



Àmbit social i criminològic

CENTRE D'ESTUDIS JURÍDICS
I FORMACIÓ ESPECIALITZADA

Ausiàs March, 40
08010 Barcelona
TEL. 93 207 31 14
FAX: 93 207 67 47



Generalitat de Catalunya
Departament de Justícia

W O R K I N G D O C U M E N T S

RESEARCH

Life trajectories of foreign prisoners

EXECUTIVE REPORT

Authors

Criminological and Social Research and Training Unit

2011

Life trajectories of foreign prisoners

EXECUTIVE REPORT

September 2011

Disclaimer

The contents of this research are subject to an Attribution-Noncommercial-No Derivative Works 2.5 Spain Creative Commons licence, the complete text of which is available at <http://creativecommons.org/licenses/by-nc-nd/2.5/es/legalcode.ca>.

Hence copying, distribution and public communication are allowed provided the author and the source are cited (Government of Catalonia, Department of Justice, Centre for Legal Studies and Specialised Training), as stated in the recommended citation included in each article. Commercial use or derivative works are prohibited.

Abstract in Catalan:

<http://creativecommons.org/licenses/by-nc-nd/2.5/es/deed.ca>

Table of contents

1. Introduction	5
2. The research	8
2.1. Purpose and objectives.....	8
2.2 Methodology	9
3. Study findings by issues	10
3.1. The groups established in the previous study.....	10
3.2 The migration project: differences between groups	14
3.3 Social capital: differences between groups.....	16
3.4. The criminological profile: differences between groups	18
3.5. Future prospects: differences between groups	20
3.6. Current prison situation and integration prospects of the subjects interviewed.....	22
4. Study findings for specific groups	31
4.1 The ordinary cases	31
4.2 Women	31
4.3 Serial offenders.....	32
4.4 The invisible.....	33
5. Conclusions.....	34
6. Recommendations	41

1. Introduction

This report supplements the study *Foreigners in Catalan Prisons*, published in 2010 by the Centre for Legal Studies and Specialised Training (CEJFE), and takes a more qualitative approach than its predecessor.¹ The analysis of quantitative data presented in the 2010 study has been extended here with examination of the life trajectories of an exhaustive group of foreign prisoners.

In a quantitative study like the previous one, the main concern is to extract as simply as possible a generalisation about the main features of foreign prisoners and establish a range of types that enable classification and comparison of groups of foreigners according to their specificities.

The contribution of this new qualitative study goes much further, because here the focus is on compiling the wealth of their various discourses and learning as much as possible about the particular features of each of the selected cases. This study gives a voice to the interviewees, collects their thoughts and opinions about their situation in prison, probes further into the condition of being foreign (which very often hinders their integration for reasons having to do with documentation) and their experience in relation to the migration project they have carried out, their family and social situation here and in their country, their criminal career and their future prospects once out of prison. The portrayal of these contributions is not merely descriptive since the researchers have attempted to interpret and evaluate them and discover the current status of the subjects three years after conducting the interviews.

The life trajectories of 37 foreigners, who are part of the 212 foreigners interviewed in the previous study and were in prison in Catalonia in 2008, have been analysed in depth.

¹ *Estrangers a les presons catalanes*. Àrea d'Investigació i Formació Social i Criminològica. Barcelona. CEJFE. 2010. Published online at www.gencat.cat/justicia/investigacions

The first findings section discusses the interviewees' discourse in terms of 4 main issues: 1) migration project, 2) social capital, 3) criminological profile and 4) future prospects on coming out of prison.

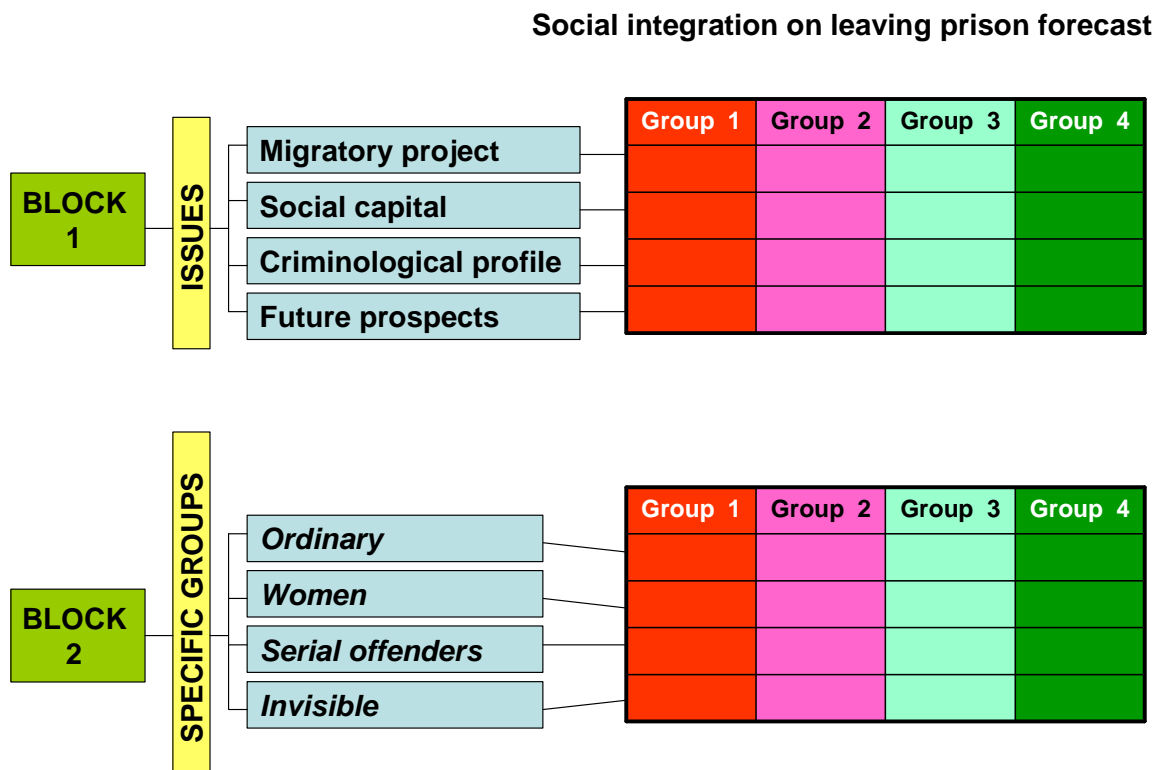
The second findings section analyses the life trajectories of 4 specific groups, each of which is of particular interest as belonging to a group at risk of social exclusion. These groups are: 1) *ordinary* (most representative of the entire group of interviewees), 2) *women*, 3) *serial offenders* (those who have been imprisoned 3 or more times for different crimes in Catalonia), and 4) the *invisible* (who have no NIE [Foreigner Identity Number] according to records at the Spanish Government Office in Catalonia).

The differences between the respondents depending on their membership of the 4 groups established in Chapter 7 of the aforementioned *Foreigners in Catalan Prisons* are explained in the two large blocks into which the presentation of the research has been divided. These 4 groups are derived from the forecast for social integration on leaving prison made using factor analysis of the variables in the study. The number of interviews required in each group was based on achieving saturation, so the number of cases analysed in each group is different but nonetheless all the variability and specificity possible is ensured.

The figure below summarises this report's structure.

The reader will find a portrayal of the life trajectories of the foreign prisoners in this report that is much more nuanced, described and related than in the previous study. They will also see the high degree of accuracy of the predictions made by the researchers about the foreign prisoners' situation on 1 May 2011.

Figure 1. Structure of the presentation of the research into the life trajectories of foreign prisoners



2. The research

2.1. Purpose and objectives

The purpose of the study published last year (2010) was to provide a broad and comprehensive view of the reality of foreigners in Catalans prisons and their future prospects and also to make recommendations that would help the General Directorate of Prison Services (DGSP) to take more effective action in this very topical and complex area. This research pursues the same purpose since as noted above it seeks to supplement its predecessor by going deeper into a number of issues using a qualitative methodology.

We set a general objective which gave rise to four specific objectives:

General objective:

Examine the various life trajectories of foreigners imprisoned in Catalan jails to find out their strengths and weaknesses and identify the challenges and opportunities that they will have in terms of integrating in Catalonia without resorting to crime or returning to their own countries.

The specific objectives of this research are:

1. Learn about the migration project that has brought the foreign prisoners to Catalonia and evaluate whether they have the personal, social and support resources required to implement it without coming into conflict with the law again.
2. Learn about the different criminology profiles of foreign prisoners and how their time in prison has or has not helped them to desist from fresh criminal behaviour.
3. Learn about the gap between the prisoners' future expectations on release from prison and the real possibilities they have of meeting them.

4. Learn in depth about aspects included in the above objectives with respect to certain specific groups (women, serial offenders and the undocumented) compared to what is most common among foreign prisoners.

