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Social work in the penitentiary policy and rehabilitation in Poland and in selected EU countries

The dynamics of social, economic and political processes in Poland after 1989 has led to tendencies developing freedom of initiatives and to seeking new ways in which the state and its citizens could function. One of the most important reforms that had to be implemented was adopting a new Executive Penal Code in 1997 and its significant amendment in 2015, which followed a number of previous ones. The provisions enacted and the consequences of different reforms in this legal area resulted in modern forms of work with prisoners appearing in penitentiary practice. However there are still questions appearing to what extent the accepted provisions really serve new forms of rehabilitation. Can we approach optimal solutions and will the developed conclusions allow to refine the accepted solutions? The Polish prison service, as other areas of social life, is continuously transformed and might gradually introduce solutions bringing better effectiveness of remedial influence [See: Kozaczuk 2004, and also Machel 2007: 11-14.]

The subject of connotation of penitentiary politics with social work executed in Poland (important for prisoners and society) seems important for the discussed matter. The adopted and implemented various solutions in this area have been used by Western European states for years. Among the factors influencing it the following may be listed: different political and social situation, economic system and priorities set in reintegration of prisoners. Post-war resolutions and changes in European prison systems were treated adversely in Poland and were denied as ideas not matching a socialistic state. The official ideology and different patterns accounted for favoring repressive solutions, which were inhumane towards prisoners. On the other hand social welfare in the communist system was concentrated on securing existential goods of citizens of Polish People's Republic [Polish: Polska Rzeczpospolita Ludowa - PRL], especially after the II World War with so many needs present. The post-war system of social politics was influenced by the political and economic system of PRL so it was ideologically, politically and economically dependent on the Soviet Union. Significant changes have been only executed since the social and political changes of 1989 and they are still not satisfying.

Some definitions of concepts may be useful here. Source literature gives information making the matter of penitentiary more precise. "Penitentiary politics due to its purpose concerns the correct functioning of provisions and institutions in power and those of the future, which are designed or developed. (...) Penitentiary politics forms certain slogans originally in the scope of making the technique of executing penalties better. They slowly develop towards perfection, reach a higher level, do not limit themselves only to making the technique better and aim at reaching substantively higher targets. (...) Penitentiary politics is the part of penal politics which refers only to penalty and other means of limiting freedom while penal politics refers to all kinds of punishment included in a given legal system..." [Śliwowski 1982: 22-23]. Penitentiary prevention focuses on the problem of executing penalties and serves optimization of actions for reintegration and rehabilitation.

Specifying the concept of social work it is worth mentioning that since 1917 it is described as activity of providing assistance to people in need. Since then together with evolution of societies all over the world new definitions of social work have been appearing [see. Kamiński 2000].

The definition preferred in this paper is the one dating back to 2000: "social work is a profession supporting a social change, solving problems arising in interpersonal relations and empowerment and release of people to enrich their welfare. Using theories of human behaviors and social systems social work intervenes in places where people enter into interactions with their environment. Human rights and social justice are fundamental for social work" [www.ipsir.uw.edu.pl]. *The Act on Social Service* specifies social work as "(...) professional activity aiming at aiding persons and families in enhancing or regaining ability to function in the society by fulfilling appropriate social roles and creating conditions in favor of this purpose." [The Act on Social Service, Article 6, Point 12].

Coincidence of the scopes of social politics and penitentiary politics is justified as families of criminals and also perpetrators leaving prisons themselves are potential clients of social service and social work "services". Conditions of their lives and social standard in the years to come after being released from prison may influence either social reintegration or crime repetition. Complementariness of actions in social and penitentiary politics is an important complement of practical solutions expected by society. Lack of rational presence and activity of social workers in appropriate life moments of prisoners is a serious drawback here.

It is worth mentioning that E. Kantowicz, who studies the subject, claims that " (...) social work can be and is, in increasingly wide scope a kind of antidote to social problems" [See: Kantowicz 2005: 68]. This thesis has a chance to become a fact under the condition that legal changes in favor of it will be followed by precise practical solutions.

