



## **EuroPris & CEP Foreign Nationals in Prison and Probation in person Expert Group Meeting**

**Monday 9<sup>th</sup> May to Tuesday 10<sup>th</sup> May 2022, The Hague**

**Draft minutes**

### **Participating Members**

1	Jochum Wildeman	Standing Member	The Netherlands
2	Tijs Bagchus	EuroPris member	The Netherlands
3	Carina Heckroodt	CEP member	England & Wales
4	Daniel Dangles	CEP member	France
5	Luisa Ravagnani	Standing Member	Italy
6	Athena Demetriou	EuroPris member	Cyprus
7	Audre Miseikiene	EuroPris member	Lithuania
8	Willem van der Brugge	Secretary General	CEP, The Netherlands
9	Petra Pavlas	Coordinator	Austria

### **Chair:**

Willem van der Brugge

### **Apologies**

Gustav Tallving, ED; Pauline Crowe, UK; Roisin Mulgrew, Ireland & UK; Brian Hanley, Ireland; Karen Delespaul, Belgium; Sophie Gosselin, Luxembourg; Toni Jimenez, Catalonia;

### **Welcome and introductions**

09.15 Start, welcome, apologies, agenda (Petra, Willem)

**Introductions;** New Group Coordinator –great pleasure that we finally meet in person after the long period of the pandemic. Petra is doubly excited, as it is not only the first physical meeting, but also her first FNPP Group Meeting as Group Coordinator. Took this opportunity to send you many



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Carina introduced herself and her background, head of Operation for London with a FNO lead nationally. Has a FNP Resettlement Team 'hub' established with 3 probation officers within it, has close links with the Home Office Immigration Service.

They do have 12 % FNPs prison population (10.000), mostly from Albania and Poland

Definition of FNPPs: Persons being illegally in a country

Key challenges: immigration processes are very complicated, come with long time decisions, 60% are released back in the community, less FNO-centred than community-centred which the claim "to keep the community safe" makes quite clear, mentions a large number of Vietnamese offenders who exploit children on illegal cannabis plantations (they are small enough not to be seen when harvesting), there is a big need in trauma-work. An important aspect is also to distinguish between a high-risk offender and a high-risk prisoner. Telephone interpreting is a recurring topic whereas translation and interpreting by other inmates is seen as very critical, which everyone agreed on.

### ***Daniel Danglades, France***

Daniel started as a police officer and in his current work as a prison and probation officer it is often a challenge to balance policy and practice requirements. Most FNPs do come from Romania, Spain and African countries. His interest in the group is mainly to share experiences and find "*good practices*" in exchange with other members in dealing with FNPPs.

Definition of FNPPs: non-citizenship

Key challenges: FNPs are overrepresented in prison, a very complicated and restrictive alien's law does not make working with FNPs any easier. Most FNPs are on remand and home office authorities usually take a long time to make a decision on the alien's residence status. There is also some work to be done in F with regard to FD 909, especially since the implementation still does not work flawlessly. Another challenge is to find suitable translators at court and interpreters in general, as well as the appeal deadline of 48 hours for decisions under aliens law.

### **EuroPris representatives**

#### ***Athena Demetriou, Cyprus***

Started working in Drug Law Enforcement Unit as undercover agent, Head of Police Human Rights Office, Minister's Office - Policy Officer, expert in detention/custodial matters and to date Senior





Prison Officer/ Advisor to the Prisons Director and Lecturer at the Police Academy and Prisons Academy. High percentage FNPs (55%), over 80% FNPs from African continent, reports overcrowding, voluntary return is still a challenge, especially when it comes to short sentences,

Definition of FNPs: non-nationals (no citizenship)

Key challenges: overcrowding, asylum applications in prison, being in prison because of using a false passport/identity, no detention centres only, no probation service in Cyprus, finding translators from outside

### ***Tijs Bagchus, The Netherlands***

Policy Officer of the Dutch Custodial Institutions Agency, see also:

[Foreign Nationals in Prison - Tijs Bagchus - YouTube](#)

Definition of FNPs: non-Dutch nationality, foreigners with residence vs. foreigners without residence (can they stay in NL? How sure is it?), only sentenced because of crime cases, not because of false documents, removal detention vs. criminal detention.

Definition of FNPs: non- Dutch nationality, foreigners with residence permit vs. without residence

Key challenges: how certain is it that FNPs have to leave NL after detention? Still 80% have to leave NL after detention. After a conviction, will a residence be revoked?

About the **Ter Apel visit**: Maybe next year it will be possible to visit, he will stay in contact with Petra about it.

