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 **B-Competent**
Boosting Competences in Penitentiary Staff in Europe



D2.1 - TRAINING NEEDS REPORT OF CIVILIAN PRISON STAFF IN 6 COUNTRIES

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1. INTRODUCTION. RESEARCH OBJECTIVES, METHODOLOGY AND DIFFICULTIES

The main objective of this Report is to identify training needs of prison civil staff in different countries (Italy, France, Spain, Albania, Montenegro and Greece), in order to plan the configuration of the contents of training tool in the next stage of the Project (Work Package 3).

To achieve this goal, this Report is based in the National Reports that study the situation in each of those 6 countries. These National Reports, following methodological guidelines developed by the consortium, employed a methodological framework based on “triangulation”, understood as combination of different approaches: interview-based surveys, focus groups meetings, and desk research analysis of existing training programmes and material. The idea was to identify in each country good practices as well as existing weak spots and training gaps regarding training programmes focusing on the work civil prison staff develop with foreign inmates’ and how they consider and apply international standards.

1.1 International standards

Training is important for any work, but more so in contexts such as prisons where the State exercises the *ius puniendi* by subjecting people to strong limitations of rights, starting with freedom for individuals and where the activity is carried out in a highly hierarchical and regulated context. Not only is training in general important for people who have probably never worked in prison before, but this training must also respond to additional difficulties such as, for example, the fact that many of the people deprived of their liberty are foreigners with different cultural and communication background and expression, not only different from national inmates but also from staff, that in many occasions need a reinforced communication to be able to carry on their work.

This is the reason why different international regulations tackle this topic by highlighting the need of prison administration to have solid staff training programmes based on human rights principles, especially regarding prisoners in situations of vulnerability. Language and different cultural background can act as barriers for understanding rules, commands, and -formal and informal- ways in which prison works, which results in unequal capacity to access and exercise rights.

Among the different international regulations, it is worth mentioning the Council of Europe's Recommendation CM/Rec (2012) 12 of the Committee of Ministers to member States concerning foreign prisoners, of October 2012¹. This Recommendation emphasise among its basic principles that:

"Foreign prisoners shall be treated with respect for their human rights and with due regard for their particular situation and individual needs" [...]

Foreign prisoners who so require shall be given appropriate access to interpretation and translation facilities and the possibility to learn a language that will enable them to communicate more effectively." [...]

Sufficient resources shall be allocated in order to deal effectively with the particular situation and specific needs of foreign prisoners."

Then, the Recommendation address specific rules regarding main topics such as admission, allocation, accommodation, hygiene, clothing, nutrition, legal advice and assistance, and, what is more important for this project: training, In this regard the CofE Recommendation states that:

38, on Selection of personnel: "Persons who work with foreign prisoners shall be selected on criteria that include cultural sensitivity, interaction skills and linguistic abilities."

39.1. Staff involved in the admission of foreign prisoners shall be appropriately trained to deal with them.

39.2. Persons who work with foreign prisoners shall be trained to respect cultural diversity and to understand the particular problems faced by such prisoners.

39.3. Such training may include learning languages spoken most often by foreign prisoners.

39.4. Training programmes shall be evaluated and revised regularly to ensure they reflect changing populations and social circumstances.

¹https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c9df0

39.5. *Persons who deal with foreign suspects and offenders shall be kept informed of current national law and practices and international and regional human rights law and standards relating to their treatment, including this recommendation.*

40. *Appropriately trained specialists shall be appointed to engage in work with foreign prisoners and to liaise with the relevant agencies, professionals and associations on matters related to such prisoners.*

On its part, the United Nations **Standard Minimum Rules for the Treatment of Prisoners** (the *Nelson Mandela Rules*)², also address the importance of proper staff training. In its Rule 74 address the obligation of the administration to select proper personnel and with characteristics of integrity, humanity, professional capacity and personal suitability for the work. Later, it reinforces this idea:

Rule 75.2 Before entering on duty, all prison staff shall be provided with training tailored to their general and specific duties, which shall be reflective of contemporary evidence-based best practice in penal sciences. Only those candidates who successfully pass the theoretical and practical tests at the end of such training shall be allowed to enter the prison service

In the case of the **European Prison Rules**³, different guidelines are expressed regarding this matter:

Rule 81.1. Before entering into duty, staff shall be given a course of training in their general and specific duties and be required to pass theoretical and practical tests.

Rule 81.2. Management shall ensure that, throughout their career, all staff maintain and improve their knowledge and professional capacity by attending courses of in-service training and development to be organised at suitable intervals.

Rule 81.3. Staff who are to work with specific groups of prisoners, such as foreign nationals, women, juveniles or mentally ill prisoners, etc., shall be given specific training for their specialised work.

²https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf

³<https://rm.coe.int/european-prison-rules-978-92-871-5982-3/16806ab9ae>

Rule 81.4 *The training of all staff shall include instruction in the international and regional human rights instruments and standards, especially the European Convention on Human Rights and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, as well as in the application of the European Prison Rules.*

1.2 Methodology implemented

During the first consortium meeting held in Napoli in November 2019, delimitation of the methodological tools to carry on the WP2 research were discussed. There were defined how to collect qualitative and comparable data, and which topics were the most important to focus on. After the meeting, two main tools were drafted: 1) the interview-based surveys and 2) the Guidelines to work on D2.1 (Training needs of civilian prison staff in 6 countries). The interview-based surveys were translated by each partner in order to help to deploy the research in its own country. The main document, in English, was adapted to and online questionnaire to assure great scope⁴.

