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Field Study of Ex-convicts Reintegration into Labour Market and Social Life

**Final report
submitted to DG for Employment and Social Affairs**

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This report summarizes the work of the research group during the period 30.05.03-30.09.03. Please do not circulate or quote without approval.

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1. INTRODUCTION

This Final report, synthesizes the results from the fieldwork undertaken in the three partner countries with respect to presenting an empirical picture of ex-prisoner reintegration and the problems that are most commonly present.

As we have indicated previously, (Interim report) existing literature on the subject is very limited, confined to either ex-prisoners support groups, or to support systems set up by national agencies such as welfare, probation and legal organisations. Attempts to define and discuss prisoner rehabilitation represent more than a strict “academic” exercise, because they involve value judgements as well as political points of view. These are reflected in, for example, state policies aimed at helping the ex-offender to train and/or find employment; they are also represented in people’s and employer’s attitudes and beliefs. There are considerable disagreements, and limited knowledge, amongst various organisations and agencies, but also within society as a whole, about the overall nature of the ex-offender: the causes of his/hers condition and their capacity to improve and not return to prison. This is also an important issue because, in many cases, ex-offenders are stigmatized and labelled which leads to them being consistently viewed in negative ways. This, in turn, may lead to isolation and a return to criminal life and prison.

The whole issue of ‘reintegration’, or ‘integration’ as one of the respondents to our questionnaire put it, is very challenging to a variety of individuals and organizations such as families, friends, agencies and communities. This is coupled by a relatively high level of recidivism and, especially in the case of Greece, almost complete inadequacies of the state system and welfare network to provide for these individuals. For women ex-prisoners the case maybe worse since effectively they may be facing a double edge of exclusion: firstly, for being ex convicts and secondly for gender reasons.

Our research indicated that there are no straightforward answers to this complex issue and that there are significant similarities as much as significant differences across the three European countries in which it took place. Some of the most important findings are discussed below. However, it must be argued here that each country presents its own

particular kinds of issues that it becomes extremely difficult to draw reasonable conclusions from all: cases have to be examined specifically and with respect to the county's specific regulations, penal and social traditions. At the same time we may learn from each other's experience: for example, the German welfare support systems and the role of NGOs and other agencies, could be a highly beneficial source of learning to counteract the Greek absence of such systems of support.

The Report is split into three main sections, each one presenting the case results from each individual country. *In a second smaller volume we present our concrete list of proposals and recommendations* which have come out of the period of research, the responses to our questionnaire and from the overall exchange of views, ideas and experience throughout the period of this project. Finally, in the last sections of this Report, (Appendix) the interviews are presented so as to get a better idea of individual needs and aspirations.

2. THE FRENCH CASE STUDY

In the final part of our work we are presenting the factors that impede integration on the basis of the answers to the questionnaires given by persons released from prison and the interviews given by representatives of organizations working on integration of prisoners in closed and open environment.

The difficulties met by the ex-convicts as detailed in their testimonies shall allow us to make a number of suggestions on their social integration or reintegration.

2.1 The integration chain.

The effort for integration should begin right from the start of imprisonment. For the convict the period of imprisonment is a period of thought on his /her life's direction. After a first period of bitterness and sometimes hatred, the convict starts to consider his/her acts and the possibility to make a successful comeback to society.

In most cases we witness a psychological integration process which should be encouraged by the prison authority, judges and other people contributing in the prison confinement.

Release from prison should take place at the moment of this psychological reintegration. It is a most important question of timing for the convict's comeback to social life. One must therefore do anything and use all possible means in order to seize this psychological reintegration process of the convict. To do this, one must engage all parties concerned. From the convict him /herself to the prison authorities and from the warders to social workers and to volunteers developing activities in closed environment, from the judge competent for the sentences application to institutions and organizations operating in open environment.

We may conceive the relations between the inside and the outside in four phases: Reception – Adaptation – Integration – Reintegration.

According to P. Mbanzoulou, the reception phase is characterized by the search of marks: cut off from his usual environment, the individual has to adapt. In order to achieve this goal he /she is forced to improvise, to invent temporary marks from what is

in the basis of his /her identity. At the adaptation phase he /she organizes his /her life in confinement according to what is suggested by the authorities. At the integration phase the individual should be assisted in preparing an after-prison project through the opportunities that already exist in the establishment (work, training, psychotherapy, health etc). Reintegration means to find one's place in the social group. And it is outside the prison walls that it can take place.

The question of integration and reintegration should be approached all along this chain that goes from the arrest quarters to the convict's release and on the basis of the testimonies we have gathered.

«The major axe to work on is imprisonment. Reintegration starts in the beginning of imprisonment by an appropriate education or training that shall end up in an interesting job.» (MO)

2.2 Primacy of the security concern.

The first difficulty for integration both in closed and open wards originates from the primacy of the security concern over the integration concern that characterizes the prison system. The security concern regulates the organization of life in prison without letting much space to integration policies and to relations to establish between inside and outside so that the convict is not irreparably estranged from society life. Therefore, there must be a change in spirits and policies applied in terms of security and integration, by considering the fact that all prisoners shall go out one day. P. Tournier referring to his enquiry «Aménagement des peines privatives de liberté, des mesures d'exception» (in cooperation with A. Kensey) concludes : «To the immense majority of convict prisoners the measures the statutory provisions aiming to facilitate their progressive comeback, assisted or controlled, in free life are not applied. And this is to reduce the risk of second offence. It is an absurd policy followed since years. As these convicts shall indeed go out one day this means to pull the risk back for later all by accentuating without doubt. This is how short-term apparently security measures may in fact cause insecurity in the long-term.»

2.3 Precariousness of convicts and overpopulated prisons.

Another difficulty met in the way to integration and reintegration is connected to the precariousness of a great number of convicts. 60% of the convicts are situated below the threshold of prison poverty. This precariousness continues after their release. According to the associations contributing in the prison wards «the precariousness qui prevailing in prison contributes greatly to the exclusion of convicts and contradicts with the reintegration displayed by the prison authorities: incapable during imprisonment to meet their external obligations (loans, rents), they can no longer support their families, who are in their turn punished and penalized, and are likely to find themselves without resources at their release. So one must not be surprised that the second offence rate peaks during the months following release from prison.»

It is certain that, *overpopulation causes tensions* in prisons and makes difficult the exercise of activities helping prisoners to reintegrate.

As we have noted in the interim report, in France as well as in a great number of European countries, we are witnessing an increase of prison population. The security concern to which a lot of media coverage is given wins the public opinion and becomes the battle horse for several European parties.

On the 1st of January 2000 we record 51.441 convicts confined in French prisons. In April 2003 their number has reached 59.155. In July of the same year, following the President's the presidential pardon, they are 60.963 for a total of 48.600 places.

So we have a rate of occupancy exceeding 125% while a year ago this rate was 115%. In arrest wards receiving persons condemned to short sentences or waiting to be tried the average occupancy rate is 140%. In some establishments the rate exceeds 200%. The events of last summer at the arrest wards of Loos, where 1170 prisoners share 485 places, and at the Saint-Maur central prison show the urgency of the problem.

According to P. Tournier, the prison population depends on two factors: The number of new convicts and the duration of imprisonment. We should deal with both factors at the same time. From 1980 till 2000 there is was an important decrease of the number of new convicts, of about 30.000 persons, which was counterbalanced by the increase of the average duration of imprisonment (4,6 months in 1980 against 8,5 months in 2000).

The prison overpopulation is a brake on reintegration which should be the main objective of imprisonment. We should never forget that the convict shall be released one day and that life in prison should be useful for his /her reintegration.

The Ministers Committee of the Council of Europe has adopted in 1999 a Recommendation where it suggests to the governments of the Member States practical measures to meet the problem of prison overpopulation, such as:

- The duration's reduction to a minimum compatible with justice's interest.
- The limitation of recourse to detention on remand.
- The reduction of long duration sentences and the substitution of short sentences by punishments and measures applied in open environment, such as probation, intensive surveillance, work of public interest, house arrest or electronic control.
- The extension of recourse to conditional release in order to reduce the duration of the sentence actually served.
- The adoption of combinations of punishments and measures depriving or non-depriving liberty.

Nils Christie in the preface of the French edition of his book on «the industry of punishment» notes: The prison population is not created by criminality as a phenomenon. This is why we should choose another way. We should rather start a debate on convicts that we find acceptable with regard to our fundamental values. And then, we should modify the social conditions that wear out the penal system outside the acceptable limits of these values. I would like that such a debate be initiated in France as well in the other highly industrialized society, in this book's wake.

Now, today, in France as well as in a great number of industrialized countries, we are facing a situation that N. Frize, responsible of the prison commission prison of the League of Human Rights, describes as follows: it is connected to the coming to power of forces «promoting new penalizations and over-penalizations concerning road accidents, drug consumption, the criminalization of immigrants not holding legal documents, union struggles, prostitutes, homeless persons, etc. This policy gives wings to policemen, to judges and to jurors to make every effort to perform tolerance zero through new «targeted strikes» in all directions (abusive recourse to detention on remand, extension of long sentences, creation of closed centres for minors, repressive policies finding their justification in the struggle against individual or group terrorism ...).».

In an article published in the newspaper 'Le Monde' of 19/07/2003, Nathalie Guilbert refers to the services of the Junior Minister's Office on justice's real estate projects, according to which «the policy of the previous government was turned towards the convict. For us, priority is given to security. Then comes integration, and then the convict's comfort.»

The debate on these policies and their consequences with regard to prison overpopulation and more generally on the penitentiary system has to be opened in both national and European institutions level.

The role of politics and of circumstances is present in the testimonies we have gathered:

- «The socialists were coming to power and wanted to do something. Thus, I took full advantage.» (AN)
- «I was granted permission to go out. It was the time of Giscard. Rebellions, things were moving, I asked for permission twice, I got it the second time» (AN)

2.4 For a unique regulation.

One of the major difficulties to develop integration activities in prisons is due to the fact that there is not a unique regulation for all penitentiary establishments. According to Jacques Lerouge, «there are as many penitentiary regulations as establishment chiefs. The prison reflects the personality of its boss. If you do something one year and the boss changes, in most cases, you have to start all over again.»

This situation is stressed by all the bodies we have contacted:

- «The penitentiary system is difficult to understand, you shall be able to carry out a reintegration and bonds with a penitentiary establishment scheme, and in another you shall not succeed, and this in spite of our agreement with penitentiary, because one must know that in fact everything depends on the character of local personalities.» (AFPA)
- «In some prisons, we establish certain activities; in others, it is impossible and that, even if populations are sensibly identical.» (Secours Catholique)
- «I shall not say it is reign of the arbitrary in detention it would be mean to say that even if at certain moments this resembles to it. For the environment, everything depends from the director, the unions, and the warders.» (ANVP)

- «An agreement GENEPI - Ministry of Justice that should normally allow us to intervene in all penitentiary establishments. This is written on paper in practice it is already something given that every Chief of establishment is in fact free to let anybody he likes his establishment. According to his policy if it is a reintegration policy or a full security policy, he shall say yes or he shall say no to GENEPI (...) There are nevertheless big establishments with big student cities nearby, and we cannot touch these penitentiary establishments because the chief of the establishment has decided that no, there shall be no GENEPI in his establishment.» (GENEPI)

2.5 The role of age and the duration of imprisonment.

A great number of prisoners come out of prison when they are quite old. The difficulties of integration are directly connected to the convict's age and the duration of imprisonment. Some prisoners consider that their breaking-off with the outside world is such that it is preferable that they end their life in prison.

- «One must distinguish things. We cannot compare an imprisonment of 3 months with an imprisonment of 10 years.» (FS)
- «The prisoner is so much destroyed by 20 or 30 years of prison that he is close to a home. We never speak about old prisoners coming out and receive the minimum income (RMI) of old people.» (AD)

Age and duration of imprisonment are considerable handicaps for integration in the labour market.

- «I found my current employment after 6 years. I did many small jobs.» (MO, 11 years in prison.)
- «I am fifty years old and it is very difficult to find a job, thus I am in the course of setting up something of my own» (FK, 2 and a half years in prison)

The duration of imprisonment has an impact also upon social life.

According to INSEE's study on the history of families of convicts (Synthesis, January 2002), old persons released after long sentences in prison may encounter great difficulties to reintegrate in social life.

- «The longer the time spent in prison, the more it is difficult to come back in the circuit. In prison, we are cut-off from society.» (JN)

- «The longer the duration of imprisonment, the more bonds languish.» (FS)
- «It took me seven years to feel part of the society» (AN)
- «Between 3 to 5 years of course to integration are needed to be in a stable situation.»
(Mrs P. Catel, Agency ANPE Espace Liberté Emploi)

2.6 Assistance on release.

As we have said in our interim report, the investigation on people going out of prison made by the penitentiary administration in 1997 shows that discharged people rarely call to job-finding organizations. Less than a quarter of the jobless people are registered at the ANPE, less than 20 % at the ASSEDIC (to receive the integration benefit). The RMI is claimed by hardly 14% of the jobless people who are entitled to it. It seems that this results from a lack of information.

In practice, all persons we have contacted stress out the little assistance they find when released from prison. The deficiencies to this level are due on one part to the limited means available to the bodies and organizations involved in integration and to the dominant concept with regard to the implication of ex-convicts in the process of their reintegration.

There are two concepts with regard to the ex-convict's integration in the labour market: The subjective concept giving primacy to the person's will to integrate and the objective concept prevailing institutional and financial factors.

According to the subjective concept, integration depends on the person and the efforts he /she shall deploy to integrate. The ex-convict should give evidence of his /her will to pull through. «Coming here everybody wants that we give him/her a job, thus, they have not fully realized that it is them who have to find it.» (Mrs P. Catel, Agency ANPE Espace Liberté Emploi)

Without underestimating the importance of the role of the person's will, we believe that there is a need to create conditions that shall allow the integration of these people in the labour market.

AY tells us about the need of a political will: "I was not discouraged, I have knocked on a lot of doors, but I am becoming a little desperate. The only way to pull through would a political will at the highest level which does not exist for the moment."

The testimonies of interviewed persons show that will does exist:

- «Inside the prison, the struggle for life has allowed me socially to continue the struggle outside, to not be confined outside. I did not let myself fade, I did not give up passions, dreams, wishes, desires, otherwise I was doomed.» (AD)
- «Each one has to know to pull through, we cannot wait everything from the system. We cannot say: "I did prison, I am stigmatized, I cannot pull through". We do no longer look at ourselves, we point at the society as a factor of our downfall while this is not the case.» (FS)
- «Given the fact that I am young, I was rather encouraged to follow studies. My inmates have rather encouraged me to restart projects, dealings. But I am determined.» (AY)

The high rates of second offence show that the will often breaks in front of difficulties encountered by ex-convicts in terms of employment, housing, within their family and in social life.

The enquiry made by the prison authorities upon 1200 persons released in June 1996 shows that at the moment of their release, 60% declare they do not have a job, 26% have less than 100 francs, 10% do not know where to live, 29% are not pas expected at their coming out and 47% say that they have never had a visit from family members during their imprisonment. Only 13% have not encountered any of these difficulties and 30% have encountered at least three of them. (INSEE)

The gaps at the level of institutional assistance are filled by the family, friends and prison acquaintances.

The testimonies of interviewed persons are very instructive in this state of things:

- «All these channels are saturated, shut up and even those who try to bring assistance have the feeling to be helpless in front of the current situation. We can see that already at the ANPE.» (FK)
- «We went to the ‘Espace ANPE Liberté’, it was already full and there were no jobs. The girls that came out at the same time with me have found jobs themselves, the want-ads, jobs of waitresses, etc.» (AY)
- «At my coming out, at the sentence’s term, I saw again by chance an employee of ANPE I had met at La Santé. In spite of her goodwill, she cannot move mountains.

In prison, we had talked and drawn a professional project. This is where it stopped, and I had to do the rest. There was no follow-up after the release.» (Fr)

- «I had no assistance at all, absolutely nothing at this level. One must count on one-self and try to manage» (FK)
- «The people I know to have found jobs have either been helped by family or friends, or applied themselves for jobs which are not extremely qualified.» (GE)
- «There are people of goodwill trying to do their best but they do not have the means (...) Everyone has managed by himself.» (JC)
- «No, I have not inquired at any of these institutions.» (PL)
- «Everything I have done was a personal step and depended on persons of goodwill that I have met: professors, contributors, librarians, who make imprisonment bearable.» (FS)
- «By meeting individuals. 4 out of 5 of my friends have come out of prison because an external contributor in the field of culture has found a job for them thanks to his own address-book in the branches of culture: grips, lighting engineers, set assemblers, ushers in an art and essay cinema theatre, a job in any theatre, a rather pleasant job.» (AD)
- «I have found a job thanks to a network of friends, to contacts taken while inside.» (AD)
- «Nothing (no assistance) from the system itself. Assistance has come rather from friends, from people I have met through the prison, professors or contributors. I have found it (the job) through one of my computer professors who introduced me to my current employer.» (JN)
- «As far as reintegration in general is concerned, the comeback to society is a problem, all the more if before we had known atypical ways of life. It becomes a bigger problem because the initiatives aiming to favour reintegration are too few and generally quite badly introduced, and in any case incoherent between them, both from the aspect of what is done during imprisonment and the one of release. People profit of a quite mediocre support.» (GE)
- «If he is well supported, he shall live well the period after his release, he shall manage. Otherwise, the temptation may persist.» (FS)

A critical attitude is developed with regard to the institutions concerned.