2.2 Methodology

This study is based on qualitative analysis of the discourse of 37 foreigners who were incarcerated in Catalan prisons in 2008. These people were part of a sample of 212 foreigners who were interviewed in the study mentioned above in 2010. That study quantitatively exploited some of the answers given in the interviews after converting them into closed answers. By contrast, the current study involves analysis of the complete discourse of the interviewees. The results presented come from the analysis of this sample of 37 interviews. The number of interviews required in each group was based on achieving saturation, so the number of cases analysed in each group is different but nonetheless all the variability and specificity possible is ensured.

F4 free software version 3.1.0 2 was used to transcribe the taped interviews onto paper.²

The ATLAS/ti 6.2 contextual data qualitative analysis program was used for in-depth analysis of the interviews.

² The product can be downloaded from the corporate website <http://www.audiotranskription.de>

3. Study findings by issues

3.1. The groups established in the previous study

The 4 groups established for the prognosis on the reintegration of foreign nationals on leaving prison were described in part 1, section 7.2 of the study on *Foreigners in Catalan Prisons*. A brief summary of this information is given here since all the subsequent discursive analysis will be based on which group the subjects interviewed belong to.

These 4 groups were distributed along a line between two points, from most to least difficult integration. The prognosis varies depending on significant factors that can help or hinder this integration. These factors are:

a) Preference for staying in Catalonia or returning to their home country. This includes statements made by the respondent about whether they would agree to return to their own country under certain conditions, if they are planning to do so anyway, where they are thinking of living when they leave prison and their view of whether it was worthwhile migrating in the first place.

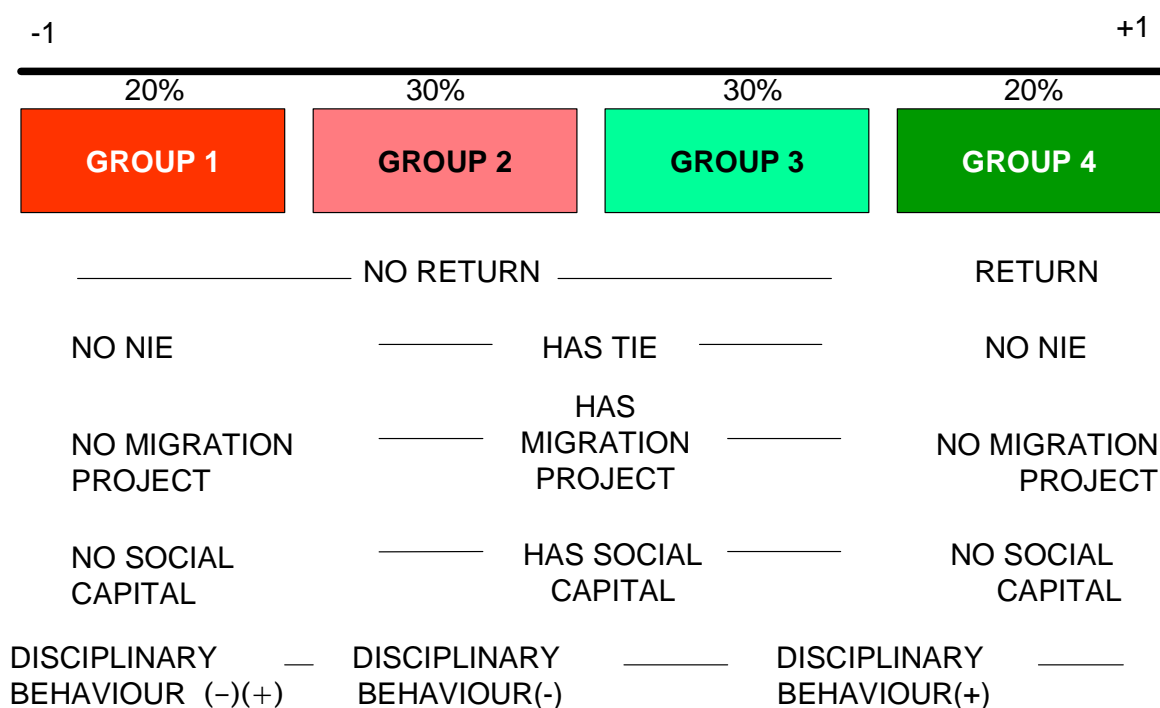
b) Possession/lack of documentation (no NIE/yes TIE [Foreigner Identity Card]). This concerns the steps that each subject may have had to take to put their documentation in order.

c) Having or not having a migration project. This factor includes information about the initial project under which the respondent travelled to Catalonia. The "*no migration project*" category includes those who have come to make money quickly and then leave and also those who were in transit to other countries but were arrested in Spain. When the "*migration project is someone else's*" they have come because they are part of the migration of other people (usually children of immigrants).

d) Having or not having social capital. This refers to the assistance and support for integration that the interviewee has received from other people and organisations from when they arrived in Catalonia to the present.

e) Disciplinary conduct. This contains information about the respondents' behaviour in prison, their record of incidents, offences and category reduction and the prison authorities' positive or negative assessment of their conduct.

Figure 2. Prognosis of social integration of foreigners released from prison



Group 1 includes approximately 20% of respondents. It is not a homogeneous group but instead in some respects actually contains two subgroups which have some features in common and others which are different, as shown in Table 1.

Table 1. Factors and variables in group 1

Differentiating factors	GROUP 1 COMMON FACTORS	Differentiating factors
Sub-group A		Sub-group B
	Do not want to return to home country	
	Have never had documentation	
	No NIE or TIE	
	No inclusion on the population register	
	No health card	
Spain was their destination	No migration project. Want to leave the country	Spain was by chance

Know people outside prison but have no support	No social capital here	Does not know anyone outside prison
Arrived 2005-2008	Arrived in Spain after 2000	Arrived 2000-2004
No prison record		Have prison record
	Have worked in Spain undocumented	
	Did not work for the CIRE (Centre for Reintegration Initiatives) in prison	
No incidents or penalties	Do not have release on temporary licence (ROTL) while in prison	Have incidents and penalties
Do not admit drug abuse		Admit drug abuse
Main crime: other	Average sentence: 5.3 years	Main crime: against property

Group 2 and group 3 included approximately 60% of respondents. The foreign immigrant status of the people in both groups is similar but there are also some significant differences with respect to their criminal past that clearly divide them into two groups.

Group 2 has many similarities with incarcerated Spaniards with a prison record.

Table 2. Factors and variables in groups 2 and 3

Differentiating factors	Differentiating factors
----- GROUP 2 ----	----- GROUP 3 -----
30% of respondents	Does not want to return (60% of respondents)
	30% of respondents
	Have had documentation
	Clear migration project
	Have social capital
	Been here for some time (prior to 2000)
	Have worked in Spain

With prison record		Without prison record
Admits drug abuse		Does not admit drug abuse
Problem prison behaviour	Have ROTLs	Non-problematic prison behaviour
	Crimes against property	No violent crimes
	Average sentence: 5.8 years	
Young people		Adults

Group 4 includes approximately 20% of respondents. One of the common features of the people in this group is that they are the only group that wants to return to their home country. There are also some important differences in other variables aside from gender that clearly divide them into two subgroups.

Table 3. Factors and variables in group 4

Differentiating factors A	GROUP 4 COMMON FACTORS	Differentiating factors B
	Want to leave	
	Have never had documentation	
		No NIE or TIE
	No inclusion on the population register	
		No health card
Men?	Did not have migration project. Country was a stopover	Women, arrested at the airport and directly to prison
Only ones who admit they have no fixed abode anywhere	No social capital here	The passage of time in prison means they are seeking social capital
	Arrived in Spain in 2005-2008	
	No prison record in Catalonia	
Do not work for the CIRE in prison	Have never worked in Spain	Work for the CIRE in prison

Good behaviour in prison No incidents or disciplinary penalties Do not have ROTLs	
Have no confidence in staff?	Have confidence in staff
Main crime: drugs Average sentence: 7 years	

3.2 The migration project: differences between groups

Migration projects are clearly different depending on the group the foreigners belong to.