Each of the 6 tailored questionnaires had a specific objective, which at the end converged with the overall study objective. The questionnaires were grouped as below:

- a) Prison Authority and Prison Manager (Ministry of Justice, Guarantor, Prison Director/Manager, Vice-Director, etc.)
- b) Prison Staff (including members of the army/police corps)
- c) Front-line civilian prison staff (i.e. trainers of front-line prison staff, educational staff, social assistants, forensic psychologists, social workers, etc.)

In the case of **Albania**, there were developed a national and international study of regulation and a summary of all existing trainings in the field, as well as other relevant materials, such as national laws, regulations, or the 2019 EU Progress Report for Albania. In order to finalize the study methodology, a kick-off meeting with the People's Advocate and the representative of the Head of Social Issues Sector from the General Directory of Prison staff was organized. On the

⁴ See <https://b-competent.typeform.com/to/g6MPCN>

other hand, the 6 tailored questionnaires were submitted to gather data, and interviews were conducted with target group representatives from the 24 prisons. In order to have a representative sample, whose results won't derive statistical deviations above the standard deviation, the questionnaires were distributed randomly. The total number of each interviewed category was: a) Prison Authority and Prison Manager: 26. b) Prison Staff: 332. c) Front-line civilian prison staff: 67.

In regard to **Montenegro**: A total of 48 people, including prison authorities, managers, prison staff and civilian prison staff were interviewed. More specifically, 2 of the interviewed were prison authorities, 3 were prison managers, 35 were prison staff and 8 were civilian prison staff.

Interviews were also conducted in **France** by *Prison Insider*. This organisation has extended the research beyond its already available knowledge through a targeted literature search. The organisation then collected the views of people with proven expertise on the issue (prison officials, officials in an association working with foreigners, staff training officers) in order to contextualise the raw data collected. Four semi-directive interviews were conducted by telephone and lasted between one and three hours each. Articles, reports and books in the matter were also consulted to get current and relevant insights.

After many difficulties arising from the consequences of the management of the covid-19 pandemic, the **Italian** research could develop through massively disseminating the interview-based surveys and appreciating feedbacks that emerged during the focus group meetings. Less success was obtained in the case of the investigation carried out in **Spain and Catalonia** where all the methodology foreseen could not be developed, since the impossibility to obtain answers to the questionnaires or to held focus groups, having to limit to the analysis of the training programs and training offered by administrations.

In the case of **Greece**, an expert from the Democritus University of Thrace was contacted who officially asked collaboration of the Greek Ombudsman, as chair of the Association of Ombudsmen of the Mediterranean, that helped to get the permission for the research by the General Secretary for Crime Policy. After some conversations with one of the General Directors and his deputy, they agreed that the central prison administration would deliver relevant information to custodial institutions' directors, asking them to inform their staff of the research and organize in cooperation with the expert some meetings, either electronically or physically, of those who would be interested in the project. Although it was a good option, the answer came very late, in early September. In any case, the central prison administration has provided

information regarding staff numbers, categories and distribution as well as data for the prison population, but no information has been provided as regards prison staff training, the reason given being that relevant data were scattered in various different offices. For that reason, the information was finally collected by the expert from other sources (official documents, other projects and research reports and press releases of the competent authorities). Although the investigation was already agreed upon, some additional problems appeared (confinement of the expert in early October due to contact with a COVID positive person, and the need for the prison administration at mid-October to allocate 50 members of the "Golden Dawn" organization, some of them former MPs). Finally, answers to survey questionnaires were received from twenty-six (26) prison officials and officers of all categories: eleven (11) were prison directors and heads of prison departments (administrative, social work and custodial), and fifteen (15) were prison staff of other categories (including 4 social workers, 3 psychologists, and 3 sociologists).

Many focus groups were held in different countries. In **Albania**, two focus groups were organised, respectively on 21st (12 participants) and 29th (13 participants) of April 2020 via Zoom Platform. The discussion was focused on outlining the existing weak spots and training gaps, with members from several prisons, such as: Prison directors, Heads of the Directorates of Police of some regions, educational staff, social assistants and social workers, chiefs of security in some different prisons, psychologists etc. During the focus groups, the representative of the Centre and People's Advocate aimed to address 2 issues interlinked with each other, in order to have a feedback from all the above-mentioned target groups on the current situation of prison staff in Albania and the challenges that they face in their daily work. The two main issues addressed were: (a) training gaps of prison staff and practical obstacles to human rights protection in the correctional facilities, with special regard to foreign inmates' rights. (b) Discussions with prison authorities on the overcrowded prisons, general education of prison staff, welfare and wages, the recruitment criteria for new prison staff, courses and the final program.

In the case of **Montenegro**, also two focus groups were held: one on March 31st, and the second on April 13, 2020 with the participation of high level managers as the Director and Deputy Director Directorate for Enforcement of Criminal Sanctions or the Chief of the Sector for the Staff Training and other workers of different areas and specialists.

With regard to **Italy**, three focus group meetings were held respectively on 14th of July with the participation of supervisory court judges SMCV (4 participants), on 23rd of September with the Regional (Campania region) Guarantor for the rights of person detained (5 participants), and on September 29th, with the Director of Santa Maria Capua Vetere Prison. The conversation during these focus meetings was held on the topic 'proportion between prison staff units and the total number of prisoners and consistency with the provisions of Recommendation 1999 (22) of Council of Europe, concerning prison overcrowding and prison population inflation'. Furthermore, other topics were the question such as the criteria when selecting new prison staff (both civil and penitentiary), the educational training contents for prisons staff and the disproportion between penitentiary police and other professional figures who work within prisons.

