

SWITZERLAND

Switzerland has 26 cantons and each of them has its own independent prison administration. However, with regard to the police, penal administration and assistance to the detainees, the cantons were regrouped in 3 so-called “Konkordate” which develop common policies on prison matters, including prison visiting and probation.

Further to a request for information, the Central Prison Administration at Bern launched an enquiry. Here is an extract from their detailed reply (Sw1):

“As per Art.3 and 123 of the Swiss Federal Constitution, the cantons are competent to enforce sentences. Each canton subsequently built its own prisons and created its own penal rules and administration. On the federal level, the Swiss Penal Code defines the guidelines, objectives, sanctions and the types of prison establishments. Through subsidies, the central government contributes financially to the construction of new prisons and their maintenance. The government grants allowances for the running of special educational centres for minors and pilot schemes for young offenders and foreigners. All high security prisons function under the authority of the federal authorities.

Voluntary prisons associations active in Swiss prisons are for example:

Kantonale Strafanstalt Wauwilermoos, Egolzil

Discussion group affiliated to Caritas, Lucerne – 4 volunteers organise meetings every third week during the winter term,

Salvation Army - sporadically, max. 4 times per year or according to demand by the detainees,  
Members of the Catholic pastoral group of the Canton Lucerne – according to demand, about 6 times per year.

Anstalten Thorberg, Krauchthal

Salvation Army - according to demand, not regularly

Italian Catholic Mission – usually every week

Prison Fellowship - usually every week

Music, language and computer teachers, sculptors – usually every week or two,

Auxilia - literacy teaching.

Justizvollzugsanstalt Lenzburg

Prison Fellowship Mittelland

Jesus lebt – Charity

Salvation Army – Volunteers working in the probation service of the canton of Lucerne.

Visits of all these associations take place usually every week or two.

Prison de Champ-Dollon Thônex

The 20 prison visitors, often multilingual, who come from different social and cultural backgrounds, are active in this prison. They work under the authority of the protestant and catholic prison chaplains. There are other prison visitors too who belong to associations such as “Carrefour Prison”, “Vivre sans barreaux”, or they come from the local Parish. The rule is to visit the detainee once a week.

Etablissement de Bellechasse, Sugiez

Mainly independent volunteers work in this prison. The approval to visit is valid for 2 years and granted after thorough screening by the federal and regional authorities. The “Cantonal Probation

Authorities” are responsible for assistance, formation and supervision. Visits are customary every 3 weeks; in case of a remand prisoner, every week.

The admission procedure for Swiss prison visitors is standard, but varies slightly according to the canton and the individual prison.

Websites of other Associations are:

- [www.bewaehrungshilfe.ch](http://www.bewaehrungshilfe.ch) – the probation service
- [www.refkirchenbeju.ch](http://www.refkirchenbeju.ch) – Coordination of the pastoral prison services
- [www.vereinneustart.ch](http://www.vereinneustart.ch) – Neustart in Basle, offers prison visiting, help for prisoners, semi-liberty lodgings and communal work.

General information about the Swiss prison system can be obtained under [www.prisons.ch](http://www.prisons.ch).”

As in Germany, many prison volunteers belong to religious organisations (Sw2) as above and in addition, for example, to

- Partage de l’Evangile en Prison, Sion
- Gefährdetenhilfe, Bern at Oberönz
- Gefährdetenhilfe Chur and Ostschweiz

Other organisations are

- “Carrefour Prison” which is active for prisoners, ex-prisoners and their families. 2 psychologists are available for consultation. The association has installed a chalet on the parking place in front of the Champ-Dollon prison where 20 voluntary helpers coordinate the visits of the families 6 days a week (Sw5).
- The association “Pollicino” (Tom Thumb) in Ticcino which tries to keep the detainee – child relationship alive,
- “Prélude” – is an association founded in 2006 with aim of taking culture (music, cinema, art) into the 35 Swiss prisons (Sw6).
- Auxilia which has offered general education and language courses to the prisoners since 1984.

