

Annual report 2015: Departure wards

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1. Management summary

Overall status for 2015

The departure ward in Vridsløselille prison was closed in December 2015 in connection with the closing of the prison. The inmates in the ward were relocated to the prisons in Nyborg and eastern Jutland, respectively. In continuation hereof, a second departure ward was established in Nyborg. Concerning Nyborg, this report will, apart from a short description in section 3, focus on the original ward and not consider the new ward.

The three departure wards were well-functioning and calm in 2015.

Similar to other inmates, the inmates in the wards were offered a wide range of *work activities* and generally used the offers well. Consistent with the multiannual agreement, none of the inmates in the wards were offered instruction in Danish.

Deportation instruction was undertaken in the wards, as intended, through formal as well as informal interviews. In addition to this practice, eastern Jutland offered extended deportation instruction in a school context.

Staff experience with the target group naturally increased over time, which generally led to improved task management. The same was true of the wards' *cooperation with the police*, which the wards generally found to have been strengthened as a result of the fact that the various deportation tasks are now starting to become routine. The police similarly have a positive experience of their cooperation with the departure wards.

2015 also saw a very low *level of conflict* in all three wards. However, at the beginning of the year Nyborg was forced to section the departure ward to separate inmates with gang relations. The sectioning thus had nothing to do with the inmates sentenced to deportation and has been revoked, just as peace has long been restored.

A side effect of the establishment of the original departure ward in Nyborg in 2008 was a reduced level of conflict in the prison as a whole. The same did not seem to be the case in eastern Jutland and Vridsløselille, which – contrary to Nyborg – had not previously experienced significant unrest in relation to the target group.

Language barriers were a main part of everyday life in the wards; however, the wards solved these challenges using relevant resources.

News since 2014

Few things distinguish this status report from the 2014 status report. The following differences can be identified:

- The departure ward in Vridsløselille has closed, and the inmates have been relocated to Nyborg and eastern Jutland (section 3).
- In connection with the closing of Vridsløselille, a second departure ward has been established in Nyborg (section 3).

- The original departure ward in Nyborg is no longer sectioned, as was the case at the beginning of 2015 due to challenges concerning gang members (sections 3 and 7).
- The Directorate's work on updating the information booklet for inmates sentenced to deportation was not completed in 2015 as planned. The work will recommence in 2016 (section 5).

2. Introduction

The structure of the annual report is as follows. Initially, the framework of the three wards is described, followed by the status on conditions which, according to the multiannual agreement, are relevant to monitor. These include: work activities, deportation instruction, staff experience with the target group, level of conflict and cooperation with the police. In addition, a few special conditions are outlined. Finally, the focus of the coming year is outlined.

3. The wards

The original departure ward at *Nyborg* prison has a capacity of 28 inmates, which can be divided into two sections of 11 and 17 inmates, respectively. The capacity of the ward is almost always used to the full.

A few spaces are occasionally occupied by clients not sentenced to deportation. As a rule, this only happens if the remaining community does not include clients sentenced to deportation. However, in special cases the prison can choose to allocate spaces to clients who for various reasons are prevented from serving in other community wards. This may be for safety reasons concerning the inmate in question or other clients in the other community wards.

At the end of 2014 and the beginning of 2015 the prison sectioned the departure ward due to a need to separate inmates with gang relations. Thus, the sectioning had nothing to do with the inmates sentenced to deportation and was revoked in early summer. It is once again a well-functioning ward. However, the gang-related challenge, including the risk of short-term sectioning, remains relevant.

In continuation of the closing of *Vridsløselille*, a second departure ward was established in Nyborg in December 2015 making it possible to house even more inmates sentenced to deportation. The new ward is located in the former prison section used for remand prisoners. In January 2016 almost all of its 14 spaces were occupied by inmates sentenced to deportation. The prison expects the ward to be fully occupied in the future. Due to the physical surroundings, the prison is currently unable to offer the inmates workplace activities. Instead, they are offered instruction on the same terms as all other inmates and small-scale in-cell work. The prison is working hard to create more workplaces for the new inmates.