Basing on law currently in power we can undertake actions to make rehabilitation of prisoners effective and support their social reintegration after they are released from prison. The following acts regulate this case directly: Executive Penal Code and Act on Social Aid and, to some extent, Act on Prison Service and also Act on Court Custodians [See: Journal of Law No 90, item 557, Journal of Law No 115, item 728 - as amended, Journal of Law No 79, item 523, Journal of Law No 98 item 1071]. Social law in relation to state's social politics includes 32 statutory acts encompassing former prisoners with legal solutions [See: Auleytner 2005: 191].

Changes successively made in penitentiary politics reflect tendencies of perfecting enforcement of custodial sentences and constant modifications confirming the fact that social work may be an alternative to actions taken so far are not seen. At the same time the discourse on effectiveness of penitentiary rehabilitation and substitute actions reflects a need for changing the currently used methods. Probably it is difficult to substitute penitentiary rehabilitation with social work but other solutions may be introduced, which would allow presence of a social worker in prison and specify his/her possibilities of acting in manners comparable to those in different institutions [see: Stępniaak 2004: 29-36].

Penitentiary politics is fundamentally related to penal politics and it may be said that the first one specifies rules for practical execution of penitentiary rehabilitation. Once again it is worth underlining that statutory law changes should initiate practical actions. However, there are still some problems which require studies and analysis and precise solutions. "(...) small effectiveness of ruled custodial sentences executed in prisons measured with repetition of crimes and repetition of sentencing require new research and studies. As a result of these factors numbers of persistent criminals in prisons and released ex-prisoners enlarging the social outcast are even excluded from the society have increased in recent years" [Szymanowski 2010: 11]. According to the opinion of M. Porowski, referred to by H. Machel, penitentiary politics can be executed in three variants. Both authors name the repressive variant underlining the isolating function, rehabilitation variant preferring the civilizing function and the repressive-reforming variant, which emphasizes equality of both functions. The shown

preferences depend on the penitentiary politics executed nowadays towards a certain number of prisoners [Machel 2003: 45].

Executing the penitentiary politics in complex and specific social space of prisons and remand facilities it must not be forgotten that there is an interesting possibility to act in favor of social reintegration of prisoners, which is included in activity of social workers. Unfortunately, Poland has not seen creation of a social work model in prisons yet. It is worth mentioning that instructional materials used by students of Non-Commissioned Officer's School of Center for Prison Service Training [Polish Centralny Ośrodek Szkolenia Służby Więziennej (COSSW)] take up the subject of social work for the benefit of prisoners in limited scope. "Social work is a commonly recognized professional activity allowing persons and families to identify personal, social and environmental difficulties adversely influencing them. Social workers makes it possible for them to overcome these difficulties through sustaining, rehabilitating, securing or adjusting activities. The current tendency to improve the manner of post-penitentiary assistance is the one of developing a model of social work for the benefit of people isolated in prisons. This should be an integrated activity aimed at preparing a prisoner to enter an environment and preparing an environment for the arrival of a prisoner. Establishing a contact between a prisoner and a social worker when the first one is still in prison or remand facility would enable the execution of the following exemplary tasks:

- providing interim shelter,
- gaining social insurance allowance,
- opinion of disability level,
- employment support program for permanently unemployed,
- listing governmental and local-governmental institutions for social assistance,
- listing NGOs working in local communities,
- making a prisoner aware of the scope of pathology in his/her environment and methods of fighting it.

Currently a similar role is played by professional court custodians as in accordance with Article 167 § 1 of Enforcement Penal Code a prisoner, before being released from prison, has the right to apply to a penitentiary court for establishing a professional custodian for him/her, especially if the conditions of life awaiting him after the release from prison can make social reintegration harder. Considering reluctance of prisoners towards court custodians and excessive number of prisoners released conditionally or

having their sentences suspended and supervised by custodians it is doubtful that this statutory solution will be successful." [Karczewski: 143-144].