Apart from the above Voluntary Prison Associations, most volunteers work within the cantonal “Bewährungshilfe und alternativer Strafvollzug – Probation Offices and alternative penal systems” which operate under the authority of the “Police- and Military Directorate – department for the privation of liberty”, of which there are 10 in Switzerland. The one at Fribourg published a decree (Sw3) which defines the status of prison visitors with its “do’s and the don’t’s”. Officers and volunteers of the “Fondation Vaudoise de Probation” are attached to the prisons of Tuillière, Bellechasse and Bellevue.

The “Probation Service of the Bern Canton” seems to be particularly well organised with its 25 Probation Officers and 215 volunteers who work in 4 branch offices. They care for prisoners during incarceration, after release and during the probation phase (durchgehende Betreuung – continuous care). The service is active in traditional probation, community work (max 720 hours for delinquents with sentences of less than 6 months) and electronic monitoring (for sentences from 1 to 12 months). The “Probation Office” is obliged by law to attract sufficient volunteers and train them adequately. They must follow a 54-hour initial course before working together with one probation officer for ONE detainee. Each probation officer deals with max. 55 cases. 2 prison volunteers of the French ANVP visited this department in 12/2005 and their report (Sw4), published in “prison.eu.org”, is full with praise of what they saw. The Probation office says that “the voluntary helpers (freie Mitarbeiter) have a very personal relationship with the

clients (Klientenschaft) which the professionals cannot have and which would not really be appropriate for them either” (Sw4A).

Some problems seem to reoccur time and again: in certain prisons, 80% of the detainees are foreigners (average 69%), of which many are Muslims far away from the family and in a predominantly Christian environment which causes a string of every day problems. In addition, there is the confusion of the notion of “pardon” in Islam which is interpreted in different ways by different theologians. Some say that “Allah is free to forgive the repentant sinner”; others have established lists of 7 to 70 “unforgivable sins” which condemn a person forever. Neither professionals nor volunteers are prepared linguistically nor culturally to face such problems; neither in Switzerland nor anywhere else in Europe.

The conditions of remand prisoners is particularly tough, as they are locked up for 22 ½ hours per day and only one visit is allowed per week (Sw 5).

Caritas-Switzerland has sponsored a forum of experts ever since 1977. The theme for 2007 was “Straflust oder Straffrust? – vom Zustand des Schweizer Strafwesens: which could be translated as “punishment out of desire or frustration? – the situation of the Swiss penitentiary system” (Sw6)

Encouraged by the Swiss Confederation of lawyers (DJS), the inmates of the biggest Swiss prison “Poschwies/Regensdorf” have created their own website with blog.

The cultural foundation “Stapferhaus, Lenzburg” organized from March to September 2007 an art exhibition at the Zeughaus, Teufen under the theme “Strafen – to punish” (Sw7) with films and discussions on “Interrogation Techniques”, “women behind bars”, “prohibition of portables for kids”, etc.

In “Le Courier”, Geneva one can find 2 contributions on internet:

- a long report on the Champs-Dollon prison, its overcrowding (there was a revolt on 2.5.06 because there were almost 500 inmates for only 270 places) and other problems. Sandra Udriot of the “Institut d’Etudes Sociales” carried out a study on the frustrations of the prisoners, their need for more contact with the outside world, their children, means for healthy sexuality in “parlours”, prospects of further education, the individualisation of sentences, etc. (2/2005 – Sw8).
- In a remarkable article of 12/2006 by Anne Pitteloud “La Prison pour qui, pour quoi – Prison for whom, for what?” (Sw9), she describes the present prison situation in several European countries following the “tolerance zero” logic. With regard to Switzerland she says that the prevailing idea in the 80s was to “punish without prison”. Although in recent years there were fewer conditional releases and more internments under the pressure of tabloid newspapers such as “Blick” and Mr. Blocher’s nationalist party, Switzerland has reduced its prison population and the rate of imprisonment (75 per 10.000) in the last 10 years. The occupancy rate (87 %) is very low too compared with other countries.

Neustart, the Austrian probation specialists, have been working since 1975 in Basle, but have no exclusivity (Sw10). Before the partial introduction of the electronic bracelet in Austria in 2005, Neustart wrote a very complete report on the subject in Switzerland where the system had been

tried in several cantons between 1999 and 2002 and subsequently introduced on canton level (Sw11).