In **Greece**, two focus groups meetings by teleconference were held; one on Monday, 2 November 2020, for custodial institutions directors and heads of departments and one on Tuesday, 3 November 2020, for all other prison staff members. In the first one, six prison officials (three directors, two heads of custodial staff departments and one head of a social work department) participated. Three more officials (two prison directors and one prison director deputy) failed to join the teleconference coordinated by the expert either due to technical problems or due to their position related obligations. Nine prison employees (three sociologists, two psychologists, two administrative officers, one social worker and one perimeter security officer) participated in the second focus group.

1.3 Difficulties in the development of research

The outbreak of the SARS-CoV-2 global pandemic has had a dramatic impact on prison settings. Prison administrations had to centre their efforts and resources in preventing the arrival and spread of the virus into the prison systems and this led to significant delays in official replies.

Despite the numerous difficulties and limitations encountered by the researchers due to the COVID-19 outbreak and to governments' measures to deal with it, the B-COMPETENT Consortium has successfully reached the goal of thoroughly evaluating prison staff training needs and gaps in all six countries involved in the project by implementing adequate mitigation measures. The difficulty of distributing the questionnaires among the prison staff has been

overcome through online surveys and focus groups have been successfully delivered via Zoom, thus reaching a suitable number of recipients and interviewees. The limitations encountered during the research phase due to the COVID-19 pandemic will be identified in details throughout the development of the sections of this Report.

2. MAIN TOPICS OF RESEARCH

This section attempts to show the results of the research obtained from the desk analysis, the answers obtained through the questionnaires, and the reflections arising from the focus groups. As it has been pointed out, not all countries have been able to develop the methodology originally envisaged due to the problems already described. This is why the results of this section is partial.

2.1 Existing training programmes

In the search to identify training needs of prison civil staff in different countries it was crucial to carry out desk research analysis of the existing training programmes to determine which was the responsible that carried out the programmes and trainings, and to evaluate its content.

In the case of **Albania**, the recruitment and testing of prison staff is being done by the Academy of Security, where it is proceeded with one-month training and practice in penitentiary institutions. The new staff is recruited based on a new rule book prepared with Council of Europe expertise, setting strict professional and integrity criteria. On the other side, the General Directory of Prisons, is the competent authority that makes the assessment of the training needs for prison staff and then delivers continuous training at the premises of the Training Centre. Similar is the situation of the **Italian** prison administration where the training of its workers is given by 10 training schools, across the country, that are linked to the Department of penitentiary administration. The fact that it is the prison administration that trains its own workers will be a situation coinciding with the **Spanish** case. Based on Royal Decree 952/2018, of July 27, which develops the basic organic structure of the Home Affairs, the Training Area of the General Deputy of Human Resources of the Spanish General Secretary for Penitentiary

Institutions) oversees the initial and continuous training and promotion. In practice, the real situation is that these training courses are carried out by external organizations, in collaboration with the administration (agreement with Organizations, Universities, or are offered by the own workers' unions). Something like occurs in **Montenegro** where trainings of staff in the Sector have been implemented through the introductory, basic and additional (specialist) courses. Besides, the Sector, in cooperation with non-governmental organizations, Police Academy, international organizations and other institutions, organizes various trainings and workshops for the prison staff. The situation is somewhat different in the case of the **Catalan** prison administration. Training is a responsibility of the Department of Justice itself, which implements this function through the Centre for Legal Studies and Specialized Training (CEJFE, in Catalan) dependent of the same Department and were the Area of Investigation and Training in Criminal Enforcement was created, which has two units, of Initial Training and of Continuous Training in Criminal Enforcement. Analogous situation is the one in **France**, were all penitentiary staff are trained at the National School of Penitentiary Administration (ENAP, in French). The training is divided into four units, each of which is intended for a specific trade (training for directors, training for first guards and lieutenants, training for probation and rehabilitation counsellors, training for guards). They share a common core of teaching, with variable volumes of teaching hours depending on the responsibilities they are called upon to assume. The training provided focuses on professionalization, practical knowledge and role-playing. It differs from purely theoretical or university education. After admission, the statutory training period for prison guards is set at 18 months. For the Directorate of Penitentiary Services, training takes place at ENAP over a period of two years, alternating theoretical courses and practical training.

Regarding the content of the training programmes, it stands out that in **Albania** the new recruits will also benefit from new initial and in-service training curricula based on the Council of Europe standards and good European practices. To effectively deliver the modernized curricula, CoE experts have trained the trainers at the Security Academy, about the specific training for prison staff in line with European Prison Rules recommendations, and the prison staff have the opportunity to deliver specific programs to receive credits and to be promoted. In **Montenegro**, on 2019, 57 trainings took place for 372 prison officers on different topics, some on human rights, but not specially in regard on the work with foreign detainees. It should be noted that participants in this research, when asked if there was training about the rights of foreign

prisoners, cultural diversities and special needs foreign prisoners have, they responded negatively. Trainings did not include language courses, although they needed it. Asked about how the work with foreigners on a daily basis works, the responses were that there are a few officers who speak foreign language (English), who help when needed. This situation is also repeated somehow in the case of the **Spanish** and **Catalan** administrations, as explained below.