Willem adds that the Dutch FNP that an analysis of, among other things, prison population, gender distribution and nationality has shown that FNPPs are overrepresented in long sentences an mostly big crime cases, as well as promoting “telephone interpreting” for FNPs was a topic at the CPT Conference in The Netherlands.

### ***Audre Miseikiene, Lithuania***

Studied law at University and worked in the prison department in the public relations sector, which was closed in 2010, now works in the resocialisation department, is responsible for 8 prisons and training centre. Part of work is also resocialisation of FNPs. Share of FNPs in Lithuania is very low



(around 3%), but on the rise. Especially recently and due to current situation in Ukraine, number of Ukrainian and Russian inmates has increased. Out of 5066 inmates, 152 are currently of non-Lithuanian nationality. Of which 31% Russians, 19% Latvians, 19% Belarusians followed by Ukrainians.

Definition of FNPs: non-citizens, where a further distinction is made between residence and non-residence. FNPs describes them as often "silent numbers" that are not seen.

Key challenges: Many FNPPs are traumatized and there are so to say no facilities and few supports and resources specifically for mentally ill FNOs, due to the lack of language skills and cultural ethnic understanding and knowledge in care of the FNPPs. There is also a big need for an improvement in the area of resocialization of FNPPs, because it is still difficult for many people who have been released from prison to find work, what is potentized as FNO. Audre has designed a bilingual information sheet (English-Russian) including icons to counteract language difficulties. Another concern would be to get the FNP e-learning module in Lithuanian, which is of course a cost issue, as it looks like the number of FNPPs in Lithuania will continue to increase.

### **Founding members' representatives**

#### ***Luisa Ravagnani, Italy***

Is a criminologist who started working as a prison volunteer at the age of 18 and now works in the field of research criminology and as a prisoner ombudsman in Brescia. She focuses on alternative sanctions. In Italy, the share of FNPs ranges from 33% to 44%, with Romanians, Tunisia, Albania and Bulgaria, as well as the Maghreb and Eastern countries generally leading the statistics. In Italy, no detentions for irregular migration in prisons, distinction is made between criminal cases and irregular migration for detention purposes. There is a high percentage of self-harm and suicides within FNPs and no cultural mediators or ethnic psychiatrists, which would be much needed, especially to better understand trauma and mental illness in FNPs. There is good cooperation and support in northern Italy with NGOs, as well as a good system network. What is striking is that FNPs are treated differently in Italy than Italians in prison and probation service. One reason for this may be that their residence status is not always clear.

Definition of FNPs: non-citizenship

Key challenges: Language skills to understand legal content, FD 909 does not work, as it should. Currently there is a research project with Romania on FD 909. It would be great if the results could





be shared within the FNPP Expert Group, which Luisa has agreed to do. Another topic is probation conditions related to FNPs, as well as the implementation of CoE Recs. 2012 (12) in dealing with FNPPs, as well as a possible "good practices" manual on this topic in the context of the 10th anniversary of the Recs. Another big issue is video interpreting, as there is no such thing in Italy, but it would be urgently needed. A good alternative is at least the icon dictionary, which can also be circulated in the group -> Foreign National Prisoners Picture Dictionary - 'Picture it in Prison' <https://www.euopris.org/file/foreign-national-prisoners-picture-dictionary-picture-it-in-prison/>

### ***Jochum Wildeman, The Netherlands***

Attend afternoon part of the FNPP meeting, because of meeting with the supervisory board of the probation service of the Dutch Antilles. Is based in Utrecht and started working as a probation officer, after he was team leader and regional manager and now Head of the International Department Dutch Probation. The office works with Dutch detainees abroad and is closely linked to international probation services. Jochum reported on the 200th anniversary of the Probation Service and will send out an appropriate invitation for the celebrations.

Key challenges: The Corona situation, the increasing number of FNPs, many activities in the probation service are linked to voluntary work, for a long time inmates were not allowed to be visited in prison due to the pandemic, but physical work and direct contact is of utmost importance, very many Dutch FNPs in Germany, France, England and Spain. cooperation with the probation service also with Suriname, Indonesia and Ukraine. Support also in the field of ICT in collaboration with the Baltic States.

### ***Willem van der Brugge, The Netherlands***

Willem has a Master's degree in Public Management, previously worked in a psychiatric hospital and gained experience in social work, residential work and financial administration. At the end of the 80's he started working for the Dutch Probation Service, which is divided into three sectors: addiction/probation service, salutation army and probation. Currently he is CEP-Secretary General and can draw on an immense wealth of experience and knowledge. CEP was founded 41 years ago and new agendas and challenges arose with the fall of the Berlin Wall. At an EU meeting in Paris in 1981, the problems of FNPs were raised for the first time and alternatives to detention for this target group were considered.

