal with ex-prisoners.

Other regulations regarding release should be adopted, such as:

- No prisoner shall be released without enough money to cope for at least two weeks.
- All prisoners shall also have a clear and realistic reintegration plan.
- No prisoner shall be released Fridays after 12 o'clock. Prisoners shall have enough time to get to the home place and find the available services still open for the public (e.g. social canteens, social services, temporary shelters etc.)

Action – Probation legislation under construction should have clear and explicit provisions regarding the involvement of probation services in the pre and post-release activities. Social services, employment agencies and so on should be invited to cooperate more with prisons in overcoming the social obstacles after prisoner's release.

Another potential difficulty in the process of reintegration is the lack of identity papers. Due to some bureaucratic reasons or because of the length of the prison sentence, some prisoners could be released without valid identity papers. This constitutes a major obstacle for the prisoner to access social benefit, temporary accommodation or social canteen since all of these rights depend on the identity paper.

Recommendation no. 11

ANP in partnership with local offices for population shall make sure that no prisoner is released without valid identity papers.

IV. 3. Post-release stage

As it was noted in the Section II of this report, post-release stage lasts from the first day of release up to 3-6 months after this moment. This stage is recognized in the literature as the most vulnerable stage in terms of the risk recidivism. Since the purpose of this report is to look into the employment, the next paragraphs will focus on the prisoner's reintegration into the labour market. This does not mean to understate the importance of other criminogenic factors. On the contrary, they are all acknowledged and recognized as important in preventing re-offending but they are not covered in this report.

Prisoners in Romania are released after serving the full sentence or on conditional release. Prisoners that work during detention can earn money. According to art. 62 alin. 1 lit. a) and b) of the





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Law no 83/2010, this income is divided between prisoner (40%) and prison administration (60%). One quarter (25%) from the income belonging to the prisoner is released only at the time of release. If the prisoner has no money in his/her account, than the prison administration will provide money for one way train ticket to the last domicile of the prisoner.

Bearing in mind that the number of prisoners that work on a labour contract and therefore have income is very small (2062 prisoners in 2010), the conclusion is that most of the prisoners leave the prison with no money or with the money provided by their families.

For those prisoners with no income and no support from their families, Law no 416/2001 provides that they are entitled to receive social benefit. The concrete level of this benefit depends on the income and the number of the family members. The procedure for accessing the social benefit is described in art. 6-12 of HG no. 1099/2001. Put simply, the prisoner can benefit from this right only after the local social services evaluate the situation at the candidate domicile through social inquiry report. In practice this means that prisoners could apply for this right only after release. The mayor has 30 days to approve or not the request. To conclude, prisoners with no work during detention and with no support from their families have no legitimate income for at least 30 days if they don't go straight into work.

More recently the Romanian Parliament adopted a new draft law on social work (ro. Legea asistenței sociale). Apart from other provisions this law provides that people in risk of social exclusion are entitled to receive social benefit and social services. Further more, companies that employ people receiving social benefit could benefit from fiscal facilities or other incentives (art. 9 alin. 8)). More over, the new law on social work identifies prisoners as a special target group eligible for social services (art. 31 alin. 2)). These social services will be defined further in a Social Service Registry (ro. Nomenclatorul Serviciilor Sociale)

Opportunity no. 1

ANP shall work with the Ministry of Justice in order to send to the Ministry of Labour, Family and Social Protection the following suggestions that shall be included in the methodological norms of this law:

- prisoners and ex-prisoner shall be explicitly defined as people in risk of social exclusion with all the corresponding rights,
- a fast track procedure to facilitate selected prisoners to receive social benefit in the first day of their release,
- a definite set of services provided in the Social Services Registry that are available for ex-prisoners, such as: temporary accommodation, counselling for getting into the labour market etc.

According to the current legislation, prisoners could be released conditionally or after serving the full sentence. In both circumstances there is no supervision or assistance provided to them. On the bases of the new Penal Code prisoners released conditionally with more than two years still to serve will come automatically under the supervision of probation service. As noted in the previous paragraph, the only contact between prison and probation staff in order to ensure an effective prisoner transfer is via one pre-release programme (RRR) and through the participation of probation staff in the conditional release commission.

Recommendation no. 12

On the bases of the English experience, it is recommended that prison and probation organizations will significantly enhance their cooperation. The first step into this co-operation would be inter alia with Rec. 10 for the probation service to take responsibilities for preparing prisoners for



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release. Prison administration shall contribute to this process. All prisoners shall have at least one meeting with probation service while still in prison. Prison and probation staff shall benefit from joint training on pre-release interventions. The second step of enhanced co-operation would be for the ANP to grant access to Probation Service into the EvDet application.

By doing that Probation Service will be fully informed about what has been achieved with the prisoners inside the prison.

For the prisoners that will not come under the probation supervision after release Probation Service or the Social Services shall set up a system of support and counselling. This could take the form of voluntary aftercare or a mentoring system that rely extensively on volunteers.

Action – on a short run, Probation Department shall take the subject of the prisoner's reintegration into the labour market to the National Commission for Social Inclusion (ro. Comisia națională privind incluziunea socială) set up in the HG no. 1217/2006.

On a long run, Probation Service will include in the draft law regarding the organizing and functioning of the national probation system one provision that states that probation services together with prison service will be responsible for preparing prisoners for release. Probation service shall act as the only integrating platform for transfer management. Concrete way of implementing this provision shall be discussed with the prison administration.

As mentioned above, prisoners face an important array of obstacles in the reintegration process. One of them is the criminal record. Due to the increased fear of crime, more and more employers demand a **copy of the criminal record** before recruitment (ro. copie de pe cazierul judiciar). In some cases this document could influence the decision to hire or not a candidate in spite of his/her competencies.

Recommendation no. 13

Ministry of Justice shall propose the Ministry of Internal Affairs to change art. 22 of Law no 290/2004 on the criminal record so that a differentiated criminal record system shall be set up as in other European states (see England and Wales or France). People should receive a type of document depending on the job they apply for.

Further more, even state institutions introduce in their recruitment policies or regulations that candidates even for the smallest jobs but with criminal history shall be excluded from recruitment. This restriction block the employment routs of sometimes well-qualified ex-prisoners and set a bad example for the employers in the private sector.

Recommendation no. 14

Ministry of Justice together with the National Council for Combating Discrimination should examine whether state and public agencies are entitled to exclude applicants with criminal records or if that is not discriminating.

Another important obstacle is the **public perception**. Although the public perception in Romanian towards offenders it is not known it can be assumed that ex-prisoners are not well received in all communities.

Recommendation no. 15

ANP could invite the Romanian Patriarchy (ro. Patriarhia Romana) to encourage priests to send to the local communities messages of social inclusion and forgiveness. The Orthodox Church has a very extended infrastructure and could convey this message even in the most remote villages.





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Other confessions should be also invited to participate in this campaign. Further more, the confessions could be invited to get more involved in developing social enterprises (ro. structuri de economie sociala) that would provide ex-prisoners concrete work places.

The public perception could be also challenged through media campaigns organized in a proactive manner. At the moment these media campaigns are more reactive (reacting to some bad events) than proactive. This new approach would focus more on building up a positive public image for those that spent their punishments. Artistic events could be also used to demonstrate the constructive contribution of offenders towards community.

