

« Re-socialisation of offenders in the EU: enhancing the role of the civil society »



eNewsletter



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Introduction

Throughout the years, human rights monitoring mechanisms have identified numerous shortcomings of EU countries' penitentiary systems: depreciated assets, poor material conditions, persistent overcrowding, unemployment, inadequate security, etc. The situation is even worse regarding some particularly vulnerable groups of inmates (women, foreigners, minorities, drug users and juvenile offenders) who require special treatment but are often deprived of adequate services. All these problems undermine the legitimacy of the penitentiary systems and the chances of offenders to successfully re-integrate in the society. At the same time, the voluminous case-law of the European Court of Human Rights under, inter alia, Articles 3 and 5 of the European Convention on Human Rights, continues to strengthen the framework for the protection of detainees' rights and the absolute prohibition of torture, inhuman and degrading treatment.

To respond to this challenge, many countries have introduced different alternatives to imprisonment (such as probation, community services). However, the impact of such policies on the resocialisation of offenders is yet to be studied and evaluated. Furthermore, while European penitentiary systems are monitored by a number of bodies at national and international levels, there is also a need of a comprehensive monitoring tool, which, if applied on a regular basis, can produce reliable and systematised information allowing relevant stakeholders to create informed policies, concerning prisons and the prison population.



Against this background, a consortium of research institutes from five Member States (**Center for the Study of Democracy (CSD)** – Sofia; **University of Applied Sciences and Arts (UASA)** – Dortmund; **Observatory on the Penal System and Human Rights (OSP DH)** of the University of Barcelona; **Law Institute of Lithuania (TEISE)**; and **Droit au Droit (DAD)** – Brussels) experienced in the field of prison reform and inmates' rights have launched a *project* aimed at reviewing the application and scope of innovative sanctioning approaches across the legal systems of five Member States (**Bulgaria, Germany, Spain, Belgium and Lithuania**), with a view to explore three distinct, yet closely related, strategic objectives:

1. **promoting the broader use of alternatives to imprisonment** by studying the scope of their application and outlining practices that satisfy three basic criteria: resocialisation effect, active involvement of civil society organisations and potential to unburden the prison system.
2. **improving the situation of specific groups of vulnerable inmates** (e.g. foreigners, drug users, minorities, juvenile offenders) through identification of such groups, examination of their problems, and collection and exchange of promising practices for their treatment, based on their resocialisation potential and the involvement of the community and NGOs.
3. **designing a prison monitoring index** by using the available and accessible information which could contribute to the further opening of the prisons to oversight by international mechanisms and civil society actors, as well as to strengthen the capacity of relevant stakeholders to design and implement informed prison-related policies.

[Read more](#)

Handbook on vulnerable groups of prisoners



VULNERABLE GROUPS OF PRISONERS A HANDBOOK

In prison, **certain groups of inmates are subject to disadvantages** due to specifics of their origin, gender, sexual orientation, age, etc. These groups usually need **special treatment**, which is not always provided, which leads to unequal treatment and violation of their rights.

This handbook **examines the situation of such vulnerable groups** within the prison systems of **Belgium, Bulgaria, Germany, Lithuania and Spain**. Starting from the classification of the **UN Handbook on Prisoners with special needs** and looking at the different national contexts, the authors identify different groups as vulnerable in different countries. In order to encompass as many groups as possible, their list was extended to include some particularly marginalised groups, such as sex offenders, prisoners with disabilities, etc.

Each group is viewed in context, explaining the situations of vulnerability both generally and in the selected countries. From one side, the handbook **presents the efforts for compensation of vulnerabilities** in every country available in the legislation or provided by prison authorities or other actors. From the other side, it identifies the **gaps in the measures and practices**, which vary both from country to country and from group to group.

[Read more](#)

News

Prison hors les murs, la réponse oubliée

par Léa Ducreé et Sarah Perrussel, Le Monde Diplomatique, novembre 2014

Depuis quinze ans, le placement extérieur permet à des condamnés en fin de peine de vivre et de travailler en dehors de la prison. Toujours considérés comme des détenus, ils préparent leur retour à la liberté. Moins coûteuse, plus adaptée à la réinsertion dans la société et plus humaine, cette solution de rechange à l'incarcération reste pourtant très marginale en France. [Read more](#)

Spain has an empty prison problem

by Ian Mount, Fortune, 2 December 2014

Economic motives have pushed governments in Spain and around the world to embrace alternatives to incarceration that were not viable just a few years ago. But what should the nation do with the thousands of empty cells? [Read more](#)

