

Reintegration of convicts
Class 1
Introduction



Academic year 2021/2022

Aleksandra Polak-Kruszyk



Uniwersytet
Wrocławski

Wydział Prawa,
Administracji i Ekonomii

KATEDRA PRAWA KARNEGO WYKONAWCZEGO

Introduction

I. Characteristics of the classes :

- ▶ class 30 hours - 15 meetings
- ▶ Student consultation hours via Teams on Fridays between 13:30 am and 14:30 pm on **Consultation hours** channel.
- ▶ If you have any questions - please feel free to reach out to me and we can discuss that during classes, via e-mail or on MS Teams!
- ▶ Grading system- 50% of final Grade - asks individual/group (Each group prepare collaborative assignment and all members receive the same grade.) + 50% - Test (during our last class - via MsTeams)

Introduction

II. Attendance/Participation and Absences :

- ▶ Student participation is required for a grade - possible 1 absence without explanation
- ▶ Students may be excused because of health problems
- ▶ Students should communicate planned absences to the course coordinator
- excused absences are exceptions to compulsory attendance.

Introduction

III. This is a list of topics we'll cover in the course:

post-Penitentiary Assistance in Poland

- ▶ Process of reintegration
- ▶ Social rehabilitation
- ▶ Social adaptation
- ▶ Types of programs for ex-convicts and offenders
- ▶ The Victims and Post-release Assistance Fund
- ▶ Therapeutic treatment (types of therapeutic treatment, grounds for correctional therapeutic treatment, the effectiveness of that)
- ▶ Rehabilitation for long-term imprisonment, women, juveniles

post-Penitentiary Assistance according to the International law

General aims of the penalty of deprivation of liberty

Positive social reintegration and law abiding

- ▶ According to **Art. 67 § 1 of the Polish Executive Penal Code**
- ▶ the primary aim of the execution of penalty of deprivation of liberty is to “evoke in a convict the will to cooperate in his shaping socially desirable attitudes, in particular, the sense of responsibility and the need to obey the law, leading to refraining from returning to crime.”
- ▶ Such formulation of the norms pertaining to the aims of isolation execution means that much more is required from this penalty than just refraining from returning to crime by a convict

Process of reintegration

- ▶ In Poland, the system of assisting prisoners includes not only the Prison Service and probation officers, but also the Public Employment Services, social welfare institutions, and non-governmental organizations.
- ▶ Helping former convicts and returning them to the paths of social functioning brings benefits that go beyond the individual dimension and pays off not only in the local space, but also in the long term – affecting subsequent generations and shaping their resources and patterns of functioning.
- ▶ Such institutions and non-profit organizations implement various programs of social and professional reintegration and re-adaptation of people at risk of social exclusion due to their criminal past.

Process of reintegration

▶ *Social rehabilitation* is a form of an educational process which results in a situation when the individuals who are not adapted to social life, are able to accept and use standards applicable in society. As a result of the rehabilitation impact, the individual accepts and executes the forms and values that are used in relationships between people. It is also treated as a process of activating reeducation characterized by the adoption of socialization, comprehensive development of personality and progress being the core values controlling this process. Learning processes play an important role here.

Process of reintegration

- ▶ *Social adaptation* is the result of learning, and the scope, content and nature of this adaptation depend on the scope and intensity of the learning processes.
- ▶ The social rehabilitation process takes place in a liberation or isolation system and consists of the following mechanism of reeducation: processes of forgetting, resistance and outcomes of negative consequences (no reward), extinction and statements describing the effects of penalties and rewards as factors of reeducation.

Why ex-prisoners struggle to successfully reintegrate into society?

The criminal justice system needs more resources to improve reintegration efforts and help ex-offenders find jobs and housing so they're less likely to re-offend



Why ex-prisoners struggle to successfully reintegrate into society?

▶ **IMPROVING HOUSING OPTIONS FOR EX-PRISONERS**

- ▶ Most ex-prisoners will return to the same communities they lived and socialized in before their arrest. In many cases, these are neighborhoods that have high rates of poverty and crime, leaving many residents feeling isolated from society with little access to social support programs.
- ▶ Finding safe and affordable housing is difficult for ex-prisoners who often face limitations on where they can live. Many times, low-income public housing is their only choice. These housing developments are often overrun with **drugs, gang violence, criminals and other criminogenic factors**. More expensive housing/ or renting a flat is often not an option because of the stigma of being an ex-convict or due to lack of money.

Why ex-prisoners struggle to successfully reintegrate into society?

▶ **BARRIERS TO EMPLOYMENT FOR EX-PRISONERS**

- ▶ Ex-prisoners face the society-wide stigma of being an ex-convict, which severely limits the number of job opportunities available to them.
- ▶ Many employers conduct criminal history checks on prospective employees and reject anyone with a criminal history.
- ▶ Many ex-prisoners are limited to working inconsistent, low-wage jobs – such as in construction or manufacturing – that make it incredibly difficult to support themselves and their families. In addition, ex-prisoners are often mandated to pay further penalties including parole supervision fees, court costs, restitution, child support, drug-testing fees, counseling fees, and more.

What is necessary to prepare prisoners to return to the society?

