

Evaluation Lanzarote Convention Questionnaire:

LJV	Question 10, 3 rd indent: Whether there are specific programs for young offenders	Question 21 f.: Please specify whether the victim and his/her family are informed when the person prosecuted or convicted is released temporarily or definitely from detention or custody. Please indicate who delivers this information and how
BW	In the Baden-Württemberg Youth Prison there are only occasional cases where young prisoners serve a youth detention sentence based upon a crime within the meaning of the declaration. In cases where therapy is indicated the Socio-Therapeutic Section of the Adelsheim Juvenile Penal Institution is available.	In accordance with the prerequisites in section 39 subsections (1) through (3) of the Act on Penal Institutions Book 1 (<i>Justizvollzugsgesetzbuch I</i> ; JVoIzG), the public prosecutor, the court, and the victim are informed of the time of release and/or the release address. This also applies to victims of crimes within the meaning of the Declaration.
BY	In the Neuburg-Herrenwörth Juvenile Penal Institution juvenile male prisoners can participate in a therapy program for sexual offenders.	In addition to information rights that are governed by the Code of Criminal Procedure (<i>Strafprozessordnung</i> ; StPO), pursuant to Article 197 (5) no. 2 of the Bavarian Prison Act (<i>Bayerisches Strafvollzugsgesetz</i> ; BayStVoIzG) upon a written application victims can be informed by the prison about whether a person is in custody and whether and when release is scheduled. The application must set forth a legitimate interest and the prisoner cannot have an overriding interest meriting protection that excludes the notification.
BE	There are a number of different treatment options available in the prisons. Treatment for sexual offenders usually takes place in a socio-therapeutic institution. The individual treatment needs of adult criminals subject to a final conviction and a sentence of imprisonment pursuant to section 6 of the federal Prison Act (<i>Strafvollzugsgesetz</i> ; StVoIzG) which is still applicable in Berlin is determined within the framework of the treatment examination at the start of the detention and is established in the compulsory treatment programme pursuant to section 7 StVoIzG. Sexual offenders (male and female) with a sentence exceeding two years are to be placed in socio-therapy pursuant to section 9 subsection (1) StVoIzG, insofar	If the victim of a crime seeks to protect himself from an unexpected encounter with the imprisoned criminal, desires to be psychologically prepared for such an encounter, or fears further attack, as the victim of a crime or his legal successor upon a written application to the prison pursuant to section 46 in conjunction with section 42 nos. 1 – 3 of the Berlin Penal Institution Data Protection Act (<i>Justizvollzugsdatenschutzgesetz Berlin</i> ; JVoIzDSG Bln) can request information regarding the duration of imprisonment, potential relaxation of conditions of imprisonment, and the release address of the convicted person. Victims of crimes against sexual self-determination in principle have – without the requirement of showing a legitimate interest – a right to be informed by the prison whether and, as applicable, in which institution a person is in custody,

as such treatment is advisable, that is, when there is sufficient need for therapy, ability to be treated, necessity for treatment, and motivation for therapy. Offenders who have committed other crimes (particularly violent offences) can apply for socio-therapy in accordance with section 9 subsection (2) StVollzG, which can also take place at a later point in time during the prison sentence. The head of the socio-therapeutic institution (hereinafter "SothA") takes the decision regarding the intake. At the commencement of the placement in the socio-therapeutic institution there is a diagnostic and observation phase that has a duration of approximately three months. A written treatment plan is prepared that contains recommendations for the actual treatment. In-patient socio-therapy for adult offenders usually lasts for several years. The SothA in the closed male prison at the Tegel Prison operates a group therapy treatment programme lasting from 18-21 months for sexual offenders. Primarily paedophiles participate in these programmes. The SothA also enables alternative and individual therapeutic treatment where indicated. Likewise, in the female prison there has been a socio-therapeutic section for the past 23 years with an extremely intensive individual and group therapeutic treatment programme. In those rare cases where women are convicted and sentenced to prison based upon a sexual offence, they are treated in the section. In the Youth Prison, as part of establishing the education and treatment needs pursuant to section 10 of the Berlin Youth Prison Act (*Berliner Jugendstrafvollzugsgesetz*; JSt-VollzG Bln) an indication of the need for socio-therapy would be determined and as needed, a transfer would be made pursuant to section 14 JStVollzG Bln. Similarly, in the SothA of the Juvenile Penal Institution sexual offender treatment is conducted, although usually as individual treatment because there are not enough participants for a group. There are also alternative treatment options, for example, psy-

whether his release is scheduled to take place within one year, and, in the event release within one year is planned, the intended release date. In addition, victims of a sexual crime are to be informed of the release address or financial circumstances of prisoners to the extent this information is necessary for the establishment or pursuit of legal claims in connection with crimes. They also receive information regarding whether for the first time a relaxation of the conditions of detention or leave has been granted. As to juvenile prisoners, section 71 JVollzDSG Bln provides for a limitation of the rules so that notification of personal data pursuant to section 46 JVollzDSG Bln is not made to the extent and for as long as the youth credibly works on compensating the material and immaterial damage he caused. This limitation applies, however, only from the time the juvenile prisoner is 14 years old until he is 18 years old.