The few means that the institutions dispose of and their perception by ex-convicts are at the origin of often virulent critics.

- «When we look at the existent structures of reception, because I have met a lot of people who have gone through these channels or through these organizations, it is really a decorum. » (FK)
- «I have not inquired at any organization such as unions or others, I think that this would not have been positive, which is a completely gratuitous supposition» (JN)
- «Unions are absent from prison. It would have not at all come to my mind to contact them. I passed by the ANPE that intervenes periodically. An association was offering 4-monts remunerated training courses, quite badly paid, under a contract, to help us find the sector of interest to us. A lot of girls chose this solution, since it was there was.» (AY)
- «I have never inquired at the unions. They are not concerned either by prison conditions, or by people coming out of prison. I inquired at associations. Most of them closed their doors. This is partly due to my character which they have never managed to overpower or to channel. My outspokenness was disturbing. I was always surprised to see that associations involved in the reintegration process proposed always to people coming out of prison employments for a pittance, poorly paid, while the heads of these associations had extremely high salaries. I was helped a lot materially by the foundation "Les Orphelins d'Auteuil" because I was elder. Without this help I would have had big difficulties, I would not have been here today.» (MO)
- «We live in a Judeo-Christian society. The sentence to prison is ignominious. When a political unionist stands up for workers, he is not standing up for Barabbas. The unionists feed the oversight system with a certain minority of the population. To stand up for a convict would have soiled them. This is the reason why the right to labour does not exist in prison» (AD)
- «The penitentiary system has locked in the ex-convicts and the social system of the home type, to ANPE specialised in ex-convicts starts to lock them again in bondages (...). From experience, we have more chances to come through by meeting individuals than by going through the institutions. For the institutions, the convict should not be likely to reintegrate but to be recycled.» (AD).

For some, and particularly younger people, criticism is *directed against the system as a whole*.

- «The French State is training the organized crime. From one point of view, they need this. It is an important job maker, between the cops, the judges, the lawyers, the screws. If there were no more hoodlums, gangsters, this would make an enormous gap.» (ML)

The above is related to poor communication between the parties concerned.

As we have already noted, there is a great deal of work for the penitentiary Administration, the integration and probation consultants and the organizations working on integration to inform the convicts and the ex-convicts on the existing possibilities.

- «I did not go through any organization; because we do not know where they are, we do not know where they exist. There is not really any information about this.» (FK)
- «No idea. Maybe I did not try to find out which were the programmes offered.» (PL)
- «_ had the chance to fall onto it»(AN)
- «We would like that information itself passes to all convicts that is not the case currently.» (GENEPI)

The issue of *shortages of social workers* in closed and open environments is also hindering efforts for reintegration.

Two thousand social workers including the managerial personnel intervene for almost 250.000 persons in closed and open environment. One social worker follows on average 100 files.

- «There is a lack of persons tuned in to convicts in order to study how they should find their bearings: social workers, etc. We have trouble to get in contact with these persons. Is this due to a lack of personnel?» (PL)
- «There is a flagrant lack of integration and probation consultants. There is an activity for 100 persons in prison. To favour the integration in these circumstances, this is really utopian.» (ANVP)

Difficulties encountered by outside contributors leads often to discouragement.

Taking into account the weakness of means a great part of the training work and the social and cultural activities goes necessarily through organizations staffed with

volunteers. The contributors' motivation is at the basis of the voluntary help. Thus, the difficulties encountered often lead to their discouragement.

- «There are certainly motivations at the start, this is sure, but at the same time people are «fed up» «to do unequal efforts» to achieve something and finally not to know to what this shall come.» (GENEPI)
- «The penitentiary administration does not always warn us about the transfer of a convict and very often volunteers travel and when they arrive to the prison, for a reason which is not made known to them, even if they suspect it, they cannot have access to the convicts. » (Secours catholique).

In addition the work of voluntary organizations is not always welcome by administration.

The speech made Genepi's representative whom we have interviewed is significant: «It is not because we have a social objective that works in favour of reintegration that we have ideas more to the left than to the right wing. To be concerned about reintegration is to be concerned also about the victim's position, to be concerned also about second offence. When somebody stays twenty years in prison we do not have to wait till his nineteenth year to be concerned about what he is going to do after his release but long before that. We join in this framework and not in the small political or other disputes. We have already been told in some establishments that we were lefties of service, but we are not. Not at all, we have a social objective and we serve this social objective in a variety of forms; we have stood up against the Perben laws because we thought that the Perben laws did not correspond with Genepi's objectives. It turns out that reintegration when we are responsible for convicts, for minors from thirteen years of age and on, when we build new positions of prisons, when we say there is a primacy of the "all for security" aspect compared to reintegration, yes, when we see the funds allocated to it (...), it is not trivial, it characterizes indeed the policies to be adopted.»

2.7 Shortage of spaces for the development of training and social and cultural activities.

- «This is due to the configuration of old penitentiary establishments and also, to the fact that before there was no external contributors at all within the prisons, it was not

planned and thus there was no need for a ward while now we find ourselves in cramped premises with prison overpopulation and more and more persons indeed coming from the outside.» (GENEPI)

- «It may be either a room designed for the courses if it is available or a visiting room which nevertheless necessitates, when a lawyer or an integration consultant arrives, to stop the course in order to let him have the room.» (Secours Catholique)

2.8 Education in prison.

As we have seen in the interim report the prison population has a low level of education. In 2001 almost half of the convicts have a primary school education level and more than 10% declare themselves as illiterate. The rate of functional illiteracy is a lot more important.

The school obligation is a rule for the convicts younger than 16 years old. The convicts not knowing to read or write or calculate fluently benefit in priority from this education. The other convicts have to ask to be admitted.

- «The setting up in the long run of an educational plan is almost impossible (...). The people concerned have often a poor educational level. Many of them are illiterate and before their incarceration belonged to a poor milieu or a circle of unemployed; we rarely meet prestigious professions or an education of a level higher than the 8th grade (...). Because of this (his destitution) the convict, even if he is for example illiterate and interested by the courses given by our volunteers, prefers to work if he has an opportunity rather than to study because he needs this basic amount of money. In front of this situation, at the Secours Catholique, we have thought to establish educational scholarships so that the convicts may follow courses, study to better reintegrate after their release.» (Secours Catholique)
- «I fought to go to school. I passed my DAEU (Diplôme d'Accès aux Etudes Universitaires) there without having attended any courses. I had a certain intellect, capacities I took advantage of. It is really difficult to be able to follow courses in prison.» (ML)
- «I would not have been able to follow my studies if I met a professor who intervened in prison and who arranged it for me to follow my course of studies at the University Paris 6 where he works. He simplified things for me. He and his team, they are truly motivated to see people going out of prison be able to continue their studies.» (AY)

- «The only possibility I was offered was to go back to my high school studies till the final grade thanks to the commitment of high school professors who were very motivated by the work and the knowledge they brought to us. The penitentiary authorities has always viewed unfavourably these people's coming to prison, while they favoured the emergence of a way of thinking, of a training and of an emancipation which benefit those who would go out of prison.» (MO)
- «In prison, I studied a course of DAEU (Diplôme d'Accès aux Etudes Universitaires.) Immediately after my release, thanks to the follow-up, I was able to be admitted by the Faculty of Jussieu to pass my exam.» (PL)

The importance of *training* has to be stressed at this point.

A point which we should remedy concerns the number of convicts following professional training courses. In 1999 only 2909 persons have followed a remunerated professional training and in 2001 they are only 2693. The decrease of the prison population between the two dates does not suffice to explain this decline. And the policy followed by the current government regarding the financing of training in prison shall accentuate the problem.

Though the role of training for integration or reintegration of persons who are released from prison is undeniable.

- In order to make it you need «a real work of training people. He who does not know to do anything does not have many solutions. Either he has a job for which he is poorly paid or he does things not good, better remunerated.» (ML)
- «There are possibilities to do trainings, but they are rather minor. The people I know have done their training a bit by themselves, from books and from people who were coming to make pass the exam.» (AN)
- «An effort could be deployed in a more intense way for the professional training. Things are done but not very well. The incarceration, in the cases it is necessary or at least inevitable, could be a period of time allocated to a sort of continuous training for those who had already a job (catching up the professional level) and to an access to qualifying trainings for those who did not.» (GE)
- «I never managed to obtain a technical training insofar my sentence was either too long or too short (...). Generally, the training courses are offered in sectors that do not lead to anything out of prison. In most cases we train people in textile in order to make them work in chains inside the prison and not at all to help them reintegrate, in

spite of what is said. Under these conditions, we cannot "reintegrate" people through work. We should train people towards jobs with real issues creating thoughts and autonomy.» (MO)

- «I went to see some training in prison: they are doing a training course of 6 months where in the outside 3 years are required. Under these circumstances there is no training. If necessary, he should be able to continue his training after his release. Thus, we should not do the training under inadequate conditions just to use the funds granted.» (JC)
- «A budget was foreseen for the computer training. I had to buy a computer, supplies, because you have to be able to work in the cell and not to count only on the computer of the common room.» (JN)
-
- Often the contributors help the convicts find a job allowing their conditional release. This is the case for FS, AD, JN, AN, AY and AE.
- «I was privileged because I was able to pass a DUT while in prison. My studies have been useful to me because I was able to enter a group in order to study computers» (AN)
- Out of the 15 persons of the group 3 have succeeded their professional integration thanks to this training. AN was the group's «leader». He was also lucky. Because luck, coming in the form of a happy encounter, is also important.
- «The Association organizing the computer's workshop had its seat at the Ministry of Justice besides the office awarding conditional releases» (AN)
- «I worked on the radio when I was in prison and the contributor hired me because I was talented.» (AE)

Sometimes the education and training require the convict's transfer and the transfer is depended upon criteria such as security or available posts.

2.9 Employment and professional integration.

In spite of the fact that the penitentiary administration has to take all steps in order to ensure a professional activity to the convicts who wish it, in 2001 with a total of 46099 convicts we had only 21482 employments offered which are often short-term jobs. More

than 50% of the convicts did not have a job when we know that 60% live below the threshold of prison poverty.

Work in prison is very important because it is considered as guarantee of the will for integration. It allows the convict to earn money to eat in the canteen, to pay his lawyer, to have some savings at his release and eventually to indemnify his victims. But it does not contribute much to the convict's integration.

According to the general opinion, the work in prison is far to meet the objective of the convicts' reintegration. As it is currently organized, it is used rather to ensure to the penitentiary administration its guarding and security mission. (cf. P. Loridant, J. Lerouge etc.)

The majority of jobs in prison concerns crafting or tailoring: folding, cardboard packing, small assemblies, sampling, packaging etc. They are jobs not leading to qualification not requiring training at all and with a poor value added. The quantities to produce are very important and the time-limits very short.

The labour laws are not applied in prison. The incarcerated persons do not benefit of any protection. Lack of paid holidays, non-payment of technical unemployment days, no compensation in case of disease or labour accident, non-application of dismissal procedures, absence of strike regulations. The convicts may be dismissed or punished at any time without explanation. The work in prison is not taken into account for the rights to the ASSEDIC allocations in case of unemployment after release.

In numerous cases work is done in the cells and the elementary conditions in terms of hygiene and security are not observed.

The remunerations are very low. The monthly average varies between 157 euros in the general service and 446 euros in the workshops of RIEP where the most common work is tailoring with salary gaps of 1 to 10.

- «The work in prison has a productivity pace is much inferior. The socialization at work does not correspond to reality.» (GE)
- «At the time of my imprisonment I had only 200 francs. I worked in workshop (in preparation of packages, samplings Dior, Lancôme). I was paid by the piece and I was the workshop's controller. I received 3,5 euros per hour and worked 35 hours per week (...). The job offered is inadequate for life outside the prison. There was no reintegration possible because there was no integration to start with.» (AE)
- «I did not apply professional activity intra-muros. I have never worked in prison in the workshops or at the library. I have never asked for the slightest training. 250 out

of 600 prisoners go to work. They manipulate the rest of the prisoners by using the hope to have a job. They shall be included in a waiting list which allows the authorities to put terrible pressure on the 250 prisoners who work and are afraid to lose their job enabling them to live a little better inside the prison, to have a television set, etc. The working prisoners keep a low profile, they do not claim. It is a revolving system that we can find also in the outside in a less violent and more underhand form. A hardworking mass is working and another mass is waiting. The latter is a breeding ground of misery in which they build up a social war that is no more the war of the boss against the worker but the war of the destitute against the unfortunate.» (AD)

- Except from qualified people, prisoners at their release encounter important difficulties to integrate into the labour market.
- «I had the chance to have a job with perspectives, I can have a good career. My work allows me to have projects. I plan to buy the apartments and to lease them.» (ML)
- «It is often the families or friends that find a job for them but this job is not viable.» (FK)
- «The people I know to have found jobs have either been helped by family or friends, or applied themselves for jobs which are not extremely qualified.» (GE)
- «This (imprisonment) has interrupted it (professional activity) which was not a bad thing. It allowed me to see other things, it is not negative. The confinement is negative, the thinking process which is developed is enriching.» (FS)
- «I had the chance to receive professional training through the AFPA in the sector of the secretariat to be able to find a job after my release. I met an ANPE consultant once in one year. Everything is dependent upon the establishment. In Versailles, we had somebody from the local mission for professional integration of young people. They could not find an employment contract for us, but they could lead us.» (AY)
- However, interviewed persons often showed their lack of confidence to the system:
- «Nothing corresponds to my expectations. I came out of prison with a lot of energy and many projects, but I was not offered my chance.» (AY)
- «To forbid me to work, to ban me from working because I do not have legal documents, it is putting me in the underground, in marginality, in forgery and the use of forgeries: for example, I cannot open a bank account, rent an apartment, drive a car, all that constitutes the armour and the accessories of the social robot we can a worker.» (AD, who is an Algerian born in France in 1960, and thus French due to the

fact he was born before Algeria's independence, he is still currently among the people without legal documents!)

2.10 The prerequisite of employment for a conditional release and the difficulties to find one.

The prerequisite of an employment for the granting of the conditional release is a strong motivation for the search for employment.

- «It encourages people to find a job.» (ML)
- «I found a job before going out of prison, it is a prerequisite when there is a conditional release.» (JN)
- «I started working immediately after my release, it was an obligation connected to the conditional release.» (GE)
- Nevertheless, the convict must be given the possibility to see their efforts succeed (contacts and permissions to go out.)
- Prisoners often complained about bureaucracy and other problems they encounter.
- «Convict of the Centrale d'Arles, meeting the criteria of a conditional release at the end of July 2002, looks for a philanthropist boss for a work contract of an indefinite duration. CDI required imperatively. All regions of France except twenty three departments by reason of interdiction of residence and particularly the department in which live family and friends.» (Letter of an inmate of Arles)
- «It is enough that the CAP is not admitted or postponed. Meanwhile, the employer waits and finds somebody else ... The employer is not informed about the judicial developments that concern us. Everything is in the hands of the prison's social services. We know that they have a lot of work. One of the trails could be to hire more persons in the social services than the screws.» (AY)
- «I know people who have found jobs and who have even managed to go out even on conditional release this way. It is rather a citizen's act than an institutional act. Individuals met in prison have taken the initiative to find jobs for them by sending CVs here and there.» (FS)
- «There is a lot of politeness in these stories. There are phrases like: I had the chance to follow professional training organized by AFPA in the sector of secretariat so that I could find a job after my release. I saw an ANPE consultant once in one year. Everything is dependent from the establishment. At Versailles, we had somebody of

the local mission for the professional integration of young people. They could not find an employment contract for us but they could lead us.» (AY)

- «We find schemes in order to go out sooner, but there is an aberration in this story» (FK)

In general, *permissions granted to prisoners are the best means for the preservation of bonds with the family and allow prisoners to stay as close as possible to the labour market and generally to the social life. The rate of persons who take advantage of the permission to stay out of prison remains low. In 2001 out of a total of 33113 permissions, we have a rate of reintegration of 99,2% while the voluntary reintegration within the time-limits amount to 97,8%. The offences committed during or after a permission are only 15, that is 14 misdemeanours and 1 crime.*

- «Life, human relations, relations of tenderness, of affection, etc, happen outside. Even sexual visiting rooms asked by incarcerated persons are always on bail, perverse, vicious. At the exit of the visiting room, the eyes of the warders would say "I know what you had been doing". This feeds sick fantasies. » (AD)

However, several interviewed persons are critical towards the existing permission system:

- «Permissions are a problem because very few are granted. I had only a few hours' permission. This is something for which I often asked and to which I found an interest.» (GE)
- «To be able to see a girlfriend, I did not even count on it, because it is already very difficult to be granted a permission to go out in the case of an employment or a burial (...) I wanted to go out for my little brother's anniversary and they refused. I was granted only one permission to go to the Faculty. Permissions are given for work, rarely for family reasons, except when there are young children.» (AY)
- «Permissions to go out that should allow prisoners to go meet employers, function quite badly. They are not at all encouraged and applied by the judges, particularly the judges responsible for overseeing the terms and conditions of the prisoners sentences who have the task to control these procedures.» (GE)
- «We have merely the time to understand what happens to us and we go back. Does this allow us to be prepared for the final release? Not at all (...) It is a way to realize the gap thrown between the family and the convict. In the visiting room it lasts 45

minutes. We do not have the time to realize. Going out is a real shock. When we go back from permissions, we are often sad not because we are going back but because we have realized that we do not have a place in the family unit. We have lost it.»