When looking for employment ex-prisoners are treated by the employment agencies as any other 'persons searching for employment'. According to Law no. 76/2002, Law no. 116/2002 and Law no. 202/2006 with further modifications, people searching for employment could benefit from the following services:

- occupational counselling – focusing on information delivering regarding the job market, the self-assessment of the professional skills, technics on how to search for a job etc. Law no. 116/2002 provides that ANOFM shall set up a special department for young people between 16 to 25 years old.
- vocational training – people searching for employment are entitled to attend vocational training. During this program trainees could benefit from practical and theoretical classes, teaching materials, health and safety protection, medical assistance, travel reimbursement and so on.
- employment mediation – through providing information about vacancies, organizing workfares, connecting demand with offer of employment and so on. Based on Law no. 116/2002 young family men who executed a prison sentence are considered a vulnerable group and therefore are eligible for solidarity contract. According to this contract if a company employs this candidate ANOFM will reimburse the company the whole salary of this person for one year but not more than 75% of the average national salary. If after this time the company will employ the person for an indeterminate period of time ANOFM will reimburse the company 50% of the unemployment benefit that would have been awarded to the person if unemployed. This facility could be granted for maximum 2 years but only before the person turns 25 years old.

Recommendation no. 16

Bearing in mind that most prisoners in need for such a facility are those socially isolated and therefore with no family, it is recommended that the 'family man' sintagm shall be removed from art. 5 of the Law no. 116/2002.

It is also recommended that prisons inform all prisoners about this provision regarding the solidarity contract. The Commerce and Industry Chamber could be also invited to inform employers about this provision.

Apart from this financial facility companies shall be also stimulated to employ ex-prisoners based on social responsibility principles. Employment agencies or probation services shall develop networks of companies that are willing to employ ex-prisoners. They might be called 'Good Employers'. The examples of High:Five (Denmark) or Recycling lives (England) could be followed up in future employment projects. Projects like Recycling lives could also provide examples of 'green jobs' where ex-prisoners could work on manually dismantling electronic waste or help cleaning the inner rivers and so on. Green jobs made by (ex-) prisoners provide a positive image of the prison work, can be used to advertise competitive prison industry and service offers, and give a constructive self-esteem to the inmate by doing "useful job" for the whole community.





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IV. 4. Gender issue

At present, women prisoners are incarcerated mainly in one single prison – Tirgisor – located at about 80 Km North from Bucharest. Exception to this rule is the Bacau prison where about 200 women prisoners are detained.

In Tirgisor prison there are 647 women prisoner out of which 257 in semi-open regime and 109 in open regime. The others are either in close or high security regime. Almost half of the prison staff but only three out of eleven treatment staff is male.

During detention, prisoners are involved in educational and cultural activities and also in work programs. Due to the economic crisis, the number of women involved in paid labour contracts is very low. Only 29 female prisoners are employed outside prison by one tailoring company. Twelve prisoners are also employed inside prison by one handcraft company. Apart from that, prisoners are involved on a no-pay basis in voluntary activities (16), gardening (10), kitchen (16), animal industry (7) etc. Moreover, prisoners could attend different vocational classes such as: bakery, gardening, hair style, IT and tourism industry. Although there are in the prison courtyard some large halls from the former Multiproduct company, they don't belong to the prison and are not available for prison work industry.

The present analysis on gender-related programs towards female offenders is to considerate under two complementary prerequisites. The first one stipulates that all the previous developments on reintegration remain accurate and are to be taken into consideration while handling with women confronted to the penal justice system. The second one assumes though that women, since they've been socialised differently and suffer more discriminations in various areas because of their gender, have specific needs to be addressed and tackled in an additional chapter as it is done hereby.

IV.4.1. European situation of women prisoners

*"I have first-hand experience of the **devastating impact** both to the family unit and society as a whole when a woman is sent to prison ... homes are lost and then various agencies become involved in attempts to rehouse, kids go into care and so forth, it is vicious, costly and traumatising."*¹⁶

The European Parliament observed in 2008 in its report "Women in Europe" the women prisoners constitute an average of roughly 4.5% to 5.0% of the total prison population (from 2.9% in Poland to 7.8 % in Spain), the last available figure being a 4.9%-mean at the 1st of September 2009. Given the fact that the number of women prisoners in many European countries has been **increasing** (Mclvor, 2007), sometimes even faster than the size of the men's prison population, there is a need to address the issue at a European level.

The Council of Europe stated in its resolution 1663 (2009) that "prisons are indeed designed with men in mind. Because of this, and because women prisoners often have lower social and educational levels than their male counterparts, prisons, prison regimes and prison rehabilitation and education programmes **often do not address the specific needs of women**". The resolution considers also that "because of the relatively small number of women prisoners and women on remand, there are fewer prisons which accommodate women and even fewer places for women in pre-trial detention. This means that women are imprisoned further away from home, cutting family

16 Clive Chatterton, former governor of Styal's women's prison in Cheshire, 11 February 2012, <http://www.guardian.co.uk/society/2012/feb/11/women-prisons-urgent-reform-needed>



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ties. In fact, in some European countries, there is only one single-sex women's prison, which means that women prisoners may be placed a long way from their homes and families."¹⁷

Consequently, at the end of detention, and although many problems women face during re-entry into society are similar to that of men, the intensity and multiplicity of their post-release needs can be very different. Women are likely to suffer particular **discrimination** after release from prison, due to social stereotypes. They might be rejected by their families and in some countries they may lose their parental rights (Handbook, 2008:22). The resolution 1663 (2009) concludes pointing out that, "as regards the social reintegration of women prisoners, [it is] to ensure that the needs of female prisoners upon release are addressed, such as homelessness, unemployment, workforce discrimination and regaining custody of children, thereby reducing the risk of re-offending".

Another important regulation is the Recommendation 1469 (2000) on mothers and babies in prison. Since **more than half of female offenders and prisoners are also mothers**, they face several difficulties as to be a single mother, and/or to be pregnant, then they have to deal with birth, breastfeeding and postnatal health.¹⁸ Besides, 25% of the imprisoned women declared that the father of their children, their husband or partner, was taking care of their children, opposite 92% of imprisoned men who declared that their children were under the care of their mother, wife, or partner (*MIP Project*, 2005).

Furthermore, women prisoners generally serve **shorter sentences** so it is harder for individual women to complete educational courses (especially higher level distance learning courses) and to get work. With fewer women in a women's prison than men in a men's prison, companies are less interested in outsourcing. It also means that training providers are less interested in serving women's prisons. While policies may encourage education and training in prison to the highest level, it may be very difficult for prisons to put this into practice. Moreover, mothers caring for babies in prison may not have crèche facilities available so that mothers are effectively barred from participating in most prison activities. Finally, many programmes provided for women are in traditionally feminine areas of work such as sewing and hairdressing, thus reinforcing **gender stereotypes** and women's disadvantaged place within the labour market (*Cliveti*, 2008).

In many European prisons, a division is observed between vocational training and the demands of the labour market. On the one hand, in the majority of the penitentiary centres, a much **feminized job training** is offered, which claims to develop the skills and abilities traditionally attributed to women in the cultural and societal female role (dressmaking, hairdressing, cleaning, textiles, etc.). Also, because these measures may favour the perpetuation of **social inequalities**, which occur according to gender, they are skills that do not receive a highly valued response in the labour market, where even in some practices, they are not in high demand. And, in the case of there being a job opening, it is always in feminized sectors, that is, in very precarious labour conditions (*MIP Project*, 2005).