Romania: Drug-related offenses reduced as new criminal code is enforced

Ștefan Iancu, International Drug Policy Consortium, 8 December 2014

This year, the Romanian drug law was amended in the direction of decriminalisation, though the law still retains imprisonment and fines as an option, while penalties generally discriminate against the poor and socially disadvantaged. [Read more](#)

Vasilescu v. Belgium: The Same Old Belgian Song of Structural Deplorable Prison Conditions

by Rebecca Deruiter, Strasbourg Observers, 10 December 2014

In its recent ruling in [Vasilescu v. Belgium](#), the European Court of Human Rights convicted the Belgian state of inhuman and degrading treatment violating Article 3, for the deplorable detention conditions during the applicant's confinement. Since enhancements to certain Belgian detention facilities can be labelled as 'too little too late', this judgment reaffirms, yet again, the enduring criticism by national and international observers. This not only negatively affects prisoners but has also wider implications for cooperation between EU Member States in criminal matters constructed on the principle of mutual recognition. Once more the Court ruled against Belgium, but at what point will the Belgian state finally listen? [Read more](#)

Emptying Belgian prisons with a bracelet

by Paola Battista, West Info, 11 December 2014

Belgium has decided to make electronic tagging the rule rather than the exception by giving autonomous local authorities greater powers to use electronic bracelets in cases where people are held in custody. The new practice has been introduced as part of a [broad reform of the prison system](#), which will take effect from 1 January 2015. [Read more](#)

Why Norway's prison system is so successful

The Journal, 13 December 2014

Relatively few people in Norway go to prison, and those who do usually only go once. How does Norway do it? [Read more](#)

Carcere, "oltre 500 mila euro al giorno di risparmio con le misure alternative"

Redattore Sociale, 17 dicembre 2014

Le proiezioni di Centro nazionale per il volontariato e Fondazione volontariato e partecipazione. Potenziando le comunità di accoglienza possibili 1.500 nuovi posti di lavoro. A fine novembre negli istituti di pena erano presenti 54.428 detenuti. I detenuti in eccesso sono oltre 5 mila. [Read more](#)

Recommended Reading

Long-Term Imprisonment and Human Rights

Edited by Kirstin Drenkhahn, Manuela Dudeck, Frieder Dünke, Routledge, 2014

Prisons and imprisonment have become a commonplace topic in popular culture as the setting and rationale for fiction and documentaries and most people seem to have a clear notion of what it is like in prison, ranging from the idea of the prison cell as a cosy nook with fast internet access to that of a dungeon with a hard bed and a diet of bread and water. But what is prison really like? Do prisoners have the same rights as everyone else? What are the similarities and differences between prisons in different European countries?

This book answers all of these questions, whilst also presenting cutting-edge research on the living conditions of long-term prisoners in Europe and considering whether these conditions meet international human rights standards. Bringing together leading experts in the field, with comprehensive coverage of the issues in Belgium, Croatia, Denmark, England, Finland, France, Germany, Lithuania, Poland, Spain and Sweden, this book offers the first comparative study on the subject. ([Read more](#))

Hors des murs. L'exécution des peines en milieu ouvert

Xavier De Larminat, PUF, 2014

L'exécution des peines en milieu ouvert, la probation, dans un contexte d'austérité budgétaire, de rationalisation administrative et de focalisation sur la récidive, implique de nouvelles façons de responsabiliser et de gérer les condamnés.

Prévention de la récidive et lutte contre la surpopulation carcérale sont devenues les maîtres-mots des politiques

pénales. Dans l'ombre de la prison, dont l'échec n'en finit plus d'être dénoncé, le paysage de l'exécution des peines s'est progressivement transformé pour répondre à ces impératifs de gestion des risques et de gestion des flux. L'essor silencieux des peines de probation en constitue l'évolution la plus remarquable : du travail d'intérêt général à la contrainte pénale, du bracelet électronique au sursis avec mise à l'épreuve, elles concernent aujourd'hui trois fois plus de condamnés que la prison.

À partir d'une longue immersion dans deux services pénitentiaires d'insertion et de probation, ce livre interroge les conditions d'exécution de ces sanctions en milieu ouvert. En analysant les effets de la rationalisation administrative et des recompositions professionnelles sur les méthodes de prise en charge, l'auteur souligne les illusions managériales et criminologiques des réformes actuelles : à trop se focaliser sur des modes d'évaluation quantifiables et décontextualisés, ces orientations privilégient le classement des profils et des dossiers à l'ambition de reclassement social des condamnés. ([Read more](#))

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Banner painting “Presos” by Leocadia Jurado

(Courtesy of the artist)



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