

TECHNICAL BRIEF

Beyond Bars and Walls: Modernising Prison Systems to Unlock Social Inclusion



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The working paper is printed in this form to communicate the result of an analytical work with the objective of generating further discussions on the issue.

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Executive summary

Social exclusion can be a driver along the pathway to detention, while prisons themselves tend to concentrate and intensify socioeconomic vulnerabilities. Traditionally, prisons have been designed mainly to punish and prevent criminal behaviour by temporarily segregating those suspected, charged or convicted of a crime. To many prisoners, this deprivation of liberty is just another layer of the exclusion that they have experienced during their lifetime. The cumulation of sources of vulnerability, including living in extreme poverty, having low levels of education or suffering from addictions, discrimination and lack of opportunities, tends to increase a person's risk of being incarcerated. In turn, having been incarcerated once increases the likelihood of being incarcerated again in the future.

Today, European prison systems are struggling in their efforts to generate positive change in line with the European Prison Rules. This is often due to lack of resources and chronic overcrowding. A large share of prison infrastructure remains outdated, unable to meet adequate standards in terms of living conditions, and geared towards punishment and security rather than rehabilitation and reintegration.

This technical brief focuses on actionable areas for investment that can have positive rehabilitative effects for individuals who have gone through the prison system. These areas of action have been chosen based on existing evidence and are by no means exhaustive. Within the closed prison setting, rehabilitative potential could be increased by:

- ▶ Providing more opportunities for education, training and preparation for employment;
- ▶ Increasing access to adequate medical, psychological and addiction services;
- ▶ Enabling closer relationships with families;
- ▶ Ensuring sufficient levels of prison staffing and supporting staff with relevant training opportunities.

Besides traditional prisons, other types of custodial institutions can act as a stepping stone towards positive interactions between prisoners and outside communities. Such institutions include open prisons, halfway houses, reintegration farms and other types of community-based regimes. They offer more social and economic opportunities for prisoners, limit family disruption and can contribute to positive changes in social attitudes towards detainees due to the closer interactions that they foster.

Transformed prison systems will only be able to achieve more social inclusion if their efforts are complemented with appropriate social policies affecting the period after release. Recently released prisoners constitute a particularly vulnerable group that often faces extreme socioeconomic hardships, including lack of appropriate housing, income and access to healthcare or addiction support. Long-term rehabilitative outcomes, which benefit communities at large, therefore also depend on dedicated investments being made in housing, employment support, education, healthcare and other social services.

Prisoner reintegration and social inclusion are influenced by factors that cannot be treated by prison systems alone. Developing strategies to tackle inequalities and exclusion remains the most effective way to reduce crime and vulnerabilities related to imprisonment. The Council of Europe Development Bank can mobilise its multi-sectoral expertise to support its member states in promoting socially inclusive prison systems and communities at large.

1. Introduction

Social exclusion is a driver along the pathway to detention, while prisons themselves tend to concentrate and intensify socioeconomic vulnerabilities. In many cases, incarcerated individuals faced disadvantages throughout their lifetime, including poverty, unemployment, low levels of education and skills, weak family ties, poor health and addiction. By design, prisons bring these people together and separate them from the outside communities, sometimes for protracted periods of time, which can further exacerbate social exclusion and weaken already-fragile family relationships. Breaking out of this vicious circle of intensifying vulnerability and, sometimes repeated, incarceration can become an insurmountable challenge at individual level and generate significant costs for society as a whole.

In this context, prisoner rehabilitation¹ can offer significant opportunities for addressing prisoners' socioeconomic difficulties, improving their physical and mental health, and helping them deal with addictions and strengthen constructive social relationships. The capacity of the criminal justice system to facilitate positive change can support the achievement of a number of Sustainable Development Goals (SDGs), although currently this is seldom the case.

Many prison systems across Europe today are struggling to ensure a positive, transformative experience in line with the ambitions of the European Prison Rules for individuals placed in custody². Lack of resources, prison overcrowding and deep-rooted social stigmatisation can limit the availability of services and their effectiveness. A large share of penitentiary infrastructure remains outdated, unable to meet adequate standards in terms of living conditions, and geared towards punishment and security. Moreover, a systemic approach that includes actions beyond the prison infrastructure, aimed at enhancing rehabilitation, is seldom applied.

This technical brief explores how different elements and innovations could be leveraged to improve the rehabilitative potential of European prison systems, while also considering some important complementary social investment. In the past decade, as the only multilateral development bank that finances prison infrastructure in Europe, the Council of Europe Development Bank (CEB) has financed prison construction in different European countries (see Box 1 for more information). This technical brief takes stock of the CEB's still recent experience in this sector, which has been complemented with interviews with various stakeholders working with prisoner rehabilitation and an extensive review of the literature.

The report does not have the ambition to provide an exhaustive analysis of all the different initiatives that are being developed in Europe and in the world, but rather aims to highlight some general trends and relevant examples that can support more effective rehabilitation and social inclusion of inmates. This technical brief focuses on services that could have a positive impact on all European

¹ In line with the literature, this technical brief uses the term of prisoner rehabilitation to capture various elements of prison life and regime that could make a positive impact on former prisoners' well-being, self-development and life choices. Other terms, including resocialisation, reintegration, resettlement and re-entry, are also used in the literature, sometimes interchangeably and without a clear definition.

² This technical brief uses indifferently the terms detention, incarceration and custody to capture the deprivation of liberty, with no consideration for the legal status of people deprived of liberty (convicted or on remand). Similarly, the terms prisoners, inmates, convicts and detainees are all synonymous of people deprived of liberty in penitentiary facilities.

prisoners and their communities. They can be tailored to meet specific needs of different minorities within prison populations, such as women, juveniles, disabled or the elderly, but these considerations are outside of the scope of this technical brief.

Box 1: The CEB's experience in the administrative and judicial sector

In 2005, the CEB's mandate was broadened to include investments in administrative and judicial public services in its member states, in particular for modernising penitentiary infrastructure. All projects financed by the CEB must comply with the European Prison Rules adopted by the Council of Europe. Through these investments, the CEB's objective is to promote a human rights approach to prison management, defending human dignity and opposing torture and inhuman or degrading treatment.

In 2009, the CEB approved its first financing project for investment in a penitentiary infrastructure to construct a high-security state prison in Bosnia and Herzegovina. Since then, the Bank has approved loans for €370 million supporting investment for a total €511 million for 7 projects in Bosnia and Herzegovina, North Macedonia, Ireland, Serbia, Republic of Moldova and Romania. In addition to loans, the Bank can provide technical assistance to the authorities in the preparation and implementation phases of construction and rehabilitation of prison facilities. The Bank may also finance training of staff and expenses for equipping and making operational the educational and vocational training components in judicial infrastructure projects.

2. Rehabilitation: breaking the vicious cycle of vulnerability and repeated imprisonment

2.1 The vicious cycle of vulnerability, crime, imprisonment and repeated offenses

Historically, prisons have carried out three main tasks: to protect society from criminal behaviour, to punish those that break the law and to help them reintegrate society after release (Dünkel et al., 2021). The importance of each of these functions relative to the others and the means with which to achieve them have been evolving over time and differ from country to country. They are also closely interlinked and can sometimes yield opposing outcomes. For instance, while lengthy imprisonment may provide a strict punishment and protect society from repeated crimes, it may hinder the prisoner's social integration after release, can be costly and may in some cases facilitate the prisoner's ties with criminal organisations present in the facility. On the contrary, a shorter sentence with an emphasis on reintegration can contribute to the prisoner's wellbeing and to safety within the community by helping the ex-prisoner lead a fulfilling, crime-free life and become a contributing member of society after release.

The importance of rehabilitation is exacerbated by the fact that many prisoners come from economically and socially disadvantaged backgrounds and may have been incarcerated as a result of cumulative circumstances, discrimination and lack of opportunities. An average prisoner in Europe is a male in his thirties with low levels of education and qualifications, poor family ties, precarious housing solutions and no stable employment (Wincup, 2017). Prisoners also often suffer from poor physical and mental health as well as various substance abuse disorders, and many of them have a history characterised by a difficult childhood, including maternal substance abuse during pregnancy, parental neglect, violence and malnutrition. These factors may have a lasting negative impact on their neurological development, which interacts with their socio-economic environment throughout life (Maruna and LeBel, 2010; Moffitt, 1993).

In addition, foreigners and ethnic minorities are generally overrepresented in the prisons of several European countries. For example, in Greece (57.8%), Denmark (30.1%) and Italy (32.5%) the percentage of foreign-born detainees is several times higher than the percentage of foreign born in the general population (respectively 12.5%, 10.5% and 10.4%) (SPACE II, 2020 and OECD, 2021). The percentage is also approximately twice as high in Austria (53.1% of foreign-born prisoners versus 19.2% of foreign-born general population), Belgium (43% versus 17.2%), Slovenia (28.7% versus 12.7%), Norway (29.2% versus 15.6%), and France (23.2% versus 12.8%) (Idem). The Roma population account for up to 10% of the total population in Bulgaria and 7% in Romania, yet they respectively make up 50% and 40% of all prisoners in these countries (Children of Prisoners Europe, 2021). Linguistic barriers, discrimination and lack of social ties are likely to further exacerbate the impacts of other sources of vulnerabilities for this group.