The continued work on the establishment of the new ward will draw on knowledge and experience from the prison's original departure ward, just as the future will see ongoing knowledge exchange and close collaboration on the target group across the wards.

As regards Nyborg, the remainder of the annual report will focus on the original departure ward and not the new one, which, as mentioned, was only established at the end of 2015.

Since the establishment of the departure ward in the prison in *eastern Jutland*, all of its 24 spaces have been fully occupied. Filling the ward has not been a problem, and there is nothing to suggest that the departure ward will not continue to be fully occupied in the future.

The departure ward in the prison in *Vridsløselille* closed on 17 December 2015 in connection with the closing of the prison. The inmates in the ward were relocated to the prisons in Nyborg and eastern Jutland, respectively. Up until its closing, the ward held 22 spaces occupied by inmates sentenced to deportation.

4. Work activities

The inmates in *Nyborg* are divided across the prison's various workplaces. Most are occupied in the tailor shop, although the prison school, training school, graphic workshop and assembly shop also occupy inmates from the departure ward. In the tailor shop, school and training school the inmates can participate in various forms of qualifying education/instruction leading to a diploma that may help them to find employment in their home country.

The inmates in the departure ward in *eastern Jutland* continue to work alongside the other inmates in the ward. Mainly the joiner's shop is very pleased with the work effort of the inmates in the departure ward. They are generally highly motivated, arrive on time every day and do their job satisfactorily.

Some of the inmates in the ward receive instruction in the prison school in mathematics, English, IT and creative subjects, among other things. Some inmates perform hall duty in the section where they live. In connection with their work, these inmates have completed an adult vocational training course in cleaning, applying and dosing cleaning detergents. The prison continually focusses on offering more adult vocational training courses to inmates sentenced to deportation.

Since the beginning of the school year in August 2014, the prison has offered the inmates deportation instruction in a school context. The offer consists of two hours of instruction weekly generally over a period of two-three months immediately before deportation. The inmates are happy with the offer, as some of them only have limited or no affiliation with the country to which they are being deported and therefore have little knowledge of the society in which they will soon be living. Deportation instruction focusses on communicating current social conditions in the countries in question.

A large part of the inmates in the departure ward in *Vridsløselille* were occupied in the packing department, and they were happy with their work here. In addition, some inmates did cleaning, and several did maintenance work in the form of renovation under the construction department. The inmates were also offered small-scale in-cell work.

The school offered customised, targeted instruction in, for example, English, mathematics, philosophy, music, art and sports, just as an adult vocational training course on food hygiene was offered from time to time.

In general: Today, no departure ward inmates sentenced to deportation receive instruction in Danish. This restriction was introduced with the multiannual agreement stipulating that ‘... foreigners sentenced to deportation shall not receive instruction or do work targeted at adaptation to the Danish society’.

With regard to treatment options and programmes, inmates sentenced to deportation are given the same opportunities as all other inmates.

5. Deportation instruction

In *Nyborg* deportation instruction takes the form of individual interviews with the inmates focussing on their individual case. In this connection, the ward uses the material which is available in several languages on the Danish Prison and Probation Service’s intranet. In addition, a more informal form of deportation instruction is undertaken on a daily basis, when the staff answers inmates’ questions concerning their individual situation.

A form of deportation instruction is also undertaken in the departure ward in *eastern Jutland*. That is, in connection with the preparation of action plans and interviews with the inmates, the inmates are informed of the details of the effectuation of their deportation from the country.

In addition, as also described in section 4, since August 2014 the prison has offered weekly deportation instruction in a school context.