Regarding the content of training in **Italy**, it is highlighted that there are two kind of skills supplied by the schools⁵ : hard skills and soft skills. The hard skills are the more practical ones, they are also called technical-operative skills (i.e. knowledge in law and organization of the penitentiary institution or deontological skills). The second ones, also named transversal skills, are essential to enhance the interprofessional and interinstitutional collaboration, the sense of belonging to the group, flexibility with respect to changing contingent situations, the ability to adapt to the social environment, the building of fruitful relationships, the ability to cope with stressful situations, the ability in the application of the rule with sense of humanity. Hence, the focus point remains the distance between what it is supposed to learn on the paper and what happens in the everyday life in prison, as emerged during the focus group meetings with several Surveillance Judges', the Regional Guarantor for the rights of person detained and some Prison Directors (Santa Maria Capua Vetere Prison and others). More specifically, it emerged that the training of the so-called *civilian prison staff*, that is different from the Penitentiary army, is not adequately taken into account by Public Authorities, also because this large group embraces a lot of different figures operating within prisons, who have different educational backgrounds and tasks.

The situation is very similar to that which emerges from the content of the documentation analysed in the case of the Catalan and Spanish administrations. In the case of the **Spanish** prison administration, the training area of this Sub-directorate offers a course on Social Skills, Personal Interaction and Peaceful Conflict Resolution. The call for this course has been published this September 2020, and its general objective is to facilitate knowledge and strategies that can help to learn the specific procedures designed for the prison environment in the peaceful resolution of conflicts and the exercise of assertive authority. However, in no case training in specific matters regarding foreigners' rights or in relation to their needs and

⁵ See the "*Corso Allievi Agenti 2019/2020*" leaflet. It is important to underline that this kind of training is referred to the Penitentiary police. Conversely, there are not clear information and data about which contents the training of civilian prisons' staff is supposed to have, different from the ordinary continuing education.

specificities, is required. Though, it can be seen how the training and specialization courses are developed from other agencies / organizations (and they are always voluntary), for example, the project promoted by the Instituto Cervantes and the GSPI launched in June 2019 regarding the teaching of Spanish as a Foreign Language aimed at prison officials and NGO volunteers who teach Spanish to non-Spanish-speaking foreign inmates. It is important to highlight the collaboration of the European Program for Training in Human Rights of Legal Professionals (HELP) in the 28 member states of the European Union, sponsored by the Council of Europe, for additional training, especially with courses related to Fight against racism, xenophobia and homophobia.

Finally, it is worth mentioning that the prison administration offers to foreign inmates when entering to prison, a document called "Step by Step". This document is edited in 4 different languages: Spanish, English, Arabic and French and includes the rights and duties of inmates, as well as the possibility of resources offered in this area. The main content is about the Admission process in the Centre; communications and visits; correspondence and packages; life in prison; classification; rights and obligations; penitentiary treatment; exit permits; requests, complaints and appeals; the Penitentiary Surveillance Court; Ombudsman. It also includes a special part for foreign people:

“Foreign people that are admitted into a Spanish Penitentiary Centre have the right to contact the representation of their country in Spain, having to request it to the Centre Management. By default, of the presented accreditation or if you have the condition of refugee or stateless, you can contact the representation of the country that defends your interests or the corresponding national or international authorities. If you have already been condemned and have the nationality of a country that has signed agreements with Spain, you can request the fulfilment of your sentence in your country of origin. Ask the educator if your country is within those that have agreed on this possibility. At any moment you can request the beginning of said procedure. If you are interested, request it as soon as possible. The Centre judicial services can counsel and assist you in the preparation of said documentation. When you fulfil the requirements to access parole, according to the requirements established in the Code of Criminal Law, the Penitentiary Surveillance Court can authorize you for the fulfilment of the parole in your country of origin. If you do not have the necessary means, the Administration will help you to return your country”

The case of **Catalan** penitentiary administration is somewhat different. If we observe the specific agenda that has been made public for the different calls for tenders for the recruitment of

personnel in the field of criminal enforcement⁶, or both prison guard and civilian workers (social workers, psychologists, social educators and lawyers), we can see in the list that there is a topic relating to foreign population: *“The internal population: rights and duties. The special relationship of legal subjectivity of inmates and inmates. Participation of inmates in the activities of the establishment. Generic characteristics of the incarcerated population in Catalonia. Main indicators of prison services and rehabilitation, problems, etc. Specificities of intervention in the prison environment: young people, women and foreigners.”* It must be stand out that since 2002, the prison services of Catalonia have carried out actions that affect structural, organizational and socio-educational aspects to meet the needs of the foreign population, i.e. the Intercultural Mediation Plan which focuses above all on the role of mediators in the face of possible cultural conflicts. CEJFE offers, within its courses, one online training on migration issues aimed at prison management units, but it focusses on legal procedures. Among the curses offered for the second semester of this year 2020, nothing seems to be related to working with foreign inmates.

Very similar is the situation in **France** where a specific training about foreign prisoners does not seem to be specifically addressed, neither in the training of probation and rehabilitation counsellors nor of guards, other than a two-hour awareness raising session about stereotypes and discrimination. As it has been showed for other countries, also some training is done by external associations, such as La Cimade, which is involved in training, at the request of prison officials, at the level of a prison or a provincial region, but no for probation and rehabilitation services. On the other hand, approaches based on social science were developed when the National Prison Intelligence Service (SNRP) was created. The latter, which reports to the director of the prison administration, does not however majorly employ staff trained at the ENAP. The skills and knowledge are, as some critics have pointed out, mobilised solely towards the fight against radicalisation.