Female prison-population growth has outpaced that of men by more than 50 percent since 1980. Women in prison are considerably more likely to have been diagnosed with a mental-health disorder, to have a substance abuse problem, to receive inadequate health care, or to report experiencing abuse before entering prison. Many have young children that they've lost custody of due to their prison sentences. PRI has carried out new analysis of figures available on the World Prison Brief, which show an increase in the global female prison population of 105,000 since the Bangkok Rules were adopted a decade ago. This amounts to a 17% increase and brings the global female prison population to an estimated 741,000. The number of women in prison in Europe have decreased by 29% to 85,000.

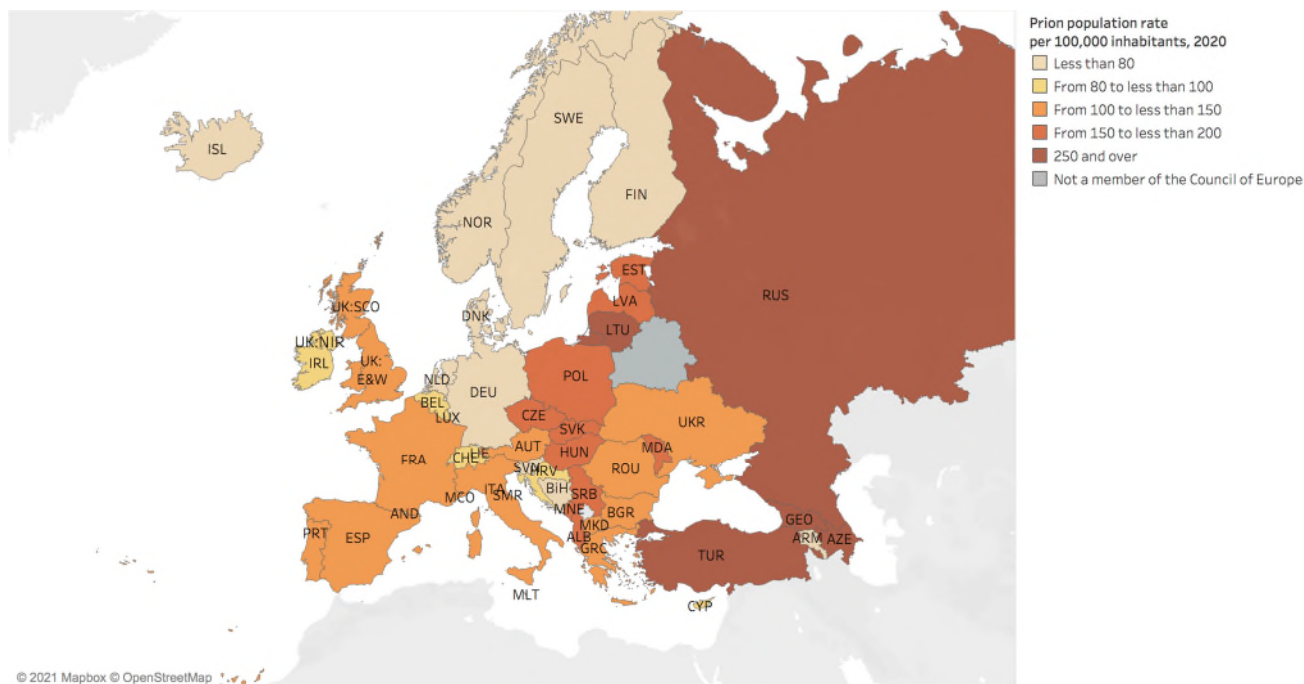
The social exclusion faced by already vulnerable persons prior to entering prison tends to be exacerbated by time spent in custody. Even the shortest prison sentences result in potential social stigmatisation and further discrimination after release, whereas longer sentences can have long-standing negative effects on ex-detainees' ability to lead crime-free, independent and fulfilling lives. Moreover, prisoners experience the 'double punishment' of deprivation of liberty and various hardships related to their stay in prison itself, such as negative impacts on their health, skills and connections with the outside world. Rehabilitation opportunities offered to prisoners therefore also serve as 'means for compensating deprivations experienced during the stay in prison' (Dünkel et al., 2021).

In Europe, a significant number of people go through imprisonment and experience this double punishment. On any given day in 2020, there were around 900,000 prisoners in the CEB member countries, including 500,000 in EU countries and 300,000 in Turkey (Eurostat, 2021 and Council of Europe, 2021a). In Council of Europe member states, many more go through the prison system in a given year, with an average turnover ratio³ of 51% and an average length of imprisonment of less than 8 months (Council of Europe, 2021b). In the past years, the imprisonment rate has been decreasing slightly in most European countries, but remains high, particularly in Eastern and Southern Europe (Figure 1).

For some of these prisoners release from prison is followed by repeated incarceration. Recidivism figures are difficult to collect and compare across countries because of differences in outcome definitions (such as re-arrest, reconviction or reimprisonment) and a lack of systematic reporting practices, but available data suggests that the proportion of prisoners entering and leaving the prison system is very high. For example, 59% of ex-prisoners were reconvicted within five years of release in France and this share stood at 48% in Germany within three years of release (Fazel and Wolf, 2015). The most recent data from Ireland shows that 55% of all former convicts and four out of five young offenders (under 21 at the time of committal to prison) released in 2014 reoffended within three years (Irish Penal Reform Trust, 2020).

³ The turnover ratio is defined as the ratio between the number of inmates released during the year and the number of inmates held in prison during that whole year.

Figure 1. Prison population rates (number of inmates per 100,000 inhabitants on 31st January 2020)



Source: Council of Europe (2021c)

Some individuals who manage to stay away from crime after release nonetheless find it challenging to fully reintegrate society and lead fulfilling lives. These ex-prisoners do not engage in criminal behaviour, but remain at the margins of social life and may face deep-rooted discrimination (Dünkel et al., 2021). They may experience homelessness, malnutrition, aggravated addictions, deteriorating health and general insecurity. In France, one in five homeless people has lost their accommodation after imprisonment or hospitalisation (Fondation Abbé Pierre, 2019).

2.2 International recommendations and state of play in European prisons

Detention conditions and prison rehabilitation opportunities can affect the achievement of SDGs amongst the most vulnerable groups in European societies. The quality and effectiveness of judicial systems is most directly related to SDG 16, which specifically refers to access to justice for all, together with reduced corruption and strong institutions, as one of the main conditions for promoting social and economic development. For some individuals, who lived in extreme deprivation before incarceration, prisons could potentially improve access to adequate nutrition (SDG 2), sanitation (SDG 6) and healthcare services to address various health concerns and conditions (SDG 3). If properly designed and run, prison regimes can also contribute to ensuring inclusive and equitable education options at all stages of life (SDG 4), assisting with finding decent work opportunities (SDG 8) and fighting inequalities (SDG 10), including gender-related inequalities (SDG 5) both within and outside prison systems (Penal Reform International and Thailand Institute of Justice, 2017).

European and international law attach considerable importance to the prison conditions and rehabilitation opportunities that should be offered to prisoners (Meijer, 2017). The first international standards, the *United Nations Standard Minimum Rules for the Treatment of Prisoners*, were formulated in 1955 and extensively revised in 2015, when they became known as the Nelson Mandela Rules. In 1973, the Council of Europe adopted the *European Standard Minimum Rules for the Treatment of Prisoners* (later renamed the European Prison Rules, EPRs), which are based on the UN standards but reflect European conditions and the values of the European Convention on Human Rights (ECHR).

The EPRs were thoroughly revised in 1987, 2006 and 2020 to reflect changing prison law and practice, societal attitudes and research, and the expanding Council of Europe membership.

Preparation for post-prison life, or rehabilitation, addresses the specific needs and deprivations that each prisoner had experienced before committing a crime and those that can become exacerbated during their time in prison. Typically, these include problems with physical, mental and behavioural health, addictions, low levels of education and skills, lack of employment and homelessness. Some may also find it hard to cope in a world that has changed significantly during their period of incarceration after release. As discussed in the following sections, a large and growing body of research clearly shows that targeting these needs in prison can lead to positive outcomes (for example, Maguire and Raynor, 2017; Harper and Chitty, 2005).

The EPRs stipulate that life in prison should resemble life in the community as much as possible (also referred to as normalisation) and be organised ‘so as to facilitate the reintegration into free society of persons who have been deprived of their liberty’ (see Box 2). They also set out the rights and minimum living conditions that should be ensured for every prisoner. The EPRs are not legally binding, but are referred to by the European Court of Human Rights (ECtHR) and the European Committee for the Prevention of Torture (CPT). The ECtHR has already ruled that states have a positive obligation to give all prisoners, including those serving whole life sentences, an opportunity to rehabilitate themselves even though the ECtHR does not guarantee a right to rehabilitation as such (European Court of Human Rights, 2021).