	<p>chological consultations in almost all prisons. In certain exceptional cases psychotherapy with an external psychotherapist can be arranged through the psychological service. In such cases a therapist would come to the prison and, when necessary, the treatment can continue after release through health insurance at the office of the therapist. In addition, there is intensive cooperation with the forensic therapy out-patient clinic that is particularly made use of in cases of sexual and violent offenders with a high risk of recidivism. The transition to out-patient aftercare usually begins several months prior to release.</p> <p>In addition, the law also provides for the development of serving prison sentences with a victim focus. Thus, for example, pursuant to section 8 JStVollzG Bln, young prisoners are motivated and assisted to be able to regulate their matters on their own and, in particular, to provide compensation for the material and immaterial damage caused by the crime. In suitable cases conducting victim-offender mediation may be considered. A corresponding provision also relating to adult prison has been drafted in section 5 of the Draft of the Model Land Prison Act of 23 August 2011 (<i>Musterentwurf zum Landesstrafvollzugsgesetz</i>), which has been prepared by a working group comprised of 10 Bundesländer, of which <i>Land Berlin</i> is member.</p>	
BB	<p>On 1 June 2013, the Brandenburg Penal Institution Act (<i>Brandenburgische Justizvollzugsgesetz</i>; BbgJVollzG) and the Brandenburg Act on the Execution of Preventive Detention (<i>Brandenburgische Sicherungsverwahrungsvollzugsgesetz</i>; BbgSVVollzG) took effect.</p> <p>The BbgJVollzG governs, among others, execution of prison sentences, youth custody, and remand detention. In regard to the consistent implementation of resocialisation and integration of the prisoner into society, in sections 12 et seq. the statute</p>	<p>Section 406d of the Code of Criminal Procedure (<i>Strafprozessordnung</i>; StPO) contains federal law provisions on the rights of the aggrieved person.</p> <p>The Brandenburg statutes named at the start also take into consideration the needs of the victim, eg measures regarding relaxations of conditions of detention. In establishing these, the needs of the victim are to be taken into account. Further, victims may receive information about the prisoner for establishing and pursuing legal claims in connection with the crime.</p>

governs in detail intake and diagnoses procedures and provides guidelines for the prison and reintegration plan. In addition, for young remand detainees, special needs and educational requirements in light of their personality and life circumstances are assessed. The same applies for the BbgSVVollzG, the goal of which in addition to protection of the general public is to reduce the danger presented by the detainee to the general public to such an extent that the execution of the sentence can be suspended on probation or declared completed as soon as possible.

The socio-therapy section of the Wriezen Prison is responsible for the treatment of male juvenile prisoners whose offences include offences against sexual self-determination. Treatment is conducted in accordance with the concept of “integrative socio-therapy” in accordance with the standards set forth therefor in Germany. In the context of the socio-therapeutic treatment, a particular treatment instrument – the Treatment Programme for Sexual Offenders (BPS) – is implemented. The programme, developed by Wischka et al. in Lower Saxony, was especially developed for socio-therapeutic institutions in Germany and has been tested and proven for many years. The treatment programme takes into account international experience in the treatment of sexual offenders with cognitive behavioural methods.

There are no specific programmes in the Brandenburg prison system for the treatment of young female prisoners whose offences include offences against sexual self-determination. Currently, for the placement of young female prisoners with a special need for treatment a cooperation with Berlin, which has a socio-therapeutic unit for women, is being prepared.