Another issue to consider when making vocational training and the reduction of recidivism a priority is the structure of work in prisons, which may deter women from participating in education and vocational courses (*Hamlyn and Lewis*, 2000).

17 In January 2012 opened the second women's prison in the Czech Republic with a capacity of 151 inmates in Velke Prilepy near Prague. In Serbia, the unic women prison has a capacity of 180 inmates but host in 290 women (February 2012, Retrieved at http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2012/02/06/feature-03

18 In January 2012, Georgian female inmates started a hunger strike because they want to reform legislation in order to keep their children with them during detention.





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To synthesise, following **specific problems** in the context of the prison regime and treatment have been found:

- **mothers** with minor children outside or inside the hospital if necessary (in of mother-child facilities in the institution);
- **Family relationships** and attachment issues (divorce, separation, dependency, etc.);
- **Mental health problems**¹⁹, such as
 - the increased proportion of women with depressive symptoms,
 - experiences with suicide attempts, threats regarding self-harm tendencies,
 - addiction to drugs, alcohol, medicine;
- Previous experience of **victimization** (violence, child abuse, rape) and degradation and related trauma, problems with respect to a low self-esteem;
- Experience of **stigma**;
- **detention-related** problems such as poor housing conditions (confined spatial conditions, overcrowding and other stress factors, lack of activities, work, education, etc.),
- **distant home** accommodation and facilities made it difficult to keep contact with family and other relevant persons (*Dünkel*, 2005:42).

IV.4.2. 'What work' studies

There are difficulties on finding evidence-based studies on female offenders (*Heidemann et al.*, 2008), confirming what a former European project, since if there is in almost all countries **insufficient data or studies** on persons in conflict with the law, there is an even greater lack of data and knowledge of women in the criminal justice and penal system (*MIP Project*, 2005). However, there is a need for **gender-specific or gender-responsive strategies** that promote socially just criminal justice policies and programs for women, their children and their families (*Bloom*, 2003; *Worrall*, 2009; *Bergseth*, 2011).

Moreover, a literature overview suggests that “there is also evidence to suggest that woman’s responses to, and experiences of, incarceration are different from men’s, that women do not have **equitable access** to resources in the community upon release and that the issues they face in terms of reintegration are often contextually different from men’s – even though the problems may have the same labels (addiction, homelessness, unemployment, and housing)” (*Hannah-Moffat*, 2004: 244).

A important study was conducted in England & Wales with a sample of 567 women prisoners to examine the current status of work and training regimes in women’s prisons. A subsample of 178 women from the original survey who had been released for a period of five to nine months were re-interviewed in order to find out about their post-release labour market experiences and how these related to their prison experience (*Hamlyn and Lewis*, 2000). Nine in ten inmates had held at least one prison job during their sentence. The most common jobs were those that served to assist in the **running and maintenance of the prison**, for example cleaning, kitchens and gardening.

Still according to the *Hamlyn and Lewis* survey (2000), over a third (37%) of interviewed women had found work since release, and 25 per cent were in work at the time of interview. Labour market success tended to be related to respondents’ **pre-prison work record** rather than what they

19 At Styal women’s prison, some 80 per cent of inmates had at least one diagnosed mental health issue, while 70 per cent had two or more (January 2012), http://menmedia.co.uk/manchestereveningnews/news/s/1469452_mental-health-issues-hit-4-out-of-5-inmates-at-styal-womens-prison





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achieved in prison. Shorter-term prisoners had greater success in the labour market than those serving sentences of more than a year. Jobs had been obtained mainly through family or friends, small ads, or by returning to the same job as before prison. Only half of respondents with work experience on release had informed their employer about their **criminal record**.

As to drug addiction and drug-related treatment program, a recent study showed that women offenders who completed the **aftercare program**, or who had longer treatment duration, and those who had participated in an **in-prison program** prior to parole had reduced risk of recidivism (*Gella and Rodriguez, 2011*).

On another level concerning interpersonal interactions and relations, “**families** are an important influence on many aspects of prisoners’ lives. Family contact is associated with lower rates of self-harm while inside prison. Families are one of the most important factors affecting prisoners’ rehabilitation after release” (*Murray, 2005: 442*). Family ties are decisive in reoffending since half of released prisoners who had no contact with family members during imprisonment had completed a year of parole without being re-arrested, compared to 70% of those who had at least three visitors while in prison (*Laing and McCarthy, 2004: 15*). The wider literature on desistance which has identified women’s relationships (with children, parents or partners) as crucial with respect to the process of **desistance** from crime (*McIvor et al., 2009: 356*).

As to intervention programs effectiveness, a meta-analysis shows that “the principles of **risk, need and general responsivity** were important contributors to treatment outcome for female offenders” (*Dowden and Andrews, 1999: 448*), and thus corroborating the findings under II.3. (see above).

A qualitative survey focusing on women offenders under non-custodial supervision stated that the organisation *Women in Focus* was informed by the principles of a desistance-based approach; this included an expectation that making support available to women, with the objective that they would meet the requirements of a court order, would reduce the likelihood of breach. Significant attention was placed upon the **relationship between the support worker and service-user**, which included practical support and models of problem-solving; and a focus on improving the service users’ well-being (*Burgess et al., 2011: 7*).

Mentoring is widely regarded as a positive form of post-prison support for women. However, the results of a study of mentoring reveal that many women drop out early in the mentoring experience: many prior even to meeting their mentor in prison and as many as half directly upon release. It therefore considered the question of the suitability of mentoring. It asked why mentoring seems ‘right’ for some women and not others and reports the characteristics and opinions of women for whom mentoring was a good option. Finally, it considered the contemporary environment of post-release support and programming, observing the increasing fragmentation of support services for women amid continuing efforts by state agencies to control the form and approach of post-prison service delivery. It concludes with suggestions for how a **supportive post-prison environment**, so important to mentoring, might be integrated into release planning (*Brown and Ross, 2010*).

In another survey with former incarcerated women in Australia, “although 62 women interviewed after 12 months had had some contact with welfare agencies since their release from prison, the **greatest support** the women had received was usually said to have come from family members (most often mothers), partners and friends” (*McIvor et al., 2009: 354*).

Finally, as one of the most important gender-related desistance factors shall be mentioned **self-efficacy and self-worth** (*McIvor, 2009*); Hannah-Moffat puts it that way: “A successful re-integration plan is one that moves towards **autonomy** and away from control by others. Research on women who manage to stay out of the system indicates that those most likely to ‘succeed’ take control of their lives and thus change directions” (2003: 45).





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As authors underline it, “the needs of women reentering their communities from prison are so complex, approaches that respond to only one or two areas of need are not likely to be successful if equally compelling needs are left unaddressed” (*O’Brien and Young, 2006: 365*). At a practical level, this meant that women could have easier access to a range of **non-statutory services** through one initial contact point and could avoid the time and cost associated with having to make contact individually with a range of service providers. This has parallels with the ‘**one stop shop**’ **model** that is generating growing interest in the UK (*McIvor et al, 2009: 358; see following*).

