

# Reintegration of convicts

## Class 6

### *Reintegration into Society through Education*



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**KATEDRA PRAWA KARNEGO WYKONAWCZEGO**

# Education

- ▶ Education is a human right, and this is also valid for people in prison.

More specifically, the Council of Europe has approved a number of recommendations relating to prisoners:

- ▶ ***The 1990 recommendation on Education in Prison and the European Prison Rules (revised in 2006)***, both of which uphold a prisoner's right to education.
- ▶ ***The United Nations Standard Minimum Rules for the Treatment of Prisoners*** refers to the importance of education and training for all prisoners, and
- ▶ ***its 1990 Basic Principles for the Treatment of Prisoners*** includes specific reference to the right of prisoners to take part in education.
- ▶ Education has been guaranteed as a right for prisoners by a number of bodies.

# *The right to learn*

- ▶ **According to the European Law:** *Education in prisons should have purposes no less important than those of education in the community outside.*
- ▶ In particular, the aims of prison education should be essentially the same as those in adult education.
- ▶ The primary aims of prison education services must be to facilitate the right to learn which all men and women have and which is a key to their human development.

# *The right to learn*

## **Resolution 1990/20 of UN Economic and Social Council states:**

- ▶ Education in prison should aim at developing the whole person, bearing in mind the prisoner's social, economic and cultural background;
- ▶ All prisoners should have access to education, including literacy programmes, basic education, vocational training, creative, religious and cultural activities, physical education and sports, social education, higher education and library facilities.

## **The Basic Principles for the Treatment of Prisoners (UN 1990), Principle 8, states:**

- ▶ “Conditions shall be created enabling prisoners to undertake meaningful remunerated employment which will facilitate their reintegration into the country's labour market and permit them to contribute to their own financial support and to that of their families.”

# *The right to learn*

- ▶ **The right to learn is defined in the declaration adopted by the 4th International UNESCO Conference on Adult Education. It is:**
  - ▶ the right to read and write;
  - ▶ the right to question and analyse ;
  - ▶ the right to imagine and create;
  - ▶ the right to read about one's own world and to write history ;
  - ▶ the right to have access to educational resources ;
  - ▶ the right to develop individual and collective skills.
- 
- ▶ Education in prison is sometimes also seen as a means towards socialisation or resocialisation.
  - ▶ Such education must respect the integrity and freedom of choice of the prisoner.
  - ▶ However, education can awaken positive potential in prisoners and make them aware of new possibilities, it can also facilitate their choosing for themselves to turn away from crime.

# *Physical education and sport*

**Physical education and sport have an important place in the range of educational and recreational facilities available in prisons.**

- ▶ The European Prison Rules states that all prisoners should be given the opportunity to take part regularly in properly organised sport and physical education, and suggest that some priority should be given to these activities.

*Physical education and sports for prisoners should be emphasised and encouraged*

**Participation in physical education and sport can have three aims:**

- ▶ Specific: to learn or improve one's performance in a particular sport, for example, swimming, basketball;
- ▶ Social:= to get along with other people through, for example, being part of a team and working together, learning to accept defeat, exercising self-control and coping with aggression;
- ▶ Reflective: exposure to values and norms of having rules in sport. Prisoners can learn that the rules exist for the benefit of all the participants.

# *Social education*

## **Social education was not specifically mentioned in any legal document**

- ▶ Social education should include practical elements that enable the prisoner to manage daily life within the prison, with a view to facilitating the return to society
- ▶ The term "social education" is preferred to alternatives such as "social and life skills" or "social training", because it focuses on the general education or development of the whole person
- ▶ Wherever possible, prisoners should be allowed to participate in education outside prison

# *The right to learn*

## According to that provisions:

- ▶ Education is the central element in the system of social rehabilitation of inmates.
- ▶ In educational programmes for inmates, specificities of each person should be considered and possibilities for general cultural development provided.
- ▶ As a rule, after release the ex-inmate faces employment problems, and in penitentiary institutions they are affected by alienation from the normal way of life, absence of living perspectives and opportunity to change something.



# *Education in polish penitentiary units*

The right to education and self-education, including being creative, the right to produce and sell their art

- All people who serve their sentences in prisons and custodies have a right for education, and they are allowed to learn.
- [According to the article 102 of the Executive Penal Code](#), prisoners have the possibility of attending a school. All grade levels are offered from elementary school to university.
- Convicts may acquire knowledge and raise their qualifications at various levels and in various fields.
- Education is provided in the first place to convicts who do not have any profession, or to those who will not be able to work in their acquired profession after leaving prison, because they will be still under-aged (not 21 yet) - [art. 130 § 3 Executive Penal Code](#)
- With the permission of the director of the penitentiary institution, prisoners can also produce and sell their own art
- Prisoners are also helped to develop a positive sense of self and a sense of responsibility for their own lives and towards others.

# *Education in polish penitentiary units*

- Finding employment without education or vocational skills is extremely difficult.
- Polish law provides convicts with a possibility to continue their education, however, learning is not compulsory.
- Schools operating in prisons offer all levels of education up to the university level.
- In some prisons, there is even the possibility to acquire a university degree.
- Currently, the network of prison schools includes three elementary schools, nine middle schools, nine secondary schools, twenty eight vocational schools and two vocational colleges.
- Prison schools operate on the same grounds as schools outside the prison walls. What is more, they have to meet the same requirements.

Considering individual values it provides to convicts and social advantages resulting from the process of prison education, it is important to encourage convicts to improve their qualifications.



