

GERMANY

In Germany in 2006, there were approx. 79.000 detainees in 220 prisons with 40.000 guards/civil servants and at least 5000 voluntary workers. Each day of detention cost Euro 80,-. There were about 100 German detainees in French prisons in 10/2006, cared for by the consulates of Lyon, Marseilles and Strasburg. A German “Solidarity Organisation” in Paris (2, Rue Dorian) visits German prisoners on request.

Help for prisoners has a long tradition in Germany. On the occasion of a seminar organised by the voluntary organisation “Scheideweg” (protestant), Gerhard Deimling (D1) pointed out the critical attitude of Christian associations with regard to prison legislation and administration, and the advancing “professionalisation” at the expense of the involvement of civil society. Apart from individual prison visitors, there are few organisations which consist of volunteers only. Most of them work today within larger organisations administered by full-time staff. A constant preoccupation is finding the resources through subsidies and sponsoring. Most of the “freie Träger” (voluntary agencies) offer a range of complementary services from prevention of crime to probation and beyond.

There are several characteristics unique to the German penal system:

- a) Until 2006, the Central Government (Bund) was responsible for penal legislation. Following the “Föderalismusreform” (Subsidiarisation of federal responsibilities), the 16 Länder became LEGISLATORS in penal matters too (D2). Prof. Maelicke qualified this legislative change as missing the main point, which should be more efficient re-socialisation . Instead, he predicted more uncoordinated and costly “red tape” to the detriment of effective rehabilitation. His “10 Thesen – assertions” (D3) give a good insight into the specific German way of reintegrating prisoners into society.
- b) In the past, the Ministries of Justice of the Länder were already responsible for the ADMINISTRATION of the prisons. They administered the prison staff, stipulated their rights and duties, the admission rules for family visits, individual prison visitors and those of associations.
 - Thus, the Ministry of Justice of Rheinland-Pfalz explains on the internet the specific and contextual conditions of prison visiting on 11 pages (D4) to future candidates (Vollzugshelfer). We learn that in 1999, 315 volunteers were working with 3663 detainees on a one-to-one basis (Einzelbetreuung), in groups (Gruppenarbeit) or in leisure activities (Freizeitgruppen). The figures for 2006 are 340 volunteers for 4000 detainees (D5).
 - The Land of Saxony (D6) invites volunteers to work within the existing prison administration and stresses the ethical value not only for the volunteers and the detainees, but for society as a whole. 11 voluntary associations involved in prison visiting are mentioned specifically (list no doubt incomplete, because the greathumanitarian and religious organisations are missing).
 - The Land Nordrhein-Westphalia published decree No. 4450 of 2.12.1977 which defines the role of prison visitors, their rights and duties. In an additional note (D7), the ministry explains in unusually non-administrative language why voluntary prison

visiting is indispensable for the good functioning of prisons and the reconciliation of the detainees with society into which they will be released one day. In 2006, about 1800 prison visitors were at the service of 18.000 detainees. The website contains ample information about the approval of official prison visitors and the conditions of prison visiting.

- In 2004, the Ministry of Justice of Baden-Wurttemberg (D8) explained the situation in their prisons. Out of a total of 9000 detainees, 2000 followed elementary and professional schooling and virtually all of them participated in leisure activities. 700 volunteers were involved in individual visiting or group activities. A number of these visitors taught general ethics and biblical studies. In spite of this considerable effort, the administration is disappointed that 45 to 56 % of the prisoners re-offend within 5 years and so did as many as 69 to 78 % of the young delinquents. 2 model prisons have been built at Creglingen and Seehaus Leonberg. The latter has received the first prize for criminal prevention among 100 projects and played a model role in the recent controversy over “criminal young people with a migrant background” (Der Spiegel 1/2008 - D9).

“Pro Justitia” summarizes in an article (D10) the meaning of voluntary work in prison (Ehrenamtliche Mitarbeit im Gefängnis), not only with regard to its main tasks (conciliation, listening, moral support), but in more concrete functions too, such as general, art and language teaching, care for families, mediation, accompaniment of witnesses, probation work, debt settlement, etc). “Freie Hilfe Berlin”, a most dynamic association of prison volunteers, organised a convention in 11/2001 (D11), during which 130 participants discussed common aspects of prison volunteering following a study by the “Niedersachsen Institut of Criminology” together with 2 dissertations. The main subjects were the motivations of prison volunteering, work satisfaction, work load, recognition or the lack of it by society and the administration . One of the workshops discussed the delicate, but nevertheless latent problem of “whether volunteers are in competition with full-time prison staff and whether their contribution was really welcome”.

c) Some common points:

- The German voluntary prison visitors act largely as a complement to the full-time prison staff or the full-time personnel of voluntary agencies (hauptamtliche Mitarbeiter), but their range of activities is wider and their work more varied than that of the French volunteer who works under the authority of the SPIP (Service Pénitentiaire d'Insertion et de Probation). At least the aim is more individualisation of the detainee's needs in addition to the general measures proposed by the administration.
- The German Criminal Code (Strafgesetzbuch) of 1977 expressly encourages the involvement of civil society in prison matters (as do now the new European Prison Rules) and co-operation with the penal authorities. Thus, the “re-socialization” of the detainee is the principal aim of incarceration (and not the expiation of the sentence, punishment as a deterrent or the locking away of a prisoner). This conciliatory attitude is noticeable in numerous documents and publicly-expressed points of view.
- Although the 1977 law is very explicit with regard to the need of co-operation between the penal authorities, social assistance to the detainees, probation, the employment agencies, Social Security and the involvement of the voluntary sector, tensions are frequent. There is sometimes an ambiguous relationship between the administration and

the voluntary agencies, particularly when they are in competition for leisure programs, education and professional education.

Many Prison volunteers are part of the big Church, humanitarian and social organisations (most of them united in BAG-S, Bonn), such as the „Katholische Bundearbeitsgemeinschaft Straffälligenhilfe (KAG-S)“, Freiburg with 80 “Träger“ all over the country (voluntary agencies or charities in which work full-time personnel, professionals and volunteers). KAG-S works for imprisoned men (Sozialdienst kath. Männer) and women (SKF). CARITAS and the “kath. Gefängnisvereine” are part of it too.

These BIG nation-wide organisations (Arbeiterwohlfahrt, Paritätischer Wohlfahrtsverband, the Diakonie – EKS) are then organised on the level of the Länder and locally. Other REGIONAL Associations are for example:

- + the “Schleswig-Holsteinischer Verband für soziale Strafrechtspflege, Straffälligen- und Opferhilfe” which comprises not less than 43 public and voluntary associations (D12) involved in prison visiting, help for the victims, legal assistance, education (including the French Auxilia), probation etc..
- + The “Niedersächsische Gesellschaft für Straffälligenbetreuung und Bewährungshilfe“ (D14) with 135 volunteers and 40 full-timers work including, among others, the 25 Cura Reso groups and 3 foundations.
- + The “Landesarbeitsgemeinschaft ehrenamtlicher Mitarbeiter im Strafvollzug Bayern ev - LAG” (D15) lists all the prison volunteer organisations in Bavaria. Some of them are Fähre ev, Bayreuth, “die Brücke, Aschaffenburg”, das Trampolin, Schritt für Schritt, Ebrach and „die Evangelische Straffälligenhilfe München“ which works with 30 volunteers in 8 prisons around Munich (D16).

As an example for a LOCALLY operating organisation, one could pick out the “Diakonie Rosenheim” (D17) near the German/Austrian border. This regionally operating voluntary agency of protestant origin employs 200 full timers, 280 voluntary helpers and covers an area of about 50 x 50 kms. Apart from the general activities for the old, the young, the needy, immigrants, the sick and drug dependants, the “Diakonie Rosenheim” offers the following services for detainees and ex prisoners:

- a) a hostel for 35 male prison leavers who can stay up to 18 months (average stay 9 months). Work is provided either in their own workshops or with production companies nearby. Education, social environment, integrative measures for people who no longer have any attachments to their family and friends.
- b) The Diakonie has bought a former hotel (Diadonna) for 6 ex-women prisoners who are looked after by a warden and professional helpers until they are able to move on. Both the male and female prison leavers are offered a trial period to find out whether the constraints of hostel life suit them (Probewohnen).
- c) To avoid incarceration, the Diakonie organises and supervises community work and the administration of the penalties imposed by the judges. “Schwitzen statt Sitzen” (working rather than being idle in a prison) is a widely and successfully applied prison substitution method all over Germany.
- d) The Diakonie organises “Anger Management Courses” for violence-prone males at the request of the Judiciary and the public “youth welfare agency” (Jugendamt) as a preventive or curative measure. On offer as well is advice on legal and re-socialisation matters.

- e) 18 voluntary prison visitors, headed by a full-time responsible, work in 3 prisons mainly on a one-to-one basis. They meet 12 times per year for an exchange of their experiences and attend 5 meetings per year for a thematic presentation by an expert. Professional help is available in case of need. In 2006 they helped 35 inmates with their practical needs, accompanied them to various offices outside prison before release, maintained contact with their families, sent Christmas parcels and kept in touch after the release, although usually the contact ceases when the detainee quits prison.

After approval by the Diakonie and the local Prison Administration, new prison visitors attend a 2 ½-day course before visiting their first detainee. The time between the detainee expresses the wish to see a prison visitor and the first meeting is rarely more than 2 weeks.

Social activities within the penal system are paid for by the local or state public welfare system (Sozialetat) according to a fixed rate per person (Tages/Pflegesatz). Prospecting for new sources of public and private funding to finance and expand the services of the private welfare organisations (freie Träger), is at the heart of their preoccupations. These voluntary agencies are in favour of a fair competition with state-operated services as they feel that they can run such social service less expensively and more efficiently.