For the case of **Greece**, in 2016, in order to cope with training gaps, especial training was organized for prison officers who were working for years with no particular training, which included two main parts (a) theoretical education on diverse topics and (b) operational education, especial regarding security. In addition to these thematic areas and topics, training included individual tactics and physical education. Two more seminars were offered in repeated

⁶For example, RESOLUTION JUS / 335/2018, of February 27, https://dogc.gencat.cat/ca/pdogc_canals_interns/pdogc_resultats_fitxa/?action=fitxa&documentId=811058

circles to various groups of prison employees in the subsequent years (2016-2019). They were organized and conducted by the (formerly competent for prisons) Ministry of Justice in cooperation with the Training Institute of the National Centre for Public Administration. The first one is entitled “Mental Health and Crisis Management in Prisons” and the second is about “The role of prison staff in treatment and reintegration of prisoners”. The themes presented in the second seminar are prisoners’ rights and their protection, the importance and the process of reintegration, vulnerable groups of prisoners, the role of the family, dealing with stigmatization and social marginalization. In June 2019, a study for the establishment and operation of the Greek Prison Staff Academy, refers that although in the post-2015 period totally 4,234 prison employees attended various continuous training programmes, 169 prison officers, members of the custodial staff, had got no training at all. In the same study it is stated that there is an urgent need to cover educational needs of 1,074 custodial staff members and 473 members of perimeter security departments, as well as 236 employees of other categories, administrative (including scientific) prison officers. In other parts of the same study numbers differ, depending on whether they refer to staff already employed or to future expected appointments.

2.2 Surveys and focus groups outcomes

In **Albania**, a total of 425 people, including prison authorities, managers, prison staff and civilian prison staff were interviewed. More specifically, 9 of the interviewed were prison authorities, 17 were prison managers, 332 were prison staff and 67 were civilian prison staff. Meanwhile, in **Montenegro** a total of 48 people, including prison authorities, managers, prison staff and civilian prison staff were interviewed. More specifically, 2 of the interviewed were prison authorities, 3 were prison managers, 35 were prison staff and 8 civilian prison staff.

In **Albania**, a total number of 26 prison authorities and managers were interviewed with questionnaires about prison staff and prison staff training. 75% of the interviewed state that when selecting new prison staff, they take full account of values, criteria and skills such as integrity, humanity, cultural sensitivity, professional capacity, adequate education level and linguistic abilities, gender balance, etc. 95% of the interviewed stated that prison staff receive trainings before they enter into duty, as this is a good method for disseminating the necessary information to new members of prison staff, especially regarding the treatment of prisoners and respect to their fundamental rights. As for **Montenegro** a total number of 5 prison authorities

and managers were interviewed with questionnaires about prison staff and prison staff training. 100% of their answers showed that prisons have a proportional number between prison staff and the total number of prisoners, which shows a compliance with Rec. 1999 (22) of Council of Europe. Regarding the standard of general education of prison staff, the answers lean towards a positive result, with 100% of the answers above average (4; 6=very adequate). This applies to both penitentiary and civil staff. 50% of the interviewed state that when selecting new prison staff, they do not take into consideration values, criteria and skills such as integrity, humanity, cultural sensitivity, professional capacity, adequate education level and linguistic abilities, gender balance, etc. Only 67% of the interviewed state that prison staff receive trainings and are required to pass theoretical and practical tests before they enter into duty.

For prison staff in **Albania**, a total of 245 were interviewed with 2 questionnaires about training courses and their content. 98% of the interviewed state that they have received trainings during their recruiting phase. Regarding the evaluation of training quality courses, 93% of the interviewed state that they are above average (excellent, good level, appropriate), from which 45% have evaluated them as 'at a good level'. 34% of the interviewed state that they have received studies of socio-cultural aspects during the trainings, especially in the area of deprivation of liberty, 24% have received cultural diversity management instructions and 9% have received knowledge on political geography. Finally, 78% of the interviewed state that training programs provide enough skills to prevent radicalization, racial hatred, xenophobia, cultural divergences and conflicts. A total of 87 prison staff were interviewed who specially work with foreign inmates. Only 20% of the interviewed stated that there is penitentiary prison staff specifically assigned to foreign prisoners, and only 25% of this 20% state that penitentiary prison staff gets a specific training on foreign prisoners' rights, cultural diversity management and special needs. In 87% of the cases, these trainings do not include language courses and when they do, the only options are English, Italian and Greek.

It stands out that in **Montenegro**, a total of 23 prison staff were interviewed about training interval and content with 2 questionnaires on training courses and their content. 92% of the interviewed state that they have received trainings during their recruiting phase. They state that they receive training courses regularly during their everyday job, and that they are mostly (50%) delivered at suitable intervals. Regarding the evaluation of training courses, 100% of the interviewed state that they are above average (excellent, good level, appropriate), from which 50% have evaluated them as 'appropriate'. 46% of the interviewed state that they have received studies

of socio-cultural aspects during the trainings, especially in the area of deprivation of liberty and 18% have received cultural diversity management instructions. 78% of the interviewed state that training programs provide sufficient skills to prevent radicalization, racial hatred, xenophobia, cultural divergences and fights.

