

# Preparation of Convicts for Release from Penitentiary Facilities as part of "Transitional Management"

*Report of the research*

2018

The research was conducted with the financial support of EU in the frame of the project "Improved Opportunities: Psycho-social Rehabilitation of Inmates, Former Inmates, and Probationers". Responsibilities for the content of the research are fully with the organizations: Center for Information and Counseling on Reproductive Health "Tanadgoma", "Initiative on Rehabilitation of Vulnerable groups" and Dutch organization "Mainline Foundation". Information provided in the report does not reflect the views of EU representation bodies.

# Preface

The following document was produced with the financial support of EU in frames of the project “Improved Opportunities: Psycho-social Rehabilitation of Inmates, Former Inmates, and Probationers”. The main goal of the project is to improve opportunities for psycho-social rehabilitation and re-socialization for inmates, former inmates, and probationers. The project is implemented by the Center for Information and Counseling on Reproductive Health "Tanadgoma", Rehabilitation Initiative for Vulnerable groups and Dutch organization MainLine Foundation. One of the directions of the project is to assess the process of "transitional management" at penitentiary and probation systems, including the analyses of the role of the Crime Prevention Center. "Transitional management" is a process of cooperation of the agencies while preparing inmates for release and it includes evaluation of the inmates, offering them special services, preparation for release, exchange of information between agencies and other elements of cooperation.

The research was planned within the project to identify gaps in "transitional management" and to elaborate recommendations for further actions. The report includes the results, main findings, conclusions, and recommendations developed based on the desk review of public information and the qualitative interviews carried out as a part of the study. The document consists of the following inter-related parts:

- a) General description (desk review), which was developed based on the review of public information on the preparation process of the inmates for release in "transitional management";
- b) Qualitative assessment of the practical implementation of the process of preparation inmates for release;
- c) Review of the experience of European countries (Germany, the Netherlands, and Lithuania) of implementation of rehabilitation and re-socialization programs for inmates and probationers.

Information given in this document refers to the period of August 2017.

The following study was made possible through the support of the Ministry of Corrections and the Ministry of Justice. Therefore, the implementing organizations would like to express gratitude to both ministries.

The researchers would like to extend special gratitude to the staff of the Penitentiary Department under the Ministry of Corrections and the Crime Prevention Center under the Ministry of Justice for their contribution in planning and conducting this research.

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## INTRODUCTION

In 2014, the Ministry of Corrections of Georgia announced a new wave of fundamental reforms of the penitentiary system. Some of the directions of reform were a modernization of social services, an introduction, and development of new programs for re-socialization and rehabilitation of convicts.

The statement made by the Minister of Corrections reads: “I hope that the reform initiated by us will be successful and will restore confidence in the system once and for all. We want those reforms to ensure the improvement of security standards of penitentiary facilities, improve qualification of the staff and ensure rehabilitation of convicts”<sup>1</sup>.

In order to implement this reform, a package of legislative amendments was developed, which envisaged up to 30 changes in the legislation. Those amendments were developed based on international practices, as well as recommendations of the Public Defender and non-governmental organizations.

For four years, many initiatives have been introduced directed in the regulatory framework of the penitentiary system, and those initiatives received positive feedback, including that from the international organizations. During this reformation process, the Ministry of Corrections closely cooperates with the Public Defender's Office, NGOs, and international partners. The results of this cooperation are the ongoing projects, which started in 2015 with the EU funding and are the part of the framework cooperation agreement between EU and Georgia and referred as EU4Justice ("Support for Justice Reform Programme") Programme. EU4Justice Programme has three key directions of projects and one of these directions is a "Support for Penitentiary and Probation Systems Project – To Full Resocialization Through Joint Efforts". The aim of the projects under this umbrella project is to facilitate resocialization/rehabilitation of inmates, former inmates, probationers and children and adolescents in conflict with the law. The organizations engaged in these projects, jointly with the Ministry of Corrections, carry out activities to increase opportunities for target groups for their professional training and employment, their psychosocial and medical assistance, as well as, crime prevention. The implementation of these projects is a very important step forward for the penitentiary and probation systems, mostly because the aim of those changes is to approximate with the European standards of the penitentiary system and to ensure high quality of human rights protection and regime conditions in the system. Development and implementation of rehabilitation/resocialization programs were declared as one of the top priorities in this process. The statement of the Minister of Corrections of Georgia reads: "Resocialization of inmates is a priority for us. For this, we offer a variety of programs to convicts. The person should be able to support himself and his family after the release. He/she should be able to adapt to the outside world so that he/she will not come into a conflict with the law again. .... To promote adaptation and to prevent repeated crimes, we need different programs"<sup>2</sup>. In order to effectively implement this direction, the emphasis was made on ensuring high standards of programs for individual sentence planning and release planning as a part of this process. In order to establish a unified and efficient system, cooperation among structures such as the Ministry of Corrections of Georgia, the Ministry of Justice of Georgia and entrepreneurial and non-entrepreneurial entities was strengthened. The

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<sup>1</sup><http://www.moc.gov.ge/en/press-service/news/article/18987-1413144000>

<sup>2</sup> <http://www.moc.gov.ge/ka/pressamsakhuri/akhali-ambebi/article/22357-gathavisuflebisthvis-momzadebis-thavisuflebis-aghkvethis-datselebuleba-sheiqmneba>

is a long and complicated process, which requires on-going monitoring and introduction of improvements as needed so that the program fully adapts to the specific circumstances in the country and archives the best results.

A desk review “Preparation of convicts for release from penitentiary establishments as part of “transitional management” was conducted in January 2017 as a part of the EU-funded project *“Improved Opportunities: Psycho-social Rehabilitation of Inmates, Former Inmates and Probationers”* and this review analyzed documents (normative acts, regulations, protocols) available at that time. The following step was a qualitative study, which was based on the results of this analysis and provided a description of practical aspects of release planning, and of the views, attitude, and recommendations of individuals involved in this process.

**Desk research - Preparation of convicts for release from penitentiary establishments as part of "transitional management"**

*Desk research*

# DESK RESEARCH - PREPARATION OF CONVICTS FOR RELEASE FROM PENITENTIARY ESTABLISHMENTS AS PART OF "TRANSITIONAL MANAGEMENT"

## Study Methodology

As a part of the desk research, the researchers conducted a detailed analysis of local legislation regulating the process of release planning (so-called "transitional management") and compared them with the international standards. The documents analyzed, included:

International documents: The UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules), Recommendation REC (2006)2 of the Committee of Ministers to member states on European Prison Rules (European Prison Rules).

Local documents: Criminal Code of Georgia, Code of Juvenile Justice of Georgia, Code of Imprisonment of Georgia, Decree #118 of the Ministry of Corrections of Georgia on Approval of the Statute of Penitentiary Establishment No. 11 of the Ministry of Corrections of Georgia, Decree #68 of the Ministry of Corrections of Georgia on Approval of the Rules for Coordination between the Penitentiary Department of the Ministry of Corrections and LEPL National Probation Agency During the Release Planning Process, Decree #179 of the Ministry of Corrections of Georgia on Approval of Form and Procedure for Risk Evaluation of a Minor's Family and Social Environment and Needs Assessment During Release Planning of Juveniles, Decree #903 of the Ministry of Corrections on Approval of the Statute of the Legal Entity Under the Public Law Subordinated to the Ministry of Corrections -- Non-custodial Sentence Execution and National Probation Agency, and Decree N16 of the Minister of Justice on Approval of the Statute of the Legal Entity under the Public Law -- the Crime Prevention Center.

In addition, the researchers have analyzed public information officially requested from the Ministry of Corrections and the Ministry of Justice and the information publicly available on the internet (<http://www.moc.gov.ge>; <http://prevent.gov.ge>). In particular, the researchers have requested the release of the public information in accordance with the Administrative Code from the Penitentiary Department and National Probation Agency under the Ministry of Corrections, and Crime Prevention Center under the Ministry of Justice of Georgia in the period of March to May 2017 during the study implementation. The request was for the information regarding release planning of convicts and educational, rehabilitation and employment programs for inmates, former inmates and probationers carried out in 2013-2016. This information and other publicly available relevant documents (reports, regulations, orders) were the sources for the general description part of the report on the preparation of convicts for release, as part of "transitional management", including a description of competencies and details about the engagement of relevant institutions. The findings of this study were used to develop recommendations for improvement of those processes.



## Situational Analysis

### International Legal Framework

International standards define the purpose of conviction – “*the purposes of a sentence of imprisonment or similar measures deprivation of a person's liberty are primarily to protect society against crime and to reduce recidivism*”<sup>3</sup>. However, this purpose is only served if “*the period of imprisonment is used to ensure, so far as possible, the reintegration of such persons into society upon release so that they can lead a law-abiding and self-supporting life*”<sup>4</sup>.

To achieve this goal, the relevant penitentiary facilities should offer “*education, vocational training and work, as well as other forms of assistance that are appropriate and available, including those of a remedial, moral, spiritual, social and health- and sports-based nature*”<sup>5</sup>, which meet the needs of inmates. International standards also define that rehabilitation process should be based on the individual sentence plans and such plans should include: work, education, other activities and preparation for release<sup>6</sup>.

According to the international standards, “*from the very beginning of imprisonment, one should start thinking about the future which awaits the prisoner to after the release. That is why all efforts should be made to help this person to establish and maintain contacts with individuals and institutions outside of the prison, who can protect his family's interests and can help him to reintegrate into a public life after the release*”<sup>7</sup>. It also explained that “*the duty of society does not end with a prisoner's release*”<sup>8</sup>, and no less significant process starts after the release. For this purpose, it is important to prepare convicts for the release. Convicts should be given opportunities to participate in a variety of programs that will help them in the process of integration in the society<sup>9</sup>. For this purpose all appropriate means shall be used – “*religious care in the countries where this is possible, education, vocational guidance and training, social casework, employment counseling, physical development and strengthening of moral character, in accordance with the individual needs of each prisoner, taking account of his or her social and criminal history, physical and mental capacities and aptitudes, personal temperament, the length of his or her sentence and prospects after release*”<sup>10</sup>.

International standards highlight the importance of inter-agency cooperation and coordination in the process of preparation of release of prisoners: “*Prison authorities shall work closely with services and agencies that supervise and assist released prisoners to enable all sentenced prisoners to re-establish themselves in the community, in particular with regard to family life and employment*”<sup>11</sup>. Representatives of such services or agencies shall be

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<sup>3</sup> *The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), Rule 4 (1).*

<sup>4</sup> *Ibid, Rule 4 (1).*

<sup>5</sup> *Ibid, Rule 4 (2).*

<sup>6</sup> *Recommendation Rec(2006)2 of the Committee of Ministers to member states on the European Prison Rules, Rule 103.4*

<sup>7</sup> *Recommendation Rec(2006)2 of the Committee of Ministers to member states on the European Prison Rules, Rule 107*

<sup>8</sup> *The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), Rule 90*

<sup>9</sup> *Recommendation Rec(2006)2 of the Committee of Ministers to member states on the European Prison Rules, Rule 107.1*

<sup>10</sup> *The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), Rule 92 (1)*

<sup>11</sup> *Recommendation Rec(2006)2 of the Committee of Ministers to member states on the European Prison Rules, Rule 107.4*

allowed access to the prison and to prisoners to allow them to assist with preparations for release and the planning of after-care programs<sup>12</sup>.

*“Services and agencies, governmental or otherwise, which assist released prisoners in re-establishing themselves in society shall ensure, so far as is possible and necessary, that released prisoners are provided with appropriate documents and identification papers, have suitable homes and work to go to, are suitably and adequately clothed having regard to the climate and season and have sufficient means to reach their destination and maintain themselves in the period immediately following their release”<sup>13</sup>. “It is desirable that the activities of such agencies shall be centralized or coordinated as far as possible in order to secure the best use of their efforts”<sup>14</sup>.*

## Local Legislative Framework and Practice

The local legislation defines the purpose of conviction, namely restoration of justice, preventing new crimes and re-socializing offenders<sup>15</sup>. With respect to minors, the legislation is different and it states that "the purpose of conviction of a minor is to re-socialize and rehabilitate the person and to prevent new crimes". This legislation emphasizes that in relation to minors, the priority is not the restoration of justice, but priority is the child's best interest. The main principle of the Juvenile Code of Georgia is the prioritization of the best interests of juveniles<sup>16</sup>.

According to the Prison Code, “the re-socialization of a convicted person means developing in the convicted person a sense of responsibility and respect toward society, other persons, moral standards and to established rules of human coexistence”. It is also noted that the means of resocialization are: serving a sentence in accordance with the established procedures; implementation of rehabilitation programs; pedagogical work with minors; employment of convicted persons; provision of general and vocational education; relationship with society<sup>17</sup>.

The law states that penitentiary facilities provide rehabilitation programs for inmates and the aims of those interventions are “develop in a convicted person a sense of respect for the law, other people, labour, and to established rules and standards of human coexistence; create normal psychological environment among the convicted persons at a prison facility; improve the educational and professional level of convicted persons; prepare a convicted person for release; rehabilitate persons with different addictions”<sup>18</sup>. The Law defines that the Ministry of Corrections shall cooperate with state agencies and other organizations to ensure rehabilitation of convicted persons<sup>19</sup>. In addition, it is noted that the

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<sup>12</sup> *Ibid, Rule108 (2)/Ibid, Rule107.5*

<sup>13</sup> *The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), Rule108 (1)*

<sup>14</sup> *Ibid, Rule108 (3)*

<sup>15</sup> *Criminal Code, Article 39 (1)*

<sup>16</sup> *Juvenile Justice Code, Article 4*

<sup>17</sup> *Prison Code, Article 116*

<sup>18</sup> *Ibid, Article 117*

<sup>19</sup> *Ibid, Article 118 (1)*

daily routine at the penitentiary facilities should take into account time needed for individuals to participate in rehabilitation programs<sup>20</sup>.

According to the information provided by the Ministry of Corrections, the following types of programs were centrally implemented in the penitentiary system during 2013-2016:

N	Title of the Programme	Penitentiary Facility
1.	Healthy lifestyle	N2, N5, N8, N12, N14, N15, N16, N17, N11
2.	Programme "Overcoming Penitentiary Stress"	N2, N5, N8, N12, N14, N15, N16, N17, N11
3.	Development of Cognitive and Social Skills "COSO".	N2, N5, N8, N12, N14, N15, N16, N17, N11
4.	Anger Management Programme	N2, N5, N8, N12, N14, N15, N16, N17, N11
5.	"EQUIP" (Crime realization, a rehabilitation program for anti-social behavior minors)	N11
6.	„Development of Positive Thinking Skills"	N17
7.	„A Group for Development of Useful Skills"	N2, N5, N8, N12, N14, N15, N16, N17, N11
8.	"Programme for the management of family difficulties" (Domestic and gender violence, female victims of violence")	N5
9.	„Role of Positive Behavior in Family Relations" (to increase gender sensitivity among male inmates)	N2, N5, N8, N12, N14, N15, N16, N17
10.	„Preparation for Release"	N2, N5, N8, N12, N14, N15, N16, N17, N11
11.	Bibliotherapy	N2, N5, N8, N12, N14, N15, N16, N17, N11
12.	„Atlantis - 12 steps (in-patient rehabilitation program for drug abusers )	N2, N5
13.	Art-therapy	N2, N5, N8, N12, N14, N15, N16, N17, N11
14.	„Step to a change" (crime realization program for adults)	N16
15.	Drug abuse and cognitive-behavioral therapy	N12, N16
Psycho-social Training		
1.	Rights of accused and convicted persons	N2, N5, N8, N12, N14, N15, N16, N17, N11

<sup>20</sup> *Ibid*, Article 118 (3)

2.	Trafficking – the form of modern slavery	N2, N5, N8, N12, N14, N15, N16, N17, N11
3.	Tuberculosis	N2, N5, N8, N12, N14, N15, N16, N17, N11
4.	HIV/AIDS	N2, N5, N8, N12, N14, N15, N16, N17, N11
5.	Hepatitis C and B	N2, N5, N8, N12, N14, N15, N16, N17, N11
6.	Stigma and discrimination	N2, N5, N8, N12, N14, N15, N16, N17, N11

According to the same source, the ongoing educational and rehabilitation programs are the following:

N	Penitentiary Facility	Title of the Program
1.	N2	„Atlantis“, Art-therapy, Bibliotherapy, a training in Development of Cognitive and Social Skills, Penitentiary Stress Management, Development of Positive Thinking Skills.
2.	N5	„Atlantis“, a training in Development of Cognitive and Social Skills.
3.	N12	Preparation for release, Development of Positive Thinking Skills, training in Development of Cognitive and Social Skills.
4.	N15	Training in Development of Cognitive and Social Skills.
5.	N16	Bibliotherapy, Penitentiary Stress Management, wood-cutting, Drug abuse and cognitive-behavioral therapy, Cooking classes, Human development in a social environment, Art-therapy, Preparation for release, Useful skills development program, Crime realization program, Painting classes
5.	N17	Art-therapy, Preparation for release, Useful skills development program, training in Development of Cognitive and Social Skills.

There are separate educational and rehabilitation programs for minors:

N	Penitentiary Facility	Title of the Program
1.	N2, N8, N11	Penitentiary Stress Management Programme
2.	N2, N8, N11	Art-therapy
3.	N2, N11	Healthy Lifestyle

4.	N11	Anger Management Program
5.	N11	Preparation for Release

In addition, according to the information provided by the Ministry of Corrections, prisoners have access to employment programs in penitentiary facilities starting from 2017. Namely:

- Household Services – Convicted persons are employed in Facilities N2, N3, N5, N6, N7, N8, N12, N14, N15, N16, N17, and N19. As of 01.03.2017, 458 individuals are employed. Four of them work in the beauty shop (N5, N12, N15);
- Handmade items – Convict persons can create a number of craft/handmade items and place them for sale in the online store. Currently, there are 41 individuals registered from Facilities N5, N6, N8, N12, N14, N15, and N17;
- Employment mini-production sites -- Facility N5 runs a sewing shop, Facilities N5, N12 and N15 have a barber shop, Facilities N16, N15, N14, and N8 -- bakeries.

It should be noted that, according to the information provided, the Special Program for Release Preparation in 2017 was available only in Facilities N11, N12, N16 and N17. However, as the Ministry explained, in the facilities where the special programs were not available, individuals had an opportunity to engage in other programs listed above.

As it was mentioned above, individual sentence planning is one of the most important factors for organizing the sentence effectively. As a rule, release preparation is a part of the individual sentence plan. Therefore, preparation for the release shall be considered as an integral part of the sentence plan.

Based on the information provided by the Ministry, individual sentence planning was put into practice in Facilities N5, N8, N11, N12, N15, N16, N17, N18 and N19 at the beginning of 2017. Individual planning for adults was introduced in 2015 and for minors -- in 2009. In the period of 2015 to 2016, individual planning procedure was implemented in N5, N8, N12, N16, N17, N18 and N19.

The number of convicted persons covered with the individual planning process in 2015-2016:

Penitentiary Facility	Number of convicted persons covered with individual planning	Total number of accused/convicted individuals as of 31 December 2015 <sup>21</sup>
Facility N5	173	294
Facility N8	17	2327
Facility N12	20	267
Facility N16	153	80
Facility N17	10	1901
Facility N18	2	110
Facility N19	4	116
Facility N11	70	16

<sup>21</sup>[http://www.moc.gov.ge/images/files/pdf/text\\_14550774211.pdf](http://www.moc.gov.ge/images/files/pdf/text_14550774211.pdf)

The number of convicted persons covered with the individual planning process at the beginning of 2017, according to the information provided by the Ministry of Corrections:

	Number of convicted persons covered with individual planning	Total number of accused/convicted individuals as of 31 January 2017
Facility N5	189 <sup>22</sup>	259
Facility N8	25	2308
Facility N12	25	281
Facility N16	81	91
Facility N17	19	1882
Facility N18	2	106
Facility N19	4	88
Facility N11	9	10

Below there is a summary of information about convicted persons covered with individual sentence planning program per penitentiary facilities.

2013

Facility N5	68 convicted persons
Facility N12	16 convicted persons
Facility N17	67 convicted persons
Total	151 convicted persons

2014

N5 Facility	33 convicted persons
N8 Facility	80 convicted persons
N12 Facility	36 convicted persons
N2 Facility	41 convicted persons
N14 Facility	87 convicted persons
N15 Facility	57 convicted persons
N17 Facility	45 convicted persons
Total	379 convicted persons

<sup>22</sup>One female minor among them.

2015

Facility N5	12 convicted persons
Facility N12	9 convicted persons
Facility N16	17 convicted persons
Facility N17	12 convicted persons
Facility N11	15 convicted persons
Total	65 convicted persons

2016

Facility N11	17 convicted persons
Facility N12	7 convicted persons
Facility N16	13 convicted persons
Facility N17	10 convicted persons

The local legislation defines the following grounds for the release of a convicted person from a penitentiary facility:

- Completion of the sentence;
- Conditional release from the suspended sentence;
- The outstanding part of the sentence has been commuted to a less severe sentence;
- Reversal or abolishment of the sentence, in accordance with the legislation;
- Amnesty or pardon
- Due to age or illness
- In case of a court's decision to deferenforcement of the sentence<sup>23</sup>.

Convicted persons are released from prisons a day before the end of the sentence term. If the final day of the sentence is on the weekend, the convicted person will be released on the previous working way<sup>24</sup>.

Individual may be granted a conditional release from incarceration only if the following conditions of serving the sentence are met:

- For less severe offenses – at least half of the term of incarceration is served;
- For a grave offense - at least 2/3 of the term of incarceration is served;
- For particularly grave offenses -- at least 3/4 of the term of incarceration is served;
- 3/4 of the term of the sentence imposed on a person whose previous term of the sentence which had not been actually served by him/her, was changed by a less severe sentence in accordance with the Law<sup>25</sup>. The term of incarceration shall not be less than 6 months.

The terms are different in case of juvenile offenders. Specifically:

- For less severe offenses – at least 1/3 of the term of incarceration is served;

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<sup>23</sup> *Prison Code, Article 37 (1)*

<sup>24</sup> *Ibid, Article 38 (1)*

<sup>25</sup> *Ibid, Article 40 (1)*

- For a grave offense - at least half of the term of incarceration is served;
- For particularly grave offenses -- at least 2/3 of the term of incarceration is served<sup>26</sup>.

The table below summarizes information about convicted/accused individuals who were released on parlor and the ground for release is also noted:

2013<sup>27</sup>

	Ground	Numbers
1.	Calendar (upon the term of the sentence was served)	3506
2.	Pardon	854
3.	Amnesty	8729
4.	Released, in spite of the remaining term (Criminal Code, Articles 63 and 64)	433
5.	Release before the completion of the sentence – Adults (Criminal Code, Article72)	1544
6.	Release before the completion of the sentence – minors (Criminal Code, Article 73)	34
7.	The outstanding part of the sentence commuted to a less severe sentence (Criminal Code, Article73)	23
8.	Release due to old age or illness(Criminal Code, Article74)	91
9.	Enforcement of the sentence was deferred (Criminal Code, Article283)	10
10.	Other types of release (Bail, termination of the case, extradition, etc.)	3421
Total		18645

2014<sup>28</sup>

	Ground	Numbers
1.	Calendar (upon the term of the sentence was served)	2637
2.	Pardon	554
3.	Amnesty	17

<sup>26</sup> *Juvenile Justice Code, Article 95 (1)*

<sup>27</sup> [http://www.moc.gov.ge/images/files/pdf/text\\_14214085111.pdf](http://www.moc.gov.ge/images/files/pdf/text_14214085111.pdf)

<sup>28</sup> [http://www.moc.gov.ge/images/files/pdf/text\\_14308146981.pdf](http://www.moc.gov.ge/images/files/pdf/text_14308146981.pdf)



4.	Released, in spite of the remaining term (Criminal Code, Articles 63 and 64)	421
5.	Release before the completion of the sentence – Adults (Criminal Code, Article 72)	873
6.	Release before the completion of the sentence – minors (Criminal Code, Article 73)	22
7.	The outstanding part of the sentence commuted to a less severe sentence (Criminal Code, Article73)	70
8.	Release due to old age or illness(Criminal Code, Article74)	26
9.	Enforcement of the sentence was deferred (Criminal Code, Article283)	7
10.	Other types of release (Bail, termination of the case, extradition, etc.)	3022
Total		7649

2015<sup>29</sup>

	Ground	Numbers
1.	Calendar (upon the term of the sentence was served)	2591
2.	Pardon	731
3.	Amnesty	8
4.	Released, in spite of the remaining term (Criminal Code, Articles 63 and 64)	375
5.	Release before the completion of the sentence – Adults (Criminal Code, Article 72)	1007
6.	Release before the completion of the sentence – minors (Criminal Code, Article 73)	26
7.	The outstanding part of the sentence commuted to a less severe sentence (Criminal Code, Article73)	57
8.	Release due to old age or illness(Criminal Code, Article74)	24
9.	Enforcement of the sentence was deferred (Criminal Code, Article283)	13

<sup>29</sup><http://www.moc.gov.ge/images/temp/2016/05/11/8c55a3858cba21b237b1857221442da0.pdf>

10.	Other types of release (Bail, termination of the case, extradition, etc.)	3110
Total		7942

Decisions about the conditional release from incarceration and commutation of outstanding part of the sentence to a less severe sentence are made by the body responsible for those decisions – the local council. The Minister of Corrections determines the number of councils and their territorial jurisdiction<sup>30</sup>.

When considering the solicitation, the Council takes into account the conduct of a convicted person while he/she was serving a sentence, the cases of offense committed by the individual in the past, the personality of the individual, his/her family situation, the nature of crime he/she committed and the other circumstances which may influence the decision of the Council<sup>31</sup>. If the Council decides to refuse a conditional release, the case may be re-examined only after 6 months, except when the remaining term of the sentence does not exceed 6 months and/or there are some special circumstances. It is mandatory to review the cases for conditional release every six months<sup>32</sup>. The decisions about the commutation of outstanding part of the sentence to a less severe sentence are made by the local council based on the same principles<sup>33</sup>.

Administration of a penitentiary facility is responsible to notify a local self-government body about the release of an inmate, his/her place of residence, disability status and specialty/profession according to his/her place of residence no later than 3 months before the expiration of the term of the sentence. The administration of the penitentiary facility shall also notify the relevant structural subdivision of the Ministry of Internal Affairs<sup>34</sup>. In case of the release of a prisoner who has committed acts of domestic violence, the administration of the penitentiary facility should also notify a district police division<sup>35</sup>, where those acts of violence have been committed.

There are two state agencies -- the National Probation Agency of the Ministry of Corrections and the Crime Prevention Center of the Ministry of Justice – engaged in the process of inmate release. Nowadays, these two agencies have different roles and functions in the process. Therefore, coordination of penitentiary facility with these two agencies in the release preparation process will be discussed separately for each of those agencies.

Firstly, we will discuss a procedure for coordinating activities of penitentiary and probation system in release preparation. Currently, we have detailed regulation of release preparation process only for minor and female convicted persons. This process is very much identical for those two categories of individuals, except for some specific cases that are regulated by the legislation differently.

In the penitentiary facilities, social departments are responsible for organizing this process. The functions of social departments include:

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<sup>30</sup> *Prison Code, Article 41 (1)*

<sup>31</sup> *Prison Code, Article 42 (3)*

<sup>32</sup> *Ibid, Article 42 (3)*

<sup>33</sup> *Ibid, Article 43*

<sup>34</sup> *Ibid, Article 45*

<sup>35</sup> *Ibid, Article 45'*

- Bio-psychosocial evaluation of convicted individuals, and development, coordination and monitoring of the individual plan execution;
- Development and implementation of psychosocial rehabilitation programs;
- Individual and group counseling for rehabilitation of convicted individuals
- Development and implementation of programs to help convicted persons to maintain a relationship with society for their resocialization;
- Development and implementation of programs to facilitate the release preparation;
- Organize sporting, religious, cultural and other rehabilitation measures of convicted persons;
- Coordination and information exchange with the Social Service Agency, Crime Prevention Center and other relevant services in order to facilitate the rehabilitation process of convicted individuals;
- • Assessment of educational needs of convicted persons and planning/implementation of appropriate measures to ensure access to education of convicted persons and communication with educational institutions in order to cooperate with them in this process;
- Organization of professional education opportunities for convicted persons;
- Providing library service to convicted persons;
- Promotion of employment of convicted persons;
- Other functions defined by the Georgian legislation.

The administration should notify the Division of Rehabilitation Programs of the National Probation Agency in writing at least 3 month prior to the conditional release from incarceration and commutation of outstanding part of the sentence to a less severe sentence with the request to evaluate family of the individual, and assess his/her social risks and needs outside of penitentiary system<sup>36</sup>.

This notification should include the following information: a) the reason for notification; b) general demographic information about the convicted individual; c) information about the offense committed; d) information about his/her family; e) the name of the institution where the person is serving a sentence; f) date of admission of this person into the penitentiary facility; g) the remaining term of the sentence and the date of release; h) the date of conditional release from incarceration and of commutation of outstanding part of the sentence to a less severe sentence; i) the name and surname of a social worker working with the convicted individual in the Facility; j) the contact information of the Facility; k) issues on which the social worker of the Agency should focus while evaluating the family of a convicted individual<sup>37</sup>.

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<sup>36</sup> *Order N68 of the Minister of Corrections on approval of the rules for coordinating activities in the release preparation process of the convicted persons between the Penitentiary Department and LEPL -- Non-Custodial Sentence Execution and National Probation Agency, Article 2 (1) / Order N179 of the Minister of Corrections of Georgia on approval of the forms and rules for minor's family and social environment risk assessment and need evaluation in the process of release preparation of a minor, Article 2 (1). / Juvenile Justice Code, Article 98 (3)*

<sup>37</sup> *Order N68 of the Minister of Corrections on approval of the rules for coordinating activities in the release preparation process of the convicted persons between the Penitentiary Department and LEPL -- Non-Custodial Sentence Execution and National Probation Agency, Article 2 (2) / Order N179 of the Minister of Corrections of Georgia on approval of the forms and rules for minor's family and social environment risk assessment and need evaluation in the process of release preparation of a minor, Article 2 (2). / Juvenile Justice Code, Article 98 (3)*

If the convicted person besides incarceration, also has a conditional sentence, the administration should notify the office of the Bureau of Probation (at his/her place of residence) 3 month before the end of the incarceration term with the request to evaluate family of the individuals, and assess his/her social risks and needs outside of penitentiary system<sup>38</sup>, except in cases where the individual is released on parlor, or his/her sentence has been deferred<sup>39</sup>.

In the case of minors, those assessments are not performed if the term of imprisonment was less than 3 months<sup>40</sup>.

