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PRISON, TREATMENT AND SOCIAL REINTEGRATION

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INVESBREU

Presentation

This *Invesbreu* is a summary of two investigations dealing with the subject of the treatment received by the inmates in the prisons and how it helps to prepare and assist them for their release.

The first investigation, *Quality of life in prisons and intervention programmes*, looks at whether the treatment programmes carried out in the prisons influence the perception of *quality of life* in the penal context. A good social atmosphere in the prisons is related to less conflict, a lower suicide rate, a greater legitimacy of the system, greater security inside the prison and less radicalization of the prisoners. By making a survey among the inmates the researchers have tried to find out their degree of participation in the treatment programmes, their opinion of them and their assessment of their quality of life inside the prison. The results have been substantially different according to the prisons that have cooperated on the study, in terms of both participation and motivation for following them and their consequences.

The second investigation, *The social reintegration of the persons who finish their prison sentence in ordinary custody*, explores the problem of the inmates who complete their prison sentence without a transition to the community in stages (such as open custody measure or conditional release), the lines of intervention regarded as most effective and any feasible actions to try to improve their possibilities of social reintegration. The researchers have done interviews with everyone who works on the prisoners' social reintegration (educators, psychologists, jurists, social workers, community entities, prisoner services managers and prosecutor's office and prison supervision judges). The results have been divided into four sections that represent the perspectives from which we can influence the factors of reintegration: a) The first section contains everything related to the penal and penitentiary system itself and where the professionals perceive that they have less room for manoeuvre in their intervention; b) the second section refers to the knowledge inherent to each professional; c) the third section is the one devoted to the prisoners, i.e., how they see the key elements of the intervention carried out by the professionals; d) and lastly, the fourth section refers to the environment, i.e., the role of the community and the family in the social reintegration process.



Quality of life in the prisons and intervention programmes

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Introduction

In the investigation into prisons, 'quality of life' is a concept used to measure the subjective assessment inmates make of the conditions of life and the way they are treated in prison. Earlier investigations have observed that quality of life is related to less conflict, a lower suicide rate and a perception of a greater legitimacy of the system. Among the many factors that can influence perception of the quality of life in prison¹, in this work we have focused on the treatment programmes.

The treatment programmes are the structured interventions aimed at the prisoners' rehabilitation and social reintegration. The programmes are one of the pillars of the rehabilitation model of the Catalan penitentiary system, since there is great confidence in their capacity to reduce reoffending once the inmate has left prison². In this context, this investigation seeks to look more deeply into the prisoners' opinions of the programmes and their impact on their quality of life inside the prison.

Goals

1. To establish the inmates' degree of participation in treatment programmes in different prisons.

Insofar as these programmes are one of the pillars of the rehabilitation model of the Catalan penitentiary system, the basic hypothesis has been that they uniformly in all Catalan prisons.

2. To describe the inmates' opinions of the treatment programmes. On this point we have been interested to find out the prisoners' motivation for taking part in the programmes, given the suspicion that most of them attend in order to obtain leave permits. We have also been interested to discover the strong and weak points of the programmes in order to suggest lines of improvement.

3. To determine the extent to which the treatment programmes influence the inmates' assessment of their quality of life in prison. In particular, two hypotheses have been established: 1) the effects of the programmes may vary according to their type; and 2) the effect of the treatment programmes is only evident when they are being run and is not maintained over time.

Methodology

To establish and compare the prisoners' degree of participation in treatment programmes in different prisons we have used data obtained from the results of a survey carried out with 400 inmates classified as second degree selected at random from four Catalan prisons. Specifically the percentage of participation in treatment programmes at each of the centres has been compared.

To discover the prisoners' opinions of the treatment programmes we have analysed the results of an open question about them given to 133 of them in second degree selected at random at one of the prisons. From a reading of the notes for that question we identified 'discourses' that emerged simultaneously in the interviews with different inmates. Once they had been identified we returned to the surveys and counted the percentage of prisoners who mentioned each of those discourses.