It is interesting to note how in the case of **Italy** the results are clearly opposite. Further insights emerging both from focus meetings (namely, focus meeting n. 1 with supervisory court judges SMCV and focus meeting n. 2 with Regional Guarantor for the rights of person detained) and answered surveys (especially to the question *When selecting new prison (both civil and penitentiary) staff, do you take full account of values, criteria and skills such as integrity, humanity, cultural sensitivity, professional capacity, adequate education level and linguistic abilities, gender balance?*), having a majority negative replies as return. Criteria inspiring the recruiting process of new prison staff deal mostly with skills like education level and basic linguistic abilities; other crucial skills, such as integrity, humanity and cultural sensitivity are not perceived as crucial values for prison staff to operate in prisons. This is particularly true for older staff prison, who, paradoxically, feel the regard payed to these values as a *deminutio capitis*, almost as a shame, as if humanity and cultural sensitivity in prison be a show of weakness. So the great emphasis on the need for integrity, humanity, professional capacity and personal suitability required in the recruitment process of prison staff by Art. 77, part v, of Rec(2006)2 of the Committee of Ministers to member states on the European Prison Rules, finds not sufficient implementation. But, paradoxically, there are some differences in the evaluation of the standard of general education of penitentiary prison staff as a whole: some interviewees deem that the educational level is on averaged; some other interviewees consider the standard of general education very adequate. The Regional Guarantor highlighted that the educational training, provided by the Superintendency of Campania Region (organ subMinistry of justice), has a very high level of professional development. Indeed, the courses include instructions in the international and regional human rights instruments and standards, rules concerning respect for plurality, non-discrimination against any prisoners on the basis of race, colour of skin, language, religion, political or other opinion, national or social origin, association with a national minority, birth or other status but this knowledge is not always employed in everyday-life in prison.

In **Italy**, answers related to the staff who works with foreign inmates showed that there is not a staff purposely assigned to foreign prisoners, particularly a lack of cultural mediators and

interpreters who are often missing in prison. This empty place is fulfilled in Campania region by the Regional Guarantor, who worked hard for instituting an immigrants dedicated help desk within Secondigliano, Poggioreale and Salerno prisons but this is a temporary solution. Moreover, there is not a specific educational training which could put the light on foreign prisoners needs. In fact, the replies revealed the presence of only literacy courses, that are ruled in Italian language and are pointed towards both national and foreign prisoners. There are not foreign languages courses for foreign inmates, neither for prisons staff, so the communications are daily managed with the cooperation of other detainees. Furthermore, the maintenance of relevant relationships between foreign prisoners and their relatives, consular representatives is barely promoted. A particular attention has to be given to the cooperation with governmental and non-governmental organizations which is almost absent, although is important in the re-education process. The surveys also pointed out that the public policy regarding prisons goes in the way of a decrease of the budget reserved for penitentiary treatment and this fact could probably lead to a reduction of the resources employed in prison staff training.

In respect to civilian prison staff in **Albania**, a total of 67 were interviewed. The 81% of the interviewed mentioned that the training courses include specific guidelines on rules regarding respect for the majority, non-discrimination against any prisoner on the basis of race, skin colour, language, religion, association with a national minority, birth or other status, etc., or based on the type of criminal offense alleged or committed by a particular prisoner. Most of the civilian prison staff have answered that they receive study of social-cultural aspect training (63%) and cultural diversity management training (27%). Overall, 79% of the interviewed state that, based on their work experience, the level of training courses is above average (mostly answered sufficient and appropriate). The number of civilian prison staff interviewed in **Montenegro** was significantly lower (8), but the result as very coincident. 63% of the interviewed mentioned that the training courses they receive, include specific guidelines on rules regarding non-discrimination against any prisoner on the basis of race, skin colour, language, religion, association with a national minority, birth or other status, etc., or based on the type of criminal offense alleged or committed by a particular prisoner. Most of the civilian prison staff have answered that they receive study of *cultural diversity management* training (50%), *knowledge of political geography* (12%) and social-cultural aspect training (25%). 100% of the interviewed

state that, based on their work experience, the training courses are at an average level (answers divided 50%-50% between 'Good level' and 'Appropriate').

Finally, in **Montenegro**, in regard of the work with foreign inmates, a total of 12 prison staff were interviewed and only 8% of the interviewed state that there is penitentiary prison staff specifically assigned to foreign prisoners, who gets specific training on foreign prisoners' rights, cultural diversity management and special needs. In 75% of the cases, these trainings do not include language courses.

In **Greece**, informal discussions with prison workers showed that new training courses include topics such as the European prison rules and prison staff work standards, but although more recently appointed employees profit from them, "continuous training" for older and more experienced staff members is insufficient and more efforts are needed to integrate these standards into the professional culture of prison staff. In addition, daily communication between staff and foreign prisoners takes place mainly with the assistance of other prisoners who know both Greek and the language spoken by prisoners on a case-by-case basis, and secondly in English when both, officers and prisoners can fluently use it. Based on the questionnaires, eleven of the totally eighteen employees not performing managerial duties (mainly perimeter security staff) asked to respond about training courses and their content stated that they received training when they were appointed. Some of the respondents explained that this training took place with delay (some years after appointment) and others clarified that the training they refer to is not the special introductory training for prison staff, but general, obligatory training courses offered to all employees appointed in the public sector. Six of them stated that they attend training courses regularly, delivered at suitable intervals. Only three of the totally eighteen respondents evaluate these trainings as not sufficient, the usual response being "appropriate", and four workers considered that these training courses do not help them to tackle problems and issues arising from their work experience. On the other hand, as differing from informal conversations, according to the majority of respondents, the training curricula do not contain courses or presentations on the international and regional human rights instruments and standards, On the contrary, as 10 workers replied, they include instructions of rules concerning respect for plurality, non-discrimination against any prisoners on the basis of race, color of skin, language, national or social origin, association with a national minority, birth or other status, or on the basis of the type of offence alleged or committed by a given prisoner, etc. A blurred picture emerged also as regards answers in questions on training for socio-

cultural aspects and cultural diversity management (eight positive answers for socio-cultural issues and six positive answers for cultural diversity – no positive answer was found as regards political geography issues in totally sixteen questionnaires). In the focus group discussion, prison officers who get the message of plurality and non-discrimination work with colleagues who ignore these dimensions of their profession. To be effective, this training should be obligatory and available to all prison officers, and in-service training should be encouraged, taking advantage of many employees' qualifications and experience.