The penitentiary facility notifies the National Probation Agency in writing with the request to evaluate family and social environment of the convicted individual, but his/her written consent for the release of the information in the case of adults<sup>41</sup> (and in case of minors, with a written consent of the legal representative of the minor<sup>42</sup>). This notification should include the following information: a) the grounds for the release of the information about the convicted person; b) name, last name, date of birth and personal ID number of the individual; c) the name of the institution where the person is serving a sentence; d) date of admission of this person into the penitentiary facility; e) the date of release; f) the name and surname of a social worker working with the convicted individual in the Facility; g) the contact information of the Facility; h) rehabilitation services carried out in the Facility for the convicted person; i) the attitude of the convicted person to the crime committed; j) the results of risk assessment of self-damage or harm to other people; k) plans and expectations of the convicted individuals after his/her release; m) his/her interests. These documents should be accompanied by a medical record about the health status of the individual. The administration of the institution should send this information to the office of the Probation Bureau (according to his/her place of residence) no later than within 2 working days after the release of the individual<sup>43</sup>.

The responsibility to organize these processes is with the Division of Rehabilitation programs of the National Probation Agency. The functions of this division are the following<sup>44</sup>:

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<sup>38</sup>, article 2 (4). Order N68 of the Minister of Corrections on approval of the rules for coordinating activities in the release preparation process of the convicted persons between the Penitentiary Department and LEPL -- Non-Custodial Sentence Execution and National Probation Agency, Article 2 (5) / Order N179 of the Minister of Corrections of Georgia on approval of the forms and rules for minor's family and social environment risk assessment and need evaluation in the process of release preparation of a minor.

<sup>39</sup> Prison Code, Article 37 (3, 4).

<sup>40</sup> Juvenile Justice Code, Article 98 (6)

<sup>41</sup> Order N68 of the Minister of Corrections on approval of the rules for coordinating activities in the release preparation process of the convicted persons between the Penitentiary Department and LEPL -- Non-Custodial Sentence Execution and National Probation Agency, Article 2 (6)

<sup>42</sup> Order N179 of the Minister of Corrections of Georgia on approval of the forms and rules for minor's family and social environment risk assessment and need evaluation in the process of release preparation of a minor, Article 2 (4)

<sup>43</sup> Order N68 of the Minister of Corrections on approval of the rules for coordinating activities in the release preparation process of the convicted persons between the Penitentiary Department and LEPL -- Non-Custodial Sentence Execution and National Probation Agency, Article 2 (7,8) / Order N179 of the Minister of Corrections of Georgia on approval of the forms and rules for minor's family and social environment risk assessment and need evaluation in the process of release preparation of a minor, Article 2 (5,6)

<sup>44</sup> Decree N903 of the Minister of Corrections on approval of the statute of the LEPL under the Ministry of Corrections -- Non-Custodial Sentence Execution and National Probation Agency, Article 9.

- Organizing individual biosocial psychological evaluation of convicts and individuals on diversion in the jurisdiction of the National Probation Agency;
- Development, adaptation, implementation, and management of the models of psychosocial, educational and rehabilitation programs;
- Organization of periodic professional training of social workers and psychologists;
- Development and implementation of professional standards for rehabilitation of convicted individuals;
- Introduction and implementation of monitoring and evaluation system of rehabilitation process;
- Promotion of coordinated cooperation with the penitentiary system in the process of preparation and rehabilitation of convicted individuals;
- Other relevant activities as defined by the legislation.

After the receipt of the notification, the Head of the Rehabilitation Program Division of the National Probation Agency transfers the task to a social worker, who should perform at least one visit to the family of the convicted person for the purpose of evaluating risk-factors related to the family and social environments and identifying needs. Upon completion of the evaluation, the assessment report will be sent to the administration of the relevant facility<sup>45</sup>.

The key issues for a social worker in the process of family and social environment assessment are the following: a) The readiness of the family's social environment towards the return of a convicted person; b) the attitudes of family members towards the offense committed by this person; c) whether a convicted person will have a shelter after release; d) needs of individuals, who are dependent on the convicted person; e) Source of potential income of the convict and/or his/her family after his/her release; f) resources of rehabilitation services and their availability after the release<sup>46</sup>.

In case of a release of a minor, re-socialization and rehabilitation plan should be prepared at least two months before release, except when this is not possible because of objective shorter timeline of the release decision, such as custodial release, or pardon/amnesty and/or court's decision<sup>47</sup>. The National Probation Agency cooperates with the Crime Prevention Center and local self-government bodies for up to 3 months from the release of the juvenile convict for the development of resocialization-rehabilitation plan at the territorial unit, where the minor's residence is located or where he/she is going to return<sup>48</sup>.

The more important process for the purpose of effective integration in society begins after the release of the convicted person from the penitentiary system. It is interesting to know how the system of care for the convicted persons is organized after his/her release.

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<sup>45</sup> *Order N68 of the Minister of Corrections on approval of the rules for coordinating activities in the release preparation process of the convicted persons between the Penitentiary Department and LEPL -- Non-Custodial Sentence Execution and National Probation Agency, Article 3 (1,4) / Order N179 of the Minister of Corrections of Georgia on approval of the forms and rules for minor's family and social environment risk assessment and need evaluation in the process of release preparation of a minor, Article 3 (1,4)*

<sup>46</sup> *Order N68 of the Minister of Corrections on approval of the rules for coordinating activities in the release preparation process of the convicted persons between the Penitentiary Department and LEPL -- Non-Custodial Sentence Execution and National Probation Agency, Article 3 (7) / Order N179 of the Minister of Corrections of Georgia on approval of the forms and rules for minor's family and social environment risk assessment and need evaluation in the process of release preparation of a minor, Article 3 (5).*

<sup>47</sup> *Juvenile Justice Code, Article 98 (7)*

<sup>48</sup> *Ibid, Article 98 (8)*

The National Probation Agency cooperates only with the N11 and N5 Penitentiary Facilities in the process of so-called "Transitional Management". They have evaluated family and social environment for 129 individuals for the period of 2013-2016 for their custodial release and prepare the relevant report for the relevant Commission/Council.

The criteria for the admission to rehabilitation programs of the National Probation Agency are medium or high risk of harm or repeat offense. This applies to all individuals under the custody, as well as on convicted prisoners released from penitentiary facilities. According to the information provided by the National Probation Agency, an inmate released from the penitentiary facility can take part in all the services that are provided by the National Probation Agency.

According to the information provided by the National Probation Agency, the agency had 20 types of rehabilitation programs in 2017. Those programs are divided into 3 categories – targeting psychosocial, pro-social behaviors and reducing the addictive behavior risks:

- Training program in human rights, and tolerance towards vulnerable groups;
- Addictology – prevention of relapse;
- Effective communication;
- Training program in self-evaluation, support for the development of new capabilities;
- A program for integration with a society;
- Trafficking
- Healthy lifestyle support program;
- Life values;
- Life risks and personal resources;
- Planning the future;
- Crime realization;
- Training module in penitentiary stress management;
- Conflict management and assertive behavior;
- Anger management;
- Positive Thinking Skills Development Programme;
- Addiction to gambling;
- Management of violent behavior – gender violence rehabilitation program.

The number of convicted individuals participating in the programs in 2017 per regions:

Region		Number of convicted persons
1.	Tbilisi	180
2.	Kvemo Kartli	38
3.	Shida Kartli	32
4.	Samtskhe-Djavakheti	14
5.	Imereti	39
6.	Adjara	51
7.	Racha-Lechkhumi and Kvemo Svaneti	2

8.	Samegrelo and Zemo Svaneti	13
9.	Guria	29
10.	Kakheti	6
11.	Mtskheta-Mtianeti	32
Total		436

The distribution of those individuals per each program is the following:

- Addictology – prevention of relapses --23;
- Effective communication --2;
- Training program in self-evaluation, support for the development of new capabilities --10;
- A program for integration with a society – 7;
- Informational training – 4;
- Program in adaptation in the social environment – 7;
- Healthy lifestyle support program -- 1;
- Life values -- 38;
- Planning the future --6;
- Crime realization -- 16;
- Training module in penitentiary stress management –6;
- Conflict management and assertive behavior – 1;
- Anger management –12;
- Positive Thinking Skills Development Programme – 1;
- Addiction to gambling -- 6
- Management of violent behavior – gender violence rehabilitation program -- 4

The main fields of employment are construction works, wood processing factory and public space gardening and cleaning work. The number of employed individuals in 2017:

N	Regions	Adult	Minor	Total
1.	Tbilisi	9	0	9
2.	Shida Kartli	0	0	0
3.	Mtskheta-Mtianeti	1	0	1
4.	Kvemo Kartli	0	0	0
5.	Kakheti	6	0	6
6.	Samtskhe-Djavakheti	0	0	0
7.	Imereti	5	0	5
8.	Guria	3	0	3
9.	Samegrelo and Zemo Svaneti	0	0	0
10.	Racha-Lechkhumi and Kvemo Svaneti	0	0	0
11.	Adjara	0	0	0

Total	24	0	24
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The number of employed individuals in 2013-2016:

N	Regions	Adult	Minor	Total
1.	Regions	126	0	126
2.	Tbilisi	64	0	64
3.	Shida Kartli	22	0	22
4.	Mtskheta-Mtianeti	40	0	40
5.	Kvemo Kartli	113	0	113
6.	Kakheti	14	0	14
7.	Samtskhe-Djavakheti	40	0	40
8.	Imereti	10	0	10
9.	Guria	20	0	20
10.	Samegrelo and Zemo Svaneti	1	0	1
11.	Racha-Lechkhumi and Kvemo Svaneti	28	0	28
Total		478	0	478

It is noteworthy that the rehabilitation programs are mainly provided by social workers and psychologists working for the Division of Rehabilitation Programs. However, their job description (especially that of social workers), also includes the development of individual assessment reports (in the cases of diversion, sentencing, non-custodial sentence) for minors; monitoring of diversion - mediation agreement; assessment of the risks and needs for different categories of convicted persons, and etc.

A separate process for the release of a convicted person from the penitentiary system is organized through cooperation with the Center for Crime Prevention of the Ministry of Justice. There are several documents, which regulate this process: 1. "Code of Juvenile Justice", which regulates the process of release preparation of juvenile convicts; 2. The Statute of the Crime Prevention Center; 3. The Crime Prevention Center's Rehabilitation and Re-socialization Programme for former prisoners and the procedure for its implementation<sup>49</sup>; 4. Memorandum of Cooperation between the Ministry of Corrections and Ministry of Justice.

One of the functions of the Crime Prevention Center is a rehabilitation and re-socialization of former inmates<sup>50</sup>, which is being implemented by one of its structural units – the Division of Rehabilitation and Re-socialization of Former Prisoners. The functions of this division are the following<sup>51</sup>:

<sup>49</sup> <http://prevention.gov.ge/prevention.gov.ge/uploads/files/aqtebi/programa.pdf>

<sup>50</sup> Order N16 of the Minister of Justice on approval of the statute of the LEPL – the Crime Prevention Center, Article 2 (1,b).

<sup>51</sup> *Ibid*, Article 11



- Identification of services needed for former prisoners and informing them about existing services; increase referrals to the center, including through the regular visits to penitentiary facilities;
- Registration/redistribution of referrals of former prisoners; data processing and analysis; evaluation of beneficiaries, their needs, and monitoring of the process;
- Provision of services for beneficiaries and/or members of their families that meet their needs;
- Promote effective referral system through cooperation with different organizations;
- Implementation/development of uniform standards for specialists involved in the program, promotion of professional growth and supervision of their activities;
- Development of training modules, planning, and implementation of training and seminars;
- Take an active part in the elaboration of the State Strategy and Action Plans for Rehabilitation and Resocialization of Former Prisoners;
- Establishment of social enterprises and facilitating their efficient functioning for employment of former prisoners.

According to the Code of Juvenile Justice, the penitentiary facility informs a juvenile convict, his/her legal representative and the Crime Prevention Centre of the approaching release date after the person has served not less than 2/3 of the sentence term, but not later than 3 month before the release<sup>52</sup>.

In addition, the administration of the penitentiary facility must admit the minor in the realize preparation program<sup>53</sup> and in the case of the chis/her consent, prepares the case for social engagement for the referral to the Crime Prevention Centre.

In the process of release preparation, representatives of the Crime Prevention Centre meet with the minor in the prison facility and take all necessary measures to explain to him/her the conditions and needs of his/her the re-socialization-rehabilitation plan. In addition, they get acquainted with the minor social engagement case<sup>54</sup>.

After the release of a juvenile offender, if he/she refers to the Centre, his/her re-socialization-rehabilitation plan will be approved later than 3 months after his referral<sup>55</sup>. The Crime Prevention Centre coordinates implementation of a minorre-socialization-rehabilitation plan for at least six months after his/her probation periodor a release upon the serving of the sentence term<sup>56</sup>. In addition, the legislation provides that practical and psychosocial support for minors in probation or after they have served a sentence to reintegrate in the society is provided by the Crime Prevention Centre<sup>57</sup>.

Crime Prevention Centre, based on their information, implements the following educational, rehabilitation and employment program - legal advice; psychological services; informal education; sport, cultural and recreational activities; vocational training; employment. Support. These programs are implemented by the Social Services of the Crime Prevention Centre and other state and non-governmental organizations. In the period of 2013-2016, those programs served 1750 beneficiaries.

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<sup>52</sup> *Juvenile Justice Code, Article 98, 1 (s)*

<sup>53</sup> *Ibid, Article 98, 1 (b)*

<sup>54</sup> *Ibid, Article 98, 2(s,b,g)*

<sup>55</sup> *Ibid, Article 98 2 (c)*

<sup>56</sup> *Ibid, Article 99, 2*

<sup>57</sup> *Ibid, Article 99, 3*

The Centre for Crime Prevention has a separate program for rehabilitation and re-socialization of former prisoners. From January 1 to March 2017, 372 beneficiaries have benefited from this program. Namely:

City/region	No of beneficiaries	Male	Female
Tbilisi	205	169	36
Kutaisi	72	65	7
Zugdidi	55	57	7
Batumi	38	29	9
Total			

### Main Conclusions

- Individual sentence planning is available only in several facilities and is not clear why those facilities have been selected;
- Release planning programs were available in various facilities in 2013, 2014 and 2015; however, in 2016, it is only available in the Facility N11. It is not clear, who this facility was selected and/or why the program was abolished in other facilities;
- In 2013, there were 5084 prisoners released from penitentiary facilities either earlier than their sentence term, or after serving the sentence; however, only 151 convicted individuals were referred to release preparation program. In 2014, there were 3532 prisoners released from penitentiary facilities either earlier than their sentence term, or after serving the sentence; however, only 379 convicted individuals were referred to release preparation program. In 2015, there were 3624 prisoners released from penitentiary facilities either earlier than their sentence term, or after serving the sentence; however, only 65 convicted individuals were referred to release preparation program. Based on this information, only a small number of the released prisoners are involved in the release preparation program.
- The only criterion for referral to the release preparation program is the willingness of a prisoner to take part in the program and that there is a less than one year of remaining sentence. Therefore, it is not clear what are the reasons for cancellation/termination of this program -- the lack of individuals who are willing to take part or something else. It also a subject of evaluation, based on what experience were those criteria elaborated;
- There is a problem of overlapping functions between the agencies and ambiguity at the legislative level. In particular, if a person has been sentenced with both incarceration and conditional conviction, he/she may be released earlier than the term of imprisonment, as well as after serving the full term. In this case, it is not clear when the process of release preparation starts -- 3 months before the early release or 3 months before the calendar release (after serving the full sentence). Furthermore, in case of minors and female prisoners, it is not clear who is involved in the release preparation - the National Probation Agency, the Crime Prevention Center or both.

### Recommendation:

Based on the above discussion, it is important to conduct a qualitative research among subjects involved in the preparation of the release, in order to gain a better insight of the process.

**Preparation of convict for release from  
penitentiary facilities, as a part of  
"transitional management" process**

*Qualitative Study*

# QUALITATIVE STUDY – PREPARATION OF CONVICT FOR RELEASE FROM PENITENTIARY FACILITIES, AS A PART OF "TRANSITIONAL MANAGEMENT" PROCESS

## Introduction

The analysis of the results of the Study provides information about the process of release preparation of convicts and describes main tendencies in this process, as well as visions of competent agencies for future development. Based on research findings, recommendations have been formulated to improve the transition process and to plan future effective interventions and tailor them to the needs.

*The research was conducted with the financial support of EU in frames of the project "Improved Opportunities: Psycho-social Rehabilitation of Inmates, Former Inmates, and Probationers". Responsibilities for the content of the research are fully with the organizations: Center for Information and Counseling on Reproductive Health "Tanadgoma" and "Initiative on Rehabilitation of Vulnerable groups". Information provided in the report does not reflect the views of EU representation bodies.*

## Study Methodology

### Aim and Objectives of the Study

The aim of the study "Preparation of convicts for release from penitentiary facilities, as a part of "transitional management" process" was to evaluate the process of release preparation of convicts from penitentiary facilities. The objectives of the study were: to identify attitudes of the actors involved in the process and to describe existing practices; to identify legislative barriers (legal, technical, social, geographical, etc.) to carry out the process with due quality; to identify interventions, which are needed to improve the process and ensure protection of human rights.

### Implementation of the Study:

The study was implemented by the following organization: NGO Center for Information and Counseling on Reproductive Health "Tanadgoma" and "Initiative on Rehabilitation of Vulnerable groups" and Dutch organization "Mainline Foundation". The study was conducted during the period of January to September 2017.

Target groups were identified as follows:

- Staff responsible for planning and implementation of programs for the release and rehabilitation of convicts and/or rehabilitation of former prisoners:
  - The management staff of the Penitentiary Department;
  - The management staff of the National Probation Agency;

- The management staff of the Crime Prevention Center.
- The staff of the penitentiary facilities, who are involved with the release of convicts and rehabilitation/resocialization of former prisoners:
  - Social workers of N11, N5, N17, N16, N14 penitentiary facilities;
  - Social workers of the National Probation Agency;
  - Social workers of the Crime Prevention Center;
- Representatives of organizations, who provide services in programs for release planning and rehabilitation and resocialization of former prisoners;
- Former prisoners – beneficiaries of convicts release preparation and former prisoner rehabilitation/ resocialization programs.

Focus-group discussion and in-depth face-to-face interviews using pre-designed research instruments (questionnaire) were used as research methods for the study. For each target group, a tailored questionnaire was developed with the participation of experts from NGOCenter for Information and Counseling on Reproductive Health "Tanadgoma" and "Initiative on Rehabilitation of Vulnerable groups" and Dutch organization "Mainline Foundation". Questionnaires included the following topics:

- Involvement of the Penitentiary Department, the National Probation Agency and the Crime Prevention Center in the educational, rehabilitation and employment programs for release preparation of convicts and for former prisoners;
- Cooperation of different agencies in the release preparation process;
- Looking at the implementation of educational, rehabilitation and employment programs for release preparation of convicts and for former prisoners;
- Monitoring and evaluation of educational, rehabilitation and employment programs for release preparation of convicts and for former prisoners;
- Respondents; vision for the future and recommendations for the development of educational, rehabilitation and employment programs for release preparation of convicts and for former prisoners.

Non-randomized selection method was used for selection of respondents - Nonprobability Convenience Sampling, according to which participation in the study was offered to any individual, who belonged to the study groups and was accessible for the researchers.

The following selection criteria were used:

- Willingness to participate in the study;
- Compatibility of the participant with the characteristics of the target group;
- Physical and mental health status of the respondent, which would allow him/her to participate in the study.

The following respondents took part in the study:

- The management staff of the Penitentiary Department - 2 respondents;
- The management staff of the National Probation Agency Management - 2 respondents;
- The management staff of the Crime Prevention Center - 2 respondents;
- Social workers of the penitentiary facilities N11, N5, N17, N16, N14 - 5 respondents;
- Social workers of the National Probation Agency - 5 respondents;
- Social workers of the Crime Prevention Center - 5 respondents;
- Former prisoners released from penitentiary institutions - 14 respondents;

- Representatives of organizations, who provide services in programs for release planning - 14 respondents (2 focus group).

Overall, the study included 35 in-depth interviews and 2 focus-group discussions.

The part of the respondents was recruited with the help of the agencies they represented (for example, representatives of the management of the Departments and social workers, service provider organizations), while former prisoners were recruited by the properly trained personnel of the research organizations, from the pool of contacts that were available from different projects. The recruited individuals received information about the objectives of the research, procedures, and conditions of participation in the study in a clearly understandable manner in accordance with the participant's verbal consent form and they were offered to participate in the study. After receiving a verbal consent for participation, the recruiter signed this form in the presence of the recruited person and referred him/her to the interview.

Interviews and discussions were conducted by experienced facilitators/experts. Interviews and focused discussions were recorded and prior verbal consent from research participants was sought to record them. Participation in the study was fully anonymous and confidential.

Records of an in-depth interview and focused discussions were transcribed and analyzed by the qualitative data analysis specialist.

## Study Results

The qualitative study looked at different types of components, which play an important role in organizing the process of release preparation for convicts. In particular, those included individual approach, services, inter-agency communication and quality control system. These aspects have been assessed in all the agencies that have a core function in release preparation of convicts - the Penitentiary Department, the National Probation Agency, and the Crime Prevention Center.

The analysis of the results of the study describes the process of release preparation of convicts and the visions for the future by the agencies involved in this process. The main findings and conclusions of the study in this report are structured according to the topic and structures involved in the preparation of the release of convicts. Based on the results obtained, the recommendations have been developed to improve the “transition management” process and to plan future effective interventions and tailor them to the needs.

## Individual Approach

According to the international standards, rehabilitation processes of convicts should be organized based on the elaboration of an individual sentence plan and such plans should include employment, education,

and preparation for the release of the convicts<sup>58</sup>. "From the very beginning of the imprisonment, one needs to start thinking about the time after the imprisonment, when a person will be released. That is why he should be assisted to maintain the relationships with the individuals and agencies outside of prison, who can protect his family's interests and encourage his/her involvement in community life after the release"<sup>59</sup>.

Individual planning is one of the most important factors for effective organization of sentence term. As a rule, release preparation is a part of the individual sentence plan. Therefore, it is recommended to consider release preparation as a part of the individual sentence plan. Effective organization of an individual planning process is important both in the penitentiary system, as well as after the release of a convict.

#### A) Penitentiary Department

The Prison Code of Georgia states that "enforcement of imprisonment and deprivation of liberty in Georgia is based on the principles of lawfulness, humanism, democracy, equality in the face of law and individualization of sentence"<sup>60</sup>. The Decree N33 of the Minister of Corrections<sup>61</sup> approves instructions for individual planning of the sentence. The document indicates that individual planning is carried out in:

- A) Facility N5 for Females, semi-open and closed type of facilities;
- B) Facility N6, semi-open and closed type of facility;
- C) Facility N16 low-risk facility.

The same Decree defines that individual planning process should be expanded gradually to all facilities till 31 December 2017. Accordingly, by 2018 all prison facilities should have had an individual planning process in place and guide this process based on the instruction provided in the Decree, except for the Juvenile Rehabilitation Facility N11<sup>62</sup>.

With respect to minors, the individual planning process is regulated by the Joint Decree of the Minister of Justice of Georgia, Minister of Internal Affairs of Georgia and Minister of Corrections of Georgia №132/№95/№23 "on the determination of methodology, rule, and standard of individual assessment report".

Based on the information provided by the Ministry, individual sentence planning was put into practice in Facilities N5, N8, N11, N12, N15, N16, N17, N18 and N19 at the beginning of 2017. Individual planning for adults was introduced in 2015 and for minors -- in 2010. In the period of 2015 to 2016, individual planning procedure was implemented in N5, N8, N12, N16, N17, N18 and N19.

The table below provides information about the number of convicts covered with the individual planning process in 2015-2016 (according to the information received from the Ministry of Corrections):

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<sup>58</sup> *Recommendation Rec(2006)2 of the Committee of Ministers to member states on the European Prison Rules, Rule 103.4.*

<sup>59</sup> *Ibid, Rule 107.*

<sup>60</sup> *Prison Code, Article 1 (2)*

<sup>61</sup> *Decree N33 of the Minister of Corrections, Article 3*

<sup>62</sup> *Ibid, Article 3 (2)*

Penitentiary Facility	Number of convicted persons covered with individual planning	Total number of accused/convicted individuals as of 31 December 2015 <sup>63</sup>
Facility N5	173	294
Facility N8	17	2327
Facility N12	20	267
Facility N16	153	80
Facility N17	10	1901
Facility N18	2	110
Facility N19	4	116
Facility N11	70	16

The number of convicted persons covered with the individual planning process at the beginning of 2017, according to the information provided by the Ministry of Corrections:

	Number of convicted persons covered with individual planning	Total number of accused/convicted individuals as of 31 January 2017
Facility N5	189 <sup>64</sup>	259
Facility N8	25	2308
Facility N12	25	281
Facility N16	81	91
Facility N17	19	1882
Facility N18	2	106
Facility N19	4	88
Facility N11	9	10

Based on the public information provided by the Ministry of Corrections, individual planning was already in place in Facilities N5, N8, N11, N12, N15, N16, N17, N18 and N19 since 2017. It should be noted that in the majority of penitentiary facilities, there is an obvious difference and imbalance between the number of convicts and number of individuals involved in the individual planning process.

Information provided by the qualitative study participants was not homogeneous. Different opinions were expressed in regard to whether release preparation program is part of the individual sentence plan or not. Some of the respondents said that the release preparation program is a part of the individual planning, while the other respondents said that the release preparation program is not part of the individual planning and it could function separately.

<sup>63</sup>[http://www.moc.gov.ge/images/files/pdf/text\\_14550774211.pdf](http://www.moc.gov.ge/images/files/pdf/text_14550774211.pdf)

<sup>64</sup> *one minor female among them.*



It is important to have a uniform approach in penitentiary facilities to what is an individual planning process and what components may be included.

During the qualitative study, different opinions were expressed about where the process of individual planning takes place. A part of respondents said that the individual planning process is in place in all facilities, while the other part said that the program functions everywhere, except facilities N7 and N9. In addition, some of the respondents said that individual sentence planning was only available to certain target groups -- convicted persons involved in the so-called "Suicide Program" and persons convicted for the Article 126<sup>1</sup> of the Criminal Code (Domestic and Gender Violence).

### Respondent -1

*"Since the individual sentence planning now concerns all facilities, it is already implemented in all facilities, but we needed some target groups to give instructions to the facilities to start from there and slowly, let's say, include others as well. Therefore, we had a discussion and arrived at such a decision to start with those who have been convicted before 2017, who was involved in the suicide prevention program, since they are most vulnerable, and those who are convicted for the Article 126<sup>1</sup>, which is a domestic and gender violence, and we have very special obligations with this regard, according to the Prison Code. Today, those groups are covered in all facilities "*

The qualitative study did not reveal homogeneous information about which facilities had the individual planning process in place. As mentioned above, according to public information, this process functions in 9 penitentiary facilities, however, the qualitative study respondents gave different information about this issue (namely, the process is in place in all penitentiary facilities/ or in all facilities, except N7 and N9).

Some of the respondents explained that at the first stage only selected target groups were engaged in the process of individual planning - those were convicts involved in the "Suicide Program" and persons convicted for Article 126<sup>1</sup> of the Criminal Code (domestic and gender violence). Considering the lack of human resources and services, it is logical to define certain target groups at the first stage of the individual planning process, especially in large penitentiary establishments. Furthermore, current legislation determines the obligations to organize rehabilitation programs for the individuals committing domestic violence<sup>65</sup>.

It is important that we separate and review the institutions, where the individual planning process started firstly – those are Facility N5 for women, Facility N11 for minors and Facility N16 for low-risk prisoners. It can be said that these Facilities, in terms of infrastructure and human resources, are superior compared to other penitentiary facilities, which could have been a reason why these facilities have been selected at the first stage<sup>66</sup>.

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<sup>65</sup> *Prison Code, Article 118 (7).*

<sup>66</sup> <http://ombudsman.ge/uploads/other/4/4494.pdf>.

## Facility N5 Women's Special Penitentiary Facility

Adult female accused/convicts, as well as juvenile females, are placed in a Women's Special Penitentiary Facility<sup>67</sup>. At the end of September 2017, there were 258 accused and convicted person places in the Facility<sup>68</sup>.

Information received from the respondents about the individual planning process in the penitentiary facility N5 was describing. According to the part of the respondents, individual planning process in the Facility N5 is being actively used since 2016. However, according to one of the respondents, individual planning does not entail anything special and if there was no such procedure, the same services will still be delivered to the beneficiaries. This was confirmed by one of the beneficiaries, which we have interviewed. Another beneficiary interviewed, who was serving a sentence in this prison facility said that has not participated in the individual planning process. One of the beneficiaries said that for the participation in various programs, only an expression of interest from an individual was enough, and program participants did not undergo any type of need assessment.

### Respondent -9

*"The psychologists [service] was always individual, and it was individual in closed [facility], the social worker would take us out and will talk to use if we needed anything, so was a psychologist. Then so was in an open facility. If I hear anything, I would go, like if there were any training or lecture, we would be called [to attend]. And some were refusing [to attend], were lazy. Or were not interested. As for me, I was always going, I did not miss any of them."*

As it was already mentioned, Decree N33 of the Minister of Corrections approved instructions for individual planning and risk and needs assessment tools, based on which a person should be assessed and offered relevant services. However, despite this regulation, one of the service provider NGOs said that convicts' assessment is done using a questionnaire provided by their project. One of the respondents mentioned that this practice of double assessment of convicts was negative.

### Respondent -1

*"It is highly likely that the assessment by the administration itself is done once. But if the evaluation they pass on use, does not include the issues that we have to evaluate, let's say there is a need, which was not assessed, or there are some other circumstances, then we take those issues into account in [our] questionnaire. Or things might happen as opposite, and we would not have the issues that they have evaluated, then we add it. We take into consideration their demands and we also have our own results – then we reconcile them."*

### Respondent -2

*"I wanted to say about the study – now I understand what the procedure you have explained, but I think that if there is an individual planning inside the Facility, there is no need for additional evaluation because the social worker must know exactly what service the prisoner needs and where she should be redirected."*

<sup>67</sup> *Prison Code of Georgia, Article 12<sup>3</sup>.*

<sup>68</sup> <http://www.moc.gov.ge/images/temp/2017/11/06/f4e6d9301354a31783f64d874a7af8c0.pdf>.

The results of the qualitative study reveal that needs assessment is carried out as a part of the individual planning process, however, there are cases when a separate needs assessment is carried out based on the request of service provider NGOs. Some respondents also pointed out that participation in some programs is not based on the needs assessment and only depends on a convict's willingness to participate, or not. The convict's needs assessments if performed twice, or even multiple times, do not contradict to international standards and practices, but it is advisable that the assessment process is regulated uniformly, which will enable effective use of resources.

### Facility N11 for Juvenile Rehabilitation

The minors, who were sentenced incarceration are placed in the juvenile division of a prison facility (in N2 and/or N8 Penitentiary Facilities) and the minors, who have sentenced deprivation of liberty, are placed in the Rehabilitation Facility for Juveniles<sup>69</sup>. Rehabilitation Facility for Juveniles had 20 convicts at the end of September 2017<sup>70</sup>. Minor girls are placed in the Facility N5 -- Women's Special Institution.