(JC)

- «It is really like we throw the bone or the ball above the wall and tell the prisoner "go search for it, fetch". We are in a system of submission. It becomes a kind of taming. If we consider that a man may go out on 3-day permission the following month, we should release him. In 3 days he can assassinate as many people as he wants. If we take the risk to put him out, he may go out. This taming concept has to be broken.» (AD)

2.11 For an active policy of the public in terms of employment.

In view of the difficulties of access to employment for the ex-convicts, there is a need for an active policy from the State to ensure a beginning of integration in the economy.

- «There is a need for a system allowing, at least for a specific period of 6 months to 1 year, to secure an employment for all people applying for it. They could work for example for the State itself, for a municipality, an association, or even subsidized private businesses...this would allow a screen between the moment we go out and the moment when we have settled a little bit, with home, etc, and we are about to begin searching for a job starting from a situation where we are already employed, we have already social situation.» (GE)
- «Integration should be possible in all the jobs of the public sector.» (MO)
- «Jobs in the public services were closed to those who have been convicted. It could be possible to assist them by offering on release jobs which would not necessarily be those of civil servants holding office. Instead of being disadvantaged by additional handicaps such as the criminal record, the ex-convicts should in the contrary enjoy positives measures that help them to find a job.» (GE)
- «To forbid me to work, to ban me from working because I do not have legal documents, it is putting me in the underground, in marginality, in forgery and the use of forgeries: for example, I cannot open a bank account, rent an apartment, drive a car, all that constitutes the armour and the accessories of the social robot we can a worker.» (AD)

But, does professional reintegration lead to social reintegration?

Professional integration is a necessary factor for integration in society but it is not enough. Housing, sentimental and social relations, the place in social life are together with employment very important factors for the social integration of a person. It is the lack of those factors that leads to criminality. The answers of people we have interviewed are significant:

- «It depends on the conditions in which we are professionally integrated, on the job we do, on whether we are remunerated enough to live with decency. If all factors lead to a full self-knowledge, we can perfectly integrate in society, have friends, engage in cultural and sports activities. In the opposite case it is impossible.» (MO)
- «The fact to have a professional activity, a permanent accommodation, access to a fair health care system are great factors of social stability. Work is an essential element since all the rest and the capacity to assume one's own needs are conditioned by it. If we do not have an income, when we should live well, we are confronted with temptations.» (GE)
- «It favours social integration. In our society, work has a rather important status without which we are put aside, boycotted (...) I do not like much the term "reintegrated" which implies that we were already integrated before. Most of the people met in prison including myself and except a minority who are there by accident have never been integrated in society. We have never had our place. At the professional level, I consider that I am integrated now. I would say rather integrated than reintegrated.» (JN)
- «It is one of the factors leading to social integration. The environment may make that we are able to be socially integrated. I am heterogeneous in my relations. For a long time I was in the estates at La Courneuve. It was all I could see, I did not have contacts with the outside. When we live in the big housing estates we are cut off from the outside. We cannot have a good social integration if we are all the time with the same people. We do not change. There is a political will to pen in people and to want to control them in a sector so that there would be no waves.» (ML)
- «When we know the milieu of the prison I think we should no more speak about integration or reintegration. Because there are very few persons who arrive and have a professional training.» (JC)
- «I know the prison well enough to say that we are offered the more often hybrid jobs. As far as reintegration is concerned, as you have explained to me, the social

reintegration, in my opinion it does not exist if already people of your village snob and ignore you as if you were nothing because you have been to jail.» (SE)

- «It goes to the right direction, there is a certain stability.» (PL)
- «For me the most important when we go out of prison is the psychological stability, the circle, to have people to talk to, to be well received, affection» (AY)
- «Being a cashier I stayed with the social cases like mine. This does not make me feel like going back to society (...) When we go out of prison, we already suffer from the prison trauma that makes us not to feel really like going to submit to a boss. The current system does not work. At least, they should try something else (...) I do not know if I was already integrated before. Socially, I was not seeing many people in the beginning. On account of the deceptions, of people who have fallen again, I do not see many people any more. I was speaking with everybody about the imprisonment. There is a craving that was broken. We can rather say that I was 'de-integrated', but I am trying to maintain some bonds.» (AY)
- «I was reintegrated neither professionally nor socially insofar I am still purging my sentence. I did not recover all my rights and particularly my civic rights. Things are prohibited to me. I shall not be socially reintegrated only when I shall have recovered all my rights and when all incidental sentences shall have been deleted.» (AY)
- «Professionally, yes (I am reintegrated). Socially I am too much an anarchist for this.» (JC)
- «Yes, when you joint the "herd" (there is nothing pejorative), it is o.k. But me, I do not speak about 're-integrable', I speak about recyclable. » (AD)
- «The prison is not a violent stop but the continuance of the course of a human being in which I was since my adolescence and from which I have never deviated. I have always refused to be a sort of social slave in jobs enriching others and impoverishing me in my mind.» (AD)

2.12 The importance of family and social bonds.

The importance of preservation of the family and social bonds for the reintegration of convicts needs not to be shown anymore. This is acknowledged by the doctrine, the European jurisprudence (the European Court of Human Rights), the European penitentiary rules and by the convicts themselves, as it is shown by the interviews taken within the framework of this study.

- «One of the major means is to preserve in an absolute way the family bonds which allow the convicts to find on release his family, a major support of integration, mostly when we have served many years of prison.» (MO)
- «The family is reassuring. It takes twice as much the energy for the convict who has nobody to help him come back to the surface, to be reconstructed. » (FS)
- «The bonds with my family have been preserved during the whole duration of imprisonment. They were even strengthened. Our relationship was really much united, the bonds were very strong. (...) My family, and particularly my parents and my sister, were waiting my coming out very impatiently. They made their presence very clear, they have really taken my hand, they have cared a lot about me, and it was the same with the friends I made when I was in prison. When we go out after several years of imprisonment, we are lost. When we have nobody to assist and support us, to be there, to help us in our efforts, to simply guide us, to put us back to the surface, to allow us to adapt again, we are almost sure to fail (...) What may seem somehow illogical is that during the years I have created bonds with people who have come to prison to teach courses or to organize artistic or other activities and with whom I have maintained correspondence relations. After some years, they became my friends. I created a small network with which I have always contacts (...) I am single and I was single before I went to prison. I would like to meet somebody and have a family, but it is not easy. It is only a little more than a year that I am out, maybe it shall come with time. It is difficult to meet people, to have relationships. Maybe I should take part in activities.» (JN)
- «We notice, nowadays more than before, that the majority of people coming to our association are in sentimental break-up. They are lonely people. In this population we have a impressive number of people brought up in a DASS home, who have lived a divorce, marriage violence or who have not known their father, a total absence of the father. To the younger people we receive we detect very important difficulties in their human relations, they are individuals always on the defensive (Mrs Tranchimond of MRS).
- «I have the chance to have some persons around me who allow me to still be able to open doors. The reintegration is not easy and should be even more difficult for those who have not this chance.» (PL)
- «I found a job with my own means. My family has helped me in my thinking. If I did not have anybody, I would have served my sentence, I would have come out, I would

have continued my stupidities. Before incarceration I had des conflicts with my family. I was never home. The prison has put me closer to my family, has allowed us to talk much.» (ML)

- «I broke up with my husband and I took over contacts with my mother who was coming from time to time. We can say that this has improved. The fact to have her daughter in prison made her think more. We were able to talk about things we would not have spoken of otherwise.» (AY)

The breaking-up of the family is considered by the people concerned as a second sentence even harder than the imprisonment and as the exclusion the most difficult to overcome. Nevertheless these bonds are very much weakened by incarceration. To the physical separation and to the disgrace resulting from imprisonment are added extra causes such as the geographical distance, the long durations of sentences and practical difficulties. These factors entail: the psychological disruption, particularly to children of incarcerated parents; the family's impoverishment (prison is expensive to the family with the costs it implies such as mandates, visit costs, expenses for attorneys fees and other administrative steps); the disruption of bonds with the neighbours, the larger family and friends (the incarceration is hidden from them) as well as the convict him/herself. When it is not incarceration that causes divorce or the children's denial to visit the imprisoned parent, it is the geographical distance (costly in money and time) and the incarceration's duration that do. In the end, the sentence becomes a family sentence both by the expenses and by the consequences it involves.

- «The women waiting for their husband sometimes do three times more “psychological” prison than the one who is confined in four walls.» (AD)

The case of the long-term sentence establishments is more particular: to the problem of distance is added the issue of the imprisonment's duration. It seems that there is a kind of fatalism on the question on the part of convicts condemned to long-term sentences who have conscience of the fact that we cannot ask a family to face the prison universe for a long period through visits often requiring time (sometimes a whole day for each visit) and important financial means.

- «The family does not have to be confined in the prison universe in respect of my acts» (AD)

Also, securing psychological assistance to the convicts and their families is also judged as important.

When we know that family disruption and suicide intervene in the first period of imprisonment, the presence of a psychologist could help the ones and the others to overcome the shock of this event and, then, accompany them throughout the incarceration, if needed, to help them to keep their bonds (to prepare the visit, a permission etc).

Several factors may reinforce keeping family and social bonds:

a) bringing the family together.

Everything has to be done so that the convict is not placed in a prison far from his /her family home. We must stress out that the European Court of Human Rights has recognized such a right. Imprisonment in a quite faraway place rendering visits difficult is considered as an invasion of privacy and family life and as an obstacle to reintegration. In fact, the geographical distance is the source of two additional problems for families and relatives: time and money. A CREDOC study in France (2000) has established that an average of approximately 4 hours of transportation is required.

b) the takeover of the visits cost by the State.

Because the prison should not generate a financial and thus family penalty and because family bonds are essential for the convict's reintegration, the State should take in charge the visits' cost (transportation, travel, hotel, meals). In 20% of the cases, the visit's cost varies between 30 and 151 € and in 4% of the cases this cost exceeds 151 €. The average cost is 28 € (Source: CREDOC, 2000). This proposal does not seem to us utopian or non realistic. In the *Recommendation* of the General Assembly of the Council of Europe, n°1340(1997) *in connection to the effects of imprisonment at the family and social level*, it is provided the granting of an urgent financing in order to overcome the immediate financial difficulties due to the loss of income. Even better, according to the *Federation of prisoner's Families Support Groups*, in England, families of low income may be refunded the visits' expenses by social assistance. It is mostly this last type of assistance which is the most efficient and the model of which may be improved. Given that the sentence is personal and not the family's, all families should be refunded their visiting expenses.

Moreover in respect of the impoverishment of the convicts' families, another measure that would contribute to prevent or to decrease is to introduction of a minimum prison income. Since unemployment is inevitable for most of the convicts their living expenses are necessarily borne by the families. This brings about another penalizing effect for the family: its impoverishment due on one part to the loss of the incarcerated person's salary and on the other part to the addition of various expenses (mandates, visits, lawyers, documents, clothing).

c) improving the conditions of visits of children.

It is necessary to adapt the visiting hours to the school hours, and to make appropriate visiting rooms (rooms equipped with games, with natural lighting), to authorize visits long enough, to authorize objects such as report cards and drawings, to allow convicts to offer small presents to their children.

Encouraging the custodian of children to take them on visits.

«Women reintegrate easier than men. In my opinion, the motive of their reintegration is their children. We have noticed and it was pointed out to us that women ex-convicts of a younger age than those who are mothers who live without children encounter the same difficulties, exactly identical to the difficulties of reintegration encountered by men» (Mrs Tranchimond of MRS).

d) recognizing the family permissions as a right.

Better than visits, they allow convicts and their relatives to meet in "normal" conditions, in a family and private milieu. They allow also convicts to find landmarks in the city or another place of life and to follow its development.

e) enlarging the acknowledgment of visit right to include friends and acquaintances.

For the moment only family visits are guaranteed within the national laws as a right of the convicts. The more the contacts with the outside the less the convict feels excluded. Furthermore, when the convicts do not have a family or do not have any more relations with it, the only private contacts they have left are those with friends and acquaintances.

– «They refused me I do not know how many visit permissions on the pretence that I am an ex-convict and particularly the permission to visit my ex-boyfriend who is incarcerated. It is a bad thing for the person's reintegration.» (AY)

- f) improving the quality of visits.
- Increasing the visits duration. Visits of 30 to 45 minutes which is the average duration in Europe is too brief to allow people to really meet and communicate. If, in addition, the journey's duration is long, this is discouraging and comes to join the other difficulties for the people involved to overcome.
 - The visitors' body search. Body searches have to be done with respect to their dignity.
 - The waiting rooms. Decent waiting rooms have to be created beside or inside the prison, that is: heated, with benches to sit, toilettes, sufficient lighting, games for the children). It happens that there are not at all such spaces. The visitors wait outside under the bus stations when it is raining.
 - The visiting rooms. It is necessary that the visit takes place in decent rooms (clean, bright, quiet, with the possibility to sit down, etc.).

«We never speak about the suffering of people who come to visit others: the waiting list, the bounds, the body searches, the appointments very strict with regard to time, the warders' harassments (...), it is sad to say, but when you are torn away from a family, there is nevertheless suffering for the family present, for children. They do not have professionals for this kind of situation: they should establish posts of social workers or specialized psychologists to help families» (FK)

Preparatory steps for the visit:

- Ensuring a diffusion complete and accessible to the persons involved, by means for example of leaflets or even a free telephone number, of information about:
- 1° The conditions required for the granting of a visit permission (competent authority, documents to produce, time of decision, recourse in case of refusal);
- 2° The practical aspects of the visits' organization (setting of appointments, time schedules of transportation, cost, housing possibilities, authorized or prohibited objects, duration of visits).
- Abolishing deprivation of visits during the punishment of placing in a disciplinary cell (which, for example, in France may last up to 45 days).
- Preventing the transfer before the taking place of an already scheduled visit.
- Ensuring intimacy and sexuality.

Sentimental relations with the family and relatives form the basis of the convict's reintegration. The family remains always the foundation of socialization. All the people we have interviewed have insisted on the importance of this factor.

Intimacy is unquestionably an essential factor so that visits can be real moments of private and family life where we may freely express ourselves, to confide, to touch each other. But it is also necessary in order to ensure another aspect of private and family life, and in fact of a normal life, the sexual life. It is a right in itself (one of the aspects of private life guaranteed by article 8 de la European Convention of Human Rights) and contributes certainly to the preservation of family life (life of the couple) and to the creation of a family life (through reproduction). The European Court of Human Rights is still reluctant to that effect all by expressing its satisfaction in respect to the countries having made a provision for this possibility. On the other hand, the Committee of Ministers of the Council of Europe has, in its *Recommendation R(98)7, with regard to the ethical and organizational aspects of health care in prison*, rule n° 68, provided that «it should be considered to give the convicts the opportunity to meet their sexual partners without visual surveillance during the visit.» The General Assembly of the Council of Europe has, in its *Recommendation 1340(1997) with regard to the imprisonment's impact at the family and social levels*, recommended to improve the visits' conditions and to establish appropriate intimacy places. And according to the words of a convict intimacy is not only the sexual act. It is «the time, the silences, the caresses.»

Passing from the Hygiaphone, to the conjugal room (that several interviewed persons find unworthy) and finally to the family cell units constitute a great progress. But this progress is slow. Only 3 prisons out of the 187 are experimenting family cell units.

- «Something must be done so that visits are subject to rules more flexible and less restricting for the visitors. For the sentimental bonds, the possibility to have visits in full intimacy from the beginning of the incarceration.» (GE)
- «My relation with my girlfriend has been broken during the imprisonment due to the laps of time between visits and to the lack of intimacy in the visiting room. The visit takes place with a lot of stress. One has always to wait to go in, wait to go out. For one hour in the visiting room, a visitor must count a whole day. One has to find this time. The preservation of human relations through the visiting room is not self-evident. We feel under surveillance there. The cost of the visit may be a problem. To

have one's spouse in prison decreases the family's budget, with the mandates one has to bring and the lawyer's fees one has to pay. We have stayed 4 years together, from 1995 to 1999, out of a total of 6 years and a half. She decided to leave, it was her choice (...) An intimate relation cannot exist in this closed place called prison. It is a question of morals. In some countries it exists, not in France. Attitudes shall change all the more with difficulty since it is a taboo subject.» (FS)

2.13 Enhancing the guarantees of correspondence.

To write, send and receive correspondence is a right acquired in Europe. It remains to see the guarantee of the secret and the liberty of expression so that correspondence may constitute a means of effective expression. With time both the convict and his /her correspondents censor themselves. They end up writing small talk.

Guarantee of access to telephone is one means by which life in prisons can be bettered. The telephone may be the most efficient communication means. It is the most practical means to communicate out loud and immediately, and in all cases, quite rapidly. It may thus compensate for problems of the prison's geographical distance and for delays of the mailing of correspondence. Furthermore, the telephone represents an excellent means of communication for foreign convicts who do not speak the language of the country of their imprisonment. Nevertheless, for the moment, it is not guaranteed in all the countries or in all the prisons (for example, in France, it is prohibited in the arrest wards). Even worse, the European Court of Human Rights does not recognize it yet as a right of convicts. In the ruling *A. B* rendered in 2002 it has declared that «article 8 of the Convention cannot be construed as guaranteeing to the convicts the right of telephone communications».