During the sentence

- ▶ Individual programs
- ▶ Employment and education available for convicted persons
- ▶ Regular contacts with outside world - ways of communication between convicted persons and other persons, in particular their family and other people nearest to them
- ▶ Possibilities of fulfilling duties of the prisoner

Before the end of the sentence / before release

- ▶ Before the end of the sentence, inmates must meet with a tutor that prepares the prisoner's release. All inmates must attend this pre-release meeting.

Therapeutic treatment

The reintegration aims of the execution of penalty of deprivation of liberty (moral improvement or judicial improvement) shall also be achieved with respect to persons with health disorders.

- ▶ Positive social reintegration in this group of convicts shall be achieved due to therapeutic treatment which facilitates, among others, suppression of personality disorders, regaining psychological balance, shaping prosocial attitudes, and achieving personal goals in accordance with abiding social norms.
- ▶ Therapeutic and rehabilitation activities are focused also on social readaptation.
- ▶ Other important aspects include preventing addictions, promotion of healthy lifestyle, ergotherapy, art therapy, sports activity, and cultural activity.
- ▶ In many addiction treatment centres and corrective centres there are also special programmes of social re-adaptation by means of charity work or support for social initiatives.

Employment

The institution of social employment is an important part of the so called active social policy in Poland.

By providing:

- ▶ development of skills necessary to fulfill social roles and achieve social positions available to those who are not subject to social exclusion,
- ▶ acquiring vocational skills and completing vocational trainings, retraining or enhancement of professional qualifications,
- ▶ learning to plan one's life and satisfy needs by oneself, particularly by a possibility to earn one's living through employment or business activity,
- ▶ learning skills of rational management of one's financial assets

The Victims and Post-release Assistance Fund

is a special purpose fund aimed at helping victims and witnesses, preventing crime and post-release assistance. The Minister of Justice is the administrator of that Fund.

- ▶ The Justice Fund was established pursuant to Art. 43 of the Executive Penal Code Act of 6 June 1997
- ▶ Detailed rules for granting aid and subsidies under the Fund were set out in the Regulation of the Minister of Justice of 13 September 2017 on the Victims and Post-release Assistance Fund - the Justice Fund.
- ▶ The regulation defines the rules and modes for granting subsidies to public sector bodies, as well non-governmental organisations.

The Victims and Post-release Assistance Fund

The Fund's resources are allocated for:

- ▶ assisting victims of crime and their relatives and partners, especially providing medical and psychological help, rehabilitation, legal and material aid;
- ▶ post-release assistance to those released from prisons and remand centres as well as their relatives and partners, provided by professional probation officers and the Prison Service
- ▶ activities undertaken or entrusted by the Fund's Administrator, aimed at supporting and developing a system of assistance for victims of crime and witnesses, as well as post-release assistance, as well as tackling the causes of crime, in particular:

The Victims and Post-release Assistance Fund

The Fund's resources are allocated for:

- ▶ promoting and supporting initiatives and projects that serve to improve the situation of crime victims, as well as effective re-integration of convicts,
- ▶ undertaking educational and informational activities, including those related to causes and determinants of crime and crime prevention,
- ▶ covering costs related to organising and conducting educational activities, post-graduate studies, supplementary training courses,
- ▶ conducting, organising and commissioning scientific research, development work, cooperation with other entities in this field, covering the situation and needs of crime victims, witnesses, convicts

The Victims and Post-release Assistance Fund

The Fund's resources are allocated for:

- ▶ promoting a system of assistance to crime victims and witnesses, as well as post-release assistance,
- ▶ disseminating knowledge about the rights of crime victims and alternative methods of conflict resolution, in particular mediation in family, juvenile and criminal cases,
- ▶ activities supporting families at risk of becoming dysfunctional, in particular in the field of addiction prevention and therapy, co-dependence and conflict resolution within the family.

Social Rehabilitation Programmes for Offenders

Anger management

- ▶ Such programmes are meant for persons that are unable to control their irritation and feelings in general. It teaches one to keep anger in check so that it might not take control of the person.

Social skills training

- ▶ Convicts learn to express themselves in everyday life, analyze their thoughts, and control their behavior. Skills required for interpersonal communication are supplemented and developed: through practical exercises, role play, discussions, and other exercises convicts learn to cope with different situations without harming themselves or others.

Aggression replacement training

- ▶ Convicts learn to use positive social skills in place of aggressive behavior. The goal is to change the participant in a manner than would make consideration for others an important factor in their thinking and behavior.

Social Rehabilitation Programmes for Offenders

Lifestyle training for offenders

- ▶ Such programmes target abusers/addicts of addictive substances and compulsive gamblers in whom their addiction causes unlawful behavior.
- ▶ The general goal is to change relevant consumption of addictive substances. The maximum goal is to altogether stop the consumption of above substances and/or gambling and the minimum goal is to obtain control over relevant consumption/gambling.

Rehabilitation program for sexual offenders

- ▶ Such programmes aim to help sex offenders understand their offence and analyze the facts and circumstances that lead to the offence. That is meant for mentally well prisoners, for whom a court judgment or the individual treatment program assigns as a condition participation in a relapse prevention program. Quite often participation is also open for volunteers.

Social Rehabilitation Programmes for Offenders

Reduction of family and intimate partner violence

- ▶ Such programmes targets persons convicted of violence in an intimate relationship. The objective of the program is to make the offender consider the damage caused and teach them to set goals in their actions so as to increase their own safety and the safety of people close to them.