To analyse the assessment of the treatment programmes we carried out a multiple logistical regression analysis based on the information of the same inmates mentioned in the previous paragraph. This

1. For a more general approach: Rodríguez, J.; Larrauri, E., and Güerri, C. (2017) 'Calidad de vida en prisión: un estudio comparativo de cuatro prisiones'. *Revista Internacional de Sociología* [At press].

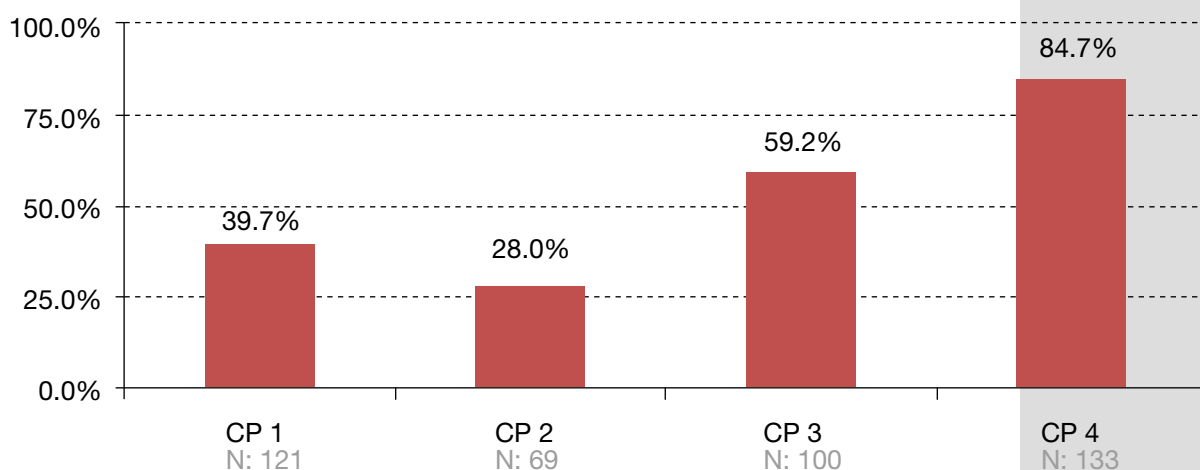
2. See: Prison Services Department. see (2011) *El model de rehabilitació a les presons catalanes*. Department of Justice. Catalan Government.

technique enables us to estimate the relation between one variable to be explained (dependent variable) and a set of explanatory variables (independent variables), cross-checking with the effect of third variables that could condition the association. In this analysis the prisoners' perceived quality of life has been situated as a dependent variable, and as independent variables their participation (at the time) in treatment programmes according to the type and their participation in programmes in the past. These relations have been cross-checked by the effect of the inmates' different sociodemographic and penal characteristics.