Figure 3. Overview of the migration project based on group

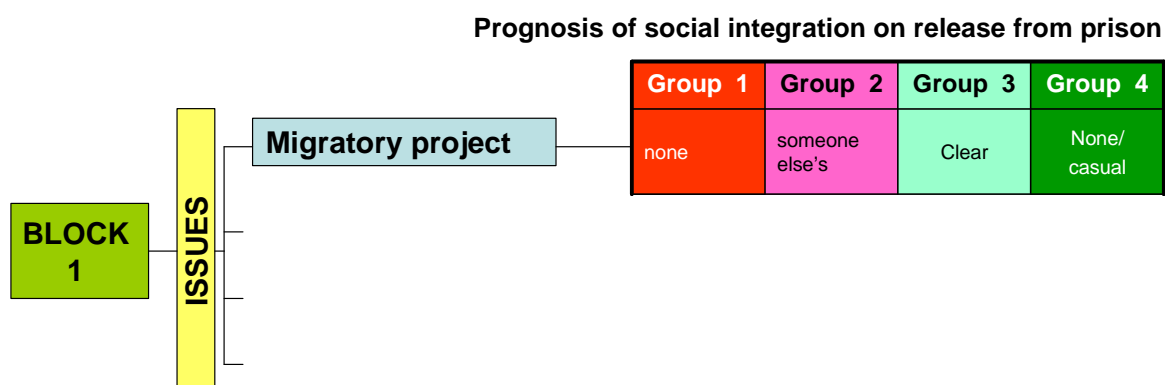


Table 4. Differences and similarities between groups in terms of migration project

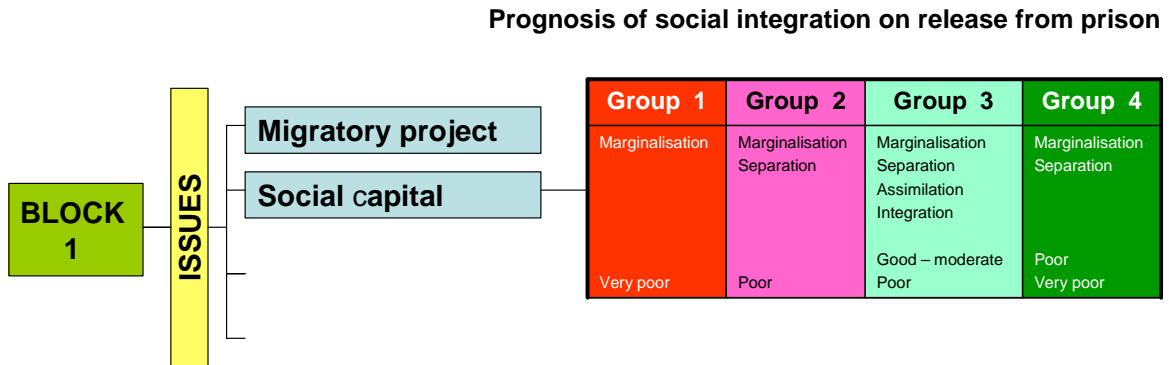
	Reasons for migration	Draw	Support on arrival	Settling in the country
Group 1	They want to improve their economic situation, but are not clear where to go or what they want to do. Actions contradicting the story of economic migration (culture of effort, desire for improvement,	No one drew them into coming. Element of chance in their coming to Spain/Catalonia. Some say they have come under pressure or threats	Without support. Have had to cope alone. To do so have opted to work without a contract, informal economy or marginal activities	Very poor or non-existent. The majority, undocumented. They have not regularised their presence in the country. If managed to do so in part, they have missed the chance to renew

	willingness to do any work, etc.) Desire to see the world and have adventures			papers. Do not know the country or its customs. No Catalan and very little Spanish.
Group 2	If they come as children, have been brought by parents and have come reluctantly. If they come as adults they do so to improve personal situation escape from difficult situations in their country.	They came with their father or mother, but never with both. They have lived in other parts of Spain, accompanied by other relatives.	Full support. Their emotional, housing, contacts, maintenance, training, etc. needs have been met	Heterogeneous. Two extremes. Some have got papers and maintained them. Others have not had the opportunity or are not interested.
Group 3	Very different realities. 3 themes detected. Theme 1: difficult economic situation in the home country. Despite having resources there they decide to leave to improve. Theme 2: war or other serious situations that make them leave. Theme 3: young people who want to see the world and go back viewed as successes by their compatriots	1st generation immigrants They came alone. Come attracted by rumours of good opportunities here. Once here look for compatriots or distant relatives who can help. If not found, they continue looking for other places that seem like alternatives.	Occasional assistance. Focused on housing, maintenance and first contacts to find work	Desire to achieve legal papers and maintain them in order, know all the procedures. It is the only group of the 4 to have done the administrative procedures to regularise their status. Have made the effort to learn the language and customs here, but that does not mean they have integrated entirely.
Group 4	Two patterns found. Pattern 1: have problems in the countries they come from and transit through Spain is further flight. Pattern 2: they are here because they have been arrested when going through the country. By chance.	No one drew them into coming.	Pattern 1: they have little support here or the support has been dissocial. Pattern 2: They have gone directly to jail and do not know anything outside prison.	Very poor or zero.

3.3 Social capital: differences between groups

Social capital varies depending on the group the foreigners belong to.

Figure 4. Summary of social capital based on the social integration forecast on leaving prison



In **groups 1, 2 and 4** individuals vary between *marginalisation* and *separation*, according to the strategies in John Berry’s acculturation model. In many cases the foreigners have failed to achieve any bond with the country or at most have only established one with their compatriots. Furthermore, the quality of the social capital of these three groups is *poor* or *very poor*, depending on family and social support and their personal situation.

In the case of **group 3** there is a clear distinction between a part of the group that has parameters similar to groups 1, 2 and 4 and another part, about half, who have achieved *integration* into the host society or alternatively *assimilation*. These two acculturation strategies have also been found to be associated with *good* or *moderate* social capital quality.

The factors that explain the similarities and differences in each group with respect to social capital are listed in the following table:

Table 5. Differences and similarities between groups with respect to social capital

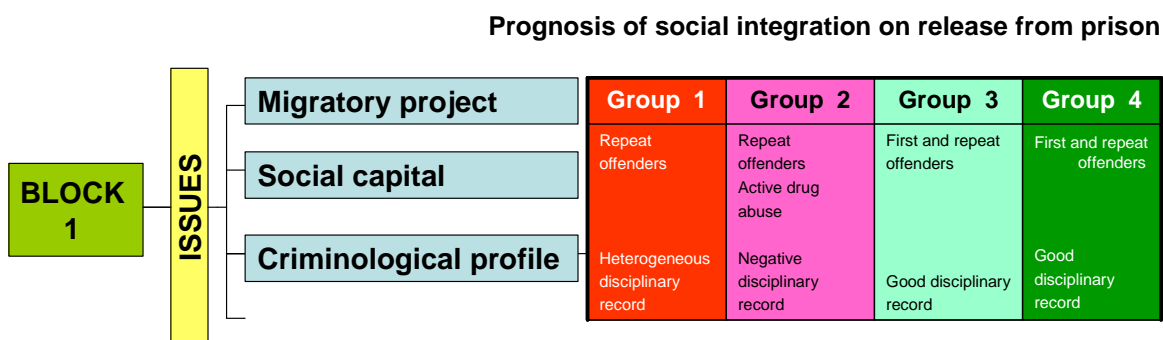
	Family support	Social support	Personal situation
Group 1	Birth family is in the home country. If their relatives are here, most are engaged in marginal activities. There are other members in prison. They have an extended family	No pro-social support. Dissocial and/or vulnerable friendships and environments. Not a member of any	Good physical health. Some drug abuse. Perception of improved health during their stay in prison.

	<p>member living in the country, but no contact with them.</p> <p>Half have told their family they are in prison.</p> <p>Half have a partner here and this person is their sole link with the country and visits.</p> <p>In some cases have been wards of the government.</p>	<p>association.</p> <p>Have not done training.</p> <p>Perceive a sense of rejection by natives that they do not understand or accept.</p>	<p>Depressed due to their loss of freedom through incarceration even though they are familiar with prison culture.</p> <p>No self-harm desires.</p>
Group 2	<p>Have spent longer living in Spain/Catalonia, with one of their parents.</p> <p>They do not necessarily have a good relationship with their family. All relatives know that they are in prison.</p> <p>The family provides support, although it is not always accepted and/or used.</p> <p>They have no partner.</p>	<p>There is little relationship with the local people and they only interact with their compatriots.</p> <p>Not a member of any association.</p> <p>Have not done training even though have been in the country for some time.</p> <p>Perceive a sense of rejection by natives that they do not understand or accept.</p>	<p>Drug abuse is the main health problem.</p> <p>They have the same perception of improved health and the same mood as in group 1.</p> <p>No self-harm desires either.</p>
Group 3	<p>Pattern 1: have all or part of the family here and are supported in all basic needs: emotional, home, social relationships, etc.</p> <p>Also the case for those who have a partner.</p> <p>Pattern 2: do not have family here or are not supported. At most receive support from the partner, which seems not very solid.</p>	<p>Pattern 1: good relations with local people. Run own businesses in the country. Interest in making a good impression.</p> <p>They have done training and take part in associations.</p> <p>Perceive a sense of rejection by the natives that they understand and justify.</p> <p>Pattern 2: similar to group 2</p>	<p>Pattern 1: dissatisfied with their physical health. No drug abuse problems.</p> <p>Pattern 2: satisfied with their physical health. Some problems with drugs.</p> <p>All depressed due to imprisonment.</p> <p>No self-harm desires.</p>
Group 4	<p>Birth family is in the home country.</p> <p>Half have their conjugal family outside the home country but not in Spain.</p> <p>Half have told the family they are in prison.</p> <p>Do not receive visits. They attempt forced reunification or to establish convenience relations here.</p>	<p>Most have not lived in the country. No links.</p> <p>Those who have lived here present the risk factors set out for group 1.</p>	<p>Perception of good physical health.</p> <p>Dissatisfied with their mental health. Speak openly about anxiety, distress, depression and withdrawal syndromes.</p> <p>Poor adaptation to prison culture.</p> <p>Receive drug treatment</p> <p>Some attempted self-harm.</p>

3.4. The criminological profile: differences between groups

The criminological profile is quite different depending on the group the foreigners belong to.