3. FINDINGS AND CONCLUSIONS

At this point, it becomes clear that after the problems that have been described to carry out the research in the terms initially envisaged for all members of the consortium, these conclusions are partial. The description of individual conclusions, absences and good practices for some counties will be followed by the drafting of few general conclusions.

In the case of **Albania** the main issues were related to lack of civilian staff and lack of interpreters. The lack of the latter ones, forces prison staff to find alternative solutions such as, translation from the prison staff or other prisoners that know the language. Another issue is related to the continuous training, which is mainly focused on police or arm bodies in prisons. Civil staff trainings are not a structured practice. There is a need to organize and deliver more trainings, especially for civil, forensic and medical staff. Multicultural trainings or trainings focused on ethnic tradition should be kept in mind. A dedicated fund for interpreters is very necessary, in order to come in help to the foreign prisoners. A negative aspect of the trainings is that they are not organized at suitable intervals, particularly for civil staff, so they are rarer than needed. The interviewed state that the trainers are professionals, but the training programmes are not revised regularly which sometimes causes a repetition of training thematic and curricula. The main conclusions in Albania are that the prison administration should have enough financial resources to improve living conditions, social activities and training as effectively as possible regarding the specific situation and specific needs of foreign prisoners.

The non-compulsory nature of the training courses and the scarcity of their offer are issues that are also repeated in **Montenegro** where the interviewed reflected that the staff did not attend trainings before duty. This translates in a problem, putting on service people as safeguards, and then training them gradually. Participants also explained that they depended on the central prison in Podgorica, or, due to the job organization their officers often fail in attending the trainings, or they simply were not invited. Participants responded negatively when asked whether they had staff appointed to work with the foreign prisoners or if there was training about the rights of foreign prisoners, cultural diversities and special needs foreign prisoners have. It should be noted that beyond the inclusion or not of certain contents, in **Italy** some answers to the questionnaires showed that crucial skills, such as integrity, humanity and cultural sensitivity are not perceived as crucial values for prison staff to operate in prisons.

In the case of **Italy**, there are some important outcomes. The first one is the evident disproportion between the police bodies and the educational staff, with the preponderance of the first term of the comparison, deducible from the total number of policemen in relation to the total amount of other important professional figures (in particular, interpreters and cultural mediators) and from the public funding saved for the penitentiary system. Therefore, there is not a staff notably assigned to foreign inmates. Consequently, the second point is that the educational training is mostly addresses to penitentiary police. The third issue is the contents of the training, which formally include notions about prisoners' basic rights and best practices in everyday life in prison, but this knowledge is not often put into practice. Additionally, there is a lack in the learning of multicultural knowledge. Nevertheless, in some regions as Emilia Romagna and Toscana there were found good practices, due to the existence of synergy between prison staff, Public Authorities and healthcare, in order to better protect prisoners' fundamental rights. Finally, as stated for Albania or Montenegro, there are not foreign languages courses for foreign inmates, neither for prisons staff, so the communications are daily managed with the cooperation of other detainees.

The situation of lack of training is repeated in **France** where sources interviewed as well as bibliographical sources converge to indicate that staff training on the issue of foreign national prisoners is meagre. It is to be noted, however, that the prison administration receives assistance from outside associations or structures. In 2007, the association La Cimade has signed a partnership agreement with the prison administration. The association is called upon

to provide assistance and advice to foreign prisoners. In 2019, La Cimade has intervened in 71 facilities with 145 volunteers, supporting 3,008 prisoners.

After reviewing the documentation available from the **Spanish** penitentiary administration, there can be concluded the difficulty to meet the needs of foreign inmates, bearing in mind that most of the training attend to strict security and management parameters. It should be remembered that after entering as a prison officer, the specialization courses are voluntary and are developed, for the most part, by external organizations. Finally, it should be pointed out that from the institution's own logic, reinforced by the regulations approved for this purpose, it clearly opts for measures of expulsion of foreign inmates, which is to the detriment of other inclusive logics. This was also something highlighted for other countries such as France.

Description and detail of many topics were described regarding **Greece**. The research of various reports, the surveys and the interviews, although conducted with a small number of prison workers revealed that in many aspects prison staff training needs are huge, and there are many gaps in both, introductory and continuous training. Preparations to establish a permanent educational structure, an Academy for Prison Staff is a necessary step to put in context and organize prison staff education and training, which, in their views, should be obligatory and lifelong. In 2016 in the evaluation of the training programmes workers expressed the need of more training and also pointed out some important topics the programmes should have, in which their appear “Intercultural, religious and cultural issues” and “Foreign languages, such as Albanian and Russian”. It should also be highlighted that the proposal submitted by the Greek Union of Prison Staff included into the most important areas of training “National, European and international penitentiary rules, especially Council of Europe and United Nations documents.” The Union also suggests that additional courses on other topics such as foreign languages should be offered on a voluntary basis (taken into account for career development) and that special training is needed for prison staff working with particular groups of prisoners (juveniles, women, mentally ill, long-termers). However, no explicit suggestions were made related to working with foreign inmates.

As stated above, one very important issue has to do with language. In none of the countries studied were identified trainings which included a language courses although they needed it. In many countries when staff does not speak the language of the inmate, they usually find or ask

some of the prisoners to translate and help them. This is a clue issue because the vulnerability of foreign prisoners is increased by difficulties in communication.