HB	<p>For young prisoners who have committed offences within the meaning of the convention in Bremen – as for adult prisoners – there are a number of treatment options available that can be imposed as necessary on prisoners on the basis of a comprehensive treatment examination and a prison plan. In particular, psychological intervention consultations, the federally recognized Treatment Programme for Sexual Offenders (BPS) as group therapy, and treatment in a socio-therapy unit are available. The treatment of Bremen's prisoners in socio-therapy units takes place in Lower Saxony based upon an administrative agreement.</p>	<p>Pursuant to section 406d subsection (2) of the Code of Criminal Procedure (<i>Strafprozessordnung</i>; StPO) upon application the aggrieved person is to be informed whether the detention of the convicted person is terminated or whether for the first time a relaxation of the conditions of detention or leave is granted when he shows a legitimate interest therein and there is no overriding interest meriting protection of the person concerned excluding the notification. Victims of a crime against sexual self-determination do not need to show a legitimate interest. The victim of a crime or their relatives can, pursuant to section 180 subsection (5), first sentence of the Prison Act (<i>Strafvollzugsgesetz</i>; StVollzG) upon written application receive information regarding the time of release and, when there is a justified interest to do so, the time of a relaxation of the conditions of imprisonment. A legitimate interest in obtaining this information must be credibly set forth and the prisoner cannot have an overriding interest meriting protection excluding the notification. Pursuant to section 180 subsection 5, second sentence StVollzG, the victim of a crime may additionally receive information upon a written application of the release address or the financial circumstances of the prisoner when the provision of such information is necessary for the establishment or pursuit of legal claims in connection with the criminal offence. If, despite all resocialisation efforts in prison, the prisoner remains a danger for the victim after release, the victim will be informed thereof by the police within the framework of a preventative supervision concept in <i>Land Bremen</i> (HEADS). The supervision programme serves to prevent additional crimes by the released prisoner and to protect potential victims.</p>
HE	<p>For young offenders, particularly violent and sexual offenders, beyond the generally offered comprehensive treatment measures in the youth prison (including the socio-therapy unit for young and juvenile offenders) the following special measures are available for treatment and recidivism prevention:</p>	<p>Section 406d of the Code of Criminal Procedure (<i>Strafprozessordnung</i>; StPO) contains federal law provisions relating to the question. Through section 60 subsection (3) third sentence of the Hessian Prison Act (<i>Hessisches Strafvollzugsgesetz</i>; HStVollzG) (corresponding to the other Hessian statutes regarding detention) the area</p>

<p>1) Rolling Programme for Sex Offenders SOTP (Sex Offender Treatment Program). The Rolling Programme, derived from the SOTP, is based upon established treatment units in the areas of perception of and differentiation among emotions, regulating self-worth, attachment behaviours, structuring relationships, dealing with jealousy and loneliness, sexuality, and sexual myths.</p> <p>2) Group training of social competencies R&R (Reasoning and Rehabilitation Programme). The multi-modal Reasoning and Rehabilitation Programme (R&R) has as its goal imparting cognitive abilities that are associated with successful social behaviours. The basic idea consists of the youth learning to find and implement acceptable compromises between social conformity on the one hand and individual needs on the other. The focal points of the cognitive behavioural therapy social competence training are: self-confidence, body language, stress management, life planning, and pro-social coping with daily life.</p> <p>3) Treatment programs for incarcerated violent offenders (BiG). The training programme, based on modules, enables participants to improve their social competencies. The general section includes, among other modules, physical experience, communication of feelings, self-image and outside perception, gender roles, aggression, and stress management. As part of the second section, with consideration of the individual delinquency, issues such as balancing, crime scenario, risk factors, and recidivism prevention are strengthened.</p> <p>4) DOT (Offence-oriented training for youthful violent offenders). The most significant goal of offence-oriented training is improved control over criminal impulses against the background of crimes committed as well as improved comprehension</p>	<p>of applicability was extended insofar as the corresponding information upon application of the victim could also be provided by the institutions.</p>
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	<p>sion of the individual crime dynamic at the cognitive, affective, and physical sensory level. To assist with avoiding recidivism, transfer into current life and the future is supported.</p> <p>5) GTP (Violent Offender Therapeutic Programme). After participation in the measures, a change in attitudes toward violence and behavioural changes are to be expected.</p>	
M-V	<p>In cases where the options available in youth prison are insufficient for reaching the objectives of imprisonment by work on a particular deficit that has been established, young offenders may be placed in socio-therapy. The provision pursuant to section 14 of the JStVollzG M-V (Mecklenburg-Western Pomerania Youth Prison Act) disregards catalogues of crimes or minimum punishments as a prerequisite for placement in socio-therapy. Focus on sexual offenders such as exists in the adult imprisonment system, is inappropriate in the youth prison system. The problem of violence on the other hand has particular significance. The benchmark for the placement of prisoners into socio-therapy has been purposefully set low in order to be able to begin treatment as early as possible in applicable cases.</p> <p>For juvenile sexual offenders the following special treatment programmes exist:</p> <p>1. Sex Offender Treatment Programme (SOTP) The overarching topics in the 20 blocks of the comprehensive crime-specific treatment programme for sexual offenders contain establishing awareness of problems and self-control in regard to risk situations and risk behaviours, development of conflict management and behaviour alternatives, and facilitation of the prisoner's resources. Sub-topic goals include the establishment of sustainable treatment motivation, treatment of</p>	<p>Section 406d of the Code of Criminal Procedure (<i>Strafprozessordnung</i>; StPO) contains federal law provisions relating to the question.</p> <p>Pursuant to section 112 subsection (1) of the Mecklenburg-Western Pomerania Prison Act (<i>Strafvollzugsgesetz Mecklenburg-Vorpommern</i>; StVollzG M-V) upon written application the institution or supervisory authority may provide public and non-public agencies information regarding whether a person is in custody and whether and when their release is scheduled for within one year, to the extent</p> <ol style="list-style-type: none"> 1. the notification is necessary for the fulfilment of duties within the competence of the public agency, or 2. as to non-public agencies <ol style="list-style-type: none"> a) a legitimate interest in the information has been credibly shown and b) the prisoner does not have an overriding interest meriting protection precluding the notification. <p>In addition, pursuant to section 112 subsection (4) StVollzG M-V upon written application victims of a crime and their legal successors can receive information regarding the release address or the financial circumstances of the prisoner when necessary for the establishment or pursuit of legal claims in connection with the crime. Depending upon the circumstances of the case, notification to the victim will be</p>

