

Recommendations for European Parliament

aiming to have united regulation of imprisonment and related
fields in all EU countries

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Table of Contents

1	Parole commissions.....	4
	Idea.....	4
	Current situation.....	4
	Suggestion.....	4
2	Employees in prisons and detention centers.....	4
	Idea.....	4
	Current situation.....	4
	Suggestion.....	5
3	Legal system.....	5
	Idea.....	5
	Current situation.....	5
	Suggestion.....	6
4	Lack of specialists.....	6
	Idea.....	6
	Current situation.....	6
	Suggestion.....	6
5	Imprisonment conditions.....	7
	Idea.....	7
	Current situation.....	7
	Suggestion.....	7
6	Healthcare and education of inmates.....	7
	Idea.....	7
	Current situation.....	7
	Suggestion.....	8
7	Health promotion in a prison settings.....	8
	Idea.....	8
	Current situation.....	8
	Suggestion.....	8
8	Social Community Pedagogy in correctional centers and in social reintegration programs.....	9
	Idea.....	9
	Current situation.....	9
	Methodology: evaluative research.....	9
	Evaluation stages.....	10
	Conclusions.....	10
	Conclusions, major changes in penal policy. Change in European penitentiary model.....	10
	Suggestion.....	11
9	Long-Term Imprisonment and Human Rights.....	11
	Idea.....	11
	Family visits.....	12
	Istanbul Protocol.....	12
	Observatory example.....	13
	Model ‘Cohesion Social’ example.....	13
	EU member states law vs. EU law.....	14
	Building new prisons.....	14
	Language and vocabulary.....	14
	Decision making.....	15
	What should be done?.....	15
	Suggestion.....	16

10	Computers usage in imprisonment institutions.....	16
	Idea.....	16
	Current situation.....	16
	Suggestion.....	16
11	Volunteering in prison.....	16
	Idea.....	16
	Current situation.....	16
	Suggestion.....	16
12	Probation services and social integration.....	17
	Idea.....	17
	Current situation.....	17
	Suggestion.....	17
13	E-shop.....	17
	Idea.....	17
	Current situation.....	17
	Suggestion.....	18
14	Prison system cooperation with NGOs and other organizations.....	18
	Idea.....	18
	Current situation.....	18
	Suggestion.....	18
15	Public society view and opinion.....	18
	Idea.....	18
	Current situation.....	18
	Penance and Care of Inmates Day on November 20th.....	19
	During this day, on this occasion people should organize related events.....	19
	Increasing problem.....	19
	Existing programs are not sufficiently effective.....	20
	There should be more attention to the non-government sector.....	20
	Suggestion.....	21

1 Parole commissions

Idea

Most of the EU countries have a non-judicial organization called Parole Commission. Is the parole board responsible to grant or deny inmates requests to release them before the sentence time and (in some cases) to supervise those released on parole to incarcerated individuals who come under its jurisdiction.

Current situation

Different countries have different understanding of what Parole Commission. They are formed not in every imprisonment institution; they have different structures (e.g. only prison staff members; prison staff together with psychologists, lawyers, NGOs) and different legal empowerment (the decision must or must not be approved by court decision). Parole Commission members have different understanding of the penal system and different knowledge in law (e.g. in Lithuania there are no special trainings). The criteria of selecting such commissions members are unclear. There is mis-communication between Parole Commissions, courts, imprisonment institutions, regarding the analysis of different cases and results of each case (e.g., whether or not the Parole Commission decision was approved by court and why).

Suggestion

In order to have more clear understanding of Parole Commission as a unit, and to achieve the main goals of Parole Commission in each member country, we offer to release a document regarding:

1. Clear definition of Parole Commission, its rights and obligations,
2. Clear definition of legal empowerment of commission decisions,
3. Criteria of selection commission members,
4. Order of recruiting commission members (voluntary basis or paid work),
5. Rules and recommendations for cooperation between Parole Commission, courts, imprisonment institutions, NGOs, probation institutions, police.

2 Employees in prisons and detention centers

Idea

Employees are often overworked and under-trained, putting themselves and the inmates they're supposed to protect at risk. Of course, the problems include a shortage of staff, low morale, high turnover, funding needs, and a number of other issues. Documents that are recommendable do not function properly.

Current situation

The majority of prison staff all over the Europe are not familiar with Istanbul Protocol. The Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, commonly known as the Istanbul Protocol, is the first set of international guidelines for documentation of torture and its consequences. It became an official United Nations document in 1999. The Istanbul Protocol is intended to serve as a set of international guidelines for the assessment of persons who allege torture and ill treatment, for investigating cases of alleged torture, and for reporting such findings to the judiciary and any other investigative body.