The Confederation of Swiss Social and “social-cultural” workers is “Avenir Social”. “Schweizer Bewährungshilfe” unites all professional probation workers at both the national and cantonal level.

The European CEP will meet at Neuchâtel in 2008 for its annual meeting under the principal theme “What works: sharing experience to improve practice”.

## AUSTRIA

The Ministry of Justice (AT1) stated that prison visitors can be individuals approved by prisons or they can belong to religious or non-confessional organisations, and that there is no “national federation of prison visitors”. The description of the Austrian prison administration is detailed in document (AT2).

The Austrian Embassy provided 2 very detailed brochures on the “Penal System in Austria” (AT 3+4). Unfortunately all this literature does not once mention “prison visiting”. The prisoners’ right to request religious support is mentioned and the value of sports and leisure to lower the aggressiveness of the detainee. “Group Counselling”, organised by specialized prison personnel, is particularly recommended and the central role of Neustart in various functions is described. The “Vollzugsordnung für Justizanstalten –VZO” (AT 5) does not say anything either about volunteers, although the right of religious assistance for all faiths is mentioned in Chapter 7. 480 outside specialized professionals assist the prison staff in several fields. It appears that every prison has its own “Gefangenenfürsorgeverein” (Association of volunteers) whose members are independent or belong to charities. The diocese of Vienna seems to be very active in “Straffälligenhilfe” (help for the detainees), but there are no further details. The following associations could be found

- “Das Trampolin” – 200 members, help to prisoners and prison leavers, legal advice concerning the incarceration,
- “Evangelische Gefängnisfürsorge”, Vienna. Coaching, group discussions, music, contact with the family,
- “Blaues Kreuz”, Vienna, alcohol prevention and cure
- “s’Häferl” – self-help group of ex-prisoners sponsored by the Diakonie, Vienna for the homeless, clothes,
- Verein für Integrationshilfe für Haftentlassene - 22 homes, advice
- „Grüner Kreis“ is an association for the rehabilitation of chronic addicts
- “Gefangenenhausseelsorge”, Vienna visits detainees,
- “Soziale Gerichtshilfe Verein” visits detainees and prepares them for release,
- “Weisser Ring” specialises in victim-support (280 volunteers, 60 sponsors) and has been appointed recently in exclusivity for this activity to the detriment of “Neustart”. Member of the “European Forum for Victim Support”.
- “Gefährdetenhilfe Rheintal”, Lustenau which is spart of the Diakonie.
- “Verein für Kredit und Wiedergutmachung Straffälliger“, Bregenz. debt management,
- „Gefangenenfürsorgeverein“, Feldkirch.

“Blaulicht + Graulicht” is an on-line magazine for the 28 Austrian prisons which informs interested people in very direct language about fait-divers, the rights of the prisoners and news of prison life.

NEUSTART (AT6) is a private company which was founded in 1959. The state prison administration has transferred to Neustart the exclusive rights to all probation work and associated activities. In 2007, 611 professional staff and 863 volunteers worked for the company. Volunteers receive per “customer” a lump sum of Euro 58,- + travel expenses. Neustart organises periodically beginner/refresher courses. It appears that 40 % of the offered services are performed by the voluntary members. There is a very complete website with detailed description of their tasks, offers and ways of working (AT7).

Neustart’s activity report for 2004 (AT8) says, for example, that:

- 8452 people were followed on probation,
- In 8962 cases in which the judges suggested an out-of-court settlement, Neustart talked to 14992 people involved. The rate of successful settlement was 84 % in the case of minors and 71% for adults,
- Neustart has supervised 2603 people sentenced to community service,
- 624 people were followed by Neustart saving them from having to go to prison,
- 6362 people were helped to find work and accommodation,
- 6159 victims were indemnified and 209 victims of crime were assisted psychologically,
- 27346 people called on the Information Centre (SAFTLADEN) in Salzburg,
- 295 ex prisoners were lodged in Neustart hostels,
- 12413 working hours were carried out by Neustadt “customers” in their own workshops in Vienna and Linz.
- 23 regional offices are in contact with the clients.

In 2004, the total cost for these activities amounted to Euro 33.000.000.