IV.4.3. Examples of good practices²⁰

In South Australia, for instance, women prisoners train guide dogs. In New South Wales (Australia), women may be involved in building maintenance and landscaping projects. However, employment programs have not been evaluated to test their effectiveness in preventing recidivism (*Cameron, 2001: 4*).

UK

There was a **196% increase** in the number of women remanded into custody between 1992 and 2002 compared to a 52% increase for men. Since that date the population appears to have stabilized at around 4,100 (January 2012). Women more frequently than men are the main carers of children. They are often **single parents**. Two-thirds of women prisoners are mothers. Only one quarter of children of women prisoners live with their biological or current fathers. Only 5% of children stay in their own homes after mother’s imprisonment.

There are only a few women’s establishments dedicated as **resettlement prisons**. These include two open women’s prisons (East Sutton Park and Askham Grange), two semi-open (Drake Hall and Morton Hall) and two closed prisons which currently have designated resettlement units (Send and Downview). In addition HMP Eastwood Park has opened a small (18 bed) resettlement unit.

Established in 1983 by Chris Tchaikovsky (a former prisoner), *Women in Prison* (WIP) is an organisation that supports and campaigns for women affected by the Criminal Justice System. Based in London, Woking and Manchester, WIP is the only women-centred and women-run organisation that provides specialist services to women affected by the criminal justice system both in prison and in the community throughout England. It provides:

- A national **free-phone** advice line and advice by Freepost letter;
- **Information sessions** in all 13 women’s prisons and in the community, providing women with advice and information regarding housing, legal, financial, education, employment and other resettlement;
- **‘Through the Gate’** holistic resettlement casework and support for women being released from prison into the community;
- A specialist support for women affected by the Criminal Justice System from **black and ethnic minority groups**;
- A specialist community-based support project for women with a history of **diagnosed mental illness**;
- Free and confidential counselling services, offering up to **12 weeks counselling** with a qualified counsellor;
- **Parenting support**, supporting women and children dealing with the impact of separation due to imprisonment.

20 There were no evaluation survey to find for this „promising“ practices.



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Another good practice is illustrated by the Asha Centre in Worcester addressing effective gender-related principles:

- **women-only** because of sexual and/or physical abuse
- a **single-centre**, also considered as a one-stop shop
- **specific women-centred resources**

The Asha Centre in Worcester was established in its present form in 2002 and has a national reputation for its work with disadvantaged women. It offers women easy, immediate and confidential access to a range of services such as health, legal advice, debt management, careers guidance, and general information. The centre runs a women's programme which aims to change offending behaviour through tackling the reasons that women are offending in the first place, such as abuse, drug misuse and low self-esteem.²¹

France

Few prisons accommodate women (63 of 186) and most of them are located in the northern half of the country. Women prisoners often occupy small areas reserved in institutions admitting men: their management disappears in a device designed primarily for men. Because of the strict separation of men and women being and because of low number of inmates, there are very few areas dedicated to women. Services and activities, whether in work, training or leisure, are much **less available**.

The organisation *Parcours de femmes* was founded in 1995 together with professionals (2 full-time positions) and volunteers. Its offices and its headquarters are located in Lille, North of France. It implements support and counseling actions, provide help towards reintegration and prevention of recidivism of incarcerated women placed under judicial supervision. The association was created to remedy a situation of inequality and discrimination of men / women. In fact, if there are so few women in prison, this minority causes particular difficulties when holding with negative consequences towards release that hinder their reintegration.

Once "out", rehabilitation is more difficult and uncertain than for men, especially since it was least prepared "inside". In addition, incarcerated women are more stigmatized by society than men.

In view of these difficulties and injustices, the organisation was created to:

- **Assist** women prisoners to prepare their release;
- **Accompany** these women in their return to freedom and their desire for autonomy.
- Act to **prevent** recidivism.
- Provide a platform for incarcerated women to make institutions and stakeholders **aware of the gender issue**.

At its creation, the goal of *Parcours de femmes* was to inform women and support women after they left prison. However, since 2001, they propose **systematic visits** to women who request it. The social worker in charge of visits spends day a week in one prison and one day every three weeks at another one.

In 2010, the organisation has made 637 visits to 94 women prisoners. 37% of women (65) were encountered only once. These are most often women who have a very long sentence (more than three years) or conversely very short sentences (2 or 3 months). 27% (51) women were interviewed four times and more. These are the ones we work on a **release project**. This preparatory work sometimes takes place long before the release.

21 <http://ashawomen.org.uk/>





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This figure moderates the steady increase recorder for several years even if the number of cases remains high. This is explained by the fact that the occupancy rate of women in the district prison went down since 2008 and 2009 (from an average of 125 women, it decreased down to 90 in 2010).

- Number of cases filed in 2010: 86
- Number of cases filed before 2010 (continued accompaniments): 108
- Number of women in prison incarcerated or released during the year 2010: 188

The supervised women are overwhelmingly coming from **socially disadvantaged backgrounds**. 52% had no fixed resources prior to incarceration and 30% were recipients of social welfare. Only 12% of women worked prior to their detention. They were employed in low-skilled jobs (handling, maintenance, restoration, employee).

56% of this clientele (105 women) were **not graduated**. The distribution of 82 women having finished school still illustrates their low level of education: 69% of them have an educational level of Level VI or Level V (minimum levels). The supervised women are mostly mothers: 69% (130) of them have at least one child. The majority of supervised women (83) are between the age of 25 and 40 years. This means also that most of their children are minors. Further, 51% of mothers are single parents (separated, divorced, single or widowed). Their networks of family or friends are often degraded and they receive few visits from their relatives in detention. It turns out that when they are couples, many spouses are also imprisoned.

It must therefore take into account the parent-child dimension as part of the provided support. The organisation does not work directly with children but for the care and support of the mother, works to strengthen family ties, and to restore and/or maintain them during incarceration and after release.

42% (79) of those who contacted the association are incarcerated for less than one month and 62% are incarcerated for less than 6 months (117 women). This early contact confirms the importance of the flow of **information through word of mouth** among fellow prisoners, especially for persons who find it difficult to seek help. As a result, 82% were aware of the organisation and we were contacted through a fellow inmate in 2010.

The majority of women accompanied by the organisation (63%) are "primary", that is to say incarcerated for the first time. The number of re-offenders has fallen slightly compared to 2009, it decreased from 39% to 35% in 2010. 13% were in pretrial detention. As to the main reasons for detention, there are:

- Drug-related offenses (23%), partly due to the geographic border with Belgium and the short distance to the Netherlands;
- Theft and extortion (22%);
- Homicides and attempted homicides (19%);
- Attacks on the person, assault (19%).

34% of supervised women are sentenced to less than one year, with an average of 6 months. 64% are sentenced to more than 1 year: 33% of them are serving sentences between 1 and 3 years (average of 17 months) and 31% long sentences (above 3 years, average of 11 years). The majority of the clientele was released in 2010 (51%) and 29% of open cases will be released in 2011. However, 14% of them won't be released before 2013. Among the 194 supervised in 2010, only 80





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(43%) had worked during detention, which still doesn't mean a full-time and regular job since work can be interrupted at any time for disciplinary reasons, illness, lack of activity, etc.

IV.4.4. Gender-oriented recommendations

Considered as a milestone in the gender approach of women within the criminal justice system, the *Corston* report underlines “the need for a distinct, radically different, visibly-led, strategic, proportionate, holistic, woman-centred, integrated approach” (*Corston*, 2007). Out of this concept and the previous findings presented above, at least some recommendations shall focus on women as a particular vulnerable group.