Lack of knowledge leads to unprofessional and ineffective work. Juvenile prisons, adult prisons, detention centers, probation services would work in a more resulting way, if the employees would get more knowledge in:

1. Psychology (stress-coping techniques, anti-manipulative behavior);
2. Team work, effective communication;
3. Languages (English, Russian, Polish, Romanian, Arabic);
4. Legal field (human rights, Istanbul Protocol and other related documents);
5. 'Bigger picture', meaning the imprisonment system in EU and other countries experiences.

In addition to this, everyday changing situation, related with refugee crisis makes their work more complicated than ever.

Suggestion

We suggest that legal acts (not recommendations-based but enforceable) would be released in order to oblige member states to ensure fulfillment of the requirements for prison system employees. Also, more attention should be paid for funding opportunities in order to have more learning and exchange programmes in the field.

3 Legal system

Idea

To ensure human rights in imprisonment institutions for inmates, as well as prison staff, having same restrictions in all EU member states.

Current situation

There are many ways when national law does not fit EU law, e.g.:

- Prisons and human rights (to work, move, etc.);

E.g. in one of prisons in Portugal, there is a prison labor program, through which convicts are trained in a variety of repair jobs and in case of successfully passing the training phase they may carry out repair work on the prison premises. The business sector supports the program by providing support materials (wall paints, tiles, sanitary measures). The prison facilities are being repaired or are already repaired by the prisoners. One of these spaces - cafe. There is kitchen, where the food and drinks are prepared by inmates themselves, also a coffee and snack vending machines. This cafe is a place for socialization, where inmates may be able to improve their social communication skills. This prison is one of good practice examples, showing how important is to provide the right conditions for people to develop in a prison sentence.

- European Prison Rules (not always implemented);
- CPT (European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment) (not having enough impact);
- The prison system in broad sense is too different in different countries;
- Penal law and the focus on treatment
- Sentence planning
- Measurements
- Resources
- Art & Therapy in prison
- motivation
- ethics and competencies
- health
- Prisoner's education
- diagnostics
- needs and resources
- school education
- vocational training
- treatment versus work/labor
- employ-ability and transition management
- Other differences.

Suggestion

Release implementable document in each field, that would oblige countries to fulfill requirements.

4 Lack of specialists

Idea

Imprisonment system lack of various specialists.

Current situation

In order to have professionals in related field, there should be more qualification activities, courses, ex-change programs for specialists, regarding these and many other topics:

- Prisons and human rights
- European Prison Rules
- CPT (European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment)
- The prison system in Europe
- Penal law and the focus on treatment
- Sentence planning
- Measurements
- Resources
- Motivation
- Ethics and competencies

- Health
- Art therapy in the juvenile prisons

Suggestion

Cooperate with universities, schools and prepare prison staff properly. Additionally, in those countries that do not have special schools for prison employees, start independent learning centers.

5 Imprisonment conditions

Idea

Many prisons are old-dated and not suitable for human-being to live in. After being sentenced in inhumane conditions for a period of time, a person might come out unsocialized and cause more crime.

Current situation

Some of the prisons are being moved into new buildings, usually choosing country area instead of city center. Some good examples of places to be prepared in imprisonment institution:

- Musical instrument room where inmates not only learn to play, improve their skills, but also hosts concerts and participate in competitions.
- Library: In this space convicts can read the books and are held presentations of books.
- Theatrical classes: the prisoners attend classes in theatrical performances and organizes open in theaters, open to all interested members of the public. It is important that the family of convict would participate. These performances requires great preparation, because there is a security problem – everything need to be aligned with the administration of the theater, prisoners should monitor and be accompanied by supervisors.
- Learning hall: in this hall inmates can learn and make use of Internet access, but only for educational purposes and a supervisor.
- Equipped gym with various sports equipment.
- Motivational tool: a high-end prisoner handed a gift – the plane. Such a measure meant to show that humanity and the motivation is more important than crime and problems.
- Laundry, where the prisoners themselves can wash their clothes, and so not to lose or to learn independence skills.

Suggestion

Encourage imprisonment institutions EU-wide to ensure humane conditions in imprisonment facilities. Create a juridical EU level organization aiming to control and evaluate imprisonment institutions.

6 Healthcare and education of inmates

Idea

There are many problems regarding integrating disabled inmates, ensuring their human rights while sentenced. What is more, almost every country deals with a problem of mentally disabled inmates, as imprisonment institutions and healthcare centers try to avoid them and usually have not good enough conditions to offer.

Current situation

A lot of attention should be drawn on regulating prisoner's education and healthcare:

- diagnostics
- needs and resources
- school education
- vocational training
- treatment versus work/labor
- employ-ability and transition management

Suggestion

Prepare, spread and control the implementation of recommendations regarding the problem.

7 Health promotion in a prison settings

Idea

Social solutions can bring positive results to inmates healthcare.