- «We can maintain sentimental relations «by longer visits and mostly by an easier access to the telephone (...) The visiting room is terrible. The inside meets the outside. After this everybody goes his /her own way. The convict comes back from the visiting room often with tears in his /her eyes, sometimes with a smile. If we had access to the telephone we would not wait the visiting room like paradise.» (JC)
- In order to maintain the bonds «the two essential elements missing are the possibility to have telephone conversations and visits without surveillance.» (GE)

2.14 Integration and the city.

J. Floch, the reporter of the Enquiring Commission of the National Assembly of 2000, insists on the prison's place in the city. For him the prison in the countryside confirms the exclusion in the exclusion.

- «Due to the distance, the new prisons raise a problem to reintegration of convicts, the transportation means to go there are not often efficient, the families have difficulties to visit their convict, the personnel have difficulty to stay in post since they often have families themselves and the spouse's work does not exist.» (ANVP)

a) Accommodation difficulties.

The difficulties encountered in terms of accommodation is a very strong factor of non-integration.

- «At the level of housing structures the situation is very restrictive. A girlfriend had a therapeutic accommodation: Three times a week she was seeing a psychologist, instructors wanted to know at what time she was coming home everyday, she did not have a visit right. She left because it was worse than prison. I know others who were living in homes filled with drug-addicted girls. It was chaos, it was hard, it was like a prison. For somebody who wanted to make it, follow studies or find a job, there was no scheme (...) I have accommodated at my apartment during 6 months girls who were released from prison. I live in a 10 m² apartment and there were 3 or 4 of us. One girl found an apartment, another went to live with her ex-husband while she did not feel like going back. These are really embarrassing situations.» (AY)
- «Within the framework of a conditional release, one has to have at least on one hand a job and on the other hand an accommodation. Accommodation has to be close to work. My parents and my sister would have received me gladly but as they do not live in the neighbourhood, this was not possible. I managed to find an accommodation.» (JN)
- All the testimonies gathered insist on difficulties to reintegration due to the stigma, the criminal record and the deprivation of civic rights.
- b) Stigma
- «Nobody knows that I have served time in prison and that is why I still have this job. If this came to the ears of anybody, it would be the end for me. There is a stigma on

people who are released from prison, it is a fact.» (ML, accountant in a notary public's office)

- «In some circles when we bear this label it is very difficult.» Always according to him «when we have to deal with people without stereotypes in their heads, insofar they are capable of judging, they are confident, they know well how to adapt with other persons, it is easy to make one forget this label» (JN)
- «I have met interesting people who did not judge me for what I have done, who made me feel like working and staying with them. This remains rare though» (AY)
- «Few employers are ready to hear that their secretary is an ex-inmate.» (AE)
- «I do not think so because my job is hard and cooks are wanted everywhere.» (SE)
- «The prison leaves a trace to the eyes of some people. With the passing of time, we tell ourselves we shall go on (...) To change the look of others, there is a need for full reintegration, a shock in the opposite sense.» (PL)
- «There have always been people to create distrust, suspicion, insecurity in the minds of the employees, since it is always frightening to have an ex inmate by one's side.» (MO)
- «I would not like to learn tomorrow that the whole building knows about my past. Indeed, we do not use our past as a piece of identity, we say that we have been to prison like others have done their military service. If the person is not capable of accepting your past, too bad. There shall always be people for and others against. The prison has not yet penetrated the French morals. Though, I am sure that many families have closely or remotely to deal with justice. The stigma is depended from the offence. When the offence has raised a debate, like the sexual criminality, it puts the stigma. The social environment has influence on the type of the offence, even the crime. An ex-convict coming from the 16th arrondissement would pull through better than one who is born at Sarcelles. Young people from the poor suburbs go to prison for small drug deals, mostly hashish. It is another clientele that bathes in fraud.»(FS)
- «Then both of us, even if it was hard, we have changed region and for everybody in our mountain we are the cook and the waitress of the village's restaurant, and I am not the ex-convict, nobody knows it, the boss has not asked me anything. Even not a copy of my criminal record.» (SE)
- «As far as friends and colleagues from the University are concerned it went rather well, there was a lot of curiosity on their part, I had to explain how it was, etc. The

bonds were tied up again in a very satisfactory way (...) As far as professors are concerned some of them are informed. Many of them have seen it as sociological curiosity, maybe it is a professional twist. They were rather intrigued than negative. But people may be negative and not express themselves openly. Those who feel sympathy display it and this shows, the others refrain.» (GE)

c) The criminal record

- «It should be stressed out that, for an ex-convict, depending on the work he wants to do in society, it is not always easy to reintegrate him /her. Before his /her professional experience, one thinks about his /her criminal record, for example the model B2. At the request of an employer the criminal record may be notified.» (Secours Catholique)
- «The gap in the CV may be difficult to justify. There are 2 solutions: either we work for people we already knew before and who trust us or we build again a course by trying to invent what could have happened in the meantime when we were unavailable.» (GE)
- «Insofar the person has served his /her sentence in prison during years or even months, he /she has paid his /her debt to the society. I cannot see why we keep the criminal record.» (JN)
- «It is obvious that this causes damage (...), when we have a criminal record, this follows us forever, it is in permanence a Sword of Damocles.» (FK)
- «I bear a damn millstone around my neck: it is called criminal record. Through my studies I am interested in young people's education, in culture. It is the public sector and thus a clean criminal record is required. When we go out of prison we are excluded from these employments!» (AY)
- «For the ex-convict who wants to join the civil service the criminal record remains a major obstacle, but it does not prevent us truly to have a job, as a packer for example (...) If you are a builder, the criminal record does not raise a problem.» (FS)
- «It was hard. It was a total disruption with what I was doing before. I have lost my job due to the criminal record» (PL)
- «I do not understand why the State and justice tell us all the time in prison to prepare our reintegration. The State is the first to refuse us jobs. For me, it is completely absurd, it makes no sense, I do not understand. Either they abolish the criminal

record or we do not reintegrate. Without a job, I cannot see how we can pull through.» (AY).

- «The abolishment of the criminal record would allow us to have access to more jobs.» (MO)
- «We must fill the gap of the CV which is distressing during the interviews. "Sir, what have you done during this time?". While we want to put the convict in the right path, we encouraged him to fraud.» (FS)
- «The gap in the CV may be difficult to justify. There are 2 solutions: either we work for people we already knew before and who trust us or we build again a course by trying to invent what could have happened in the meantime when we were unavailable.» (GE)
- «When you go out and you go to see an employer and he starts looking at your criminal record, it turns quickly to a drama, especially in a crisis period as currently, you have very few chances to find a job.» (JC)

d) Civic rights.

- «Another fundamental aspect of integration is the recovery of all the convict's rights and the deletion of all incidental sentences.» (MO)
- «Financial integration is extremely difficult insofar I was among those prisoners who have not been able to recover their full rights when they were released. Until now, I could not open a business, I do not have access to a number of jobs. I was able to be officially chairman of the association I have founded only a few months ago.» (MO)

2.15 Alternative sentences and arrangement of sentences depriving liberty.

To prevent going to prison is certainly the most efficient solution for the non retrieval of the person from the labour market and the preservation of family bonds, since the imprisonment in itself is the main factor of their breaking up. At least to reduce the recourse to prison so that it becomes rather an exceptional punishment. To develop punishments as the fine, the community work, the social and judicial follow-up before any imprisonment on remand, the suspended sentence on probation or not, in short, all the punishments served in open environment. All the more since this solution shall contribute to resolve, as we have seen, another major problem: the prison overpopulation

that prevents the implementation of a reintegration policy during detention. To this effect, see *Recommendation (2000)22 of the Ministers Committee of the Council of Europe*.

We should also reduce the duration of imprisonment sentences to proportions rendering realistic and thus credible the objective of reintegration that the sentence is supposed to pursue in addition to its punishing and neutralizing objective. In concrete, we should abolish life sentences that exclude completely the first objective, but also long-term sentences and minimum recommendations. The last ones may, for example according to the French law, go up to 30 years. During this period, the convict is not entitled to any reduction of its sentence that may contribute to the reduction of the duration of his /her detention. Also, no reintegration project can be built due to the lack of perspective to go out after a reasonable period of time. It is the same with long-term sentences. They include a long period which is dead and inert for the convict during which reintegration makes no sense. In addition to practical and psychological difficulties for the convict to imagine him /herself in 15, 20, 30 years or more, the long-term sentences involve also the ageing of these persons who shall come out near the age of retirement or even after that. In this case, reintegration loses, in fact, all its essence and is not part of the functions of the imprisonment sentence. It should be reminded that the Ministers Committee of the Council of Europe had recommended in its *Resolution (76)2* to consider the possibility for any convict of a conditional release after 8 to 14 years maximum.

We should also develop the reduction of sentences: conditional release, placing outside, partial release, permissions to go out and electronic bracelet. In France only 9.3% of the persons released from prison in 2001 are liberated within the framework of the measure of the conditional release. The placing in open establishment remains an exceptional measure (5.6% of the prison population). There are only 1966 places in the semi-liberty centres and quarters and the placing under electronic surveillance is still in the experimental stage.

All persons interviewed agree upon the alternative sentences and the reduced sentencing:

- «They allow the preservation of friendly and family bonds and they prevent the estrangement from the labour market. They also reduce the social stigma.» (JN)
- «Yes, there is more to do outside than inside, very simply, and an absence of disruption with the friendly and family circle.» (PL)
- «The more there are rather correction sentences than imprisonments, the more people shall be allowed to be free to look for a job or for a training and to be fully integrated.» (MO)
- «The alternative sentences favour the integration, I can see that on persons who come to look for a support at the association or whom we have taken charge.» (Mrs Tranchimond of MRS)
- «We should not go to prison for a sentence shorter than two years.» (ANVP)
- «It would be desirable to focus your research upon the temporary conditional releases and the alternative measures.» (Secours catholique)

The placing under electronic surveillance, that is a form of deprivation of liberty in another place than the prison which is provided for by a law of 1997 and still is in the experimental stage, is apparently admitted as a measure of control in open environment. At least for a limited period. Reactions come rather from the unions of the prison staff and the organizations operating in the prisons.

- «Bracelet. I do not know anything at all. I do not know in what distance we may be moved away from home. If there is a radius of 50 meters I do not know pas how to go to work, unless it is a tele-work. We can only conceive the bracelet for a rather brief period of time, in order to avoid family or professional disruption. The bracelet would be unbearable for longer periods.» (JC)
- «If it were wider this alternative could be interesting. It should be applied to more persons and not to a minority as it is currently the case.» (JN)

2.16 The second offence.

As we have stated in the interim report, the failure of the penitentiary system sums up in the rate of second offence. 60 % of former prisoners get involved again with justice. 40 % come back to prison within the 5 years following their liberation.

- «We say that the first year is the year of all risks. It is the year involving the greater risks of second offence. It is the social loathing. (AD)
- «A lot of my friends who have come out of prison (...) are obliged to accept any job or to make the choice of second offence and to go back to prison within the following 6 months to one year.» (AD)
- «The type of contract offered on their release and then their relegation to unemployment after some months lead them to commit second offences in order to ensure their survival in society.» (AE)

2.17 Integration seen by interviewed persons.

We thought appropriate to incorporate certain proposals coming from ex-convicts and persons working in prison quarters. Their experience is instructive as well as their opinion about whether integration is possible or not.

- «Behind the word "reintegration", we put anything and certainly not material or financial means or understanding. In this country we could direct prisoners to possible niches, tourism, agriculture, computer science through Internet, culture, restoration of the regional and local inheritance by using new technologies. A lot of regions have been deserted and we cannot find farmers anymore. By using European funds we could make rural properties available in order to instruct prisoners. The agriculture as I understand it cannot be but diversified. We could do green tourism. The problem is that, apart from technical prohibitions, there is political and social distrust towards ex-convicts. I am not very optimistic regarding their reintegration with this prevailing negative spirit.» (MO)
- «Throughout incarceration each convict should be personally followed by a tutor, a conscience director, but there is a shortage of personnel. There is no structure, it is a closed quarter. More means should be given also in terms of education and training for those who did not receive any before and particularly minors. We should see the desiderata of each one. This would allow us to empty the prisons. Whatever happens in the inside has an impact on the outside. It should not become the place of pilgrimage of the neighbourhood for the young people from the disadvantaged sections of population. It tends to be that. One goes there, another comes, tells his mates he has gone there, prides on the fact of his immaturity. One small sentence

after the other, the criminal record becomes black. They are devoted to themselves, between them.» (FS)

- «Yes, many things, but it is a long-term work involving all partners concerned. Individual, organizations, families, friends. The most concerned parties are the convict who has to find the strength to believe in his future and the penitentiary policy.» (AN)
- «We should train people, inform citizens, create quarters (...), there are provisions but they are not applied (...), therefore, yes I had the opportunity to read plenty of things, but when we look at reality, it is written down, it is not applicable.» (FK)
- «Motivate the convicts through work correctly remunerated. For the convicts this could be an additional means to make them work, to make them work well and this would give them additional satisfaction (qualification in confinement) or even this would give them a greater chance to develop quicker in the outside without committing a second offence. De-qualification and under-payment inside the prison discourage them from any reintegration attempts.» (AE)
- «We should do anything possible throughout the incarceration so that these people have a place in society when out, so that they may have a role of their own, because I think everybody have capacities to develop (...) A structure is established inside which in theory is supposed to help people. The problem is that, even if the members of these bodies believe in their work (unfortunately it is not the majority, but I have met some), they are not given the necessary means to accomplish it efficiently. I do not have any solution because I have not considered the issue, but things that certainly be done to that end (...) We should favour the visits which are extremely important in prison and the diminishing of the geographical distance between convicts and their families. Often the contrary happens. The family lives in the North of France and we meet the imprisoned person in the South. The cost of transportation is not available to everybody and one needs time to cross France. We should also favour correspondence and telephone relations, even Internet, all means of communication allowing relations with the outside. Otherwise, we are completely isolated.» (JN)
- «Then at the level of integration and probation consultants, generally this goes well if people are motivated by their job and I think that Genepi helps them in their work to set up activities. Because one has to understand that at Genepi we do not only courses or school support we also carry out social and cultural activities including

press-reviews, theatre, circulation code, plus all the originalities people at Genepi may feel like creating. In fact, there are plenty of things being done, there are often interesting things.» (GENEPI)

- «Like did the ‘Banc Public’ or the ‘CAP’ (‘Comité d’Action des Prisonniers’) at the time, prisoners should be federated when they come out, they should form a different power in order to explain that prison is the management of social misery, that nobody can escape, that this is not the way the State shall resolve its problems by transforming an SDF (homeless - someone without a fixed residence) into a prisoner. The SDF in the street shocks public opinion, people are wondering what does the government about it, but when he shall end up stealing to eat, given that begging is prohibited, he shall find himself in prison. Public opinion thinks that if he is in prison, it is because he has done something stupid, while he was pushed to do it in order to live and eat. One should break the prison taboos, one should come out of prison and not say "I am a victim", but "I am somebody who refused certain things".» (AD)
- «Reintegration is dependent upon the platform on which we put it. We talk about reintegration because there is all this administrative structure in place. This reintegration does not exist. Most of the convicts I know who have come out of prison are failures. For one thing, there is unemployment. Then some come out handicapped. What can you do? There are those with a strong personality or with cousins, parents who own coffee shops where they can put them. Only those with a strong personality. So strong to make them go to look after a job and not wait for a job to come to them. Or guys who shall undertake. Reintegration is a lottery. There are no rules. You have to look up the statistics to see what happens to people who come out. The ones I know live out of the unemployment benefit. » (FK)
- «It (integration) remains a myth in the sense of the nation rising behind its destitute and welcoming them and for which the ex-convicts are still its own people and not pariahs. We should rather speak about reconciliation than integration.» (FS)
- «As far as reintegration in general is concerned, I believe it does not exist. I think there are people of good will trying to do their best but they do not have the means. If they asked me what should be done in order to integrate people, I cannot answer either. One day I advised a girlfriend who was asking me what to do to find a job by saying to her: make your own business. This is what I did when I was released from prison.» (JC)

- «A question that is important: "how do we manage to live afterwards with the prison memory?". There is an irreversible damage. We do not speak about sexuality. Reintegration implies questions such as: what is it to be ill, go out, look for a job and be ill? I am thinking of those who are condemned to a quadruple or quintuple sentence including internal sentences like those who suffer from aids. What is the moral antidote to the poison called prison? We are infected by prison and we are almost all spoiled in the sense of polluted, we are rickety. How are we going to live with this social handicap? What is the place of handicapped people in this society? We are live with prison as we live with an amputation or a chronic disease. We have grafted into the prisoners lucidity or the loathing of social world. This is what causes second offence.» (AD)
- «I think that every conviction is a political act aiming to show that we must make sure not to deviate from the right path. I think this is silly. There are too many spoiled lives.» (ML)

3. THE GERMAN STUDY

The subject of the present report is the situation and the reintegration of prisoners in Germany. The report serves as a basis of comparison with other European countries. It is the result of already existing papers, which are combined with each other, with the aim to give an answer to the questions concerning the reintegration of discharged prisoners. The main literature on this subject is the German Periodical Security Report (Periodischer Sicherheitsbericht), published in the year 2001, which is also the source for many empirical facts. For further literature see the bibliography at the end of this report. The employees of the IAW made an important contribution to the project by conducting empirical research in different federal states of Germany. They investigate for some representative projects, which deal with the reintegration of prisoners in the labour market. The employees asked via telephone and in writing for some projects or for measures of re-socialisation. The contacts were the ministry of justice, the places of detention and organisations dealing with (ex-) prisoners. Among other things they come across the projects MABiS, New Choices, TELiS, e-lis and XENOS. It was possible to get a general idea of the offers of qualifications in the individual places of detention. Through the empirical research it was also possible to find out the weaknesses and the strengths of the different measures of reintegration. The individual studies, which were organized within the scope of the university or research projects, also contribute some important results to the report. The aim of this report is to compile a brief summary of the results. Other reports are recommended for precise results.