Box 2: Council of Europe and the European Prison Rules

The Council of Europe has unique and extensive experience in the area of penal sanctions and prison conditions to protect human rights, democracy and the rule of law. Throughout the Council’s seven decades of existence, its member states have adopted a set of internationally binding legal instruments (including the European Convention for the Protection of Human Rights and Fundamental Freedoms) and non-binding recommendations (including the EPRs) related to police work and the execution of penal sanctions and measures. The organisation has set up mechanisms to monitor how member states apply the provisions of these texts, and provides technical assistance to the national administrations and government agencies that need support.

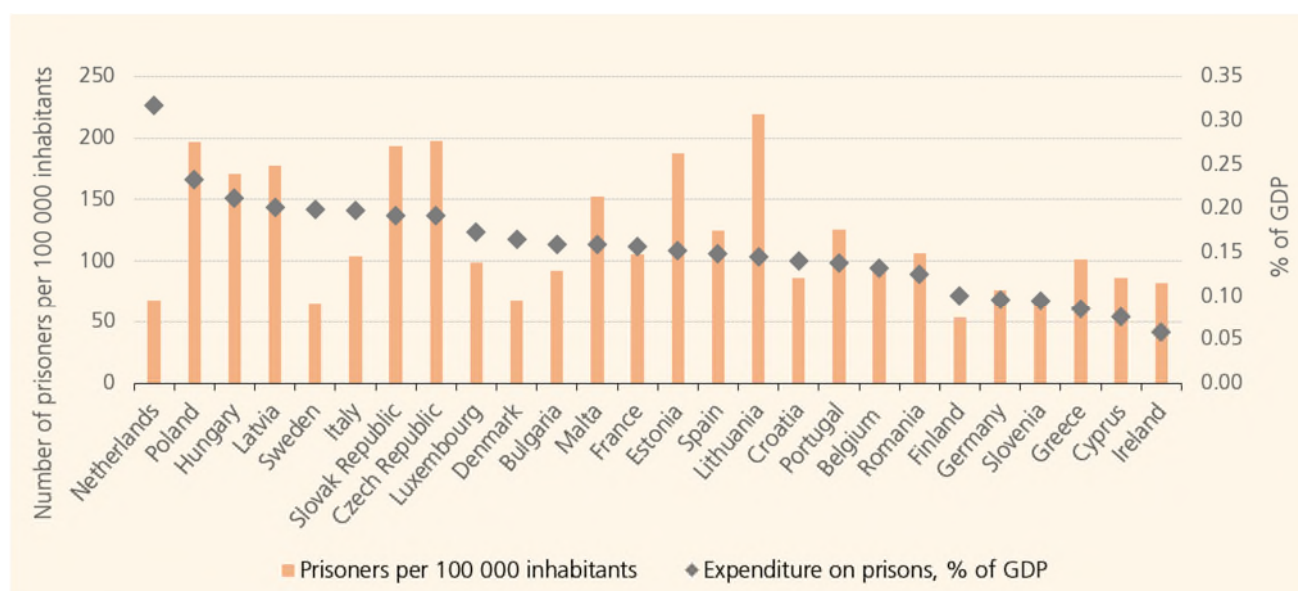
Nine basic principles guide all the rules and standards enshrined in the document and place emphasis on respect for the human and legal rights of people deprived of liberty, on preparation for post-prison reintegration into free society, and on the importance of appropriate staff work conditions and independent monitoring to deliver these objectives.

The rules include provisions on conditions of imprisonment, including admission, accommodation, hygiene, clothing and bedding, nutrition, legal advice, contact with the outside world, prison regime, work, education, exercise, and freedom of thought, conscience and religion. Separate provisions relate to (i) vulnerable groups such as women, detained children, infants, foreign nationals and ethnic minorities; (ii) health and healthcare, including services within and outside prison and the duties of medical practitioners working in prisons, (iii) good order, management and staff, inspection and monitoring, untried and sentenced prisoners. The 2020 revision added more protection for prisoners in solitary confinement, whose frequency of use increased during the Covid-19 pandemic, including a mandatory daily visit by an authorised member of the prison staff and a medical practitioner.

The EPRs require that all prison accommodation should ‘respect human dignity and, as far as possible, privacy, and meet the requirements of health and hygiene, due regard being paid to climatic conditions and especially to floor space, cubic content of air, lighting, heating and ventilation’.

In reality, the lack of resources in European penitentiary systems may limit full implementation of the EPRs. Indeed, prisons are costly to operate: in 2019, prison administrations in the Council of Europe member states spent €27 billion, representing an increase of 5% in one year (Council of Europe, 2021a). The total amount spent on prison systems ranges between €2.9 and €3.5 billion in Germany, France and Italy and stands at just over €1 billion in Spain and Turkey (Idem., 2021). To better illustrate the order of magnitude, in 2019, the Council of Europe member countries spent €134 per prisoner per day, over €4,000 per month and €49,000 per year, which was more than the average EU GDP per capita in the same year. In addition, some prison administrations have to deal with prison overcrowding combined with budgets that are relatively lower than in other European countries. In effect, as illustrated in Figure 2, some countries, such as Lithuania, Estonia and Greece, have relatively low expenditure on prisons as a percentage of GDP and relatively high numbers of detainees (Eurostat, 2021).

Figure 2. Expenditure on prisons, % of GDP, and number of prisoners per 100,000 inhabitants, 2019



Source: Adapted from Eurostat (2021)

Another issue related to resource availability is persistent overcrowding. While the overall prison density⁴ in Europe stands at 90 inmates for every 100 available places, prison systems in Turkey (127 inmates per 100 available places), Italy (120), Belgium (117), Cyprus (116), France (116), Hungary (113) Romania (113), Greece (109), Slovenia (109) and Serbia (107) operate above capacity. National averages hide stark regional and local differences in terms of prison overpopulation. For example, several prisons in France (particularly those in the overseas territories) have experienced an occupancy rate of close to 200% and one prison was at 466% at the moment of monitoring carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) (Le Contrôleur général des lieux de privation de liberté, 2018).

As a result of this dual challenge of underfunding and overcrowding, not all European prisons can meet the minimum standards to ensure human dignity. In 2017, the European Parliament issued a resolution stating that conditions in certain European prisons were alarming and underlined that the deprivation of liberty must not equate with the deprivation of dignity. The ECtHR has ruled that

⁴ The prison density indicator may underestimate prison overcrowding in given regions or locations and be difficult to compare across places. While in some places a cell of a given size may be designated for single or double occupancy, in others it may be considered as fit to house more prisoners.

prisoners in many European countries, including Belgium, Italy, Hungary, Romania and Poland, have been subject to inhumane and degrading treatment due to insufficient living space and overcrowding (European Union Agency for Fundamental Rights, 2019). Over 1,000 prisoners in France were sleeping on the floor due to the lack of available beds (Le Contrôleur général des lieux de privation de liberté, 2018). In Korydallos, a central judicial prison in Greece, four to five prisoners live in cells of 9.5 m² (European Prison Observatory, 2019). In Lithuania, where the incarceration rate per capita is the highest in the EU, some large (up to 90 m²) cells can house dozens of prisoners in bunk beds, with floor space per prisoner sometimes falling below 3 m² (Sakalauskas et al., 2020).

Adequate living conditions in prison are a prerequisite for any rehabilitative efforts as they affect security, social climate and well-being, as well as the capacity of penitentiary facilities to properly provide rehabilitation measures. Prisoners in overcrowded spaces tend to feel higher levels of stress, engage in more violent behaviour and have a more distant relationship with prison staff (Karthaus et al., 2017). Putting groups of prisoners together in large cells for protracted periods of time can pose security challenges and favour the formation of prison subcultures. Individual cells make it possible to separate inmates according to their individual needs so as to foster a safe and positive environment that is adapted for rest, study, respect and collaboration. Sanitation facilities in European prisons are also insufficient and may present substandard hygienic conditions. Many European prisoners (including in Austria, Belgium, Italy, Latvia and Luxembourg) still do not have adequate access to hot water or showers at least twice a week (European Union Agency for Fundamental Rights, 2019), while some have to use toilet bowls placed between two beds, with no partitions (Ibid., 2019).

3. Strengthening the potential for rehabilitation within the prison systems

Key rehabilitative features within standard closed prisons are promoted by international standards and have been proven effective by research and experience. They include education, training, medical and addiction services, support for family relationships and focus on prison staff. Embedding these elements within the architecture and daily operations of every prison can maximise effective rehabilitation while at the same time ensuring an adequate level of security.

3.1 Providing more opportunities for education, training and preparation for employment

Education and training opportunities are a cornerstone of any prison rehabilitation system. Their importance is driven by at least two reasons. First of all, a large share of prisoners has not obtained high levels of education and skills in their pre-prison life. Second, prison sentences themselves may deplete existing human capital, especially in case of lengthy sentences (Lochner, 2004; Aizer and Doyle, 2015).