Key challenges: on the agenda is in any case the CoE Recs 2012 (12). As another increasingly obvious and urgent issue, he sees the challenge in the mental health field in probation and prison and overcrowding in probation as well.



11.45 – 12.15 short group round up – “what do we have in common, challenges to face, and differences”

Language problems (translations and interpreting), unclear residence status of FNPPs and complicated aliens law, adequate release management and (re)integration of FNPPs, voluntary return, no optimal implementation of FD 909

12.15 – 13.15 lunch

13.15 – 14.00 FNPP Network – who we are – how we work – what we have done (Petra)

➤ **ToR**

(Introduction/Aims & objectives, membership and organisation, comprises/role of CEP & EuroPris Secretariats)

Enclosed find .ppt about ToR. Afterwards briefly discussed the target group of the Expert Group, noting that FNPPs from non-member states are also included.

14.00 – 14.15 Review – new structure – potential – opportunities

Coordinators Report (Petra)

Important to reflect on work undertaken by group since April 2020 when our in person meeting at The Hague was postponed several times. Since then we have not met together other than zoom, ½ group never meet in person an extraordinary situation & challenge for a networking group, also some members have come & left with different job roles etc. during Covid times.

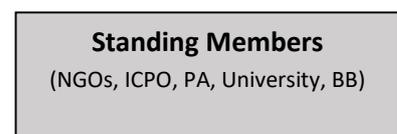
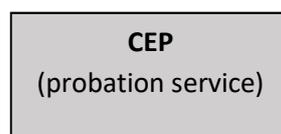
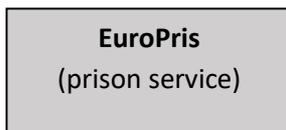
(i) on-going/current activities (CoE Recs 2012 (12), revision of FNPP e-learning module)

(ii) future ideas 2022-2025 (Sub Groups)

14.15 – 14.30 Breakout/work groups, present the output/results of each group

Review, new structure

- **3 Sub Groups/Interest Groups** (under the same umbrella “FNPP-Expert Group”); act as a network group: As discussed at the last Group Meeting and addressed by Gustav, this very special group will be organised into three Interest Groups. The three groups will work under the same umbrella of the FNPP Expert Group and act as a network group, which will exchange information at any time in order to achieve their self-defined objectives, independently of a Group Meeting.



- 3 breakout groups to define the main topics of each group
- What are the NEEDS of each group?
- Each 1 head/spokesperson of the group

14.30 – 15.30

#### **EuroPris Interest Group:**

Tijs presents main objectives of the group:

**(1) Alternatives to penal detention measures, there is still discrimination against FNPs, also in probation and conditional release and parole, separation of immigration detention and criminal detention->creation of good practices on this.**

**(2) Training the staff on intercultural communicator/ethnic multiplier**

- **spokesperson → ??? (will be announced by the group by June 6<sup>th</sup>)**

#### **CEP Interest Group:**

Daniel presents the objectives developed by the CEP Interest Group

**(1) Mapping FNPPs: finding out what is behind the numbers (using Space II report), as no collection and mapping has been done so far in probation services.**

**(2) Staff training: cultural competence**

**(3) Language: writing, speaking, translating; Facilitations in communication are to be created**

**(4) Diversity: Needs of female FNOs**

**(5) Creating an international probation centre/network like in NL**

➤ **Spokesperson** → Daniel Danglades

#### **Founding Members Interest Group:**

Since only Luisa from the Founding Members Group was present, the group can report their **objectives by June 6th**. Petra discussed with Luisa challenges with FD909, CoE Recs 2012 (12), best practice manual and research on FNPPs.

NGO → ??? (will be announced by the group **by June 6<sup>th</sup>**)

15.45- 16.00                      Preview/outlook, outstanding matters/any other businesses (Petra)

Next FNPP Expert Group Meeting fall – online meeting (Oct. 2022, date tba)

*“Refine objectives”*: Until then, the 3 subgroups will work on the objectives they have defined

**Thanks to all members** present and the warm welcome as well as the commitment and energetic participation of all members.

16.00                                      Closing

#### **Provisional dates for diaries**

**Next meeting:** EuroPris/CEP FNPP Expert Group Meeting will be online, **October 2022 (date tba)**, draft agenda as well as action list to follow.

VIE 23/05/22

