

EUROPEAN UNION LEVEL RECOMMENDATIONS FOR THE RE-INTEGRATION OF (EX)-OFFENDERS

Participants at the Exchange Event in Lisbon expressed the view that the process of mainstreaming the approaches that had been tried and tested in EQUAL could be significantly enhanced through the establishment of European Union level recommendations¹ for the re-integration of (ex)-offenders. Whilst specific reference was made to the existing Council of Europe recommendation on European Prison Rules², it was felt that, within the context of the European Union, a stronger emphasis needed to be placed on improving employability through the provision of marketable training in prisons, strengthening equality of opportunity and delivering more effective inter-service cooperation. These measures would help to ensure that Member States' resettlement policies also clearly reflected the objectives of the EU's overarching strategies in the fields of employment, anti-discrimination and social inclusion. The Exchange Event also indicated that the development and implementation of such recommendations should be embedded in a process of continuous and regular dialogue at EU level, on the transnational piloting and validation of new practices.

Based on its knowledge of EQUAL approaches and the proposals made at the Passport2freedom Exchange Event in Portugal, the Steering Group would like to submit the following draft set of recommendations.

The draft nature of these recommendations should be emphasised and it is recognised that further consultations and subsequent refinements are required before they can be translated into an effective instrument.

This process of consultation will start during the Policy Forum when the three Panels will be asked to endorse, reject or amend each of the following recommendations. Because of the mutually reinforcing elements in EQUAL good practices both inside and outside prisons, the recommendations are not directly related to the themes of the Panel sessions.

National or regional level

1. *Successful re-integration of (ex)-offenders requires a case management approach from arrest, through the period of imprisonment, to the time of release and beyond.*

1.1 This necessitates the engagement of stakeholders, including statutory, non-governmental and private agencies and the offenders together with their families and victims, in the design, development and implementation of these approaches.

¹ EU-level recommendations for the re-integration of (ex)-offenders could be modelled on the example of the Commission's Communication "A Common Agenda for Integration [COM (2005) 389 final]. The suggestions in this Common Agenda are based on a set of Common Basic Principles that were adopted by the Council, in November 2004, to underpin a coherent European framework for the integration of third-country nationals: In a similar way and through a similar process, the good practice emerging from EQUAL might be used to assist in the shaping of recommendations for the re-settlement or re-integration of (ex)-offenders.

² Recommendation Rec(2006)2 of the Committee of Ministers to member states on the European Prison Rules (Adopted by the Committee of Ministers on 11 January 2006 at the 952nd meeting of the Ministers' Deputies)

- 1.2 The vertical systems of delivery and of accountability in prison services and other public and private agencies concerned with resettlement represent a major barrier to such programmes and thus, more structured inter-institutional cooperation is required.
- 1.3 The use of transversal or “single pot” funding, such as that offered through EQUAL, should be investigated as a method of stimulating more multi-agency, holistic approaches to resettlement activities.
- 1.4 The financing of these approaches should be driven by innovation to ensure continual change and development.
- 1.5 Partnership approaches to resettlement should be further encouraged by promoting demonstration projects in coalition with champions in relevant institutions and by actions led by municipalities that increase society’s responsibility for successful reintegration.

2. *All prisoners should have the opportunity of engaging in training and educational programmes that will increase their employability.*

- 2.1 In most Member States, policies on the provision of basic and vocational skills in prison already exist but there is a need to provide better solutions for their implementation. These should include procedures for a thorough assessment of the individual prisoner’s competences, needs and aspirations, at the point of admission, and on the basis of which an appropriate resettlement plan can be developed.
- 2.2 The training that is offered in prison should be geared as closely as possible to the needs of, and skills gaps in, the surrounding labour market(s) and the views of prospective employers should be sought in order to improve the targeting of the provision.
- 2.3 There should also be opportunities for employers to visit prisons to gain their own perspective on the training offered and the suitability of inmates for employment.
- 2.4 More opportunities for relevant work experience should be provided both inside and outside prisons.
- 2.5 Experiments in the use of e-learning in prisons should be expanded.
- 2.6 Any new solution must be embedded in current practices and not simply be an add-on and thus, cost effectiveness is a major driver and the solution must give better outcomes for the same or a lower price.