Current situation

There is an example that can illustrate what solutions could be used in order to improve current situation in many institutions. Mr. J. Enjuanes from University of Barcelona, Spain, has released a scientific research 'Health promotion in a prison setting: Experience in Villabona prison' (Pilar Muro, Jordi Enjuanes, Txus Morata and Eva Palasi // Pere Tarres of Social Education and Social Work, University Ramon Lull, Barcelona, Spain ; Department of Justice, Barcelona, Spain, 2015). This article explains the prison's health model from Social Community Pedagogy point of view. The main aim of the study was to analyze experiences of a health promotion intervention implemented by the Therapeutic and Educational Unit at Villabona prison in Spain, which aimed to create drug-free space as part of a model of social rehabilitation.

The design of the abstract was as part of a larger participatory evaluation study concerning the efficiency of community education, qualitative data were collected from the inmates and key informants associated with the unit. The results of the study showed that the unit provides a drug-free space that encourages healthy behaviors and strengthens formal and informal social ties to enhance protective factors. After the study, authors came to following conclusions. The educational and therapeutic model employed may provide a successful methodology for the promotion of health

in penal system institutions. Drug-free opportunities to promote good health may be provided through inmate's participation in therapeutic spaces and the process of change, alongside effective social and community support. The intervention described in the article offers a successful new social model of health promotion and education for prison inmate.

Suggestion

Initiate close cooperation between universities and public sector institutions by all means, especially by implementing theoretical knowledge in practice.

8 Social Community Pedagogy in correctional centers and in social reintegration programs

Idea

Innovative social integration models are very effective and should be considered and applied in a broader way.

Current situation

Mr. J. Enjuanes (University of Barcelona, Spain) together with his colleagues released Social Community Pedagogy in correctional centers and in social reintegration programs. A model of intervention for the improvement of social Reintegration. Social and scientific relevance is as follows. The European, Spanish and Catalan penitentiary system is implementing innovative experiences that are seeking to create spaces that are appropriate for which the inmates develop their capacities as citizens, but also notes the need for further progress toward the goal of reintegration attributed to it by the law.

Secondly, from the academic field, by a highly punitive criminal reality. Thirdly, need to design programs of social and educational action that incorporate the entire community (families, social entities, professionals, users themselves/internal) in the process of reintegration of persons in a situation of exclusion and/or social conflict. Fourthly, existence of community service, arising from the same prisons and social reintegration programs in an open environment, with best results of reintegration and reduction of relapse, with figures of 20% of relapse in these models criminal (in Spain the figures were 50% of relapse).

There were four research objectives:

1. Confirm the scientific validity and the educational benefits of the application of Community Social Pedagogy designed for people who are in a situation of exclusion and/or social conflict.
2. Develop of a theoretical-methodological guide for the implementation of the model of Community Social Pedagogy, based on the obtained results.
3. Build a quality standard system in Community Social Pedagogy applied to correctional centers and reintegration programs.

4. Transfer the benefits of the model of Community Social Pedagogy to other areas and institutions of the social and educational activity.

Methodology: evaluative research

The methodology was oriented towards change and decision-making:

1. Determine effectiveness and efficiency;
2. Make relevant decisions towards the improvement of programs and/ or organizations;
3. Participation of the involved agents in the entire process;
4. Working together in the dialogue with participants.

Evaluation stages

Design evaluation – how do agents appreciate the intervention model; the model application; Result evaluation – how do agents appreciate the intervention model's effectiveness, the efficiency and effects.

Conclusions

1. Inmate's will for change. Active involvement and participation in their own process of change identity. Impossibility to override the individuality within the community. Recognition of the inmate as a subject of law, and as an active and responsible agent of change. The inmate is actively involved in the program of individualized intervention's management. Importance of use of techniques that will lead to actions of desisting.

2. Educational treatment. Therapeutic work requires planning and evaluation. The programs are the basis of educational action.

Citizen awareness actions allow the inmate acceptance and practice of positive values.

3. Personalized work. Overcoming of stage system towards of progressive work. It's considered necessary:

1) working along with inmates

2) boost of the tutorial processes and exit permits

4. Prevention and educational change. Training and practice of conflict management, through the dialogue and confrontation.

5. Professional as a change catalyst Technical Perspective and specialized training of the UTE's professionals.

Application of distributive leadership and development of co-management and responsibility systems.

6. Group, participation and CSA. Work based on the commitment of prisoners towards the group and respect to social rules. Deployment of operative processes of participation and structures that allow it. Deployment of SCA methodologies in:

1) Use of systems and technical methods starting from the design of programs, group dynamics and confrontation.

2) Social and political practice through dialog, discussion, and consensus.

7.Planning, evaluation and impact. Evaluation planning ensures the path to improvement in life quality and subjective well-being.

8.Reintegration, comprehensiveness and social work. Strong participation mechanisms. Support and work with families. Empowerment of networking, community, as a space for involvement.