The EPRs recommend that 'every prison shall seek to provide all prisoners with access to educational programmes which are as comprehensive as possible and which meet their individual needs, while taking into account their aspirations.' The rules state that priority should be given to equipping prisoners with basic education, including literacy and numeracy skills, as well as vocational training. Education and training programmes serve different, albeit related, purposes. While (vocational) training is mostly focused on obtaining a skill and, therefore, increasing employability, education focuses on developing the capacity for critical reflection (Costelloe and Warner, 2014). They are therefore not mutually exclusive, but rather complementary elements of a rehabilitative package that not only facilitates successful integration in the labour market, but also provides support on the road of self-discovery and positive social interactions. When training and education programmes are successful, longer prison sentences have been found to lower reoffending rates after release, as they can better help previously unemployed offenders prepare for the labour market (Bhuller et al., 2020).

Box 3: Education and training in Ireland

The CEB provided financing to replace the old Cork prison, built in the early 19th century as a military detention centre, with modern facilities. Opened in 2016 the new facilities were built according to the highest national and international standards. Numerous workshops and training opportunities as well as a modern prison school are available for all inmates.

In Irish prisons, vocational training takes place in the core service areas that are integral to the running of a prison such as the prison kitchen, staff mess, laundry and waste management areas. In addition, all prisons are equipped with custom-designed workshop areas for training in construction (including block laying, plastering, tiling, concrete moulding and stone carving), metal work, horticulture, carpentry, electronic repairs, printing and welding, among others. Some workshops, such as construction and metallurgy, require large spaces and are therefore only available in large prisons. The objective is to assign each prisoner to a workshop according to their preferences (with the exception of protection prisoners), but participation remains voluntary. Many of these workshops offer valuable experience, nationally recognised qualifications and real employment opportunities after release. Importantly for the recipients, the certificates do not mention that they were obtained in prison.



Source: Irish Prison Service, Strategic Plan 2016-2018, p.55 and the Independent.ie, "From the Prison Yard to Farmyard for Inmates on Learning Curve, available at: www.independent.ie/irish-news/from-the-prison-yard-to-farmyard-for-inmates-on-learning-curve-34312417.html

In Europe today, however, too few prisoners manage to obtain education, new skills and qualifications while in custody. The latest European survey of national coordinators of prison education found that, while the majority of European prisons offer general and vocational education, wide inequalities exist both between countries and between prisons within countries (European Commission, 2012). Both the enrolment and participation rates in these programmes are very low, standing at 0%-24% of adult prisoners (Idem, 2012).

One of the reasons for this low uptake concerns the lack of suitable infrastructure. Prison overcrowding and outdated prison designs often result in no or limited dedicated spaces for learning. Having a prison school with a welcoming, learning-promoting environment and necessary equipment helps normalise educational activities and bring them closer to those provided outside prison. In addition, using other prison spaces such as ‘wings’ or corridors (which have to be adapted to meet security concerns) for education to complement more traditional learning could also have ‘a range of positive knock-on consequences regarding the spreading of education in the prison institutional culture’ (McCoshan, 2018). Vocational training often requires even larger specialised spaces and equipment to provide learning opportunities comparable to those outside prisons. For example, construction, carpentry, metallurgy or farming workshops may need substantial infrastructural investments (see Box 3 for an example in Ireland). These may be lacking in most prisons, particularly overcrowded ones where space is limited.

In addition, the range of teaching programmes does not always meet labour market demands or prisoners’ personal situations. In particular, prisoners often suffer from digital exclusion and illiteracy or their digital skills become outdated during a prolonged sentence, which hinders the process of applying for jobs and maintaining contact with public services. In most cases, prisoners cannot access higher education in prison, even though up to an estimated 5% could qualify for such courses (European Commission, 2012). Digital solutions, through access to existing online degree courses, could bridge this gap. More vulnerable groups within prison populations, such as foreigners, disabled people or prisoners with mental health issues, are often excluded from any education programmes altogether due to language and other barriers.

Prison programmes could be better integrated between prisons and with the national systems. Prisoners who are in education or training programmes often cannot continue their courses if they get transferred to other institutions or finish their sentences. This is particularly true for many prisoners on short sentences or those in remand. Better coordination within and outside the penal system could facilitate continuous learning and increase motivation to join a course for short-sentence prisoners. In addition, providing prisoners with official nationally recognised certifications that do not specify they were awarded in prison may help prisoners avoid discrimination in further education and employment opportunities.

Despite its role in prisoners’ vocational education and rehabilitation, work in prison, which is now a right and no longer an obligation in most European countries, is not widespread. The jobs proposed are not always attractive and can be disconnected from the actual job markets outside prison. Their minimum remuneration is very diverse: non-existent in Belgium or the United Kingdom, 9% of the average salary in Germany, between 20 and 45% in France, 46 to 81% in Italy (Auvergnon, 2015). Unlike workers outside prison, prisoners rarely benefit from all the provisions of labour law such as a work contract, paid leave, unemployment and pension contributions, unionisation or the right to strike.

Box 4: Work in prison in the Serbian penitentiary system

Since 2012, the CEB has supported Serbia in its efforts to rehabilitate and modernise its penitentiary facilities. In Serbia, work in prison has played a central role for several decades. According to the Law on Enforcement of Criminal Sanctions (art. 98) “work of the convict is an integral part of the treatment program.” Indeed, about 50% of prisoners are engaged in professional activities while in prison and are entitled to compensation worth at least 20% of the minimum wage. Work provides inmates with meaningful occupation, vocational training and a source of income, while contributing to prison needs for agricultural products, furniture, garments, bedlinen, equipment, etc.

In Sremska Mitrovica, the country’s largest prison, inmates are employed and trained in a number of occupations in the prison workshops, such as wood, metal or cardboard processing, baking, agriculture, animal farming or the manufacturing of agricultural equipment and machines. In addition, training in hospitality and catering professions is provided in a hotel and a restaurant adjacent to the prison. Inmates can also receive training and employment in other facilities open to the public, such as a spa resort, a horse-riding school, and in training stray dogs to prepare them for new homes. Some prisoners are also offered opportunities to work outside prison on projects benefitting the surrounding community.



Source: Administration for the Enforcement of Penal Sanctions, Serbia

3.2 Increasing access to adequate medical, psychological and addiction services

Even though the majority of prisoners in Europe are young, many of them start their sentences with different health conditions that often get worse during their prison stay. According to international standards, including the EPRs, people in custody should benefit from the same level and quality of healthcare as the general population in a given country (the principle of equivalence). Prisoners may often need more health services to achieve similar healthcare outcomes than other community members as the risk factors for poor health and imprisonment, such as poverty or subpar living conditions, are often closely related. Many of them fail to receive continuity of care when they are moved between different institutions or are released back into the community. These issues can be addressed by, for example, implementing electronic medical records and facilitating cooperation between the different health and social services within and outside prison.

Prison populations also tend to suffer from high levels of communicable diseases, which is related to the crowded living conditions, lack of hygiene, sharing of drug injecting equipment and unprotected sexual behaviour. For example, worldwide, the incidence of tuberculosis is at least ten times higher in prison than in the general population (Velen and Charalambous, 2021). HIV prevalence is also higher in prisons, particularly in some Eastern European countries where prevention programmes are still lacking. For instance, in Estonia, Lithuania, Romania and Slovak Republic over 10% of prisoners are HIV positive (WHO, 2021).

In addition, prisons are particularly vulnerable to infectious disease outbreaks, such as the global Covid-19 pandemic. Overcrowded living conditions, lack of sanitation and personal protective equipment, and staff rotations can all contribute to spreading the virus. In addition, the poor pre-existing health conditions of many prisoners could contribute to higher complication rates. With these factors in mind, many European countries decided to grant early release to prisoners approaching the end of their sentences and to impose strict confinement on those who remained in prison. In most cases, the spread of Covid-19 in prisons was contained, but this came at a cost of deteriorating mental health and the abandonment of many rehabilitative efforts that involve human contact (Penal Reform International and Thailand Institute of Justice, 2021).

Mental health issues constitute a major challenge in European prisons. Estimates suggest that the majority of prisoners (up to 65%) have some kind of mental health disorder (EMCDDA, 2015). In particular, prisoners tend to suffer from depression, anxiety, personality disorders or psychotic illnesses (Fazel et al., 2016). Neurodevelopmental disorders that may cause learning and communication difficulties, including deficit-hyperactivity disorder or intellectual disabilities, are also more common in prisons than in the general populations (Young et al., 2018).

Adverse physical and mental health outcomes are compounded by substance abuse, which is much more widespread in prison than in the outside communities. A recent review of the literature in European countries suggests that 30 to 93% of prisoners had used illicit drugs at some point before entering prison (with an average of 61 %) and 13 to 75% had used drugs during the period of 6 months prior to imprisonment (van de Baan et al., 2021). An estimated 20-40% of European prisoners use drugs while in prison (Carpentier et al., 2018). The growing use of synthetic cannabinoids and opioids presents a new challenge as these substances are much more potent, easier to transport in smaller quantities and are also more difficult to detect with current control tests. They can cause severe physical and mental damage (including life-threatening poisoning, psychosis, violence, self-harm and aggressiveness) even in very small quantities (EMCDDA, 2021a).