Results

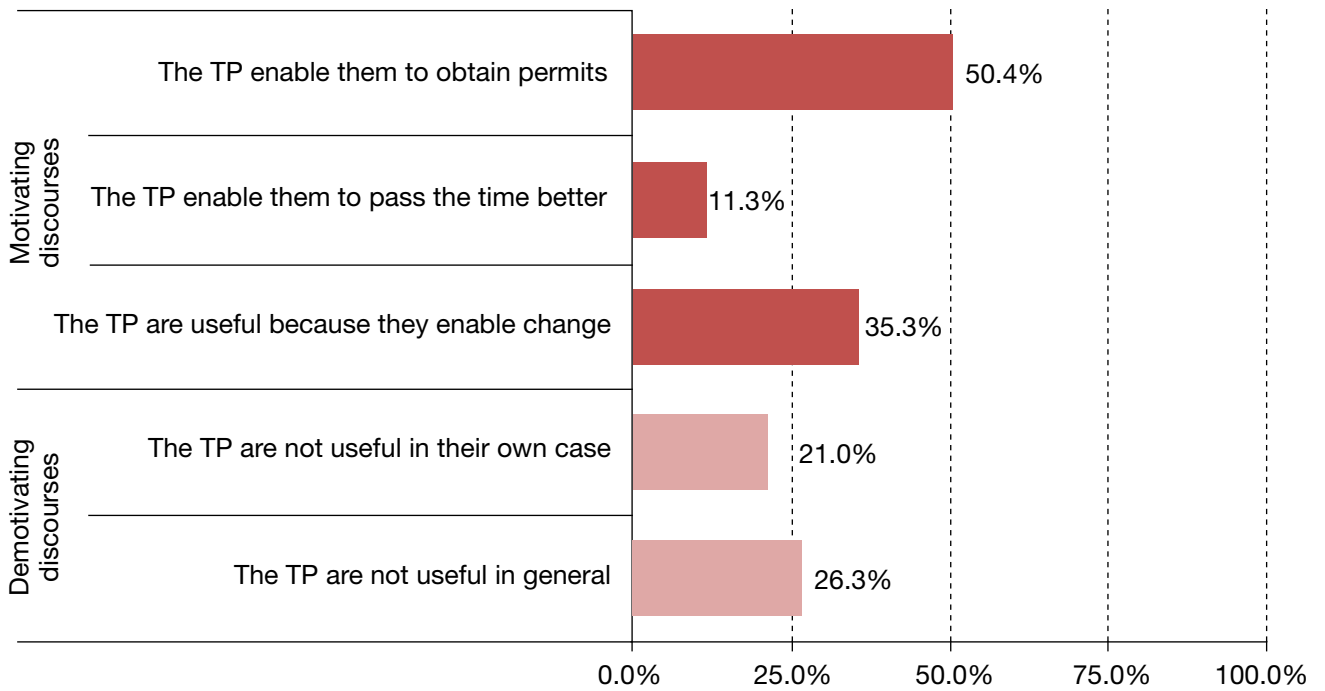
Concerning the differences in the percentage of prisoners taking part in treatment programmes between prisons, the results have shown that the inmates' experience of participation in them is substantially different according to the centre. For example, as shown in diagram 1, in one prison (CP) 28% of the prisoners say that they are taking or have taken part in a treatment programme, whilst in another the proportion reaches 84.7%. These elements lead us to think that there is no single experience of the inmates in relation to the treatment programmes in Catalonia, and that this aspect depends to a large extent on the prison where they are serving their sentence.

Diagram 1. Percentage of inmates who say that they have taken part or are now taking part in a treatment programme



Concerning the prisoners' opinions of the treatment programmes, we have observed a more complex situation than we expected. As we can observe in diagram 2, the reason most frequently mentioned by the prisoners for taking part in the programmes is to obtain leave permits (an aspect mentioned by 50.4% of the survey). However, this is not their only reason for taking part in treatment programmes. Complementarily (the answers are not exclusive), they also mention that they take part in order to pass the time (11.%) or because they help them to "change" (35.3%). We have also detected 'demotivating' discourses which basically bring out the uselessness of the programmes for cognitive transformation. Here some prisoners mention that they do not take part in programmes because they cannot help them in their specific case, although they do believe they are necessary for other kinds of prisoners (21.0%), whilst another group considers that the programmes do not help change in any case (26.3%).

Diagram 2. Percentage of prisoners interviewed who mention each type of discourse that motivates/inhibits their participation in treatment programmes



Moreover, the study has also focused on a deeper look into the prisoners' opinions of the positive and negative elements of the programmes. On the one hand, they show negative psychological consequences, such as the suffering they bring out again or the processes of stigmatization involved in participation in one of them. They also mention positive psychological consequences such as a reduction of loneliness. We have also detected many discourses, both positive and negative, about the human quality and professionalism of the staff giving the programmes. On this point it is important to emphasise in particular the prisoners' complaints about the great discretionary powers of the treatment staff when it comes to assessing the success of their rehabilitation processes. Lastly, the prisoners make a number of criticisms in relation to organizational aspects: that the programmes are too theoretical and concentrate very little on the practical consequences of the crimes; that on occasions they are incompatible with other activities such as working; or that there is a high turnover of participants within the groups, an aspect that hampers their consolidation.