A good example for a TRADITIONAL, LOCALLY grown prison association would be the “Kath. Gefängnisverein, Düsseldorf” which was founded in 1893 and works essentially in the prison (JVA = Juststizvollzugsanstalt) “Ulmer Höh”. Their general brochure (D17A) describes openly the sometimes conflicting situations between the prison volunteers, the prison administration, prison officers and the detainees. In the booklet voluntary prison visitors define their work in a very factual way and explain why they keep going in spite of all the difficulties. In 2008, the prison counts more than 600 detainees, plus 53 who live in the “open” system, and a retention centre for 78 foreign women. The prison is administered by 256 prison officers and staff. The associations employs 6 full-time professionals (including 2 chaplains, 1 criminologist, 1 social educationalist, 2 social workers) and has 70 volunteers. Inside prison, the association has its own meeting room. The large offer of services is typical for German “mixed associations” (Freie Trägerorganisationen). The “kath. Gefängnisverein” offers one-to-one talks with detainees, leisure and group activities, advice in marriage and relational matters, detoxification, debt management, preparation for leaving prison, search for accommodation and work, assistance in administrative matters. The association runs also a group for mothers, partners and wives of prisoners (D17B+C).

The association has published a 42-page booklet (Wegweiser) for prison leavers (D17D) and a guide for new prisoners in English and French (D17E+F) Together with the Protestant prison association, they have founded an “Information Centre” (Beratungsstelle – D17G). Since 1975 one of the chaplains, together with the help of several detainees, publishes the ULMER ECHO, a most informative and lively prisoner’s magazine of 40-50 pages (D17H/I). Future volunteers are trained by the professionals of the association in 10 evenings before official approval by the authorities. German volunteers seem to be much more free in their actions. With the agreement of the administration, they can contact the families of prisoners, even their lawyers, accompany them outside on official visits, etc.

Separate “Prison Visitors Centres”, located outside the prisons, which are very popular in England, Scotland and France, do not seem to exist in Germany.

The “Schwarzes Kreuz – Christian aid to prisoners” at Celle (D18) is part of the protestant Diakonie too, but works NATIONWIDE and in a prison environment only. It was founded in 1925, employs 8 full-time personnel and has about 400 voluntary workers. “Schwarzes Kreuz” identifies itself clearly as “Christian” and in conformity with the spirit of the 1977 laws. They have installed a blog called „Eckstein – Forum für Angehörige von Gefangenen“.

The formation of new prison visitors, which lasts 2 years, is well defined:

- the first contacts with the prison environment are undertaken in presence of experienced prison visitors,
- the candidate must participate in seminars and forums for his theoretical and practical formation,
- at the end of such a cycle, the future prison visitor receives an official accreditation by his organisation and the prison authority to which he will be attached.

Like other German associations, “Schwarzes Kreuz” offers not only “listening and moral support”, but practical help during incarceration and after release.

A 5-page “Positionspapier” (D19) reflects on the role of prison visiting, the necessity of prison visitors as a vital link for the prisoners to the outside world, the psyche of the detainee, the volunteer’s impression of being unwanted by the prison administration, the obvious aggression-lowering effect they have on the detainees, but also the need for the volunteers’ further education to understand better the “world of prisons”. It is somewhat surprising when the paper says that volunteer prison work has a negative image in Germany. This is certainly not the case in Italy, France and England.

The “Bundesarbeitsgemeinschaft - Straffälligenhilfe – BAG-S” represents 7 big Organisations (Arbeiterwohlfahrt, DHB, the catholic Caritas with its numerous local affiliations, the humanitarian Paritätischer Wohlfahrtsverband and its branch offices, the German Red Cross with its 35 branches active in prisons, the protestant Diakonie active in most German towns, the Zentralwohlfahrtsstelle der Juden) . Apart from its very complete website, BAG-S publishes 3 to 4 times a year all interesting national and international news concerning prisons, their legislation and the assistance to detainees (Informationsdienst Straffälligenhilfe – 1300 copies – D20). BAG-S revised in 2007 their 100-page “Wegweiser” - Guide for prisoners (D21) on the financial and organisational implications of imprisonment and the associations which can help (15.000 copies were distributed). BAG-S frequently organises seminars too, such as the one in 2005 at Bad Honnef (D22) of which the report of the different working groups was later published under the title “Spannungsvolles Ehrenamt – Stressful voluntary work” (D23). Due to the budgetary squeeze for social matters, BAG-S had to suspend its activities in 2006 for 6 months.

“Forum Strafvollzug und Straffälligenhilfe” is a magazine mainly for professionals of prison matters and the assistance to detainees. Prof. Maelicke, a well-known German Criminologist, became the editor-in-chief in 2007.