9.Leisure, culture and community. Use of community cultural development as a methodology for cultural promotion. Flexibility and accessibility to community work proposals.

Learning and new experiences in leisure.

10.Public policy and citizenship commitment.

Public involvement in the UTE project.

Creation of family school.

Conclusions, major changes in penal policy. Change in European penitentiary model.

1.Consideration of treatment as the main action within the correctional facilities.

1)Changes in security professional's role.

2)Environmental spaces prepared for treatment.

3)Motivation to change-targeted interventions.

4)Work from cognitive-behavioral programs.

5)Consider inmate as an active subject of change.

2.Interdepartmental work, especially in output processes.

3.Greater involvement of the community within as well as outside the prison.

1)Entities participation in skills and management of the leisure time programs

2)networking to ensure the process of de-institutionalisation.

3)Ensuring external link and accompaniment of the inmate's process.

4.Creation of specialized units of intervention.

1)Creation of drug-free models, managed by inmates themselves.

2)Family and near social environment involvement in change process.

3)Creation and consolidation of social support circles (Proyecto Circles of Support and Accountability).

Suggestion

Encourage more socialization, social integration and community-based researches both held by prisons and universities, in order to find most effective methods.

9 Long-Term Imprisonment and Human Rights

Idea

Nowadays it is very hard to get three very important bodies: university, public and private sector to come all together, discuss main problems and come to the solutions in related field. Though, there are several specialists working on this problem. Aida C. Rodrigues (Barcelona, Spain) is a specialist

in law and criminology and has participated in scientific research during the year 2007-2013, after which a book was published on the basis of this research. There are main issues that were found are:

- The main matter is inmate's health (both physical and psychological). The research was done using data of inmates who had made extremely hard and violent crime.
- One of the most actual problems that occurred during the research was the lack of continuity of social programs after the inmates were released.
- What is more, the determination of 'long term sentence' differs in different countries. As well as the meaning of word 'recidivism'. E.g., in some countries, recidivism is called repeatedly committed crime during 1 year after the end of previous imprisonment; in others 1-5 years, no matter if the crime is the same or not; in others – only if the repeated crime is exactly the same. While such differences of using key words remain, it is hard to make statistically significant researches.
- In addition to this, in Spain the penalty code and other related documents in the field of imprisonment were changed under the 90 reforms during last 15 years.
- While solving the question of releasing an inmate before time, a group of specialists are gathered all together and makes a decision. There are many problems, related with law, ethical, psychological and social issues to be solved. E.g. a person who committed a crime is sentenced for 10-15 years has also a mental illness. In such case a questions arise: weather to release this person or not? Will he successfully integrate?
- One of the results arose during the project, was that if the inmate receives a right to make a decision weather to live alone or with other inmates, usually the decision is to live together with others.
- Talking about the ways that places for inmates are being settled, many differences were obliged between different countries and event between different cities inside the country. e.g. in Vilnius, the capital of Lithuania, as well as in Barcelona, the capital of Spain, prisons are settled in the city center. In Lithuania the cells are situated in order to have as many inmates in one cell as possible, perhaps this order remained because these buildings were built under the Soviet Union.
- The project results showed that recidivism was reduced 10-15% after applying the model of treatment instead of punishment.
- Is work in prison a human right or can it be considered more as a slavery? We imply that inmate can choose freely to work or not to work, but at the same time we put him under the conditions of positive consequences (if you work, you get social points in Romania; or if you work, you will get free time to be in a gym; etc.) and negative consequences (if you choose not to work, you will be considered as unmotivated). Is work used as a way to control? Is it voluntary work or slavery? What amount of salary (less than minimum, minimum, average, more than average) should be paid? What to do with legal loopholes According to stated before, we can come to a conclusion that inmate's decision to work in prison might be unnatural and pressured. Thus the question of human rights is to be risen.

Family visits

Firstly, in comparison with Lithuania, Denmark and France, where inmates have the ability to use family visits, lasting 48 hours, Spain prisoners have the ability to use meetings with family only for 1-2 hours and also can invite friends into such visits. Ms. Sheila, who has master of law and

criminology, criminal sociology, criminal politics and sociology of law and works with CTP (prevention against human torture) presented many issues regarding related topic from the Observatory point of view.

Istanbul Protocol

Secondly, e.g. in Lithuania, there is one imprisonment system. In comparison, in Spain, Catalonia has **its own imprisonment system and it is a little bit different from the rest of Spain**.

Additionally, there is an international document, '**Istanbul Protocol**'. It is an international document with many concrete behavior tips for staff in order to avoid violating human rights. Unfortunately, in many imprisonment institutions, e.g. in Lithuania or Spain, the majority of prison staff has not even heard about this document.