# *Education in polish penitentiary units*

- [Art. 130 §1 Executive Penal Code](#) also refers to prison education - in accordance with the regulation: penal and corrective institutions are obliged to provide education at the level of primary school; they are also obliged to provide convicts with a possibility to continue their education at the secondary school level and to attend vocational training courses.
- Convicts who do not have sufficient financial means are provided with free handbooks and training aids - [art. 130 § 4 Executive Penal Code](#)
- There is also a possibility to educate convicts outside their penitentiary institution (at their own expense).
- In some particular cases, the penitentiary institution may even cover the expenses related to education of a convict - [art. 130 § 5 Executive Penal Code](#)

# *Education in polish penitentiary units*

- ▶ In Poland vocational schools have been the most popular ones.
- ▶ Their popularity results from the fact that they offer a real chance to acquire a profession and to find employment after leaving prison.
- ▶ A significant problem comes with the practical teaching of a profession and the searching for employment.
- ▶ Each penitentiary unit in Poland is equipped with a library. Depending upon the prison size, the libraries typically contain about several thousand volumes. The books are usually a gift from liquidated public libraries. *Another difficulty is the fact that prison libraries do not have some current and relevant educational materials.*
- ▶ Libraries in the community are a source of education, information and recreation, as well as centres of cultural development. Library services for prisoners should have the same wide range of functions and relevant materials as libraries for the public.

# *Education in polish penitentiary units*

Among the most important functions of prison education are the following:

- ▶ To cover lacks in education - Prison schools provide convicts with an opportunity to complete their primary education and to acquire a profession.
- ▶ To improve convicts' self-esteem (especially of those who, despite the fact that they have graduated from a primary school, can neither read nor write);
- ▶ To provide convicts with professional skills so that they would be able to find employment in their life in freedom;
- ▶ To eliminate chances for convicts to be involved into crime again;
- ▶ To minimise social exclusion of convicts after they leave prison

By covering any lacks in their education and being granted with a certificate of school graduation  
= convicts get a chance to enter the labour market.

# *Education in polish penitentiary units*

- The recruitment and organisation of education at prison and custody suites schools are based on the Minister of Justice's Ordinance on the entailed regulations and modes of education provided at penitentiary institutions (2016) and in accordance with the General Director's of Prison Service Instruction no. 1/2011, on detailed organisation modes of school education and training courses provided at prisons and custody suites, of 11th June 2011.

## Convicts qualified for education are:

- Convicts who are under 18 years old and who are statutorily obliged to undergo compulsory education, based on the Act on the Education System;
- Convicts for whom a need for education has been specified in their individual correctional programmes, upon the request of the department of the penitentiary institution;
- Convicts who have applied for education or its continuation at a specific type of school.



# *Education in polish penitentiary units*

## The right to take part in sport activities/events

- In most units, there are recreation rooms for sports activities, and a large part of them has independent sports fields.
- Prisoners prefer sports such as football, basketball and martial arts (mainly boxing). Prisoners also have the opportunity to participate in Nordic walking classes, running (they arise a runner's clubs) and canoeing (in the Czarne Prison).
- Gym classes are also of great interest, although the lack of qualified trainers should be considered as a weakness.
- Participation of the convict in sports requires obtaining both administrative and medical consent. Consent usually covers the possibility of a prisoner participating in sports activities no more than twice a week for two hours (or additionally on non-working days)



# *Benefits of Prison Education*

- ▶ **Recidivism:** Studies show that there is a **43%** reduction in recidivism rates for those prisoners who participate in prison education programs.
- ▶ Indeed, the higher the degree, the lower the recidivism rate is: **14%** for those who obtain an associate degree, **5.6%** for those who obtain a bachelor's degree, and 0% for those who obtain a master's degree.
- ▶ **Employment Opportunities:** There are increased and improved employment opportunities available for those formerly incarcerated people who engaged in prison education programs, and reentry is far smoother and more successful for those who took classes in prison, especially insofar as gainful employment is one of the defining features of successful reentry.
- ▶ Study found that there is 13% increase in post-release employment for parolees who participate in prison education programs

# *Benefits of Prison Education*

- ▶ **Cost Effective:** Prison education is a highly cost-effective investment. A study found that “a \$1 million investment in incarceration will prevent about 350 crimes, while that same investment in prison education will prevent more than 600 crimes. Prison education is almost twice as cost effective as incarceration.
- ▶ **“Inside” Benefits:** Even for those who are serving long term sentences, prison education has profound and often life-changing benefits. It may reduce violence and disciplinary infractions among those involved in prison education. Prison education also breaks down racial and ethnic barriers that are often a cause of tension and violence in prisons.

# *Benefits of Prison Education*

- ▶ **Community and Intergenerational Benefits:** Studies show, for instance, that post-secondary prison education has many positive effects on families of the incarcerated and on reintegration process.
- ▶ **Improved safety and positive culture of prisons:** The longer an inmate is involved in prison education, the more likely he will experience positive behavioral changes.



# *Learning opportunities*

## **Interaction with the community**

- ▶ Education introduces a “normalisation” into the life of the prison by close links between educational activities within unit and the providing agencies outside.
- ▶ Where education has to take place within the prison, the outside community should be involved as fully as possible

## **Basic education**

- ▶ Throughout Europe, the proportion of people with serious literacy problems is far higher in prisons than in the community. The number of prisoners who cannot read or write at all is still high
- ▶ Access to education can help them gain some basic education

# *Learning opportunities*

## **Vocational education**

- ▶ Vocational education can be an excellent source of more general personal development as well as a vehicle for imparting
- ▶ Vocational education can be administered along with work activities or within the prison education service.
- ▶ Vocational education should aim at the wider development of the individual, as well as being sensitive to trends in the labour market;

## **Education for adaptability**

- ▶ But, even when skills are very well developed, it may be equally necessary for prisoners to progress in other aspects of their lives (personal or social education, or simply a general growth in confidence)
- ▶ Education helps prisoners to be more adaptable,