The Juvenile Facility was the first to introduce individual sentence planning in 2010. The Ministry of Corrections has developed an individual planning instruction<sup>71</sup>, which is used by the administration of the Juvenile Rehabilitation Facility. Currently, this process is regulated by other normative act as well<sup>72</sup>.

The majority of the respondents evaluated the individual planning process in Facility N11 homogeneously. The respondents note that all convicts are involved in the individual planning process. Beneficiaries are also mentioned that they are engaged in the individual planning process and take part in various rehabilitation programs.

### Respondent -1

*"All convicts are engaged in the individual planning process. More specifically, when an individual enters the Facility, the Director of the institution forms a multidisciplinary team, which starts working with the convict. The multidisciplinary team includes a social worker, a psychologist, a social worker in the field of education, physician, and an employee of the legal department, of which the social worker is the team coordinator. "*

### Respondent -8

*"Offers were made by the administration and psychologists, but mostly psychologists were active so that the child will not lose a human face, to prepare them to live normally outside, to have a comprehensive childhood ... many events were planned"*

<sup>69</sup> *Juvenile Justice Code, Article 79 (1).*

<sup>70</sup> <http://www.moc.gov.ge/images/temp/2017/11/06/f4e6d9301354a31783f64d874a7af8c0.pdf>.

<sup>71</sup> *Decree N19 of the Minister of Corrections on approval of instructions for individual sentence planning.*

<sup>72</sup> *A joint order N132/N95/N23 of the Minister of Justice, Minister of Internal Affairs and Minister of Corrections of Georgia on Approval of the Methodology, Rules, and Standards of Individual Assessment Report*

### Facility N16 for Low-risk

Facility N16 is a low-risk penitentiary facility<sup>73</sup>. At the end of September 2017, there were 135 convicts.

The Facility N16 for Low-risk has a different organizational structure, unlike to other penitentiary facilities (where adult male accused and convicts are placed) and it can be said, that this Facility is functionally more focused on education and rehabilitation process. "The convict in the low-risk facility is placed with his written consent in which he agrees that he will fulfill the requirements of the low-risk facility. Namely, he agrees to study and/or work and to participate in the rehabilitation process offered by the facility"<sup>74</sup>.

The majority of the respondents of the qualitative study evaluated the individual planning process in Facility N16 homogeneously. According to the respondents, all inmates are engaged in the individual planning process, which is feasible due to a small number of inmates in the Facility N16. One of the respondents described in details the individual planning process with multidisciplinary team participation.

#### Respondent -1

*"Our facility is a low-risk one and every beneficiary is engaged in individual planning. Since the facility is small, we have an opportunity to implement this process for everyone. Within one month of the admission, each beneficiary receives an individual sentence. During this period the convict meets a case manager and a social worker (there are three social workers in the facility in total). The social worker will initially introduce to the convict what is the individual planning and how will it help him. Afterward, a social worker, as well as a psychologist, regime representative, and physician do the assessment of a convict. After that, the social worker invites the multi[disciplinary] team and informs the other members of the team, namely a psychologist, a doctor and a regime representative and the evaluation of the convict is performed. Prior to this, for one month, the interviews with the convict are conducted and his personal files are being studied, in order to collect all the information together and summarize it by the end of the month. This individual planning is an assessment and working process, when you study the needs of the beneficiary and based on that you set up a one-year individual plan. "*

### Facility N17 Semi-open and Closed Type

Facility N17 is a semi-open and closed type, which usually accommodates prisoners, who charged to serve the sentence in semi-open/closed detention facility, or the risk assessment team has determined his risk as medium/increased and by the decision of the Director of the Department was transferred to this facility<sup>75</sup>. At the end of September 2017, there were 1946 convicts<sup>76</sup>.

Unlike Facilities N5, N11 and N16, Facility N17 is a large institution with up to 2000 convicts at present. It is significantly inferior to the above-mentioned facilities in terms of resources (infrastructure, personnel, services, etc.)<sup>77</sup>. The information about the management of this institution will enable us to analyze challenges faced by large penitentiary institutions.

<sup>73</sup>Decree N71 of the Minister of Corrections, Article 2(2).

<sup>74</sup>Prison Code, Article 60<sup>1</sup>, (2).

<sup>75</sup>Decree N110 of the Minister of Corrections, Article 2(2).

<sup>76</sup><http://www.moc.gov.ge/images/temp/2017/11/06/f4e6d9301354a31783f64d874a7af8c0.pdf>

<sup>77</sup><http://ombudsman.ge/uploads/other/4/4494.pdf>

The majority of respondents evaluated the individual planning process in the Facility N17 more or less homogeneously. According to the part of the respondents, individual planning process in the Facility has started actively since 2016 and this process is managed by a multidisciplinary team. One of the respondents said that it was very difficult to engage with all the convicts in the individual planning process due to the lack of human resources, and as a result, there were only 10 convicts engaged in the process during the first 6 months of 2017.

It is logical, especially in the large institutions, to select some target groups when starting individual planning process first time, however, considering the available resources, it is difficult to determine how will the Facility N17, which houses 1946 individuals and currently only has 10 individuals participating in individual planning manage to organize the process in such manner to cover at least 50% of the convicts.

Similarly, the Facility N8 housed 2308<sup>78</sup> accused/convicted persons and individual planning were only done for 25 convicts; the Facility N18 housed 106<sup>79</sup> convicts/convicts and individual planning covered only 2 convicts; the Facility N19 -- 88<sup>80</sup> convicts in total and only 2 engaged in the individual planning process.

## B) National Probation Agency

The National Probation Agency is a legal entity of public law under the Ministry of Corrections of Georgia. The rights and responsibilities of the National Probation Agency are defined in the statute approved by the Minister of Corrections<sup>81</sup>. By the end of September 2017, 22 646 convicts were under the custody and control of the National Probation Agency, including those whose sentence included: seizure of a position or activity; community work; probation (conditional sentence; termination of a sentence through conditional term; sentence termination before the conditional term; commutation of sentence; appointment of probation term after incarceration)<sup>82</sup>.

The legislation explains that the National Probation Agency, in order to achieve its objectives, carries out activities based on the risk and needs assessment of the convicts, individual sentence planning, ensures necessary supervision and control of the convict, facilitates and supports his/her re-socialization and rehabilitation<sup>83</sup>.

Individual sentence planning process in the National Probation Agency is regulated by the following normative act: Order N39 of the Minister of Corrections on Approval of Principles, Rules and Forms for Individual Risk Assessment and Individual Sentence Plan and in case of juveniles – a joint order N132/N95/N23 of the Minister of Justice, Minister of Internal Affairs and Minister of Corrections of Georgia on Approval of the Methodology, Rules and Standards of Individual Assessment Report.

The respondents of the qualitative study gave a homogeneous evaluation of the individual sentence planning process at the National Probation Agency. The majority of the respondents stated that the

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<sup>78</sup> *In the beginning of 2017.*

<sup>79</sup> *In the beginning of 2017.*

<sup>80</sup> *In the beginning of 2017.*

<sup>81</sup> *Law on Procedure of Execution of Non-custodial Penalties and Probation, Article 4 (1)*

<sup>82</sup> <http://www.moc.gov.ge/images/temp/2017/11/06/f4e6d9301354a31783f64d874a7af8c0.pdf>

<sup>83</sup> *Law on Procedure of Execution of Non-custodial Penalties and Probation, Article 7(2)*

individual planning process is being carried out by the Agency and as a part of this process individual risks and needs of convicts are being assessed and they are referred to the relevant programs. According to their explanation, cases of minor convicts will be necessarily assigned to a social worker or a psychologist, while the cases of adult convicts are being assigned to a probation officer, who will assess their risks and needs. The results of the assessment of harms and risks of a convict define whether the case will be managed by a probation officer, a social worker or a psychologist. According to the respondents, the probability of a repeat offense is also evaluated. The services are divided into voluntary and mandatory programs and convicts are referred to relevant services.

### Respondent 1

*"Convict is referred to our department the following way: If the former prisoner is a minor, the case will definitely be assigned to a social worker or psychologist. The Probation Officer assigns the cases. As for adult prisoners, the probation officer establishes the level of risk of harm and based on this assessment, the case could be attended by a psychologist or a social worker."*

### Respondent 2

*"We are able to provide services to former prisoners after assessment and this includes voluntary and compulsory rehabilitation programs. In case of a voluntary program, he/she can participate based on his/her own will, but in case of mandatory programs – he/she should complete it."*

### Respondent 3

*"We have an individual sentence plan. This is called that way because we cannot work with beneficiaries and not all beneficiaries need the same management. Crime could be the same, or both persons might have violent behavior, but one might need a help of psychologist and psychiatrist too, while the other person might not need all this at all."*

Some of the respondents think that one of the main problems of the individual planning process is the low level of motivation among probationers.

### Respondent 1

*"The problem can also be a motivation, even though we may be working with a prisoner for a long time. But the main thing is to bring him/her back and to persuade to be active, at least once."*

### Respondent 2

*"As for educational programs, the lack of motivation is more important than the lack of resources. We have a service available for education and if a beneficiary is motivated, and we often have to work to create this motivation, we can refer him/her to receive vocational education."*

The National Probation Agency has regulatory norms for the individual approach only in relation to adult prisoners. All respondents confirmed the existence of homogeneous approach to the individual planning process. According to their explanation, all convicts are engaged in the individual planning process, which includes assessment of the risk of harm and probability of offense, and based on this assessment, convicts are referred to voluntary and/or mandatory programs.

### C) Crime Prevention Center

The Crime Prevention Center is a legal entity of public law under the Ministry of Justice of Georgia<sup>84</sup>. The objectives of the Crime Prevention Center are:

- A) Prevention of crimes in Georgia;
- B) Rehabilitation and re-socialization of former prisoners;
- C) Development of mediation.

One of the functions of the Crime Prevention Center is:

- A) Implementation of measures for primary prevention of crimes; working with groups of risk;
- B) Development of a referral system to the existing rehabilitation and re-socialization programs for former prisoners, provision of relevant assistance and support for prevention of crime repetition<sup>85</sup>.

Individual approach to former prisoners at the Center for Crime Prevention is regulated by the Act issued by the Director of the Crime Prevention Center (Rehabilitation and Resocialization Program of the Crime Prevention Center and Rules of its Implementation)<sup>86</sup>. The document states that the individual service plan is formulated for every beneficiary, in order to involve former prisoners in rehabilitation programs. This plan is a consolidated document that contains information about the problems and/or problematic circumstances, which were identified during the evaluation process, the measures to be taken to achieve stated objectives, the resources needed, the responsible individuals and the period of implementation<sup>87</sup>. This rule also applies to former minor prisoners, with the only difference being that in case of minors, his/her legal representative is also engaged in this process<sup>88</sup>.

Minors are admitted to the program with involvement of their legal representative. When a minor former prisoner visits the center, his legal representative needs to agree with his/her admission to the program and identification documents of the legal representative and the documents proving his/her legal guardianship rights should be included in the "referral form".

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<sup>84</sup> *Order of the Minister of Justice on approval of the Statute of the LEPL – the Center for Crime Prevention, Article 1 (1)*

<sup>85</sup> *Ibid, Article 2*

<sup>86</sup> <http://prevention.gov.ge/prevention.gov.ge/uploads/files/aqtebi/programa.pdf>

<sup>87</sup> *rehabilitation program of former prisoners by the Crime Prevention Center and rules for its implementation, Article 3 (1, 2)*. <http://prevention.gov.ge/prevention.gov.ge/uploads/files/aqtebi/programa.pdf>

<sup>88</sup> *Ibid, Article 20 (4)*.



All respondents of the qualitative study gave an identical evaluation to the individual planning process at the Crime Prevention Center. All respondents noted that rehabilitation of former prisoners includes individual work with each person and individual service plan is developed for each case. According to one of the respondents, "after the social worker starts to work and evaluates the beneficiary, the individual service plan is developed in agreement with the beneficiary and all the further steps, which should be taken by the social worker and the beneficiary, are defined in this plan."

### Respondent 1

*"I will tell you the services available at the crime prevention center and this is how I am involved in the process. First of all, this is psychosocial service. We have social workers and psychologists working individually with beneficiaries. They identify needs and beneficiaries are then engaged in various services according to their specific needs. "*

### Respondent 2

*"When beneficiary comes to the Center, a social worker undertakes his bio-psycho-social evaluation, which envisages exposing the basic needs and risks, which the beneficiary has. Afterward, [social worker] writes an assessment conclusion, which is an extensive document and includes various information, demographic information, information health status, cognitive development, education, marital status, etc. Based on the results of this assessment and in agreement with the beneficiary, the individual service plan is formulated. The plan specifies the needs that the social worker has identify and the beneficiary has agreed that he will be engaged with the social worker and they will take those steps jointly. "*

As it was already noted, the Crime Prevention Center has separate procedures that regulate individual planning process. Furthermore, all the respondents have confirmed that approaches used are uniform and individual service plans are being developed for former prisoners, which is truly an achievement.

## Services

For the effective organization of release preparation, it is important to have various educational and rehabilitation and employment programs both within the penitentiary system, as well as after the release of the convict.

### Release Preparation Program in Penitentiary Facilities

This research analyzed release preparation programs in the penitentiary facilities. Respondents' views, engaged in qualitative study, regarding those programs were not homogeneous. Furthermore, information was also obtained as public information.

The majority of respondents confirmed that social workers of the Penitentiary Department developed a release preparation program – a special module, which can be used in all penitentiary establishments. This program is implemented by the social workers and the psychologists of the penitentiary system. As they



have explained, the program covers various topics, including *anger management, communication skills, civic education components, preparation of CV and motivation letters, etc.*

### Respondent 1

*"If we are talking about release preparation process, there is a training module proposed for this purpose, which includes a lot of topics such as tolerance, discrimination, communication skills, civic education components, preparation of CV and motivation letters, how to use transport".*

### Respondent 2

*"The program was developed by social workers of our Ministry and social workers and psychologists working in Social Department in prisons. The program was piloted in few facilities. The program is quite comprehensive not only time-wise, but the modules itself are large, and include videos, slide shows about everything. This is because since we developed it once and invested resources in it, we thought that it should be very easy for other facilitators. "*

We did not receive uniform information about which penitentiary facilities have release preparation program. The Ministry Corrections provided information to the researchers about the facilities, where release preparation program for was implemented in 2013-2016.

The number of convicted persons covered with release preparation program according to facilities for the period of 2013-2016.

2013

Facility N5	68 convicted persons
Facility N12	16 convicted persons
Facility N17	67 convicted persons
Total	151 convicted persons

2014

N5 Facility	33 convicted persons
N8 Facility	80 convicted persons
N12 Facility	36 convicted persons
N2 Facility	41 convicted persons
N14 Facility	87 convicted persons
N15 Facility	57 convicted persons
N17 Facility	45 convicted persons
Total	379 convicted persons

2015

Facility N5	12 convicted persons
Facility N12	9 convicted persons
Facility N16	17 convicted persons
Facility N17	12 convicted persons
Facility N11	15 convicted persons
Total	65 convicted persons

2016

Facility N11	17 convicted persons
Facility N12	7 convicted persons
Facility N16	13 convicted persons
Facility N17	10 convicted persons

Analysis of this statistical information reveals that release preparation program as not uniformly implemented in penitentiary facilities in 2013-2016 and in 2016, this program was available only in one facility.

In the qualitative study, some of the respondents said that the program was available in all facilities during 2017, except Facility N3, N7, and N9. One of the respondents said that this program functions in every penitentiary facility and another respondent said that this program functions in all semi-open type penitentiary facilities. Some of the respondents said that release preparation program is not yet available, not even facility N5 for women and facility N16 for low-risk prisoners.

#### Respondent 1

*"The program is implemented everywhere, but we do not have statistical information just now, if you want, we can provide information about past years, but every facility had received it and every facility is willing to have it. And again, if there are problems, those are due to human resources and infrastructural issues."*

#### Respondent 2

*"The pilot took place in the facilities N16, N5, N11 and N12, and since then it has been implemented in all facilities, except in N3, N7 and N9".*

Within the scope of the survey, it was difficult to evaluate in which penitentiary facilities did the release preparation programs actually functioned. Respondents provided contradictory information. Some of the

respondents said that during the reporting period, the program was not carried out in N5 or N16 facilities, while those facilities, considering their resources, in contrast to other penitentiary institutions, are in a superior position run such program. Based on the analysis of this information, we can conclude that in general, there was not an established view on how release preparation program should have been expanded to different facilities.

The respondents of the qualitative study said that the social workers of the Penitentiary Department developed a unified module for the release preparation program, which should be used by all the facilities. It is a 4-month program for the release preparation and consists of 24 sessions. Some of the respondents said that the program was only for convicts who had less than 1 year of imprisonment left. Other respondents said that program is for convicts who have 6 to 9 months of prison term left. Other respondents said that sometimes convicts who have left 6 months of prison term are admitted into the program, but sometimes those who have 3-month term left.

#### Respondent 1

*"Release preparation program is provided in nearly all the facilities for prisoners who will be released in 6 to 9 months."*

#### Respondent 2

*"The only criterion here is the remaining prison term ... convicts who had less than one year of the remaining prison term, where directly admitted into the program"*

#### Respondent 3

*"Criterion is a remaining term before the release – 1 year"*

#### Respondent 4

*"The main criteria is that the convict has 3 months left before the release of"*

As our research revealed, the penitentiary system's staff developed an entire program for release preparation, which was intended to be used in all penitentiary facilities. Information about the remaining term of sentence used as criteria to be admitted into this program was every discrepant and mutually exclusive. It is unclear how 1-month module of release preparation is used so differently by the administrations of different penitentiary facilities.

Respondents of the qualitative study have mentioned that in the beginning, the release preparation program was for the selected target groups -- individuals convicted for domestic violence; individuals who were sentenced after 2017 and juvenile offenders release.

#### Respondent 1

*"For other facilities, we wanted to develop a selection the criteria because the number of prisoners was too large and it was not unrealistic. Therefore, in places where we started this year, we applied a selection criterion to include individuals who have received their sentence in 2017. Those were the first target group. We also included individuals who committed acts of domestic violence as we have an obligation to have rehabilitation programs for this group of convicts. Therefore, we included everyone from this group. And finally, juvenile offenders released from any of the facilities were also identified as a priority for us."*

Some of the respondents said that at the first stage, some target groups were selected for individual approach, as well as for release preparation program. Putting emphasis on specific target groups, particularly in large-scale penitentiary facilities is a correct approach. Since taking into consideration the existing resources, engagement of all convicts in release preparation program would have been too difficult.

### Other services in penitentiary facilities

Analysis of public information shows that various types of educational and rehabilitation programs were available in penitentiary facilities in early 2017 and those could be considered as a supporting component for organizing the release preparation process of convicts effectively. However, based on the same information, educational and rehabilitation programs were carried out in few penitentiary facilities during this period.

According to the information provided by the Ministry of Corrections, educational and rehabilitation programs were carried out in Facilities N2, N5, N8, N11 N12, N15 and N16 at the beginning of 2017. The programs available in those institutions are the following:

N	Penitentiary Facility	Title of the Program
1.	N2	„Atlantis“, Art-therapy, Bibliotherapy, a training in Development of Cognitive and Social Skills, Penitentiary Stress Management, Development of Positive Thinking Skills.
2.	N5	„Atlantis", a training in Development of Cognitive and Social Skills.
3.	N12	Preparation for release, Development of Positive Thinking Skills, training in Development of Cognitive and Social Skills.
4.	N15	Training in Development of Cognitive and Social Skills.
5.	N16	Bibliotherapy, Penitentiary Stress Management, wood-cutting, Drug abuse and cognitive-behavioral therapy, Cooking classes, Human development in a social environment, Art-therapy, Preparation for release, Useful skills development program, Crime realization program, Painting classes
5.	N17	Art-therapy, Preparation for release, Useful skills development program, training in Development of Cognitive and Social Skills.

There are separate educational and rehabilitation programs for minors:

N	Penitentiary Facility	Title of the Program
1.	N2, N8, N11	Penitentiary Stress Management Programme

2.	N2, N8, N11	Art-therapy
3.	N2, N11	Healthy Lifestyle
4.	N11	Anger Management Program
5.	N11	Preparation for Release

Information received from the respondents of the qualitative survey was not homogeneous in relation to the availability of various services. The result of the study shows that penitentiary facilities quite a different approaches to the delivery of services. It should be emphasized that in facilities N11, N5 and N16, convicts have access to broad range of educational and rehabilitation programs.

It should be noted, that we have received a very positive feedback from beneficiaries regarding the availability of services in Women's Facility N5. The majority of the beneficiaries gave a positive assessment to educational and rehabilitation process in this institution. However, some of them noted that it is desirable that the programs are for longer duration and that they are available after the release, which is a problem now - *"everything is much better in the prison and you will get everything you need, but then you go out, and there is no one to take care of you and you can not do anything."*

Some of the respondents noted that one of the challenges in organizing educational programs is infrastructure. They explain that there is not enough space to run educational and rehabilitation programs, especially in large penitentiary facilities.

#### Respondent 1

*„We had and still have those issues. As I told you, we need a meeting room, we need a room for multidisciplinary team's meetings, we need infrastructure, where we could implement services, which are defined in the plan“.*

#### Respondent 2 (about Facility N16)

*"Now [one of the organization] carries out music therapy, based on the initiative of our Ministry, we have a drawing and watercolor painting classes, and we teach leather works. Furthermore, the Ministry funds a 3-month long course for convicts on business relationships, which is provided by the college under the Ministry of Education. In addition, PRI has a project, which is at the initial stage now and is also linked to individual planning; it is focused on individuals who have committed violent crimes and females victims of violence and provides them with a group and individual psychological therapy and vocational training.*

#### Respondent 3 (about Facility N16)

*"Anger management, stress management, art-therapy, development of socially necessary skills, healthy lifestyle, readers club for education, intellectual games, sporting events, chess, backgammon, sports tournaments, etc."*

#### Respondent 11 (about Facility N2)

*"I was not interested and I cannot tell you. I remember there was a Hepatitis C program, which could have been interesting for*

*me, methadone program and some vocation training or re-training courses. But you know, how I think. This maybe was not interesting for me, but there were boys for whom it was interesting and some could have used those skills in their life, learn something, how to work with a computer, or something else".*

#### Respondent 14 (About Facility N11)

*"There were a lot of programs and mostly, the social department will run them mostly so that kids will have fun"*

#### Respondent 9 (about Facility N5)

*"there was on preparation process. There was simply a course of training "how to run your own business", which was provided by the non-governmental organization "Woman and Business". It was a month-long training course in the prison. I was also learning felting and embroidery".*

*"If you are to be released soon, they will offer you some services. I personally choose to talk with a psychologist. I think there was a possibility to study too"*

#### Respondent 16 (about Facility N14)

*"you know what I wanted? To do some sports, and to have gym equipment. Many prisoners want to do sports, but they do not make it [the gym]. I do not know why. People want to exercise to become stronger before he is released, but does not have this opportunity".*

The results of our research revealed that penitentiary facilities have different approaches to providing services. As it was already mentioned, prisoners in facilities N11, N5 and N16 have the best access to services. The main reason for this is that, in contrast to other facilities, there is a very small number of prisoners housed in those facilities. In addition, these institutions have better infrastructure to organize services; Both the Ministry of Corrections, as well as NGOs, consider minors, women and low-risk convicts as a priority in terms of service provision.

Naturally, it is possible to focus service provision on selected vulnerable groups in the beginning, such as women and minor convicts. However, it is important that the Ministry of Corrections takes steps to ensure access to services for those convicts who are not housed in those facilities. It should also be noted that the increase in service coverage in large penitentiary facilities should be carried out in parallel with the improvement of infrastructure and the Ministry of Corrections should have a long-term vision on how to solve infrastructural problems.

Most of the respondents of the qualitative interviews specifically underlined issues with continuity and sustainability of services. The existence of services is often linked to specific people as they note, and there are problems with of inter-agency coordination too.

#### Respondent 1

*"I think that the hindering factor is instability, even of projects of our NGOs and state agencies. Everything is still tied to specific people and decision-makers, to their particular point of view, which can change. I think that one of the hindering*

*factors is a lack of coordination between agencies and lack of sustainability of what we are doing. One of the supportive factors is that in several facilities, where individual planning process is on-going on and the programs are being implemented, the teams are better equipped. this refers to facilities for women and minors and facility N16."*

## Respondent 2

*"The biggest disadvantage is a lack of systemic approaches. When there are an international donor and NGOs, programs are implemented, but when the donor is no longer providing funding and the projects finish, the programs also stop. If there is no "outsourcing", what will happen then? Within the system, this process is somewhat implemented by the Social Department, but there is still a huge difference between N16 and the rest of the facilities. "*

The survey revealed that lack of continuity and sustainability of services is one of the main challenges. It is important that the small number of services that are currently available are provided to convicts in a timely manner and in the period when they need it. In this regard, the Ministry of corrections shall develop a list of the services they need (e.g. for the period of next year), what target group is their priority and why, and what resources they have to provide services. It does not matter whether these services will be financed from the budget, or if service provider NGO or other state agency provides them.

Most of the respondents said that criminal subculture is one of the barriers to delivering services to convicts. In their opinion, one of the reasons why all the convicts are not involved in the release preparation program is a criminal subculture. As one of the respondent's commented, Facility N16 was selected for piloting of certain programs precisely to tackle this stereotype.

## Respondent 1

*"Of course, not only for release preparation program but sub-culture is an important hindering factor for carrying out other programs, as well"*

## Respondent 2

*"The reasons could be various, some might not want it, and others might consider it unacceptable based on his sub-culture and many other factors as well".*

## Respondent 3

*If 500 persons express their willingness [specify what they want], probably we would not have such a reality. We have to fight and stay motivated in order to persuade every convicted person to participate in activities in the teaching center. Sub-culture plays its role. It takes us a huge effort to collect even 10-15 persons".*

## Respondent 4

*"About your first question, I can tell you that situation inside, lets called it an organizational culture, is difficult. Our pilot is to fight those stereotypes and that is why we choose Facility N16".*

As we can see from the respondents' comments, the criminal subculture remains to be one of the challenges for the normal functioning of the penitentiary system and this issue has been discussed for a long time. The criminal subculture has its own rules that say that taking part in educational and rehabilitation programs is looked down among certain groups of convicts, and this can potentially create challenges. Recent legislative changes and reforms (such as setting up a low-risk prison facility and half-way house in 2018) are likely directed to challenge the criminal subculture and to reduce its influence on the system. Therefore, attempts were made to create facilities, which are free of criminal subculture and where inmates are free to engage in various types of programs and activities. However, those changes impacted only a small group of prisoners (for example, in the low-risk facility N16 there were 134 convicts in October 2017, when there are 9360 accused and convicted persons in the whole system<sup>89</sup>).

### National Probation Agency

In January 2017, there were 21741 convicts under the care and control of the National Probation Agency. Among them, 1243 were females (5.7%) and 119 were minors (0.5%)<sup>90</sup>. According to the information provided by the National Probation Agency, at the beginning of 2017, they had 20 types of rehabilitation programs. Programs are divided into three groups - psychosocial, pro-social behavior and reduction of addictive behavior. The table below summarizes the information about the number of convicts engaged in these programs. According to this information in March 2017, from all the persons released from penitentiary facilities, only 156 former prisoners were involved in educational and rehabilitation programs.

	Programme	Number of convicted persons
1.	Addictology – prevention of relapses	23
2.	Effective communication	2
3.	Training program in self-evaluation, support for the development of new capabilities	10
4.	A program for integration with a society	7
5.	Informational training	4
6.	Program in adaptation in social environment	7
7.	Healthy lifestyle support program	1
8.	Life values	38
9.	Life risks and personal values	11
10.	Planning the future	6

<sup>89</sup><http://www.moc.gov.ge/images/temp/2017/12/06/241ccff2b4bc75845eb29db8aa96532d.pdf>

<sup>90</sup><http://www.moc.gov.ge/images/temp/2017/03/07/dbba2afd126320e717df2bf762ff5260.pdf>



11.	Crime realization	16
12.	Management of penitentiary stress	6
13.	Conflict management and assertive behavior	1
14.	Anger management	12
15.	Positive Thinking Skills Development Programme	1
16.	Addiction to gambling	7
17.	Management of violent behavior – gender violence rehabilitation program	4
Total		156

The National Probation Agency has provided information about the distribution of convicts engaged in educational programs in early 2017 by regions. The statistical data gives general information about convicts engaged in the programs of the National Probation Agency according to regions and not only about convicts released from penitentiary facilities.

Region		Number of convicted persons
1.	Tbilisi	180
2.	Kvemo Kartli	38
3.	Shida Kartli	32
4.	Samtskhe-Djavakheti	14
5.	Imereti	39
6.	Adjara	51
7.	Racha-Lechkhumi and Kvemo Svaneti	2
8.	Samegrelo and Zemo Svaneti	13
9.	Guria	29
10.	Kakheti	6
11.	Mtskheta-Mtianeti	32
Total		436

Furthermore, the National Probation Agency provided information about convicted persons employed as of 2017:

N	Regions	Number of convicted persons
1.	Tbilisi	9
2.	Shida Kartli	0
3.	Mtskheta-Mtianeti	1
4.	Kvemo Kartli	0

5.	Kakheti	6
6.	Samtskhe-Djavakheti	0
7.	Imereti	5
8.	Guria	3
9.	Samegrelo and Zemo Svaneti	0
10.	Racha-Lechkhumi and Kvemo Svaneti	0
11.	Adjara	0
Total		24

The survey revealed that the lack of services is one of the challenges that the National Probation Agency has. Out of 21 741 convicts under the care and control of the National Probation Agency, only 436 (2%) were engaged in some sort of services (in January 2017). This is a very low coverage and could not be considered as supportive to rehabilitation and integration of convicts into the community.

Respondents interviewed as a part of the qualitative study gave different information on how services are organized in the National Probation Agency. However, the majority indicates insufficient services are one of the main challenges.

Some of the respondents said that the Agency has limited number of services and it is desirable to offer a broader range of services. According to them, the lack of services is more tangible in regions, than in Tbilisi. However, some of the respondents said that issues are with the services outsources (from service provider NGOs, vocational education colleges of the Ministry of Education and Science and others.), while for the services provided directly by the Agency there is no access issue. With respect to employment, the majority of the respondents said that both the National Probation Agency and the Center for Crime Prevention use "worknet.gov.ge" portal to provide information on the employment opportunities to convicts.

Some of the beneficiaries said that they had access to some types of programs after their release. Most of them indicate the state programs that are available for everyone - Methadone Program and Hepatitis C Elimination Program. However, several beneficiaries said that after their release, the National Probation Agency offered them to take part in some other programs.