Concerning the third section, aimed at determining the relations between following a programme and assessment of the quality of life in prison, we have observed a positive and significant relation between a better quality of life while following programmes in the spheres of health and personal development, as we can observe in table 1. This sphere includes the programmes in the fields of physical activity and sport, and skills for relationships and development of prosocial thinking. At the prison where the study was done most of the courses in that field belong to the 'Morality and values' programme. However, we have not observed a significant effect for the other types of programmes although, in most cases, the results point in that same direction. Nor have we observed any improvement in the quality of life for having followed a programme in the past. In relation to the hypotheses we posed, those results lead to the conclusion that, although some treatment programmes produce positive effects on the perception of quality of life inside the prison, they are concentrated in a particular type of programme and are not maintained over time.

Table 1. Results of the multiple regression analysis

Sphere	Variables	Coef. (B)
Participation in treatment prog.	- 'Health and personal development' sphere	1.81*
	- 'Legal, social and cultural context' sphere	0.96
	- 'Violent behaviour' sphere	1.23
	- 'Addictive behaviour' sphere	-0.40
	- Participation in the past in a treatment prog. (any sphere)	0.33
Sociodem. characteristics	- Age of inmate (in years)	0.01
	- Born in Spain	-0.37
Characteristics of the sentence	- First time in prison	-0.68
	- Total length of the sentence (in years)	-0.04
Mental health characteristics	- Has used drugs	-1.08*
	- Has self-harmed	-0.43
Constant		5.77*

The dependent variable is the assessment of quality of life on a scale of 0 to 10.

The significant results are marked with an *, which shows that the p-value is less than 0.05

Conclusions and proposals

On the basis of the results of the investigation a series of proposals have been drafted for the purpose of making some contributions to the discussion about the treatment programmes. The proposals, more fully developed in the final report, can be summed up in three points:

- We need to think about the consequences of the instrumental motivation in participation in the treatment programmes, insofar as it seems to be the main motivating element for attending them.
- Certain opinions of the prisoners may help implement some improvements to the programmes. For example, they speak favourably of the ones given by direct victims or persons of cultural proximity and social importance for their group. These opinions lead us to ask about the suitability of acting on programmes that make it possible to continue to experiment with restorative justice inside the prison. Furthermore, it is necessary to take into consideration the assessment system of the programmes, and in particular, to think about the importance of the opinion of the treatment staff about the benefit received by the prisoners when they complete the programme, since it may cause perceptions of injustice and arbitrariness among them.
- Lastly, to consider the suitability of promoting the programmes in the health and personal development sphere, since they have been shown to be associated with a better perception of quality of life.

The social reintegration of the persons who finish their prison sentence in ordinary custody

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Introduction

The investigation sets out to explore the ways in which the Catalan penitentiary system approaches social reintegration in cases where the person does not reach open custody, which lines are considered most effective in these cases and which new actions would be feasible to try to improve the possibilities of their social reintegration. To do so we have started from the point of view of the persons whose task is to facilitate the social reintegration process –the rehabilitation technicians of the penitentiary system, the professionals who design and implement the treatment and social reintegration policies and the persons from community entities who cooperate on the process– because their experience makes them the ones best aware of the reality we are trying to explore and enables us to put forward feasible solutions to this problem insofar as they have been proposed by the persons who have to put them into practice.

Goals

The starting point is the difference between the penitentiary model inspired by legislation and its practical application. According to the legal model, the process of rehabilitation and social reintegration begins in the prison and ends in the community. It starts from determining the basic needs of rehabilitation and the risk of reoffending and, when they improve, it moves forward by stages to permits, open custody and conditional release. There is a professional who accompanies, supervises and helps overcome obstacles. But practice tells us that of the persons who achieve definitive release in Catalonia, the majority do so from ordinary custody, with no approach to release by stages, and those who do so from open custody or conditional release are a minority.