In *Vridsløselille* both the social worker and officers in the ward made a great effort to offer deportation instruction to the inmates. This took the form of interviews on, for example, job opportunities and a realistic perspective on the inmates’ opportunities upon returning to their home country. In addition, there was ongoing dialogue between the staff and the inmates on various questions or worries in connection with deportation. The prison was of the belief that these interviews were highly significant in making the time spent in prison up until deportation a positive and calm experience.

Support material for deportation instruction

Due to lack of resources, the work on updating the information booklet for inmates sentenced to deportation has been temporarily suspended, but will recommence in 2016. The task is rooted in ‘Koncern Resocialisering’, but also relies on contributions by internal as well as external parties.

6. Staff experience with the target group

The departure ward in *Nyborg* was established in 2008, and the staff in the ward are therefore experienced within the area – and typically also as officers in general. Upon hiring new staff, the competences of the applicants are carefully considered. The prison has thus been able to choose a staff with various linguistic competences, benefitting the inmates as regards overcoming the language barriers that often result from combining different nationalities.

The ward is currently organising a staff visit to Sjælsmark Departure Centre and/or the Ellebæk Institution. The aim is to give the staff further insight into deportation cases and processes, especially concerning the period following transfer and release from prison.

The staff in the departure ward in *eastern Jutland* generally experience the inmates as positive. They face no large conflicts, and despite occasional language barriers it is possible to establish good contact, making it possible to produce sentence plans, implement relevant case work, introduce leisure activities and so on.

From the beginning and up until the closing, the departure ward in *Vridsløselille* was well-functioning. The initiative was well-received both by staff and inmates, and the staff were motivated to work with the target group and the special challenges connected to it. The special knowledge about the target group that was gained and continually substantiated in the process also led to a strengthening of the case work and improved flow in deportation-related procedures.

Cross-sectional exchange of experience: In February 2015 representatives of the departure wards, the three respective units and the Directorate met to discuss day-to-day challenges and share useful experiences. The participants generally considered the meeting to have been rewarding and found it especially interesting to learn about eastern Jutland's experience with offering deportation instruction in a school context.

7. Level of conflict

In *Nyborg* the departure ward is the calmest in the community. According to the prison, this is largely a result of the experienced staff and their great focus on the composition of inmates in the ward. The staff focus especially on the level of conflict and on the significance of the composition of different nationalities in this regard. In addition, they keep a finger on the pulse of the general atmosphere – both in the ward and in the remaining community – and conflicts are rarely seen to escalate.

The ward in Nyborg was originally established, among other things, because the prison had for some time experienced conflict rooted in language and culture barriers among the inmates. The idea was that compiling inmates who were not part of a language or culture community would reduce the number of conflicts in the prison as a whole. The idea proved correct: The number of such conflicts in the prison was reduced, and the departure ward has from the start proven to be calm and well-functioning.

As regards the *remainder of the prison*, as far as can be recalled, the prison has seen no episodes of violence or threats against staff and only few among the inmates since the establishment of the departure ward.

However, in January 2015 three of the ward's inmates sentenced to deportation were assaulted by inmates affiliated with or attracted to the gang Loyal to Familia (LTF).

The prison believes that the assaults should be viewed within the context of the occupancy in the ward at the time, as the ward had been sectioned in late 2014 to house two LFTs, one in each section, as already described in section 3. Therefore, the assaults are not believed to be

related to the otherwise very calm departure ward, but instead to the challenges concerning LFT.

The calm and positive environment was re-established for both staff and inmates when the LFTs were removed from the ward.

For illustration of the generally calm environment it may be mentioned that the ward is sometimes used as light duty or start-up of staff who need a 'break' following unpleasant experiences or long-term service in highly challenging wards. It has proven to be particularly useful to staff with special need of a positive and calm working environment.

All in all, the departure ward continues to experience a significantly lower level of conflict than for inmates serving other types of sentences in the prison.