	<p>issues particular to the crime, the individual issues of the prisoner, and the development of day-to-day competencies.</p> <p>2. Reasoning and Rehabilitation (R&R) From the starting of empirically documented deficits manifested in the cognitive skills of prisoners, the cognitive behavioural treatment programme targets improvement in social adaptation through balancing out such deficits. By means of imparting specific cognitive skills independent and reasonable strategies for coping with personal problems in social settings and interpersonal relationships are learned in order to promote willingness to engage in pro-social behaviour.</p> <p>3. Treatment for sexual offenders non-specific to the crime (BPS) BPS is a cognitive behavioural highly structured treatment programme during which sexual offenders and their backgrounds can be analysed and treated.</p> <p>4. Individual psychological consultations Individual psychological consultations are conducted to explore issues that arise during group treatment in more depth. In addition, behavioural analysis of the prisoner can be discussed. In certain cases for which group treatment cannot take place, within the framework of individual psychological consultations work can be conducted with the prisoner in respect of the crime.</p>	<p>made by the public prosecution office, the institution, or the supervisory authority.</p>
NRW	<p>Pursuant to the Act on the Execution of Preventive Detention in North-Rhine/Westphalia (<i>Gesetz zur Regelung des Vollzuges der Sicherungsverwahrung in Nordrhein-Westfalen</i>; SVVollzG NRW) of 30 April 2013, which particularly encompasses persons convicted of serious sexual offences, to the extent at the conclusion of serving a term of imprisonment preventive detention is enforced against them, those persons concerned have a</p>	<p>The Code of Criminal Procedure (<i>Strafprozessordnung</i>; StPO), the Prison Act (<i>Strafvollzugsgesetz</i>; StVollzG), the Act governing Youth Prison in North-Rhine/Westphalia (<i>Gesetz zur Regelung des Jugendstrafvollzuges in Nordrhein-Westfalen</i>; JStVollzG NRW) and the Act on the Execution of Preventive Detention in North-Rhine/Westphalia (<i>Gesetz zur Regelung des Vollzuges der Sicherungsverwahrung in Nordrhein-Westfalen</i>; SVVollzG NRW) contain</p>

claim for a comprehensive treatment examination as well as individual and intensive care in accordance with scientific knowledge by a multi-disciplinary team of qualified experts. If standard therapy methods do not appear to have a chance for success, a therapy plan tailored to the individual must be developed. The need for treatment will be assessed within the framework of the obligatory detention planning. This should contain all significant factors and measures for the treatment of the person concerned, whereby for the diagnosis and treatment multidisciplinary treatment teams are provided for, which may also include experts from outside of the institution. As a significant extension to the right to treatment, the rules also provide for a continuing obligation to develop and promote the willingness of the person concerned to participate. In the context of a motivation system, special privileges may also be granted. There is an obligation to implement all measures and offerings that aid the person concerned to live a crime-free life in the future and that are indicated for minimizing the danger the person concerned presents to the general public. The statutorily prescribed offering also encompasses in particular qualified socio-therapeutic offerings as well as psychological and therapeutic care. The law also requires developing and promoting the willingness of the person concerned to cooperate in his treatment by way of targeted motivation work. Preparation for release must be intermeshed with scheduled help for the phase after release offered by agencies and organisations outside of prison in particular the out-patient judicial social services. The right of those concerned to resocialisation measures, which should help them become capable of living a crime-free, socially responsible life, is flanked by measures for crisis intervention, whereby not only voluntary care in the institution after the release for one year, but also, aftercare that continues beyond the time of release by caregivers in the institution itself is provided for in cases where the success of treatment is endangered and it cannot otherwise be ensured.

extensive victims' information rights in respect of the timing of release, relaxation of conditions of imprisonment, and furloughs (or long-term leave) regarding the convicted person along with instructions related thereto.