3.1 General Remarks on the case of Germany

Reintegration and Society

The attitude of the citizens towards the law, guilt, punishment and crime all influence the law-biding conduct in legal affairs, the cooperation with police searches and the sympathy towards the reintegration of convicted offenders. Thus a brief sketch of the attitude of the German population towards delinquency and the legal system is given here.

The purpose of legal punishment was subject to continuous change in the public attitude in the last quarter of the 20th century:

- In the sixties, 42-51% of those asked spoke out in favour of retaliation as the purpose of punishment, whereas only 23-38% endorsed reintegration.
- In the seventies, 55-60% viewed rehabilitation as the dominant goal. The suspension of the prison sentence for parole and the community work found increased backing both in the indigenous population and the international audience.
- In 1996, under the impression of spectacular crimes, the population favored a tightening of sanctions. For many the opinion was prevalent that the conventional execution of sentences did not contribute to the rehabilitation in the expected manner. More than half of those asked backed a model of execution geared towards treatment to induce an improvement in the offenders.
- With regard to the structure of delinquency, the traffic offences were generally underestimated, theft was gauged properly and the extent of murders and violent crime was generally exaggerated. Even in the nineties and up to this day, violent crime and sexual offences were viewed wrongly.
- The feeling of insecurity and threat grew in the nineties. In 1996, it led to an increase in supporters of a harsher approach towards offenders. 75 % of the population, 11 % more than at the beginning of 1995, was convinced that home leave was granted too generously. The majority deemed the pardon usually granted to those sentenced to lifelong imprisonment after serving fifteen years wrong, in contrast to the result in 1994. Particularly in the case of repeated sexual offences the majority favored lifelong imprisonment without the possibility of parole.

The harsher treatment accorded to prisoners since the middle of the nineties by the population, partly caused by the reporting in the mass media, does not quite create a favorable climate to rehabilitation, although the mood of the population can be changed through targeted clarification and adjustment of information deficits. Major factors contributing to a more liberal attitude could be insight into the execution of sentences and into the help to rehabilitation, general education, vocational qualification and lower age.

Reintegration and policy

In Germany a change of the policy for criminal law has taken place since 1976, with the goal being, among others, to allow a better rehabilitation of the perpetrators of crimes. Some examples will be given here.

Penal Law for Young Offenders

In 1998, 791.549 persons were convicted in Western Germany, of whom 49.275 (6%) were juveniles, 71.930 (9%) young offenders and 670.344 (85%) adults. The share of young offenders that were convicted according to the Penal law for young offenders was 20 % in 1954 and had risen to 59 % in 1998, because with the sophisticated tools of this special Penal law there are more opportunities to deal with juveniles and to fend off the threat of recidivism. In the reality of the Penal law, the possibility to drop the case or to impose informal sanctions is increasingly used. The share of diversion rose from 44% (1981) to 69% (1998). The changes to the Penal law for young offenders implemented in 1990 were justified, making reference to new insights into the delinquency of young offenders, by arguing that delinquency of young offenders does not normally indicate deficits in education, but constitutes an ephemeral phenomenon that usually tapers off and does not repeat itself once they reach adulthood. Studies into the question to what extent the renunciation of a formal sanction in favor of an informal settlement has policy implications in penal affairs have led to the insight that informal settlements are more cost-effective, humane and faster tools to deal with delinquency in young offenders and that they are conducive to the prevention of crimes and to fending off recidivism. It follows from empirical studies that the diversions are used primarily in cases involving younger, not previously convicted culprits having committed minor offences. With informal settlements increasing, formal sanctions decline. Within the formal sanctions on-the-spot measures dominate, like instruction for social welfare, social training and settlements between culprit and victim that have largely superseded traditional sanctions like monetary fines, arrests and prison sentences. These changes have proved their worth with regard to the threat of recidivism and rehabilitation.

Wider Criminal Law

The wider criminal law is changing as well. The development in this field is characterized by the increasing use of informal sanctions (e.g., dropping cases altogether). The rate of cases being dropped has risen from 34% in 1981 to 48% in 1998. For the case of formal sanctions, in 1998 there were 699.548 convictions in Western Germany along the lines of normal criminal law. In 569.267 cases (81%), a monetary fine was imposed whereas the remaining 19% of cases ended with a jail sentence. 68 % of these jail sentences were suspended for probation. 99,9% of jail sentences were temporary. The allotment of the duration of jail sentences is characterized by a receding number of

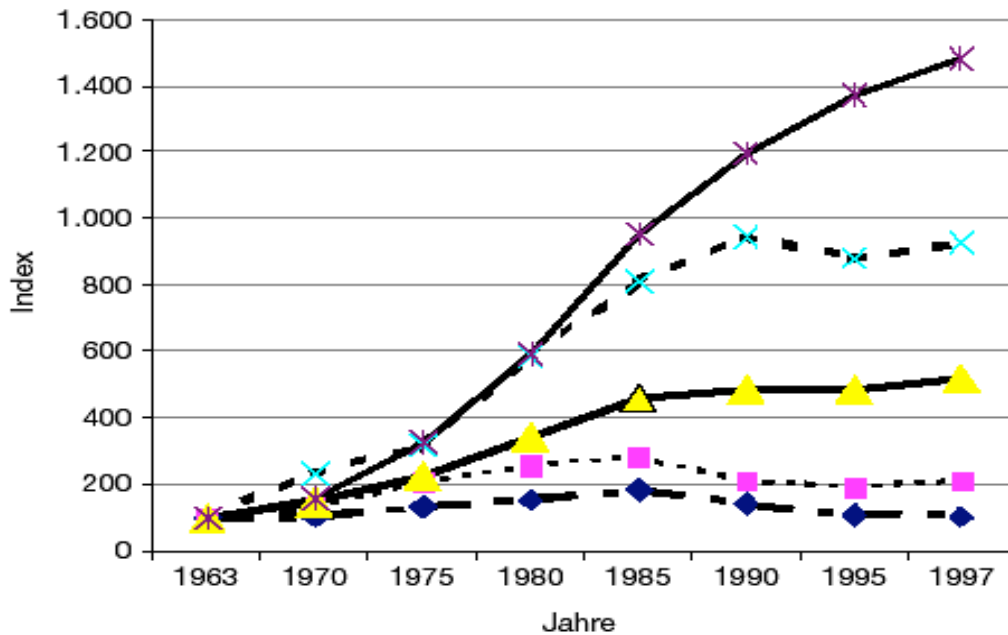
unconditional jail sentences in favour of monetary fines and suspension for probation. The following shares of convicted delinquents highlight this development: In 1955, 19% were sentenced to unconditional sentences, in 1998 only 6%. In 1955, 10% were sentenced to jail with parole; this share rose to 13% in 1998; in 1955, the share of monetary fines out of all convictions was 71%, rising to 81% in 1998.

The monetary fine is the sentence most frequently imposed. Particularly in the case of traffic offences, for minor and less grave offences in classic areas, for environmental offences and violations of the regulations for foreigners, it is frequently used. If a person can't pay the monetary fine, he doesn't have to go to the prison. Instead of this he can do charitable work.

Short prison sentences have been replaced by monetary fines, because they are regarded as detrimental to rehabilitation. In contrast to that, middle and long-term jail sentences have been pronounced more frequently. In 1990, 1,8% of all convictions were sentences without the possibility of parole, in 1998 this share had risen to 2,3%.

Special attention is devoted to sentences suspended for parole. They are more amenable to rehabilitation. The suspension is no longer an exception in Germany, but rather the rule. The parole is a particularly instant form of dealing with crime, which has doubled in size in the last forty years (1954:30%; 1998:68%, compare the Figure 1) . Three quarters of jail sentences of up to two years duration are suspended for parole, which makes this form of punishment the second most frequent one. More and more, conditions are attached to the suspension and a parole officer is assigned to the delinquent; all these measures have proved their worth over the years.

Figure 1: Development of the suspended sentence, West German states 1963-1997
(1992 whole Berlin, but without Hamburg)



(Source: Probation Service Statistics)

Legend:

- Rest Suspended Sentence Youth Court Law —◆—
- Suspended Sentence Youth Court Law□.....
- Probation altogether —▲—
- Rest suspended sentence General Criminal Law —×—
- Suspended Sentence General Criminal Law —*—

The Penal System

At the end of March 2000 (compare Table 1), 51.000 individuals were detained in prisons, among them 3.800 serving a sentence in default of payment. In the youth custody units, there were 7.000 detainees at the same time, while there were only 283 prisoners in preventive detention., which suggests that this sanction is employed only sparingly. 18.000 persons were on remand, of whom 900 were youths between the age of 14 and 18; about 2.200 juveniles were aged between 18 and 21; those over 21 accounted for 15.000 inmates. There is only a minor share of women in prisons, because

they usually commit minor offences. In March 2000, 3.500 women were detained (4% of all detainees), 900 found themselves in pretrial detention, 2.100 in prisons for adults, 200 in youth custody units and none in preventive detention. In 1999, 6.200 were in units for disciplinary action, 3.900 of them in psychological hospitals, 1.700 in education units and 600 were detained by the investigating magistrate. Altogether, there were 330 women in a psychological hospital or an education unit.

Table 1: Numbers of prisoners in imprisonment and execution of measures of prevention and reform, march 2000, 1999.

March 2000 Imprisonment	Numbers
All Convicted and sentenced criminals	57 641
General imprisonment	50 676
Juvenile prisons	6 965
Female Detainees	3 500
– in general imprisonment	2 100
– in juvenile prisons	200
Detention pending trial	18 784
– Juveniles between 14-18 years old	900
– Young adults between 18-21 years old	2 200
– Adults over 21 years old	15 000
– Women	900
Preventive Detention as a security measure	238
1999 Execution of measures of prevention and reform	6 200
– in psychiatric hospitals	3 900
– in treatment centre for addicts	1 700
– other institutions	600
Women in psychiatric hospitals or drug and alcohol treatment institutions	330

(Source: Statistic of BMJ, march 2000)

A particular challenge is posed by the prisoners addicted to drugs (30%) and the non-German prison population, whose increasing numbers are sorely being felt. In 1999, there was a share of 26-27 % of non-German inmates in Western Germany, in Eastern Germany 11,5 % were non-German.

When looking at the number of inmates overall, one notices that it has declined from 1968 onwards due to several factors like the restriction of short prison sentences and the extension of the suspension for parole through several legal reforms. After a rise

between 1975 and the middle of the 1980s, the numbers declined again up to the trough in 1991; they have been climbing ever since (compare Table 2).

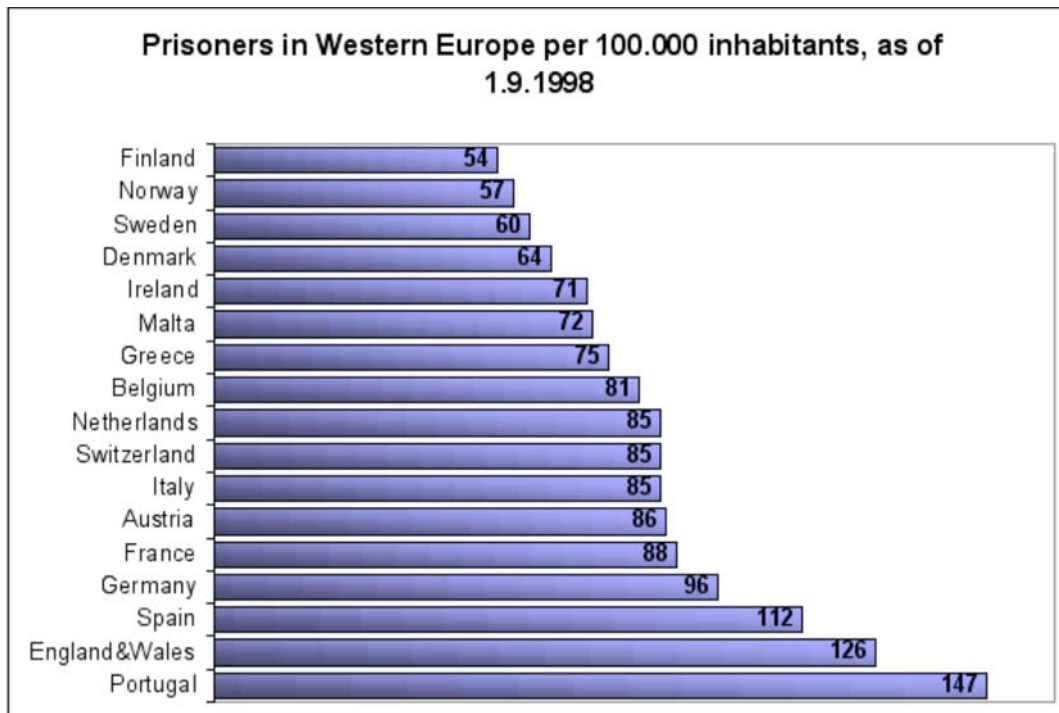
Table 2: The development of the numbers of prisoners since 1965:

Year	Numbers
1965	49 573
1970	35 927
1975	34 608
1980	42 235
1985	48 402
1990	39 178
1995 ¹	41 431
2000 ²	51 030

(Source: Imprisonment Statistics)

In a European comparison Germany has above average numbers of prisoners (compare figure 2).

Figure 2: Prisoners in West European Countries (1.9.1998), prisoners altogether per 100.000 inhabitants



(Council of Europe, SPACE I, Table 1)

¹ 1995: Numbers of whole Germany 46.516

² 2000: Numbers of whole Germany 60.798

Probation Services

As stated above, around two thirds of all sentences imposed by courts are suspended for parole. In the normal criminal law the suspended sentence is the second most frequent sanction after the monetary fine. On the one hand, the parole remains a kind of sanction that restricts the freedom of the convicted individual, on the other hand it is a kind of support that serves to deter him from committing further offences. That is effected through probation officers³ who, for a certain period of time, accompanies and supervises the convicted.

The duty of the probation officer is, according to the law:

“The probation officer is supposed to support and look after the convicted. He supervises in accordance with the court the compliance with the conditions imposed on the delinquent. He reports on the conduct of the convict’s life in time intervals prescribed by the court. He relays flagrant and persistent violations of conditions to the court.”

To put the first sentence of the quotation into perspective, the probation officer is supposed to assist the delinquents in redressing or at least mitigating their lot and, according to the principle “assistance to self-help”, to enable them to solve real-life problems, get away from their addiction, resolve the problems of their relationships; the convicted is meant to learn how to handle the blemishes in his biography that cannot be fully erased anymore. The rehabilitation, if successful, is a cherished secondary aim or the hoped-for medium-term result of the reform of the living conditions of the convicted. The best gauge for the success of the rehabilitation is the recidivism statistics. There is, however, a lack of material in this area. More results can be obtained from the revocation statistics. Between 1963 and 1980, noticeable differences can be observed in the rate of success according to age, gender, crime committed and criminal record. Younger delinquents had higher revocation rates than old ones, male ones higher than female ones, those convicted of robbery or burglary higher ones than those convicted of bodily harm, those with criminal record higher ones than those without. These differences have broadly diminished in the course of the years. One reason for this development is the changing practice when dealing with the problems and behavioral anomalies of delinquents. The courts have, in cooperation with probation officers and other authorities involved, in the course of the years increasingly made use of the option to modify the conditions for parole in terms of time and content instead of revocation. Particularly

³ For more concrete information compare the papers by Bahl und Beyer, who describe the structure of offenders help and the Probation Assistance Association in Stuttgart/Germany.

patience, flexibility and persistence in the goal of rehabilitation can be expedient for delinquents with a criminal record.

3.2 What sorts of aspects characterise prisoner integration after their release?

Prisoners as a fringe group of a society show an accumulation of social, psychological and financial problems. Observing prisoners' CVs, in most cases one can identify a problematic prior life history (desolate family situation, previous convictions...) A bundle of personal difficulties like mental disorder, socialisation deficits, communication problems, etc. collide with lacking school and vocational education and may lead to failure after the release. Vocational training and psychological and social work during imprisonment aren't sufficient for a complete re-socialisation. The reason for this is that most of the topics and abilities taught during imprisonment fall into oblivion once the prisoner is released. This leads to his return to the old life rhythm, desolate family situation and previous milieu.