The general goal is to discover the point of view of the professionals who intervene in the execution of the social reintegration of the persons who serve out their sentence in second degree, and breaks down into four specific ones:

- a) why there are persons who do not reach open custody and conditional release,
- b) what the best practices for having them progress in that direction are,
- c) if they identify elements of the penitentiary model that hamper the accomplishment of the goals of rehabilitation and social reintegration, and of access to open custody,
- d) and what solutions they propose.

Methodology

We have designed a qualitative strategy through the use of in-depth interviews with the agents who have been identified as working on the social reintegration of prisoners who are serving their sentence in second degree in Catalonia. The interviews have taken into account the appreciative point of view, based on observing the strengths and best practices, and which now enable us to bring more knowledge than the kind based on highlighting the weak points.

We have started from a definition of the collectives that work for social reintegration along two lines: the ones that take part in the main area of intervention (educators, psychologists, jurists, social workers and community entities) and those who do so in the design and implementation of the social reintegration policies (Prison Services Department, directors and deputy directors of ordinary custody prisons, prosecutor's office and prison supervision judges). Through this map of collectives we have selected different informers, who make up the intentional sample of the investi-

gation, obtaining at least one representative of each collective, chosen because they have specific knowledge and status. The interviews have concentrated on three prisons (Dones de Barcelona, Joves and Quatre Camins) to compile an overall view of the professionals engaged in social reintegration and observe practices which are differentiated according to whether the collective being studied are women, young people or men. The intentional sample is made up of 22 persons who have been interviewed and the information obtained has been transcribed and analysed with a category-based content analysis.

Results and conclusions

Concerning the **system** (everything that is regulated by law, regulation or circular and where the professionals perceive that they have less room for manoeuvre in their intervention), the professionals interviewed consider that the system is positive and aimed at the exterior: its purpose is for everyone to end up leaving jail and have the benefit of a sentence served in stages. However they have also identified some disturbing elements of the system that complicate that goal for a particular collective of prisoners: the foreign nationals, the ones with disciplinary files, those who fail to complete the individual treatment programme or those who have not satisfied the civil liability.

Concerning the **profession** (everything the professionals use in their task), the professionals highlight the importance of the learning acquired from colleagues, their training and their own experience, as well as the relations between all the professionals –especially emphasising the suitability of the multidisciplinary teams for carrying out their task. But they also identify a series of difficulties: too high a ratio of prisoners, an excess of bureaucracy, lack of recourses and the need to disconnect from the job.

Concerning the **inmates** (how they see the key elements of the intervention carried out by the professionals), the professionals stress that the key elements are related to the system itself and the treatment done, to their way of working and the relationship established with the prisoners, and with the way they themselves deal with their process of change. They agree in picking out as key points the creation of a link with the prisoners, knowing how to motivate them, accompanying them in the process and creating confidence in themselves and their future. However, they also say that it is the inmate who must be the agent of his or her own change.

And concerning the **environment** (the role of the community and the family in the social reintegration process), the professionals stress the importance of taking account of both the community to which the prisoner will return and the family that will receive him. They suggest including the families in the intervention and acknowledging the importance of the community volunteer entities, while not forgetting that the present lack of community recourses is a limitation that needs to be tackled.

Based on the goals defined and the results extracted, we can conclude that:

- a) There are four elements that make it difficult for the prisoner to obtain leave, permits or progressions to third grade: having a foreign nationality, having disciplinary files open, failing to complete the individual treatment programme and not satisfying the civil liability associated with the crime. Those four factors are part of the *system*, i.e., of what the interviewees regard as factors that limit their room for manoeuvre. However, they are also part of the *prisoner* himself being responsible for his lack of progression to open custody insofar as he is the one who has behaved badly, who has not followed the individual treatment programme or who has not paid the civil liability.
- b) The importance of the link between professional and prisoner when it comes to working for social reintegration is the element most stressed by the professionals. But they also stress the need to promote the prisoner's responsibility for his own social reintegration process and for his actions aimed at change.
- c) The lines of the solutions the professionals have identified are aimed at changing some of the aspects that have been seen as disturbers of the system, such as the disciplinary files and not satisfying the civil liability associated with the crime. And so they consider the possibility of changing the assimila-

tion of the disciplinary files for bad behaviour and making the study of the sanctions more individual. They also argue for unifying the existing criteria for what it is satisfactory to pay for civil liability and not taking that payment as the sole indicator of the person's responsibility for the crime committed.