As a result of these conflated risk factors, prisoners have lower life expectancy. One analysis found that the death rate among young male prisoners was twice as high as for the comparable group outside prison (Désesquelles et al., 2018). Prison suicide rates are also much higher than those of the general population and stand at an average rate of 250 per 100,000 prisoners in the Council of Europe member states as compared to 11 people in 100,000 in the general population in the EU (Council of Europe, 2021 and OECD, 2020). Over one quarter of all prison deaths in Council of Europe countries are due to suicide (Council of Europe, 2021a).

Not all prisoners in Europe have access to adequate healthcare services. In particular, many prisons struggle to ensure prompt medical examinations upon arrest, which are crucial for determining immediate and long-term health needs (European Agency of Fundamental Human Rights, 2019). The continuous presence of custodial officers during medical interventions – sometimes even including those when the patient is unconscious – is also problematic as prisoners may be unwilling to share information on their medical conditions in front of prison officers (Idem., 2019). Prisoners with mental health and addiction problems often face ‘a limited range of treatment options, and equivalence and continuity of care remain unachieved principles in the majority of countries in Europe’ (EMCDDA, 2021b). Lack of resources, particularly in terms of staff numbers (medical and counselling staff, and custodial staff needed to accompany prisoners to different appointments) and custodial staff training to deal with the range of behaviours linked to prisoners’ different conditions, remains a reality across many European prisons. The European Monitoring Centre for Drugs and Drug Addiction estimates that less than 10% of prison budgets in Europe is spent on healthcare, including addiction services (EMCDDA, 2021b).

Prison design can contribute to better provision of healthcare and addiction recovery management services. The availability of modern medical facilities and secure spaces for consultations that respect privacy and confidentiality enable healthcare staff to carry out their work in comparable conditions to those outside prison. Suitable spaces for individual and group counselling, peer-to-peer interventions and therapeutic communities are also critical for creating a secure environment conducive to change. In addition, health-promoting features such as adequate exercising facilities and outdoor spaces can contribute to improvements in both physical and mental health. Creating dedicated segregated units within prisons that are truly free from drugs can allow prisoners to self-select so they can live in a sober environment.

Environmental psychology evidence suggests that buildings, and the living environment in general, have a significant impact on human behaviour and well-being. This is especially true in closed prison environments where some prisoners spend up to 23 hours per day locked up in their cells. Physical and mental health can be promoted through good air quality, comfortable room temperature, sufficient lighting and cleanliness (Karthaus et al., 2017). The materials, colours, textures, lighting, shapes used in prisons can also have a significant impact on prisoners' well-being, social relationships and motivation for positive change. In addition, the presence of nature (through green areas, nature views, indoor plants, etc.) can also support well-being and reduce levels of stress (Wener, 2012).

3.3 Enabling closer relationships with families

By design, traditional prisons often focus on excluding offenders from society instead of promoting their social inclusion and integration. Facilities tend to be large in size for cost optimisation, remotely located, with high security measures and largely closed to the outside world. However, limiting contacts can seriously hinder the effects of other rehabilitative efforts (Meijer, 2017) and may also reinforce negative attitudes within surrounding communities.

Strong family and other social ties are crucial for a successful return to society after prison (see, for example, Harding et al., 2016; Visser et al., 2013). Former prisoners with strong social connections are less likely to become homeless after release and may find it easier to get a job. Maintaining a close relationship with children leads to better mental health, a higher probability of finding employment and more effective addiction control. Regular social interactions with family members and friends while in prison may also contribute to more cooperative behaviour and a higher motivation to engage in different rehabilitative activities.

Supporting family relationships can also contribute to reducing the "punishing experience" that families go through when one of their members is incarcerated (Condry and Minson, 2020). Imprisonment impacts family structures in terms of organisation, responsibility, roles and relationships, but also impacts the material and financial conditions of families, including in cases where social stigma is projected on the whole family (Braman, 2007). This experience is particularly difficult for families with small, dependent children who lose regular contact with their parents. On any given day, two million children have one of their parents in a European prison (Children of Prisoners Europe, 2021), putting them at greater risk of mental health and behavioural problems, family breakdown, worse school performance and poverty (Martin, 2017).

Strong family ties can be promoted by adapted prison rules and architecture. High security, closed prisons are the least favourable for maintaining contact with the outside world as they can be difficult to reach and the number of visits and visiting times and durations are limited. In addition, the security procedures for entering the prison can be lengthy and uncomfortable, especially for young children. The

meeting rooms are often designed so that physical contact is minimised and ‘visitors experience the bodily discipline imposed by the architecture’ in terms of limited spaces, fixed furniture, walls and separations (Ricoardeau, 2012). More family-friendly spaces, including play areas, nurseries, outside playgrounds, soft furniture and colourful interiors can help normalise family reunions and promote more relaxed exchanges. Family apartments, where prisoners can spend up to several days with their spouses and children, provide an opportunity for sharing typical activities of normal daily life, such as making dinner (see Figure 3).

Figure 3. Family life unit in a French prison and outside playground in Storstrøm Prison, Denmark



Source: Credits: C. MONTAGNÀ DICOM MJ <https://www.franceculture.fr/emissions/une-histoire-particuliere-un-recit-documentaire-en-deux-parties/unite-de-vie-familiale-22-lamour-a-lepreuve-de-la-prison>
Photo Credit: Torben Eskerod <http://www.designcurial.com/news/storstrm-prison-by-cf-mller-6040669/>

3.4 Ensuring sufficient levels of prison staffing and supporting staff with relevant training opportunities

The effectiveness of facilities and services largely depends on prison staff, including custodial officers, management, medical workers, educators and social service providers. In each country, the organisation of service provision is different. For example, some prison administrations employ all staff directly, whereas others rely on other types of public servants (e.g., teachers hired by the Ministry of Education), private service providers or non-governmental actors.

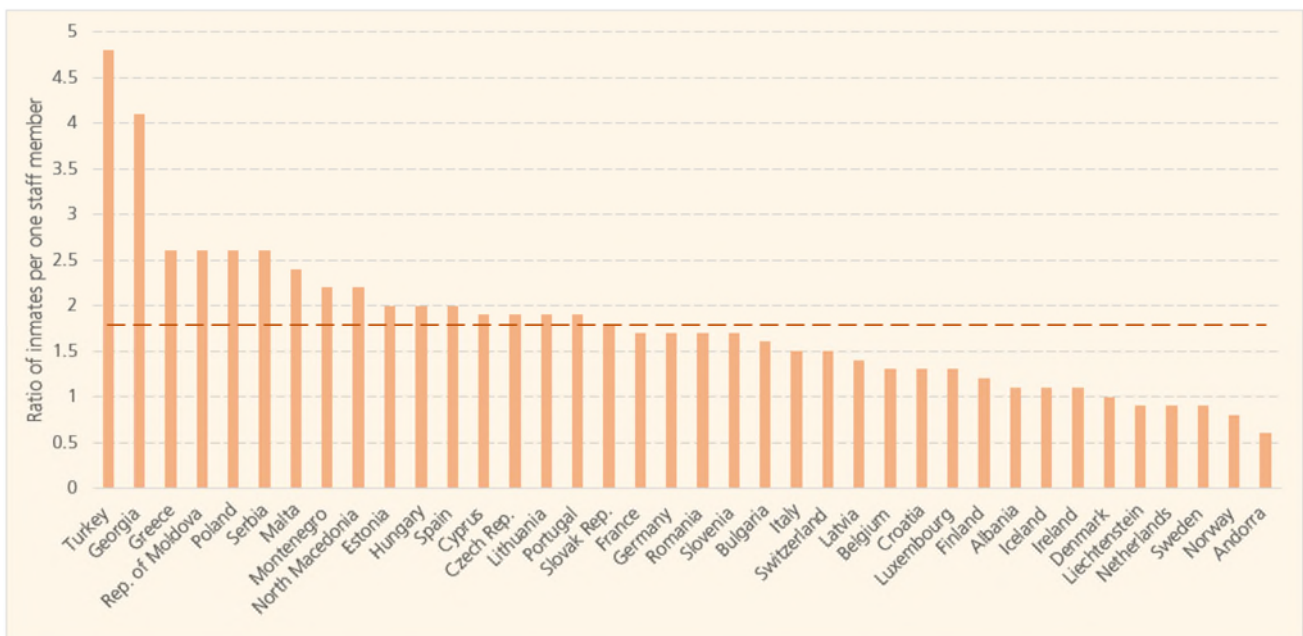
Prison staff play a number of different roles in prisoner rehabilitation. First of all, they provide different types of rehabilitative services, the quality of which is directly influenced by staff availability and qualifications. Rehabilitative services cannot be effectively delivered without a sufficient number of custodial staff to accompany prisoners to different activities and ensure general security. Importantly, prison staff/workers interact with prisoners and with each other on a regular basis, contributing to create a social climate that can either be conducive or constraining to rehabilitation (Schalast and Laan, 2017). Finally, prison staff in some countries interact with families outside prisons to facilitate exchanges, give news and provide support. They may also reach out to communities, potential employers and other actors to promote the collaboration of different services.