#### Respondent 1

*"to put it this way, there is a lack of services, not as much in Tbilisi, but mostly in regions"*

#### Respondent 2

*"We only provide rehabilitation programs and other services are outsourced. For example, if the external service provider tells us that they need three former prisoners, then we select only three and try to take into account that needs the service the most. In such cases, we may be limited. But there are no limits to the programs which we provide directly".*

The analysis of public information and qualitative study findings both revealed the lack of services as one of the challenges of the National Probation Agency and this challenge can be considered as a hindering factor for integration of former prisoners into the society.

In our qualitative interviews, the majority of respondents confirmed that continuity and sustainability of services is a challenge. However, some of the respondents said that this is only concerns outsourced services.

### Respondent 1

*"with the services delivered in-house, there are little to no problems, but issues arise with outsourced services. I have a specific plan developed, but outsources organization might not provide the service in this timelines; therefore, some problems might arise because both – a beneficiary and me are told to wait"*

At the level of the National Probation Agency, continuity and sustainability of services were named as one of the challenges. One of the challenges was the continuity/instability of services. Some of the respondents emphasized this challenge only for the services, which are outsourced. As in the case of the organization of services in the penitentiary system, outside of the system, it is also important to provide a small number of existing services to probationers on time and when they need it. Therefore, recommendations to the National Probation Agency are very much similar to that of the Penitentiary System, which was discussed above.

### Crime Prevention Center

One of the functions of the Crime Prevention Center is a rehabilitation and re-socialization of former prisoners<sup>91</sup>, which is being implemented by one of its structural units – the Division of Rehabilitation and Re-socialization of Former Prisoners. The functions of this division are the following<sup>92</sup>:

- Identification of services needed for former prisoners and informing them about existing services; increase referrals to the center, including through the regular visits to penitentiary facilities;
- Registration/redistribution of referrals of former prisoners; data processing and analysis; evaluation of beneficiaries, their needs, and monitoring of the process;
- Provision of services for beneficiaries and/or members of their families that meet their needs;
- Promote effective referral system through cooperation with different organizations;
- Implementation/development of uniform standards for specialists involved in the program, promotion of professional growth and supervision of their activities;
- Development of training modules, planning, and implementation of training and seminars;
- Take an active part in the elaboration of the State Strategy and Action Plans for Rehabilitation and Resocialization of Former Prisoners;

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<sup>91</sup> Decree №16 of the Minister of Justice on approval of the statute of the LEPL – the Crime Prevention Center, Article 2 (1,б).

<sup>92</sup> Ibid, Article 11

- Establishment of social enterprises and facilitating their efficient functioning for employment of former prisoners.

Respondents interviewed as a part of the qualitative study underlined the lack of services, which, according to their assessment, makes the process of integration into the society ineffective. An issue of availability of appropriate programs for persons with substance abused should be discussed separately. According to our respondents, beneficiaries have access to state programs (e.g. Methadone Program), which is available to everyone. According to some of our respondents, the only thing that the Crime Prevention Center can offer to the beneficiary is a service provided by a social worker and/or psychologist.

Notably, some of the respondents (beneficiaries) gave a very positive evaluation to the grant program<sup>93</sup> for former prisoners run by the Crime Prevention Center. As they explained, this grant program gave them an opportunity to get an employment.

### Respondent 1

*"Lack of services is obvious, the center has fewer resources than there is a demand. For example, healthcare is highly demanded, while the Center does not have a healthcare program at all"*

### Respondent 2

*"one of the obstacles could be a lack of resources – needs and demands are more than the resources to meet them. This could be an obstacle, as well as a supportive factor"*

### Respondent 16

*"I was going there for two days when they called me and told me that they had some sort of grant and asked if I wanted to participate. They said that if they like it, I could win it. They said that have some sort of program like that and I do not mind if I can get help".*

### Respondent 17

*"No, I was supposed to get 1 200 lari as a contribution to receive the grant in the amount of 5 000. I spent this money to buy leveling jack, glue, and adhesives and start working in 3 days".*

One of the major challenges at the Crime Prevention Center level, which was identified as a result of our study, was again a lack of services. However, most of the beneficiaries positively evaluated a small grants program by the Crime Prevention Center, which helped former prisoners to start their own business activities.

<sup>93</sup><http://prevention.gov.ge/page/34/geo>

In addition, respondents indicated continuity and sustainability of services as one of the problem areas and said that in many cases, when a person needs some sort of service, it may become available too late, which makes the process ineffective. One of the respondents said that beneficiaries might need to wait for several months to get relevant services.

### Respondent 1

*"The impediment is that these programs are not systemic, they are periodical and this is bad for us. Also, we do not know in advance, or exact dates of services. Therefore, we cannot tell the beneficiaries exact timing. And when the time comes, there could be an issue to collect enough number of beneficiaries and the program may get canceled and it may be abridged. They might tell you, that although we have asked for it, due to a small number of individuals it is no longer necessary. However, in reality, people who wanted the service could have been more, but the planning of the program is stretched over such a long period of time and we cannot tell beneficiaries exact dates. So the programs are not systematic and this is a problem"*

## Inter-agency cooperation

As already mentioned, two state agencies are involved in coordination with the penitentiary facility - the National Probation Agency of the Ministry of Corrections and the Crime Prevention Center of the Ministry of Justice in the process of release of convicts from the penitentiary facilities. Those two agencies have different roles and functions in this process, according to the legislation. Therefore, it is important to discuss the practical aspects of release preparation process for convicts and cooperation with penitentiary facilities separately for each of those two agencies.

### A) Cooperation with the probation and penitentiary system

According to the majority of our respondents, cooperation between penitentiary and probation systems for release preparation is limited to Juvenile Rehabilitation Facility N11 and Facility N5 Special Institutions for Women. As they have explained, the sole purpose of this communications is to prepare information for the local council for early release. Per their information, until that stage, the relevant bureaus of the National Probation Agency do not have any kind of communication with penitentiary facilities.

According to the majority of survey respondents, the National Probation Agency prepares a family evaluation for the local council for early release for juvenile convicts. The report had objectives: one is to provide the local council with information about the family if family members are to accommodate the convict, what are the conditions and what are their attitudes and etc., and the other objective is to prepare the family for the return of the convicted person. Some of the respondents confirm that the National Probation Agency receives information about activities in which the prisoner was engaged while in prison (in case of release of convicts from women and juvenile facilities).

According to the majority of respondents, this kind of communication between the penitentiary and probation system starts only three months before the potential early release of a convict. *"The issue is regulated in a way that prison facility sends us the request three months before the release date according to the place of residence of the convict. Afterward, a social worker goes, evaluates the family and the report is sent to the Council"*.

### Respondent 1

*"We do not have any other kind of relationship with minor or female convicts before the release from the institution unless they have been on probation or in diversion programs in the past, or if we have not prepared a preliminary report for the court on the minor. In other cases, we only have information about the family. However, when we receive a decision of Council on the early release of a woman or a minor, it always includes information about activities, in which the convict was engaged".*

### Respondent 2

*"Information about adult male prisoners who are to be released pre-term somehow reaches us as the decisions of the local council for early release. However, we do not have any information about the convicts who had conditional sentence aside to imprisonment and have been transferred from prison to probation."*

### Respondent 3

*"As a part of transitional management, we cooperate with penitentiary facilities, but this cooperation is limited to the fact that we provide them with an assessment of the family. We have no other communications within transitional management."*

Our respondents said that they want to have at least some kind of information about adult male convicts being release, but now they do not receive any information about this. In addition, the respondents point out that when the prisoner is released based on some other grounds, except early release, there is no information exchange between the agencies at all.

### Respondent 1

*"I can get all of this as a result of an evaluation when I will question the convict. As far as I know, evaluations do not come in a form of a report."*

### Respondent 2

*"I have never received any document about adult convict from the penitentiary facilities".*

### Respondent 3

*"One of the obstacles is that the transitional management is not working. For example, we are preparing a person for a release and we know that he/she should go to probation and probation does not need so many evaluation and information and they start their own evaluation from the scratch."*

Although most of the respondents confirmed that the release preparation process is carried out in Facilities N11 and N5, some of the respondents said that there is no mechanism to hand over minors ever they are released. In addition, one of the respondents pointed out that in the process of release preparation for minors should include not only the evaluation of the convicted person, but also an evaluation of risks in the family, whether this is employment, or psychological problems or violence, and those not currently being evaluated.

### Respondent 1

*"In my opinion, there should be a mechanism to "hand over" a released juvenile to some other institution, who will stay in touch with him/her outside of the prison. This could be a staff of the Crime Prevention Center because not all people who*

*are released are on probation. It is necessary that a social worker of the Crime Prevention Center will be introduced to the child before he/she is released, to get acquainted with him/her and the relevant representative of the facility should transfer the case to this social worker."*

#### **Respondent 2**

*"[Transitional Management] is available only in the Facility N11, where large and long-term efforts by UNICEF's have changed the environment and in my opinion, now it is very close to the European standards. A similar process is not available anywhere else. They have started its implementation in the Facility N16, but even training has not yet started. I have a lot of questions about transitional management because I do not think we can directly take the European experience; In Europe, this process is mainly based on community organizations and those almost do not work in Georgia."*

In the course of the study, it was revealed that cooperation between the Penitentiary Department and the National Probation Agency begins 3 months before the conditional release of the convict (or 3 months before the commutation of the sentence to less severe form). The National Probation Agency prepares a family's assessment of juvenile convicts for the local council on early conditional release, which has two objectives: to provide the council with information about the family, if they are ready to house a convict, what conditions they have, what are their attitudes, and also to prepare the family for the return of the convict. Another kind of cooperation or exchange of information between these two agencies (which are under the umbrella of one ministry), other than an early release, is nonexistent.

It should also be noted that this cooperation is limited to only release preparation of women and juvenile convicts. However, the respondents also spoke about the shortcomings in the release preparation of juvenile convicts.

### **A) Cooperation between the Crime Prevention Center and the Penitentiary System**

In the qualitative survey, the most of the respondents said that cooperation between the Crime Prevention Center and the Penitentiary Department is limited to the memorandum signed between the agencies and they do not have any other regulations. However, according to one of the respondents, he has not seen this memorandum at all and therefore, does not even know its contents. Other respondents had no information about this memorandum.

#### **Respondent 1**

*"When the Prevention Center was first established, the Ministry and the Center signed a Memorandum. I only know this from words and I have not seen it and I do not know what terms it contains".*

#### **Respondent 2**

*"The only document on which we rely is the Memorandum. We cooperate with the [Ministry of] Corrections, they send us the decision and release notifications and help us to enter the facility. This is it."*

In connection with the cooperation between the Crime Prevention Center and the Penitentiary facilities, all respondents said that communication between these agencies starts three months before the release of the convict. However, there are many different kinds of views about what kind of communication they have. According to some of the respondents, the Crime Prevention Center receives information from the penitentiary facility before the meet the convicts, but others said that the prison administration gives them the list of convicts to be released, when they arrive at the facility.

### Respondent 1

*"the only thing that happens, is that a representative of the Crime Prevention Center come to the facility and meets with beneficiaries, who have less than 3 months of imprisonment term remaining, face-to-face and talks with them."*

### Respondent 2

*"When we enter [the facility], the staff of the facility [gives us information about individuals to be released soon]. We visit facilities at the beginning of each month and the staff knows about this. They give us the lists of individuals who are to be released within 1- to 3-month period, which they prepare in advance. Using those lists, the local regime staff helps us to arrange meetings with those individuals".*

### Respondent 3

*"When we enter the institution, we ask the "special unit" to provide a list of those people who's sentence for such period of time and then, they organize that the prisoners are brought to the meeting and then we meet them. We do not have a list in advance and when we visit the facility, we will ask for the list of these individuals and then the staff of the facility will organize the meetings for us. "*

The results of our study revealed that the cooperation between the Penitentiary Department and the Crime Prevention Center in the process of release of convicts is regulated by the memorandum. This document regulates only the general framework of cooperation and detailed procedures are not specified. However, most of the respondents do not have information about the content of the memorandum. The qualitative study revealed that the standard practice is that the staff of the Center meets those convicts whose remaining term is up to 3 months. However, it also appeared that information about those to be released, some receive in advance, while others – only after they visit the facility. It is important to have uniform approaches and practices in this process.

Majority of the respondents noted that convicts are not provided with precise information about the Crime Prevention Center and what types of services the Center can provide them with after their release. One of the reasons cited was that the prison administration (mainly, regime staff) give the prisoners wrong information and tell them that representatives for the Crime Prevention Center are from the House of Justice, the Employment Bureau, or from rehabilitation programs. Therefore, convicts have no motivation to meet with representatives of the Center. In addition, sometimes respondents have wrong expectations that they would receive a payment or be offered a job after the release, due to this disinformation.



### Respondent 1

*"The barrier we often face is the facility itself. It is a local regime staff that gives prisoners information about the Center for the first time and this information is often inaccurate. Therefore, prisoners might not have any desire to come out and meet with us."*

### Respondent 2

*"If they do not meet us, they will not have good information. They are constantly told that we are from the House of Justice, while the House of Justice is something else, and our institution is totally different and they do not have accurate information."*

Therefore, the results of our study clearly demonstrate that in the course of the cooperation between the Penitentiary Department and the Crime Prevention Center, most of the prisoners do not receive accurate information about the Center and what types of services it offers to prisoners after their release.

The respondents interviewed during the qualitative study explained that their collaboration with penitentiary facilities is not a uniform process. Some of the respondents said, that the representatives of the Crime Prevention Center do not visit the Facility N9. Others said that it makes no sense for the representatives of the Center to visit large facilities, as it is impossible to provide information to all convicts about the services offered by the Crime Prevention Center. For example, in Facility N8 they meet only 30% of convicts being released. However, the respondents noted that the process is very well organized in Facilities N11, N5 and N16.

### Respondent 1

*"We visit all the facilities. But we do not visit some facilities, where they have stuff, such as in the facility N9, which we do not visit at all".*

### Respondent 2

*"The hindering factor is that the release preparation is only in few facilities and not in all facilities. This is the main factor, and it was many other reasons. For instance, some facilities have almost 2000 individuals and it is almost impossible to work on the individual level, there will never be enough numbers of social workers to handle these numbers. In my opinion, there is a problem the arrangement of facilities. In small facilities such as # 16, # 11 or # 5, it is more or less possible to have release preparation and rehabilitation services, but it is difficult to do the same in large institutions. "*

### Respondent 3

*"For example, in Gldani Facility I have never had the experience to meet everyone whom I needed to meet. About 30% refuse the meeting. "*

In conclusion, cooperation process between the Penitentiary Department and the Crime Prevention Center varies from facility to facility and this is particularly problematic with large penitentiary facilities.

According to our respondents, one of the obstacles is the exchange of information among the agencies. They do not have information on what services prisoners received, in what rehabilitation programs they were engaged in the penitentiary facilities. They also do not have information on what kind of services prisoners received or are receiving the National Probation Agency after being released if they had a conditional sentence.

### Respondent 1

*"The main obstacle for the functioning of the program is the issue with sharing information among the agencies. We do not have information about what services the person was receiving, what rehabilitation programs he was taking. Furthermore, if the person is probationer, probation does not give any information about what kind of rehabilitation program he was taking. This is a big problem and really has to be improved and information should be exchanged among these agencies in order to know what is the state doing for this specific beneficiary".*

### Respondent 2

*"As for the process of release preparation, there are some shortcomings. When we visit a facility, of course, we spend our resources, including material resources and there are cases, when no one has filled in, or the person who filled up, does not show up. Resources that we spend are sometimes not effective. There could be some other, more effective ways to visit them and introduce our programs. So that they could see that we have started to work with their families, while they are still in there, maybe they would feel more hopeful."*

The cooperation between the Penitentiary Department and the Crime Prevention Center currently is limited to providing information to the convicts about the services they can access after their release. Only this activity cannot be considered as an effective process of release preparation, although, any kind of service that a person may access after the release, still promotes integration into society.

## Quality Assurance System

In order to evaluate quality assurance systems, we have looked at various components in the penitentiary system, as well as the National Probation Agency and the Crime Prevention Center, in particular: supervision/monitoring system; feedback and reporting system; data collection and analysis system.

### A) Penitentiary Department

The information by our respondents about what kind of feedback the management of the penitentiary system receives from the services implemented in penitentiary facilities was highly variable. Some have noted, that there was no feedback system at all, while others said that the feedback is collected verbally - "feedback is not recorded anywhere. Only if someone will say something". However, few respondents said that their program modules included feedback forms, which they use to collect this information in writing.

#### Respondent 1

*"All training modules have their own feedback forms, which prisoners can use to express their positive or negative evaluations. We ask for feedback verbally and also in writing, but sometimes convicts do not write anything in the form."*

#### Respondent 2

*"I have received verbal feedback, but we do not have any system to record them. We do not have feedback form either."*

Respondents said that the Ministry of Corrections created a special supervision group to carry out supervision and monitoring of services and in general process. As they explained, they attend specific programs in prisons and evaluate how accurately and effectively the program is provided. Respondents also said that supervision system is only used to evaluate a quality of services provided by the employees, but in future, they intend to extend this mechanism and to cover services provided by the external parties.

#### Respondent 1

*"The Ministry has a supervision group that is responsible to evaluate the quality of all programs - individual sentence planning and other programs.... we have at least two to three visits in a week, and we visit each prison at least twice a month."*

#### Respondent 2

*"The assessments which we have used for our employees and our facilitators will be expanded to external service providers as well. It includes how facilitator evaluates himself according to different criteria, and if there are two facilitators – how*

*they evaluate each other. In addition, facilitator also evaluates the session -- what was most important in today's session, what did not work and what is the final evaluation. There is also a final evaluation with includes evaluation done by the facilitator and the participants of the program. This evaluation system will cover all programs and it does not matter if the program is provided by the outside party, or by the staff. We have already compiled all of this together, and we are now in the process of adaptation after we fine-tune it, this system will cover all [programs]"*

The views expressed by the respondents on how they define what kind of services and programs are needed in the penitentiary system were mixed. One of the respondents said that, as a rule, they would conduct a survey among convicts and identify general needs in the system: "Until now, it was done this way – we would conduct a survey of convicts at the beginning of the year and we would learn about their needs; then we would analyze this data and offer the programs, which had more demand". However, some of the respondents noted that the needs (in case of minors) were determined based on their assessment. Some of the respondents think that it is already known what kind of needs convicts have (for example, drug users) and they are offering services based on this experience. Furthermore, there are some legislative obligations too (for example, with respect of persons convicted of domestic violence) and the selection of services is also carried out with consideration of those obligations.

#### Respondent 1

*"Programs will be selected after the evaluation, depending on the needs and problems the child has, and what work needs to be done. Of course, all of this happens with consideration of child's interests, and in case of cognitive and developmental programs, his skills are also taken into account. "*

#### Respondent 2

*"Firstly, there are certain needs that are commonly known for all countries, and secondly, there are some obligations like domestic violence, it is a legal obligation and it is necessary to have it. As for the treatment of substance abuse and penitentiary stress management, it is obvious, we need those services and there is no need to study anything to know that."*

The information received regarding the reporting system was also mixed. Some respondents said that they submit special reports and all the data is collected – who was included and in what type of program. One of the respondents (from the penitentiary system) said that the assessment is not written.

#### Respondent 1

*"Evaluation is not written anywhere. There is a progress report; firstly, we develop a protocol and then revise it every 6 months."* Although, some respondents say that they do not have such report (in the juvenile facility)

#### Respondent 2

*"We do not have a reporting system. But we can attend those course and observe the processes"*

### Respondent 3

*"Information is not collected, because this process is not monitored yet. When you structure everything, then you get the results and start the analysis".*

### Respondent 4

*"if we receive public funding, then reports are formalized and we have report forms too. This is a monthly financial and narrative reporting. If funding comes from other sources, we still write about key achievements and send it to local and central levels. This is not a formal report."*

Regarding effectiveness evaluation of programs and services, most of the respondents stated that such kind of assessment cannot be done at this stage and this issue is one of the main challenges. Some of the respondents said that they evaluate effectiveness of the program and service through surveying beneficiaries (collecting feedback). One of the respondents said that only statistical data is collected.

### Respondent 1

*"the fact that evaluation and measurement of effectiveness are not happening, is a very important flaw because this limits our potential to improve and develop."*

### Respondent 2

*"we can only count how many convicts have been engaged".*

One of the respondents said that with help of international experts, they are working to develop log frame and use it for program planning and effectiveness analysis.

### Respondent 1

*"All programs have short and long-term results. We now work together with American expert to develop Logframe of the program evaluation. This lady has already trained us in the formulation of these logical models, and now we do all it by ourselves. The lady will visit in November. The logical model implies how we evaluate the effectiveness of each program and for her second visit, we will have the effectiveness evaluation instrument".*

### Respondent 2

*Measuring effectiveness of services is a challenge we face now. We have started working on the formulation of log frame together with an American expert do we want to use this model to evaluate the effectiveness of different programs".*

### Respondent 3

*"This is a key moment, which Georgia faces for years. No one ever evaluates the services we've provided, whether they were of high quality or not. This requires knowledge, professionalism, objectivity, and impartiality and we constantly say that the model has to be developed. Services that are provided by NGOs are not evaluated at all. Monitoring does not mean evaluation".*

### Respondent 4

*"yes, it does not exist. No one gives objective evaluation if the beneficiary really has benefited from the vocational training. We cannot measure this. Giving away certificates does not mean that it was successful".*

The study showed that quality control mechanisms in the penitentiary system are not unified and are not systematized. For example, some of the service providers collect feedback in writing, while others do not collect any feedback, or collect just a verbal feedback.

There are some elements of supervision and monitoring systems, where the service provider is the staff of the penitentiary system. However, supervision of services provided by external organizations is not carried out. In addition, it is difficult to determine how efficiently those supervision visits are carried out, as there are no instructions and tools available.

Approaches to determining needs for certain services vary significantly in the penitentiary system. In some cases, the convicts are preliminarily surveyed to find out what kind of services they are interested in. In one case, needs were defined based on the results of the assessment of the risks and needs of convicts (in relation to juvenile convicts). Also, in some cases, the decision is based on best available experience and they do not conduct any type of analysis.

The study demonstrated that the uniform reporting system for services provided in-house, or outsourced, is also lacking. The research also revealed that quality control system is not developed yet and therefore, analysis of the release preparation process is not done.

## **B) The National Probation Agency**

According to the local legislation, the National Probation Agency has an Enforcement Control, Statistics and Analysis Division. One of the functions of this division is to request statistical reports and summarize the data and enter it into the system; collect information related to the activities of probation bureaus, conduct appropriate analysis and control<sup>94</sup>. Although, the function of this structural unit somewhat include the control of the quality of work of the National Probation Agency (as well as, of the services provided) through analysis of the date received, only one respondent confirmed that quality control of some of the component, which will be discussed below, is carried out by this division of the National Probation Agency.

<sup>94</sup>*Decree №903 of the Minister of Corrections on approval of the statute of the LEPL under the Ministry of Corrections -- Non-Custodial Sentence Execution and National Probation Agency, Article 9 (7).*

In addition to this structural unit, the Agency also has a Rehabilitation Programs division responsible for, among others, development and implementation of professional standards for the rehabilitation of convicts; introduction and operation of monitoring and evaluation system of the rehabilitation process<sup>95</sup>. The qualitative study revealed that quality control of activities of the personnel of the Agency and services provided is carried out by this Division.

Information received from the respondents about the services carried out by the National Probation Agency is not homogeneous. Some of the respondents said that feedback was collected in writing, while others only collect verbal feedback, including through telephone communication.

### Respondent 1

*"Feedback is not formalized. The current practice is to collect verbal feedback."* One of the respondents also said that he does not receive feedback regularly.

### Respondent 2

*"Honestly, we sometimes receive information, sometimes – not. There are organizations, who regularly provide us with feedback, what programs were provided, who participated, was it effective or not and what worked".*

Some of the respondents mentioned that some non-governmental organizations provide feedback regularly. However, all respondents told that such reports are seldom received from the providers.

### Respondent 1

*"We have a referral, as well as feedback forms. The system is well set up with the organization "X". As soon as we refer a beneficiary to them, we send them needs evaluation report of the prisoner and after they provide services, they give us feedback."*

### Respondent 2

*"We do not receive feedback systematically. I wish that this information (about services provided) was supplied from the donor organization, where we sent our beneficiaries."*

### Respondent 3

*"Different organizations have different practices. The best practice is when they provide us with written feedback, but this is not like that. A Specialist tries to call and receive feedback on how the beneficiary has completed the program".*

### Respondent 4

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<sup>95</sup> *Ibid, Article 9 (9)*

*"I have not received written feedback. But I have received feedback in the form of information, or probation officer has told how satisfied he was after taking some specific program or activity".*

The majority of respondents provided a similar description of the process of internal supervision. As they have explained, they have a professional supervisor, who performs an internal supervision at certain periods (at least once in six months). Supervision includes observation of work of social workers, sometimes analysis of specific cases, or simulation training. Also, the majority of respondents confirmed that they have peer evaluation system (staff providing evaluations to each other).

#### Respondent 1

*"The Division has three professional supervisors, who have been assigned to our specialists and they check the content all cases. For example, once in every 6 months, they conduct supervision, which includes all components. We have supervision forms. Furthermore, now we are writing working guidelines for supervisor and his subordinates. During the supervision we summarize everything, such as how many beneficiaries specialists have and how they work, the whole process is evaluated from the beginning to the end, including what difficulties social worker faces. "*

#### Respondent 2

*"We have an internal inspection mechanism, which was conducted in 2015 and we hope to have it done again in 2017. This means that one or two specialists, social a worker, and an officer will inspection some other region. Employees from different regions check on each other. Findings are documented and scored, but are no sanctions, and it is only a recommendation. "*

One of the respondents said that the inspection and supervision mechanism is not legally regulated and does not have the appropriate tools - *"As for the order, unfortunately, have an approved regulation on inspection and supervision, or relevant forms"*. However, some other respondent explained that, if the services are provided directly by the staff of the Agency, this process is legally regulated by the order.

#### Respondent 1

*"If the National Probation Agency directly provides rehabilitation programs with probationers, there is an Order, which regulates the period and how it should be monitored. If there are less than 18 months left for the probation period, then monitoring should be done once in every three months, if the term is more than 18 months -- maximum in every 6 months "*

Some of the respondents also said that external supervision is not carried out - *"No, there is no external monitoring. We have a senior social worker, a supervisor, who gets involved in the monitoring process, if necessary. "* *"We do not have professional (external) supervision"*. One of the respondents stated that certain types of control are carried out by the statistics and control department.

#### Respondent 1



*"We also have a division of statistics and control who has its employees and they are overseeing the whole process. For example, they check if the risk of harm assessment document was filled out properly. "*

## Respondent 2

*"As I told you, for example, the supervisor who evaluates the person subordinated to him, fills out the form and informs the social worker where he/she needs to improve. The indicator is an assessment analysis, which is delivered by a professional supervisor. "*

## Respondent 3

*Once in every 6 months, we have an individual supervision with a specialist, but oversight over their activities is carried daily. For example, they review individual evaluation forms, discuss transitional management. None of the individual assessment forms are sent to the external agencies unless they have been checked by their supervisor. If anything has to be changed, the changes are made based on his recommendations and then sent. When it comes to supervision once in every 6 months, this is planned review and it covers different types of cases. "*

## Respondent 4

*"As for the supervision and monitoring, senior social worker, supervisor or even the head of the division can attend my rehabilitation program session, or tell me that they want to attend and check how I deliver them. Once they attend the program, they will evaluate my activities and give me recommendations. Sometimes, we have simulations, which means that we run a program session for the group of social workers. Simulations are attended by the Head of the Division, Senior Social Worker, and Advisor who is more experienced and gives recommendations, how to conduct rehabilitation programs."*

Respondents have expressed similar opinions about how decisions are made to refer beneficiaries to various programs. One of the respondents said that referral to a program is based on the results of risks and needs assessment, which classifies convicts as low, medium and high-risk. Based on this evaluation, they are offering voluntary and mandatory programs. Some respondents said that they have developed a referral system and use it to refer probationers to relevant services. According to one of the respondents, all types of information are collected into a single electronic database, including monitoring and evaluation results. However, another respondent said that there is no unified document, where monitoring results are reflected.

## Respondent 1

*"We have a risk and needs assessment instrument, with has a risk of harm screening tool and defines is a person is a low, medium or high risk. If the person has a median risk, a social worker gets involved in the assessment and he identifies the needs and refers the convict in the relevant program. "*

## Respondent 2

*"Telephone communications is used for selected (and connecting to service providers). Also, you might meet in person, for example, with the psychologist who worked with the beneficiary. Referral from us is generally made officially."*

### Respondent 3

*"All documents are uploaded electronically in the unified database and all the specialists involved in case management can observe the progress. The results of monitoring and evaluation are also reflected there. "*

### Respondent 4

*"Data are collected when monitoring plan is developed every 6 months, and supervision notes reach me. The whole process has its defined timeline and activities."*

### Respondent 5

*"We do not have a specialist, whose direct responsibility is only monitoring; each social worker is engaged in this process – ones who referred or admitted the beneficiary into a program. Therefore, we do not have a single document, which contains information about all types of monitoring."*

Respondents have expressed various opinions about the effectiveness assessment system of programs/services. According to one of the respondents, effectiveness assessment of programs requires carrying out special studies periodically. Other respondents said that the evaluation of quality is not being implemented at this stage.

### Respondent 1

*"It is important to have studied in this direction. For example, if a former prisoner leaves the system and I have already spent some resources on him, it is necessary to learn if I have achieved long-term results with him, how effective was the rehabilitation program, how effective was psychologist intervention. We see all of this in short-term, but not in a long-term perspective. Therefore, it is necessary to conduct large-scale research. "*

### Respondent 2

*"We run the programs and observe if they are done correctly, but we cannot study the quality, at this stage, not long-term results and we have to improve our working process in this respect."*

In addition, some of the respondents (representatives of NGOs) said that they use pre- and post-tests to get feedback from the beneficiaries and evaluate the effectiveness of the service provided. According to the majority of the service provider NGOs, the effectiveness of the program cannot be measured at this stage. Their assessment concerns the penitentiary and the probation system, as well as the programs and

services available at the Crime Prevention Center. One of the respondents said that effectiveness of programs and services should be measured by a number of repeated offenses.

### Respondent 1

*"we use pre- and post-tests, because if your pre-test showed elevated levels of anxiety and then post-test demonstrated a decrease in anxiety level, this means that some of the interventions have worked and services provided were of good quality".*

### Respondent 2

*"Evaluation and effectiveness of the programs delivered are not done. A program, which was important 5 years ago, could have lost its relevance now, and this has to be checked."*

### Respondent 3

*"I think this process is very important and critical for the system itself. We will not see the results if we do not evaluate effectiveness - what programs are available and what results they deliver, why there are overlaps and why one and the same person received the same training several times".*

One of the representatives of the service provider NGOs said that the key measurement for the employment program is whether the beneficiary is employed or not. Another respondent claimed that they have quantitative indicators for the evaluation of programs.

