

PRESS RELEASE

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Report to the Flemish Parliament

Assistance and services to detainees

In its evaluation of Flemish assistance and services to detainees, the Court of Audit established that their management and central support are not yet sufficiently strong. An individual assistance and service plan describing the detainee's needs and requirements and coordinating all trajectories is still lacking. Prison supply is adapted to the specific prison context, but is sometimes hampered by (practical) obstacles, such as outdated infrastructure. Structural drug problem assistance during detention is lacking and there is a need for more cooperation with the Public Centres for Social Welfare (PCSWs) regarding prisoners release. Assistance and service trajectories are often interrupted, sometimes for personal reasons, but also because of structural obstacles, such as transfers to another prison and strikes. Within the Court of Audit's audit set-up, it appears that the assistance and services examined do not lead to more employment after prisoners release or less renewed detention. However, more extensive quantitative follow-up research is needed.

Organization of assistance and services to detainees

Flemish assistance and services to detainees are strongly based on a network and import model: partnerships of autonomous assistance and service organizations that are also active outside the prison. This leads to many assistance and service actors, coordinating functions and consultative bodies. As a result, the coordinating administration does not have a clear overview of the exact personnel deployment in the penitentiary assistance and services, nor of total financial costs.

For its operation, Flemish government is highly dependent on the federal prison context in which it operates. It has maneuvered itself in a financially dependent and insecure position concerning group offers and the necessary equipment by relying on federally managed Support Fund resources.

Attunement to the individual needs and requirements of the detainee

The detainee voluntarily engages assistance and services. The judicial welfare work (JWW) rests in the hands of CGWW program counselors, who, among other things, provide reception, clarification of questions and referral of detainees. In 2018, just over half of the incoming detainees have experienced receptions. Their needs and requirements are generally adequately mapped out, but reception policies, methodologies and registrations differ locally. The degree of needs detection therefore depends on the prison the detainee enters.

The tailor-made assistance and service plan for the detainee, announced eight years ago, is still not there, mainly due to conflicting interpretations about the concept of the plan and the disputed position of CGWW counselors in taking on a coordinating role. According to

the Court of Audit, Flemish government makes the assistance and service plan introduction too dependent on the federal detention plan's introduction.

The absence of an overall assistance and service plan makes referral and information sharing between assistance and service providers all the more important. However, providers complain that, on the one hand, they receive too little information from others and, on the other hand, are pressured to share information they do not want to or cannot share because that would threaten their independence or breach (medical) professional secrecy. Nonetheless field cooperation is often good and (medical) professional secrecy is essential for a good care relationship.

Access to assistance and services

No basic provision of assistance and services that must be available in every prison has been laid down by decree. Supply therefore varies considerably depending on subpopulations, prison regime, infrastructure, etc. Sometimes (practical) obstacles hamper the desired supply, such as regional supply unavailability, the lack of digitization in prisons or outdated infrastructure. The latter two problems have recently been addressed to some extent. Infrastructural obstacles and variations in practical supply implementation mean that detainees with a similar profile do not always and everywhere have access to the same assistance and services. Moreover, waiting lists often occur, especially at centres for mental health care (CMHC) and CGWW, due to staff shortages. That is why assistance and service providers sometimes only make limited supply announcements, risking a detainee will never receive the requested assistance before he is released.

The biggest assistance and service providing gaps concern drug problem assistance during detention and cooperation with the PCSWs regarding releases. In the field of drug problem assistance, some - mainly federal - initiatives provide good practices, but the necessary structural funding lacks. Also lacking is an assistance provider for whom drug problems are central. The possibilities of cooperation with the PCSWs, as important actors in bridging inside and outside, are also still too much in an exploratory phase.

Participation in assistance and services

Local teams have some insight into participation in assistance and services, but the Flemish government does not set targets to increase participation, nor does it carry out a systematic, overall evaluation. This is currently impossible, as figures are too spread out over databases of various partner organisations. Nor has Flemish government established any core indicators to somewhat streamline registration, which makes policy management more difficult.

Continuity of assistance and service trajectories

The majority of the trajectories at CGWW and CMHC are terminated early and only half of all course participants ever take exams. Various bottlenecks that threaten continuity rather occur in the federal context. For example, assistance and service providers are not always (timely) informed of an imminent transfer of a detainee to another prison. Strikes also have short- and long-term continuity consequences. The Court of Audit is of the opinion that the Flemish government takes insufficiently coordinated initiatives to limit their impact.

After release, connection with assistance and services outside prison walls does not always go smoothly. Local teams are trying to get rid of that bottleneck, but waiting lists in the outside world complicate their efforts. Projects such as buddy work, TANDEM (Admission and Registration After Detention And More) and cooperation with the *leerwinkels* (learning

shops) have proved successful, but also show that regular trajectory guidance cannot fully fulfil this role.

Effect of assistance and services on employment and renewed detention

The Court of Audit investigated whether (vocational) training, workplace learning and guidance to work contribute to more employment after release and less renewed detention among 4,277 ex-prisoners. Within the specific study design, the Court of Audit established that the assistance and services examined did not lead to more employment and less re-detention. The fact that participation in assistance and services is voluntary may play a role: mainly detainees with a more serious detention history, who generally find it more difficult to find a job and who reoffend more quickly, follow (vocational) training and are supervised by detention counselors from the Flemish Service for Employment and Vocational Training. Further research is needed, in which data on CGWW and CMHC assistance, labour market history, addiction problems, debts, place of residence, etc. are also included. Effects during detention periods, in particular on detention damage, must also be studied. Government must map out and fulfil preconditions to enable a more complete effect study.

Response of the Flemish ministers

The Flemish ministers believe the report's conclusions largely correspond to their policy vision and inspire their future approach. They also indicated that some of the recommendations are already being implemented in the context of the new strategic plan for assistance and services to detainees 2020-2025. Other matters are under construction and some adjustments have yet to be initiated. The ministers did, however, remark on some of the Court of Audit's comments about the import and network model. They fear wrong conclusions may be drawn out of the effect evaluation, despite the Court's nuances.

Response from the Federal Minister of Justice

In his response to the difficult recruitment of additional psycho-social services staff, necessary for the implementation of the detention plan, the Federal Minister of Justice referred to the efforts and progress made in the field of digitization, reform of penitentiary health care and the introduction of detention counsellors. All these should contribute to better publicizing of and participation in the Flemish assistance and services supply.

Information for the press

The Court of Audit exerts an external control on the financial operations of the Federal State, the Communities, the Regions and the provinces. It contributes to improving public governance by transmitting to the parliamentary assemblies, to the managers and to the audited services any useful and reliable information resulting from a contradictory examination. As a collateral body of the Parliament, the Court performs its missions independently of the authorities it controls.

The audit report on the *Assistance and services to detainees* has been sent to the Flemish Parliament. The full version and this press release can be found on the Court's website: www.courttoaudit.be.