Release from imprisonment personates for some of the prisoners (depending on length of the sentence and social isolation) an excessive demand on the individual as well as on the financial level. In the individual sphere an ex-convict is after imprisonment mostly unfamiliar with characteristics like flexibility, mobility, independent and responsible acting, which are nowadays demanded everywhere. This happens because the behaviour patterns taught during imprisonment are brought into line with the way of life in the penal institution. Orientation towards the outer world takes place only on a very limited scale. Misinterpretation of one's abilities leads to failure shortly after the release. On the financial level difficulties can be observed as well. Ex-convicts do of course get paid when working or have some other sources of finance which form their so called 'survival budget', and which is protected against garnishment by obliges. This money is however often gone in a short period of time. Application for aid services like social aid, may sometimes require long processing times. If this is the case, which is not unusual, then the sum of the 'survival budget' minimises. But the full amount of social services is mostly not paid due to the financial crisis of public offices. This is of course an additional burden for the ex-convict to bear. As consequence of the renewed indebtedness, the risk of recidivism rises. Due to a lack of information about aid services of external information centres, ex-convicts don't make any use of them.

They mostly refuse institutions in the form of attended living spaces since such living objects possess a non-desired supervision-character. They misinterpret it mostly as if being observed and therefore being controlled, similarly as in the penal institution. Many inmates lose their social ties to their family so that there is very little social contact. In addition, there are grave problems concerning alcohol and drug abuse.

A last aspect that assumes great importance is the stigmatization. A study of a research department (a project financed by the German Science Foundation⁴) “conditions and chances of autonomous conduct of young offenders in the workplace” has demonstrated empirically that former inmates do not necessarily have to reckon with stigmatization in the workplace; to the contrary, there is a chance that their colleagues help them. But as soon as the newly released exhibits unconstructive conduct like aggression, the attitude can change rapidly and all prejudices are out again. That colleagues watch their “tainted” colleague more closely, particularly if the recidivism danger is deemed high, is fairly obvious. Even minor misconduct can lead to stigmatization, even though it might be regarded as negligible in a “non-tainted” colleague.

3.3 Are there any common policies across European countries? Which are the differences in policy?

German Policy for Criminal Law

As already mentioned earlier, there has been a change of the policy of criminal law in Germany since 1976. With this change there are some typical structures concerning the treatment of offenders.

- In the reality of the German Penal law for young offenders, the possibility to drop the case or to impose informal sanctions is increasingly used (1981: 44%, 1998: 69%). With informal settlements increasing, formal sanctions decline. The development of the practice in the Penal law for young offenders is characterized by receding formal sanctions in favor of informal ones and a switch from stationary sanctions towards measures of care and restitution, with the goal being education, rehabilitation and restitution.
- The development in the general criminal law is characterized by the increasing use of informal sanctions. The monetary fine is the sentence most frequently imposed. Short prison sentences have been replaced by monetary fines, because they are

⁴ German Science Foundation is called in Germany „Deutsche Forschungsgemeinschaft“ (DFG). It is an independent research institution, which backs scientific projects in the universities.

regarded as detrimental to rehabilitation. In contrast to that, middle and long-term jail sentences have been pronounced more frequently (1990: 1,8%, 1998: 2,3%).

- The suspension the sentences for parole is no longer an exception in Germany, but rather the rule (this form of punishment is the second most frequent one). The parole is a particularly instant form of dealing with crime, which has doubled in size in the last forty years (1954:30%; 1998:68%).
- In the case of short custodial sentences, the suspension rate is particularly high. In 1999, the figure was 77% for imprisonment sentences of up to six months. Among young offenders between 18 and 21, the quota special was, at 80% of sentences suspended, clearly higher than among adults, where the figure was 68%.
- At the European comparison Germany has an above average high numbers of prisoners (compare figure 1).

Prisons/Prisoners and Reintegration

In accordance with § 2 sentence 1 of the German Prison Act of 1977 during the execution of a sentence the prisoner should become able to lead his/her life without criminal acts and in social responsibility in the future.

- In practice the objective of rehabilitation and the safeguarding task often contradict each other and lead to a conflict of aims.
- The implementation of social-therapeutic institutions in German penal system is a very important instrument for reintegration into society (for persons, who committed heavy criminal offences and whose recidivism rate is very high).
- One huge problem in Germany is overcrowding of prisons. The deviation from the principle of individual accommodation (Grundsatz der Einzelunterbringung), prescribed in the German Prison Act, facilitates interim regulations from the starting time of the Act, which are still valid nowadays.
- The increasing drug problem and the high number of foreigners among the prison population aggravate the implementation of the Principles of the Execution of a Sentence and the rehabilitation of the individual.
- Despite the fact that there are prisoners who have graduated or completed educational or vocational training, and would like to continue their education during imprisonment, the educational level in German prisons is very low. Many have no education at all or interrupt it several times. Lots of offenders, especially adolescent delinquents, lack basic abilities like reading and writing.

- The high unemployment rate in the prisons is equally problematic as the difficulty to find jobs for the released in the free economy.
- There are also difficulties concerning the realization of the several rehabilitation measures provided in the Act. The relaxation of the execution of a sentence has begun to flag. During the last few years an average of less than 20% of the prisoners in Germany has been accommodated in Execution of a Custodial Sentence.
- Another major issue is the inconsistent realization of the execution of a sentence in the different Federal Countries of Germany (Bundesländer). For example, the rate of occupation in the Execution of a Custodial Sentence in Berlin is more than three times as high as the same rate in Bavaria.

Some of the above mentioned characteristics will be described in greater detail later.

3.4 Is there a link between prisoner treatment and rehabilitation and how can it be identified?

The German prisons and reintegration

In contradiction to the idea of pure custody or retaliation, the leading thought of the 1976 Penal law was the treatment of prisoners that should enable or facilitate their reintegration into society. Thus the prisoner should learn to lead a life without committing further crimes after the dismissal. The enforcement of the sentence should ideally be organised having in mind a future release of the prisoner. In the German penal system the main emphasis is on the treatment, not the repression. During enforcement of the sentence an individual treatment of each prisoner takes place. Participation in social or vocational trainings and classes should support an evolvement of abilities needed for reintegration into society. In practice the objective of rehabilitation and the safeguarding task often contradict each other and lead to a conflict of aims. Even though the legislator has tried to resolve this conflict on a normative level, by giving priority to rehabilitation as the exclusive objective of the execution of a sentence, the establishment of priorities, prescribed by the Act, seems to reverse itself in practice, for the aspects of security measures are pushed into the foreground. This can be seen for example in the latest suggestions for the post-release security detention of dangerous criminals.

The German Penal System with the objective of rehabilitation is closely linked to an individual treatment programme. To achieve the aim of reintegration in the best way

possible, an examination of the treatment is provided for every prisoner, to find out something about his personality and the conditions of his life. On the basis of this examination an individual execution programme is worked out. The term 'treatment' is not defined in the Act and must therefore be taken from the totality of execution instructions. 'Treatment' therefore is any kind of activity and exertion of influence related to the prisoner's rehabilitation. In a process of social learning the prisoner should be prepared for the time after his release. But, apart from a few explicit regulations, there is no obligation for the prisoner to contribute to his 'treatment'. That is why motivation is one of the most important duties of the wardens, they are supposed to revive and foster the prisoners' capability and willingness to contribute. Following spheres are important for reintegration after the imprisonment: employment (or education and further trainings), financial situation and accommodation. These spheres, however, determine one another. Delinquents' reintegration and herewith his recidivism correlate with the possibility to enter professional life after a release. Already during imprisonment the offender must be given a possibility to engage in an economically profitable work, but at the same time also to evolve his abilities and affections. It is clear that this assignment can be difficult in times of economic crises. Lots of offenders, especially adolescent delinquents, lack basic abilities like reading and writing. Taken altogether, the educational level in German prisons is very low. There are prisoners that have graduated or completed educational or vocational training, and would like to continue their education during imprisonment. Others have no education or interrupt it several times. It is clear that already during imprisonment measures have to be implemented, which prepare prisoners for the release. German penal institutions offer for this purpose a sophisticated educational system, whereby the range on educational trainings and tuitions vary and depend on the institution itself. Roughly one can state, that the training range offered by penal institutions vary from alphabetisation courses to special educative courses, secondary school graduation and in rare cases even to university education. The sphere of vocational education is also very versatile: starting from simple trainings to education that lasts several years and provides an acknowledged degree.

In addition to the possibility of getting an education, the implementation of social-therapeutic institutions in the German penal system is likewise a very important instrument for reintegration into society. This institution concentrates primarily on persons who committed heavy criminal offence, and whose mental disorder or early

childhood memories may cause further crimes after their release. Persons who are particularly considered here are those who, treated with conventional methods, showed no success, but on the other hand their hospitalisation in a psychiatric institution would be inappropriate. This group of delinquents shows the following criteria: chronic recidivists with mental disorder, persons who became delinquents because of a sexual delict, young persons with criminal tendencies less than 27 years of age and not criminally responsible committers. Since the socio-therapeutic institution, as an integral part of a German penal system, is a rather newly developed component, one cannot testify about its success rate. However, in order to contribute to reintegration, especially in this group of delinquents, it must not be isolated from other measures. Psychotherapeutic, socio-pedagogic and occupation-therapeutic elements must be combined with each other; and in order to get promising results, prisoners living environment must be observed as a whole.

Is there a link between the qualification/treatment and the reintegration?

There is a link between the treatment of prisoners/qualification and the reintegration into the labour market after their release. Already during imprisonment the offender must be given a possibility to carry out an economically profitable work, but at the same time also to further his abilities and affections. It is clear that this assignment is difficult in times of economic crises. Even more, some German projects empirically showed, that the recidivism rate correlates with a **rapid** occupational integration after release from prison, for example “**New Choices**” and **MABiS**.

MABiS is a model project, run by the Ministry of justice of North Rhine Westphalia and it is an abbreviation for “Integration of Training and Employment for (Ex-)Prisoners”. It is co-funded by the Ministry of labor and social affairs, qualification and technology of North Rhine Westphalia in the INTEGRA strand of the community initiative EMPLOYMENT. The project is in cooperation with Berufsbildungswerk of the German Trade Unions Association (bfw), and the Kolping-Bildungswerk Aachen. MABiS took place in five prisons for juvenile offenders in North Rhine Westphalia in the period from June 1998 to September 2000. The Criminological research service of the Ministry of justice of NRW coordinated and evaluated the project. MABiS arose upon a fact that released prisoners constitute an especially problematic group for the labor market. Penal institutions in NRW release per year ca. 16 000-18 000

prisoners. This number itself testifies on the importance of their reintegration in the labor market, and in social and criminal-political spheres of the society. Prisoners are a group which is very difficult to intermediate since during their sentence they aren't available to the labor market and before the sentence they were mostly unemployed. Lack of qualifications as well as employers' negative evaluation of prisoners' job application make the comeback on the labor market difficult. This employers-depreciating attitude is a result of their insufficient knowledge about the training in penal institutions as well as of the individual motivation and qualification profile of the released prisoner. If these information deficits were to be removed and intermediation and reintegration aids for the released persons offered, one could expect good occupational opportunities for the target group. If however, these access barriers in the labor market for released prisoners persist, then the success of an occupational qualification in the penal institution 'deflagrates' since not discharged in an occupation pursuant to training or in a connecting education. The fact that prisoners don't find an occupation after their release leads to a higher risk of recidivism. On the other hand, if it does come to successful job or training intermediation of a released person, this new occupation must be stabilized especially in the first 6 months after the release, since this is a risky period for recidivism. Thus, MABiS measures further course of the 'criminal career' using 'occupation' as the main variable, whereby it is desired that ex-convicts find a job as soon as possible after the release. Probability of recidivism decreases if the released prisoners find a job soon after the release and additionally the period of employment is on the long run (at least 6 months).

The philosophy and the goals of MABiS are founded on the core results of criminological research that say that on the one hand the demand for vocational training during the execution of a sentence is extremely high. On the other hand the vocational training increases the employability of prisoners. Furthermore they contain the insight that to reduce recidivism the vocational training must be followed by employment after the release from prison and that a targeted labor market oriented preparation for the release can yield satisfactory results.

The transnational project "**New Choices**" in the JVA Zweibrücken developed from the assumption that the recidivism rate correlates with a rapid occupational integration after release from prison. The project started in the year 1995 and ended 1998. It ran under community initiative "Employment", sub-program "Horizon". Carrier of the project was

the Vocational training strand of the German Trade Unions Association, European social fund gave the financial support. Participants on the project were attendants in courses of vocational re-training measures: building construction technicians / bricklayers and welder, who completed their qualification program 1996 and '97 in the JVA Zweibrücken. Main aim of the project was to encourage the occupational and social reintegration of the prisoners. Further aims were the cross-linking and the coordination of all institutions which operate in the sphere of reintegration, public relations, particularly with regards to regional enterprises, inspection and enlargement of the educative range in the JVA Zweibrücken, and extension and optimisation of cooperation with the institutions of juvenile penal system.

Project activity took place on three levels: participant-related, institution-related and other. On the participant-related level employees discussed with participants the spheres of social life that made them difficulties after being released. Together they then generated solution methods and implemented them. The project activity met with a high response rate from the prisoners, since they valued it as a neutral institution, independent from their everyday life and penalty. On the institution-related level contacts were made with actors which occupy themselves with the question of reintegration and are present in the region. Thereby one expected an efficient and better coordinated cooperation between single institutions, which would affect the release of the prisoners in a positive way. Thus, a meeting of diverse actors made an exchange of experience and information possible. In the long run the establishment of external contacts promised successful results. Individual actors could be made sensitive for released prisoners and thereby many areas of conflict and difficulties in communication could be removed. A formation of an advisory body made it possible to establish external contacts with enterprises and employers. A cross-linking to the labour market and to potential employers was developed. Thus the problem of lacking external orientation was solved – the problem which exists in many institutions of the penal system and which one can see as adversarial with regard to re-socialisation in spite of, to some extent, an educative range of high quality. Additionally one could observe that despite the crisis on the labour market, vocational training during imprisonment had a high acceptance in the labour market and thus offers a good pre-condition for occupational reintegration of ex-convicts.

Not only qualifications, but although the general treatment is very important for the reintegration and for the minimizing of the recidivism rate. These treating measures are

for example the relaxations of execution of a sentence and the Home Leave. Single relaxation measures are the Take Out, the Outside Occupation (respectively under supervision), as well as the Short Prison Leave and the Work Release (respectively not under supervision). Take out and Short Prison Leave indicate the departure from the institution for a maximum of 24 hours, Outside Occupation and Work Release refer to prisoners working outside the penal institution. Generally, a loosening of the execution of sentences has proved its worth: the failing rate normally ranges between 1 and 3% and mostly concerns the late return into the prison or the violation of conditions. Offences are in the minority.

3.5 What types of problems are ex-prisoners facing once they attempt to seek employment?

During an expert-conference of the federal study-group for offenders assistance (BAG-S) in 1997, on the topic of “offenders assistance as a form of prevention?”, social workers came to the following conclusion regarding the vocational reintegration of ex-convicts: apart from often not possessing vocational qualifications, grave aspects to be taken into consideration are the ex-convicts lack of key-qualifications in the area of social competences such as “punctuality, reliability, efficiency, realistic self-appraisal etc.- as well as emotional difficulties which arise as a result of mistrust and prejudices on the side of their employers and colleagues. Furthermore, ex-convicts are often afraid of failure. Some offenders are unfit for the work, because of illnesses or drug problems. Most prisoners are overtaxed with the bureaucratic system. It is also problematic, that the care and the help for the prisoners end only some month after his release, although some German projects (for example MABiS) show, that the first six months after the release is a very risky period for recidivism.

Although there are some problems, which ex-prisoners face once they attempt to seek employment, it shouldn't be forgotten that the qualification and education in the prisons even in labour marker crisis are accepted and are good possibilities for ex-convicts' integration. Thus, the actual difficulty of re-socialisation results not only out of lacking professional deficits and absence of acceptance among employers, but out of personal and financial difficulties of ex-convicts.

3.6 What kinds of strategies can be used to improve the process of rehabilitation, job seeking and integration?

Projects and cooperation

In Germany there were some substantial projects organized, which deal with the process of rehabilitation, job seeking and integration. The projects “New Choices” and “MABiS” were already mentioned.

The project “New Choices” had some interesting results at the end of the project time, but these results represent a guideline for other projects and can be used as strategies⁵:

1. Long term projects, which possess a neutral position within the penal system, are promising.
2. Probation assistance alone cannot solve the situation after the release. A “re-socialization – organization” could provide discharge. One possible form of such an organization could be a central contact point, which would be open for the initiative as well as for those looking for help.
3. In addition to occupational orientation and educative phase, an intermediation of social competencies is necessary during imprisonment. Hereby the socializing process after *the release must not be aborted abruptly*
4. Offices, who are there to help prisoners, should offer them information. It often occurs that offered assistance services aren’t used since the prisoners don’t get to know about them. “New Choices” developed a social guideline named “Social Compass” for the region South-West-Palatinate and Saarland that has prisoners as well as advising institutions at disposal. “Social Compass” contains addresses and short explanations about diverse offices and services they offer. One should consider whether such register should be compiled for every federal state and thereby for the whole of Germany.