Recommendation no. 1: Comprehensive recommendation: Self-efficacy

As mentioned above, the first step to an effective reentry process for women is to gain back their autonomy and independency upon their own life. Preconditions for such a change are social-behavioral programs on the one hand and intensive and continuous throughcare on the other hand in order to provide female offenders with a dynamic and structured environment in which they might be able to feel responsible for themselves and to formulate realistic plans.

Recommendation no. 2: Structural prison reform: “small local custodial units”

The current prison policy to place female offender in big women penitentiaries has shown dramatic weaknesses in many European countries. Many reasons speak for a reintegration of women along men structures: they would be back in city centers in order to facilitate visits, leaves and other measures linked with the community, they could have access to a more diversified staff and activities' offer, they would benefit from common expensive structures (workshops, sport hall, etc.), and they could build more qualitative relationships to the prison staff and the other inmates.

Recommendation no. 3: Keep the gender-balance: involving male staff

A good care policy shall involve men (as social workers, supervisors, mentors, etc.) as far as possible in order to reach the three following objectives: break stereotypes both genders have towards each other; avoid disadvantages of a mere one-gender context; and especially promote a positive male image towards women who have often suffered from negative men influence, domination or even violence. At such, one shall be aware of the difficult balance between an easier understanding- and trust-based relationship for female offenders with female staff and a complete rejection or absence of male staff in penal proceedings.

Recommendation no. 4: Rethinking work opportunities: non-discriminative jobs

Education, vocational training and job offers shall have quality standards of the same kind provided and expected in men's professional areas. As to work abilities, there is no difference between male and female population. That the reason why reentry programs shall have as a goal a full-time, first-labour-market oriented and skillful position, even if realistic chances are sometimes underneath (The higher, the better).

Recommendation no. 5: Women to Women: “One-stop-shop”

This is meant to take into consideration the vulnerable and specific characteristics of female offenders, especially opposed to men. These women have faced along their penal history domination and violence from men and shall be protected as they are in the reintegration process, which means for instance not to confront them with male offenders and therefore to create women-only structures providing support that target women needs. Moreover, to decrease fear and mistrust towards men as a whole, the first accompanying move shall be made by and with an exclusively female staff as long as female offenders haven't physically and psychologically reconstructed themselves. Such a centralized and specialized structure provides on a horizontal and vertical scale





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information, advice, education and training and also encourages women to access service such as legal advice, debt management and careers guidance. The One-stop-shop enables therefore a clear and easy pathway for vulnerable women to obtain both services and autonomy along their reentry process.

Recommendation no. 6

The rooms that once belonged to the Multiproduct company should come under the prison administration in order to be used for work industry and vocational training.

Recommendation no. 7

Finally, one further recommendation shall address the criminal policy and sanction practices because “too many women experience **unnecessary prison sentences**” (Worrall, 2009: 336). For instance in England & Wales, most women serve short sentences for less serious offences – almost two thirds of all women sentenced to custody between 2010 and 2011 were serving six months or less and over a third were serving sentences for theft and handling stolen goods. Up to 25 per cent of new female prisoners were in jail last year for breaching community orders or the terms of their release licenses.

IV.5.





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Conclusions

To conclude this section of the report, one shall observe that working with ex-convicts to enhance their employability is a complex mission involving not only employment strategies, but also interventions in the connecting areas like: education, identity papers, motivation, substance misuse and so on. As mentioned in the report, in order to increase the employment prospects of the ex-convicts interventions should target the development of human capital (developing motivation, skills, knowledge etc.) but also legitimate opportunities (through developing the employers network). More over interventions should also remove the legal obstacles (rigid and undifferentiated criminal record system) and the social obstacles (public opinion) that undermine the reintegration efforts.

Apart from different interventions, the strategy of reintegrating ex-convicts into the job market should also involve a clear and coherent process that promotes: integrity, continuity, consistency and strong relationship between prisoner and the caregiver. Due to their specificity, women prisoners should enjoy both general employment services and also particular support services in order to be successful on the job market.

From this analysis, it becomes clear that the key actors involved in prisoner's reintegration are prison service, probation service, social services and employment agencies. It is strongly recommended that a special inter-agency law will be adopted to enhance the cooperation potential between these agencies.



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V. Summary of recommendations

V.1. Institutional stage

Recommendation no 1

Bearing in mind that one criterion is 'the possibilities for reintegration', it is recommended to involve as guests representatives from social services, employment agency or other competent authorities that could contribute to the social reintegration of the prisoner after release. When prisoner has been involved previously with probation service (e.g. prisoner was under the probation supervision, different reports were drafted for the prisoner etc.) all the relevant information shall be transferred to prison social reintegration service.

Action – art. 14 from Law no. 83/2010 shall include one more paragraph stating that when deemed necessary the president of the commission could invite representatives from relevant and competent authorities to contribute to the execution plan.

A communication system between prison and probation shall be set up to ensure a more direct communication and flow of information. IT could be of important assistance in this respect.

Recommendation no 2

It is desirable for ANP in partnership with Ministry of Education, Research, Youth and Sport to find solutions to increase the number and the level of formal education in prisons, including high school level.

It is also recommended that prisoners in open regime shall attend school in the normal school from the community if geographical conditions allow it.

Action – administrative mechanisms (e.g. protocols).

Recommendation no 3

While understanding the associated risks of deprofessionalization it is recommended that the 9 month limit should be abandoned. Prisoners should be able to attend vocational training during the whole detention time. Once this requirement is removed prisoners will be able to participate in more than one vocational training and therefore their employment perspectives could be improved significantly. To tackle the risk of deprofessionalization debriefing or refreshment courses could be organized from time to time. Furthermore, this risk could be also diminished if the prisoner has the opportunity to practice his/her new qualification during detention.

Action – art. 66 alin. 4) of Law no. 107/2004 shall be reformulated so that the 9 months limit is removed. This also applies to the subsequent regulations.

Recommendation no 4

ANOFM in partnership with ANP should run market analysis so that the training classes will be organized according to the market demands and not only based on the existing infrastructure and prisoner's level of education. Commerce and Industry Chamber (ro. Camera de Comerț și Industrie) could be also involved since it represent the potential employers.



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Action – ANP representatives could ask ANOFM to conduct such an analysis. According to art. 6 alin. 1. lit. n) of Law no 202/2006 ANOFM is responsible for organizing, financing or coordinating reports, studies etc. that inform future policies or programs. Commerce and Industry Chamber could be also invited to contribute

Recommendation no 5

Following the example of Denmark, the competencies used by prisoners in all these types of work could be certified in order to provide prisoners with documents attesting their work abilities. Further more, hard working prisoners could be also rewarded with recommendation letters from the prison administration. This letter shall include information on the activities and programmes that prisoner conducted in prison.

Action – ANP representatives could ask vocational training suppliers (established according to art. 6 of OG no 129/2000) to evaluate and certify competencies used by prisoners during their work.

Prisons shall use more extensively the provision of the internal order regarding the rewards for voluntary work in order to enhance the prisoner's motivation to work inside and outside prison.