More about Istanbul Protocol:

The Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, commonly known as the Istanbul Protocol, is the first set of international guidelines for documentation of torture and its consequences. It became an official United Nations document in 1999. The Istanbul Protocol is intended to serve as a set of international guidelines for the assessment of persons who allege torture and ill treatment, for investigating cases of alleged torture, and for reporting such findings to the judiciary and any other investigative body.

The Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment contains internationally recognized standards and procedures on how to recognize and document symptoms of torture so the documentation may serve as valid evidence in court. As such, the Istanbul Protocol provides useful guidance for doctors and lawyers who want to investigate whether or not a person has been tortured and report the findings to the judiciary and any other investigative bodies.

Observatory example

Thirdly, the **Observatory** was created in 2001 and its main aim is to create link between two entities: administration and society, to involve students, professors, public and administrative staff. There are four main branches:

- Investigation
- Educational system
- Articles and books
- Work with the public society

Fourthly, there is created a special **Comity Against Torture** of EC. There are many campaigns against violence and crime, eg. **SIRECOVI** (Sistema de Registro y Comunicación de Violencia Institucional). The useful link is here.

Model 'Cohesion Social' example

Fifthly, the **model 'Cohesion Social'** that is created by University of Barcelona, Fundacio Perre Tarres Privada and is applied in prisons, is working very successfully. According to the model, a group of agents (meaning not 'special agents', but people, related with the model) is created. One agent is a prison inmate, who is responsible for taking care of a group of inmates. Second agent is

from prison staff and is responsible for one or several inmates. Third agent is inmate. Fourth agent is someone from freedom social worker. Fifth agent is psychologist. Sixth agent is a relative of inmate. There can be more or less agents regarding the situation of imprisonment institution. In this way, a successful social circle is created for an inmate. Inmate is often given tasks to do in order to prepare for life in freedom. If the tasks are performed well, then inmate is being rewarded with. The examples of rewards: longer period of staying in sports area; one or several days outside the prison; better living conditions, etc. If the inmate does not involve in the tasks, the incentives are eliminated as a way of punishment, e.g. inmate is isolated from group activities, etc. The key point of the model is to create a LINK between inmate and agent (inmate – worker; inmate – psychologist; inmate – other inmate, etc.), create psychological link and gain the authority.

Furthermore, ‘Cohesion Social’ lets inmate to have exchanges with society, which leads to better integration and becoming a part of community. There were used several different models in prison system in Spain, related to education and social life but they were not so successful.

In addition to this, in order to pay back for the society the damage after committing a crime, during the program, inmates went to schools and shared their experiences with children, learning them not to commit a crime. Children were also brought to prison in order to acknowledge them about prison conditions and consequences of bad behavior. The problem is as follows: the society should ask itself, **what penalty does satisfy you as a citizen?** Usually, in penal law and imprisonment system procedures, we loose the victim and the whole information flow and actions are held around the offender.

EU member states law vs. EU law

Moreover, there is a place for discussion about **states that do not respect international law**. E.g. an inmate in England is not under **extradition** to Lithuania because Lithuania does not have essential facilities. By using penal for the state that does not apply international law would be putting a state itself to a role of prisoner, e.g. if such state continues ignoring international law, the state should be prohibited to take part in international processes of imprisonment. Of course, there many more problems arise. What kind of entities should be responsible for proposing recommendations? Should it be an independent entity, United Nation, European Union institution? It is very important to avoid the unanimous influence of biggest countries. An example could be used in the current situation with refugees. A state can be forced (by European Justice) to take refugees and this decision is mandatory and the decision of European Court can be forced, e.g. a state can get a fine for not implementing the decision. Can we use the same model for imprisonment system?

Building new prisons

The decisions to build more new prisons is also a problem. Usually the prisons are build in order to improve imprisonment conditions and to decrease the amount of inmates. Catalonia’s example show that as new prisons are build, they are filled with inmates. So do we really need new prisons?

Language and vocabulary

Additionally, the **language and vocabulary** that is being used in institutions and documents should change in order to have more realistic point of view for current situation and to have more positive impact on society way of thinking.

One more problematic issue is inmates' working inside the prison. If we use work as a penalty, **is inmate's work a slavery?** Is work in prison a right of inmate? The ability to work is Constitutional Right of a person. According to European Law, everyone has a right to move. An inmate is a person and has a right to choose work and a right to move between countries (imprisonment condition remains, of course). In this way, is it possible, e.g. for Spanish inmate to choose job in Lithuanian prison and to move? Right of movement is clearly stated in European Law. E.g. refugees, who are often not EU citizens, can use this right. Movement is also a natural right. We have also **The right of Asylum** that is an ancient juridical concept, under which a person persecuted by their own country may be protected by another sovereign authority, a foreign country, or church sanctuaries (as in medieval times). If we create conditions to have rights to travel for non-EU citizens, then maybe we should create such conditions to inmates?