The DHB (Fachverband für Soziale Arbeit, Strafrecht und Kriminalpolitik) at Cologne counts 10.000 members and works essentially on all levels of probation, mediation and restorative justice. The DHB is the official German representative within the CEP. Apart from the core activities, the DHB is active in adjacent fields such as the prevention, causes and consequences of crime, community work, legal and practical assistance to detainees. Their project “Lotse” (D24) supports since 1996 the volunteers within the judiciary system with a “newsletter” 4 to 5 times a year (2200 copies), seminars (57 in 2004), psychological advice and discussions with experts on local level. The DBH annual

reports list member organisations and discusses fundamental problems, such as in 2003, “fundraising, the diminishing financial support by the State” according to which 70 % of the state subsidies go to 300 associations (out of around 1000). The DHB is financed by the Ministry of Justice, the Länder and partly by the European Union.

Since 1995, the Foundation “Verbrechensverhütung und Straffälligenhilfe – VUS Crime prevention and help for the detainees“, Hanover organizes annually the „Deutscher Präventionstag“, (D25) a nationwide Congress during which about 30 to 40 themes around criminality are presented by experts and discussed by delegates of the administration, professional and voluntary organisations concerned. The results of these large meetings are discussed not only by BAG-S and the “Lotse Projekt”, but by the media in general. In 2005 the Congress took place in Hannover, in 2006 in Nürnberg, in 2007 in Wiesbaden and will take place in 2008 in Leipzig.

According to BAG-S, there are at least 1000 volunteer organisations which gravitate around “assistance to detainees” inside and outside prisons. Apart from the BAG-S members, there are a multitude of local and regional associations, indicated on the Website of “knastnet” (D26), “Socialnet” (D27), “Ehrenamliche.de” (D28) and others, such as

- „Kath. Verein für soziale Dienste SKM“(affiliated with Caritas, Bochum with 25 volunteers) – (D29)
- Kath. Männerfürsorgeverein and „Zentralstelle für Straftentlassene“, Munich
- Evangelisches Johanneswerk, Bielefeld
- Gefangenenhilfe Scheideweg ev, Hückeswagen is a faith-based organisation attached to the Diakonie which was founded in 1972 and has today 500 members and 300 volunteers, organises seminars in their own 3 facilities, runs 2 hostels and a metal-working company. Scheideweg is very active internationally with their own organisation in Siberia, Accra and other places around the world (D30). Very detailed website.
- „Gefährdetenhilfe Breitscheid“, founded in 1990, faith-based association which works in 6 German prisons, detoxification of young delinquents, accommodation and work on a farm and in a carpenter’s shop (cabinet making),
- Bundesarbeitsgemeinschaft seelsorgerisch-diakonischer Gefährdetenhilfe (BSDG), is a federation of 32 protestant associations (President Friedel Pfeiffer),
- Arbeitskreis Straffälligenhilfe, Aachen (D31) which co-operates with associations in Belgium and Maastricht,
- „die rosarote Gefangenenhilfe“, Augsburg – the „pink“ prison help for homosexuals in prison,
- Socialverein “Die Brücke” in Munich which is specialized in the aid for young people (settlement of conflicts and debts, restorative justice, intensive after-care, accommodation, project „Graffiti“),
- “Rote Hilfe” – association of solidarity for “persecuted” political left wingers,
- „Wiechernhaus“, Wuppertal a hostel with 28 beds which offers as well vocational courses in co-operation with ARGE,
- “Humanitas” Brandenburg, a non-confessional organisation founded in 1991 which offers visits during and after detention, alternatives to imprisonment and accommodation,
- “Straffälligenhilfe, Allgäu”, is a group of volunteers who work around the Kempten prison,