V. 2. Pre-release stage

Recommendation no 6

Prisoners in open regime shall be able to enjoy as much freedom as possible without putting in danger the public safety. Therefore, prisoners shall be able to attend vocational or educational classes outside prison, work in a 'normal' company, attend job interviews, visit social services or probation services and so on. If the open prison is in a remote place measures shall be taken to set up external sections or half-way houses close to the places that provide relevant opportunities for the prisoners. In order to structure the decisions regarding the risk or escape, self-harm and re-offending, Prison Administration shall develop an actuarial tool.

Action - prisons could use the existing infrastructures (e.g. GAZ) and transform them in half-way houses or inclusion centres. These centres shall provide temporary accommodation for prisoners while in open regime or after release.

Recommendation no 7

Following the example of Denmark, prisoners in open prisons shall be encouraged to visit the Employment Agency, Social Services, Probation Service or potential employers before released. By doing that prisoners can be treated in their natural environment.

Recommendation no 8

In order to increase the number of vocational courses during pre-release stage, local prisons with open regime could encourage prisoners to participate in such courses outside prison. This measure has multiple advantages that could enhance the prisoner's chances after release: gradual transfer to freedom, contact with real jobs and employers etc.

Action – when contracting vocational training suppliers prisons and employment agencies shall stipulate in the terms of references that the suppliers shall cover in some cases the costs for traveling and accommodation of prisoners attending classes outside prison. This requirement is based on art. 2 of the Order no. 171/2004. To consolidate this provision it could be useful amend HG no. 377/2002 in order cover the following social costs for



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prisoners: medical assessments, medical tests for attending the classes and also travel costs to and from the training facility.

Recommendation no 9

In the transfer management of the prisoner from the inside to the outside world employment agencies, social services, local authorities, probation services, health services, drug agencies and so on shall have a stronger legislative bases with clear responsibilities, cooperation mechanisms and sanctions for non compliance.

Action – ANP shall initiate with the Ministry of Justice a draft law on interagency cooperation for prisoner reintegration. Before initiating this law ANP shall conduct a cost-benefit analysis that would compare the costs of one reintegrated offender with one recidivist. This analysis might provide convincing arguments for promoting such a law.

Recommendation no. 10

Probation services should be involved more in the treatment of prisoners especially in the last part of detention. The transfer of responsibility from prison to probation service should take place while the prisoner is still in prison. Prison service should contribute to this process. Probation service should take the responsibility for preparing all prisoners for release. Those prisoners that will not come under the probation supervision upon release shall be referred to social services by the probation service. In order for this provision to be implemented, important resources will have to be made available to probation services. Before probation services are able to implement fully this recommendation together with prison service a list of priorities could be agreed. For instance, juveniles and young offenders could be considered as priority to pre-release and after-release services.

Social services should set up a special compartment or nominate special people within their structures to deal with ex-prisoners.

Other regulations regarding release should be adopted, such as:

- No prisoner shall be released without enough money to cope for at least two weeks.
- All prisoners shall also have a clear and realistic reintegration plan.
- No prisoner shall be released Fridays after 12 o'clock. Prisoners shall have enough time to get to the home place and find the available services still open for the public (e.g. social canteens, social services, temporary shelters etc.)

Action – Probation legislation under construction should have clear and explicit provisions regarding the involvement of probation services in the pre and post-release activities. Social services, employment agencies and so on should be invited to cooperate more with prisons in overcoming the social obstacles after prisoner's release.

Recommendation no. 11

ANP in partnership with local offices for population shall make sure that no prisoner is released without valid identity papers.



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V. 3. Post-release stage

Opportunity no. 1

ANP shall work with the Ministry of Justice in order to send to the Ministry of Labour, Family and Social Protection the following suggestions that shall be included in the methodological norms of this law:

- prisoners and ex-prisoners shall be explicitly defined as people in risk of social exclusion with all the corresponding rights,
- a fast track procedure to facilitate selected prisoners to receive social benefit in the first day of their release,
- a definite set of services provided in the Social Services Registry that are available for ex-prisoners, such as: temporary accommodation, counselling for getting into the labour market etc.

Recommendation no. 12

On the bases of the English experience, it is recommended that prison and probation organizations will significantly enhance their cooperation. The first step into this co-operation would be inter alia with Rec. 10 for the probation service to take responsibilities for preparing prisoners for release. Prison administration shall contribute to this process. All prisoners shall have at least one meeting with probation service while still in prison. Prison and probation staff shall benefit from joint training on pre-release interventions. The second step of enhanced co-operation would be for the ANP to grant access to Probation Service into the EvDet application. By doing that Probation Service will be fully informed about what has been achieved with the prisoners inside the prison.

For the prisoners that will not come under the probation supervision after release Probation Service or the Social Services shall set up a system of support and counselling. This could take the form of voluntary aftercare or a mentoring system that rely extensively on volunteers.

Action – on a short run, Probation Department shall take the subject of the prisoner's reintegration into the labour market to the National Commission for Social Inclusion (ro. Comisia națională privind incluziunea socială) set up in the HG no. 1217/2006.

On a long run, Probation Service will include in the draft law regarding the organizing and functioning of the national probation system one provision that states that probation services together with prison service will be responsible for preparing prisoners for release. Probation service shall act as the only integrating platform for transfer management. Concrete way of implementing this provision shall be discussed with the prison administration.

Recommendation no. 13

Ministry of Justice shall propose the Ministry of Internal Affairs to change art. 22 of Law no 290/2004 on the criminal record so that a differentiated criminal record system shall be set up as in other European states (see England and Wales or France). People should receive a type of document depending on the job they apply for.

Recommendation no. 14

Ministry of Justice together with the National Council for Combating Discrimination should examine whether state and public agencies are entitled to exclude applicants with criminal records or if that is not discriminating.

Recommendation no. 15





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ANP could invite the Romanian Patriarchy (ro. Patriarhia Romana) to encourage priests to send to the local communities messages of social inclusion and forgiveness. The Orthodox Church has a very extended infrastructure and could convey this message even in the most remote villages. Other confessions should be also invited to participate in this campaign. Furthermore, the confessions could be invited to get more involved in developing social enterprises (ro. structuri de economie sociala) that would provide ex-prisoners concrete work places.

The public perception could be also challenged through media campaigns organized in a proactive manner. At the moment these media campaigns are more reactive (reacting to some bad events) than proactive. This new approach would focus more on building up a positive public image for those that spent their punishments. Artistic events could be also used to demonstrate the constructive contribution of offenders towards community.

Recommendation no. 16

Bearing in mind that most prisoners in need for such a facility are those socially isolated and therefore with no family, it is recommended that the ‘family man’ stigma shall be removed from art. 5 of the Law no. 116/2002.

It is also recommended that prisons inform all prisoners about this provision regarding the solidarity contract. The Commerce and Industry Chamber could be also invited to inform employers about this provision.

Apart from this financial facility companies shall be also stimulated to employ ex-prisoners based on social responsibility principles. Employment agencies or probation services shall develop networks of companies that are willing to employ ex-prisoners. They might be called ‘Good Employers’. The examples of High:Five (Denmark) or Recycling lives (England) could be followed up in future employment projects. Projects like Recycling lives could also provide examples of ‘green jobs’ where ex-prisoners could work on manually dismantling electronic waste or help cleaning the inner rivers and so on. Green jobs made by (ex-) prisoners provide a positive image of the prison work, can be used to advertise competitive prison industry and service offers, and give a constructive self-esteem to the inmate by doing “useful job” for the whole community.