Figure 5. Summary of criminological profile in terms of groups



The factors that explain the similarities and differences in each group with respect to criminological profile are listed in the following table:

Table 6. Differences and similarities between groups with respect to criminological profile

	Criminological background	Current crime	Perception of justice	Life in prison
Group 1	Admit episodes of violence prior to prison admission, both here and in the home country.	Admit the crime, without premeditation, committed individually and not under the influence of drugs. The main reasons for crime are debts and wanting to get money fast.	Tough and excessive response. Lawyers are opportunists. Differing opinions about law enforcement agencies.	The atmosphere is tense. They feel safe. Relations with other inmates: try to get along with everyone. Relationship with staff: bit of everything. Do not have much trust in them. Differing opinions about the rules. Do not rate training. They prefer work inside or outside the prison. Poor opinion of job opportunities (few and low wages). Do not rate treatment. Obsessed by time and how to pass it. They use different strategies: some do lots of activities and others do not do any. Differing perceptions of preparations for release. Some have no outside support and are helped by members of religious orders. The rest have their partners.

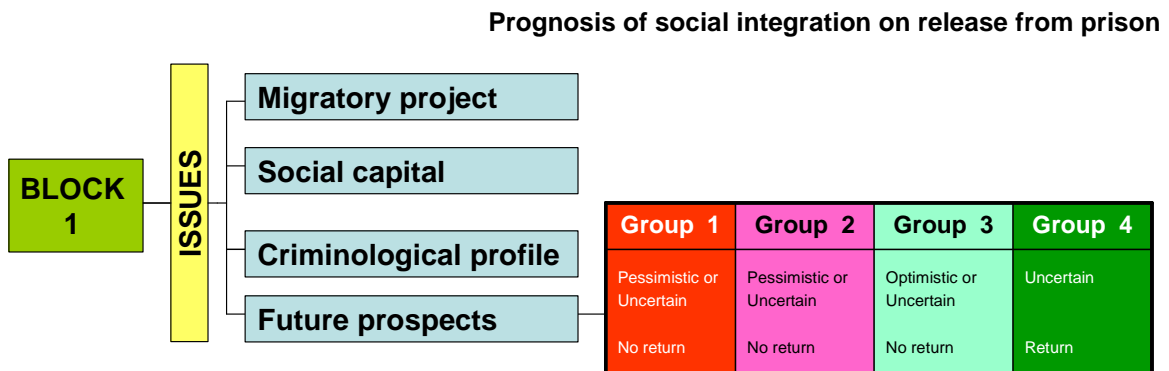
<p>Group 2</p>	<p>Admit prior episodes of violence.</p> <p>Existence of drug abuse that interferes with all their actions.</p> <p>There is a traumatic event in their lives which they identify as a reason for starting a criminal career.</p>	<p>Admit the crime.</p> <p>Committed under the influence of drugs.</p> <p>A lot of impulsiveness in actions and lack of premeditation.</p> <p>Alone or accompanied.</p> <p>Main reason: uncontrolled drug use and need for money to buy them.</p>	<p>Good, both for judges and lawyers.</p> <p>Various opinions about law enforcement agencies.</p>	<p>Relaxed atmosphere in prison. Some think they are not accepted, others believe they have integrated.</p> <p>Little confidence in staff.</p> <p>Many disciplinary proceedings. However, they believe the regulations are good.</p> <p>Do not do training. Do not work. Lots of idle time. Passage of time not tedious.</p> <p>Treated for drug addiction, without much enthusiasm.</p> <p>Lack of concern about release. They believe that someone will sort things out for them.</p>
<p>Group 3</p>	<p>Half are first and half are repeat offenders. The latter find it hard to admit their responsibility for the crime, despite having been convicted.</p>	<p>There are two profiles in this group:</p> <p>A: commit serious crimes. They were alone.</p> <p>B: commit minor offences. They were accompanied</p> <p>Everyone says that there is no premeditation and do not want to talk about the motive for committing crime or do not admit the crime.</p>	<p>Confused by a legal procedure they neither understand nor accept.</p> <p>Negative perception of lawyers.</p> <p>Very negative perception of law enforcement agencies</p>	<p>Tense atmosphere in prison and they also feel moderately unsafe. Little trust in other inmates. Say they have to be very careful about who they associate with.</p> <p>Find it difficult to talk about staff and regulations, although the trend is not to have confidence in either. This is the group with fewest disciplinary offences.</p> <p>There are two trends: those who do nothing (neither training nor work) and those who do everything as a strategy to get time to go quicker and not be out in the yard (to avoid problems) Time management depends on this way of spending their jail time.</p> <p>They do treatment programmes if they have to. Express acceptance and say they have a point.</p> <p>Believe they are ready for release and with no need for support. This is the group with most people in category 3.</p>
<p>Group 4</p>	<p>Almost all are first-time prison admissions because they come directly from border posts where they were arrested mostly for drug trafficking. Latin American women predominate.</p> <p>There is a small group of serial offenders from EU countries.</p>	<p>Admit the crime.</p> <p>There are also two profiles in this group:</p> <p>A: They were alone in committing the offence and the offence had been planned, although they do not accept premeditation. The reasons for committing crime are debts or threats.</p>	<p>No way to judge.</p> <p>Good perception of lawyers.</p> <p>Differing opinions of law enforcement agencies depending on way treated on arrest.</p>	<p>Tense atmosphere in prison and they also feel fairly unsafe. Poor relations between inmates. Reject coexistence with the drug addicts due to problems of coexistence.</p> <p>Part of the group accepts and appreciates the staff and the rules, others do not.</p> <p>They prefer to be busy and do training and work as a way of making progress and getting release (strong desire). Their time in prison really drags.</p> <p>Accept treatment and rate it positively.</p> <p>Preparing for release depends on whether they will leave the country and</p>

B: They were accompanied when committing the offence. Not planned. Drug use to get money to continue use.

therefore they value procedures that will help them leave, or whether even though they wanted to leave at the beginning of their sentence, after being incarcerated for a long time they have changed their minds and are thinking about staying here and reuniting their family here.

3.5. Future prospects: differences between groups

Figure 6. Summary of future prospects in terms of groups



The factors that explain the similarities and differences in each group with respect to future prospects are listed in the following table:

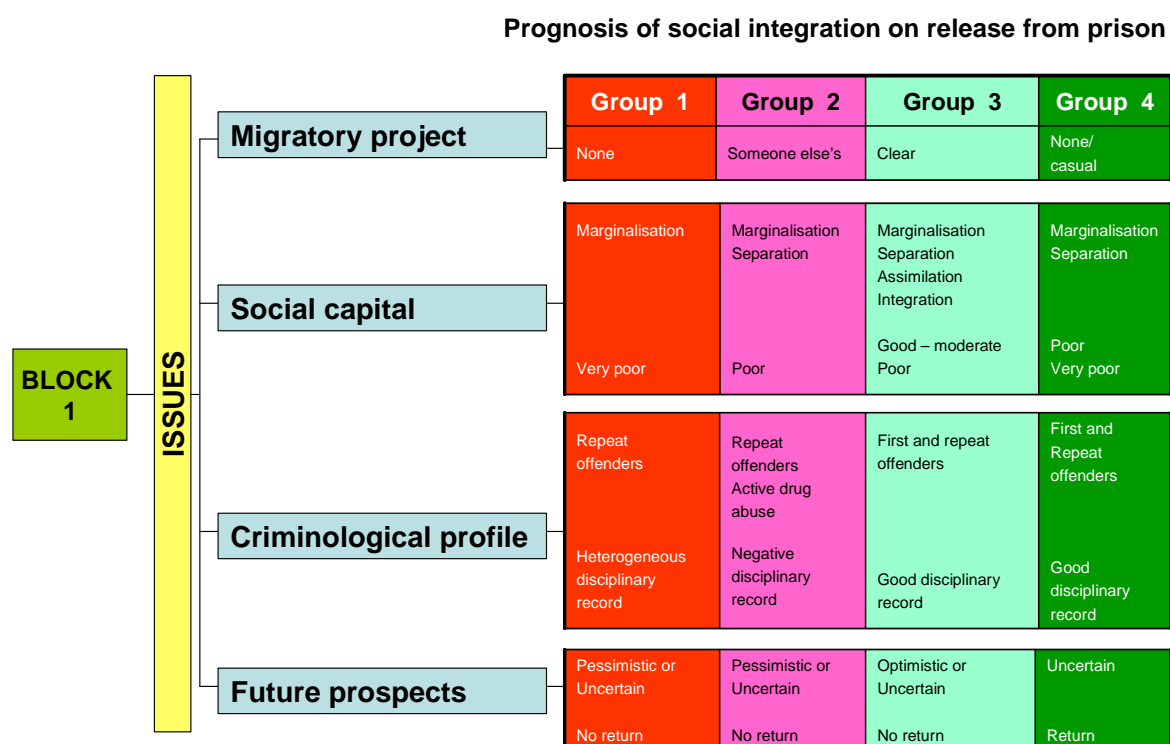
Table 7. Differences and similarities between groups regarding future prospects