Research suggests that a good social climate based on positive prisoner-staff relationships is a necessary condition for a rehabilitating experience. Prisoners that are treated with humanity and receive reassurance, encouragement and acknowledgement from prison staff are more likely to develop social networks and positive mutual relationships (Bennett & Shuker, 2018; Maguire & Raynor, 2017). These in turn significantly reduce the levels of reoffending after release (Auty & Liebling, 2020; McNeill and Schinkel, 2016; Maruna and Mann, 2019). Practical help with simple aspects of daily life can lead to a change in a prisoner’s general mindset by reducing ‘hatred towards society’ (Andving et al., 2020).

In terms of architecture, smaller prisons may be more conducive to a positive social climate. Research suggests that smaller prisons are easier to manage, create better conditions for closer prisoner-staff relationships and enable more positive interactions between staff and prison management (Karthus et al., 2017; Johnsen et al., 2011).

These close relationships can only be developed if there are sufficient staffing levels, which is not always the case in European prisons. Indeed, the differences in prison population sizes and spending levels discussed in Section 2.2 are directly reflected in the availability of prison staff needed to ensure safety, security and various rehabilitative services. For example, Andorra, Norway, Sweden, the Netherlands, Liechtenstein and Denmark employ one or more staff members for each prisoner within their prison administrations, but this ratio stands at 1 to 4 in Georgia and Turkey (Figure 4). These numbers include staff working within and outside prisons, such as custodians (who make up 70% of all staff on average in Council of Europe countries), managers, medical workers and educators.

Figure 4. Ratio of inmates per one staff member



Note: The ratio of inmates per staff is calculated by dividing the number of inmates (including pre-trial detainees) at 1st January 2019 by the total number of staff at 31st January 2020.

Source: SPACE Council of Europe Penal Statistics (June 2021)

Moreover, prison staff do not always receive sufficient support in terms of training and professional development. Prison officers are often caught between their “care” and their “control” functions. This complicates their relationship with prisoners and requires quick and proactive decision-making, especially when faced with violent situations (Fraser, 2014). In addition, prison staff also have to deal with various physical and mental health conditions as well as different cultures, nationalities and languages while often lacking diversity within their own teams. These challenges require well-developed training programmes for all staff working within prisons, upon job entry and throughout their careers. Prison management could also benefit from exchange of best practices on national and international level as well as incentives to develop a strategy and a long term vision for each prison.

Box 5: How the Council of Europe supports prisoners’ social reintegration in the Republic of Moldova

As an example, the Council of Europe is currently implementing a three-year programme in the Republic of Moldova to support prison and probation service reforms, in particular in the areas of prisoner rehabilitation and modern prison management techniques, as well as provision of health care services in prison. The main areas of action include policy/legal framework, implementation, capacity building, management and staff training. The programme is expected to strengthen the institutional capacity of prison and probation services and increase multidisciplinary co-operation with other relevant actors to promote community-based sentences. Moreover, the knowledge and skills of medical and non-medical staff working in prison are also enhanced through targeted training on medical ethics and health management in general.

4. Embedding custodial facilities within local communities

In addition to the basic rehabilitative services that are needed in all prisons, different types of custodial institutions can better respond to the individual needs of each prisoner. Many countries have been experimenting with various types of open and semi-open facilities as an alternative to closed institutions. The “openness” of each open prison can vary widely, but typically inmates spend their day working or studying (in prison or in the community) and have to spend their nights in their rooms where they are supervised by custodial staff.

Halfway houses constitute the most open type of penal institution. These houses can be loosely grouped into two categories: “halfway-in”, often targeted at juvenile offenders who spend their whole sentence in such institutions, and “halfway-out”, designed for prisoners who get transferred from a prison to a halfway house to finish off the last part of their sentence (Kerley, 2017). The main differences from the typical open prison are that halfway houses tend to be very small (typically from a handful of residents up to 25), they are run by staff that primarily serve as social workers rather than security officers, and each prisoner usually has an obligation to have a job or follow a recognised education programme within the community.

Box 6: Norwegian halfway houses

Developed in the 1990s, halfway houses are an integral part of the Norwegian sentence execution system, which allows detainees to gradually move from high to lower security prisons, halfway houses and other types of community-based services prior to release. Halfway houses are typically located within communities and accommodate 16 to 25 detainees, who work or study outside during the day and stay in their rooms overnight. Only detainees who have found employment or education programmes are allowed to move into halfway houses. Halfway houses are designed to mirror living conditions in typical homes. They provide social, medical, psychiatric, educational, and other support services.

Norway Grants provide grant funding to beneficiary EU member states in Eastern and Central Europe to build halfway houses, provide staff training and support the efficiency of justice systems. Four half way houses were successfully established in Lithuania in the previous EEA financial mechanism/Norway Grants program period 2009 – 2014. Poland, Bulgaria and Lithuania shall establish halfway houses over the program period 2014 – 2024. The Czech Republic is also planning to establish Probation Houses, based on the same concept as the Half Way Houses, but intended to provide accommodation to former inmates after serving sentence.

An example of halfway houses financed by Norway Grants in Lithuania



Source: Prison Department under the Ministry of Justice of the Republic of Lithuania

Open prisons and halfway houses are designed to support prisoners who may need additional services and assistance before resuming fully independent life. They can be considered as an alternative or a prerequisite to parole⁵, offered to prisoners that are not yet ready for release. These institutions offer extended opportunities to create reciprocal relationships and social networks by interacting with communities, other motivated prisoners, specially trained staff and different community-based social services – all of which have a positive impact on social re-entry after release (Bennett & Shuker, 2018; Seaman & Lynch, 2016; McNeill & Schinkel, 2016). The governing philosophy of open prisons and halfway houses is based on trust and responsibility. Prisoners are also often given opportunities to participate in local democracy, and to suggest and implement ideas related to their environment and social activities. Specialised transitional programmes for prisoners with a history of addiction problems can also be offered to prevent relapse (see Box 7 for an example in France).

⁵ Parole is a conditional early release from prison with an obligation to regularly report to correctional agencies based within the community.

Box 7: Reinforced support to drug addicts as an alternative to prison, France

In France, about one fifth of all prisoners are convicted for drug-related offences, with the majority related to drug consumption. In 2015, the public prosecutor of the Beauvais High Court developed an experimental programme to address the judicial response to drug addiction in a more innovative and socially inclusive manner. He solicited Emmaüs, an international charity movement that fights poverty and homelessness, to develop an alternative to penal response for repeated drug-abuse offenders. Instead of going to standard prisons, offenders were offered an opportunity to join the Emmaüs Beauvais Integration Workplace, which collects, sorts, reuses and resells second-hand items.

The programme consists of a 140-hour socio-professional pathway that mixes professional practice, participation in socio-educational actions (clothing collections, solidarity meals, etc.), reinforced addiction treatment support, assistance in job seeking, housing and mobility issues to facilitate social reintegration. Programme participants are monitored through regular meetings with the prosecutor and the programme coordinator. If they successfully complete the programme, their case is closed without further legal action and with no criminal record. Since 2015, about 100 people have benefitted from the initiative with a 61% successful completion rate.

Features of open prisons can also be integrated within the closed prison setting. For example, the Irish Prison Service has created an Independent Life Skills Unit (ILSU) for selected motivated long-term prisoners to recreate some conditions of outside life within a prison. The ILSU prisoners live in a separate area with a home-like setting, including a common living area with sofas and a TV, and a self-catering kitchen. The prisoners receive a weekly financial allowance to collectively do their grocery shopping in a supermarket and cook their own food. After successfully completing the ILSU programme, the prisoners are typically transferred to an open prison.

In some countries, alternative sentence regimes are provided by non-governmental actors in collaboration with the penal authorities. These institutions often support particular groups of inmates, such as those with addiction and mental health issues, mothers with small children or the young. Their objective is to provide different types of services and support to vulnerable groups outside the prison walls to help them towards an independent life within a community. Collective farms, where people learn to grow, prepare and sell their own food, are one example of such institutions (see Box 8).

Box 8: Reintegration farms in France

Since 2000, the Moyembrie farm in France has been housing prisoners serving long-term (5 to 30 years) sentences in a dedicated rural structure before their release. About 20 residents, selected based on motivation and with the approval of a court, live and work on the farm at any given time, each staying for an average period of 9 months and up to 2 years. Upon arrival, 85% of residents have outdated administrative papers, 60% have no accommodation solution, 47% suffer from health problems and 40% face financial difficulties (debts).