Since its establishment the ward in *eastern Jutland* has experienced no conflicts worth mentioning. This is both true of conflicts between inmates and the staff and conflicts between inmates. Upon arriving at the ward inmates are informed that they, due to the nature of their sentence, will be serving in a departure ward, and that they are to remain there until they can be transferred to a prison in their home country or until they, after serving their sentence, are expelled from the country. All inmates appear to accept this. The fact that several nationalities are present in the same ward does not appear to give rise to conflict.

During its existence the departure ward in *Vridsløselille* experienced few and relatively small conflicts. The first conflict in the ward was caused by a change in size of two different ethnic groups. Following this episode, the prison was very mindful of the balance between groups belonging to different nationalities, cultures or denominations. Not least because the physical surroundings did not allow for sectioning. Up until the closing of the ward, it was one of the calmest community wards in the prison.

Neither *eastern Jutland* nor *Vridsløselille* has, prior to the establishment of the departure wards, experienced conflict among the group of inmates sentenced to deportation. In continuation hereof, neither of the two prisons has experienced any change in the level of conflict in the institution as a whole following the establishment of the respective wards.

8. Cooperation with the police

Experience of the wards

Nyborg continues to enjoy good cooperation with the police. The prison regularly meets with the National Centre for Foreign Nationals (NUC) under the Danish National Police, which on a regular basis participates in staff meetings in the ward. The NUC's participation in these meetings helps to give the staff better insight into the rules concerning deportation and the challenges facing the police in such cases and thus results in a competency boost. The cooperation has also facilitated more flexible contact between the police and the prison.

The departure ward in *eastern Jutland* also finds its cooperation with the police to be satisfactory. The secretary of the ward is responsible for the day-to-day contact with the police

concerning inmates facing deportation – both when transferred to a prison in their home country and when facing deportation after serving their sentence in Denmark.

Vridsløselille experienced a gradual strengthening of the departure ward's cooperation with the police, including the NUC. The social worker mainly handled the contact with the police, raising the level of professional competency and thus the quality of the case work. In addition, the secretary of the ward was responsible for the administration of the actual departure. The prison was aiming to optimise a few administrative procedures with a view to ensuring that all actors involved were informed of the date of deportation.

In order to facilitate better cooperation on probation of inmates sentenced to deportation, including departure and collection in the prison, the prison requested the police districts and the NUC to send all information on inmates via email and not, as previously, via fax. This was also done to increase the use of safe digital mail to and from the prison. The change became effective on 5 January 2015.

Upon enquiry by telephone, *Nyborg* and *eastern Jutland* explain that their communication with the NUC and the police districts is mainly conducted via email and continues to be unproblematic.

Experience of the police

Background: *The police districts are responsible for deporting EU citizens who voluntarily wish to return to their home country. In addition, the districts are responsible for the transfer of Nordic citizens to prisons in their home country (not only voluntary, but also transfer under escort).*

The level of contact with the departure wards varies between the police districts, and therefore the districts' capacity for evaluating the cooperation with the wards also differs.

However, the police districts generally express great satisfaction with their cooperation with the Danish Prison and Probation Service, including the departure wards. The police districts find their cooperation with the departure wards to be *'particularly good, productive and flexible'*, and that it is *'undertaken in a good, flexible and informal way, and the districts get the information they believe they require'*.

It is equally important to mention, however, that the police districts also find that the *foreigner* is well-informed of the process up until deportation.

Based on previous experience the police districts are unable to assess whether the departure wards contribute to streamlining the processes of deportation. (Note: The multiannual agreement does not stipulate that the departure wards should *streamline* deportations).

Experience of the NUC

Background: *The National Centre for Foreign Nationals (NUC) is responsible for all deportations under escort (except to the Nordic countries). In addition, the NUC is responsible for the transfer of all other citizens than Nordic citizens to prisons in their home country. These are mainly European citizens, but also non-EU nationals transferred to the country for which they have a residence permit. However, the latter scenario is rarely realised.*

The NUC still finds its cooperation with prisons and local prisons to be good, just as its cooperation with the departure wards continues to be *'well-functioning and flexible'*.