3. *Having a job is the most important factor in preventing re-offending so more efforts are required to engage both public and private employers and to explore other forms of job creation.*

- 3.1 There is a need for more intensive public information campaigns that will raise employers’ awareness of the untapped pool of workers represented by ex-offenders and promote the “business case” for their employment.
- 3.2 The assistance of employers’ federations and trade unions should be sought in both finding employment for (ex)-offenders and in combating any potential discrimination in the workplace.
- 3.3 National, regional and local authorities should lead by example through implementing the principle of equality in their employment policies and introducing legislation that alleviates the stigma of possessing a criminal conviction.
- 3.4 Legislation to drive the issues of disclosure or employers’ obligations would be helpful, as would the introduction of additional financial incentives for employers to recruit (ex)-offenders and for (ex)-offenders to seek employment.

3.5 Initial positive experiences in cooperating with temporary employment agencies and in using experienced enterprise agencies and business incubators to promote self-employment should be extended.

4. Attention must also be given to other aspects of the lives of (ex)-offenders if re-integration is to be successfully achieved.

4.1 Housing is often a crucial factor for the (ex)-offender and any resettlement plan should ensure that the individual has somewhere to live on his, or her, release.

4.2 Aspects concerned with families and the care of children are particularly relevant to women prisoners and these should be addressed in resettlement planning prior to leaving prison.

4.3 In so far as it possible, prisons should empower (ex)-offenders to play more open and constructive roles within their local communities. This is especially true of young offenders where attempts to inculcate new values and attitudes and to involve them in new sports, hobbies or social groupings can help reduce their chances of re-offending.

4.5 Issues concerning the social reintegration of offenders should be resolved, in advance of release, by inviting representative of the relevant agencies or skilled advisors who can liaise with such agencies to counsel prisoners.

4.6 In addition, greater use should be made of periods of home leave by encouraging prisoners to contact local agencies and services prior to their release so that their re-integration will be as smooth as possible.

5. There is an urgent need to promote change in prisons and to foster a culture of innovation and feedback in order to support cooperation with external agencies and the type of developmental action that is outlined above.

5.1 In complex and very hierarchical structures, such as prisons, any changes can only be sustained on the basis of an holistic approach to quality and change management.

5.2 All professional groups employed by, or operating in, prisons should be involved in the development, continuous improvement and maintenance of change projects.

5.3 In order to achieve higher levels of quality, prisons should manage and develop their employees by communicating, empowering and recognising their individual contributions, in a way that motivates these members of staff and builds their commitment to using and enhancing their skills and knowledge.

5.4 Cultural and organisational change in prisons should be driven by the promotion of leadership competences, knowledge sharing, a customer (stakeholder) focus, transparency and networking.

Transnational Level that also embraces the EU and its Institutions

6 The developments that have been pioneered in, and through, EQUAL should be consolidated.

6.1 There should be continuity of approach with (ex)-offenders being a priority group in ESF Operational Programmes and the emphases on innovation and transnationality should be maintained.

6.2 Assistance should be made available through the ESF or programmes operated by DG-Justice, Freedom and Security and DG-Education and Culture to support the national networks of developmental projects working with (ex)-offenders and, in particular, their transnational activities.

- 6.3 Before the end of EQUAL, a decision should be made on the most appropriate tool(s) to support future transnational exchange and development of skills and knowledge in the resettlement of (ex)-offenders.
- 6.4 The draft recommendations outlined at 1 – 5 should be refined in consultation with the European Commission's services and interested Member States. The implementation of each resulting recommendation should then be demonstrated by the addition of relevant examples of practice from EQUAL.
- 6.5 A framework should be established at EU level for debate on policy issues and initiatives related to the reintegration of offenders. In addition to DG-Employment and Social Affairs, the involvement of DG-Justice, Freedom and Security and DG-Education and Culture would ensure that all the aspects - social, vocational, legal and educational - were covered in a concerted attempt to improve European and Member State policies and practices for the resettlement of (Ex)-offenders.