In addition, there are many situations when **Istanbul Protocol cannot be fully applied**. E.g. imprisonment institutions create many difficulties for observations (for institutions that are responsible for human rights) and **do not let the observers into the prisons**. Why an observation center cannot get into the prison? Should they observe or should evaluate current situation? They are usually treated as enemies of imprisonment institutions. In this point of view, we have a diversity: reality vs. law. One of the solutions would be fostering cooperation between institutions, starting from today; making new researches, cooperation, transparency in micro and macro levels. In macro level, we have Istanbul Protocol but in micro level we do not have any common restrictions. New charters, staff motivational and professional training (also for lawyers), rules of informational spread are essential. The problem is that law works good in national level but the lawyers are not enough qualified to operate international law. Soft law (or recommendations) is usually not working. Should we make it mandatory and sanctioned or keep it as recommendations only? On human rights matter, one cannot be on both sides and the goals must be implemented.

Decision making

Also, there is a problem that **inmate becomes rigid because of not being allowed to make decisions**. During the program, the inmate can make decisions, make mistakes and learn from them. In the model, there is plenty of space to learn how to debate with others, to express opinion with others, not only with other inmates. The model works on the basis of this order:

ALLOWANCE TO MAKE MISTAKES → CONSEQUENCES.

The ultimate objective of the program is **integration into the society**:

- 1.the ability to live and manage living on his/her own;
- 2.take good care of his/her physical, psychological and social health;

Social model that was applied is aiming to apply this rules:

- Everything related with prison is related with inmate.
- Prison is a 'new school' in a broad point of view.

E.g. prison should orientate not only into applying penalty, but more to reducing recidivism, educating inmates. The main objective of prison should be how to improve the capacities of inmate to have more quality of life after the release.

What should be done?

There is a saying 'Being in prison is equal to a lack of freedom to make movements. If you lose some rights, you will start to look for new ways of satisfaction' (meaning, drugs, etc.).

1. There is a need to change a criminal model to piece making model.
2. "Prisons" should more become alike "Reintegrational centers".
3. Different institutions use guidelines from different documents. Soft law is not useful in practice.
4. Material conditions should be taken into account in order to achieve best results in integrating inmates. The question arises, what accommodation should be appropriate?
5. Inmate's work in prison = slavery?
6. Women usually are the minority of imprisoned population. There should be more investigations done in order to apply most appropriate conditions for them.
7. Psychotic inmates should be separated, or integrated with other inmates? What special care should be applied to them? Should they be kept in prisons or in health institutions? In many ways we have lack of qualified staff to work with these cases.
8. Jacob theory. Should a criminal get different or same conditions of living in order to have progress of integration into the society?
9. Different systems: are we up to integrate or reintegrate the ex-inmates to our society? Fields of education, social and psychological help, accommodation conditions and other fields need more research and practical appliance.
10. Do we want to increase or decrease number of inmates? Differences in Penal law should be taken into consideration and changes applied.

Suggestion

Use existing scientific research findings and initiate new ones in order to validate powerful decisions regarding inmates integration, planning of imprisonment institutions actions in member states and implementation of Human rights.

10 Computers usage in imprisonment institutions

Idea

Ensure computer literacy, even the lowest levels of society.

Current situation

In many imprisonment institutions, there is guaranteed secondary education for inmates who do not have it. In some places, there is a possibility to gain professional education. Also, there is some focus on non-formal education of inmates. On the other hand, in most of the cases, inmates are forbid to use computer, learn how to work with computer, etc. Improved computer literacy would

empower ex-inmates to find new job-searching possibilities, as well as gain technical capacities, e.g. how to fix technical problems of computer, as a result, broadening ex-inmates abilities to integrate into the society and job-market. In Lithuania, there was a case where Lithuania as a state lost in the European Court of Human Rights – ECHR because an inmate was not allowed to use computer and internet during the sentence time.

Suggestion

Release a legal act, defining computers usage in imprisonment institutions.

11 Volunteering in prison

Idea

Promote voluntary activities in prisons.

Current situation

Firstly, there are many interesting scientific findings and research done, showing the benefits of voluntary activities for people's mental and physical health, self-confidence, etc. To be more specific, Mr. Jordi Enjuanes from University of Barcelona, Spain has released his and his colleagues' article 'Voluntariado y educación social en prisiones. Una experiencia de participación integral en el proceso de cambio de las personas privadas de libertad'. This article explains how the volunteers work in Lledoners prison, what are pros and cons of the activities, the most efficient methods applied.

Suggestion

By legal and informal tools, empower voluntary activities in prisons.

12 Probation services and social integration

Idea

Make probational services specialty more desirable among young specialists and train as many specialists as needed.