Both during criminal proceedings and during the execution of a sentence the victims of the crime have the option of submitting an application for notification in accordance with section 406d subsection (2) StPO to the public prosecution office. The application may focus on notification of instructions regarding the victim, the order or termination of a custodial measure, and the first or renewed grant of a relaxation of the conditions of imprisonment or leave. The victim is entitled to this information under section 406d subsection (2) StPO when he sets forth a legitimate interest for the notification. Such a submission is not required pursuant to section 406d subsection (2) no. 2 StPO, however, when the aggrieved person was admitted as a private accessory prosecutor.

Within the context of execution of a sentence, in addition to section 406d StPO the victim of the crime has the right to information pursuant to section 180 subsection (5) StVollzG from the prison authorities. In accordance therewith prison authorities can notify public and non-public agencies of information about whether a person is in custody and whether release is scheduled within the next year. The application must be in writing and submitted to the competent penal institution. Currently, there is a plan to also include victims' information rights in the *Land* provisions to be created based on the model of the provisions in the Act on the Execution of Preventive Detention in North-Rhine/Westphalia (see below), which should directly obligate prisons to provide information. In the case of escape it should be expressly stated that victims receive information without the submission of an application.

As to criminals who are convicted of a juvenile offense, section 99

Re-admittance and aftercare subsequent to a court-ordered release requires the voluntary acceptance of the person concerned.

A duty upon the person concerned to cooperate in the treatment measures is not provided for by statute.

The North-Rhine/Westphalia Youth Prison Act of 20 November 2007 includes corresponding provisions for young offenders. In youth prison as well all measures and programmes that develop and improve the abilities and skills of the prisoners in regard to achieving the goals of imprisonment are a foundation of the imprisonment. According to the statutory provisions, differentiated offerings must be presented that take into consideration the developmental level and the variety of support and educational needs at issue. Unlike with adults, juvenile and youth offenders are obliged to participate in the support measures offered to them, and their willingness to do so must also be developed and supported by appropriate offerings and measures. In fulfilment of their resocialisation duties, the institutions work closely with public authorities, institutions, and organisations outside of the prison. The support and educational needs are assessed after a first interview during a comprehensive intake examination. On the basis of the identified issues a binding prison plan is prepared, which is regularly reassessed and conformed to meet important events. Persons convicted of sexual offenses have a right to socio-therapy treatment in a socio-therapy institution that offers special therapeutic means and social assistance. Placement in a socio-therapy institution requires the agreement of the convicted youth.

In the area of imprisonment for the enforcement of sentences for adults, no specific statutory rules have yet come into force in the *Land* so that the federal statutory provisions of the Pris-

subsection (6) JStVollzG NRW contains identical wording regarding rights to information. There is not yet a provision for a specific victims' information rights obligating the prisons to provide information.

In the area of preventive detention there are corresponding victims' information rights in section 106 subsection (1) SVVollzG NRW. In accordance therewith during the entire term of imprisonment, in particular though when granting measures relaxing the conditions of imprisonment and upon release of the person concerned, the victim's perspective is to be taken into account. Beginning with the prison plan and ending with the transition out of prison, it must be assessed whether and how victim-offender mediation related to the commission of the crime can be achieved or what measures of victim protection should be implemented. The rules should ensure that the prison institution concerns itself with victims' concerns. Statutory provision has been made for measures of victim-offender mediation and victim protection, which concurrently should serve the treatment and reintegration of the person concerned because understanding of the act, taking responsibility, and the payment of compensation are significant fundamental prerequisites for later social integration of the person concerned. Also, it is expressly stated that the protection of endangered third parties should be taken into account. The victims' protection provided for should not be limited to the protection of victims of earlier crimes by the person concerned, but rather, also the interests of potential future victims should be taken into account. As to persons concerned, consciousness of dangers that may arise from possible future crime situations must be developed. In so doing the person concerned, in particular, should be induced by way of suitable treatment measures to accept responsibility for the act and its consequences for the victim. The existing statutory provisions is one of the bases for meaningful treatment of the person concerned, who should be enabled to critically work through the crime, its causes, and the consequences for the victim, to accept self-critical responsibility therefor, and to develop empathy. This may take place by way of dis-

on Act apply.