V. 4. Gender specific recommendations

Recommendation no. 1: Comprehensive recommendation: Self-efficacy

As mentioned above, the first step to an effective reentry process for women is to gain back their autonomy and independency upon their own life. Preconditions for such a change are social-behavioral programs on the one hand and intensive and continuous throughcare on the other hand in order to provide female offenders with a dynamic and structured environment in which they might be able to feel responsible for themselves and to formulate realistic plans.

Recommendation no. 2: Structural prison reform: “small local custodial units”

The current prison policy to place female offender in big women penitentiaries has shown dramatic weaknesses in many European countries. Many reasons speak for a reintegration of women along men structures: they would be back in city centers in order to facilitate visits, leaves and other measures linked with the community, they could have access to a more diversified staff

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and activities' offer, they would benefit from common expensive structures (workshops, sport hall, etc.), and they could build more qualitative relationships to the prison staff and the other inmates.

Recommendation no. 3: Keep the gender-balance: involving male staff

A good care policy shall involve men (as social workers, supervisors, mentors, etc.) as far as possible in order to reach the three following objectives: break stereotypes both genders have towards each other; avoid disadvantages of a mere one-gender context; and especially promote a positive male image towards women who have often suffered from negative men influence, domination or even violence. At such, one shall be aware of the difficult balance between an easier understanding- and trust-based relationship for female offenders with female staff and a complete rejection or absence of male staff in penal proceedings.

Recommendation no. 4: Rethinking work opportunities: non-discriminative jobs

Education, vocational training and job offers shall have quality standards of the same kind provided and expected in men's professional areas. As to work abilities, there is no difference between male and female population. That the reason why reentry programs shall have as a goal a full-time, first-labour-market oriented and skillful position, even if realistic chances are sometimes underneath (The higher, the better).

Recommendation no. 5: Women to Women: "One-stop-shop"

This is meant to take into consideration the vulnerable and specific characteristics of female offenders, especially opposed to men. These women have faced along their penal history domination and violence from men and shall be protected as they are in the reintegration process, which means for instance not to confront them with male offenders and therefore to create women-only structures providing support that target women needs. Moreover, to decrease fear and mistrust towards men as a whole, the first accompanying move shall be made by and with an exclusively female staff as long as female offenders haven't physically and psychologically reconstructed themselves. Such a centralized and specialized structure provides on a horizontal and vertical scale information, advice, education and training and also encourages women to access service such as legal advice, debt management and careers guidance. The One-stop-shop enables therefore a clear and easy pathway for vulnerable women to obtain both services and autonomy along their reentry process.

Recommendation no. 6

The rooms that once belonged to the Multiproduct company should come under the prison administration in order to be used for work industry and vocational training.

Recommendation no. 7

Finally, one further recommendation shall address the criminal policy and sanction practices because "too many women experience **unnecessary prison sentences**" (Worrall, 2009: 336). For instance in England & Wales, most women serve short sentences for less serious offences – almost two thirds of all women sentenced to custody between 2010 and 2011 were serving six months or less and over a third were serving sentences for theft and handling stolen goods. Up to 25 per cent of new female prisoners were in jail last year for breaching community orders or the terms of their release licenses.





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VI. Action Plan

Activity 1	Organize and run public campaign.
Activity 2	Organize public campaign in partnership with The Orthodox Church and representatives of other confessions.
Activity 3	Run the market analysis.
Activity 4	Take concrete measures to increase access to education in prison and outside.
Activity 5	Take concrete measures to promote prison leave for open prison prisoners. Draft an application for risk/needs assessment.
Activity 6	Take concrete measures to encourage vocational courses outside prison for open prison prisoners.
Activity 7	Take concrete action to ensure that all prisoners have identity papers upon release.
Activity 8	Identify and work with providers that could certify skills of the first level of competencies.
Activity 9	Introduce the suggested changes into the existing laws or draft laws.
Activity 10	Run the cost-benefit analysis to demonstrate the savings made by the state with reducing re-offending.
Activity 11	Draft the new inter-agency cooperation or the social reintegration law.
Activity 12	Promote the new law.
Activity 13	Run joint prison and probation training on preparing for release.
Activity 14	Organize the national and the county network of 'Good Employers'.
Activity 15	Organize the social inclusion network - social services, employment agencies, NGO's etc. Probation Service takes the prisoner's reintegration to the National Commission of Social Inclusion.
Activity 16	Organize the inclusion centres or half-way houses.
Activity 17	Organize the one-stop shop centre
Activity 18	Organize small local custodial units
Activity 19	Create information charts to enhance prison and probation cooperation.
Activity 20	Create access to EvDet for probation services.
Activity 21	Propose concrete changes into the criminal record legislation.

Follow-up and evaluation:

A performance evaluation (both qualitative and quantitative) with statistical indicators and research results shall be provided to follow up the implementation of the objectives, goals and targets in the Action Plan and shall present analytical work on policies and their implementation. With the use of appropriate indicators, including community implication, the evaluation would keep it under regular assessment and would enable tracking global progress. All the project partners shall develop tools so as to provide statistical information with basic indicators and analysis of its key dimensions. Priority should be given to setting up coherent and internationally comparable indicator systems, taking into account different levels of development."



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VI.1. Gantt Chart

	M 1	M2	M3	M4	M5	M6	M7	M8	M9	M10	M11	M12
Activity 1												
Activity 2												
Activity 3												
Activity 4												
Activity 5												
Activity 6												
Activity 7												
Activity 8												
Activity 9												
Activity 10												
Activity 11												
Activity 12												
Activity 13												
Activity 14												
Activity 15												
Activity 16												
Activity 17												
Activity 18												
Activity 19												
Activity 20												
Activity 21												





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VII. Bibliography

Andrews, D. A. and Bonta, J. (2007): *Risk-Need-Responsivity Model for Offender Assessment and Rehabilitation*. 2007-06, Canada. Retrieved from http://www.publicsafety.gc.ca/res/cor/rep/ fl/Risk_Need_2007-06_e.pdf

Arnall, E., Eagle, S., Gammampila, A., Patel, S. L. and Sadler, J. (2007): *Housing Needs and Experiences*. London, UK: Youth Justice Board for England and Wales.

Borzycki, M. (2005): *Interventions for Prisoners Returning to the Community*. Australian Institute of Criminology, Community Safety and Justice Branch of the Australian Government Attorney General's Department. Canberra: Australian Institute of Criminology. Retrieved from <http://www.aic.gov.au/publications/reports/2005-03-prisoners.html>

Borzycki, M. and Baldry, E. (2003): "Promoting Integration: The Provision of Prisoner Post-release Services", *Trends and Issues in Crime and Criminal Justice*, No. 262, Canberra: Australian Institute of Criminology. Retrieved from http://www.aic.gov.au/publications/current_series/tandi/261-280/tandi262.aspx

Borzycki, M. and Makkai, T. (2007): *Prisoner reintegration Post-release*, Canberra: Australian Institute of Criminology.

Brazzell, D. (2007): *Informing and Engaging Communities through Reentry Mapping*. Washington (D. C.): Justice Police Center, Urban Institute. Retrieved from http://www.urban.org/UploadedPDF/311411_ Informing_and_Engaging.pdf

Cavadino, M., Dignan, J. (2006): "Penal policy and political economy", *Criminology and Criminal Justice*, 6(4), 435-456.