Current situation

There are not enough probation services in many member states, which is a big problem. There are not enough probation officers for the amount of people in probation and in prisons. In some EU states, probation process has just started. Also, the hiring of staff has changed during the last years. E.g., in some countries, there is a new mandatory training for them; another example is that in some countries, social workers started to concentrate/specialize on reintegration. In some of the countries, there are E-Learning courses applied for prison staff and the courses are introduced through e-platform, e.g. "Moodle". Due to the E-Learning the staff is flexible to learn whenever they want and it is accessible everywhere. So it is like an online handbook for prison staff.

Suggestion

Use as many as possible e-forms for qualification courses in EU member states.

13 E-shop

Idea

As today EU countries has different opinions about letting prison inmates make and sell crafts (paintings, wooden things, pottery, jewelery, etc.), we offer to legitimate this ability. It would increase inmates employment in creative activities, the formation of their creative and professional skills, steer the convicts in the right direction, encouraging and strengthening their motivation to change.

Current situation

We have different situation in different EU countries, and sometimes, the regulation differs in different regions of the same country (e.g. Spain and Catalonia situation). Some examples in different countries:

1. In Austria, such e-shop started working on 14th November, 2014 (<http://www.thelocal.at/20141114/prison-service-sells-gifts-made-by-convicts> ; <http://www.justiz.gv.at/web2013/html/default/2c94848642ec5e0d014427e6f1025023.de.html>) , public society is even able to make an order and write in detail, what crafts should be made;
2. In some of Germany prisons, inmates' paintings are being sold only during open-door fests, but not on the internet and money, gained during such fests, are given to charity (meanwhile, all inmates who are making crafts are paid daily salary into a special inmate account which can be seized account by bailiff officer in order to repay the damage of the previous crimes) ;
3. In some areas of Spain (e.g. Barcelona), there has been attempts to start e-shop and sell such works on the internet but they were not finalized because of confusing laws. Still, artworks can be sold during special fairs and 50% of the gained money goes to the imprisonment institution and 50% to the inmate;
4. In Lithuania, there is no legislation about selling goods that inmates made. There is an e-shop, created by Association "Novi Homines" (www.prisonart.eu) with some examples of art. Imprisonment institutions refuse to sell the artworks because they do not know in what order to proceed the payments. On the other hand, Lithuanian laws do not prohibit the ability to sell intellectual property of an inmate.

To compare with, in USA such e-shops are working for decades.

Suggestion

To form a legal act that obliges all EU countries to ensure human rights of prison inmates, regarding the right to work and sell the goods made by inmates; recommendations how the implementation should be managed in member states; regulation of ex-inmates intellectual property rights to the crafts that were made during sentence time.

14 Prison system cooperation with NGOs and other organizations

Idea

Due to too old legal acts and narrow safety restrictions, it is very difficult for volunteers from different organizations to come into prisons. In those imprisonment institutions, where the regime for inmates is not so strict, and inmates can come out during daytime, there are not enough activities and organizations to cooperate with.

Current situation

At the moment, there are only several good examples of what could be done in EU level:

1. Lithuania's basketball club 'Žalgiris' programme 'One Team' is a social responsibility and marketing program developed by the Euro-league. During basketball game with professional players, boys from correctional facility engage values, knowledge and experience.
2. Portugal organization 'SAPANA', promoting career guidance in marginalized groups, implemented project 'Breaking Bars with Shakespeare'. It is a social reintegration project experience where convicts builds Shakespeare in theater with professional actors.

Suggestion

Using present mechanisms and creating new ones, fund and encourage various NGOs and institutions to cooperate with imprisonment institutions.

15 Public society view and opinion

Idea

To attract public attention to ex-inmates integration problems by having Penance and Care of Inmates Day on November 20th.

Current situation

The topic of imprisonment is uncomfortable and usually ignored or interpreted in only negative way, without thinking about what can be done to have positive changes.

Penance and Care of Inmates Day on November 20th

We highly encourage to share this event and organize different activities for prison inmates, ex-prisoners, including into the events different social groups, such as:

- Experts from different fields of science (research, psychologists, artists, criminologists, lawyers, other);
- Representatives from socially excluded groups, such as elderly people, people with disabilities, female-jailers, gypsies, children growing up in jail detainees, risk and criminal families, alcoholics, addicts, high-risk suicidal inmates;
- Students of the related field: social science, psychology, law, philosophy, economics, statistics, art, public communication, etc.;

- Children and teachers from schools (especially to art activities and public discussions);
- Career specialists, representatives from recruitment agencies, Labor Exchange, private sector businesses;
- Church representatives;
- Spokesmen from various Public bodies: municipalities, probation services, ministries of Justice, jails, other.

Please, do not forget that the main purpose of imprisonment institutions is to make our society better, to reduce crime, and have a positive impact on inmates behavior.

During this day, on this occasion people should organize related events

Such events could be conferences on the related field, where many attendees make presentations and discuss about challenges in prison, non-governmental organizations in member states.

There could also be concerts, intended to thank for everyone who is working with prisoners and related fields.