- “VIA, Bochum” is an association which provides work and accommodation to young delinquents. 65 permanent employees give professional training and oversee production; they call themselves a “successful small enterprise”,
- “Gott und die Welt”, Essen is a faith-based offshoot of the foundation “Glaubens-und Lebenshilfe” founded in 1973 which offers hostels, a Gospel Centre and general help to detainees, prison leavers and their families,
- “Hamburger Fürsorgeverein” is active mainly in advice on debts and insolvency and goes on job hunting for their clients,
- “Rückenwind ev”, Bernberg offers behavioural training courses for young, socially difficult youths together with work and initiation into learning. Professionals and volunteers work together. Very explicit website. (D32)
- “Brücke”, Lippe supervises community service imposed by the Judges.
- “Verein zur Eingliederung von Straffälligen“, Giessen,
- “Hilfe für Gefährdete Kiel ev”, offers work, accommodation, jobs and advice on dependence,
- “Emmausbewegung”, ecumenical, association of ex-prisoners,
- “Garden und Therapie”, a group in the Detmold prison which believes in the therapeutic values of gardening,
- “Initiative Zelle”, Würzburg, a group of people linked to the University who organise mainly rounds of discussion in prisons,
- JUMA, Speyer, foundation of the PSD-Bank, Karlsruhe which offers alternatives to imprisonment for young people,
- “Hilfe zur Selbsthilfe”, Reutlingen offers practically the whole range of services: hostel, accommodation, restorative justice, anti-violence and drug therapies, victim support. The independent association covers 4 Landkreise (sort of district), has a budget of 3,5 Million € (of which Euro 400.000 from sponsors and members) and employs 90 full and part-time professionals,
- “Kontakt in Krisen”, Göttingen (debt management, accommodation for 8 weeks, advice on dependence, job research, probation),
- “Probare – Verein für Straffälligenhilfe”, Prevention and rehabilitation of adult ex-prisoners,
- “Ehrenamtliche Opferhilfe Weisser Ring”, Victim Support
- Universalstiftung Helmut Ziegner (HZBB), Berlin which offers 1400 apprenticeships in 21 professions in and outside prison in 4 centres, supervised accommodation. The Berlin mayor, Mr. Wowereit, was the official speaker on the occasion of the 50th anniversary of this organisation in 2007,
- “Perspektivwechsel ev”, Frankfurt/Main (formerly “Frankfurter Gefängnisverein” founded in 1868) offers supervised accommodation for 17-25 youths, men and women in 4 houses, accommodation for visitors coming from far and advice,
- “Glückspielsucht”, Caritas, Neuss, tries to cure dependence on games of hazard,
- Stiftung Traugott Bender, Stuttgart gives financial aid and helps people with debts,
- The “Gefangenenhilfverein, Butzbach” retraces on their Website the historic development of re-socialisation during detention under the title “Behandeln oder bloss Verwahren – Curing or just storing away?”
- 2 examples of local, well-structured associations
 - a) “Chance ev”, Münster founded in 1987 is part of the Paritätischer Wohlfahrtsverband. They are strong on social integration through work (rather like Emmaüs of the Abbé Pierre in France) collecting and repairing old furniture and second-hand goods, refurbishing graves and a project called “Stundenlöhner – someone paid by the hour” (temporary jobs). Through their professional

counselling group “Mabis” ex-prisoners are advised realistically about professions with good prospects of a later employment (marktorientierte Ausbildung).

- b) “Kreis 74”, Bielefeld, founded in 1974, employs several salaried people in addition to the 40 voluntary visitors active in 4 prisons. Kreis 74 tries to keep adolescence out of prison through their “Projekt Brücke” and victim mediation. Their restorative justice activity for adults is called “Via Dialog”. “Urlaubszimmer - holiday room” is a temporary accommodation for the prison leavers “to take some vacations” and prepare themselves for the freedom to come.
- “Gefangenenfürsorgevereine“ or “Gefängnisvereine” are usually traditional, religious or lay voluntary associations attached to a local prison. They can be called “Lebendige Hoffnung”, Cura, Borstal Association, die Kanne, Hammer Weg, etc. Many of them were founded in the 19th century and operate, for example, at Cuxhaven, Vechta, Neumünster, Celle, Uelzen, Hanover, Hameln, Ebrach, Berlin, Siegburg, Staumühle, Colone and Frankfurt.
 - There “Pfälzische Vereine für Straffälligenhilfe” in Frankthal, Zweibrücken and Landau offer most of the usual services for inmates and ex-prisoners,
 - Under “abschiebehaft.de” one can find more than 50 organisations dealing with foreigners and deportation such as ProAsly, Frankfurt; Asylcafé, Mannheim; Jesuiten-Flüchtlingsdienst, Berlin; Bürengruppe, Paderborn as well as such groups in Paris, Glasgow, Switzerland, Spain and Austria.

“Ehrenamt in der Straffälligenhilfe” (D33) is an inventory of about 160 addresses of “prison volunteer organisations” published in 1/2008 by “Freie Hilfe Berlin”. Particularly interesting is the range of activities in which the volunteers are involved: most of them visit prisoners on a one-to-one base and stay in touch with them for some time after. Many of them animate discussion groups and leisure activities, accompany detainees to courts, administrations and future employers, organise the transport of families, help in the administration of hostels and supervised accommodation. They are involved in Christmas gift preparation and letter writing, art and cooking lessons, anger management, self-help groups, social/behavioural training courses, debt management, assisting young offenders, dependence on alcohol and drugs, bible courses, basic and professional education, professional education, clothes and second-hand goods, support of detainees and their families during incarceration, release preparations and thereafter, help for homosexuals; they go on job hunting for released detainees, act as conflict and mediation councillors with the family and the victim. They are probation assistants, involved in language teaching to foreigners or their deportation, give information to the public (Öffentlichkeitsarbeit) and form new volunteers.

In 3/2006, 200 top representatives of ministries, judges, prison administrators, criminologists, chaplains, social workers and voluntary organisations met in Hanover (D33A) to discuss the meaning of sentencing, incarceration and re-socialisation in times of public demand for more punishment, when less money is available for social work and there are signs of a progressing privatisation of prison and after-care services. The dramatically sinking conditional releases (34% in 1980, 8 % in 2003) were discussed as well as the problem of more young and drug-dependent detainees, psychologically disturbed and foreign prisoners, individually adapted plans for care and education during detention and after release, the cost-efficiency calculation of intensive probation, the importance of the first/last days assistance and more interesting work in prison. Although

the delegates saw no alternative to the present re-socialisation measures, they wondered whether they were politically wanted and financially feasible in the present socially tense environment.