In North-Rhine/Westphalia a variety of psycho-social and therapeutic treatment measures are available for a prisoner to change to achieve the goal of a crime-free life, which – depending on the type and intensity of the psychic disorder and individual problems of the prisoner – may take place in individual and in group settings. For criminals who are imprisoned in a penal institution in North-Rhine/Westphalia for a crime within the meaning of the convention, the following measures and treatment programmes are offered:

1. Socio-therapy

Prison treatment is strongest and clearest when it takes place in the form of socio-therapy as an intensive treatment measure. The socio-therapeutic institution offers the proper organisational framework within which the necessary treatment approaches and therapies can be effectuated. With this specific orientation, it is a model for all other prison facilities. The goal of socio-therapy is the effective and continuous reduction of the individual's potential for danger. This occurs through disorder-specific influence over the risk factors relevant to the crime. The socio-therapeutic treatment defines itself as a complete, resource-oriented approach that focuses on the positive abilities of the prisoner and deliberately promotes these. Sexual offenders in particular are one of the target groups of these measures.

Pursuant to section 9 of the Prison Act (*Strafvollzugsgesetz*, StVzG) all prisoners who are convicted of a sexual offence and sentenced to more than two years of imprisonment are to be placed in a socio-therapeutic institution or unit when treatment is advisable.

2. Treatment programme for sexual offenders (BPS)

cussions or in the context of group work or therapeutic intervention. As to the selection of the care and treatment measures the institution must pay particular attention to concerns of victim protection. This is based on the recognition that as to habitual offenders certain constellations and surrounding circumstances may make the commission of the crime easier. Thus, it is necessary to consciously work on situations that potentially lead to crime commission and to take this knowledge into account in the selection of the measures. Further, the person concerned should also be supported in providing compensation for the material and immaterial damage caused. Such reparation can range from – as a measure of victim-offender mediation – monetary compensation payments that the person concerned can and should pay as a sign of acceptance of social responsibility from the means he has available to him. The existing provisions also emphasize the great criminal-political significance of victim-offender mediation applicable in prison and obligate the institution to support the person concerned in the mediation regarding the crime committed and to work towards compensation regarding the consequences of the crime. The institutions should make use of experts, particularly from victims' protection organisations, in implementing victim-offender mediation and promote increased cooperation. Overall, however, it must be considered that the victim cannot be forced to participate in an intended mediation. Instrumentalisation for purposes of treatment should be avoided under the statutory concept.

Victim concerns must be accounted for especially in the implementation of visits and in setting up a relaxation of conditions of imprisonment (privileges). In particular, for reasons of victim protection pursuant to section 57 StVollzG NRW instructions may be given containing contact prohibitions or restrictions on movement. Victims have a right to information from the prison particularly in regard to the set-up of privileges, instructions, and circumstances of release. The victim should be notified of his statutory rights to information by the contact person at the prison.

This treatment programme has a structured concept for analysing and working through sexual offences and their background. In addition to the identification of all behaviour patterns that led to the crime, the development of empathy for the victim is given particular focus to avoid recidivism subsequent to the conclusion of imprisonment.

3. Psycho-education

Within the framework of psycho-education prisoners are provided explanations of their individual diagnostic results and the treatment options. Detailed information regarding the connection between their risk-relevant personality traits and the commission of the crime should be provided to them. They are informed about the creation and maintenance of dysfunctional strategies and cognitive distortions. They learn about their own resources and alternative strategies with a view toward learning to avoid recidivist behaviour. Through this it may generally be easier for them to accept the necessity of participation in treatment measures. In these ways willingness to cooperate and treatment efficiency can be increased.

4. Motivational interviewing (MI)

Motivational interviewing applies a client-centred, direct approach of interviewing with the goal of developing intrinsic motivation for behavioural change.

5. Reasoning and rehabilitation (R&R)

This programme is particularly suitable as a basic treatment component in preparation of the actual therapy process; it may also contribute to reducing fears and reservations in regard to therapy.

6. Psychotherapy

The primary goal of psychotherapy is working on the disorders

The statutory provisions on victims' protection also give rise to the right of the victim to receive information themselves when they request it directly from the institution when "their offender" temporarily or permanently leaves the institution. Information from the institution without a request will only be provided in cases of danger to the health or life of the victim, particularly in the event of escape of the offender from the prison.

Corresponding to the rule in section 406 subsection (2) no. 2 StPO, a legitimate interest on the part of the victim of the crime or his admission as a private accessory prosecutor is required prior to benefitting from the right. This request as well is made in the form of a written application to the competent penal institution.

All victims' information claims require as a prerequisite that there is no overriding interest meriting protection on the part of the convicted person excluding the notification requested.