- d) Despite everything, the professionals think it is reasonable for a system of return to the community in stages not to be the most frequent. But if we were to act on some of the changes mentioned by the professionals we might manage to reduce the proportion of persons at liberty from the second degree without losing the quality the discretionary model provides.

- 1 Inmigrantes y criminalidad en Europa. Los ejemplos de Alemania y España. Enero 1995.
- 2 La cárcel pública de Barcelona durante la etapa isabelina / La casa de corrección de Barcelona (1836-1856). Enero 1998.
- 3 El coste de la justicia penal. Privación de libertad y alternativas. Febrero 1998.
- 4 El niño abusado sexualmente como testigo / Los delitos contra la libertad sexual relacionados con menores. Marzo 1998.
- 5 Inteligencia y personalidad en el proceso rehabilitador del delincuente. Mayo 1998.
- 6 Salud y prisión. Octubre 1998.
- 7 La prensa frente a la violencia juvenil y la cárcel. Noviembre 1998.
- 8 El tratamiento de los agresores sexuales. Febrero 1999.
- 9 La victimización en Cataluña en el año 1996. Abril 1999.
- 10 Programas aplicados de psicología comunitaria con personal penitenciario. Junio 1999.
- 11 Justicia juvenil: inserción laboral y medidas en medio abierto. Octubre 1999.
- 12 Reincidencia y delincuencia juvenil. Noviembre 1999.
- 13 Violencia doméstica. Diciembre 1999.
- 14 El estado de la adopción en Cataluña (1998-1999).
- 15 Maltratos infantiles en Cataluña. Junio 2000.
- 16 Prisión y mujeres. La incidencia de los programas motivacionales en la conducta social. Un estudio evolutivo (1988-2000) en la prisión de mujeres de Barcelona. Septiembre 2000.
- 17 Evaluación de un programa de tratamiento para jóvenes violentos. Noviembre 2000.
- 18 Evaluación de la efectividad de los programas de tratamiento con delincuentes en Europa. Enero 2001.
- 19 La victimización en Cataluña en el año 1999. Mayo 2001.
- 20 El arresto de fin de semana en Cataluña (1996-2000).
- 21 Adictos a las drogas y reincidencia en el delito.
- 22 Maltratos físicos graves a bebés y menores de cuatro años ingresados en centros de acogida.
- 23 Intervención institucional. Elementos para el análisis en menores infractores o en riesgo.
- 24 Los menores extranjeros indocumentados no acompañados (MEINA).
- 25 La mediación penal
- 26 La reincidencia.
- 27 Familia y conducta antisocial.
- 28 Presentación de dos investigaciones del ámbito penitenciario.
- 29 Intervención en centros de justicia juvenil.
- 30 La clasificación inicial en régimen abierto de los condenados a prisión.
- 31 La reincidencia en las penas alternativas a la prisión en Cataluña.
- 32 La asistencia religiosa y la libertad de culto en las prisiones de Cataluña.
- 33 Bullying - Violencia de género. Elementos para el análisis.
- 34 Violencia de los jóvenes en la familia.
- 35 Infractores y conducta violenta.
- 36 Drogas y tratamiento penitenciario.
- 37 Perfil profesional del juez de primera instancia e instrucción de Cataluña.
- 38 Violencia de género y justicia.
- 39 Delitos sexuales y reincidencia.
- 40 Intervención con infractores juveniles.
- 41 Mediación y resolución de conflictos en entornos penitenciarios.
- 42 Perfil profesional del Secretario Judicial de Cataluña.
- 43 Predicción del riesgo de violencia en contextos institucionales. Los sistemas de control monitorizado aplicado a penados adultos.
- 44 Drogas y prisión . Medidas de seguridad y salud mental.
- 45 Modelos de política criminal y penitenciaria internacional.
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