Durnescu, I., Lewis, S., McNeill, F., Raynor, P. and Vanstone, M. (2010): *Reducing Re-offending After Prison (RRAP): A resettlement process for Romanian prisoners* (unpublished).

Kalmthout van, A. M., Durnescu, I. (2008): *Probation in Europe*. Wolf Legal Publishers, The Netherlands.

Kemshall, H. (2008): *Understanding the Community Management of High Risk Offenders*. Maidenhead, Open University Press.

Gillis, C. A. and Andrews, D. A. (2005): *Variables prédictives de l'emploi chez les délinquants sous responsabilité fédérale mis en liberté sous condition*. Ottawa: Services correctionnels Canada. Retrieved from http://www.csc-scc.gc.ca/text/rsrch/reports/r159/r159_f.shtml

Graffam, J., Shinkfield, A., Lavelle, B. and Hardcastle, L. (2004): *Attitudes of employers, corrective services workers, employment support workers, and prisoners and offenders towards employing ex-prisoners and ex-offenders*. Report to the Criminology Research Council, Grant 26/02-03.

Griffiths, C.T., Dandurand, Y. and Murdoch, D. (2007): *La réintégration sociale des délinquants et la prévention du crime*. Rapport de recherche, 2007-2. Retrieved from <http://www.publicsafety.gc.ca/res/cp/res/ fl/soc-reint-fra.pdf>



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Holt, P. (2000): *Case Management: Context for Supervision. A review of research on models of case management: Design implications for effective practice.* De Montfort University. Retrieved from http://www.dmu.ac.uk/Images/Monograph%20_tcm6-10431.pdf

La Vigne, N.G., Cowan, J. and Brazzell, D. (2006): *Mapping Prisoner Reentry: An Action Research Guidebook.* Second edition. Washington, D.C.: Justice Policy Center, Urban Institute. Retrieved from <http://www.urban.org/publications/411250.html>

Maruna, S. and LeBel, T. (2002): "Revisiting Ex-prisoner Reentry: A Buzzword in Search of a Narrative." in S. Rex and M. Tonry (eds), *Reform and Punishment: The Future of Sentencing*, Portland: Willan Publishing, 158-180.

McNeill, F. (2009): What works and what's just, *European Journal of Probation*, 1(1), 21-40.

Moore, R., Gray, R., Roberts, C. and Taylor, E. (2004): *ISSP: The Initial Report.* London, UK: Youth Justice Board for England and Wales.

Nelken, D. (2009): "Comparative criminal justice", *European Journal of Criminology*, 6(4), 291-311.

Niven, S. and Olagundoye, J. (2002): *Jobs and Homes: A Survey of Prisoners Nearing Release.* Home Office Research Findings 173. London: Home Office. Retrieved from <http://www.homeoffice.gov.uk/rds/pdfs2/r173.pdf>

Paparozzi, M. A. and Gendreau, P. (2005): "An Intensive Supervision Program that Worked: Service Delivery, Professional Orientation, and Organizational Supportiveness." *The Prison Journal*, 85(4), 445-466.

Partridge, S. (2004): *Examining Case Management Models for Community Sentences.* Home Office Online Report 17/04. London: Home Office.

Petersilia, J. and Sweet, A. H. (2012): "Parole and Prisoner Reentry in the United States", in Springer Encyclopedia of Criminology and Criminal Justice (forthcoming).

Petersilia, J. (2004): "What works in prisoner reentry? Reviewing and questioning the evidence". *Federal Probation*, 68(2), 4-8.

Rakis, J. (2005): "Improving the Employment Rates of Ex-Prisoners Under Parole." *Federal Probation*, 69(1), 7-12.

Sampson, R. J. and Laub, J. H. (2001): "Understanding Desistance from Crime", in Tonry, M. (ed.), *Crime and Justice: A Review of Research.* Volume 28. Chicago: University of Chicago Press. 1-69. Retrieved from <http://troublesofyouth.pbworks.com/f/laub%20and%20sampson%20-%20understanding%20desistance.pdf>

Serin, R., Vong, B. and Briggs, S. (2003): *Pratiques de surveillance intensive : Étude préliminaire.* Ottawa: Services correctionnels Canada. Retrieved from http://www.cscscc.gc.ca/text/rsrch/briefs/b31/b31_f.shtml

Smith, C. J., Bechtel, J., Patrick, A., Smith, R. R. and Wilson-Gentry, L. (2006): *Correctional Industries Preparing Inmates for Reentry: Recidivism and Post-Release Employment.* Washington, D.C.: National Institute of Justice, U.S. Department of Justice. Retrieved from <http://www.ncjrs.gov/pdffiles1/nij/grants/214608.pdf>



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Taxman, F. S. (2004): *The Offender and Reentry: Supporting Active Participation in Reintegration*. Retrieved from http://www.caction.org/rrt_new/professionals/articles/TAXMAN-OFFENDER%20AND%20REENTRY.pdf

Turner, S. and Petersilia, J. (1996): "Work Release in Washington: Effects on Recidivism and Corrections Costs." *The Prison Journal*, 76(2), 138-164.

Visher, C. A., Winterfield, L. and Coggeshall, M. B. (2005): "Ex-offender Employment Programs and Recidivism: A Meta-analysis." *Journal of Experimental Criminology*, 1(3), 295-315.





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Annex

Synthesis of general and specific criteria

	AU	DK	E&W	ES	FR	DE	SCO	SE
Geographical area	WE	SC	WE	SE	WE	WE	WE	SC
Welfare orientation	CC	SDC	NL	CC	CC	CC	NL	SDC
Population (million)	8.4	5.4	53	1.3	65	82	5.2	9.4
Area (1,000 km²)	84	43	151	45	670	357	78	450
Density (100 pop./km²)	100	129	350	28	97	229	66	21
Unemployment rate (%)	6.4	4.1	7.2	10.1	9	7.2	7.1	6.9
Prison population rate (/ 100,000)	103	74	152	254	100	86	155	78
Occupancy level (%)	98	99	112.3	97.2	112.5	91.7	114.1	101.5
Proportion of juveniles (%)	1.6	0.3	1.8	1.0	1.0	3.7	1.7	0.2
Proportion of women (%)	6.7	4.4	4.8	5.8	3.5	5.5	5.6	5.7
Proportion of foreigners (%)	46.4	21.7	12	39.4	18.1	26.4	3.9	28.3
Electronic monitoring	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Most of the data are from 2011 or 2010 and were issued from the World Prison Brief
<http://www.prisonstudies.org/>



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Geographical area: Eastern Europe (EE), the Caucasian Area (C), Central Europe (CE), Western Europe (WE), South Eastern Europe (SEE), Southern Europe (SE) and the Scandinavian countries (SC) (issued from: *Aebi, M.*, in SPACE, Council of Europe).

Welfare orientation: Social-democratic corporatism (SDC), Neo-liberalism (NL), Conservative corporatism (CC)

Prison population rate: $80 \leq$ no major problems; 80-120 difficulties; $120 \geq$ major problems.

Occupancy level: based on official capacity for 100 places





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2007 – 2013**

Proiect: „Revenirea foștilor deținuți pe piața muncii și integrarea lor în societate”

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