### Respondent 1

*"if the person got an employment and we got the result of our work, we document this case and send to a donor and this is a quality control. So, employment is a number one indicator for us. Secondly, we also evaluate what we teach and collect feedback on what they liked and what needs to be improved."*

### Respondent 2

*"We have qualitative indicators, for example for testing, consultation, psychologist, and overdose. We also have client satisfaction form, which we use to receive feedback from our clients and find out how satisfied they are"*

The result of the research shows that the approaches to some quality control mechanisms at the National Probation Agency are quite variable. At this stage, the unified system of quality control of services is not established. For example, some service providers receive feedback in writing, some -- by means of telephone communications, while others collect feedback verbally.

Supervision and monitoring are one of the key components of the quality control system. The study showed that the National Probation Agency has established a unified system for supervision and

monitoring system and this system is applied in more or less homogeneously. However, the study also showed that the normative framework regulating this process is missing. Similarly, there are uniform approaches to the assessment of the needs of convicts and it is based on the risks and needs assessment system.

The study also showed that there is no unified reporting system. Some people were aware of the existence of the reporting system, while some said that the unified information is not collected anywhere. Therefore, it is difficult to determine whether there is no such system, or if specific respondents did not have information about it. In either case, it is clear that the approaches to reporting are not systematic.

The study showed that there is no effectiveness assessment system for the services delivered. Some of the respondents said that they can measure effectiveness based on the feedback received, some noted that have quantitative indicators for this and some said that there was no such system at all.

To summarize, some components of quality control system function properly in the National Probation Agency (Risk and Needs Assessment; Supervision System). However, it is also clear that the unified system of quality control is not properly established, and should cover all the key components: assessment of risks and needs; supervision and monitoring; feedback system; data collection and analysis system.

### **C) Crime Prevention Center**

As it was noted in the legislative framework analysis, the Director of the Crime Prevention Center has elaborated a program for rehabilitation and re-socialization of former prisoners and the procedure for its implementation<sup>96</sup>. It should be noted that this document provides a very detailed description of needs assessment system in the process of rehabilitation and re-socialization of former prisoners (including, relevant instruments<sup>97</sup>), of professional supervision process<sup>98</sup>, forms and timing<sup>99</sup>, as well as the obligation to collect and analyze the data<sup>100</sup>.

However, information received from the respondents of our qualitative survey regarding the services carried out at the Crime Prevention Center was not homogeneous. For example, in relation with the feedback system, some of the respondents (representatives of the Crime Prevention Center) said that they receive feedback in written, while the other part said that feedback is collected only verbally.

In addition, some of the respondents said that they receive the thank-you letters from the beneficiaries and expression of their gratitude and satisfaction can be considered as a form of feedback. One of the respondents said that they do not receive a direct feedback, because in such case, they would only have statistical data.

### **Respondent 1**

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<sup>96</sup><http://prevention.gov.ge/prevention.gov.ge/uploads/files/aqtebi/programa.pdf>.

<sup>97</sup> *regulating the implementation of rehabilitation and re-socialization program for former prisoners at the Crime Prevention Center, Article 24, <http://prevention.gov.ge/prevention.gov.ge/uploads/files/aqtebi/programa.pdf>.*

<sup>98</sup> *Ibid, Article 32*

<sup>99</sup> *Ibid, Article 34-35*

<sup>100</sup> *Ibid, Article 31, 36.*

*„We do not receive feedback directly, because it is only a statistical data how many meetings we had, how many have filled in, etc. And there is no real feedback“*

## Respondent 2

*„About these [services] we receive feedback from two sides – beneficiaries and the staff whom we meet. Social worker contacts the local staff and finds out what services have been rendered by the specific organization and social worker also ask beneficiary how satisfied is he from the services received.“*

## Respondent 3

*„Sometimes, some people [former prisoners] write thank you letters, but mostly we talk by phone, or they come here directly. Mostly, they are satisfied that we care for them and this is mostly gratitude. In Future, we will include this in monitoring forms“*

One of the respondents said that supervision of activities carried out by the staff is not currently possible and there is no supervisor. However, some of the respondents said that social workers are directly conducting monthly monitoring to evaluate the effectiveness of the services.

## Respondent 1

*"With regards to quality control of staff, there is a little problem, because we do not have a supervisor yet who could supervise the work of a social worker and a psychologist. We plan to add this position to the Center until the end of the year. But until now, we do not have such practice to evaluate activities."*

## Respondent 2

*"Social workers conduct monthly monitoring. Monthly monitoring is mandatory, although, if necessary, it can be done twice a day, once a week, etc. As for the external services, we also have employees. Once a month, representative of our division visits each employee and observes the situation on the ground. We have a form that we fill out to understand how satisfied the employee or the employer is if there are any problem and so on. We always know what our beneficiary is doing. "*

The respondents have different opinions about what kind of programs and services are needed in the system. According to one of the respondents, the need is defined based on the assessment of beneficiary's and other respondents explained that social workers conduct a needs assessment on the 25th day of every month.

## Respondent 1

*"There is a paper for the needs assessment, we note the need and the corresponding service in this form. This is how we register service, what services were needed, and whether those services were*

received. Service Division that collects information from us, analyzes this data to see what services were needed and if they were delivered. Right now, we are planning to prepare a report based on this data."

## Respondent 2

*"So far, one year ago, this was largely based on a common agreement between social workers. They would agree what was needed the most for their beneficiaries, the Agency would announce a competition for those services. Today, things are done like this: a social worker, after he/she completes his bio-psycho-social assessment, also completes a needs assessment form. It has a small segment, which lists all programs and services that beneficiary might need per the opinion of a social worker."*

Some of the respondents say that not all the beneficiaries are evaluated the same way. It depends on what type of service they need. In the process of assessment of beneficiaries, they are guided by the internal service standard approved by their supervisor. As for the evaluation of service/program effectiveness, the respondents said that they do not measure it at this stage, but in future, they plan to develop an appropriate tool with the help of a foreign expert.

## Respondent 1

*"Assessment is done for everyone, but according to the current standard, the full assessment is done for individuals who want to receive a grant and education; those who want some service, which we provide, such as legal consultation, or consultation with a psychologist, undergo only a partial assessment".*

## Respondent 2

*"Standard for the rehabilitation-resocialization is approved. In this standard defines exactly when and whom we evaluate, and when they contact us, in what time should our social worker contact them back, what is a timeline for the social worker to fill out the case files, and then contact them and conduct the evaluation, and so on. "*

## Respondent 3

*"We are now working on drafting the indicators, and the American expert is helping us. We, and probation and penitentiary systems as well, plan to develop similar indicators, in order to measure qualitative results."*

## Respondent 4

*"As for the measurement of the results, it is done as a monthly report and I am in charge of making these reports. This process implies a collection of information from social workers, then the information is entered into a single database and then the quantitative data is calculated to provide information about the needs of the beneficiaries. However, the main difficulty we have is the qualitative evaluation of programs. For example, we can say that the program had ten beneficiaries, but we cannot say if the program was beneficial for those 10 persons. We can not measure this effectiveness yet. We do not have it. "*

One respondent said that they have conducted satisfaction survey among beneficiaries to evaluate the effectiveness of the program and analyzed this data: *"Last year, we conducted a satisfaction survey of our beneficiaries. We used questionnaires to ask how satisfied they were with services, as well as with surroundings and etc. It was quite a long questionnaire and the responses were analyzed. This type of questionnaires is one of the forms of a feedback."*

### Respondent 1

*"Evaluation of services we provide is not currently possible using some specific instrument, but you evaluate is through verbal feedback from beneficiaries. However, I do not have any information about the usage of some specific instruments and a study to evaluate the quality of the services. As for the other organization, probably they also use feedback system "*

The study has shown that the Crime Prevention Center has a quality control system, which has a legal regulatory framework. However, despite these regulations, it is clear that this process is quite variable. For example, with respect of services provided, in some cases, the feedback is collected in writing, and in some cases - verbally, and in some cases – satisfaction is used to measure the quality of service provided.

Respondents have expressed different opinions about supervision and monitoring system. Some of the respondents said they were not supervised and while others said that social workers are doing monthly supervision. Therefore, we can say that approaches are not systemic.

The results of our research show that approaches used for needs of services needs assessments are standardized and uniform. Namely, assessment of the needs of beneficiaries is carried out, and there is a two-way assessment system in this regard, depending on what kind of service the former prisoner is seeking. The assessment of needs is carried out at the end of each month and results are analyzed. Accordingly, there are the some elements of the reporting system, but the study did not show how systematic this was.

The survey revealed that the unified system of quality control of services is missing. There are some elements of the quality control system in place, although, the systematic analysis of unified processes cannot be performed in this case too.

## Future Plans

As a part of our qualitative survey, we have collected information about future plans in penitentiary and probation systems. This information was received from the representatives of the penitentiary and probation systems, and the Crime Prevention Center, as well as from the representatives of the *"European Union project to support the development of penitentiary and probation systems"* (EU4JUSTICE)

According to the representatives of EU project, they are currently working on improving the case management system in penitentiary and probation systems, and also provide assistance to the Crime Prevention Center. According to their explanation, the case management system should cover the process of release preparation of convicts (so-called "transitional management"). The EU project

representatives also said they are planning to pilot a case management system in the low-risk Facility N16 and in one more semi-open type Facility. After the pilot, the model is planned to be implemented in other facilities too. There are local and international experts involved in this process. The international expert will provide technical assistance to the representatives of state agencies.

#### EU4JUSTICE representative

*"The Penitentiary and Probation Systems Support Project is the EU technical assistance. The project works in several directions, one of which is the improvement of the case management system. According to the concept, case management system includes transitional management. Therefore, transitional management is a phase that should be implemented within the scope of case management, and which also implies release preparation for convicts. The main objective is to help people continue to live a normal life without repeated crimes. With the help of our project, a tool for risk and needs assessments being developed and the main objective of this tool is to determine the probability of recurrence and to identify the relevant interventions to meet the needs. In the process of transitional management, the main actors are the Penitentiary Department, the National Probation Agency, the Crime Prevention Center and the NGO sector. Within our project, we are planning to pilot the case management system, including transition management, in the Facility N16 and one of the semi-open penitentiary facilities. Our role in the piloting process will be to supervise and support the process. "*

The reforms planned in penitentiary and probation systems, as well as in the Crime Prevention Center are very welcomed, as they aim at improving the process of release preparation along with other components. Furthermore, the amendments to the Prison Code of Georgia adopted by the Parliament of Georgia and enacted from January 1, 2018, are very positive. According to these amendments, the penitentiary system has set up a special prison facility for release preparation<sup>101</sup>. This type of facility will facilitate the process of release preparation of the certain group of prisoners. However, the procedure and conditions for placement in this facility have not been developed and the framework for inter-agency cooperation in the process of release preparation still needs to be set up. Therefore, we could not analyze this innovation at this stage.

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<sup>101</sup> *Prison Code, Article 10'*



## Key Findings, Conclusions, and Recommendations

### Individual Approach

#### Penitentiary Department

##### **Key findings**

For the purpose of rehabilitation and integration of convicts, it is important to develop an individual approach to all persons in conflict with the law. Effective release preparation process is particularly important in the penitentiary system and this process should be a part of the individual planning. Therefore, a special attention was paid to the analysis of the processes in the penitentiary system.

The research revealed that individual planning process in the penitentiary system is organized differently in different facilities. Based on public information provided by the Ministry of Corrections, sentence planning is carried out in the facilities N5, N8, N11, N12, N15, N16, N17, N18 and N19 since 2017. However, in the qualitative study, some respondents said that individual planning is carried out in all establishments and some said that it is in place in all penitentiary facilities, except N7 and N9. It should also be noted that the Decree N33 of the Minister of Corrections approves the instruction for individual sentence planning is could be carried out in all penitentiary facilities except the N11. Moreover, from the beginning of 2018, there is a legal requirement that individual planning process is carried out in every prison facility. The individual planning process in the Facility N11 is regulated by the Joint Decree №132 / №95 / №23 of the Minister of Justice of Georgia, Minister of Internal Affairs of Georgia and the Minister of Corrections of Georgia on Determination of Methodology, Rules, and Standards for Individual Assessment Report. It should be noted here that there is an obvious imbalance between the number of convicts and persons involved in the individual planning process.

We have repeatedly looked at individual planning process in the Facility N5 for women, Facility N11 for minors, and Facility N16 for low-risk prisoners. At the end of September 2017, there were 258 accused / convicts in N5, 20 convicts in N11 and 135 convicts in the facility N16. Considering the number of prisoners in these institutions, organization of the individual planning process is easier than in large institutions. During the qualitative interview, most of the respondents confirmed that the individual planning process was carried out for all convicts in these facilities.

The results of the qualitative study reveal that in the Facility N5 needs assessment is carried out as a part of the individual planning process, however, there are cases when a separate needs assessment is carried out based on the request of service provider NGOs. Some respondents also pointed out that participation in some programs is not based on the needs assessment and only depends on a convict's willingness to participate, or not. Convicts' needs assessments if performed twice, or even multiple times, do not contradict to international standards and practices, but it is advisable that the assessment process is regulated uniformly, which will enable effective use of resources.

The finding showed that at the first stage only selected target groups were engaged in the process of individual planning - those were convicts involved in the "Suicide Program" and persons convicted for Article 126<sup>1</sup> of the Criminal Code (domestic and gender violence). It is logical, especially in the large institutions, to select some target groups when starting individual planning process first time, however, considering the available resources, it is difficult to determine how will the Facility N17, which houses 1946 individuals and currently only has 10 individuals participating in individual planning manage to organize the process in such manner to cover at least 50% of the convicts.

In the qualitative studies, we did not specifically conduct interviews about other penitentiary facilities, however, we can make the similar evaluation of the situations in the Facility N8, where there were 258 convicts engaged in individual sentence planning process out of 2308 individuals housed there, and in the Facility N18, which housed 106 persons and only 2 persons engaged in individual planning; in the Facility N19 only 2 out of 88 prisoners undergo individual sentence planning.

## **Conclusion**

Currently, the individual planning process functions only in facilities N11, N5 and N16. However, even in the case of Facility N5, the practice was not uniform. The research also showed some shortcomings related to the lack of human resources (social workers).

## **Recommendations:**

*It is desirable:*

- *to establish a short and long-term plan for the introduction of an individual approach in penitentiary facilities;*
- *take specific steps to gradually increase the number of social workers, especially in large penitentiary facilities.*

National Probation Agency

## **Key findings**

Majority of the respondents of the qualitative study have confirmed the existence of unified approaches in the individual planning process. The study also revealed that all convicts are involved in the individual planning process, which is based on their profile of risk of harm and probability of crime. Convicts are referred to voluntary and/or mandatory programs based on this.

## **Conclusion**

The individual planning process is performed uniformly at the National Probation Agency. At the legislative level, there are norms, which regulate this process.

## Crime Prevention Center

### **Key findings**

The analysis of legislative framework, as well as, the results of the qualitative study confirmed that the Center for Crime Prevention has special procedures that regulate individual planning process. Furthermore, all the respondents have confirmed that approaches used are uniform and individual service plans are being developed for former prisoners, which is truly an achievement.

### **Conclusion**

The Center for Crime Prevention has established the norms regulating individual approach to former prisoners. This process is uniformly implemented in practice. Therefore, there was no need to develop any specific recommendation based on the findings of the research.

## Services

### Release Preparation Program in Penitentiary Facilities

#### **Key findings**

For the effective organization of release preparation process, it is important to have special programs. The results of our research show, that the social workers of the Penitentiary Department developed a unified module for the release preparation program, which can be used by all the facilities.

In the qualitative study, we have received contradictory information about facilities where the program is currently available. Some of the respondents said that the program is available in all semi-open type penitentiary facilities, but other said that the program is available every facility, except Facilities N3, N7, and N9. Some of the respondents said that release preparation program is not yet available, not even facility N5 for women and facility N16 for low-risk prisoners.

In addition, we have received variable information when convicts are engaged in the release preparation program. Some of the respondents said that the program is only for convicts who had less than 1 year of imprisonment left off. Other respondents said that program is for convicts who have 6 to 9 months of prison term left. Other respondents said that sometimes convicts who have left 6 months of prison term are admitted into the program, but sometimes those who have 3-month term left. It was revealed that the social workers of the Penitentiary Department developed a unified module for the release preparation program, which should be used by all the facilities. It becomes somewhat confusing how will the prison administration use the release preparation program. In this regard, it is important to formulate a unified approach to the implementation of the program. Of course, there may be different approaches to

different categories of convicts and types of facilities, but such case, different program modules have to be developed, and this has not been confirmed by any respondent within our survey.

Some of the respondents said that at the first stage, some target groups were selected for individual approach, as well as for release preparation program. Putting emphasis on specific target groups, particularly in large penitentiary facilities is a correct approach. Since taking into consideration the existing resources (services, number of employees, infrastructure), engagement of all convicts in release preparation program would have been too difficult. However, information received on this issue was not uniform

## **Conclusion**

Based on the analysis of the obtained information, we can conclude that penitentiary system does not have a uniform vision on how to implement release preparation program in different penitentiary facilities and this process is quite chaotic. Furthermore, there is no unified vision, when should convicts get engaged in release preparation program.

## **Recommendations:**

*It is desirable:*

- *Elaborate a clear vision of the implementation of release preparation program for different penitentiary facilities;*
- *Define clear criteria for inclusion of convicts in the release planning program.*

## **Other services in penitentiary facilities**

### **Key findings**

The results of the study show that the prisoners in facilities N11, N5 and N16 have access to various services. The main reason for this is that, in contrast to other facilities, there is a very small number of prisoners housed in those facilities. In addition, these institutions have better infrastructure to organize services; both the Ministry of Corrections, as well as NGOs, consider minors, women and low-risk convicts as a priority in terms of service provision. It is possible to focus service provision on selected vulnerable groups in the beginning, such as women and juvenile convicts. However, it is important that the Ministry of Corrections takes steps to ensure access to services for those convicts who are not housed in those facilities.

Our respondents have emphasized the issues with infrastructure, especially in large penitentiary facilities.

The survey revealed that convicts have access to various services in N11, N5, and N16 penitentiary facilities. The reason for this may be several factors - unlike other institutions, the number of convicts in these institutions is small; In addition, these institutions have better infrastructural opportunities for organizing services; As the Ministry of Corrections, as well as NGOs, the minors, women and low-risk

convicts are considered as priority in terms of providing services. It is possible to focus on the delivery of services at the first stage, especially for such vulnerable groups, such as women and juvenile offenders. However, it is important that the Ministry of Penitentiary and Probation will take steps to increase the number of services to those convicts who are not placed in the above institutions.

In the qualitative research of organizing services, the majority of respondents underlined the problems related to infrastructure, especially in large penitentiary facilities.

The results of this study show that there are problems regarding the continuity and sustainability of services. Even in this case, it is also important that a small number of existing services will be provided to former prisoners in a timely manner and in the period when they need those services. The majority of the respondents have indicated the shortcomings in this regard.

The criminal subculture has been identified as one of the challenges in services delivery. Several respondents have confirmed this fact. Criminal subculture, in general, is one of the challenges for the normal functioning of the penitentiary system and this issue has been discussed for a long time. The criminal subculture has its own rules, that say that taking part in educational and rehabilitation programs is looked down among certain groups of convicts, and this can potentially create challenges. Recent legislative changes and reforms (*such as setting up a low-risk prison facility and half-way house in 2018*) are likely directed to challenge the criminal subculture and to reduce its influence on the system. Therefore, attempts were made to create facilities, which are free of criminal subculture and where inmates are free to engage in various types of programs and activities. However, those changes impacted only a small group of prisoners (*for example, in the low-risk facility N16 there were 134 convicts in October 2017, when there are 9360 accused and convicted persons in the whole system*).

## **Conclusion**

Penitentiary facilities have significantly variable approaches to service provision. There are facilities, where all the core services are provided, but in some facilities, services are very limited.

The Ministry of Corrections does not have an established long-term plan for infrastructure development in the penitentiary system. Increasing access to services, especially in large facilities, is possible only if infrastructural developments are also put in place.

As a rule, the Ministry of Corrections does not have a preliminarily defined list of services that may require in penitentiary facilities at the beginning of each year. These needs must be identified based on available evidence.

The Ministry of Corrections does not have a long-term vision on how to reduce the impact of criminal subculture on the normal functioning of penitentiary facilities in a long run.

## **Recommendations:**

It is desirable:

- *Enhance access to various services, both through increasing budgetary funding, as well as through close cooperation with NGOs and international organizations;*

- *The Ministry should define the list of services they will need annually. This information should be made available to all interested parties;*
- *Develop a long-term plan for infrastructure development within the penitentiary system;*
- *Develop a long-term plan for maximizing the efforts to limit the impact of criminal subculture within the penitentiary facilities.*

## The National Probation Agency

### Key Findings

As a result of the study showed that in the specific reporting period (January 2017), only 436 (2%) of the 21741 convicts under the care and control of the National Probation Agency had access to its services. Majority of respondents also note the lack of services.

An assessment system to determine the risks of the convict and probability of repeated crime, which is used by the Probation National Agency and its workers to assess beneficiaries and offer relevant and needed services based on this assessment, should be evaluated positively. This system gives a possibility to use limited resources available in a more rational way.

One of the challenges of the National Probation Agency is a problem with continuity and sustainability of services. The respondents consider that outsourced services are more prone to those failures.

### Conclusion

The results of this study show that the penitentiary system, as well as the National Probation Agency, face challenges due to limited availability of services, which is one of the hindering factors in the process of integration of former prisoners into the society. There are also problems regarding the continuity and sustainability of services. Even in this case, it is also important that a small number of existing services will be provided to former prisoners in a timely manner and in the period when they need those services.

### Recommendations:

It is desirable:

- *Enhance access to various services, both through increasing budgetary funding, as well as through close cooperation with NGOs and international organizations;*
- *The Ministry should define the list of services they will need annually. This information should be made available to all interested parties;*

## The Crime Prevention Center

### **Key findings**

The result of a desk review, as well as, opinions shared by the respondents during the qualitative study show that limited services are one of the main challenges for the Crime Prevention Center. However, it should be noted, that most of the beneficiaries made a positive evaluation of small grants program by the Center for Crime Prevention, which helped former prisoners to start their own business. The majority of respondents said indicated issues with continuity of services and their sustainability.

### **Conclusion**

A limited number of services is one of the main challenges for the Crime Prevention Center, and this is one of the hindering factors in the process of integration of former prisoners into the society. However, the grant program run by the Crime Prevention Center received a very positive evaluation.

As with other agencies, the Crime Prevention Center also faces issues with the organization of services and their sustainability. Even in this case, it is also important that a small number of existing services will be provided to former prisoners in a timely manner and in the period when they need those services.

### **Recommendations:**

It is desirable:

- *The Crime Prevention Center of the Ministry of Justice of Georgia should increase access and availability of different kinds of services, through increasing budgetary funding, as well as through close cooperation with NGOs and international organizations;*
- *The Ministry of Justice (the Crime Prevention Center) should define the list of services they will need annually. This information should be made available to all interested parties;*
- *Analyze the effectiveness of the Grant's Program and develop an evidence-base for more active application of this component in the future.*

## Inter-agency Cooperation

### Cooperation between Penitentiary Department and the National Probation Agency

#### **Key findings**

Majority of our respondents confirmed that cooperation in release preparation process between the Penitentiary Department and the National Probation Agency cooperate starts only 3-month before the release of the convict and only in the cases of early release of a prisoner (or replacement of the penalty with a less severe penalty). The survey also confirmed that there is no cooperation or exchange of information between these two agencies (which are under the umbrella of one ministry) when the convict is released for any other reason.

Legislative analysis and interviews confirmed that a cooperation penitentiary and probation system is limited to the release preparation process for female and juvenile convicts. However, some of the respondents emphasized the shortcomings in the release preparation of juvenile convicts.

#### **Conclusion**

Results of the study confirmed that cooperation in release preparation process between the Penitentiary Department and the National Probation Agency cooperate starts only 3-month before the release of the convict and only in the cases of early release of a prisoner (or replacement of the penalty with a less severe penalty). This cooperation is now limited to the release preparation process for female and juvenile convicts.

Furthermore, the majority of respondents confirmed that the cooperation between these two agencies is limited to release preparation of convicts who were released at earlier term and does not cover individuals released on other grounds.

It is necessary that the Ministry of Corrections develops short and long-term release preparation plans. Collaboration between these two agencies should not be limited only to cases of early release. A person may be released from the penitentiary facility by different approaches (pardon, amnesty, sentence deferral, etc.), but at the same time have a probation term. It is necessary to have some kind of cooperation mechanism between the agencies for such cases.

The Penitentiary Department and the National Probation Agency are under the umbrella of one Ministry. However, the study confirms that the cooperation between these two agencies is not systematic and at this stage, only involves a small target group. Of course, it is desirable that the release preparation process is uniform in all prisons, but this study shows that this is not possible at this stage (due to deficiencies in human resources, infrastructure, services and other factors). Therefore, release preparation process may be organized differently in different facilities. In some cases, a penitentiary facility can send the National Probation Agency information about which programs the convict was engaged in, after his release from the facility.

#### **Recommendations:**



It is desirable:

- *Before the establishment of the release preparation system, in the facilities where there the co-operation between the two agencies is not regulated, a form of information exchange between those agencies should be established;*
- *Develop an inter-agency cooperation and information exchange mechanism with respect to cases where the individual is released for reasons other than early release (or their outstanding part of the sentence is commuted to a less severe sentence ) and he/she still has a conditional sentence to serve*
- *Introduce short-term and long-term plans for release preparation from penitentiary facilities.*

## Cooperation between the Crime Prevention Center and the Penitentiary Department

### **Main findings**

As a result of the analysis of public information, it was discovered that a memorandum about cooperation was signed between the Crime Prevention Center and the Penitentiary Department in 2013 (between the Ministry of Justice and the Ministry of Corrections respectively). However, this document defines only a general framework of cooperation. Furthermore, the most of the respondents have also confirmed that they do not have information about the content of the memorandum.

Most of the respondents of the qualitative study said that, as a rule, the employees of the Crime Prevention Center meet the convicts who have a remaining incarceration term of approximately 3 months and there is some type of uniform approach established in respect of such cases. However, the respondents noted that in some cases information about those convicts who may be released is available in advance, while in other cases – this information will become available directly before the admission to the facility.

One of the major challenges, which was noted by the respondents, is that the majority of convicts do not receive accurate information about what type of organization is the Crime Prevention Center and what kind of services the prisoners are offering after their release. Study results have has that convicts often think of the Crime Prevention Center as some sort of agency of the House of Justice, or an employment bureau, and others.

Furthermore, the respondents also noted that agencies do not exchange information (for example, in what kind of programs convict participated while in the penitentiary facility).

### **Conclusion**

Cooperation between the Penitentiary Department and the Crime Prevention Center today is limited to providing information to the convicts about the type of services that are available to them after their release. This activity solely is not an efficient mechanism for release preparation. In this regard, there are clear shortcomings in cooperation between the agencies, particularly with regards of giving accurate

information to the convicts, what agency is the Crime Prevention Center and what it offers after they are released.

Although the agencies have signed a Memorandum of Cooperation, this document does not regulate a detailed framework of cooperation. In addition, it was revealed that the relevant staff of those agencies does not have information about this memorandum. Therefore, it is recommended that the cooperation between the Penitentiary Department and the Crime Prevention Center is regulated at the legislative level and at least in the current practice and the obligations of the agencies to cooperate is put into a framework. It is also important that there is a universal regulation, which will regulate issues such as assessment of convicts, information, which is provided to them and information exchange between these two agencies.

**Recommendation:**

It is desirable that:

- *a detailed procedure of cooperation between the Penitentiary Department and the Crime Prevention Center is established as a legislative level and this regulation will include details about the assessment of convicts, information which is provided to them and information exchange between these two agencies*

## Quality Control System

### Penitentiary Department

#### **Key findings**

Some of the respondents interviewed as a part of the qualitative study said information about services provided is collected by some service provider NGOs in the writing and verbally – by others.

Respondents also noted that elements of supervision and monitoring exist for services, where the service provider is directly a system's employee. However, our findings show, that this process is not regulated through instruction and tools are not yet developed.

This study showed that the quality control mechanisms in the penitentiary system are not unified and this process is not systematized. At this stage, the uniform system of quality control of the services provided is not established. For example, some service providers receive feedback about implemented programs in writing, while others do not receive such feedback at all, or collect just a verbal feedback.

Opinions expressed by the respondents about how the needs of the convicts are determined also varied. According to the respondents, in some cases convicts are preliminary asked what kind of services they want. Some of the respondents said that services are selected based on the needs and risks of the convict. Finally, in some cases, the selection is done based on "best available" experience, and not on the analysis of some kind of data.

In addition, information received from the respondents also revealed that there is no unified system of reporting.

#### **Conclusion**

Our findings show that the quality assurance system for the services provided is not established and, therefore, the release preparation process cannot be analyzed. It is necessary to establish a quality control system that covers all the components discussed above: supervision and monitoring; feedback collection and reporting system; data collection and analysis. This process may use different approaches to different categories of convicts and consider different risk-factors. It is necessary to establish a uniform cycle of this process and regulate it at the legislative level.

## The National Probation Agency

### **Key findings**

Respondents have expressed different opinions about the feedback system. Some of the respondents said that for some services feedback is collected in writing, but for the others – verbally.

Most of the respondents said that there is no unified supervision system in the agency, and moreover, this process is not legislatively regulated. The majority of respondents have confirmed that the needs of the convicts are defined based on the risk and needs assessment and the practice is uniform in this regard.

Some of the respondents said that there is some sort of reporting system, while others think that this information is not collected in one place. Therefore, it was difficult for us to determine whether such system is missing, or if respondents did not have information about it. In either case, it is clear that we have some non-systematic approaches to this process.

Opinions of the respondents about the effectiveness of the services were also different. Some of the respondents said that effectiveness can be measured from the feedback received, some have said that they have quantitative indicators for this, while some think that there is no such system at all.

### **Conclusion**

In conclusion, we can say that some components of the quality assurance system are more or less functional in the National Probation Agency (risks and needs assessment, supervision system). However, it is also evident that system of quality control is not properly established for all components: risks and needs assessment; supervision and monitoring; feedback collection and reporting system; data collection and analysis system. This process may use different approaches to different categories of convicts and consider different risk-factors. It is necessary to establish a uniform cycle of this process and regulate it at the legislative level.

### **Recommendations:**

It is desirable:

- *Regulations, tools and detailed procedures for quality assurance systems in the penitentiary and probation systems should be formulated as a regulatory document and it should cover the whole cycle of supervision and monitoring, feedback collection and reporting, data collection and analysis processes.*

## The Crime Prevention Center

### **Main Findings**

The information provided by the respondents was not homogeneous. Some respondents said that feedback is collected in writing, but others said that feedback was collected only verbally. In some cases, the quality of services was evaluated using beneficiaries' satisfaction.