In addition, to strengthen victim protection there is a provision that contact persons within the prison must be organised for the victims' protection.

relevant to the crime to improve the legal prognosis as well as to support and promote the entire socio-therapy process. In accordance with the provision, psychotherapeutic treatment of prisoners and those in preventive detention in prisons in North-Rhine/Westphalia is conducted solely by licensed psychologists or medical psychotherapists (when necessary through external experts as well). In accordance with individual indications, the entire spectrum of proven psychotherapeutic procedures can be used in the treatment. The methodological focus however is on cognitive behavioural therapy forms.

7. Dialectical behaviour therapy (DBT-F)

In general this is an in-patient concept based upon a very close cooperation among the different professional groups involved in the treatment of the prisoner. The German adaptation of the procedure developed in English-speaking environments has been tested and has already been successfully used in the treatment of offenders. Those who profit from this approach are primarily prisoners with a significant disorder regarding their impulse regulation or disturbances in regulating emotions. The goals of therapy include the reduction of behaviour destructive to oneself and others as well as behaviours dangerous to residential groups and therapy. Another focus is working on the behavioural tendencies leading to delinquency and patterns of behaviour that generally limit the quality of life.

8. Recidivism prevention group

Recidivism prevention groups are a central element of socio-therapeutic treatment. At the focus of the therapeutic work is the crime and the behavioural tendencies associated with the crime. Particular weight is given to analysis of the history, working through the crime, the biographical chronology of the crime, and preparation of a recidivism prevention plan. The primary goal of the recidivism prevention group is the development of practicable strategies that can be implemented on a

	<p>daily basis to prevent further crimes.</p> <p>The measures and programmes set forth above for the treatment of sexual offenders is generally offered to young offenders as well. Treatment however takes place in youth detention facilities in accordance with the standards of the NRW Youth Prison Act. A significant prerequisite to ensure treatment success there is the use of personnel who are particularly suitable for dealing with young offenders and have pedagogical knowledge. Participation in training targeted in this respect is mandatory.</p>	
R-P	<p>Section 13 of the <i>Land Prison Act (Landesjustizvollzugsgesetz, LJVollzG)</i> provides for diagnostic procedures. Pursuant to section 14 LJVollzG on the basis of the results of the diagnostic procedures a prison and reintegration plan will be prepared. This shows prisoners and juvenile prisoners from the outset of the imprisonment the measures necessary to achieve the goals of imprisonment in the context of the expected duration of imprisonment. In addition, he may receive further offers of assistance and recommendations. The prison and reintegration plan along with the measures provided for therein are regularly reviewed and updated every six months, at the latest however every twelve months; as to youth penalties of less than three years, review takes place regularly every four months. The prisoner's and juvenile prisoner's development and the knowledge achieved during the previous period are to be considered. The measures implemented are to be documented.</p> <p>All juvenile prisoners and prisoners have access to the measures to the extent they are considered and provided for in the prison and reintegration plan.</p> <p>The program suitable to each person is determined by way of the diagnostic procedure, which is implemented on an individ-</p>	<p>The transmission of personal data by the penal institution authorities in Rhineland-Palatinate is governed by section 10 et seq. of the <i>Land Prison Data Protection Act (Landesjustizvollzugsdatenschutzgesetzes; LJVollzDSG)</i>. Section 10 subsection (3) no. 2 i) LJVollzDSG in conjunction with section 9 subsection 2 nos. 5 and 6 LJVollzDSG enables transmission to public agencies, including in cases in which this is necessary to guard against a serious encroachment on the rights of another person or to prevent crimes. This includes, eg the transmission of data to police authorities in order to prevent corresponding encroachments or crimes. In addition, section 14 LJVollzDSG governs notifications regarding custody status upon application. Upon a written application notification can be made whether and, as applicable, in which prison a person is in custody, whether the person's release is scheduled for within one year, and in the case where release is scheduled for within one year, the planned release date insofar as non-public agencies have credibly shown a legitimate interest in this notification and the prisoner concerned does not have an interest meriting protection in excluding the notification (section 14 subsection (1) no. 2 LJVollzDSG). Victims of a crime may also receive information regarding the granting for the first time of relaxations of conditions of imprisonment upon a written application when they can show a legitimate interest and the prisoner does not have an</p>

