

***Recommendation from the Council for the Administration of Criminal Justice and
Protection of Juveniles***
- Summary -

Vigorous actions: social reintegration and aftercare for ex-detainees
(Doorpakken, maatschappelijke re-integratie en nazorg voor ex-gedetineerden)

Recommendation to the Dutch State Secretary of Justice, dated September 16, 2009

The Council for the Administration of Criminal Justice and Protection of Juveniles found that the preparations for the provision of accommodation for ex-detainees were better organised than in 2005, when the Council also provided an overview.

Many bottlenecks in the cooperation between the Ministry of Justice, the municipalities, and the care institutions have, however, not yet been solved. The 'shared responsibility' has by no means been implemented in practice everywhere. The Council has drawn this conclusion from interviews it conducted with staff members working in the prison system and the municipalities, as well as from research by the Netherlands Institute for Social Research (SCP) and the Inspectorate for Implementation of Sanctions (ISt).

This research was discussed with the Ministry of Justice and the municipalities during the 'Stand Together for Aftercare' (*Samen voor Nazorg*) conference on 11 June 2009 organised by the Council. The outcome of this conference was included in the recommendation titled 'Vigorous actions: social reintegration and aftercare for ex-detainees' (*Doorpakken, maatschappelijke re-integratie en nazorg voor ex-gedetineerden*) that was presented to State Secretary Albayrak for Justice on 17 September 2009.

Staff members of community services in the prison system are to verify in respect of each detainee whether or not they will have accommodation and income after release from detention, and must realise a transfer of the ex-detainee to the relevant municipality. The Council found that this objective has not yet been achieved and recommends that the State Secretary should not make more promises than the institutions can keep. 'Everything for everybody' is not possible, that is why 'less for some' may create some scope to put in additional efforts for those detainees who really need this.

The previous Cabinet already considered the provision of accommodation and aftercare for ex-detainees to be a responsibility of the municipalities, but it was not until June of this year that the government and the municipalities agreed on the details of this responsibility and the funds that will be made available to the municipalities for this purpose. The municipalities stated that they experience the provision of accommodation as a new responsibility, although the same ex-detainees already always appealed to the municipalities for work, housing and benefits. What is new, however, is a balanced cooperation between the Ministry of Justice and the municipalities. The Council notes that this will require a change in mentality on both sides.

Society will continue to be responsible for people who are detained and because of this it may also exert an influence over the activities provided during detention which will facilitate the reintegration into society. The Ministry of Justice will have to create the opportunities to this end. For the purpose of reintegration into society it is often necessary that the ex-detainee breaks with his/her 'old circles' and builds up new connections in society. The Council holds the view that an important role may be reserved for volunteers in this context; they could supplement the work of professional care workers. The Ministry of Justice will have to create the necessary possibilities in this context, too.

In concrete terms, the Council recommends the following:

- Always place the detainee during the last four months of the detention period in an institution in the district where he/she will take up residence;
- Provide socially meaningful activities in prison;
- Ensure that the supervision of the detainee is not interrupted when the detainee comes of age;
- Allow municipalities and care institutions to actively contribute their ideas about the concrete details of the detention.