Opinions expressed regarding the supervision and monitoring systems were also different. Some of the respondents said they were not supervised, while others said that supervision is performed by a social worker on a monthly basis.

Our qualitative interviews revealed that there are more or less standardized approaches to service needs assessment. Namely, needs of beneficiaries are assessed and there are two ways of doing that, depending on what kind of service the former prisoner is seeking. Needs assessments are carried out at the end of each month and the results are analyzed. Therefore, it is obvious that there are certain elements of the reporting system in place.

### **Conclusion**

The study showed that the uniform system of quality assurance of services is not established. Although certain types of quality assurance tools are in place, systematic analysis of the whole process is not possible. It is necessary to establish a quality assurance system, which includes all components, such as supervision/monitoring, feedback and reporting systems and existing data collection and analysis systems. Obviously, this system might allow for different approaches based on the categories of former prisoners and some other factors. However, it is important to formulate a uniform cycle of this process, which would be regulated at the legislative level and will also have special instructions, guidelines, and instruments.

### **Recommendation:**

It is desirable:

- *Formulate normative regulations, tools and detailed procedures for quality improvement process in the Crime Prevention Center; this should cover and create a uniform process for supervision/monitoring, feedback, and reporting, data collection, and analysis.*

# Best Practices of Prisoner Rehabilitation Programs in the Netherlands, Germany, and Lithuania

*Review*

**REVIEW** - BEST PRACTICES OF PRISONER REHABILITATION  
PROGRAMS IN THE NETHERLANDS, GERMANY, AND LITHUANIA

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Mainline

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## Abstract

The recidivism rate amongst the population of former inmates is high, approximately half of them re-offend in the two years following their release (Linckens & De Looff, 2013). This statistic signifies that one, this population faces insurmountable obstacles that prevent them from re-offending and two, the current way in which justice systems approach prisoner rehabilitation is, simply, failing. This report aims to show how the Netherlands, Germany, and Lithuania are doing their part to lower this statistic by highlighting the best practices of their rehabilitative programs. The focus will be on various prison-based, community-based, non-governmental organization projects that assist in the reintegration of former prisoners' into society. The intention is to understand what has worked for the penal systems in these countries and then provide these best practices as recommendations to Georgian based organizations, in their quest for improving the rehabilitation of former inmates. The Netherlands and Germany were chosen because of their recent penal reforms and high level of standards and Lithuania was chosen because it has a shared history with Georgia of being under the USSR rule.

First, we will provide a brief overview of rehabilitation and recidivism and a general idea of what programs prisons and communities offer and what obstacles they face. The 'What Works' principles will be highlighted as a basic guide for what approaches should be taken when developing a program that targets reducing recidivism. Next, these will be explored in practice when we turn to the penal systems and practices of rehabilitation in the three countries. That will entail providing some context to each country's prison system and their sentencing practices because handing out sentences, ones that provide alternatives to punishment, lend themselves to lower recidivism rates (Warta et al., 2017). Then, each country's particular rehabilitation programs and projects will be explored in detail. What will be highlighted here is what these programs offer, who these programs target, how these programs were brought into place and why they are (or are not) sustained, who funds the programs, who runs the program, and whether the program is prison based, community based, or NGO based. Wherever possible, special attention will be paid to how these programs deal with prisoners who have a history of drug use.



## Introduction

Rehabilitation, the main objective of modern penal systems, is the process of reintegrating a former prisoner back into society to lead a crime-free life via professional support and self-help measures (Heubner, 2009). Proponents of this harm reduction approach are concerned with not punishing the prisoner further but making sure that all efforts are taken to make sure they do not re-enter the penal system. Rehabilitation includes an array of programs including mental health, substance abuse, and educational services offered both inside and outside prison. Ideally, the rehabilitation of prisoners begins when they start their sentence, is carried out during their sentence, and continues after their release (Casey & Jarman, 2011). It is helpful to understand rehabilitation in terms of phases, such as pre-detention phase (i.e. diverting to treatment, rehabilitation, or incarceration) custodial phase (i.e. programs carried out during ones sentence) and post release phase (i.e. probation, community service, and half way houses). The delivery phase of each project will be stressed in order to give a better understanding of how these projects function.

In prison, rehabilitation would be classified as education, cultural, social, and recreational activities that prepare prisoners for life outside of prison (ibid). Outside prison, the rehabilitation of prisoners is carried out through programs that support them in remaining apart of society and out of the penal system. This ongoing availability and presence of rehabilitation programs signifies to prisoners that while they are being punished, they are also being invested in. Unfortunately, many prison administrations face inadequate resources to address the multitude of problems that afflict prisoners nearing the end of their sentences: issues related to housing, education, health, drug use, finances, families, and behaviour (Roy, 2012). This can be seen in the minimal prison programs that address prisoners' wellbeing and mental health issues (ibid). However, when these programs are properly implemented, and a justice system can successfully rehabilitate its' offenders, our communities become safer.

Rehabilitation programs should focus on normalization: ensuring that life inside prison is as similar as possible to life outside (Subramanian & Shames, 2013). A prison sentence should not mean the removal of any rights that defines us as citizens, including the right to health care and treatment. This normalization principle in relation to substance use is not so straightforward, as it reflects the contentiousness of ones stance on the use of illegal substances. Some may believe that prisoners who use drugs should be treated like any other prisoner and not get special management in the form of therapy or treatment, while others may argue that prison is not an appropriate place to motivate someone to deal with or change their use, while others may suggest that a health based approach to drug dependence, not punishment, is the best method. This tension is reflected in prison systems that half-heartedly offer drug rehabilitation programs, in

that they often become inaccessible post release, and offer no support to the former inmate along their journey.

Through an extensive literature review, Nation and colleagues (2003) developed nine 'What Works' principles that were consistently present in successful prevention programs related to, among others, substance use and violence. These nine principles that 'work' are categorized into three categories. The first five principles are related to program characteristics, in that rehabilitation programs must be comprehensive, include various teaching methods, be of sufficient dosage (consistent quantity), be theory driven, and provide opportunities for positive relationships. The second two principles are related to matching participants to a program, in that rehabilitation programs must be appropriately timed and be socio-culturally relevant. The final two principles are related to program implementation, in that rehabilitation programs must involve well-trained staff and provide outcome evaluations (ibid). For a more detailed look at each principle, please see the annex.

According to these authors, the idea is to have all these principles present in order for a rehabilitation program to have results. However, it is not always realistic to have all these principles are visible in any rehabilitation program in any given context in any given justice system, they can merely be guidelines. In order to see how the 'What Works' principles are put into practice, I will highlight how the following selected prison and community based rehabilitation programs in these three countries have adopted them and how they have contributed to the success of each program.

## The Netherlands

### Overview and Context of the Dutch Penal System

The Dutch are known for their pragmatic approach to social issues such as their approach to soft drugs, prostitution, and euthanasia (Verster & Solberg, 2003). The Ministry of Security and Justice's approach to regulating law and order reflects this liberalism by focusing what works for their society as a whole, rather than on what can be done to punish a criminal. This is a logical approach when you consider that every year in the Netherlands, around 40,000 adults are incarcerated and about 30,000 are released back into society (Subramanian & Shames, 2013). The Department of Correctional Institutions oversees all incarceration of adults in the Netherlands in approximately 400 prisons throughout the country. They work closely with Dutch municipalities to ensure inmates have access to advice on housing, finances, health, and identity documents (ibid). There are various kinds of places where an offender is placed when convicted: adult institutions (open or closed), young offender institutions, psychiatric institutions, detained illegal alien centers and remand (detention) centers (Tonry & Bijleveld, 2007). Prison guards generally receive two years of training prior to their first day- one year of criminal law and one year of practical training on topics like educational theory, psychology, social education, stress and conflict management (Rook & Verhagen, 1987). The purpose of such detailed training is to provide them with (better) tools to interact and treat inmates with respect and understanding in any given situation.

In the Netherlands, six years after being released, over 70% of former inmates had re-offended and almost 50% had been incarcerated (Wartna et al., 2011). However, the number of repeat offenders has dropped over the years, a decrease of 7% from 2003 to 2007 (ibid). More specifically, the 2010 Recidivism Monitor of the Documentation Center of the Ministry of Security showed that in 2006, 54.1% of former inmates were back in the criminal system (either being prosecuted or incarcerated) within two years of their release, in 2002 it was 59% (ibid). So while the statistic is still quite high, criminal recidivism is on the decline in the Netherlands.

The Dutch Recidivism Monitor tracks all juvenile and adult offenders with standardized measurements of recidivism (ibid). It allows the Ministry of Security and Justice to have an overview of all criminals and their development of recidivism, specifically, they collect data on the prevalence, speed, frequency, and the nature of recidivism on (ibid). They are also able to track within each population which offender characteristics, also called criminogenics, influence their chance of reoffending, such as age of first offence, gender, age and country of birth. Research and Policy Database for Judicial Documentation (OBJD) and Research and Documentation Center of the Ministry of Security and Justice (WODC), mentioned above, are

two other institutions worth noting to give some context to the Dutch penal system. Research and Policy Database for Judicial Documentation (OBJD) contains information on all natural and legal people who are suspects or convicts in the Netherlands and the Research and Documentation Center of the Ministry of Security and Justice (WODC) is a knowledge hub for security, police, criminal, civil and administrative justice issues (Wartna et al., 2017). It holds information on six different kinds of offending populations: adults offenders, juvenile offenders, offenders formerly on probation, former adults prisoners, former juvenile prisoners and former patients of the Forensic Psychiatric Center (ibid). Both are governed by the Ministry of Security and Justice.

With the introduction of the Custodial Institutions Master Plan (2013-2018), the Dutch government aims to reduce the cost of the prison system by introducing cutback measures that will save €270 million. This plan has the following key features: by 2018, 19 prisons throughout the country will be closed down, meaning that more than half all prisoners will soon be in shared cells, twice as many as there are currently. Measures that allow inmates to go home on extended/reintegration leave nearing the end of their sentence, and other programs implemented for prison rehabilitation will be cut (Custodial Sentences, n.d). These drastic cuts will undoubtedly have a negative impact on the social environment in Dutch prison systems and the drastically deteriorate that chances for former inmates to experience proper resocialization.

## Sentencing in the Netherlands

There are one of two ways an offender can be processed in the Dutch penal system: either via punishment-incarceration in various types of prison- or via alternatives to punishment such as fines, treatment, institutionalization, probation, rehabilitation, community service, transactions, or diversions. Suspended sentencing is a form of punishment that is less severe than incarceration but more stricter than probation (Custodial Sentences, n.d). Suspended sentencing serves as an alternative to short-term imprisonment, with the idea to reduce recidivism (Aarten et al., 2014). Of all sentences made in 2010, 56% were partial or full suspended sentences (Wartna et al, 2011). Typically, these options are preferred over incarceration, as indicated by the Dutch Financial Penalties Act (Subramanian & Shames, 2013). With a less serious issue, offenders may be offered transactions, which are “agreements that the suspect will accept a penalty that might have been imposed had the case gone to trial” (ibid). Diversions are another way to divert offenders out of the prosecution process, and thus from serving time in jail. This form of sentencing is available in some situations, for example when the maximum length of sentence is six years, which is the majority of sentences in the Netherlands. In 2004, 33% of all crimes committed were treated by such transactions. Some sentences have leave arrangements built in, where prisoners are given

the opportunity to settle business affairs, renew contacts, and experience life without supervision (Rook & Verhagen, 1987). This is considered a rehabilitation tool as it helps inmates prepare for the sometimes quite confronting and challenging transition to life outside prison.

Conduct certificates are given out to prisoners by the Minister of Security and Justice, indicating that there are no objections to them applying for and holding a certain job. The purpose of these certificates is to deter employers from hiring former inmates for particular jobs that would endanger public safety. It is obligatory for professions in certain fields, such as childcare and education. Granting inmates these certificates is seen as a form of rehabilitation as it restores their right to work (Boone, 2011).

## Prisoners and substance use in the Dutch Penal System

The Dutch government is responsible for coordinating the development, implementation, and evaluation of addiction care programs, while the Ministries of Health and Safety and Justice, local governments are in charge of their funding (Verster & Solberg, 2003). As mentioned above, the Dutch are supporters of harm reduction and use this approach to minimize the risks of drug use and to emphasize health care, prevention and treatment based on the individual's needs (Subramanian & Shames, 2013). This ideology is present in the local addiction care institutions that focus on drug prevention, treatment, outreach work, aftercare and reintegration (Verster & Solberg, 2003). Moreover, this approach results in fewer individuals being incarcerated for drug charges, as police tend to shift their attention away from minor offences like drug possession to those committing major offences like drug trafficking.

The most recent information available from the EMCDDA states (2003-2009) that 4 in 10 Dutch prisoners were (problematic) substance users before entering the penal system (ibid). The Ministry of Security and Justice responded, arguably questionably, to this statistic by limiting the availability of drugs within prisons with the intention of making their prisons 'drug free'. However, in some cases, the Ministry does fund some drug treatment programs, as continuity of care and equivalent access to health services are some of the basic rights of all prisoners. It should be noted of course, that this is not always the reality (UNDOC, 2013).

Since 2004, repeat offenders with a history of substance use fall under a particular law, the Placement in an Institution for Prolific Offenders. While not specific to those with substance use, this law combines imprisonment and behavioural interventions and treatments carried out outside of prisons. The police, public prosecution, or judges can assign prisoners to these addiction treatment centers (Verster & Solberg, 2003).

In 2015, the treatment of drug users in prisons was improved by the move to include evidence based behavioural intervention and mental care services. Prisons began providing options for drug dependent prisoners. For example, those dependent on Gamma-hydroxybutyrate (GHB) or benzodiazepines (for example, Xanax) were given special in-prison treatment; those enrolled in a methadone maintenance program pre-sentencing were allowed to continue treatment. Depending on the scenario, prisoners with substance use issues were also allowed to replace their prison sentences with referrals to drug treatment outside of prison.

## Examples of Reintegration Projects in the Netherlands

### **Prison Gate Office**

Many aftercare programs were discontinued in the Netherlands in 1995 and the responsibility of prisoner support and reintegration was handed over to the local municipalities. This cut in probation services left prisons no longer equipped with tools for preparing prisoners for life after prison. So while prisons were in charge of the prisoners while in their jurisdiction, once they were released, the prisoners' municipality of origin became in charge of their well-being and reintegration. Understanding that aftercare of former prisoners is crucial in reducing the recidivism rate, The Salvation Army developed the post release project, Prison Gate Office (van Vliet & Zwemmer, 2008). The purpose of this joint service between the prisons and the community is to provide housing for released prisoners while they seek for more permanent accommodations in order to prevent them from ending up homeless. There is a high dropout rate of this program, which is not very surprising as many programs struggle to retain those with complex problems such as substance use issues and/or mental health issues. However, this program found that they have more success in smaller cities and communities, where former prisoners don't get 'lost' as easily (ibid).

Notably, this program incorporated the principle of fostering positive relations by involving the non-prison community of the Salvation Army, strengthening community ties with this target population. As well, based on the evidence that they can retain more participants in rural than urban settings, the Salvation Army chose to locate themselves near rural prisons, utilizing they theory driven 'What Works' principle.

### **Werk Na Detentie**

Together with the Dutch Ministry of Security and Justice, and other public and private businesses, the Werk Na Detentie ('Work After Prison') project helps former inmates find work.

This program is executed during the post release phase. Together, they have invested over €1.2 million over 36 months to help pay for the successful employment of former prisoners in order to decrease the rate of recidivism. This set up, the shared financing and investing between public and private spheres, is known as a Social Impact Bond (SIB). This particular SIB brings together the outcome funder (the government), investors (foundations), a service provider (typically an NGO), and the beneficiary population (the former inmates and their environment/municipality). The private investors provide capital upfront for such rehabilitation services and when these are deemed successful (i.e. a former inmate is successfully hired in the workforce) the government returns their investment. Currently, this SIB has ten partners working together to assist 150 former prisoners. The success of the SIB lies in putting private funds towards helping solve social problems like recidivism. Overall, this SIB represents a business boost for social projects and gives investors an opportunity to support social projects, all while making a profit (Ramakers et al., 2014).

This program incorporated the principle of fostering positive relations by involving external stakeholders, bringing awareness of the importance of prisoner rehabilitation to the public sphere. Additionally, because SIB's are such large enterprises because and this SIB is the 5th of its kind in the Netherlands alone, this program mirrors the outcome evaluation principle in that it has proven in the past to earn results in the shared goal of being both financially and socially effective.

## **Halt**

The Halt project targets first time offenders between the ages of 12 and 18 with the aim of keeping them out of prison and instead delegates them to community service via their program. As it works proactively to keep young people out of the prison system, this program works in the pre-detention phase. Halt works with young people's behavioural and development problems in order to change their behaviour and attitudes. This program is incorporated within the Dutch juvenile justice system and works preventatively with schools to nurture a safer learning environment in which students are encouraged to see the importance of educational success (Rud et al., 2014). The idea is to assist youths in 'righting their wrongs' via compulsory apologies and closer adult supervision and avoiding entering the criminal system. The Halt program has a 90% success rate, meaning once the juvenile completes the program, their charges are officially dropped, they are not prosecuted, and a criminal record is consequently, avoided. (Euwema & Miedema, n.d).

This program incorporated the principle of fostering positive relations by involving the parents or guardians of the young offenders, thus including an additional stabilizing source of support. As well, Halt approached their target audience with various means, drawing comparisons to the

varied teaching methods principle. Additionally, it incorporated the principle of socio-cultural relevancy by addressing the deeper ingrained behaviours related to offending in young people.

## Prevention of Recidivism Program

Prevention of Recidivism Program (2002-2014) was a prison based rehabilitation program aimed at reducing the recidivism rates of former inmates with sentences longer than four months (Dutch Prison Service & Dutch Probation Organizations, 2007). This government funded and run program was conceived in 2002, implemented nationwide by 2007 and cut in 2014. This program was inspired by the Risk Need Responsibility (RNR) model of crime prevention and correctional rehabilitation (Andrews et al, 1999). There are three components to this model: the risk (who is to be treated), the need (what is to be treated), and responsibility (how it is to be treated). The Prevention of Recidivism program set out to reduce the recidivism rates of volunteer participants by assessing their likelihood of re-offending and providing specific treatment that address these particular risks. Since it targeted inmates before their release, this program was implemented in the custodial phase. The outcome of this project was to have reduced recidivism in the Netherlands by 10% (Bosma et al, 2016).

First participants had to qualify for the program, which was determined at the moment of conviction and are enlisted in the WODC tracking system used in every prison in the country. Second, the candidates, who were given enticing offers such as getting transferred to a half open prison to serve the rest of their time, had to willingly decide to participate in this program. If a candidate did not chose to join, they were deemed uncooperative and moved to a highly guarded facility (Boone, 2011). Then, the participants were allocated to treatment specific reintegration modules based on their risk assessment for re-offending. Here, the assessments paid close attention to certain criminogenic factors, such as history of substance use and trauma, education level, and social behaviour.

These participant-specific modules were designed by the probation officer and program counsellor and targeted fundamental post releasement issues such as housing, income, health care, and documentation. Moreover, this risk assessment would determine which type of module the inmate had to follow during their sentence, such as regularly attending Cognitive Skills Training or Lifestyle Training for the Addicted Offender. The program came to an end once the prisoner completed their sentence. This was a downfall of the project, as prisoner rehabilitation succeeds when they get continued support past their release (Bosma et al, 2016).

It was estimated that about half of those inmates eligible for the program did not participate (ibid). The problem of enrolment, experienced in prisons everywhere, is essential to address



because no matter how well designed or effective a rehabilitation program is, if participants aren't engaging with it, the program essentially fails.

This program was cut in 2014 due to a decrease in funding by the Ministry of Safety and Justice. Now, all offenders are part of a basic regime; those who demonstrate good, social behaviour while in prison for a minimum of 6 weeks are given preferred treatment, such as extra hours outside of their cell. While the Prevention of Recidivism Program gave all offenders the chance to reduce their risk of reoffending, this current set up only gives inmates who are capable of showing good behaviour and the motivation to change the chance at getting rehabilitation support. There were two aspects of this program that helped to reduce recidivism rates: the first was the recidivism risk assessment of the prisoner, and the second was to implement behaviour interventions believed to reduce that risk.

This rehabilitation program was seen to be both ambitious and faulted. On the one hand, participation was low due to specific criteria selection and had high levels of drop out or non-completion. Those that were eligible and enrolled were often not given (the proper) intervention models specific to their behavioural issues that were linked to recurring criminal behaviour. On the other hand, it used some well-known practices and models (like the RNR model and tested risk assessments), mirroring the theory driven principle. It also incorporated several other of the 'What Works' principles, namely it was comprehensive, it had various teaching methods, and it had sufficient dosage via the multiple stages.

## Circles of Accountability and Support

While all three countries have rehabilitation programs devoted specifically to prisoners convicted of sexual offences, the Dutch implementation of Circles of Accountability and Support (CoSA) is the most developed program of which to learn from (Höing et al., 2015). It is coordinated by the Ministry of Security and Justice and relies heavily on well-trained volunteers to carry out their goal of the safe return and reintegration of sex offenders within communities. CoSA works both with the individual while in prison and continues after their release, flowing from the custodial phase into the post release phase. Originally developed in Canada, CoSA's first incarnation in the Netherlands was in 2009 where it worked with two sex offenders in a Dutch city. By 2014, there were 60 other 'circles' in the country (ibid). The core member, the sex offender, is regularly visited by their inner circle, volunteers from the local community. They are trained to help them re-settle by providing support and encouraging social behaviour, and to recognize when their behaviour may indicate a risk of re-offending. If so, the outer circle, or trained professionals, probation officers, and therapists are brought in to address the issue. They have discovered that

the practice of open communication amongst the circles lends itself as a successful rehabilitation tool, in that they target two of the biggest obstacles for sex offender recidivism: social isolation and emotional loneliness (ibid). Another distinguishing trait of this program is that CoSA is a community-based project that relies on the involvement of many stakeholders and thus cannot be simply transferred to different contexts in other countries. While recidivism rates amongst sex offenders are not as high as amongst other groups of offenders-less than 15% within a six year follow up- (ibid), CoSA aims to address the pronounced public perception of sex offenders as a threat to society.

The evaluations of this program have been positive, hence the growth of the program throughout the country. A research team conducted a study on the impact of CoSA's practices (ibid), assessing model integrity (the quality and function of the inner circles) and program fidelity (the quality of implementation) of 17 circles in the Netherlands. Two key findings were that a quarter of the circles monitored did not reach the criteria for program fidelity and that the quality of the inner circles, that is the volunteer/offender dynamic, was in direct correlation with the level of program fidelity (ibid). They have also discovered that using volunteers as the basis for this intervention program proves beneficial as it mirrors the modeling effect (van Den Boss, 2006).

Fundamental to this program was the comprehensive principle, in that it made use of extensive social relations, or circles, in relation to the offender, which acted like a reinforced safety net. An outcome of this was the development of strong relationships between the volunteers and the offenders, which points to the positive relationship principle.

## **Exodus**

Exodus is the largest aftercare organization in the Netherlands that provides counselling to former inmates and their families. Participants who are motivated to improve their chances at successful rehabilitation post release are given professional support or a voluntary partner. This aftercare program sets itself apart from other rehabilitation programs because of its' integral and structural approach that addresses all aspects of the participants' needs: housing, finance, employment, and relationships (Exodus, n.d). This can be seen by their methodology of motivating participants to join the program, which includes discussing with the participant their ideas of recovery and reintegration (ibid). Former inmates living in these houses were said to have benefited from the social support needed to rebuild relationships (Hoetjes & Plaisier, 2013). However, the same individuals found the support needed to find permeant housing ineffective (ibid.) From 2001 to 2005, 54 of the 212 enrolled residents at Exodus Utrecht Probation Housing completed the program (Exodus, n.d).

Although the program is nationwide, it operates on quite a small scale, keeping relations between the housing staff and participants personal (ibid). Incorporating the family of the participant into the housing activities further reinforces the projects' strength in nurturing supportive relations, which reflects the 'What Works' positive relations principle.

## Germany

### Overview and Context of the German Penal System

There are 16 federal states in Germany, and each state controls the prisons within their boundaries. According to the World Prison Brief, there are over 64,000 prisoners (including those in remand centers) in the 183 prisons (World Prison Brief, 2017b). Similar to the Netherlands, the German penal system focuses on rehabilitation, as it is stated in their Prison Act law. According to this Act, "the sole aim of incarceration is 'to enable prisoners to lead a life of social responsibility free of crime upon release, requiring that prison life be as similar as possible to life in the community and organized in such a way as to facilitate reintegration into society.'" (Subramanian & Shames, 2013).

Collectively, the German prison mandate is to prioritize rehabilitation and accountability in order to prepare prisoners to lead a socially responsible crime-free life (Chammah, 2015). Dammer (1996) indicates that in German prisons, there are three principles that promote rehabilitation: unique environmental conditions (such as physical locations and structural designs) extensive work and training programs, and frequent use of gradual community reintegration programs (ranging from conjugal visits to half-open release). In Germany, correctional officers are trained in prisoner communication relations because this helps them to understand root causes of offenders' behaviours and not take their actions as disrespectful but perhaps a symptom of their surroundings.

### Sentencing in German prisons

Typically, German courts favor suspending all sentences under a year and placing the offender in strict probation, in 2006, 75% of prisoners were sentenced this way. (Subramanian & Shames, 2013). Another way Germany decreases their incarceration rate is to hand out day fines, in which fines are imposed in daily units (one unit of fine=one day incarcerated) and are based on the

offenders income, taking into consideration the different economic circumstances of offenders. In 2010, these accounted for 79% of all offense cases (ibid).

In 2013, Germany instated a controversial detention legislation that addressed the approximately 500 prisoners who have served their sentence but are still considered a threat to society and thus are kept in 'preventative detention' (Resnek, 2016). While the environment of these preventative detentions are less severe than a regular prison, the prisoners are kept here for undetermined lengths of time; the ten year cap was lifted in 1998 (ibid). The intention is to protect the public from a potentially dangerous individual, but simultaneously, has the effect of removing this individual's liberty. The majority of individuals placed in these detentions struggle with mental health issues. As a result, all of the prisoners in German preventative detention are required to participate in individualized therapy programs as an effort for rehabilitation. Annually, psychologists and officials decide whether the prisoner can be released from preventative detention safely, either temporarily or fully. However, most prisons already offer psychiatric treatment for their inmates so this practice of continued confinement is heavily criticized (ibid).

## Prisoners and substance use in the German Penal System

Since 2006, each German state has been in charge of their own penal system meaning not all responses to drug use(r)s in prison have been uniform. However, the following types of drug treatments can be found in German prisons: short term detoxification, abstinence based treatment with counseling, and opioid substitute therapy (Stoever, 2002). These interventions are typically financed by the Ministries of Health, Social Welfare, and Justice (Verster & Solberg, 2003). The aftercare facilities are funded via combination of health insurance and social insurance, but only to a small extent. This is why there are about 150 mainly non-for-profit organizations in the country, with a variety of aftercare and reintegration services, depending on regional requirements and circumstances (ibid). The Professional Association on Drug and Addiction issued a recommendation on prisoner transition management for substance users, which included the proposal of rehabilitation treatment during their sentences that were held externally in order to assist with the treatment post release (ibid).

## Reintegration Projects in Germany

*Mediation and Restorative Justice in Prison Settings Project*

The Mediation and Restorative Justice in Prison Settings (MEREPS) project is an interdisciplinary and international effort between Germany, Hungary, and the UK that identifies, shares, and develops best practices of restorative justice for a successful reintegration of prisoners. A form of rehabilitation, restorative justice is a mediation practice focused on connecting the victim(s) with the prisoner while they are still serving their sentence, with the intention of peacefully resolving their conflict. The essential part about this prison based project is that while most prison sentences are given primarily as a punishment for what a person has done in the past, restorative justice is about making things better for the future, for the victim(s) as well as for the offender (Barabas et al., 2012). By supporting victims of crime and raising responsibility-taking of offenders, as well as making the offender see the real consequences of their behaviours, this approach will ideally be a better deterrent than a possible future prison sentence, thus leading to a more peaceful community (Casey & Jarman, 2011). Individuals participate in MEREPS while incarcerated, meaning that this project is implemented during the custodial phase.

The 'What Works' principle at work here is the socio-cultural relevancy one in that prisons were able to respond to prisoners who were looking to engage with the concept of restorative justice. MEREPS' target population are serious offenders and research shows (Barabas et al., 2012), restorative justice has the most impact and success with the lives of those touched with serious crimes, reflecting the outcome evaluation principle.

### **Communities of Restoration**

Communities of Restoration are designed to reduce offending behaviour through character-focused, faith-based programming. This program operates inside prisons with professional staff and voluntary prisoners, melding the prison with the larger community. The program begins by (re)teaching prisoners how to live within a community and ends with them temporarily leaving prison to work within their community. The support continues for these participants post release as they go through full transition back into society. Therefore, this project works in both the custodial and post release phases. Prisons that utilized this program have seen a decrease of recidivism with their former prisoners than those that did not participate (Communities of Restoration, 2017).

The continued support that this program offers mirrors the idea that successful prevention programs must be sensitive to the ongoing needs of the participants, which is distinctive of the comprehensive 'What Works' principle.

**MABiS2/MABiS.NeT/ZUBILIS**

With the help of the Ministry of Justice, the German State of North Rhine-Westphalia (NRW) developed a three-pronged approach to ensure an improvement on education and training opportunities for its former prisoners. The first was MABiS2, launched in 1998, which was a market oriented preparation program. The second, MABiS.Net, active from 2002 to 2005, complemented its predecessor through the creation of a state wide network of post release agencies that worked with the established actors in MABiS2 to ensure the resettlement services for former prisoners. The third component was ZUBILIS, which meant to continue the efforts of the two previous programs by keeping up to date with new training approaches and the changing needs of the labor market. The effectiveness of these three programs will be outlined in greater detail below.

### **Marktorientierte Ausbildungs und Beschäftigungsintegration fuer Straftlassene (MABiS2)**

MABiS2 ('Labor Market Oriented Integration of Training and Employment for Ex Prisoners') targeted the aftercare of former prisoners seeking employment. Their goal was to ensure the continuity of training for former prisoners in accordance with both the labor market and crime prevention policies of the government of NRW through a variety of actors and principles.

By bringing together the prisons system and the labor market, this program strived to build sustainable partnerships between the prison vocational programs and employers. This was achieved by three pillars. The first pillar was aftercare networks which ensured the continuity of prisoner vocational training and employment through counseling, individual support plans (with attention to drug use or housing issues), detailed documentation of problems and coping strategies, and targeted search databases for program participants to be accessed by potential employers. The second was computer based placement networks to increase the efficiency of connecting the two parties, complete with participant profiles. And the third was the transferring of best practices amongst the German states to strengthen the cooperation between justice and labor market actors nationwide. This was supported by regional reintegration forums that coordinated the regional reintegration prison based activities with the various requirements of regional labor markets. As well, publications and reports of qualification and placement efforts were also disseminated externally to support vocational reintegration of former prisoners and conferences were held for all stakeholders to discuss the results (Equal ZUBILIS, n.d).