Also the project “MABiS” could produce the following successes:

1. 58 % of inmates managed to obtain a formal qualification; of those 12,3 % could be released with a higher formal qualification whereas 45 % attained their qualifications only partly. Those success rates indicate a high effectiveness of the vocational training in prisons.
2. Only 36,4 % of the test persons could not obtain work. 14,3 % got a proposal from the employment office, 14,9 % received an oral promise of work and 34,4 % signed

⁵ Some results will be mentioned later on.

a labor contract during their imprisonment. The success of obtaining work was dependent on the quality and type of the training received during imprisonment. The rate was lower for those without formal qualification.

3. If the vocational training could not be produced during the imprisonment, the project members drew up a plan according to which the training could be completed after the release. The measure proved successful.
4. The information network implemented by MABiS was successful. 489 employers and other institutions had their names registered during the project time and made employment offers, which were made available for the newly released.
5. The prison is dependent on the cooperation with external protagonists who in turn only cooperate if they can hope to obtain utility of their own from the cooperation. The employment office benefits because it is usually the first place where a newly released goes. Their contribution is the better the more it can count on the work already carried out by the prison. Redundancies can thus be minimized. The employer can obtain additional utility in the supply of qualified personnel that the prisons churn out and that fills a gap in the labor market.

Also some small projects like e-lis, TELiS and XENOS try to deal with the reintegration of prisoners, but these projects are unique, short-lived and are rarely continued, although they have some interesting results at the end of their project time.

Nowadays, media skills are necessary in ever more spheres of the occupational environment. One aim of the E-lis project is to improve the offer on educative trainings for prisoners by using new technologies. E-lis is the name for Equal⁶ – development partnership of following federal states: Berlin, Hamburg, Bremen, Brandenburg, Mecklenburg-Vorpommern and Schleswig-Holstein. It is an abbreviation for “e-learning during imprisonment”. Goals of the project participants are encouragement of occupational competency of imprisoned and delinquent persons, facilitation of released prisoners to re-integrate into the labor market by using media skills, development of new areas for employment, integration of information and communication technologies into the educative and vocational learning process of the target group as well as effective promotion of learning in special groups. Development partnership sets high value on one main focus, namely development and implementation of multi-media learning and

⁶ Equal is a commune initiated project which deals with equal opportunities, better employment possibilities and removal of discrimination on the labour market.

the increment of media skills in order to prepare oneself for demands of the informative-society and the labor market.

In Germany, e-lis consists out of 32 sub-projects. In e-lis the project partners try to solve the problem of reintegration of ex-convicts into the labour market in an innovative way. By experience, traditional measures for further education aren't sufficient, since there exists a fundamental lack in the sphere of social behavior. Singular sub-projects try to remove this deficit. Innovative method means here that the measure applied on the prisoner is designed only for his special situation and that it offers a computer-assisted, cross-linked education. In addition to it, a sphere of informatics plays nowadays in the so-called „information-society“ an extremely big role. Basic knowledge in computers is a pre-condition in almost every occupational area. In this project prisoners have a possibility to get higher qualification. Implementation of their computer knowledge can lead to improvement of their opportunities on the labour market. For example they can use internet in order to find an adequate job, or other programs to write an application letter. Or they can name their newly acquired computer qualifications in a job application.

The above mentioned problem and its effort for innovative solution were also the core of the TELiS project. TELiS (Tele-learning during imprisonment) was a federal project in which fed. States Brandenburg, Bremen and Niedersachsen participated. It can be seen as a pre-project to e-lis. Sponsor was the community initiative “Employment”, strand “Integra”. The project ran from 1998-2000. TELiS dealt with computer-assisted and cross-linked methods mentioned above. It tried to make those with this form of learning related opportunities and advantages as productive as possible in the education system of the penal institutions.

One positive result of these projects is the fact that they implemented new technologies into the educative system of penal institutions. The prisoners who participated on educative measures had all quite various qualifications and levels of education and herewith were a very heterogeneous group. Those who were disadvantaged due to lack of education mostly responded to the training offerings, accepted the new form of learning and evolved new motivation to their further personal education. TELiS demonstrated how one is able to adjust oneself to a very heterogeneous, multiply disadvantaged and immobile target group by using tele-learning, hereby also meeting concerns of individual needs and abilities with aid of media-pedagogical supervision.

The target group in XENOS – project run by Hoppenbank e.V. – are foreign prisoners. Generally the foreign prisoners constitute a special problematic group, since they are extremely disadvantaged due to several factors. Not only that their language skills are minimal, but also their education level is much lower than that of German delinquents. Most of them have no education and belong to the social underclass. They are also much younger than the Germans. They show enormous integration problems in German society. These social structural differences make the reintegration in the society and in the labour market after the release more difficult. The XENOS' target group consists of: foreign prisoners who have an unsettled residence permit status with prospects for improvement, foreigners, emigrants and prisoners who cannot be placed in other groups due to social and cognitive deficits, prisoners who cause ethnical conflicts in the institutions, foreigners and emigrants who have to be prepared for and to attend vocational trainings, and of interested foreign prisoners who would like to participate on the training for the building of wooden boats. Main aims of the project are the identification of social and cognitive deficits, education on possible perspectives, mediation of occupation-preparing measures and vocational trainings, removal of fears and prejudices, occupational and social integration and diminution of ethnical conflicts. In general, the aim of the XENOS project is to provide an individual perspective for the future of every prisoner that should smooth his integration after the release. Integration measures start already a year before the planned release. In addition to the individual work with prisoners, group activities also play a big role. Here they learn about cultural, social and mental usages that lead to better understanding of different cultures and laws. An introduction to socio-cultural processes, behavior patterns in everyday life and simple interaction forms take place. Additionally they can participate in the weekly intercultural training. The purpose of this training is to reduce the prejudices and to contribute to the understanding among various cultural groups. It should help to reduce aggressions that are caused due to lacking information about mentalities and cultural usages. Mutual acceptance is likewise an aim of this project as well as agreement on common interaction forms and constructive non-violent solution of conflicts.

From all projects mentioned above it is possible to derive some strategies:
There should be some nationwide empirical studies concerning the offenders' aid for a general overview and as a starting point for an index of measures.

Cooperation in networks is also very important, for example the network in Brandenburg. It developed because of the reason that the formation of ‘after-care’ cooperation between associations and unions is rather selective, although the services they provide are very effective. Ten cooperation partners have been operating in a state-wide network in Brandenburg since April 2002. Their assumption was that it would be possible to improve the social and occupational abilities of the convicts, to increment their general occupational efficiency and make them interesting for employers if the activities of associations that participate in the social support of the released prisoners are combined into a single networked activity. Contacting and consulting points should provide personal assistance especially to those convicts who don’t have any probation aid after the release. BBJ Servis GmbH Potsdam accepted the responsibility for project management of the whole network. The Ministry for justice and for European issues (MdJE) is the initiator and attendant of the cooperation. The Fed. state Brandenburg and the European Social Fond finance the project. Aims of the cooperation are fortification of social abilities and improvement of occupational efficiency of the target group already during imprisonment as well as an intermediation of an employment contract after the release.

One team of the network has a task to establish a “central information service for educative and occupational integration of released convicts and those endangered to be imprisoned” (ZABIH). This information service will complete those educative and vocational measures enforced in prison by giving individual information on adequate subsequent measures and offers in Brandenburg after the release. It is on disposal for employees of the penal system, educational and occupational bearers (actors), social workers of the penal system and judiciary social offices. The information is available over PC and per telephone.

The results of the network (and herewith also the approval of the starting thesis) were that it is much easier to re-socialize the released prisoners using aimed cooperation in a network, even if the labor market is in crisis and the network has an enormous lack of socio-pedagogical consultants and assistance for the target group. So it is very important, that the different actors (the employees in prisons, offices, authorities, extern reintegration offices and so on), which are concerned with reintergration of prisoners, should work together. With this attempt the problem of the short-life of many project can be solve.

Social and economic integration of prisoners

Concerning the prisoners, the economic qualification alone does not protect from recidivism. The prisoners must be well versed in independence, autonomy, in self-initiative to avoid the situation of overtaking after their release. From 1970 till 1980 a German project analysed the reintegration problems of young offenders. The concentration on social integration. Social integration means the integration of a person in a net of social relations.

On the working place and in interaction with colleagues, the very lack of social capability manifests itself very clearly. Having an occupation doesn't mean that a young delinquent is protected from recidivism in a new criminal career, since no occupation is of help if he can't handle the problematic situation in a constructive manner. Due to social incapability the young released delinquent remits important opportunities to enter new socio-emotional relationships after the release. A tendency of changing a working place emerges, either initiated by him or an employer. This means that a delinquent is fired, not due to lacking qualifications but rather because of destructive strategies for solving problems and interpersonal conflicts. Under the aspect of reintegration, the loss of work means an emotional repulse, living on the economic edge, insecurity and increase of incredibility in a person with unregulated status. The risk of recidivism is in this case extremely high and a new criminal career could be near. Thus, inadequate strategies for problem solving lower not only the opportunities for an occupational integration but also opportunities for reintegration in society in general and especially in a justice system. Occupation itself doesn't lead to re-socialization, but occupation correlated with social abilities in interaction with environment does.

It is also important for the prisoner or the ex-prisoner that the qualification and third-party aid don't end abruptly after his release from prison. The support must continue after the release from prison, be it in the form of job-creation measures or psychological help. If the former delinquent fails to find a job for a prolonged period of time, the skills and social savvy acquired evaporate, so that the threat of recidivism looms. Projects that set in during the imprisonment and continue to engage the delinquent after his release, like for example the already mentioned MABIS project, can be regarded as classic examples.

Reintegration work within the prisons

Concerning the prisons, they have to be more orientated to the outside labor market and have contact with the potential employers. There should be some cooperation with the

employments and other organisations, which help the offenders after their release. The “MABiS Förderkreise” for example that fostered the exchange of information between legal authorities, employment offices and employers were welcomed quite warmly. Altogether 150 representatives from different institutions met there to seek ways to promote the reintegration of prisoners. A quota of successful procurement of workplaces of 66% could be observed where the cooperation with the employment offices was deemed successful. Generally it can be organized as a network (“Netzwerk”) between the prisons, the prisoners, between the different reintegration organisations, the employment offices and the employers. The prison officers at the same time have to be sensitized and continued their education in view of treatment and resocialisation of the prisoners, because only then it is possible for all actors to work together successfully. Even more, prisoners should be given financially profitable work. Prisoners who are not fit for financially profitable work could be occupied in a work therapy. Besides the types of activities indicated auxiliary activities in the penal institution can be assigned, however, with a temporal limitation of three months per year (§ 41 I). Additionally, there is the option of work or education in a free employment outside the penal institution in the framework of Work Release (*Freigang*), respectively of outside employment (*Außenbeschäftigung*), as well as the legal self-employment, which, however, should be permitted only in exceptional cases. Working hours are the same as the regular weekly working hours of the public sector (38.5 hrs). The prisoner has the right to be released from the requirement of work.

The prison system is also obliged to give the possibility for professional education (*Berufsausbildung*), further education (*berufliche Weiterbildung*) or the participation to other educational measures (*ausbildende oder weiterbildende Maßnahmen*) to suitable prisoners. Suitability means individual talent and efficiency. The carrying out of such measures presupposes, besides prisoner’s suitability, his/her agreement, the principle of voluntariness and responsibility. The support of professional education, though on a par with the assignment of work, is however to be preferred to the assignment of an appropriate occupation. The participation in professional education or measures for further professional education is supported by the guarantee of a financial assistance for education. The further professional education must be distinguished from other forms of education that the prisoner may exercise in the framework of the organization of his leisure time, such as correspondence courses, practical courses (*Lehrgänge*) and other

organizations of education. It is also very important to offer some possibilities for qualifications for detainees, who have a short term of imprisonment.

Possibilities for an occupational integration of ex-convicts exist in spite of labour market crisis. Hereby it is important to offer an attendance that supports convicts' occupational engagement. For example, during the "New Choices" project an individual training for a job application with the aid of modern methods of communication like internet took place. The recruitment was promising in spite of the imprisonment stigma. One could observe tolerance and acceptance among employers. Thus, the actual difficulty of re-socialisation results not only from lacking professional deficits and absence of acceptance among employers, but out of personal and financial difficulties of ex-convicts.

Concerning the warders, they have to be flexible, even when flexibility is contradictory to the rigid penal system. This is in order to adjust the re-socialisation activities in prisons to the labour market in the best possible way. Not only the penal system, but also every other office that deals with re-socialisation should be flexible, since long operating times affects reintegration in a negative way. Financial and social consultancy and the soon possible occupational reintegration are of special importance. These also have a psychological impact on the released prisoner.

Other possible strategies for improving the process of reintegration may be:

1. The public relations work plays an enormous role for the rehabilitation of offenders, because the lawfulness and the attitude towards delinquency of the population influence the cooperation in the reintegration of convicted offenders. The more liberal the attitude of the population, the stronger the backing for the notion of rehabilitation and reintegration.
2. The prisoners must be provided with information about the authorities that will assist them after their release from prison. It has been shown that the slow take-up of after-care is due to a lack of awareness of these offers. A Germany-wide index of all relevant authorities that would be accessible to both delinquents and authorities concerned with reintegration measures would be an obvious way out.
3. A modern society these days cannot do without media competence. Prisoners must be given the opportunity to acquaint themselves with modern technology and its application. This way, they are better prepared for the labor market and obtain

additional qualifications that open up better employment perspectives for them (compare the TELiS and the e-lis projects).

4. Projects during the execution of sentences can boast good results. The inmates cooperate willingly with the members of the project, because the projects are neutral activities independent of the execution of sentences.
5. It is important to improve the role of persons, who work honorary, and to give them more possibilities to deal with prisoner's reintegration.

4. THE GREEK CASE STUDY

4.1 Methodology and the context of research.

The main perspective was to shift from the hard figures of statistical data and to research on the conditions of reintegration as they are experienced in the every-day life of the ex-prisoners. The more valid method in this perspective is that of interviewing. By this point of view the research team formed a structured questionnaire that has to be used as guideline during the interviews. As it is known the interview method is a very useful instrument in order to research on case studies and in particular in population who is difficult to approach by quantitative data. The narratives of the persons who had experienced particular situations as that of imprisonment are very appropriate in order to identify problems that are not represented by the quantitative data. On the other hand this method could not be evaluated on an absolute way: the difficulty for the researcher is to find the points, the variables and the 'experiences' of life common to the majority of the population in research. In our case because of the limited existing research on the particular field, we had no previous references concerning the conditions of reintegration. On the other had because of this the representatives of the state apparatuses, and services who we had contact with, demonstrated rather a negative disposition in order to give us information about where we could find ex convicts than they usually do concerning the just imprisoned population. The reason for this attitude was related to the question of the protection of personal data. Therefore the attempt of

identification of the group in research, was more complicated than it was initially evaluated by the research group.

After a long period of correspondence with various state or state interested agencies, the research group had decided to collaborate with some lawyers, and experts who work in prison of Athens, who were positively disposed to our efforts. They firstly discussed with their clients (ex-convicts) and their colleagues, and then they put us in contact with people who have just released from prison. By this point of view the representativity of the population in sample in relation to the total number of prisoners, meets the limit that they had been identified from a concrete numbers of clients of certain lawyers. On the other hand this limit could evaluate also positively because the people who we have interviewed are or were in the past, for a long term clients of those lawyers for questions of penal denunciation and convictions. That means that the group who we have finally interview, is included among the most usual 'clients' of the Greek prisons. In effect, as it will be observed below the crimes for which they have been condemned and imprisoned are typical of the prison population in Greece. On the other hand this method of identification offered a better context of trustfulness toward the researchers. After all mentioned above there have been realized 18 interviews with ex-prisoners, who accepted to participate to the project.

4.2 The interviewed ex-convicts: social and penal profile

(questions: 1, 2, 3, 6, 7,16)

From the 18 interviewed people 15 are men and 3 women (the percentage of women in prison in Greece are always very low in comparison to men in prison). Concerning men: 2 are between 25-29 years old, 1: 30-34, 2:35-39, 3: 40-44, 3:45-49, 2: 50-54, 2:55-60. Concerning women the respective age is 1:30-34, 3: 40-45. It has to be noted here that the majority of the interviewed people are in the so called "active" age, by the point of view of their classification in the labour market. Apart of this characteristic and that of gender it has to be underlined that it is significant a first classification of the interviewed by:

- a) the time of release from prison;
- b) the work in which they have been occupied before imprisonment;
- c) that work which they are occupied now, and

d) by the committed crime:

- 11 people have been released during the last 3 years (2000-2003), 3 were released in 1998, 1 in 1997, and 2 in 1994. 1 person is under trial, and is in temporarily liberated⁷ from detention.
- From the people who have been released during the last three years, we could classify them by individual “particularity” and by the job that they did before imprisonment. In the first category belong people who were more or less stereotypical cases of out of any suspicion or ‘predication’ concerning their dangerousness, except one case: it is the case of a man, who could be considered a typical case of underworld offender. Officially he was occupied as worker in the constructions’ sector, but in effect he was a bodyguard for 25 years⁸, now is constructor of roofs (officially). The other 3 persons of that first category are: 1 man who has been was a policeman⁹ before imprisonment, now is owner of a small commercial shop. 1 man who was public officer (was occupied in the national agency of social security), now is taxi-driver. 1 man was ship-owner participant in a sea company¹⁰, now is a taxi driver. It could be claimed that the above people are reinserted easier to the labour market easier, than those belonging to the next category.
- Concerning the second category that of usual cases, from the 8 people the 50% of them (4) had a self-financed commercial enterprise of limited dimensions, and the other 2 were depended labourers. From them 1 who was owner of coffee-bar continue his previous work, 4 people are in effect unemployed or are occupied from time to time in occasional occupations (1 woman ex- accountant, 1 man ex-taxi driver, 1 ex- owner of a small enterprise), 1 woman is employed in a little factory for clothes (ex-vice accountant), 1 man is registered as unemployed, but in effect has an own travel -office registered in the name of another person of the family. Previously

⁷ That person (Interv.6) insisted to participate to the interview. He has been detained in prison for 35 days but, he is 37 years old and was owner of a cargo vehicle. We have not included his answers to the present report. But it has to comment on some data he gave us. First he gave us the impression that he is desperation and in status of panic. The other exceptional fact is that this man even if was under arrest and because of the crime committed (car thefts by profession) now has a job: he is auto-guide in the Municipality (!) : he did not informed us which one. This is another variable of the “management” of social exclusion in Greece and a has to be evaluated in the context of the functional contribution of the “substitutives” of social policy and welfare (see below) and of course the significant role of the client networks.