	Stocktaking of migration project	Desire to return / not return	Contrast between desire and reality
Group 1	<p>Has been worth emigrating. The reasons are situations in their countries that are worse than the ones they have here.</p> <p>Do not want to start again from scratch.</p>	<p>Do not want to return.</p> <p>They want to stay in Catalonia. They have some conjugal family or partner, but generally do not have social capital here.</p> <p>Negative opinion of the host society. Little or no integration.</p>	<p>Pessimistic or uncertain outlook.</p> <p>The gap between what they say they want and their chances of getting it is enormous.</p> <p>Those who are not EU citizens will find it hard to regularise their status after prison because they have criminal records. They will have to wait 5 years as they have sentences that are longer than this.</p>

Group 2	<p>Do not think about it. They came with their parents' migration projects and have accepted them.</p> <p>Think changing countries would be impossible as they would not have any opportunities there.</p> <p>Major drug abuse problem that affects any evaluation.</p>	<p>Do not want to return.</p> <p>They have their whole birth family here and a few the conjugal one.</p> <p>Consider the time spent in prison to <i>pay</i> for the sentence as justification enough to stay.</p> <p>Negative opinion about the host society. Keep separate in their environments and with their compatriots.</p>	<p>Pessimistic or uncertain outlook.</p> <p>Future prospects they express are superficial and little internalised and they are barely aware of their implications ("fix papers", "get back my kids", "normal life", "good job", etc.).</p> <p>Do not mention giving up drug abuse as an immediate objective.</p>
Group 3	<p>One group (first time in prison) say that it has been worth it because their family is here.</p> <p>Another group (repeat offenders) say it has not been so worthwhile.</p>	<p>Do not want to return. The <i>first offenders</i> because they have family here. The <i>repeat offenders</i> because they have nowhere to go.</p> <p>Positive or neutral opinion of the host society. Accept the suspicion of natives for having been in prison, but are disappointed that distrust should be generalised.</p>	<p>Optimistic or uncertain outlook.</p> <p>The <i>first offenders</i> are most concerned about things they have not completed and they know the procedures and the effort required to achieve this and are willing to make it.</p> <p>The repeat offenders are resting their hopes on government handouts, without their level of involvement being clear.</p>
Group 4	<p>Migrating has not been worth it.</p>	<p>They want to leave.</p> <p>Lengthy sentences and bureaucratic procedures between countries hinder the process.</p> <p>Do not know the host society. They have gone to jail straight from the airport.</p>	<p>Uncertain outlook.</p> <p>The passage of time in prison, loneliness and the absence of any kind of support have changed their opinion about the prospects of returning and they begin to look for ways to stay and obtain or recover social capital.</p>

By way of summary, the following graphic gives an overview of the groups based on the four issues analysed.

Figure 7. A general overview of the groups



3.6. Current prison situation and integration prospects of the subjects interviewed

Our purpose was to assess the current situation of the foreigners interviewed and selected for this study. To that end we have updated the prison status of the subjects in the sample as of 1 May 2011, 3 years after doing the interviews (the data come from the SIPC, the Catalan Prison Information System). These data can be used to compare the prediction made for each subject (optimistic, uncertain or negative) and their current situation. The initial prognosis was made in the first instance by the interviewers and was subsequently confirmed or changed by the researchers who analysed each particular case in detail.

Table 8 has the summary of all the cited cases, stating the group in which they have been classified, their type of migration project, social capital and the documentation they had, their criminological profile, future prospects and finally their situation as of 1 May 2011, along with any incidents that have occurred.

The last box is shaded green and with a plus sign (+) if their situation is positive, yellow with an equals sign (=) if their situation is unchanged, and red with a minus sign (-) if their situation is negative.

As can be seen the worst results are for subjects in group 1, which also had the most negative forecasts. In group 2 all the subjects are still in prison. Group 3 has the largest number of subjects with ROTL (release on temporary licence) and positive evolution (category 3 and parole prior to final discharge).³ In group 4 the situation is uncertain, with subjects that are still in prison, others who have been released and it is not known whether they have left the country as they intended to, and only one confirmed case of deportation.

Concerning group 1:

Around half of this group is out of prison. However, most of those who are free have absconded after not returning from ROTL. Those who have legally obtained their freedom have been given a final discharge after serving their sentence in full, without achieving category 3 status or parole.

The other half of the group is still in prison, serving time for the same sentence and still in category 2, divided equally between those who have had ROTLs and those who as yet have not.

Concerning group 2:

They are all still in prison.

Most are still serving the same sentence and remain in category 2. One is serving a fresh sentence for outstanding charges and another is in category 3.

³ Serving a full sentence and being category 2 in our studies on repeat offending has always been a predictor of new prison recidivism when compared with those released from category 3 and/or on parole. Early release proposed by the prison authorities correlates with a predisposition on the part of the prisoners concerned not to offend again. See the 2008 *Prison Recidivism Rate* report, pages 92-93, Barcelona, CEJFE, published on the website: www.gencat.cat/justicia/investigacions

Concerning group 3:

A little over half are at liberty. Of this group, half first achieved category 3 and were then released on parole. The other half remained in category 2 and served their full sentence.

A little less than half are still in prison. Of these, half are in category 3, including one case of recidivism, and the other half is in category 2 and they have not yet had ROTL.

Concerning group 4:

Just under half have been released in a variety of circumstances: one person has been deported from the country, two left after serving their full sentence and another is on bail pending trial.

The remainder, slightly more than half, are still serving their sentences for the same offence or additional counts. They remain in category 2 and have had little or no ROTL.

Table 8. Summary of all cited cases and their situation as of 1 May 2011

SUBJECT	GROUP	MIGRATION PROJECT	SOCIAL CAPITAL	PAPERS	CRIMINOLOGICAL PROFILE	FUTURE PROSPECTS	SITUATION AS OF MAY 2011
2012; Former Yugoslavia, 30	Group 1	None	Very poor / separation	NIE. Undocumented	Serial offender	Pessimistic	Did not return from first regular ROTL granted in 2009. Has absconded. Was in category 2. (-)
2006; Palestinian Territories, 24	Group 1	None	Poor / marginalised	NIE. Undocumented	Serial offender	Pessimistic	Full discharge in February 2011, after serving two pending sentences. Remained in category 2 and served full sentence. (+)
4004; Bosnia and Herzegovina, 23	Group 1	Someone else's	Very poor / marginalised	NIE. Undocumented	Serial offender	Pessimistic	Has not returned from ROTL in 2010. Was in category 2 and had had a number of ROTLs. Has absconded. (-)
3016; Ukraine, 26	Group 1	None	Poor / marginalised	No NIE. French residence permit	First offender	Pessimistic	Has not returned from ROTL in 2010. Was in category 2 and it was his first regular ROTL. (-)
4007; Morocco, 22	Group 1	None	Very Poor / marginalised	NIE. Undocumented	First offender	Pessimistic	Full discharge in May 2009. Remained in category 2 and served full sentence. (+)
8008; Bolivia, 25, woman	Group 1	Chance	Very poor / marginalised	No NIE. Undocumented	First offender	Pessimistic	Serving new sentence since 2010 for a new crime against public health (recidivism). Had absconded on a regular ROTL in 2009. (-)
2007; Russia, 38	Group 1	None	Mot Poor / marginalised	No NIE. Undocumented	Repeat offender	Pessimistic	Was transferred to Madrid-VI (Aranjuez) prison in June 2009. (=)

SUBJECT	GROUP	MIGRATION PROJECT	SOCIAL CAPITAL	PAPERS	CRIMINOLOGICAL PROFILE	FUTURE PROSPECTS	SITUATION AS OF MAY 2011
8010; Colombia, 53, woman	Group 1	None	Mot Poor / marginalised	NIE. Undocumented	Repeat offender	Pessimistic	Has not returned from ROTL in 2010. Was in category 3 and had weekend ROTLs. Absconded. (-)
14003; Morocco, 27	Group 1	None	Mot Poor / marginalised	No NIE. Undocumented	Serial offender	Uncertain	Continues serving sentence for the same offence. Still in category 2 and has not yet had any ROTLs. (=)
3004; Bulgaria, 30, woman	Group 1	None	Poor / marginalised	EU. No papers problem	Repeat offender	Uncertain	Continues serving sentence for the same offence. Still in category 2 and has had several ROTLs. (=)
2022; Mexico, 25	Group 1	None	Mot Poor / marginalised	No NIE. Undocumented	First offender	Uncertain	Continues serving sentence for the same offence. Still in category 2 and has had several ROTLs. (=)
8001; Gambia, 29, woman	Group 1	Someone else's	Poor / marginalised	NIE. Permanent permit	First offender	Uncertain	Serving sentence (5 years' imprisonment) for the offence for which they were being held on remand in 2008. Currently in category 3. (=)
3002; Ukraine, 37, woman	Group 1	None	Very poor / separation	NIE. Undocumented	Repeat offender	Uncertain	Serving sentence (17 years' imprisonment) for the offence for which they were being held on remand in 2008. Still in category 2. (=)
3010; Morocco, 42, woman	Group 2	Someone else's	Poor / marginalised	NIE. Permanent permit t	Serial offender	Pessimistic	Serving sentence for another offence (record) and still in category 2. (=)