This program took the educational needs of the prisoners and simultaneously helped them find suitable placement and minimized stigma. Therefore, by providing transparent information on the participants' background and training, and connecting them to well suited employers and educational institutions, the chances of sustainable employment increased. While there are other vocational programs in place, this particular program addressed the tendency for other programs to fail former prisoners by providing follow up training post release (specifically targeting the

high risk period of the first six months post release) and addressing the stigma that they inevitably face trying to re-enter the work force.

### *MABiS.Net*

This phase of the project saw to the development of several electronic tools to facilitate the placement process for former prisoners. They created databases for suitable training opportunities internally and externally, and an instrument to match individual prisoner profiles with the entry requirements for available jobs or training (Equal ZUBILIS, n.d). They also offered prisoners assistance with various kinds of issues, such as support for housing, financial, employment issues and general life stabilization. Only 16% of prisoners dropped out of this second program, indicating its' necessity and effectiveness (ibid).

### **Zukunft der Bildung im Strafvollzug**

ZUBILIS ('Future of Training and Education in the Prison System') is a project helped to increase the relevance of education and training efforts for former inmates in hopes to improve their chances of employment. There were three pillars that set the foundation for this program: market preparation training (thus making inmates more adaptable to the labor market), state wide aftercare facilities that match and evaluate prisoners' skills to different job opportunities, and continuous updates with the evolving job market (ibid). Furthermore, this project wanted to promote a closer cooperation between the stakeholders in both the labor market and the criminal justice system. In fact, an important outcome of the project was to collaborate between employment agencies in order to encourage more prisons to embrace this reintegration approach. Knowing that this outcome was a priority of the program speaks to the outcome evaluation principle. Finally, before its end, they developed the Guidelines for Effective Networking between Actors in the Fields of Criminal Justice and the Labor Market, which were incorporated into the Ministry of Justice (ibid).

Former prisoners with vocational training during their sentence but did not find employment post release have a recidivism rate of under 80%. However, those prisoners with vocational training who did find employment post release had a recidivism rate of only 33% (Mabis.net, 2003), vocational training has its own benefits for these inmates, both during and after their sentence, this indicates that the key to reducing recidivism within this population was employment. This echoes the appropriately timed principle, as it shows how the program took into account the long-term needs of released inmates-specifically stable employment- into account.

Although the entire program has since come to an end, it was considered effective- the completion rate the last two years of the program was 72%. What's more, they had a placement rate of 50% for more than 4.000 prisoners and 80% of those lead to stable employment (Equal ZUBILIS, n.d). Delivering these three programs in succession, pointing to the sufficient dosage principle, was part of the overall success of the project, as it enabled all stakeholders to work at the same pace and join their outcomes at the end of each phase before moving ahead (Equal ZUBILIS, n.d). Moreover, breaking this project into three sub-projects also made use of the varied teaching methods and sufficient dosage principles.

## Lithuania

### Overview and Context of the Lithuanian Penal System

According to the International Center for Prison Studies, currently more than 7,355 people are incarcerated in Lithuanian prisons, making their prison population per capita the highest within the European Union (World Prison Brief, 2017a). There are 14 prison facilities, three specifically for juveniles' aged 14-18, controlled by the Correctional Affairs Department (Svedas, 2000). The majority of their prisons, built decades ago during the Soviet rule, are overcrowded, lack appropriate health care and treatment facilities, and fall short of European standards (EEA Grants, 2014). These factors are exacerbated by the fact that Lithuanian criminal system is inadequately equipped to deal with effectively rehabilitating offenders and the resulting high rates of recidivism (Mesoniene, 2009). Another challenge is that former prisoners in Lithuania face extreme stigma, data from 2015 shows that 60% of Lithuanians would not want to live in the same neighborhoods as them and 40% would not want to work with them (Human Rights Monitoring Institute, 2017).

### Sentencing in Lithuanian prisons

Possible sentences in Lithuania are known as the deprivation of liberty and can entail imprisonment, correctional work, or fines (Svedas, 2000). Whereas the Netherlands and Germany tend to limit the amount of custodial sentences, Lithuania employs this sentence frequently, resulting in a high incarceration rate. However, there is movement for courts to provide more



possibilities of offering suspended sentences and other alternative measures of non-custodial punishments (Svedas, 2000).

There are vocational programs available for prisoners serving custodial sentences, and if inmates are willing, programs for updating their existing skills and developing new ones can be organized inside the prison. There is no centralized aftercare system in the Lithuania prison system. Typically, the institutions that provide assistance in providing housing and employment to former inmates are municipalities and non-governmental organizations. Some Lithuanian municipalities have established their own half way houses for former inmates to use as a stepping-stone for 6 months post their release.

In 2000, Lithuanian prisons indicated that they would take measures to better serve inmates during and after their sentences. One measure was to focus on the involvement of the community in the rehabilitation of prisoners by addressing the tension and aggression between these two sides. Another suggestion was to extend incentives and other means of motivations for prisoners, such as short time furlongs and conditional releases, who exhibit good behaviour. The idea behind this was to help develop feelings of independence and responsibility within inmates. Another measure of this code was to put more emphasis on training programs that targeted marketable skills to enhance prisoners' possibilities for work post release.

## Prisoners and substance use in the Lithuanian Penal System

In 2012, it was estimated that 15% of the Lithuanian prison population identified as drug users (Andrulionis et al., 2014). The 2007 United Nations General Assembly Special Session on Drugs report states that the number of incarcerated drug users in Lithuania are increasing but the resources for them, such as harm reduction programs like needle exchange and substitution therapy are limited (Sarang, 2008). Where drug treatment programs do exist, the EMCDDA reports that these drug treatment activities focus on the socio-psychological rehabilitation of the dependent prisoner. Four prisons in the country have in-prison rehabilitation programs and seven prisons have Alcoholic Anonymous and Narcotics Anonymous groups available (ibid). However, opioid substitute therapy is not available to any dependent prisoners in any Lithuanian prison, regardless if they were using this treatment before imprisonment, which contradicts the idea of equivalent health care (Andrulionis et al., 2014).

In 2010, Lithuanian prisons changed the way in which they handled their inmates with substance issues. Together with psychologists, prison administrations developed social rehabilitation units in all prisons, which oversaw the rehabilitation programs for inmates with substance use issues. Here, they helped prisoners abstain, reduce, or refuse substance use. Furthermore, these changes

aimed to improve many facets of prisoners' lives, such as interpersonal relations, physical, emotional and psychological states. This is partly achieved by including outside actors, such as non-governmental organizations, as a means of support and to help the transition and support the reintegration of substance users into society.

Inmates eligible for rehabilitation services must meet certain criteria and must be approved by professional assessments from prison psychiatrists and psychologists. Participants of these rehabilitation programs are eligible for random drug testing; a negative result resulted in the individual being rejected from the program and returned to prison. Subsequently, many prisoners are reluctant to enroll in these programs.

## Examples of Rehabilitation Projects in Lithuania

### *Correctional Services Including non-custodial Sanctions program*

Through a €7.7 million investment from Norway, spread out over 5 years, the Correctional Services including non-custodial Sanctions Project created open prisons, also known as halfway houses, to connect recently released prisoners with the public (EEA grants, 2014). It is overseen by the Ministry of Justice and funded by a partnership with Norway's Directorate of Norwegian Correctional Service. The project operates in the post release phase of rehabilitation. The objective of this program is to improve their correctional system in compliance with international human rights standards. Since the project began in 2009, four houses have been introduced in four cities in Lithuania. These spaces serve as places where prisoners, typically inmates serving custodial sentences for minor offences, and demonstrating exemplary behaviour during their sentences, can go to develop their social skills with the help of social workers (Human Rights Monitoring Institute, 2017). Together with security officers, the social workers also work directly with the community by explaining the purpose and benefits of the program. This open prison model aims to fill the gap between prisoner release and reintegration and curtail the relapse of many former offenders. The goal was to reduce recidivism by at least 5% (ibid).

Both the positive relations and the outcome evaluation principles are present here, in the forms of connecting former prisoners with social workers and security officers and having the goals of reforming Lithuania's penal system to meet the standards of the European Court of Human Rights.

*United Nations Office on Drugs and Crime (UNODC) Small Grants: HIV/AIDS prevention and care among injecting drug users and in prison settings in Lithuania, Latvia and Estonia*

In 2007, The UNODC provided grants to several Lithuanian harm reduction programs that contributed to the development of services that serve the needs of (mainly injecting) drug users. These funds helped in the development and capacity building of Lithuanian civil society organizations and the increased involvement of communities impacted by HIV and incarceration. Two of the 18 programs dealt specifically with the prison population, and are looked at more closely below.

### ***KRIS in North-West of Lithuania***

The goal of KRIS was to increase the use and awareness of HIV prevention and harm reduction services for registered young offenders, ages 14 to 21 years. Young people in need of social or substance rehabilitation services could get social-psychological support via information and therapy sessions (UNDOC, 2017a). This charity operated within the post release phase of rehabilitation. It utilized social control theory, which looks at social control as a way to prevent an offender from re-offending (ibid). This theory brings in the positive element of community into the offender/corrections dynamic, highlighting the theory driven ‘What Works’ principle.

### **Pusiaukelis**

Pusiaukelis (‘Halfway’) was a peer project aimed at preventing HIV transmission amongst injecting drug users at the Vilnius Correction house, a prison in Lithuania. It addressed its target population needs by providing self-help group meetings (led by former injecting drug users), syringe exchanges, and information on harm reduction approaches and resources (UNDOC, 2017b). While this project was executed within the custodial phase and used correctional staff to help see to their objectives, it incorporated elements of community involvement as people from outside the prison system (former drug users) were brought in for their experiential knowledge on substance use. Varied teaching methods and well-trained staff principles are also represented in this program.

### **Conclusion**

Before some final thoughts ideas on prisoner rehabilitation, let’s summarize each countries’ situation. Prisoner reintegration is integrated into Dutch policy and the Dutch penal system. In addition to prison-based programs, there is also a good representation of community-based programs. On the one side, specific support for offenders with a history of drug use is present but not prolific. On the other, support for rehabilitation of Dutch prisoners is relatively present not

just during their incarceration but continues after their release. The German state provides a wide arrange of aftercare services and interventions targeting rehabilitation via housing, vocational training, employment and psychological counseling. Moreover, these are not just present during the individuals' time in the penal system, but continue past their release. There have been improvements in Lithuania's penal system and their approach to rehabilitation but there is still a lot of progress to be made to catch up to European standards. Their system is benefiting from the partnership with and best practices from Norway. Prisoners are now being offered harm reduction services (except for opioid substitute therapy) but like the other two countries, these services are not considered widely and freely available. There appears to be under representation in all three countries of NGO based organizations that target prison rehabilitation.

These projects can be understood via their different stages of implementation. Some were used in the pre-detention phase, where the aim was to divert the targeted individual away from the criminal system, some were carried out in the custodial phase, meaning they were available during the individual's sentence via volunteer or work programs and were meant to prepare for the prisoner for their release, and others were carried out in the post release phase via half way houses as a means to further support their re-entering society.

Recommendations for best practices of prisoner rehabilitation can be broken down into the categories of focusing on macro practices related to programs and micro practices related to people. Existing rehabilitation programs, ones that don't have defined standards and performance indicators, and aren't considerate of an offenders' skills, needs, risk of substance use, are found to have little impact on the positive changes in an inmates (offending) behavior (Mesoniene, 2009). Therefore, programs must focus on fixing inmate behaviour that is linked to reoffending, otherwise inmates return to the community who are a continued threat to public safety.

Partnerships, particularly those linking 'Western' and 'Eastern' European countries, are worth investing in. These international partnerships, like MERPES, or the Norway investment with open prisons in Lithuania, debunks the notion that 'Eastern' European countries can only learn from 'Western' European countries; in contrast, it demonstrates that mutual learning processes and exchange of best practices can help all parties to further develop their rehabilitation services (Barabas et al., 2012). Involving all stakeholders from the private and public sphere is also essential to bringing about fundamental changes in the current prison system and the values of the public. However, seeing such macro changes can take a long time and it is with step by step procedures and long term support that one can see the impact and effectiveness of rehabilitation programs on former prisoners and their surrounding communities.

Former prisoners are often stigmatized within their communities and social relations for their past choices. The more effort given to open dialogue directed at strengthening these relationships, the more likely inmates won't re-enter the prison system. As well, prisoner reintegration depends

on understanding the underlying behaviours and causes of criminal activity and reducing the risk of reoffending criminal behaviour (Mesoniene, 2009). This can be achieved implementing of personalized interventions that targets reducing an inmates' criminogenic factors (ibid). Ultimately, however, these macro and micro practices should be considered together via a relationship based on communication and mutual understanding between the controlling prison systems and the community support systems with the common goal of facilitating effective prisoner rehabilitation (ibid).

Completing ones' prison sentence does not signify the end of a prisoners' quest for a better life. Their journey of 'picking up the pieces' outside prison can arguably be just as troubling, isolating, and disturbing as their time inside prison. However, taking into account these best practices for improved rehabilitation programs can serve in reducing recidivism and creating a more manageable and peaceful environment for the former offender.

Ideally, effective rehabilitation programs should be seen as a crime reduction strategy (Roy, 2012). Public safety is a reasonable result of an effective and just correctional system, not the other way around. While this may be true, there is a lot of work to do and a lot of values to unpack in order to make this an accepted common ideology. However, highlighting the best practices of what countries like the Netherlands, Germany, and Lithuania are doing to keep their former inmates out of the prison system shows potential, promise, and progress.

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### **Further readings**

This report is not an exhaustive list of prison and community based rehabilitation programs in the Netherlands, Germany and Lithuania. Here are some other programs that may be of interest:

#### ***Dutch specific resources:***

- Reclassering Nederland <https://www.reclassering.nl/wie-wij-zijn/missie-en-visie>
- Stichting VerslavingReclassering <https://www.svg.nl/>
- Leger des Heils Jeugdbescherming en Reclassering <https://www.legerdesheils.nl/ljr>
- GevangenenZorg <http://www.gevangenezorg.nl/>
- Bosma, A.Q. (2017). Targeting recidivism : an evaluation study into the functioning and effectiveness of a prison-based treatment program. Meijers Research Institute and Graduate School of the Leiden Law School, Doctoral Thesis.

There are plenty of organizations that advocate for prisoner reintegration that were not specific to the three countries chosen, but rather have a European or international focus. Here are some examples:

#### ***International Resources:***

- Strengthening Transnational Approaches to Reducing Reoffending (STARR)
- Vester, Annette & Ulrik Solberg. (2003). Social Reintegration in the European Union and Norway. European Monitoring Center for Drugs and Drug Addiction, report.



*Substance use specific resources:*

- 10 point plan reforming criminal justice responses to drugs  
<https://www.penalreform.org/resource/ten-point-plan-reforming-criminal-justice-responses-drugs/>
- Richard Braam & Ruta Januleviciene. (2008). AIDS Prevention and Care among Injecting Drug Users in Prison Settings in Estonia, Latvia and Lithuania. The case study of Marijampole Correction House in Lithuania

## Annexes:

### Definitions of the Principles of Effective Programs

<i>Category</i>	<i>Principle</i>	<i>Definition</i>
Program specific	Comprehensive	Multi-component interventions that address critical domains (family, peers, community) that influence the development and perpetuation of the behaviours to be prevented
	Varied teaching method	Programs involve diverse teaching methods that focus on increasing awareness and understanding of the problem behaviours and on acquiring or enhancing skills
	Sufficient dosage	Programs provide enough intervention to produce the desired effects and provide follow up as necessary to maintain effects
	Theory driven	Programs have a theoretical justification, are based on accurate information, and are supported by empirical research
Matching participants to programs	Positive relationships	Programs provide exposure to adults and peers in a way that promotes strong relationships
	Appropriately timed	Programs are initiated early enough to have an impact on the development of the problem behaviour and are sensitive to the developmental needs of the participant
Program implementation	Socio-culturally relevant	Programs are tailored to the community and cultural norms of the participant and make efforts to include the target group in program planning and implementation
	Outcome Evaluation	Programs have clear goals and objectives and make an effort to systematically document their results relative to the goals
	Well trained staff	Program staff support the program and are provided with training regarding the implementation of the intervention

## Tools for In-depth interview and focused group discussion

Questionnaire code:	Respondents:
<b>PDM1</b>	The management staff of the Penitentiary Department
<b>NPAM1</b>	The management staff of the National Probation Agency
<b>CCPM1</b>	The management staff of the Crime Prevention Center
<b>PDSW1</b>	The staff of the penitentiary facilities (Social workers)
<b>NPASW1</b>	Social workers of the National Probation Agency
<b>CCPSW1</b>	Social workers of the Crime Prevention Center
<b>SP1</b>	Representatives of organizations, who provide services in programs for release planning and rehabilitation and resocialization of former prisoners
<b>FP1</b>	Former prisoners

Questionnaire code: **PDM1**

## Tool for In-depth interview and focused group discussion

**Project funded by EU:** “Improved opportunities for psycho-social rehabilitation and re-socialization of inmates, former inmates and probationers in Georgia”.

**Project implementers:**

- Center for Information and Counselling on Reproductive Health - TANADGOMA (Georgia)
- Rehabilitation Initiative for Vulnerable Groups (Georgia)
- Mainline Foundation (Netherlands)

**Survey:** Evaluation of “transitional management” process to prepare inmates for release in penitentiary system.

Date:	
Name/Surname of the interviewer/facilitator:	
Name/Surname of the co-facilitator (responsible for recording the notes):	
Code of the respondent (or group of respondents):	
Starting time:	
Ending time:	

**Instruction to the interviewer:**

Read the introduction that explains the goals of the meeting. Please, remember, if the participants do not want to talk about any issue, they are not obliged to speak. Also, notify them that there are no absolutely correct and wrong answers to the questions. It is not mandatory to ask all the questions in given order as it is shown below.

Sometimes the topic can arise spontaneously and it is desirable to hold a conversation on this topic, even if it is in sequence of the tool. It is not necessary to ask all the specific questions. These questions will help you to deep your understanding on the issue and encourage the audience to speak out. If the participants are encouraged to speak, these specific questions may no longer be needed. The interviewer should carefully study the instructions before starting the interview with the respondent (or the group) in order to keep the conversation in appropriate direction and to be able to manage the spontaneously raised topics.

**Introduction:**

Hello, my name is \_\_\_\_\_. I represent the non-governmental organization \_\_\_\_\_. Our organization is carrying out the research that aims to prepare the inmates for release from Georgian penitentiary establishment, to evaluate the process of "transition management" and to elaborate the effective future interventions in order to improve the programs.

Your participation in the study is voluntary, anonymous (only for former inmates) and confidential. This means that your personal data is not register/recorder somewhere. You can stop the interview (focus group discussion) at any time and refuse to continue it. You can answer the questions which you think you need to answer. Objective information provided by you will help us to develop right recommendations in order to improve the programs preparing the inmates for release. Also, it will help the programs to become more oriented on inmates' needs and requirements.

## Questionnaire

- **Please describe the process of preparation of inmates for release at Penitentiary institution and what is the role of individual planning?**
  - What legal/normative basis the Penitentiary Department is using in the process of preparation of inmates for release ?
- **Please describe the involvement of Penitentiary Department in preparation of inmates for the release.**
  - In which penitentiary establishments the preparation process of inmates for release is being implemented?
  - What are the selection criteria for those institutions listed above?
  - Are there any plans for programmatic extension through adding other penitentiary establishments?
  - Which divisions of the Penitentiary Department are involved in the process of preparation of inmates for release?
  - How the functions are divided among the divisions involved in the process of preparation of inmates for release?
  - Are there any internal regulations / protocols based on which the employees of the Penitentiary Department are involved in the process of preparation of inmates for release ?
- **What is the process of “Individual planning”?**
  - Are there any regulations developed regarding individual planning process? If yes, who developed them?
  - Is the process of preparation of inmates for release a part of this individual plan?
  - Who is responsible for the process of individual planning? How the process is elaborated?
  - How the inmates are selected for individual planning? What is the criteria for selection of inmates for individual planning?
  - Are the gender and age perspectives considered in this process?
  - Is there any quantitative or other restriction for inclusion of inmates in individual planning process? If yes, what are the causes / conditions of those restrictions/ limitations?
- **What are the steps the inmates have to undertake in the process of preparation for the release?**
  - What is the selection process for inmates to be included in the program for release? What are the criteria and factors on which the selection process is based?
  - Are the gender and age perspectives considered in this process?
  - Is there any quantitative or other restriction for inclusion of inmates during the planning process? If yes, what are the causes / conditions of those restrictions/ limitations?
- **Tell us about the cooperation with other State agencies in the process of preparation of inmates for release**

- Which State agencies the Penitentiary Department has been cooperating with in the process of preparation of inmates for release?
  - How is this cooperation supported?
  - What are the specific work done under this cooperation?
  - What are the specific sources/channels of communications with other agencies? How is the information exchanged among the different agencies?
  - What reporting form exists within the frames of cooperation with other agencies?
- **What are the programmatic interventions used by penitentiary establishments during the process of preparation of inmates for release?**
    - What kind of services are offered to former inmates at penitentiary establishments?
    - Who are the services providers at penitentiary establishments?
    - Based on which criteria a particular program / service is selected?
    - How these programs / services are planned? Who is planning the program/service?
    - How the service provider is selected?
    - How the service providers carry out their activities at Penitentiary establishments?
    - What is the reporting system for service providers?
    - What type of information / data is collected by the service providers and how it is transferred to the Penitentiary establishments?
- **What can you tell us about the monitoring and evaluation of preparation of inmates for release ?**
    - How is monitoring and evaluation process performed?
    - What are the documents based on which monitoring and evaluation process implemented? Who conducts Monitoring and Evaluation?
    - In what frequency monitoring and evaluation is carried out?
    - Where are the results of monitoring and evaluation indicated/described?
    - What are the main indicators used for evaluating the program?
    - How are the monitoring and evaluation results used?
    - What are the roles of beneficiaries in the process of monitoring and evaluation?
    - How is data collected?
    - How is this data processed/analyzed?
    - Where are the results of data processing/analyzing reflected?
- **Can you tell us about the quality control of preparation of inmates for release?**
    - What about of quality control of work done by the personnel involved in the process?
    - What about of quality control of services provided within the process of preparation for release?
    - Based on which documents quality control is realized?
    - Who performs the quality control?
    - What are the main indicators used for assessment of quality?
    - Where and how the results of quality control are reflected?

- **How would you assess the process of release of inmates in penitentiary establishments?**
  - Can you identify the circumstances and / or factors that facilitate or complicate the process of preparation of inmates for the release? Please name those factors.
  - If there are hindering factors, how they can be avoided or diminished?
  - If possible, please briefly summarize the process of inmate's preparation for release:

Very good	Good	Fair	Needs to be improved	Bad	No response

**Your recommendations please. What else can be done in order to improve the existing process of preparation of inmates for release?**

**Thank you for taking part in this survey!**



Questionnaire code: [NPAM1](#)

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**Project implementers:**

- Center for Information and Counselling on Reproductive Health - TANADGOMA (Georgia)
- Rehabilitation Initiative for Vulnerable Groups (Georgia)
- Mainline Foundation (Netherlands)

**Survey:** Evaluation of “transitional management” process to prepare inmates for release in penitentiary system.

Date:	
Name/Surname of the interviewer/facilitator:	
Name/Surname of the co-facilitator (responsible for recording the notes):	
Code of the respondent (or group of respondents):	
Starting time:	
Ending time:	

**Instruction to the interviewer:**

Read the introduction that explains the goals of the meeting. Please, remember, if the participants do not want to talk about any issue, they are not obliged to speak. Also, notify them that there are no absolutely correct and wrong answers to the questions. It is not mandatory to ask all the questions in given order as it is shown below.

Sometimes the topic can arise spontaneously and it is desirable to hold a conversation on this topic, even if it is in sequence of the tool. It is not necessary to ask all the specific questions. These questions will help you to deep your understanding on the issue and encourage the audience to speak out. If the participants are encouraged to speak, these specific questions may no longer be needed. The interviewer should carefully study the instructions before starting the interview with the respondent (or the group) in order to keep the conversation in appropriate direction and to be able to manage the spontaneously raised topics.

**Introduction:**

Hello, my name is \_\_\_\_\_. I represent the non-governmental organization \_\_\_\_\_. Our organization is carrying out the research that aims to prepare the inmates for release from Georgian penitentiary establishment, to evaluate the process of "transition management" and to elaborate the effective future interventions in order to improve the programs.

Your participation in the study is voluntary, anonymous (only for former inmates) and confidential. This means that your personal data is not register/recorder somewhere. You can stop the interview (focus group discussion) at any time and refuse to continue it. You can answer the questions which you think you need to answer. Objective information provided by you will help us to develop right recommendations in order to improve the programs preparing the inmates for release. Also, it will help the programs to become more oriented on inmates' needs and requirements.

## Questionnaire

- **Please describe the involvement of Probation Agency in Educational-Rehabilitation and Employment Programs designed for former inmates**
  - What legal/normative base the Probation agency is using while implementing the educational-rehabilitation and employment programs designed for former inmates? List them please.
- **Tell us about the cooperation with other State agencies while implementing Educational-Rehabilitation and Employment Programs for former inmates**
  - Which State agencies the Probation Agency has been cooperating while implementing Educational-Rehabilitation and Employment Programs for former inmates?
  - How is this cooperation supported?
  - What are the specific work done under this cooperation?
  - What are the specific sources/channels of communications with other agencies? How is the information exchanged among the different agencies?
  - What reporting form exists within the frames of cooperation with other agencies?
- **Can you tell us about the involvement of the Probation Agency in the educational- rehabilitation-employment programs designed for former inmates?**
  - Where the educational-rehabilitation-employment programs for former inmates are being implemented?
  - Which departments of the Probation Agency are involved in these programs?
  - Are there any internal regulations / protocols based on which the employees of the Probation Agency are involved in educational-rehabilitation-employment programs for former inmates ?
  - What kind of services are offered to former inmates in frames of educational-rehabilitation-employment programs?
  - Who are the services providers in these educational-rehabilitation-employment programs?
  - Based on which criteria a particular program / service is selected?
  - How these programs / services are planned? Who is planning the programs/services?
  - How the service provider is selected?
  - How the service providers carry out their activities within the frame of educational-rehabilitation-employment programs?
  - What is the reporting system for service providers?
  - What type of information / data is collected by the service providers and how it is transferred to the Probation Agency?
- **What can you tell us about the monitoring and evaluation process of the educational-rehabilitation-employment programs for former inmates?**
  - How is monitoring and evaluation process performed?
  - What are the documents based on which monitoring and evaluation process implemented? Who conducts Monitoring and Evaluation?

- In what frequency monitoring and evaluation is carried out?
  - Where are the results of monitoring and evaluation indicated/reflected?
  - What are the main indicators used for evaluating the programs?
  - How are the monitoring and evaluation results used?
  - What are the roles of beneficiaries in the process of monitoring and evaluation?
  - How is data collected?
  - How is this data processed/analyzed?
  - Where are the results of data processing/analyzing reflected ?
- **Can you tell us about the quality control of education-rehabilitation-employment programs designed for ex-inmates?**
    - What about of quality control of work done by the personnel involved in the process?
    - What about of quality control of services provided within the programs?
    - Based on which documents quality control is realized?
    - Who performs the quality control?
    - What are the main indicators used for assessment of quality?
    - Where and how the results of quality control are reflected?
  - **How would you assess the education-rehabilitation-employment programs for ex-inmates?**
    - Can you identify the circumstances and / or factors that facilitate or complicate the process of implementation of those programs? Please name those factors.
    - If there are hindering factors, how they can be avoided or diminished?
    - If possible, please briefly summarize the education-rehabilitation-employment programs for ex-inmates:

Very good	Good	Fair	Needs to be improved	Bad	No response

- **Your recommendations Please. What else can be done in order to improve the education-rehabilitation-employment programs for ex-inmates?**

**Thank you for taking part in this survey!**

Questionnaire code: [CCPM1](#)

## Tool for In-depth interview and focused group discussion

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**Project implementers:**

- Center for Information and Counselling on Reproductive Health - TANADGOMA (Georgia)
- Rehabilitation Initiative for Vulnerable Groups (Georgia)
- Mainline Foundation (Netherlands)

**Survey:** Evaluation of “transitional management” process to prepare inmates for release in penitentiary system.

Date:	
Name/Surname of the interviewer/facilitator:	
Name/Surname of the co-facilitator (responsible for recording the notes):	
Code of the respondent (or group of respondents):	
Starting time:	
Ending time:	

**Instruction to the interviewer:**

Read the introduction that explains the goals of the meeting. Please, remember, if the participants do not want to talk about any issue, they are not obliged to speak. Also, notify them that there are no absolutely correct and wrong answers to the questions. It is not mandatory to ask all the questions in given order as it is shown below.

Sometimes the topic can arise spontaneously and it is desirable to hold a conversation on this topic, even if it is in sequence of the tool. It is not necessary to ask all the specific questions. These questions will help you to deep your understanding on the issue and encourage the audience to speak out. If the participants are encouraged to speak, these specific questions may no longer be needed. The interviewer should carefully study the instructions before starting the interview with the respondent (or the group) in order to keep the conversation in appropriate direction and to be able to manage the spontaneously raised topics.

**Introduction:**

Hello, my name is \_\_\_\_\_. I represent the non-governmental organization \_\_\_\_\_. Our organization is carrying out the research that aims to prepare the inmates for release from Georgian penitentiary establishment, to evaluate the process of "transition management" and to elaborate the effective future interventions in order to improve the programs.

Your participation in the study is voluntary, anonymous (only for former inmates) and confidential. This means that your personal data is not register/recorder somewhere. You can stop the interview (focus group discussion) at any time and refuse to continue it. You can answer the questions which you think you need to answer. Objective information provided by you will help us to develop right recommendations in order to improve the programs preparing the inmates for release. Also, it will help the programs to become more oriented on inmates' needs and requirements.