⁸ Interview n. 5.

⁹ Interview n. 3

¹⁰ Interview n. 16

he was an entrepreneur.. Lastly 1 man ex employed in the airport, is a typical drug addict who is permanently unemployed.

- The other interviewed persons (6) were released from prisons in previous years, before 2000. 1 woman who decarcerated in 1994, now is a servant in a coffee-bar, before imprisonment, was owner of an entertainment night music hall¹¹. Two brothers who are released in 1998 now are occupied in a self-financed little enterprise of floors' construction, while before imprisonment were students in high - school¹². Another man released in 1994 (now is 60 years old) before imprisonment was a contractor in the sector of constructions. Now is officially registered as cheese-maker¹³. Another person released in 1997, is occupied at the same work that he did before imprisonment (he is commercial direction in a company). This person mentioned during the interview that he has nothing to do with the prisons' world and to criminality¹⁴. A last person who released in 1998 is a case of out of any suspicion who was working as customs clearing official, and is now unemployed.¹⁵

Consequently from the total of persons interviewed (17) four (4) are unemployed, only one is occupied to the same job that had before imprisonment, 1 is introduced to the so-called unofficial economy 2 continued their career in crime, and 8 are occupied in works of a lesser qualification relatively their personal professional possibilities.

But this first conclusion is conditioned by certain further limitations. First of all as it could be observed in the next table the majority of the ex- prisoners have been convicted for crimes of economic type. Some of them are properly white and blue collar crimes, others are economic crimes related to the crisis of the market while other are common street or every day crimes (thefts, robberies). The rest of the interviewed have convicted by drug related Laws and only a very low percentage for violent crimes related to interpersonal violence. This 'proportional' crime distribution is more or less corresponded to total annual of convictions by penal sentences in Greece. These qualitative data have to be evaluated in the context of our research in order to point out *what kind of crimes and criminals are more easily reintegrated to the social life and to*

¹¹ Interview n.10

¹² Interviews 1 and 2

¹³ Interview 14

¹⁴ Interview 8

¹⁵ Interview 12

the labor market and how. On this level it has to be mentioned that in Greece crimes of economic type that are related to the development and function of the free market or related to the upper and middle class economic illegal activity are evaluated on a different level in the common conscience than those related to violence or to street crimes. Economic crimes related to the market crisis (such as uncovered checks, some types of fraud etc) are considered more with *caritas* rather with disrespect. Usually people convicted for such crimes, are common people, and they are not belonging to the criminal under world as it is perceived by the common sense. It is possible that this forms tolerant or even positive attitudes toward the ex convicts. Consequently, these people have more chances to find a new job. As it is obvious to the next table, people who had committed such types of crimes have been reintegrated to the labour market, even in a lower status of labour than they had before imprisonment.

Therefore, we could assume that even if imprisonment determines changes to social and professional status, these changes are not the same for all: men of lower social strata or people involved in violent crimes which are identified to the prevalent in Greece fear of crime, and finally women, have less possibilities to find a job and if they find one, this is of lesser social respect and recognition, than their previous one, and correspond to people with minor professional qualifications (see next table Cases In. : 12, 9, 7, 11, 10).

On the other hand people involved in economic criminal enterprises which in order to be committed need specific ‘criminal’ or ‘professional’ qualifications are reinserted in the labor market, making a job by their selves, usually an own small commercial enterprises or taxi drivers (in our cases). *What has to be considered here is that these people probably have been supported by their families (see below).*

Secondly, what is important to underline are some aspects of the whole question of reintegration as resulted from the conversation with the interviewed persons. Some of them are now involved in unofficial economy and /or criminal enterprises on various levels: as continuation of their criminal career and as inauguration of a way of survival after release from prison. This category of ex-convicts or is officially registered as unemployed (and probably from time to time get the financial public support for unemployment) or is register as occupied in an ‘innocent’ and respectable employment. It is not known the percentage of such category in the total of the ex-convicts. But it has to be considered, that also some of them have been ‘obliged ‘ by the concrete situations to follow this ‘career’. In particular, we have just referred to one person of the

interviewed who has been involved for a long time to 'dirty' business (In 5). His perception is very interesting: "he was talking about prison as part of his job" and "he was very proud about some facts of his career in prison". He was the only one who expressed his preference to a certain political party (without a relative question) he was very positive to discuss and he was talking with emphasis about his present job. He considered the *imprisonment an 'educational' stage in his life*: 'there you could become strong'. He declared that he is not afraid of anyone. According that person imprisonment today has no effect in the post- prison personal life of the ex- convict. He considers that his present job is rather better than the previous of the imprisonment.

Different careers have two other of the people in interviews: The first (man), who has been convicted for fraud and embezzlement, and now is registered as cheese-maker, he said that he has never exercised this official job: "Indirectly let us to understand that he has a satisfactory quality of life, which is secured by his previous involvement in fraud. Since his decarceration invest this amount of money in various illegal business of low risk" – (In14).

The second person convicted also for similar crimes (In. 13) argued that after his release from prison he could not found a job. Officially is registered as unemployed but he is win his life unofficially he organize illegal games of change, and receive a percentage per case as intermediate agent between layers and 'new clients' for them. This is the case of the person who has oriented to these 'jobs' by opportunity to crime and by opportunity to have a legal job.

SEX/PREV. OCCUPATIONS	ACTUAL OCCUPATION	CRIME COMMITTED	PENAL SITUATION
1 man worker in the constructions' sector (In5)	constructor of roofs (officially)	Crimes against the building construction laws	Recidive (4 times)
1 man policeman (In 3)	Owner of a small commercial shop.	Armed robbery	First time
1 man public officer (nat. instit. of social security) (In 15).	Taxi driver.	Abuse of public finance	First time
1 man ship-owner (In 16)	Taxi driver	uncovered checks ed., under arrest for embezzlement of grate value	First time
1 man owner of coffee-bar (In 17)	continue his previous work	Attempt of Murder, illegal gun curry, gun use	First time
1 woman accountant, (In 12)	unemployed	collaboration to harpoon	First time
1 man taxi driver (In 9)	unemployed	Thefts- robbery	First time
1 man owner of small enterprise (In 7)	unemployed,	Drug possession	First time
1 woman vice accountant (In11)	employed in a little factory for clothes, registered as unemployed,	Forgery	First time
1 man entrepreneur (In4)	owner of travel - office	Debits (refuse of any other specification of the convicting reason)	First time
1 woman owner of entertainment night music hall (In 10)	servant in a coffee-bar	Drug possession	First time
2 men students of high school (In 1,2),	Self financed little enterprise of floors' construction	Refuse of gun curry in the Army (is not permitted by their religion)	First time

1 man, employed in the airport (In 18)	Unemployed	Drug use and possession- Drug addict	Recidive (in total was convicted in 25 years in prison)
1 man contractor-sector of constructions (In 14).	Officially registered as cheese-maker.	Fraud and Forgery	First time
1 man, commercial direction in a company of kinds for pack up (In 8).	Continues the previous job	Uncovered checks, debits, usury	First time
1 man customs clearing officer (In 13)	Unemployed	Forgery fraud, embezzlement, contraband, escape from prison	First time

4.3 Looking for and finding a job.

(Questions: 11,12, 13, 14, 15).

Questions were related to:

- a) to the effects of imprisonment in the procedure of reintegration in labour market;
- b) the realization of programmes of professional education during detainment;
- c) the sustainment in search for employment after detention;
- d) the reference of the interested to find work to the syndicalist organizations;
- e) the information about others ex-convicts who found a employment, and
- g) decisive variable – factor contributed to find a job.

Imprisonment determines the conditions of the post-prison life and in particular the employment conditions. The *absolute majority* of the interviewed (13) believes that imprisonment has negative effects in the social life and especially in the professional career. Are characteristic of their believes formed by their personal experience the verbs they use in order to express the intensive effects of imprisonment in the field:

“tragically”, “decisively”, “absolutely”, “subversively”. Some of them commented that “I change not only job, but also residence and neighborhood” and “nobody takes in work if you present the official document of penal conviction ”.

It is significant that independently from the type of crime committed, the duration of imprisonment and their present social status, the majority of the people argue that the document of release and, that of penal conviction are the most negatives variables of the post imprisonment life in order to find a job. All of them are of the opinion that prison has absolutely negative effects on the life of the ex- convict.

Only one person responds that the prison has no negative effects (In 2): he is one of the persons accused for refusal to carry arms. Another one believes that imprisonment contribute to the “inertia” education, while a third person (In 5) said that there you are tough to be strong and do not come down.

Another person responded that she did not look for a programme of education during detention because she was a professional. All the others responded in a stereotypical way that “there does not exist something like that” or “ I had absolutely no help or support

during the detention” on the level of professional orientation or education. It has to be commented here, that attention is due about these answers: On a general approach these answers are realistic. But it is known that there are projects of professional orientation and education realized from time to time in the Greek prisons. The fact is that these projects are not systematically programmed and are conditioned mainly by the finance of EU budgets. The agencies interested to realize projects of that kind are usually state agencies, universities and recently some NGOs, as we discussed in our Interim Report. These projects usually have as target group people of younger aging than those of our project and mainly people who have not any other professional qualification. But the fact is also that the selection of the people who could belong to a target group for education is conditioned by the discretion of the prison administration.

Therefore this question is more complicated than it seems initially. The fact is that the situation in the Greek prisons concerning such issues is negative: until now there is a complete lack of interest of the State to regulate such kind of problems. The “occasional” realization of such projects and their dependence from the good willingness of some experts or some State’s department’s directors could not be rationalized regulation.

The same more or less answers were obtained concerning the post imprisonment assistance. Most of the interviewed responded that they had no assistance. A significant number answered that they have been assisted for a sort time by the Organization for the Employment of Labour Force (a state institution). It is important to mention, that the *majority of them had been assisted by their families, their networks of friends*, of known to them persons or networks of clients which they had been in contact. Their answers at this point are absolutely realistic. In Greece, *there is no policy* of reintegration to work after imprisonment. Until recently this question – apart the mentioned OELF – it was an subject also of caritas. But neither the Church that has a contribution to social policy – even minimal – have been interested in the field. Nobody from the interviewed had been asked for job to the syndicalist organizations. Only recently the ministry of Justice formed a new institution concerning the “meta-penitentiary providence” called “RETURN”. This institution is not yet operative. It is important to underline the role and contribution of the family and personal friendships. These unformal “institutions” of

social control had played a crucial role to the sustainment of ex-convicts. Their functions are more effective than that of the formal agencies of the State.

Therefore the question of post imprisonment assistance as a field of crime and social policy is developed by the 'substitutives' of welfare interventions. In real life if the ex-convict has no family or friends it is almost sure that he/she will return to prison.

4.4 The social stigma and reintegration

The stigmatizing effects of imprisonment are underlined from the absolute majority of the interviewed.

For them the ex-convict has the “stamp” of criminal, and this determines his/her future. *Only two persons answered that the imprisonment had no effect to their future and to their job.* Both have their own enterprises: the first was student when he got arrested and the other was involved in illegal activities. All the ex-convicts are favorable regarding the alternative to detention penalties. They argue that alternative sanctions could contribute to minimize the negative effects of imprisonment concerning the social and professional life. They believe that it is very difficult to avoid the social stigma and they propose to be adopted a more effective system of assistance. It is important to reproduce here the comments of one man (In. 18) who has execute many years in prison and is a drug user (heroin): “It not a concern about reintegration but about integration. The people who had been in prison usually could not be integrated in the society via another integrative institution such as family or the school or even the service in the Army...” It a typical case (for drug users) the interiorization of the stigma and the acceptance of the status attributed by the social reaction to negative behaviours and problematic situations. This is another variable on which the question of reintegration has to be studied with the purpose of having effective results on the field. This ‘acquisition’ of the role attributed is mention by other interviewed in different words: by asking for psychological assistance at the same level of the economic one.

4.5 Some tentative concluding remarks.

Even if the results from the above interviews are the outcome of the experiences of some people, they confirm a common perception: that the question of reintegration of ex-convicts in social life and in labor market is a “private affair”.

In effect, *the state is absent* from any serious policy concerning this issue. From what it been narrated in this report – according the interviews – the assistance to the ex-convicts is a family matter. The state is situationally present until now to the so-called “meta-penitentiary” assistance. Here it has to be added that the whole question is a paradox. First, because according the Greek Penitentiary Code it is provided a complex of regulation concerning the alternative sanctions and the post – imprisonment assistance. The majority of them are still inoperative because of the lack of policies of implementation of the relative institutions by which could be realized such policy. On the other hand, from many parts – especially from the academic experts in the field – it is underlined in various times the necessity of a serious post-imprisonment state policy.

The Ministry of Justice and the government confront the whole issue according to the political aspirations or situations of the time. The whole prisons question in Greece is an excluded question from public debate. The state interventions are until now limited to the prisons overcrowded administration. The operationalization of the above mentioned “RETURN” is a question of many years ago. Also, in Greek prisons there is a new situation during the last 15 years, concerning the prisons’ population composition. The massive arrests and condemns of migrants changed the situation that the prisons administration had to face. All the efforts of the Ministry until now had been orientated to the resolution of the question of foreigner’s incarceration. On the other hand the increase of crime rates reflected to the prison population growth. The attention is paid to the street crime delinquents and violent crimes ones and the prevention of the crime rates increase on the operational level. The adoption of repressive measures and the expansion of fear of crime lead to underestimation of the ‘new danger’ which is coming from the prisons’ world: that the lack of prevention and reintegration policies in prison contribute to the

recycle of criminality outside to it. Here there is a fourth comment: the crisis of the liberal market influenced the economic crime rates. In Greek prisons there are a consistent number of people who are not included in the stereotype of the traditional criminal: poor, illiterate, and migrant. These people are the product as we have seen of the market crisis: they commit economic crimes by opportunity or by necessity. They follow the ‘unofficial business management’ of the free market until they have no the possibility to avoid their economic disaster. That is why most of these crimes are not considered as such by the wider public. But the incarceration of these people forms new petitions of reintegration procedures. This time it has to be taken more seriously and pay some consideration to the possibilities to include them – during incarceration – in specific projects of training and education for qualified professionals, and to assist them economically after prison. Otherwise they will be re-oriented to illegal business activities.

Another comment concerns the people who live in precarious conditions worse than those before imprisonment. Neither that group corresponds to the stereotypical perceptions of criminals. As we examined before, this group is consisting of people with a certain professional qualification: at this point the most serious problems concern women. They are submitted in a *double victimization*: first as ex-convicts and second as women. For them it is very difficult to be reintroduced to the labor market and in social life: even the exodus of underworld or of social stigmatization is a men’s opportunity.

Finally, concrete policies have to be adopted, concerning the fear of crime and ‘criminals’: it seems to be absurd to talk about social reintegration in a society who is afraid of the ‘other’. This issue requires wider social and educational policies structured to confront aspects of stigmatization.

6. CONCLUSION

Ex-prisoners belong to a particular type of marginalized group. Some of the problems that they face are related to: schooling and professional qualifications; employment habits; life style and routines; socialization problems and difficulties to adapt to certain varieties of social life and various physical and psychological dependencies.

The above factors require more exploration in order to see whether this or that system of reintegration and rehabilitation can actually work.

This issue is not new, of course, and society will continue to confront it as long as individuals complete their prison sentence and are left to return to the community. *One of the issues that became much more clear from this study is that society **has to shift away from the problematic of expanding prisons and prison populations and focus much more towards thinking about penal reform and specific procedures that may assist prisoner reintegration.***

The question of how an individual can be assisted in making the transition from life in prison to living as a productive citizen, remains open and is linked with a number of different 'layers' or dimensions:

- a) the role of wider community in actively supporting the idea of reintegration;
- b) the particular role of the specific environment that the prisoner is released into (home, family, street, neighborhood, community, friends, etc);
- c) the particular personal facets of the individual (race, age, gender, time served, education level, skills, health, substance abuse, etc);
- d) the process of employment and the possible connection between not finding work and returning to prison and

finally, training and education whilst in prison and their impact on the incarcerated.

Therefore, a much more broader approach to the whole issue of reintegration is required which will take into account the above factors and bring together different parts of the community with the scope to intervene in the *actual process of the transition* from prison life to social life.

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