On the website of the Ministry of Justice in Berlin in 2006, one can read information such as (D34):

- The CEP (see “Organisations”) which comprises 33 penal administrations and numerous voluntary associations from 29 countries mainly involved in probation, stated recently that “integration of prisoners is better than isolation. The delinquent outside prison on probation is preferable to incarceration.”
- “Probation with the help of volunteers and the risks involved”, seminar on 23.6.06.
- In 2005, the rate of criminality dropped by 3,6 %. The rate of solved crime cases by the police increased to 55 %.
- Penal legislation will be in future a matter for the Länder. Nobody seems to be happy with this devolution negotiated by Mr. Stoiber with the Bundesregierung (central government in Berlin),
- A study published by the German Ministry of Justice covering the period 1994-1998 and analysing the cases of 947.311 condemnations, showed the following picture 5 years later:
 - 65 % had not re-offended,
 - 73 % of people condemned for murder and homicide had not re-offended (629 out of 860)
 - 30 % of those convicted to a fine (community work) had relapsed (184.000 of 612.000),
 - 45 % of those convicted with a suspended sentence and under probation had re-offended (38.000 of 85.000), whereas
 - 56 % of those imprisoned in the same category of offences had been reconvicted (11.000 of 20.000),
 - 78 % of the young ex-detainees had re-offended.
- Opening of the semi-privatized prison Hünefeld with a 45 % financial participation by SERCO. The Kötter – Justizdienstleistungen has obtained a 5-year contract for managing the Offenburg prison. The private company will be responsible for maintenance, work for the detainees, internal telephone and purchasing, psychological/medical service, leisure and sports activities, general and professional education. Video surveillance and transport could be transferred to the Kötter company too. It appears that the annual savings will be 1 Million Euros.
- Professor Maelicke (President of BAG-S) reproaches the Federal Government and the Länder with having no vision or strategy with regard to penal matters, the social services and the voluntary sector involved (freie Sträflingshilfe).
- The 4 new Länder of former East-Germany are semi-privatizing the prison services. When will this tendency toward privatisation stop? Seminar in 3/2006 at Magdeburg.
- According to Lawrence Sherman (University of Pennsylvania), incarcerating young delinquents in ordinary prisons, “boot camps” and using the “scared straight”-method produce only more re-offending. Delinquent youngsters accompanied by experienced probation officers, the love of a girl friend, an interesting job and plenty of reading are much more efficient.

- Neustart, Austria has signed a contract with the Baden-Württemberg Ministry of Justice for all state probation services (Bewährungshilfe).
- The role of prison visitors within the penal system is described in the document “Ehrenamtliche im Strafvollzug” (Prison visitors in the penal system).
- The function of the “Anstaltsbeiräte” (monitoring board) is explained. It is not said why representatives of churches, unions, schools and sports clubs are preferred to join such a supervisory institution.
- The Minister of Justice, Mrs. Zypris, paid a visit to the volunteers of “Freie Hilfe, Berlin”. This organisation offers a wide range of help: counselling, work, lodging, professional formation, leisure activities both during incarceration and after the delinquent has left prison. The Minister talked about the value of voluntary prison work for society and promised a legislative initiative in favour of suspended sentences and reinforced probation instead of simple prison sentences, etc.

As already said in the case of the “Schwarzes Kreuz”, the training of prison volunteers is important in Germany. Between 2/2006 and 4/2006, the “kath. Gefängnisverein, Düsseldorf” organized weekly seminars for future prison visitors covering a wide variety of subjects presented by experts (D35).

The University of Heidelberg “Institut für Kriminologie” publishes a “do’s and don’ts” for prison visitors (D36). “Planet Wissen” indicates on 3 pages (D37) details of “life behind bars”, such as

- Parents and friends can visit only once a month for one hour. There are no limits for voluntary prison visitors. Detainees are usually woken up at 6 am and work 8 hours per day. The cells are locked from 9 or 10 pm onwards.
- The “Ersttäter” (first offenders) are separated from the “Wiederholungstäter” (re-offenders) who normally enter straight into the “Regelvollzug” (ordinary confinement).
- The enforcement officers are responsible for most of the prison activities: security, daily program, canteen, laundry, daily walks in the court yard, leisure activities, the organisation of visits by the families and voluntary prison visitors;
- The unemployment rate of prisoners working in the “open prison system” (offener Strafvollzug) is 15 %. Of his monthly salary, the prisoner receives pocket money immediately. Part of the salary is kept back and handed over on final leave and the remaining amount goes to the treasury as “Haftkostenbeteiligung” (contribution to the general detention fees). The daily salary of a detainee working in prison was Euro 12,- in 2006.
- 35 % of the prisoners find work within one month, although virtually none of them have a firm employment contract on release from prison (Voss).
- The general education courses are well attended by prisoners who try to obtain a professional certificate, the “Hauptschulabschluss” (kind of GCSE) and, more rarely the “Abitur” (A-level). The “Fernuniversität Hagen” offers a correspondence course “Studieren im Knast – studying in prison”
- The most popular internet chat forum is “Knast.net”. Magazines written and published by the detainees are rather frequent in Germany, such as “Lichtblick” in Berlin and “Der Riegel”, Dresden.