Credit: © Pierre Faure

The concept is to provide residents with a comprehensive package of services to facilitate their return to life after prison, including administrative support, support in searching for a job and a long-term housing solution, in restoring family links and in addressing health issues. Connections with outside communities, such as selling produce at local markets, are also promoted. Consulted during an evaluation study performed in 2018, farm residents emphasised the benefits of increased contact with the local community, open air work, the beauty of the natural environment and the individualised support that they had not received in closed prisons.



Credit: © Pierre Faure

Since 2018, three similar farms have been opened, including one dedicated to female residents, and five new ones are planned by 2024, as part of a partnership between the Emmaüs association and the Ministry of Justice. Each year, 40% to 60% of residents exit these reintegration farms with a job offer in the community or a professional training offer, while the average re-incarceration rate during their stay at the farm is estimated at only 7%.

Alternative prisons enable the sentencing system to apply a progressive approach towards independent life in the community by reducing the harmful effects of long-term institutionalisation. In Scandinavian systems, the guiding principle of ‘progression towards normality’ is implemented by designing a conditional pathway from high security prisons to open prisons, halfway houses and electronic monitoring within the community followed by full freedom (Andvig et al., 2020). The approach is individualised for every prisoner based on motivation and behaviour.

Open prisons can bring benefits to prisoners and to society at large. Some research suggests that this progressive approach towards freedom is more effective in terms of reducing recidivism, even though analysis is made difficult by the fact that prisoners who enter halfway houses are generally more motivated and less likely to reoffend than the general prison population. However, even after controlling for this bias, reoffending rates for prisoners in the United States who have completed a halfway house programme were found to be twice as low as a matched sample of prisoners who were directly released into the community (Costanza et al., 2015). These institutions are also less costly to build and to run than traditional prisons. In Ireland, placing someone in an open prison rather than a closed prison reduces the cost by half (Irish Penal Reform Trust, 2017). The cost of halfway houses is even lower as the buildings do not require any of the special architectural features related to traditional prisons because most services are provided in the community and the security requirements are based on “dynamic security”, relying on procedures, behaviours and communication between staff and detainees, as opposed to physical security. In addition, these institutions enable prisoners to earn a salary and pay their taxes.

Despite the benefits offered by open prisons and halfway houses, communities tend to resist their establishment in their neighbourhood. Any case of recidivism committed by a prisoner living in more open regimes can have significant repercussions on public opinion and further increase the negative discriminatory attitudes towards prisoners. Recent research in the US finds that opening a halfway house is indeed associated with decreased levels of public safety in the immediate vicinity (Statham et al., 2020).

In order to reassure the public, it is important to select the right candidates who are ready to live crime free in close contact with local communities. In many cases, these decisions are made either by the management and staff of closed prisons or on their recommendation by the judicial authorities. Prison staff therefore need sufficient skills and time to get to know each prisoner, which is not always possible, especially in overcrowded contexts as discussed in the previous section.

The location of community-based correctional facilities is another crucial factor for their success. While it may be beneficial to bring prisoners closer to their families, placing open prisons and halfway houses in the neighbourhoods where prisoners came from can be problematic in terms of security and access to different services. The presence of gangs and other negative influences, such as the availability of drugs, can threaten the security of prisoners themselves and increase the probability of relapse.

Working with communities to explain the benefits of open prisons and halfway houses is of paramount importance, especially if these institutions are to be placed in well-off areas. Even though some level of recidivism originating from a community-based facility is almost unavoidable, in the long term, communities are better off by having overall lower levels of recidivism (Statham et al., 2020). Designing different incentives and programmes to involve prisoners in community life through non-governmental organisations or private initiatives could also contribute to shift social attitudes and encourage communities to reintegrate former prisoners. Promoting businesses that employ (former) inmates, especially those that come in close contact with other people, such as shops or restaurants, could facilitate dialogue between prisoners and community members (see Box 9 for an innovative international initiative).

Box 9: “RESCALED”: a European movement to put prisons back within communities

RESCALED is a European movement that challenges the traditional concept of ‘prison’ and promotes the use of ‘detention houses’ instead. These small-scale detention facilities are community-integrated and offer individually-tailored support to those incarcerated in them, including educational, professional, health care and social services. Whilst differentiated in their security levels, detention houses rely more strongly on relational security than on static or physical security constraints.

Each detention house is embedded within its local urban, economic and social context. Local social workers, teachers and psychologists provide their services to the incarcerated people, and at the same time, the incarcerated people add value to the local community, by opening a ceramics shop (e.g. www.reshapeceramics.com) or a coffee bar with home-roasted beans (e.g. www.universiteducafe.com), for instance. Thus, the ties with the community are not cut during incarceration. Defining which services could add value to a certain neighbourhood requires a participative dialogue involving all stakeholders, including the neighbours, before the house is opened.

RESCALED was launched in 2019 and is currently active in Belgium, the Netherlands, Norway, France and Portugal. In these countries, a shift is taking place from the conceptual stage through to implementation. For example, the Belgian authorities are planning to implement fifteen detention houses in the coming years.

5. Resettlement support after release

Support services after prison are key to ensuring successful reinsertion and social inclusion.

Obtaining full independence and returning to the outside community may prove to be a sensitive and destabilising period for some prisoners, especially when this is accompanied by material hardships and social isolation. Indeed, most reoffending happens within the first twelve months after release (Dünkel et al., 2021). A significant share of prisoners may find themselves homeless, with no income or access to medical care. Typically, former prisoners can use the same standard social welfare services as any other member of society, but may experience information gaps and other types of obstacles in obtaining access to such services (e.g., due to illiteracy, language barriers, lack of digital skills or valid personal identification documents). In addition, the precarious situation of many ex-prisoners means they cannot wait for scarce social services, e.g. being put on social housing or medical care waiting lists, particularly if they only apply for them after release. Finally, as discussed in Section 3.2 on healthcare, access to equivalent services for ex-prisoners may not lead to the same outcomes as for the general population as they often suffer from many deep-rooted challenges that led them to prison in the first place.

Individualised post-release planning and coordination of different services within and outside prison is therefore key as it can bridge the rehabilitative efforts during the sentence time and successful resettlement after release. These coordination services identify each prisoner’s needs, work in tandem with or on behalf of prisoners to file applications for community services, and make sure that access is available in time for release. Another interesting measure is a personalised release plan that serves as a check list of different agencies and services that could be contacted for any further assistance (see Council of Europe Development Bank, 2019). These services may be provided by national or local public administrations, charities or other non-governmental bodies, or by private enterprises, and supported by innovative financing models. The envisaged European Investment Bank’s social impact bonds are such innovative, outcome-oriented financing solution which foresees private investors’ participation in labour market initiatives with a measurable outcome.

Access to housing is one of the most immediate needs for many released prisoners, who often have no home to return to after prison. Many prisoners enter custody from the situation of homelessness, while others become homeless after prison due to family estrangement or unwillingness to return to their old neighbourhoods. In many countries, homeless prisoners can access emergency shelters upon release to avoid sleeping rough. However, these collective shelters are often ill-adapted for vulnerable individuals who may be suffering from health and addiction problems, increased levels of stress and anxiety and who need to look for a job or further education opportunities. As a result, some European countries have adopted a policy based on the Housing First principle whereby a stable housing solution is a prerequisite for addressing the complex social needs of vulnerable populations. In this model, independent long-term housing options are always accompanied by individualised social support services to ensure better social integration (see Box 10 for an example in Finland).

Box 10: Housing First in Finland

Fighting – and eliminating – homelessness in Finland has been an ambitious policy objective since the 1980s, guided by the Housing First principle. Stable accommodation is considered as a human right and a foundation for building a better life, instead of a reward once life is considered to be back on track. Released prisoners who do not have housing arranged after release are among the main target groups of this policy.

In recent decades, the state, municipalities and NGOs have been working together to gradually transform different emergency housing options into stable, independent accommodation that provides 24/7 support services for the most vulnerable groups, including ex-prisoners. The programme consists in converting or rebuilding old emergency shelters into independent modern housing units with kitchens and bathrooms and support facilities. These solutions require thorough planning that involves defining target groups, the level and types of support needed, the allocation model and a funding plan (Housing Solutions Platform, 2019). As a result of these sustained efforts, Finland is the only country in Europe where homelessness has been steadily declining in recent years.

Continued medical care and addiction support are also crucial to establishing a fulfilling life.

The risk of death is several times higher amongst recently released inmates than in the general population. The most frequent causes include drug overdose, cardiovascular disease, homicide and suicide (Binswanger et al., 2016). Drug overdose deaths are particularly common as individuals access drugs with a decreased tolerance after a period of relative abstinence, and may use higher quantities and multiple drugs at the same time (WHO, 2021). It is therefore important, depending on individual needs, to establish pathways to drug-free housing, specialised medical assistance and support groups, in order to avoid relapse into addiction and, potentially, into crime.