SUBJECT	GROUP	MIGRATION PROJECT	SOCIAL CAPITAL	PAPERS	CRIMINOLOGICAL PROFILE	FUTURE PROSPECTS	SITUATION AS OF MAY 2011
3027; Ecuador, 24	Group 2	Someone else's	Moderate / separation	NIE. Undocumented	Repeat offender	Pessimistic	Continues serving sentence for the same offence. Still in category 2 and has not yet had any ROTLs. (=)
8014; Dominican Rep., 33	Group 2	Someone else's	Very poor / separation	NIE. Undocumented	Serial offender	Uncertain	Continues serving sentence for the same offence. Still in category 2 and has had several ROTLs. (=)
5019; Morocco, 26	Group 2	Someone else's	Poor / marginalised	NIE. Permanent permit	Serial offender	Uncertain	Continues serving sentence for the same offence and in category 3 since 2008. (=)
5006; Algeria, 27	Group 3	Clear	Very poor / marginalised	NIE. Undocumented	Serial offender	Uncertain	Full discharge in March 2010. Returned to category 2 due to not returning from a ROTL in 2009. Sentence then served in full. (+)
2003; Romania, 23	Group 3	None	Very poor / separation	EU. No papers problem	Serial offender	Uncertain	Full discharge in 2009. Currently serving sentence for new conviction for theft (record) and is in category 3. (-)
2005; Morocco, 37	Group 3	Clear	Poor / separation	NIE. Permanent permit	Serial offender	Uncertain	Full discharge in April 2009. Remained in category 2 and served full sentence. (+)
4016; Sierra Leone, 28	Group 3	Clear	Moderate / integration	NIE. Undocumented	First offender	Uncertain	Full discharge in June 2010. In category 3 from 2007 and afterwards granted parole. (+)
10005; Peru, 21	Group 3	Someone else's	Good / integration	NIE. Undocumented	First offender	Uncertain	Continues serving sentence for the same offence and in category 3 since April 2011. (=)

SUBJECT	GROUP	MIGRATION PROJECT	SOCIAL CAPITAL	PAPERS	CRIMINOLOGICAL PROFILE	FUTURE PROSPECTS	SITUATION AS OF MAY 2011
3024; Romania, 24	Group 3	Clear	Poor / integration	EU. No papers problem	Repeat offender	Uncertain	Serving sentence (25 years' imprisonment) for the offence for which they were being held on remand in 2008. Still in category 2 and has not yet had any ROTLs. (=)
5025; Gambia, 36	Group 3	Clear	Poor / separation	NIE. Permanent permit	First offender	Optimistic	Full discharge in October 2010. In category 3 from 2008 and afterwards granted parole. (+)
4013; Argentina, 44	Group 3	Clear	Moderate / Assimilation	NIE. Permanent permit	First offender	Optimistic	Full discharge in February 2010. In category 3 from 2008 and afterwards granted parole. (+)
8003; China, 30, woman	Group 3	Someone else's	Good / separation	NIE. Permanent permit	First offender	Optimistic	Continues serving sentence for the same offence and in category 3 since 2010. (=)
3020; Argentina, 31	Group 3	Clear	Good / assimilation	NIE. Permanent permit	First offender	Optimistic	Serving sentence (1 years' imprisonment) for the offence for which they were being held on remand in 2008. Still in category 2 and has not yet had any ROTLs. (=)
9014; Nigeria, 48	Group 3	Clear	Good / integration	NIE. Permanent permit	First offender	Optimistic	On parole since February 2009. In category 3 since 2006. (+)
12016; Pakistani with Dutch nationality, 40	Group 3	Clear	Good / Assimilation	EU. No papers problem	Repeat offender	Optimistic	Full discharge in January 2009. Remained in category 2 and served full sentence. (+)

SUBJECT	GROUP	MIGRATION PROJECT	SOCIAL CAPITAL	PAPERS	CRIMINOLOGICAL PROFILE	FUTURE PROSPECTS	SITUATION AS OF MAY 2011
2015; Jordan, 39	Group 4	None	Very poor / marginalised	NIE. Undocumented	Serial offender	Pessimistic	Continues serving sentence for the same offence and has a new conviction for a prior offence. Still in category 2 and has had first ROTL. (=)
2019; Bosnia and Herzegovina, 24	Group 4	None	Very poor / marginalised	NIE. Undocumented	Serial offender	Uncertain	Continues serving sentence for the same offence and has two new convictions for prior offences. Still in category 2 and has had first ROTL. (=)
8015; Bolivia, 31, woman	Group 4	Clear	Very poor / marginalised	No NIE. Undocumented	First offender	Uncertain	Serving sentence (14 years' imprisonment) for the offence for which they were being held on remand in 2008 and remains in category 2. (=)
5017; Morocco with Italian nationality, 39	Group 4	None	Poor / separation	EU. No papers problem	First offender	Uncertain	Full discharge in June 2010. Was in category 3 and served full sentence. (+)
8030; El Salvador, 43, woman	Group 4	Chance	Poor / marginalised	No NIE. Undocumented	First offender	Uncertain	Full discharge in March 2011. Was in category 3 and served full sentence. (+)
9002; Croatia, 25, woman	Group 4	None	Very poor / marginalised	NIE. Undocumented	Repeat offender	Uncertain	Deported from Spain in February 2009. Was in category 2 and had one year to go for full discharge. (=)
2001; France, 25	Group 4	Chance	Poor / separation	EU. No papers problem	First offender	Optimistic	On bail since February 2009 (was on remand) pending trial. (=)

SUBJECT	GROUP	MIGRATION PROJECT	SOCIAL CAPITAL	PAPERS	CRIMINOLOGICAL PROFILE	FUTURE PROSPECTS	SITUATION AS OF MAY 2011
3006; Dominican Republic with Italian nationality, 46, woman	Group 4	Clear	Very poor / separation	EU. No papers problem	First offender	Optimistic	Continues serving sentence for the same offence. Still in category 2 and has not yet had any ROTLs. (=)

4. Study findings for specific groups

4.1 The ordinary cases

We have selected three cases that seem to be fairly representative of the whole of this group. They come from three different geographical areas while also representing the differences in the group in terms of social capital and integration into the host society. Like most foreigners in this group they have a clear discourse regarding their migration project, have few or no problems in obtaining papers, are first or at most second time offenders in prison and finally their prospects for social integration on completion of their sentence are optimistic.

Table 9. Summary of selected cases

SUBJECT	GROUP	MIGRATION PROJECT	SOCIAL CAPITAL	PAPERS	CRIMINAL RECORD	FUTURE PROSPECTS
5025; Gambia, 36	Group 3	Clear	Poor / separation	NIE. Permanent permit	First offender	Optimistic
4013; Argentina, 44	Group 3	Clear	Moderate / Assimilation	NIE. Permanent permit	First offender	Optimistic
12016; Pakistani with Dutch nationality, 40	Group 3	Clear	Good / Assimilation	EU. No papers problem	Repeat offender	Optimistic

4.2 Women

We have selected two cases that are amply representative of the whole of this group. They come from two different geographical areas while also representing the differences that can be found among women. The migration project did not exist as such as they have come here to meet the economic and welfare needs of their households as quickly as possible. It is therefore logical that there is no social capital to support these women and their integration into the host society is null or poor, leading to situations of marginalisation. Their country of origin also affects their type of papers and likelihood of regularising their legal status,

although it does not guarantee anything. Their future prospects are uncertain and depend on the course of events and the kind of decisions they take as a result.

Both cases have very long sentences and still a long time to serve. Case 3004 had been in prison for 2 years at the time of the interview and has 8 more to go unless extended by a new sentence handed down while she is still serving it as a result of a previous offence. She had lived in Catalonia for 6 years before entering prison. Case 8030 had served 4 years at the time of the interview with another 6 to go. She knows nothing of Catalonia and Spain as she went straight to jail from the airport where she was arrested.

Table 10. Summary of selected cases

SUBJECT	GROUP	MIGRATION PROJECT	SOCIAL CAPITAL	PAPERS	CRIMINAL RECORD	FUTURE PROSPECTS
3004; Bulgaria, 30, woman	Group 1	None	Poor / marginalised	EU. No papers problem	Repeat offender	Uncertain
8030; El Salvador, 43, woman	Group 4	Chance	Poor / marginalised	No NIE. Undocumented	First offender	Uncertain

4.3 Serial offenders

The serial offenders are found in all groups (1, 2, 3 and 4), although we have chosen three cases to represent all those who are in prison.

They have no migration project or come under someone else's, usually their parents who made them come without them wanting to. They have practically no social capital and are fairly marginalised by the host society. As for papers, they all have a NIE, but some have no other papers while others do not have this problem as they are EU citizens or already have a permanent residence permit. Their future prospects vary between pessimistic and uncertain as they may commit fresh crimes and return to prison.