With regard to the importance of language in accessing information and, therefore, in rights exercising, the document called "Step by Step" from the central administration of **Spain** showed to be useful. However, in no case can this replace the important work that interpreters must play in the daily life of the prison.

These negative conclusions cannot, however, be applied to the **Catalan** penitentiary administration, at least, at the regulatory level. In this respect, the Administration recognizes that foreigners are considered a risk group together with young people and women. The Catalan Administration is aware of the importance regarding the specific treatment of foreigners, not only for a qualitative matter but because in Catalonia these people represent a very high percentage, over 40% of the total. The Catalan administration has been active in providing mechanisms for foreign prisoners to have access to interpretation and translation in order to facilitate communication with professionals. This is planned as we have seen in Circular 2/2019 where it provides for the provision of this service by the new Orientation and Reception Service (SOA). The Circular is important because it takes into account international regulations and expressly includes Recommendation CM / Rec (2012) 12 of the CdeE. Together with it, it collects two other documents as a guide to work on this field: the *Handbook on inmates with special needs* of the United Nations Office against Drugs and Crime (2009), and *Life trajectories of imprisoned foreigners*, published by the Social and Criminological Research Area of CEJFE in 2011.

Other good practices can be identified, especially in regard to Albania and Catalunya. First, it should be highlighted the effort made by the prison administration in **Albania** with the participation by the Council of Europe (CoE) experts that have trained the trainers at the Security Academy. This initiative is being implemented in collaboration with CoE, the Albanian Ombudsman and OSCE. Several trainings are organized within the scope of the Regional Action "Enhancing penitentiary capacities in addressing radicalization in prisons in the Western Balkans" implemented by the CoE. Within this action, the prison Administration and other Governmental and non-governmental institutions in Albania worked together with the CoE towards improving the protection of prisoners' rights and supporting their rehabilitation and reintegration back into society. It was considered to raise awareness of social assistants, forensic psychologists or social workers in prisons, in order to provide more care and attention

to the rehabilitation of the prisoners and to reduce the possibility of their radicalization, but also to the other detainees, due to isolation. On the other hand, last August the new law “On the rights and treatment of inmates and detainees” was adapted, which reviews and improves penitentiary system regulations. In this regard, the National Mechanism for Prevention of Torture, as well as the Special Section at the People's Advocate have given their contribution as part of the technical working group at the Commission for Legal Affairs, Public Administration and Human Rights”. This contribution was translated on important recommendations regarding rights and treatment of foreign inmates and on the training of prison staff, highlighting, within others, the importance of language skills as an important tool to work in prison.

The **Catalan** penitentiary administration stands out for the effort made in attending to the peculiarities of the foreign population. It is necessary to highlight the creation in each penitentiary of the Orientation and Reception Service (SOA) to coordinate all the action and comply with the objectives of the Circular 2/2019 mentioned above. This service includes advising multidisciplinary teams and other bodies with specialized information on foreigners and for the management of specific cases. In order to deepen this, the Circular has among its objectives "To improve the training and specialization of prison staff in this matter." Among its competences, this Service should assess and detect needs for care, intervention or management with the foreign population, and should coordinate all actions on foreigners and provide technical support to bodies, professionals and collaborators involved in this matter. Based on European recommendations, the Circular of 2019 specifies that:

1. The multidisciplinary teams have to ensure that foreigners obtain adequate information about their criminal and prison situation, their rights and obligations, the regulations of the centre, the procedures for accessing services and programs, and also other legal and administrative aspects that affect them”. That, if they don't have Catalan or Spanish knowledge, the SOA must provide them with assistance in their own language, through professionals or collaborators, documents or adapted audio-visual media.
2. Social workers should know the external support network that it has in Catalonia and in its country of origin. It is especially important that people who have ties in other countries can communicate regularly with their family.
3. Contact with their social and cultural context: Prisons must facilitate the access of the foreign population to information on the social news of their countries and to their own

cultural and religious practices. Multidisciplinary teams must take this objective into account in the planning of cultural and educational activities, in contact with cultural and religious representatives and with collaborating entities, and in accessing the media in libraries or other spaces, such as ICT classrooms.

Although the regulatory outlook is very positive, we have not been able to obtain information on how this objective is met in practice.

As general matter, we can conclude that beyond the general need of more training (before entering to duty and afterwards), **some key recommendations specifically focused at the Project objective (staff working with foreigners and their rights) can be highlighted**, especially having on mind that the percentage of foreign inmates can be high in many countries reaching 40% in Catalonia and almost 60% in Greece.

- 1) Foreign inmates should have the possibility to learn a language that will enable them to communicate more effectively
- 2) Foreign prisoners who so require shall be given appropriate access to interpretation and translation facilities. In the same way, crucial documents / information on prison regulations, and rights and duties of inmates should exist and be of free and easy access in many languages considering the country of origin of foreigners.
- 3) in relation to the above, language training for prison workers should be more extensive, both at a general level and more intensive at the level of teams or groups specialised in working with foreign prisoners.
- 4) Some workers should be especially trained in working with foreign inmates. A central office for the attention of foreigners and to deal with their needs and problems, and to solve conflicts, should be created in each prison.
- 5) Workers should be trained sufficiently in:
 - (a) The international and internal standards and regulation on foreigners' rights, and the especial care and attention for especial needs in context of deprivation of liberty.

(b) The mechanism to take into account the social, familiar and cultural context of the foreign inmate. The planning of cultural and educational activities should bear in mind these realities.

(c) The knowledge of the languages most spoken by foreign prisoners.