## Questionnaire

- **Please describe the involvement of Crime Prevention Center in Educational-Rehabilitation and Employment Programs designed for former inmates**
  - What legal/normative base the Center for Crime Prevention is using while implementing the educational-rehabilitation and employment programs designed for former inmates? List them please.
- **Please describe the involvement of Crime Prevention Center in preparation of inmates for the release**
  - Which are the establishments where the staff of Crime Prevention Center are involved in the process of inmates' release?
  - What are the selection criteria for those institutions listed above?
  - Which departments of the Crime Prevention Center are involved in the preparation of inmates' release?
  - Are there any internal regulations / protocols based on which the employees of the Crime Prevention Center are involved in the process of preparation of inmates for release ?
- **What are the steps the inmates have to undertake in the process of preparation for the release?**
  - What is the selection process for inmates to be included in the program for the release? What are the criteria and factors on which the selection process is based?
  - Are the gender and age perspectives considered in this process?
  - Is there any quantitative or other restriction for inclusion of inmates during the planning process? If yes, what are the causes / conditions of those restrictions/ limitations?
- **Please, tell us about the cooperation with other State agencies in the process of preparation of inmates for release**
  - Which State agencies the Crime Prevention Center has been cooperating with in the process of preparation of inmates for release?
  - How is this cooperation supported?
  - What are the specific work done under this cooperation?
  - What are the specific sources/channels of communications with other agencies? How is the information exchanged among the different agencies?
  - What reporting form exists within the frames of cooperation with other agencies?
- **What are the programmatic interventions used during the process of preparation of inmates for release?**

Please describe the process using the examples.
- **Can you tell us about the involvement of the Crime Prevention Center in the educational-rehabilitation-employment programs designed for former inmates?**
  - Which centers are implementing the educational-rehabilitation-employment programs for former inmates?
  - Which departments of the Crime Prevention Center are involved in these programs?
  - Are there any internal regulations / protocols based on which the employees of the Crime Prevention Center are involved in educational-rehabilitation-employment programs for former inmates ?
  - What kind of services are offered to former inmates in frames of educational-rehabilitation-employment programs?
  - Who are the service providers in these educational-rehabilitation-employment programs?
  - Based on which criteria a particular program / service is selected?

- How these programs / services are planned? Who is planning the program/service?
- How the service provider is selected?
- How the service providers carry out their activities within the frame of educational-rehabilitation-employment programs?
- What is the reporting system for service providers?
- What type of information / data is collected by the service providers and how it is transferred to the Crime Prevention Center?
- **What can you tell us about the monitoring and evaluation of preparation of inmates for release and the educational-rehabilitation-employment programs designed for former inmates?**
  - How is monitoring and evaluation process performed?
  - What are the documents based on which monitoring and evaluation process is realized? Who conducts Monitoring and Evaluation?
  - In what frequency monitoring and evaluation is carried out?
  - Where are the results of monitoring and evaluation indicated/described?
  - What are the main indicators used for evaluating the program?
  - How are the monitoring and evaluation results used?
  - What are the roles of beneficiaries in the process of monitoring and evaluation?
  - How is data collected?
  - How is this data processed/analyzed?
  - Where are the results of data processing/analyzing indicated/reflected ?
- **Can you tell us about the quality control of preparation of inmates for release and education-rehabilitation-employment programs designed for ex-inmates?**
  - What about of quality control of work done by the personnel involved in the process?
  - What about of quality control of services provided within the programs?
  - Based on which documents quality control is realized?
  - Who performs the quality control?
  - What are the main indicators used for assessment of quality?
  - Where and how the results of quality control are reflected?
- **How would you assess the process of release of inmates in penitentiary establishments?**
  - Can you identify the circumstances and / or factors that facilitate or complicate the process of preparation of inmates for the release? Please name those factors.
  - If there are hindering factors, how they can be avoided or diminished?
  - If possible, please briefly summarize/assess the process of inmate's preparation for release:

Very good	Good	Fair	Needs to be improved	Bad	No response

- **How would you assess the educational-rehabilitation-employment programs for ex-inmates?**
  - Can you identify the circumstances and / or factors that facilitate or complicate the process of implementation of those programs? Please name those factors.
  - If there are hindering factors, how they can be avoided or diminished?



- If possible, please briefly summarize/assess the implementation of educational-rehabilitation-employment programs for ex-inmates:

Very good	Good	Fair	Needs to be improved	Bad	No response

- **Your recommendations, please. What else can be done in order to improve the existing process of inmates' preparation for release and to improve the education-rehabilitation-employment programs designed for ex-inmates?**

**Thank you for taking part in this survey!**

Questionnaire code: [PDSW1](#)

## Tool for In-depth interview and focused group discussion

**Project funded by EU:** “Improved opportunities for psycho-social rehabilitation and re-socialization of inmates, former inmates and probationers in Georgia”.

**Project implementers:**

- Center for Information and Counselling on Reproductive Health - TANADGOMA (Georgia)
- Rehabilitation Initiative for Vulnerable Groups (Georgia)
- Mainline Foundation (Netherlands)

**Survey:** Evaluation of “transitional management” process to prepare inmates for release in penitentiary system.

Date:	
Name/Surname of the interviewer/facilitator:	
Name/Surname of the co-facilitator (responsible for recording the notes):	
Code of the respondent (or group of respondents):	
Starting time:	
Ending time:	

**Instruction to the interviewer:**

Read the introduction that explains the goals of the meeting. Please, remember, if the participants do not want to talk about any issue, they are not obliged to speak. Also, notify them that there are no absolutely correct and wrong answers to the questions. It is not mandatory to ask all the questions in given order as it is shown below.

Sometimes the topic can arise spontaneously and it is desirable to hold a conversation on this topic, even if it is in sequence of the tool. It is not necessary to ask all the specific questions. These questions will help you to deep your understanding on the issue and encourage the audience to speak out. If the participants are encouraged to speak, these specific questions may no longer be needed. The interviewer should carefully study the instructions before starting the interview with the respondent (or the group) in order to keep the conversation in appropriate direction and to be able to manage the spontaneously raised topics.

**Introduction:**

Hello, my name is \_\_\_\_\_. I represent the non-governmental organization \_\_\_\_\_. Our organization is carrying out the research that aims to prepare the inmates for release from Georgian penitentiary establishment, to evaluate the process of "transition management" and to elaborate the effective future interventions in order to improve the programs.

Your participation in the study is voluntary, anonymous (only for former inmates) and confidential. This means that your personal data is not register/recorder somewhere. You can stop the interview (focus group discussion) at any time and refuse to continue it. You can answer the questions which you think you need to answer. Objective information provided by you will help us to develop right recommendations in order to improve the programs preparing the inmates for release. Also, it will help the programs to become more oriented on inmates' needs and requirements.

## Questionnaire

- **Please describe the process of preparation of inmates for release at Penitentiary institution and what is the role of individual planning?**
  - Who is elaborating an “Individual Plan” for inmates?
  - Are there any regulations you follow in the process of “individual planning” for inmates? If yes, who developed them?
  - How the inmates are selected for individual planning? What is the criteria for selection of inmates for individual planning?
  - How the inmates are involved in individual planning process?
  - Are the gender and age perspectives considered in this process?
  - Is the process of preparation of inmates for release a part of this individual plan?
  - Is there any quantitative or other restriction for inclusion of inmates in individual planning process? If yes, are the causes / conditions of those restrictions/ limitations?
  - Approximately how many inmates have gone through individual planning process since January 1, 2017 (or during last 3 months, 1 month)?
  - Have you received any feedback from inmates regarding individual planning process? If yes, what kind of feedback? Where this feedback is reflected?
- **What are the steps the inmates have to undertake in the process of preparation for the release?**
  - What is the selection process for inmates to be included in the program for release? What are the criteria and factors on which the selection process is based?
  - Are the gender and age perspectives considered in this process?
  - Is there any quantitative or other restriction for inclusion of inmates during the planning process? If yes, are the causes / conditions of those restrictions/ limitations?
- **Tell us about the cooperate with other State agencies in the process of preparation of inmates for release**
  - Which State agencies the Penitentiary Department has been cooperating with in the process of preparation of inmates for release?
  - What are the specific work done under this cooperation?
  - What are the specific sources/channels of communications with other agencies? How is the information exchanged among the different agencies?
  - What reporting form exists within the format of cooperation with other agencies?
- **What are the programmatic interventions used by penitentiary establishments during the process of preparation of inmates for release?**
  - Can you describe/list the programs being implemented now in penitentiary establishments?
  - What kind of services are offered to inmates at penitentiary establishments?
  - Who are the services providers at penitentiary establishments?
  - Based on which criteria a particular program / service is selected for particular inmate?

- How the service providers carry out their activities at Penitentiary establishments?
- What type of communication do you have with service providers?
- Have you received any feedback from inmates who have already undergone the preparation process for release at penitentiary establishment? If yes, what kind of feedback? Where this feedback is reflected?
- What is the reporting system do you have?
- What type of information / data do you collect and where this information is reflected?
- **What can you tell us about the monitoring and evaluation of preparation of inmates for release ?**
  - How the monitoring and evaluation process of your work is performed?
  - Who conducts Monitoring and Evaluation?
  - In what frequency monitoring and evaluation is carried out?
  - Where are the results of monitoring and evaluation indicated/reflected?
  - Do you have an access to the results of monitoring and evaluation? If yes, how you get feedback after monitoring and evaluation process is finished?
- **How would you assess the process of release of inmates in penitentiary establishments?**
  - Can you identify the circumstances and / or factors that facilitate or complicate the process of preparing of inmates for the release? Please name those factors.
  - If there are hindering factors, how they can be avoided or diminished?
  - If possible, please briefly summarize the process of inmate’s preparation for release:

Very good	Good	Fair	Needs to be improved	Bad	No response

- **Your recommendations please. What else can be done in order to improve the existing process of preparation of inmates for release?**

**Thank you for taking part in this survey!**

Questionnaire code: [NPASW1](#)

## Tool for In-depth interview and focused group discussion

**Project funded by EU:** “Improved opportunities for psycho-social rehabilitation and re-socialization of inmates, former inmates and probationers in Georgia”.

**Project implementers:**

- Center for Information and Counselling on Reproductive Health - TANADGOMA (Georgia)
- Rehabilitation Initiative for Vulnerable Groups (Georgia)
- Mainline Foundation (Netherlands)

**Survey:** Evaluation of “transitional management” process to prepare inmates for release in penitentiary system.

Date:	
Name/Surname of the interviewer/facilitator:	
Name/Surname of the co-facilitator (responsible for recording the notes):	
Code of the respondent (or group of respondents):	
Starting time:	
Ending time:	

**Instruction to the interviewer:**

Read the introduction that explains the goals of the meeting. Please, remember, if the participants do not want to talk about any issue, they are not obliged to speak. Also, notify them that there are no absolutely correct and wrong answers to the questions. It is not mandatory to ask all the questions in given order as it is shown below.

Sometimes the topic can arise spontaneously and it is desirable to hold a conversation on this topic, even if it is in sequence of the tool. It is not necessary to ask all the specific questions. These questions will help you to deep your understanding on the issue and encourage the audience to speak out. If the participants are encouraged to speak, these specific questions may no longer be needed. The interviewer should carefully study the instructions before starting the interview with the respondent (or the group) in order to keep the conversation in appropriate direction and to be able to manage the spontaneously raised topics.

**Introduction:**

Hello, my name is \_\_\_\_\_. I represent the non-governmental organization \_\_\_\_\_. Our organization is carrying out the research that aims to prepare the inmates for release from Georgian penitentiary establishment, to evaluate the process of "transition management" and to elaborate the effective future interventions in order to improve the programs.

Your participation in the study is voluntary, anonymous (only for former inmates) and confidential. This means that your personal data is not register/recorder somewhere. You can stop the interview (focus group discussion) at any time and refuse to continue it. You can answer the questions which you think you need to answer. Objective information provided by you will help us to develop right recommendations in order to improve the programs preparing the inmates for release. Also, it will help the programs to become more oriented on inmates' needs and requirements.

## Questionnaire

- **Please describe the implementation of the educational- rehabilitation-employment programs for former inmates.**
- **How the former inmates are involved in educational- rehabilitation-employment programs?**
  - How an ex-inmates are referred to your educational- rehabilitation-employment programs?
  - Is there any registration system for ex-inmates willing to participate in educational- rehabilitation-employment programs?
  - How many persons have applied to you since January 1, 2017 (or last 3 months, last 1 month)?
  - How the beneficiaries are selected for the educational- rehabilitation-employment programs? •What is the criteria for selection?
  - What regulations you follow while involving the beneficiaries in the programs?
  - How the gender and age perspectives are considered in this process?
  - Is there any quantitative or other restriction for you to work with ex-inmates? If yes, what are the causes / conditions / of those restrictions/ limitations?
  - Please describe step by step the process of involvement of ex-inmates in educational- rehabilitation-employment programs. Please provide the examples.
  - Approximately how many beneficiaries have you met since January 1, 2017 (or last 3 months, last 1 month)?
  - Have you received any feedback from the former inmate regarding your work? If yes, please describe. Where this feedback is reflected/registered?
  - What kind of services are offered to former inmates in frames of educational-rehabilitation-employment programs?
  - Who are the services providers in these educational-rehabilitation-employment programs?
  - Based on which criteria a particular program / service is selected?
  - How the service providers carry out their activities within the frame of educational-rehabilitation-employment programs?
  - What type of communication do you have with service providers?
  - Have you received any feedback from the former inmates who already have finished the program? If yes, please describe. Where this feedback is reflected/registered?
  - What kind of the reporting system you have within the programs?
  - What kind of information/data do you collect and where this information is reflected?
- **Can you tell us about the monitoring and evaluation of education-rehabilitation-employment programs for ex-inmates?**
  - Who conducts Monitoring and Evaluation of your work?
  - How the monitoring and evaluation process of your work is performed?
  - In what frequency monitoring and evaluation is carried out?
  - Where are the results of monitoring and evaluation indicated/reflected?
  - Do you have an access to the results of monitoring and evaluation? If yes, how you get feedback after monitoring and evaluation process is finished?



- **How would you assess the educational-rehabilitation-employment programs for ex-inmates?**
  - Based on your practice, can you identify the circumstances and / or factors that facilitate or complicate the process of implementation of those programs? Please name those factors.
  - If there are hindering factors, how they can be avoided or diminished?
  - If possible, please briefly summarize/assess the implementation of educational-rehabilitation-employment programs for ex-inmates:

Very good	Good	Fair	Needs to be improved	Bad	No response

- **Your recommendations please. What else can be done in order to improve the education-rehabilitation-employment programs designed for ex-inmates?**

Thank you for taking part in this survey!

Questionnaire code: [CCPSW1](#)

## Tool for In-depth interview and focused group discussion

**Project funded by EU:** “Improved opportunities for psycho-social rehabilitation and re-socialization of inmates, former inmates and probationers in Georgia”.

**Project implementers:**

- Center for Information and Counselling on Reproductive Health - TANADGOMA (Georgia)
- Rehabilitation Initiative for Vulnerable Groups (Georgia)
- Mainline Foundation (Netherlands)

**Survey:** Evaluation of “transitional management” process to prepare inmates for release in penitentiary system.

Date:	
Name/Surname of the interviewer/facilitator:	
Name/Surname of the co-facilitator (responsible for recording the notes):	
Code of the respondent (or group of respondents):	
Starting time:	
Ending time:	

**Instruction to the interviewer:**

Read the introduction that explains the goals of the meeting. Please, remember, if the participants do not want to talk about any issue, they are not obliged to speak. Also, notify them that there are no absolutely correct and wrong answers to the questions. It is not mandatory to ask all the questions in given order as it is shown below.

Sometimes the topic can arise spontaneously and it is desirable to hold a conversation on this topic, even if it is in sequence of the tool. It is not necessary to ask all the specific questions. These questions will help you to deep your understanding on the issue and encourage the audience to speak out. If the participants are encouraged to speak, these specific questions may no longer be needed. The interviewer should carefully study the instructions before starting the interview with the respondent (or the group) in order to keep the conversation in appropriate direction and to be able to manage the spontaneously raised topics.

**Introduction:**

Hello, my name is \_\_\_\_\_. I represent the non-governmental organization \_\_\_\_\_. Our organization is carrying out the research that aims to prepare the inmates for release from Georgian penitentiary establishment, to evaluate the process of "transition management" and to elaborate the effective future interventions in order to improve the programs.

Your participation in the study is voluntary, anonymous (only for former inmates) and confidential. This means that your personal data is not register/recorder somewhere. You can stop the interview (focus group discussion) at any time and refuse to continue it. You can answer the questions which you think you need to answer. Objective information provided by you will help us to develop right recommendations in order to improve the programs preparing the inmates for release. Also, it will help the programs to become more oriented on inmates' needs and requirements.

## Questionnaire

- **Please, describe the process of preparation of inmates for release where you are involved in.**
- **Can you describe the working process with inmates at penitentiary establishment?**
  - Which are the establishment(s) where you are involved in the process of inmates' release?
  - Based on what you are allowed to work in this establishment(s)?
  - In which frequency you are working in this establishment? It depends on what?
  - Are there any internal regulations / protocols based on which you are involved in the process of preparation of inmates for release ?
  - What is the selection process for inmates to be included in the program for the release?
  - How the gender and age perspectives are considered in this process?
  - Is there any quantitative or other restriction for you to contact the inmate while you are performing your duty? If yes, what are the causes / conditions of those restrictions/ limitations?
  - How many inmates have you met since January 1, 2017 while performing your duty (or during last 3 months)?.
  - Have you received any feedback from the inmates regarding your work? If yes, please describe.
  - Where this feedback is reflected/registered?
- **Tell us about the cooperation with other State agencies in the process of preparation of inmates for release**
  - Representatives of which State agencies have you been cooperating with in the process of preparation of inmates for release?
  - How is this cooperation realized?
  - What are the specific work done under this cooperation?
  - What reporting form exists within the format of cooperation with representatives of other agencies?
- **What are the programmatic interventions used by the Crime Prevention Center during the process of preparation of inmates for release?**
  - Please describe the work you are doing at penitentiary establishments. Provide examples please.
- **What can you tell (within your competences) us about the monitoring and evaluation of preparation of inmates for release?**
  - How the monitoring and evaluation process of your work is performed?
  - Who conducts Monitoring and Evaluation of your work?
  - In what frequency monitoring and evaluation is carried out?
  - Where are the results of monitoring and evaluation indicated/reflected?
  - Do you have an access to the results of monitoring and evaluation? If yes, how you get feedback after monitoring and evaluation process is finished?

- **How would you assess the process of release of inmates in penitentiary establishments?**
  - Based on your practice, can you identify the circumstances and / or factors that facilitate or complicate the process of preparation of inmates for the release? Please name those factors.
  - If there are hindering factors, how they can be avoided or diminished?
  - If possible, please briefly summarize/assess the process of inmate's preparation for release:

Very good	Good	Fair	Needs to be improved	Bad	No response

- **Please describe the implementation of the educational- rehabilitation-employment programs for former inmates.**
- **How the ex-inmates are involved in educational- rehabilitation-employment programs?**
  - How ex-inmates are referred to your educational- rehabilitation-employment programs?
  - Is there any registration system for ex-inmates willing to participate in educational- rehabilitation-employment programs?
  - How many persons have applied to you since January 1, 2017 (or last 3 months, last 1 month)?
  - How the beneficiaries are selected for the educational- rehabilitation-employment programs?
  - What is the criteria for selection?
  - What regulations you follow while involving the beneficiaries in the programs?
  - How the gender and age perspectives are considered in this process?
  - Is there any quantitative or other restriction for you to work with ex-inmates? If yes, what are the causes / conditions of those restrictions/ limitations?
  - Please describe step by step the process of involvement of ex-inmates in educational- rehabilitation-employment programs. Please provide the examples.
  - Approximately how many beneficiaries have you met since January 1, 2017 (or last 3 months, last 1 month)?
  - Have you received any feedback from the former inmate regarding your work? If yes, please describe. Where this feedback is reflected/registered?
  - What kind of services are offered to former inmates in frames of educational-rehabilitation-employment programs?
  - Who are the services providers in these educational-rehabilitation-employment programs?
  - Based on which criteria a particular program / service is selected?
  - How the service providers carry out their activities within the frame of educational-rehabilitation-employment programs?
  - What type of communication do you have with service providers?
  - Have you received any feedback from the former inmates who already have finished the program? If yes, please describe. Where this feedback is reflected/registered?
  - What kind of the reporting system you have within the programs?
  - What kind of information/data do you collect and where this information is reflected?

- **Can you tell us about the monitoring and evaluation of education-rehabilitation-employment programs for ex-inmates?**
  - Who conducts Monitoring and Evaluation of your work?
  - How the monitoring and evaluation process of your work is performed?
  - In what frequency monitoring and evaluation is carried out?
  - Where are the results of monitoring and evaluation indicated/reflected?
  - Do you have an access to the results of monitoring and evaluation? If yes, how you get feedback after monitoring and evaluation process is finished?
- **How would you assess the educational-rehabilitation-employment programs for ex-inmates?**
  - Based on your practice, can you identify the circumstances and / or factors that facilitate or complicate the process of implementation of those programs? Please name those factors.
  - If there are hindering factors, how they can be avoided or diminished?
  - If possible, please briefly summarize/assess the implementation of educational-rehabilitation-employment programs for ex-inmates:

Very good	Good	Fair	Needs to be improved	Bad	No response

- **Your recommendations please. What else can be done in order to improve the existing process of inmates' preparation for release and to improve the education-rehabilitation-employment programs designed for former inmates?**

**Thank you for taking part in this survey!**

Questionnaire code: **SP1**

## Tool for In-depth interview and focused group discussion

**Project funded by EU:** “Improved opportunities for psycho-social rehabilitation and re-socialization of inmates, former inmates and probationers in Georgia”.

**Project implementers:**

- Center for Information and Counselling on Reproductive Health - TANADGOMA (Georgia)
- Rehabilitation Initiative for Vulnerable Groups (Georgia)
- Mainline Foundation (Netherlands)

**Survey:** Evaluation of “transitional management” process to prepare inmates for release in penitentiary system.

Date:	
Name/Surname of the interviewer/facilitator:	
Name/Surname of the co-facilitator (responsible for recording the notes):	
Code of the respondent (or group of respondents):	
Starting time:	
Ending time:	

**Instruction to the interviewer:**

Read the introduction that explains the goals of the meeting. Please, remember, if the participants do not want to talk about any issue, they are not obliged to speak. Also, notify them that there are no absolutely correct and wrong answers to the questions. It is not mandatory to ask all the questions in given order as it is shown below.

Sometimes the topic can arise spontaneously and it is desirable to hold a conversation on this topic, even if it is in sequence of the tool. It is not necessary to ask all the specific questions. These questions will help you to deep your understanding on the issue and encourage the audience to speak out. If the participants are encouraged to speak, these specific questions may no longer be needed. The interviewer should carefully study the instructions before starting the interview with the respondent (or the group) in order to keep the conversation in appropriate direction and to be able to manage the spontaneously raised topics.

**Introduction:**

Hello, my name is \_\_\_\_\_. I represent the non-governmental organization \_\_\_\_\_. Our organization is carrying out the research that aims to prepare the inmates for release from Georgian penitentiary establishment, to evaluate the process of "transition management" and to elaborate the effective future interventions in order to improve the programs.

Your participation in the study is voluntary, anonymous (only for former inmates) and confidential. This means that your personal data is not register/recorder somewhere. You can stop the interview (focus group discussion) at any time and refuse to continue it. You can answer the questions which you think you need to answer. Objective information provided by you will help us to develop right recommendations in order to improve the programs preparing the inmates for release. Also, it will help the programs to become more oriented on inmates' needs and requirements.



## Questionnaire

- **Please describe your involvement in the process of preparation of inmates for release (educational-rehabilitation-employment programs for former inmates).**
  - How did you get the information about an opportunity to be involved in educational-rehabilitation-employment programs for former inmates? What particular information did you receive?
  - Have you had any kind of consultations on that topic and what type of information have you received?
  - How was the process of selection of service providers performed? Please describe the process in details.
  - After the selection in what period you started the provision of services to the beneficiaries?
  - Have you met the inmates (former inmates) during the planning phase of service delivery? If yes, what type of information have you received from them?
- **Please tell us about the cooperation with Penitentiary department (Probation Agency, Crime Prevention Center) in the process of preparation of inmates for release.**
  - Where (In which establishments ) have you been providing your services?
  - How was the penitentiary institution (or agency, or center) you are providing the services was selected?
  - Which divisions of Penitentiary department (or Probation Agency, or Crime prevention Center) you have been cooperating with while providing the services?
  - How this cooperation is supported?
  - How the functions are divided within this cooperation?
  - What reporting form exists within the frames of cooperation among different State institutions (Penitentiary Department, Probation Agency, Crime Prevention Center)?
- **What are the steps the inmates (former inmates) have to take for receiving your services in the process of preparation for the release or within the educational-rehabilitation-employment programs?**
  - What is the selection process for beneficiaries to be eligible to receive your services? What are the criteria and factors on which the selection process is based?
  - Are the gender and age perspectives considered in this process?
  - Is there any quantitative or other restriction for provision of services? If yes, what are the causes / conditions of those restrictions/ limitations?
- **Please describe the services you are providing**
  - What kind of services you offer to inmates or former inmates?
  - Based on which criteria a particular program / service is selected?
  - How these programs / services were planned? Who were planning the programs/services?
  - How you carry out your activities at Penitentiary establishments and/or outside? Please give details.
  - What is the reporting system you have to use?
  - What type of information / data is collected by the service providers and how it is transferred to the Penitentiary establishments/Probation Agency/Crime Prevention Center?

- **What can you tell us about the monitoring and evaluation of services you have been providing ?**
  - How the monitoring and evaluation process of provided services is performed?
  - What are the documents based on which monitoring and evaluation process is being implemented?  
Who conducts Monitoring and Evaluation?
  - In what frequency monitoring and evaluation is carried out?
  - Where are the results of monitoring and evaluation indicated/reflected?
  - What are the main indicators used for evaluating the services?
  - How are the monitoring and evaluation results used?
  - What are the roles of beneficiaries in the process of monitoring and evaluation?
  
- **Can you tell us about the quality control of provided services?**
  - How the process of quality control of services provided by you is performed?
  - Based on which documents quality control process is realized?
  - Who performs the quality control?
  - What are the main indicators used for assessment of quality of services?
  - Where and how the results of quality control are reflected?
  
- **How would you assess the process of release of inmates?**
  - Can you identify the circumstances and / or factors that facilitate or complicate the process of preparing of inmates for the release? Please name those factors.
  - If there are hindering factors, how they can be avoided or diminished?
  - If possible, please briefly summarize/assess the process of inmate's preparation for release:

Very good	Good	Fair	Needs to be improved	Bad	No response

- **Your recommendations Please. What else can be done in order to improve the existing process of preparation of inmates for release and existing educational-rehabilitation-employment programs for former inmates?**

**Thank you for taking part in this survey!**

Questionnaire code: **FP1**

## Tool for In-depth interview and focused group discussion

**Project funded by EU:** “Improved opportunities for psycho-social rehabilitation and re-socialization of inmates, former inmates and probationers in Georgia”.

**Project implementers:**

- Center for Information and Counselling on Reproductive Health - TANADGOMA (Georgia)
- Rehabilitation Initiative for Vulnerable Groups (Georgia)
- Mainline Foundation (Netherlands)

**Survey:** Evaluation of “transitional management” process to prepare inmates for release in penitentiary system.

Date:	
Name/Surname of the interviewer/facilitator:	
Name/Surname of the co-facilitator (responsible for recording the notes):	
Code of the respondent (or group of respondents):	
Starting time:	
Ending time:	

**Instruction to the interviewer:**

Read the introduction that explains the goals of the meeting. Please, remember, if the participants do not want to talk about any issue, they are not obliged to speak. Also, notify them that there are no absolutely correct and wrong answers to the questions. It is not mandatory to ask all the questions in given order as it is shown below.

Sometimes the topic can arise spontaneously and it is desirable to hold a conversation on this topic, even if it is in sequence of the tool. It is not necessary to ask all the specific questions. These questions will help you to deep your understanding on the issue and encourage the audience to speak out. If the participants are encouraged to speak, these specific questions may no longer be needed. The interviewer should carefully study the instructions before starting the interview with the respondent (or the group) in order to keep the conversation in appropriate direction and to be able to manage the spontaneously raised topics.

**Introduction:**

Hello, my name is \_\_\_\_\_. I represent the non-governmental organization \_\_\_\_\_. Our organization is carrying out the research that aims to prepare the inmates for release from Georgian penitentiary establishment, to evaluate the process of "transition management" and to elaborate the effective future interventions in order to improve the programs.

Your participation in the study is voluntary, anonymous (only for former inmates) and confidential. This means that your personal data is not register/recorder somewhere. You can stop the interview (focus group discussion) at any time and refuse to continue it. You can answer the questions which you think you need to answer. Objective information provided by you will help us to develop right recommendations in order to improve the programs preparing the inmates for release. Also, it will help the programs to become more oriented on inmates' needs and requirements.

## Questionnaire

- **Please, describe the process of preparation of inmates for release at penitentiary establishments.**
- **Can you tell us about your participation in the process of preparation for release?**
  - Where you were involved in the program? At which penitentiary establishment?
  - How did you get to know about the program? Who provided the information to you? What was the exact information you received about the program?
  - After receiving the information about the program, when you were involved in the program? How it happened? What phases have you gone during the process of your preparation for release?
  - Which State institution have you been in contact during the process of your preparation for release?
- **What were the program interventions during the process of preparation of inmates for release?**
  - Please name the program interventions offered to you at penitentiary establishment. What type of services you were offered?
  - How satisfied you are with services provided?

Very good	Good	Fair	Needs to be improved	Bad	No response

- What are the issues you are satisfied with or dissatisfied? Please explain.
  - What type of services would you like to have in the process of preparation for release?
  - What would you change or improve in existing programs?
- **Have you been involved in the process of “Individual planning”? If yes, how the process has been going on?**
  - Who performed the individual planning process for you?
  - Was the process of preparation of inmates for release a part of this individual plan?
  - Please describe the process of individual planning for you. What are the phases you have gone through?
  - How involved you were in the process? How your opinion was considered in the process of individual planning?
  - Have you given the feedback to anyone in during the process of individual planning? If yes, what kind of feedback?
- **In general how would you assess the process of release of inmates in penitentiary establishments?**
  - Can you identify the circumstances and / or factors that facilitate or complicate the process of preparing of inmates for the release? Please name those factors.
  - If there are hindering factors, how they can be avoided or diminished?
  - If possible, please briefly summarize the process of inmate’s preparation for release:

Very	Good	Fair	Needs to be	Bad	No response

good			improved		

- **Can you please describe how you were involved in the educational- rehabilitation-employment programs (Probation Agency; Crime Prevention Center) for former inmates.**
  - When you were involved?
  - How you got connected to the program? What phases have you gone through?
  - Who consulted you regarding the inclusion in the program? What kind of information did you receive regarding the program? After the registration in the program how soon you were involved in the program? How it happened?
  - Representatives of which services/departments have you been in contact regarding your inclusion in the program?
- **What were the interventions offered by the educational- rehabilitation-employment programs for former inmates?**
  - Please name the program interventions offered to you within the educational- rehabilitation-employment programs?
  - How satisfied you are with services provided?

Very good	Good	Fair	Needs to be improved	Bad	No response

- **Your recommendations please. What else can be done in order to improve the education-rehabilitation-employment programs designed for ex-inmates?**

Thank you for taking part in this survey!