Neustart, with the drive of a private company, works on many levels in a prison environment, including visiting prisoners to prepare their conditional release, organizing professional formation, providing legal assistance (their slogan: nie mehr allein vor Gericht – never again alone before the judge - AT9) and job research for the detainees close to final release. Neustart is active in the prevention of crime too (publicity campaign with a poster “Black sheep, white sheep) – (AT10).

The success of Neustart as a private company (“Equal” calls it an association “without legal status”) is probably due to a streamlined administration with a minimum of the bureaucratic red tape which civil servants have to observe, the dynamism of motivated personnel having at its disposal complementary means of help in the same company in contrast to official probation officers with their numerous cases to handle and the limited means they dispose of. Another reason is the extensive use of volunteers who work under the authority of the Neustart professionals. The closer involvement in real cases, the greater freedom of action and more direct responsibility must be motivating. It appears that, for all these reasons, Neustart’s probation work is 30 % less expensive than the public sector.

“Bewährungshilfe in Österreich” is a book of 117 pages published in 5/2007 by Viktoria Pölzl which discusses the Austrian innovative approach to probation (Neustart), including the position of the voluntary probation officers.

“Fremde im österreichischen Strafvollzug” 5/2007 by Veronika Hofinger shows the dramatic increase of foreigners in Austrian prisons from 7 % around 1980 to 43 % in 2007. The study addresses the difficulties of re-socialisation, language, deportation etc.

Several other interesting studies can be downloaded from the website of the “Institut für Rechts- und Kriminalsoziologie” in Vienna.

“Schritt für Schritt – step by step” is a European Union sponsored Austrian project which tries to elucidate the employability of detainees close to release and the discrimination they suffer. Neustart is the project leader with partners such as ISOP (Innovative social projects), BAN and “Contrapunkt” as “social prison enterprises”. The project is described in detail (summary in English) in the EU EQUAL Common Database (AT11). Approx. 1500 ex-prisoners were accompanied in a kind of “intensive follow-up” from prison leave up to 6 month after including debt settlements, job hunting, therapies, education, professional training etc. The results were published in 2007 in 2 parts:

- a) Brita Krucsay conducted a questionnaire action (AT12) with the results of 152 participants. Although they are statistically not representative, because proportionately not enough foreigners and too many women replied, the questions asked and the replies received seem very indicative. Examples:
  - How has incarceration changed your family life? 70% of the stable relationships broke down.
  - What happened to the children and what was the contact with them during incarceration? Huge difference according to whether mother or father were imprisoned. 58 % had no children.
  - What did you miss during incarceration? Naturally sexual relations for men, psychological/social care for women.
  - Positive experiences? Non for most of the prison leavers.
  - What is important to ex-prisoners when leaving? For men advice on drugs, debt settlement, medical help. For women advice on drugs, further education, psychological/social help.
  - Intentions for the long term: normal life, work, accommodation, no more legal problems.
  
- b) The final report (AT13) on the project involved 443 people. Some of the results:
  - 64% of them had only basic school education, only 28 % finished their apprenticeships and 75% were without a job at incarceration, of which 1/3 for longer than one year,
  - 67 % had considerable debts, 60 % had an addiction, 27 % a serious health and 28 % a marked mental problem,
  - 92 % of them had been in trouble with the law before; 68 % were in prison before, 17 % have had disciplinary problems during the incarceration, 68 % had worked in prison,
  - 60 % had gone previously through the Neustart Probation service.
  - Contrary to public opinion and taking into account the legal dispositions on detention time, 80 % of the detainees remain in prison up to the last day without any reduction.

Some of the conclusions of this survey were rather evident:

- a) A regular contact between the detainee and the social worker/probation officer must start several months before release and continue the time necessary afterwards,

- b) The prison leavers who maintain a longer contact with the social services re-offend less and less quickly. The average contact maintained with a Neustart probation person was 3 ½ month.
- c) Education courses started in prison, must continue after release and lead to some kind of diploma.

For Austria in general, one can find plenty of information on young delinquents in special institutions, drug dependence and the means of cure for it, the problem of foreigners (due to Austria's exposure to the East), prevention, naturally Neustart and the actions of the Catholic Church in this domain (AT14), but little about prison visiting itself.