For an enquiry in 2/2002 (D38) with the title “5 good reasons for financing a promising project”, an independent expert interviewed 182 voluntary prison visitors and 58 civil servants working in the prisons of Nordrhein-Westphalia. The interviews lasted from 10 to 120 minutes. 13 voluntary associations active in prison work had ordered the enquiry. Examples from the 5-page “Conclusions”:

- The Central Government and the Länder finance the activities of the volunteers by paying for their formation and the general expenses,
- 100 of the 182 volunteers participate in the “Gruppenangebote” (working in groups) which comprise sports, teaching computer techniques, “life hygiene”, courses in religion, detoxification, autogenous training, preparation for leaving prison, etc. These groups count between 3 and 30 detainees.
- 121 of the 182 volunteers visited 278 detainees on an “individual” basis (Einzelbetreuung).
- 48,3 % of the prison staff thought that the involvement of voluntary workers had a positive influence on the detention conditions (Entlastung der Haftsituation). 24 % thought that the “group activities” offered were particularly welcome. 63 % of the prison staff said that the volunteers contributed favourably to re-socialisation and 55,2% to the general social behaviour of the detainees.
- The volunteers worked in prison an average of 5,15 hours per week.
- 56,9 % of the civil servants considered the voluntary workers as a useful supplement to their own programs and not as competitors. 65 % of them appreciate their positive contribution towards the general climate in prisons and 57 % consider the offer of “working groups” useful for the diversification of the activities proposed by the prison administration.
- 60 % of the volunteers participate regularly in meetings and forums on prison matters and 90 % in “continuous formation” offered by various organisations. This percentage is considerably higher than that of the “general voluntary workers” of whom only 70 % attend such additional courses.
- 85 % of the prison staff thought that voluntary prison work ought to be encouraged and financed adequately.
- In 1996, Nordrhein-Westphalia contributed Euro 613.000 to 13 volunteer organisations for their administration, formation and accompanying of detainees. In the past, the associations of volunteers self-financed their activities to a level of 10 %. This self-financing rate has risen at present to 25 %.

The “Conférence Permanente Européenne de la Probation – CEP” (DE39) organized a meeting in 1999 at Potsdam with the main topic « Methods and importance of volunteers working in the criminal justice system “. Some of the questions discussed were:

- How can the efficiency of the voluntary workers be measured compared with the professionals?
- Can one define a European standard for volunteers working in probation?,
- Is the voluntary worker a necessary evil to lighten the excessive work load of professional probation officers?

Contrary to France, work or study is an obligation in German Prisons (except for remand prisoners). Per an article in “Konzern Knast” of 8/2007 (D41) “Goods made in prisons” have become real business by which quality furniture, recycled electric motors, toys, machined precision parts, mounting sub-assemblies and others are produced at market price in competition with or for outside companies. These are real companies with

balance sheets, investment planning, pay-roll and absenteeism (which can reach 20 %). In the 195 prisons there are some 800 such companies which employ 40.000 people and achieve a turnover of 200 million Euros. Some customers hide the fact that their goods have been produced in prisons; others, on the contrary, stress their social-ethical value and involvement. The detainee-worker has a monthly salary of Euro 250,- of which half is paid immediately, the other half on leaving prison. He benefits from social security, 18 days of paid holidays and a Work Certificate with a neutral heading from a NORMAL company (and can often hide, thus, that he has been in prison). The obligation to work is theoretical. The fact is that there is not enough work for all prisoners in German jails.

Discussion in the last 5 years in German prison administration has been dominated by the “Neustart case”. The private company, which had run in exclusivity the probation services in Austria for many years, bid and obtained the contract for all state probation work in Baden-Württemberg against a competitive offer by the institutionalized probation officers (Bewährungshelfer) and the local Red Cross. All over Germany, seminars took place in 2003/2005 to analyse the new situation, the competitive offer, the professional (in)competence of the probation volunteers and the possible long-term effects. Examples:

- + the “Association of German Probation Officers” published in Aug. 2003 “Privatisation of the social services within the Judiciary – a step back in future” (D42),
- + “Straffälligenhilfe im Umbruch. Chancen und Risiken der Privatisierungsbemühungen der Justiz”, was a seminar organized by the Diakonie, Nürnberg in 7/2005.
- + VERDI, the public service union, organised in 3/2005 a hearing at Potsdam “Umbruch der staatlichen Gefängnishilfe – radical change in the state assistance for prisoners”
- + A seminar took place in 9/2006 at Lübeck under the theme “Ehrenamtliche Bewährungshilfe – voluntary probation work” where delegates from Schleswig-Holstein (Germany), Austria, Switzerland and the USA presented the working of the Probation services (42A).