Table 11. Summary of selected cases

SUBJECT	GROUP	MIGRATION PROJECT	SOCIAL CAPITAL	PAPERS	CRIMINAL RECORD	FUTURE PROSPECTS
4004; Bosnia and Herzegovina, 23	Group 1	Someone else's	Very poor / marginalised	NIE. Undocumented	Serial offender	Pessimistic
3010; Morocco, 42, woman	Group 2	Someone else's	Poor / marginalised	NIE. Permanent permit	Serial offender	Pessimistic
2015; Jordan, 39	Group 4	None	Very poor / marginalised	NIE. Undocumented	Serial offender	Pessimistic

4.4 The invisible

The invisible are found in groups 1 and 4. We have chosen two cases that are representative of the both realities, although they do have some features in common such as the absence of a migration project, lack of social capital, not having been in prison before in Catalonia and having uncertain future prospects. However, there are also some differences between the two cases presented here, including a lack of papers in one and having Italian nationality in the other which does away with the documentation problem.

Table 12. Summary of selected cases

SUBJECT	GROUP	MIGRATION PROJECT	SOCIAL CAPITAL	PAPERS	CRIMINAL RECORD	FUTURE PROSPECTS
2022; Mexico, 25	Group 1	Chance	Very poor / marginalised	No NIE. Undocumented	First offender	Uncertain
5017; Morocco with Italian nationality, 39	Group 4	None	Poor / separation	EU. No papers problem	First offender	Uncertain

5. Conclusions

This conclusions section highlights those aspects of the subjects' life trajectories which in our view most clearly determine their future prospects.

The first conclusion underlines a key finding of this research which is the impact that a realistic future discourse which is aware of difficulties and possibilities can have on a good prognosis for the case.

Next, conclusions 2 to 4 describe the foreigners in terms of the forecasts made by the researchers about their future prospects (pessimistic, optimistic or uncertain) and set out other key aspects that influence this classification.

Finally, conclusion 5 stresses the importance of information flows when attending to foreign prisoners.

Conclusion 1: the gap between what they want and what they can have as a key factor.

The **gap** between the *future expectations of foreign prisoners* and their *real possibilities of achieving them* is the key factor in defining future prospects as pessimistic, optimistic or uncertain. This gap is affected by two highly interrelated fundamental questions:

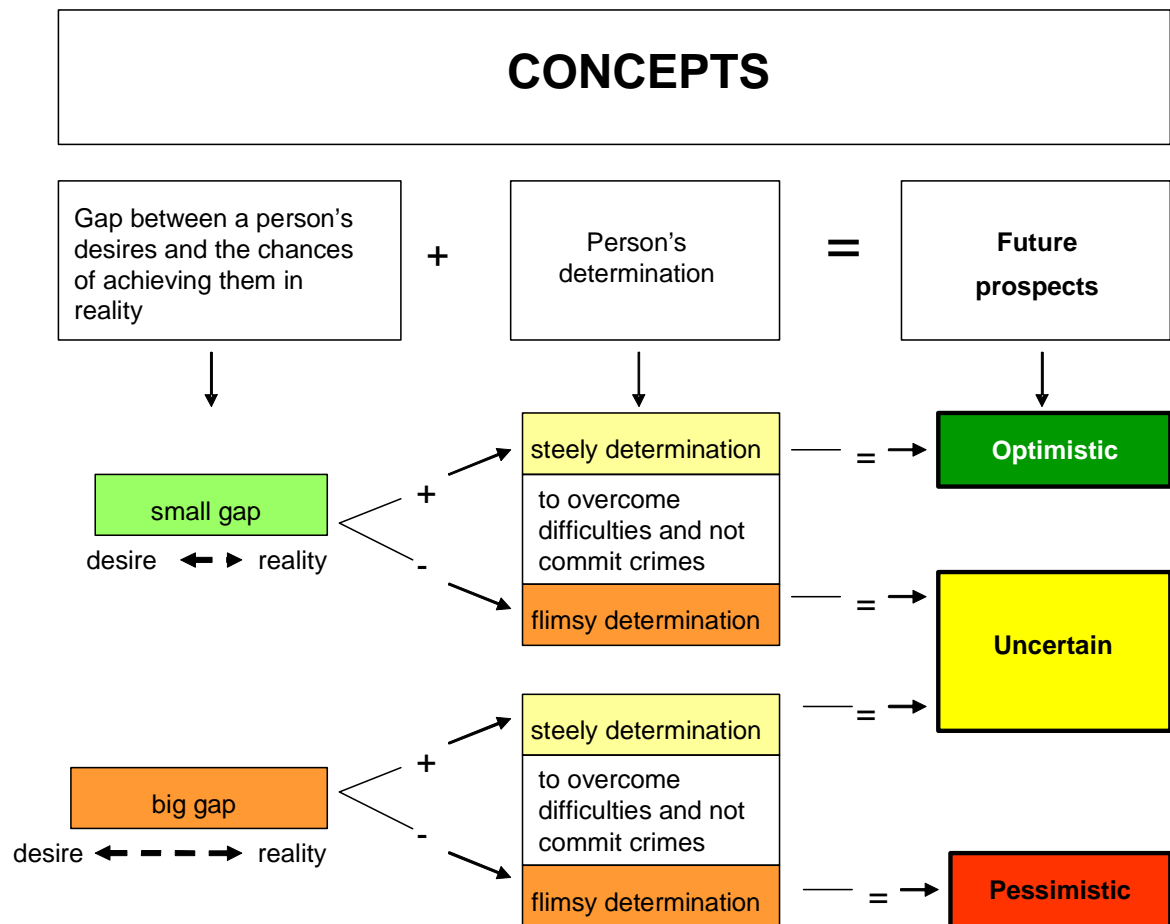
- The more or less clear approaches they adopt with regard to the difficulties they will come across and ways to overcome them. For example, there may be an enormous gap between what they want to achieve and their current situation but they also have realistic views about the difficulties to be overcome and how to deal with them, or alternatively the gap may be smaller but they have little idea about what they have to do to achieve their goals.
- All the foreign prisoners say they want to renounce crime but only in some cases is this assertion accompanied by specific approaches or realistic strategies that would contribute to genuine abandonment.

Future prospects are most pessimistic for foreign prisoners where the gap between what they want to have and do on leaving prison and the real possibilities of their achieving this legally is very large. Furthermore, their determination not to break the law again is extremely flimsy because they do not express clear and realistic strategies to address the difficulties that they may find as they attempt to achieve it.

The most optimistic prospects are for those where the gap between what they want to have and do on leaving prison and their potential for achieving it is very small while they also display a steely determination to reach their goals without reoffending and also evince alternative strategies.

Uncertain prospects are the lot of those cases where either there is a big gap between what the person wants and what they can attain yet nonetheless they display a steely determination to achieve their goals without reoffending, or alternatively the gap is small and realistic but their resolution is flimsy and they do not have clear alternative strategies.

Figure 8. Relationship between future prospects, desires and reality



Conclusion 2: the other variables that define pessimistic prospects

Turning to the group of foreign prisoners whose future prospects are pessimistic, most have not had a previous migration project or it has been someone else's (usually parents). They have not come here because they voluntarily decided to do so.

In terms of social capital they do not have anyone to support them in the host country and have only been here a short while. Their family and social environment is very poor and they have remained outside any socialising environment. Their acculturation strategies can be described as marginal.

The situation with respect to administrative papers in this group is diverse, but for most this is not the main obstacle:

- There are a significant number of foreigners with pessimistic future prospects who are EU citizens and therefore will have no problems getting papers to stay here. They will not be affected by having an unexpunged criminal record because they do not need a residence or work permit to regularise their stay here.
- A smaller number had already obtained long-term or permanent permits before coming into contact with the justice system and this is therefore not their main problem.
- Those who will find themselves affected by this administrative impossibility will be non-EU foreigners who no longer have papers or those who had provisional ones pending renewal, as with a criminal record that has not been expunged the possibility of regularising their administrative documentation is very remote.

Part of this group presents a hard criminological profile, with multiple prior prison sentences (3 or more) and long sentences or cases pending trial that will lengthen the period of imprisonment that they were serving at the time of the interview. Other people in the group with pessimistic prospects are by contrast in prison for the first time, at least here in Catalonia.

It has been noted above that the gap between their future expectations and the real possibilities of achieving them is very large and their determination to give up crime is extremely flimsy.

This group with largely pessimistic future prospects mostly includes those classified into groups 1 and 2 in Chapter 7 of the first part of the study *Foreigners in Catalan Prisons*. Some of the group of *women*, some of the *invisible* and most of the *serial offenders* are also in the specific groups that we have addressed in this second stage of the study.