Finding employment or continued education opportunities after prison is another major pillar for building a new life path that does not lead back to prison. To maximise the benefits, this has to be closely integrated with any education and training programmes that were completed in prison. Engaging with local employers and offering them incentives to employ ex-prisoners may be one avenue to increase job availability and reduce social barriers to employment. In addition, ex-prisoners may benefit from professional coaching opportunities within and outside prison to better navigate the job market. Pre-release periods are particularly sensitive for leveraging the different education and skills acquired in prison in order to obtain employment or further education opportunities after release. Programmes such as ReIncorpora in Spain (Box 11), which was financed by the CEB, assist in this transition by providing tailor-made solutions.

Box 11: Reincorpora in Spain

Reincorpora is part of a large social inclusion programme, Incorpora, developed by the Caixa Foundation all across Spain. Started in 2011, Reincorpora brings together non-governmental organisations and employers that are looking for workers. Specialised experts (employed by NGOs that benefit from Caixa Foundation's financing) start working with selected motivated inmates six to twelve months before release to provide career guidance, counselling and practical help in reaching out to potential employers. The work is based on individual assessments in order to provide personalised support in terms of job search skills and labour insertion capacity.

The programme can access a large database of potential employment opportunities, which was developed and is constantly updated within the framework of the broader Incorpora project that helps vulnerable individuals from various backgrounds. The employers are not informed of the personal history or criminal record of each potential employee, but both Incorpora and Reincorpora experts ensure that all selected candidates are ready to join the labour market. The key to the programme's success is that Reincorpora continues to support both ex-prisoners and the employers for as long as needed.

Since 2011, over 20,000 former inmates have participated in the Reincorpora project all across Spain. Three quarters of those that successfully complete the programme find a job, mostly in the service sectors (such as hospitality, catering or logistics). The programme costs have been estimated at € 1,575 per person.

The CEB supported Incorpora and Reincorpora through a loan to Caixa Foundation in 2012.

Starting a small business can also create an economic empowerment and an opportunity to give back to the community. The report "From Inmates to Entrepreneurs" estimates that turning prisoners into entrepreneurs could reduce the repeat offender rate from 46% to 14% in the UK (Centre for Entrepreneurs, 2016). Microfinance institutions have wide ranging experience in serving the most vulnerable social groups and are able to provide technical assistance in establishing a viable business plan and a microcredit to start up a business (see Box 12 for an example in Italy, also supported by the CEB).

Box 12: Supporting self-employment through microcredit in Italy

In 2019, the Italian microfinance institution PerMicro launched a programme called Ricomincio da QUI ('I'm starting over from here') that helps people who have served criminal sentences and are on probation to find a path to employment via entrepreneurship in the Piedmont, Valle d'Aosta and Liguria regions. To implement this project, PerMicro works with several partners such as the Ministry of Justice Department for Juvenile and Community Justice in charge of the National Probation Service at the Ministry of Justice, MicroLab, an association with a social objective to assist disadvantaged groups, and IF Life Design, a career counselling enterprise. The CEB provided a €176,000 technical assistance grant from its Social Dividend Account to support this programme.

Programme participants can benefit from individual career orientation meetings, in particular to discuss and fine-tune their professional objectives, entrepreneurial ideas and, eventually, business plans. Once the business plan is ready, PerMicro can then offer a microcredit to start up a business with accompanying individual advice. In some cases, family members (spouses or parents) can accompany participants in the mentoring meetings and get advice on how to create a common business project or a separate spin-off that can benefit the family as a whole. Participants can also take part in group training sessions on various aspects of starting a business, including accounting, marketing or digital tools. Some training sessions also address the potential difficulties to return to the world of work (such as social judgment and stigma) and proposes tools to approach them in a positive way.

The project was partly negatively affected by the Covid-19 pandemic as all in-person activities were cancelled while the employment and potential business opportunities were constrained. However, PerMicro and its partners were able to re-adapt their working methods to online delivery ensuring effective networking and internal communication.

6. Conclusions

Prisoners and ex-inmates are among the most socially excluded groups in Europe. They often come from disadvantaged backgrounds, find their skills and social ties weakened during their sentence period and face social stigmatisation, discrimination and exclusion upon release. Still today, in most prison systems in Europe, incarceration is often much more than the simple deprivation of liberty for a defined period of time and generally compounds the social and economic vulnerabilities that inmates faced prior to conviction. In addition, the lack of support and viable livelihood alternatives after release can lead to reoffending, and may contribute to higher overall crime levels in society, with significant losses in terms of socioeconomic development and wellbeing.

Rehabilitation measures can help inmates (re-)create personal well-being, strong relationships and financial independence with desistance from crime as a positive side effect of achieving social inclusion and fulfilment. Respect for international standards and recommendations, including the European Prison Rules, is a prerequisite for promoting a rehabilitative detention regime based on respect for human rights and dignity, and the creation of new opportunities. Key services that reflect rehabilitative priorities include decent living conditions, real opportunities for education and training, adapted spaces and regimes for fostering family relationships, and individualised medical and addiction support. Inmates should be treated as future neighbours by the prison system and by society at large, as the vast majority of detainees will leave prison and the success of their reintegration will affect their lives and wellbeing of

their families and their communities. Particular considerations regarding more vulnerable prison minority groups, such as women, juveniles, disabled or the elderly, should be explored further to ensure inclusivity.

Transforming prison systems requires that there be an adequate level of resources available for each prisoner, based on their needs. Today, many European prisons still suffer from overcrowding, which could be reduced through alternative sanctions such as electronic monitoring or probation, particularly for offenders serving short sentences who cannot truly benefit from any meaningful rehabilitative services, yet may suffer from increased social exclusion due to the imprisonment experience itself. Moreover, investing in prison staff by increasing their numbers and providing them with better training opportunities could also enable a closer relationship between officers and prisoners and improve the general social atmosphere inside prisons, thus making it more conducive to rehabilitation.

Transformed prison systems will only be able to achieve better social inclusion if their efforts are complemented with appropriate social policies and investments to accompany and follow release. Prison systems de facto deal with the consequences of deeply rooted socioeconomic inequalities and social exclusion issues that exist within a community and within society at large. Recently released prisoners constitute a particularly vulnerable group as they may be de facto homeless, with no income and with particular needs in terms of healthcare or addiction management support. Their chances of reinsertion and the security and wellbeing of their communities therefore depend on whether they can access social services such as housing solutions, employment support, education and healthcare in a timely manner upon release. Prison workers should also be encouraged to work in close cooperation with other relevant stakeholders both within and outside prisons to facilitate continuity of support.

This technical brief explores a number of innovative initiatives across Europe that focus on the social inclusion of ex-prisoners, including open prisons, halfway houses, reintegration farms and other types of community-based actions. Multiple benefits can be achieved through systems that aim to create more socioeconomic opportunities for prisoners, while also contributing to positive changes in social attitudes due to closer interactions these initiatives can foster. Bringing sentences and institutions closer to communities enables the reallocation of resources according to individual needs as, typically, open institutions are less expensive to build and operate than traditional prisons.

Smaller and more specialised facilities display two important factors of success. First, smaller structures and facilities, including halfway houses and integration farms, seem to be more effective in enabling closer relationships with prisoners. This observation is in line with the growing advocacy for smaller prison facilities in general. Second, the facilities tend to be specialised in providing customised services to a particular group of detainees. Unlike or as a complement to large prison establishments, where a wide variety of issues must be addressed to comply with the EPRs, separate initiatives can focus on specific needs (such as addictions, homelessness or lack of skills) and build a network of stakeholders providing a comprehensive set of specialised rehabilitative services during incarceration, in preparing for release, and after release.

Today, initiatives such as these struggle to be replicated and scaled up. Barriers come up from different sources, including prevailing social opinions and concerns, the need for leadership at the political level, profound changes in staff-inmate relations, and low motivation on the part of some prisoners to engage in different rehabilitative opportunities. To succeed, most initiatives have in common the need for lengthy and sustained dialogue with a variety of stakeholders including prison administration staff, rehabilitative service providers, volunteers and employers. Addressing rehabilitative services in a comprehensive manner also requires innovative institutional arrangements.

The Council of Europe Development Bank can mobilise its financing and multi-sectoral expertise to help overcome financing gaps and other barriers, thus supporting its member states in promoting socially inclusive prison systems and reinsertion support programmes that benefit communities at large. As the only multilateral development bank that finances prison infrastructure in Europe, it has accumulated unique international experience in the sector by promoting the application of the European Prison Rules. Its financial capacity and flexibility enables it to support both innovative approaches and their leveraging and dissemination on a larger scale.

Beyond its experience in the judicial sector, the Bank has extensive experience of working across social sectors to support the most vulnerable populations and is therefore well positioned to support tailored actions aimed at providing access to housing, education and skills, jobs and public services to ex-inmates in a comprehensive manner, alongside other vulnerable groups. As argued in this technical brief, promoting synergies through cross-sectoral action both within prisons and after release is an important lever to improve the rehabilitative potential of European custodial facilities and systems. The CEB stands ready to support its member countries in this challenging yet important endeavour.

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55, avenue Kléber
F-75116 PARIS
Tel: +33 (0)1 47 55 55 00
Fax: +33 (0)1 47 55 03 38
SWIFT: CEFPRPP

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