Under the heading “When the State capitulates, Probation Services are put up for auction” the “Deutschlandradio” dedicated a whole program to the problem. Extracts:

- 2500 probation officers work in Germany (of which 270 in Baden-Württemberg) for a total of 160.000 individuals on probation,
- 400 people are sentenced every day in Germany; 2/3 of them (100.000 per year) are granted a suspended prison sentence. The average probation period lasts 3 years with regular reports to the judges. Detainees on conditional release are followed by the probation officers too. 70 % of offenders on probation do not recommit crimes.
- The cost for each detainee is Euro 100,- per day compared to Euro 2,- for an offender living on probation. In the beginning of the parole period, the individual must see the probation officer 2 to 4 times per week, later only once every 2 months. On an average, 1 probation officer is responsible for 90 adult or 60 juvenile offenders. These people on probation have huge personal, financial, relational and educational problems with which the officer is confronted and which take up a lot of his time; how could this kind of necessary humanitarian work can be reconciled with the financial constraints for efficiency of a private company?
- In Austria, 30 % of the offenders under probation are followed by volunteers which explains in part Neustart’s competitive bid (Euro 8.000.000), but, so far, only 100 volunteers agreed to co-operate with Neustart in Germany instead of the 400 needed.

- The professional probation officer then questioned the usefulness of “unskilled” volunteers in the highly intricate penal and judiciary system and given the tricks and complex characters of criminals of all kinds.
- The interviewed Minister of Justice insisted that the state could no longer afford a probation service with too much corporatism, immobility, too many privileges and not enough efficiency, as proven by the high rate of re-offending.
- The delegate of the unions then questioned the economical viability of the Neustart bid, as it has promised to re-employ all probation officers, maintaining their status and salary as civil servants. In future, how could less well remunerated, “private” probation staff be more effective? The state most likely thinks that it can squeeze a private company more easily than established, unionized civil servants; but there are limits! This offer cannot work. The only way out would be for the judges to pronounce fewer suspended prison sentences and reduce, thus, the number of individuals on probation; but the judges will insist on their independence.
- The civil servants’ union VERDI requested a legal appraisal of this privatisation. They regret that (for economic reasons) the imposed reorganisation hits a public sector, the financial logic and penal efficiency of which can easily be demonstrated (ratio of cost and re-offending rate between incarceration and probation).

In spite of all the objections, Neustart received, after a trial period, a contract for 10 years. Other Länder will no doubt follow; other European countries too. See “Neustart - Austria”. An association called “Team Hannibal” comments on their website regularly on the drawbacks of the Neustart-privatisation in Baden-Württemberg.

The Confederation of the Baden-Württemberg “justiznahe Vereine” (free associations working close to the justice system) (D43) composed of 21 associations with 1232 members, 131 full-time personnel and many volunteers published in 2006 an activity report which shows that their program alone “Schwitzen statt Sitzen” = community work instead of incarceration, saved the State 4 Million Euros (economy of 54.577 days of costly incarceration which is 567 % more than in 2001). The association also demonstrated that their “anti-violence” courses had quadrupled in 5 years. The association offers 390 accommodations to ex-prisoners, debts counselling, psychological advice, a crime prevention program and in future restorative justice and mediation too.

Heinz Cornel wrote in 2002 a long analysis on “Beitrag der Sozialarbeit zur Abwendung der Vollstreckung von Ersatzfreiheitsstrafen durch Vermittlung und Organisation von gemeinnützigen Arbeiten – the value of Community work“ (D43A) in which he describes this alternative to imprisonment in other countries and stresses the economy of it in detail. “Vernetzung – networking” is a recurring word which stresses the need for the complementarity of existing services, functions and actions of the state, professional and voluntary organisations thanks to which the delinquent should find the best way out of his problems.

There is an extensive literature on “voluntary prison work” available for German speakers - for example:

- Richard Reindl 1998 - Effektivität/Effizienz und Ethik, Straffälligenhilfe und Kriminalpolitik;
- Wera Barth 2001 - Ehrenamt in der Straffälligenhilfe
 2002 - Ehrenamtliche im Berliner Strafvollzug – Motive, Anforderungen, Belastungen, Erfolge.

- Katrin Jost 2002 - Freie und ehrenamtliche Mitarbeit in und nach dem Justizvollzug,
- Cornel/Kawamura/Maelicke, 2003 - „Handbuch der Resozialisierung“ deals in 20 different subjects with the re-integration of delinquents.
- Thomas/Stelly/Kerner
11/2005 - „Forschungsprojekt: Straffälligenhilfe unter Veränderungsdruck - Care of offenders and prisoners under pressure for change”(D44).
This is a long-term study project by Tübingen University. Many aspects of care for prisoners have developed in recent years in a contradictory environment: less state money available for social work although the reintegration of the delinquents is still officially the prime aim of incarceration. The summary of this extensive study is available in English/French on <http://visiteurs.prison.free.fr> and in English/German under www.ifk.jura.uni-tuebingen .