

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



eNewsletter



January 2015 - N° 1

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.

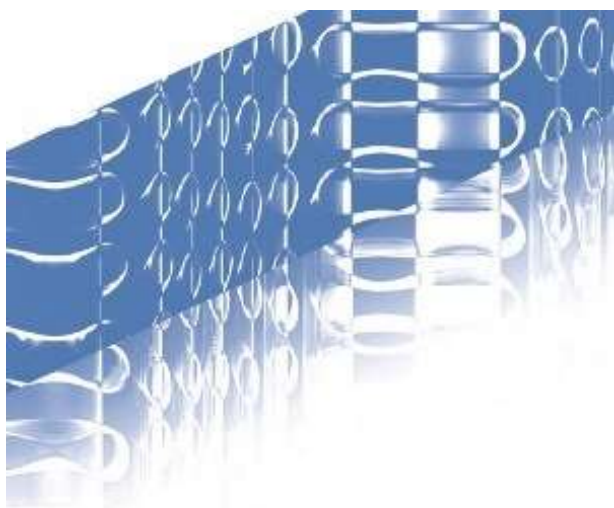
To respond to this challenge, many countries have introduced different alternatives to imprisonment (such as probation, community services). However, the impact of such policies on the resocialisation of offenders is yet to be studied and evaluated. Furthermore, while European penitentiary systems are 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 (OSPDH)** 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.

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PRISON CONDITIONS MONITORING INDEX METHODOLOGY AND PILOT RESULTS

Prison Conditions Monitoring Index: Methodology and Pilot Results

International organisations, national governments and human rights NGOs exercise **various types of monitoring of the penitentiary systems**. In order to quantify their results, there are **some generally accepted indicators** (such as the number of inmates per 100.000 citizens), but **in many specific areas** like **healthcare, employment, security and safety**, such indicators **have never been applied**. Therefore, those monitoring efforts will substantially benefit from an instrument capable of supplying comparable and easy-to-use data on the situation in prisons.

To address this need, the **Center for the Study of Democracy**, in cooperation with the **Dortmund University of Applied Sciences and Arts**, the **Observatory on the Penal System and Human Rights with the University of Barcelona**, the **Law Institute of Lithuania** and Association **Droit au Droit**, developed a **Prison Conditions Monitoring Index (PCMI)** – a system of indicators translating into comparable figures the situation in different prisons. In the end of 2014, the PCMI was **piloted in several prisons** in Bulgaria, Germany, Lithuania and Spain to test its operability and analyse the potential use of the results it generates.

The present report elaborates on the **methodology underlying the PCMI** and offers a **summary of the results of**

its pilot implementation. It is intended for a broad audience of readers including policy makers, prison staff, lawyers, social workers, academics and NGOs interested in the topic of prison monitoring.

[Read more](#)

News

Detention Alternatives Could Save Italy's Penitentiary System 577,000 Euros a Day

by *Associazione Antigone, Liberties-eu*, 23 December 2014

"The certainty of rehabilitation: Prison costs and value of the alternatives to detention," a new report edited by a group of volunteer organizations working on detention issues, was presented in Rome on December 17. The report concluded that more alternatives to detention should be made available, noting that removing 10,000 current inmates through detention alternatives would save the penitentiary system 577,000 euros per day, and 1,500 jobs could be created to staff and operate alternative detention homes. [Read more](#)

France : Des cellules sous vidéosurveillance contre le suicide des détenus

Charles Sapin, *L'Opinion*, 29 décembre 2014

Pour endiguer le nombre de suicides en milieu carcéral, anormalement élevé par rapport à nos voisins européens, le ministère de la Justice réfléchit à des «cellules de protection d'urgence» sous haute surveillance pour les détenus à risque. [Read more](#)

Prison labour: a vehicle for reintegration or exploitation?

by *Feriel Alouti, Equal Times*, 31 December 2014

In 1987, prison labour in France became a right rather than an obligation, and takes on different forms. [Read more](#)

Comment prévenir le suicide dans les prisons françaises

Marie Boëton, *La Croix*, 5 janvier 2015

En France, les détenus suicidaires pourront désormais être placés dans des cellules équipées de caméras pour permettre aux surveillants d'intervenir rapidement en cas de passage à l'acte. [Read more](#)

Protecting Trans Prisoners

By Amanda Hess, *Slate*, 6 January 2015

LeslieAnn Manning, a transgender woman in a male facility, says she was raped because her prison didn't keep her safe. How should prisons protect their most vulnerable inmates? [Read more](#)

Should a Belgian murderer be allowed euthanasia?

BBC News, 7 January 2015

A murderer serving a life sentence in a Belgian jail, who asked to be allowed to die by lethal injection, was told in September that his wish would be granted. This week the Justice Ministry reversed that decision. [Read more](#)

After prison, a will to change is not enough

Inga Sprinĝe, *Mantas Dubauskas, Re:Baltica*, 7 January 2015

Muka was one of 3,319 prisoners released in Lithuania last year. The country has the highest incarceration rate in the European Union. In the region, Georgia and Russia lock up more people than Lithuania. [Read more](#)

Recommended Reading

The European judicial review of prison: human rights as foundation of an inverted panoptism?

Gaëtan Cliquenois, Yves Cartuyvels, Brice Champetier, *Déviance et Société* 2014/4 (Vol. 38), Pages 491 – 519

Belgium is characterised by the weakness of its own national judicial control over its prisons, both by the judiciary and administratively. This poor control can be explained by the refusal by the Council of State to exert control over the prison administration and the division of competences between the judicial and administrative orders. This weakness is also considerably reinforced by Belgium's failure to ratify the Optional Protocol of the UN which implies a lack of independence for the surveillance commissions and for the Central Committee for surveillance that are the main Belgian bodies responsible for internal control over prisons. Therefore, control over Belgian prisons is more and more exercised by the Council of Europe and in particular the European Court of Human Rights, the Committee of Ministers and the Committee for the Prevention of Torture, which have extended the scope of their supervision to cover suicides, illegal detention, healthcare and insanity. ([Read the article](#))

Did female prisoners with mental disorders receive psychiatric treatment before imprisonment?

Adrian P Mundt, Sinja Kastner, Jan Mir and Stefan Priebe, *BMC Psychiatry* 2015, 15:5, January 2015

Throughout the world, high prevalence rates of mental disorders have been found in prison populations, especially in females. It has been suggested that these populations do not access psychiatric treatment. The aim of this study was to establish rates of psychiatric in- and outpatient treatments prior to imprisonment in female prisoners and to explore reasons for discontinuation of such treatments. ([Read the article](#))

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Banner painting “Presos” by Leocadia Jurado

(Courtesy of the artist)



This publication has been produced in the framework of a project implemented with the financial assistance of the European Commission, DG Justice. The Commission is not responsible for any use that may be made of the information contained therein.

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