As the reader is aware, once the analysis of the prognosis for the subjects in the sample by researchers had been completed, we compared it with each person's real situation. The pessimistic prognosis of integration we made for this group was highly accurate in those cases we were able to follow up three

years after the interview using SIPC data: the bulk have absconded or gone back to prison or are still serving their sentence in category 2 with no ROTLs. There is only one case of final discharge without further information about the subject who nonetheless served their full sentence and received a full discharge as a category 2 prisoner (without having made any progress that would have enhanced their release).

Conclusion 3: the other variables that define optimistic prospects

Most of the group of foreign prisoners whose future prospects were assessed as optimistic had a clear migration project prior to coming here or their migration project is to return to their country.

As for social capital they have family that supports them. This support mostly comes from the partner they had before going to prison or a new partner. The role of this partner is crucial in the integration process because they provide housing and emotional stability. Few foreigners in this group have added family responsibilities here, or at least people that depend on them. Their social support is uneven. Some interact only with their compatriots (separation) while there are others who only do so with the locals (assimilation).

Most of them have no problems with administrative documents as they have permanent permits or dual nationality from EU countries acquired in different ways and hence papers are not usually their main concern. In addition they are also the group that is most careful to keep their papers in order.

Their criminological profile is not very conflictive. It is their first time in prison, they have few problems once there and few changes of location and no disciplinary proceedings. They move through the categories and reach the open system.

This group with optimistic future prospects mostly features those classified in Chapter 7 of the first part of the study into groups 3 (one part) and 4 (another part). The specific groups addressed in this second stage of the study include many people from the *ordinary* group with an optimistic prognosis.

The optimistic integration prognosis made for this group was very accurate in those cases where the person has completed their sentence in the three years following the interview. Most have been released on parole before final discharge and there are no new incidents in SIPC records. However, the group also contains people continuing to serve their long sentences in the same situation they were in at the time of the interview, although they have progressed to category 3 and continue serving their prison time without incident.

Conclusion 4: the other variables that define uncertain prospects

The group of foreign prisoners whose future prospects were evaluated as uncertain includes people who have *flimsy resolution* but nonetheless have sustained family and social situations and some degree of personal support, and also people with *steely determination* who want to stay here but are in precarious situations without support, lack social capital and in administrative positions that are very hard to regularise.

Some of the people in the uncertain prospects group face virtually the whole set of difficulties on leaving prison. They have no personal resources to find work, no social capital here and no papers or the chance of getting them in the short-term, even though they show a steely determination to overcome the difficulties this poses for them and are confident of achieving their goals without resorting to crime. The main snag is making them aware of these problems without them becoming despondent.

Another part of the uncertain prospects group shows a *flimsy* determination to avoid crime and in their discourse attribute the possibility of reoffending or not to factors external to them (luck, the help of government, having papers, having a good job, etc.). In everyday life in prison people in this part of the group do not take part in training activities, do not ask for work inside or outside the prison, have low or poor SAM (Motivational Evaluation System) ratings, have a significant number of cell changes, build up disciplinary proceedings and interact only with their compatriots in the prison. The problem of drug addiction is more evident in this group, albeit not exclusively.

The group of foreigners with uncertain prospects contains subjects from all the groups in the first part of the study (groups 1, 2, 3 and 4).

With this group it is not possible to evaluate the degree of accuracy in the assessment of future prospects by the researchers as the statement “uncertain outlook” leaves any possibility open. However, there are some instances of people classified in this group being released from prison with no further incidents according to the SIPC, even though the majority are still serving their sentences.

Conclusion 5: lack of information and resultant decision-making

The final conclusion we would like to highlight concerns the lack of information for foreign inmates about the specifics of their foreign status and the future prospects discussed above.

In many cases the discourse of the foreign prisoners makes obvious their lack of clear information about all the processes in which they are involved in terms of their situation in prison and in general about their situation in Catalonia and how this affects their ability on release. The foreigners are very disoriented and do not know what to do.

In large part as a result of this, they take decisions that are highly inappropriate for their opportunities or stop taking them due to a lack of guidance. Their answers to questions about interests and expectations very often demonstrate confusion about what they expect in the future, a lack of awareness in their actions with respect to what they want and pessimistic resignation about the possibilities of achieving their goals. This erroneous decision-making may further aggravate their situation when they leave prison and make their social reintegration unviable.

However, rigorous mentoring of foreign prisoners led by correctional system staff can clearly and successfully reverse this trend.

6. Recommendations

These recommendations are closely linked to the 29 recommendations made in the first part of the previously published research paper *Foreigners in Catalan Prisons*. Those 29 recommendations, divided into 7 sections, included the priority needs of foreign inmates and actions to guide the correctional system towards ensuring their quality of life and social reintegration.

In this second part, proposals for improvement supplement those 29 recommendations and delve further into the tasks to be carried out with foreign prisoners. They have been divided into 3 sections. The first section includes recommendations about work to be done with foreign prisoners, the second section about organising the work of staff, and the third section looks at post-prison integration policy.

Section 1. Identify the characteristics of the imprisoned foreigner and based on this identification build their future plans

Recommendation 1:

Foreign prisoners should be helped to build future prospects that are realistic with respect to the conditions of life they have or may have on their release from prison. To do this, it is essential that members of staff make an initial assessment of the subject to clearly identify a number of factors which research has shown to be essential in determining the subject's future prospects. These factors are:

- a) Migration project (whether they had one and whether it was theirs or their parents).
- b) Social capital (what family and social support they have had and have and what their personal health situation is).
- c) Criminological profile (if a first or serial offender).
- d) Disciplinary behaviour inside prison (what their behaviour is like in prison and the prison's assessment of their conduct).
- e) Whether they have permanent residence papers.
- f) Their desire to return to their country or stay here.

This individualised assessment should also analyse the subject's discourse about their future to discover the gap between what they want and what they can do in reality.

Recommendation 2:

Individual Work Projects must set out the endpoint towards which intervention efforts with the subject are to be directed. These efforts should include work on all the "deficit" variables identified in the initial evaluation, including the construction of a future outlook that is realistic and made aware of the difficulties if it is not already.

Staff teams need to ensure that subjects regularly sketch out their future plans and confront their discourse with what they are actually doing in prison to achieve them. Confronting means presenting the subject with the contradictions and uncertainties generated by their daily actions and also the support and resources they have available.

In this study we have seen that inmate motivation is an important factor in overcoming the difficulties that they may find once out of prison and seeking to stabilise their life. A good way to encourage positive motivation in foreign inmates is by helping them to build a clear trajectory as a reference point for future prospects. This involves, inter alia, telling the inmate how documents can be regularised and the time it will take them to comply with legal procedures, and getting them involved in the adjustment of expectations they will have to make given their actual situation.

This confrontation should always be conducted in an optimistic and constructive spirit by asking the foreign inmate for their involvement in personal improvement projects that help to overcome the social integration difficulties they will find on release from prison.

Section 2. Optimisation of resources and prioritisation of intervention

Recommendation 3

The *foreigner* variable is now very important in prison dynamics, quantitatively because in many cases it accounts for almost half the people in prison and qualitatively because of these people's special risk of social exclusion on release from prison due to their conditions of life.

Hence care for foreign inmates should be a prison service priority precisely because of the greater social risk and danger of recidivism that may obtain if special attention is not paid to their circumstances.

Recommendation 4

Another basic factor for foreign inmates is access to relevant information. As it is impossible for staff dealing with them to have in-depth knowledge of all legislative changes and all the specific circumstances there may be in immigration issues, it is important that each prison should have a specialised team to act as a reference point both for other staff members and also for inmates. It is also recommended introducing the figure of the assistant to other foreign inmates in prisons to provide information and guidance about prison regulations and daily operations during the first days of the inmate's time in the facility. Having information, even if it is not as hoped for, greatly reduces the level of individual anxiety and can substantially improve the institutional climate.

Section 3: concerning post-prison integration policies

Recommendation 5

Research has indicated that foreigners do not constitute a single or homogeneous group. Throughout the study we have found variables and specific circumstances which have allowed us to simplify the explanation of a complex reality, but that should not lead to the automatic application of standard responses. The response should be individualised and adapted to each case. Based on the analysis of the case, staff may foresee optimistic, pessimistic or uncertain future prospects for the foreign inmate. Intervention in each case must

of necessity take into account these prospects and also guide integration policy for foreigners, without ruling out any possibilities.

Return to the home country must be the first choice in the clearest cases of pessimistic prospects with no roots in the country. By contrast, at the other end of the scale integration into the host society should be the preference in cases where in spite of uncertain or pessimistic prognoses, there are roots in the country and a clear commitment to overcome difficulties, abandon crime and become settled. A broader reading of their situation that includes and analyses the key factors in recommendation 1 should be the decisive argument in deciding integration policy for these people, rather than whether or not they have a criminal record or lack documentation.

Recommendation 6

The prison authorities cannot handle the release of these people from prison without the engagement of society (associations and federations of municipalities, foundations, NGOs) which takes the lead in facilitating the foreigner's new social capitalisation.

The study suggests that with the steely determination of the foreign inmate, the aforementioned motivation to put down roots here, the investment in mediatory, housing and social support resources is very financially affordable and has a high rate of success in preventing situations of social exclusion and recidivism.

Barcelona, July 2011