We could promote films related to the topic, e.g. Evaldas Jansas (Lithuanian creator) film ‘Freedom to create’ review.

The main aims are to draw attention to the existing problems in prisons and find solutions. There could be organized many other events (conferences, debates, workshops, active classes), during which the penitentiary, probation departments, non-governmental organizations from the European Union countries would share experiences and explore ways of re-education and social integration functions more efficient.

Increasing problem

Paradoxically, the prison population density is enormous. In European Union Member States, incarcerated population is estimated at 1.7 million people. Convicts and prison sentenced persons, as well as their family members are not inclined to get involved and do not involve in the democratic and civil initiatives, continue social exclusion and increase the risk of re-offending. High number of relapses Lithuania seems unsolvable problem. Persons who have carried out the court and their sentences were imposed, again repeat the same mistakes, which directly influence the high crime and victimization.

Lithuania and other EU countries in this situation shows a lack of attention to social integration. Lithuania was recently shocked by the murder in little town Kražiai (Kelmė’s district), during which 4 women were killed. The suspicion of a criminal offense is held over a man, who is previously convicted for murder. The offenses reasons (alcohol, drugs, unemployment, emotional instability), which directly led to the offense will always remain in second place after disciplinary functions. The public is a key penalty function, which satisfies the prison, but what will happen after the person serving his sentence comes out to freedom? What are the public expectations from a person who goes out and who carried out the sentence?

In theory, a person went out to freedom after the social integration program should not commit a crime ever again. Main reeducation authority objective should be to ensure that more persons released from prison after serving sentences, would engage in meaningful activities, get jobs, take care of their family and loved ones and not to duplicate the offense. However, that person after serving his sentence should be able to raise life goals and to implement the necessary attention and

support during his time of punishment. Unfortunately, often people in prisons are associated with other marginalized groups, like people with drug addiction, alcohol, illiterate persons, as well as social minorities, migrants, and others. On the involvement of marginalized groups, the gap between family, work and social life, retired to freedom is becoming increasingly difficult to integrate into society: find a job, get a place of residence, start a family.

Existing programs are not sufficiently effective

Generic integration of convicts into the society rightly states that ‘convicts and persons released from imprisonment, consists of a number of specific group of people in need of comprehensive social support. Its aim is to create basic living conditions of imprisonment released persons lost their social connections and professional skills, have no clue about labor market, have psychological difficulties in social adaptation’. According to the Council of Europe Committee of Ministers’ recommendation to member states No. R (2006) 2 on the European Prison Rules, which seeks to develop best practices, 103.2. item ‘Recommended arrival inmates should be as soon as possible to prepare reports on their personal situation, each of their sentence plans and launch preparation of the strategy’. In other words, in accordance with the essential elements of the rules of the idea and the final purpose of integration, from the very first days of detention must be contemplated when and how imprisoned person will go out into the wild and how they work purposefully.

There should be more attention to the non-government sector

The non-governmental sector in Lithuania has not yet become an equal partner as organizations and financially the implementation of the social protection functions, although most Western and Central European countries as well as North America non-governmental organizations not only play an important role in the administration and enforcement of penalties, criminal or corrective measures (for example, public works, mediation, social education courses, the probation and so on), provides specialization, flexibility, efficiency and individual approach to condemnation of the social situation and the problems, but also have a significant impact on the public debate. Lithuanian Republic Penal Code, Art. 8 2 d. enshrined in the enforcement of sentences of customization and public participation in the process of correction of convicts Principle: ‘Tarnation correction process may participate in social organizations, religious communities and their members as well as other natural and legal persons’. Lithuanian Republic Law on probation Art. 4 2 d. ‘Cooperation contained in paragraph 4 of subsidiarity and promotion of volunteering principle, whereby the probation actively involved in state and municipal institutions and organizations, volunteers and develop reliable cooperation relations’.

For these reasons, Penance and Care of Inmates Day on November 20th, Association ‘Novi Homines’ urges the public to thank and honor those who work hard and do most valuable work in the social integration of prisoners and persons who carried out the sentence.

As well as all state and municipal institutions and organizations, volunteers, convicts, the arrested families, friends, co-workers, were invited to remember familiar people in prison, and contribute to the socialization in order to achieve positive results: to maintain relations with them, helping to conduct imprisonment, are arrested in local offices, take part in probation agencies staff activities to carry out re-socialization programs.

'Penance and Care of Inmates Day' is intended to draw public attention to the high recidivism rate and its causes, note re-socialization and hard work with convicts importance, and thank and encourage those working in the field of re-socialization.

Suggestion

November 20th Association Novi Homines suggested to celebrate Penance and Care of Inmates Day. This day should be officially announced and annually presented.

All in all, we suggest to initiate necessary legal acts and start a new legal EU unit (organization) that would be responsible for all questions mentioned above and could function in EU level.