



The European Organisation  
for Probation



# **The contribution of Probation towards the improvement of detention conditions**

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'Working together to promote the social reintegration of offenders'

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## Content

- Standard setting CoE; Prison and Probation Rules
- Overlapping topics
- Contribution Probation to detention conditions
- Greater use of non-custodial sentences
- Resettlement
- Resettlement of foreign offenders
- Future



# Standard setting CoE: Prison Rules (2005) (1)

## ➤ Introduction

- Imprisonment last resort; lowest possible level; for the most serious offences; alternative sentences

## ➤ Basic Principles

- Detention to facilitate reintegration into free society
- Co-operation with outside social services and involvement of civil society in prison life

## ➤ Conditions of Imprisonment

- After admission: information about social situation of prisoner be evaluated to deal with immediate personal and welfare needs
- Prison regime: regime provide for welfare needs of prisoners.



## Prison Rules (2)

### Release of prisoners

- on release prisoners are provided with identification papers, and assisted in finding accommodation and work
- ....regime enabling sentenced prisoners to lead crime-free life



## Prison Rules (3)

### Release of sentenced prisoners

- Sentenced prisoners assisted in good time prior to release by procedures and special programmes for transition to law-abiding life in community.
- Prisoners with longer sentences: ensure a gradual return to life in free society.



## Prison Rules (4)

### Release of sentenced prisoners

Pre-release programme in prison or conditional release under supervision combined with social support.

- Prison authorities work closely with agencies that supervise and assist released prisoners to re-establish themselves (family life and employment).
- Access of agencies to prison/ prisoners for preparations for release and planning of after-care.



# Standard Setting CoE: Probation Rules (2010)

## Basic principles

- Probation agencies to reduce reoffending by supervising (including control), guiding & assisting and by promoting social inclusion
- Authorities use professional advice of probation agencies to foster alternatives
- Probation agencies work with organisations and communities for social inclusion; inter-agency and inter-disciplinary work for meeting needs of offenders and greater community safety





## Probation Rules: Commentary on working with prison sector

- ...the value of liaison, dialogue and discussion. ...inform authorities on specific negative effects of custody; on carrying out community service; on value of interventions
- probation close working relationships with prison. Probation staff deals with prisoners while in prison and not only for preparing their release. Probation staff involved in preparing prisoners for release and resettlement.



# Probation Rules: Resettlement

- On supervising offenders after release
  - co-operation with prison authorities, offenders, their family and community to prepare release and reintegration.
  - contacts with prison to support social and occupational integration
- Commentary: probation agencies work during detention to prepare for release
  - contact with offender
  - liaison with prison authorities
  - contact with friends or family
  - community agencies that offer services/ support after release.



# Probation Rules: Commentary on Resettlement

- Condition for successful resettlement work:
  - Case-management approach
  - Coordination and management of contributions of agencies
  - Need for continuity (positive changes and achievements during imprisonment).
  - Involvement probation agencies in sentence planning and preparation for release

Probation agencies, jointly with prison service and organisations of civil society, are well-placed to help ex-prisoners to resettle.



## Probation Rules: Foreign nationals

- Inform foreign national prisoners on possible transfer of sentence to own country.
- Community supervision and resettlement accessible to offenders of foreign nationality.
- Co-operation with probation agencies in country of origin for transfer of supervision.
- Contact with and support to nationals sanctioned abroad; encourage them to use support agencies after return.



## 4 overlapping themes

- Regime enabling prisoners to lead a crime-free life, including preparation to release
- Offering non-custodial options
- Resettlement
- Foreign Nationals



## Conditions for avoiding custodial sanctions: Integral system

- **Social enquiry reports** by probation organisations before sentencing;
- **Community service** sanctions (“labour” sanction for benefit of community) and **probation measures** (conditional sentences and –release)
- **Reliable probation organisations:** system of supervision and control; timely reporting on breaches
- Good **cooperation chain partners** (judiciary, public prosecutors, probation organisations)
- Extension of alternative options to **serious cases**



## Conditions for effective Resettlement (1)

- 1. Aim and function the restriction of liberty, not isolation from society. Prisons as agency of the community**
- 2. Prisoners to return gradually to the community/ Progressive prison system**
- 3. Timely preparation for release**
- 4. A unified, integrated service delivery from Prison & Probation/ “Through the gate”**



## Conditions for effective Resettlement (2)

5. **Screening of all prisoners**
6. **Personalized approach, tailor made, input of offender**
7. **High risk offenders to be placed under supervision in compulsory framework**
8. **Statutory responsibilities of “mainstream” service provision agencies also to offenders**
9. **Resettlement requires Management Approach**





# Present state of European Resettlement

- Rehabilitation programmes inside the prison not connected with outside world
- No clarity in distribution of tasks/activities; coordination procedures & agreements lacking
- No awareness of need of integrated resettlement services
- Struggle with interface prison/community; no integral/holistic approach
- Need for reducing fragmentation in achieving continuity/consistency and case management



# After Care Research: Addiction, Work and Housing

- After Care affect recidivism to some extent but variation across programs and subpopulations
- Most successful programs that
  - start in detention and continue after release
  - combine multiple services (housing, drug treatment, work)
- Strongest program effects for highest risk offenders
- Condition for success: cooperation and integration between services/organisations



# Example: Employment and Re-offending

- More crimes committed by ex-prisoners during unemployment than during employment
- Desisters: having good work habits; “hard workers”
- Starting work related to reductions of reoffending; ceasing to work associated with re-initiation of offending
- Aged over 27: less likely to offend when provided with employment opportunities



# The North Rhine-Westphalia example

- **Mabis** - Equal Employment Project:  
Focus on employability of offenders (2004)
- **Pillars:**
  - ! employment and vocational training in prison
  - ! release access to labour
  - ! aftercare services
- **Re-imprisonment avoided**
  - ! 10% for offenders with vocational qualification
  - ! 25% for those with employment
  - ! 50% for those with vocational qualification and employment
- **Placement rate in work projects of offenders improved with strong involvement of probation officers (48%→75%)**



# Further good practices Europe

- The Netherlands: contacts points in every municipality / receive information 4 months before release / responsibilities clarified
- United Kingdom: cognitive approach programme “For a change”; offenders makes his own release plan
- Norway: the Resettlement Guarantee:
  - ! Obligatory structures of cooperation between Local and Central authorities and the Correctional Service at the date of release to reduce the problem of reoffenders
  - ! All prisoners are guaranteed an offer at the date of release to find solutions to problems considering housing, work, education and health



## Conditions for Resettlement of foreign nationals (1)

- Even more vulnerable group than national offender; group is increasing
- Contact with consulates; information in own language
- Transfer to home country if in the interest of his rehabilitation
- Probation should pay attention to foreign nationals on same basis as to nationals



## Conditions for Resettlement of foreign nationals (2)

- National Probation should pay attention to nationals detained abroad
  - Diminishing isolation
  - Preparing for release
  - Business case CEP
- Focus on implementation FD 909 (national legislation and joint EU implementation efforts)
- Recommendation Council of Europe



## Future steps

- **Reinforcement of National and International cooperation between Prison and Probation: Europris and CEP**
  - **Develop joint research on ‘what works’**
  - **Disseminate best practice from prisons and probation**
  - **Joint pilots on Resettlement**
  - **Exchange of ideas, research and staff**
  - **Influence European policy makers on policy and budget**
  - **Combined Prison-Probation Rules**





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