Although the NUC has had limited contact with the two new wards, the NUC finds the cooperation it has had with the wards to be *'satisfactory'*, and it is unable to *'find fault with it'*. The NUC has more contact with the departure ward in Nyborg and is *'very satisfied'* with its cooperation with the ward.

As regards the wards in eastern Jutland and Vridsløselille, the NUC has experienced no major effect on the deportation effort. There may be several reasons for this: partly the relatively short period in which the wards have existed, and partly the limited number of NUC clients to be deported who are housed in the wards.

The latter case is a result of the fact that the police districts and not the NUC are responsible for the voluntary deportation of EU citizens. Only a small number of EU citizens are transferred from the police districts to the NUC, for which reason the NUC finds that the districts are largely able to motivate inmates sentenced to deportation – possibly as a result of the work performed by the departure wards. That said, the NUC is unable to accurately assess the effect of the departure wards.

Moreover, the NUC finds that its *'contact with the Directorate of the Danish Prison and Probation Service on any practical challenges in connection with deportation is good and solution-oriented'*.

9. Special conditions

Language barriers

The wards generally find that many inmates sentenced to deportation only have modest or no proficiency in Danish.

However, all the wards handle the linguistic challenges with the available resources, for example fellow inmates who can undertake interpretation. Add to this that some of the inmates can make themselves understood in English or German. If the situation requires correct interpretation – for example, important decisions or medical assistance – the ward uses interpreters.

The house rules in *Nyborg* and *eastern Jutland* have been interpreted into a number of languages, making the documents available in relevant languages and authorised translation.

The possibility of Danish instruction

In 2014 *Vridsløselille* expressed a wish to offer Danish instruction to the inmates which the prison has cause to believe will remain in Denmark due to legal impediment, for example exceptional leave to remain.

Upon enquiry, neither *eastern Jutland* nor *Nyborg* expressed such a wish.

It is the evaluation of the Directorate that a wish to offer Danish instruction in the departure wards cannot currently be met, as stipulated in the multiannual agreement, according to which *'foreigners sentenced to deportation shall not receive instruction or do work targeted at adaptation to the Danish society'*.

In addition, it may be mentioned that the departure wards' inmates sentenced to deportation may, like other inmates, take instruction in other languages, usually English. This is in agreement with the EU *Recommendation CM/REC(2012)12*, according to which foreign inmates should be able to learn a language to facilitate more effective communication.

10. Focus of the coming year

The multiannual project ended by the end of 2013, and since then focus has been on operations and on continued local development of the substantive efforts.

The prisons involved wish to continue to exchange knowledge and cooperate on the special tasks of the departure wards. It is therefore their wish that key persons from the wards, units and the Directorate may continue to meet as required to share good experience and any existing challenges.

As regards the Directorate, focus is also on completing the work on updating the Danish Prison and Probation Service's information booklet for inmates sentenced to deportation.

11. Financial consequences

No special funds have been allocated to the running of the departure wards under the Danish Prison and Probation Service, and there are therefore no financial consequences to report.

12. Appendices

None.

13. Conclusion

In December 2015 the departure ward in Vridsløselille was closed in connection with the closing of the prison. The inmates in the ward were relocated to the prisons in Nyborg and eastern Jutland, respectively. In continuation hereof a second departure ward was established in Nyborg. Concerning Nyborg, this report will, apart from a short description in section 3, focus on the original ward and not consider the new ward.

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A side effect of the establishment of the original departure ward in Nyborg in 2008 was a reduced level of conflict in the prison as a whole. The same did not seem to be the case in eastern Jutland and Vridsløselille, which – contrary to Nyborg – had not previously experienced significant unrest in relation to the target group.

Language barriers were a main part of everyday life in the wards; however, the wards solved these challenges using relevant resources.