	<p>ual basis. Several professional groups work together (social services, psychological services, general prison services). The prison and reintegration plan is prepared based upon the diagnostic procedure and a conference among the prison section heads. Others may participate in the conference. The results of the diagnostic procedure are discussed with the prisoner. Prisoners can also present suggestions. The prison and reintegration plan is presented and explained to the prisoner at a conference. It is also given to him in written form.</p> <p>Special programmes for sexual offenders have been introduced. On the one hand sexual offenders can be placed in a socio-therapy institution or a socio-therapy section where there is a broad range of treatment programmes. One programme in particular is the treatment program for sexual offenders (<i>Behandlungsprogram für Sexualstraftäter</i>, BPS). In socio-therapy sections in youth prison, the BPS is tailored to this age group.</p> <p>Prisoners have the right to refuse recommended programmes and/or measures.</p>	<p>interest meriting protection in excluding the notification (section 14 subsection (2) no. 2 LJVollzDSG). Showing a legitimate interest is not required when the applicant was the victim of a crime set forth in sections 174 through 182 of the Criminal Code (<i>Strafgesetzbuch</i>; StGB) (section 14 subsection (3) first sentence no. 1 LJVollzDSG).</p> <p>In respect of the enforcement of remand detention, based upon the special position of remand detainees (presumption of innocence) there are limitations on the authority to provide notifications (section 14 subsection (4) LJVollzDSG). The notifications provided for in section 406d StPO to victims remain unaffected thereby.</p>
SL	<p>The Saarland Youth Prison Act contains a broad range of educational and occupational training measures that are particularly geared toward the young clientele. Further, in addition to general treatment and therapy opportunities, the following programmes are worth particular mention:</p> <p>The Reasoning and Rehabilitation Programme (R&R)</p> <p>This involves a multi-modal behavioural programme that was developed to provide juvenile and adult offenders cognitive skills and values that are necessary for the development of pro-social behaviour. It serves the process of working on fun-</p>	<p>The statutory basis is contained in the Saarland Prison Act (<i>Saarländischen Strafvollzugsgesetz</i>; SLStVollzG) in section 107 subsection (5):</p> <p>“(5) The prison or the supervisory authority may notify public or non-public agencies upon written application whether a person is in custody and whether and when his release is scheduled within one year, to the extent that</p> <p>1. the notification is necessary for the fulfilment of the duties incumbent upon the public agency, or</p>

<p>damental deficits and can provide valuable services for the differential diagnosis – for the social-pedagogical, the psychological, and the educational and occupational areas.</p> <p>Stress management group:</p> <p>The treatment group “stress management through targeted physical and relaxation exercises” arose based upon an increase in treatment need for especially behaviourally disturbed and violent prisoners. It involves a measure that combines sports activity with practical relaxation exercises. The focus here is on individual physical and sensory experience and the development of a movement philosophy of the individual in the group context.</p> <p>Experiential educational measures:</p> <p>The primary goal of experiential education is the facilitation of individual skills for general life management and the ability to engage in collective action in a group and in the day-to-day environment. Experiential education enables participants to test the boundaries of their own competence to act by way of physical and mental challenges and to learn and grow through self-awareness gained within the framework of trust-building processes with the group. Experiential educational offers start as early as in remand detention with trust, perception, and cooperative exercises along with activities that are continued during the imprisonment at an increased level.</p> <p>Aftercare Centre:</p> <p>In order to support released prisoners during the difficult transition to freedom and in reorganising their lives effectively and on a sustainable basis, the Aftercare Centre at the Ottweiler Youth Prison was established outside of the secured area of</p>	<p>2. the non-public agency can credibly demonstrate a legitimate interest in this notification and the prisoner does not have an interest worthy of protection excluding the notification.</p> <p>Upon application the victim of a crime is to be notified whether a first-time relaxation of the conditions of imprisonment is granted when he demonstrates a legitimate interest therein and there is no overriding interest worthy of protection on the part of the prisoner excluding such notification. In the cases set forth in section 395 subsection (1) nos. 1 through 5 and subsection (2) of the Code of Criminal Procedure (<i>Strafprozessordnung</i>; StPO) there is no requirement for demonstrating a legitimate interest. In addition, upon written application victims can receive information regarding the release address or the financial circumstances of prisoners when provision of the information is necessary for establishing or pursuing legal claims in connection with the crime. The prisoners are given a hearing prior to the notification unless there is concern that this would result in frustration of or significant hindrance to the applicant’s pursuit of the interests and the result of a balancing of the interests is that those interests prevail over the interests of the prisoner to a prior hearing. If the prior hearing does not take place, the prisoner concerned shall be subsequently informed of the notification by the prison or supervisory authority.”</p> <p>In practice, notification is also made by the prison social services.</p>
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<p>the facility though affiliated with it. The offerings encompass primarily assistance with educational, occupational, and social integration, and personal stabilisation. In addition, the aftercare assists after release with apartment searches and, when necessary, may also offer temporary housing for a limited time. Such housing, comprised of a partially furnished room with bath, a joint kitchen and joint laundry facilities, may be made available at a relatively small cost.</p>	
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