Article 38 and 41 of Enforcement Penal Code is worth mentioning here as it prefers execution of penitentiary assessment. "Social work in our country is still placed outside the judicial system, in the area of general social service system, more precisely as a type of allowance within its frames." [Stępnia 2004: 38]. As the cited author states, social work somehow remains in opposition to traditionally understood rehabilitation, although "...in today's reality prison does not teach activity, creativity or independence, which are so much needed in social functioning..." [Kędzierski 2008: 53].

Analyzing this matter one needs to be aware that effective introduction of social work to judicial system would require acquisition of further professional competences by social workers. This is a demanding challenge especially as the current environment of social work professionals constantly highlights the lack of an act on the profession of a social worker. A draft of the act is ready but there have been no further legislative works [See: zalaczniki.ops.pl]. The remaining matter in this context is the relevant manner of introducing rules of employment and scope of activity of social workers, who could execute social work in prisons into penitentiary politics. Social workers' engagement and their work should not substitute the proper rehabilitation work, because certain rules of functioning of prisons will remain contrary to it.

As mentioned above, the current social work related to prisoners is executed on the basis of the act on social assistance. However, both regulations and practice indicate that the whole activity is mainly performed within the frames of post-penitentiary assistance, which is given after the release of a prisoner. Therefore there is still lack of possibility of professional introduction of social work to prisons, because penitentiary politics and social politics show limited possibility of postulated correlation already used in other countries [more: Szczygieł 2002, Stępnia 2001]. Performing these actions by Prison Service pedagogues is an interim solution.

A problem still remains with the foregoing work load of workers, who have too many duties and cannot "cross" prison walls within the scope of social work. In the used analysis we are mainly interested in the matter of corrective personnel strictly responsible for penitentiary rehabilitation [See: Machel 2003: 80-162]. "If the idea of rehabilitation of criminals is to have a practical dimension prison must have features of a pedagogical institution.

Otherwise this idea will not have any chance of implementation." [ibidem: 51]

The postulate put forward by P. Stępniaak – an advocate of social work - in the situation of penitentiary rehabilitation crisis the rule is not to deteriorate the social situation of prisoners [Stępniaak 1998: 40]. In further deliberation the author of this rule justifies social work in prisons. Dividing prisoners into categories he considers the possibility of providing social work in certain types of prisons. He finds out that "...gradual employment of social workers in prisons would simplify practical introduction of methods of social enhancement of convicts as priorities in penitentiary work." [ibidem: 41].

Underlining the significant role of social work he notes that transfer from traditionally executed rehabilitation to the one correlated with social work offers new opportunities. It is possible "...by assistance in creating minimal social conditions necessary to live in accordance with law (employment, accommodation, material support, advisory service etc.). From this point of view social work basing on a highly valuable idea of providing convicts with some minimal set of conditions to live in accordance with law in an open environment does not have to break off with the mocked, or at least criticized idea of rehabilitation of criminals." [ibidem: 147-148].

As mentioned before, in Poland we still experience concentration of social actions taken after a convict is released from prison. This situation bears specified consequences and influences not only prisoners but also their families. All the more that functioning is even more difficult after leaving prison than it is before and after the imprisonment.

Executive Penal Code sets forth the purpose of executing a custodial sentence, Act on Social Assistance stipulates rules for providing it to former prisoners and their families while Act on Prison Service allows creation of teams supporting the activities. [See: Article 67, §1 of Executive Penal Code, Article 7 of Act on Social Assistance, Article 8, Point 3 of Act on Prison Service]. Analyzing these acts we can notice that there are no solutions which would allow a relevant legal connection and introduction of complementary elements. "Social work does not resign from any challenge if it can help people to function in the society in the best possible way" [Piasecki 2002: 103]. A transfer of solutions from the currently executed rehabilitation to social work in prisons would be a certain chance. However, there are no correct legal solutions and the subsequent changes in penitentiary politics. Let us remember that it is not a new idea in Poland. In 1959 there was an experiment to employ social section clerks. "...penitentiary departments

were created together with position of a social section clerk dealing with post-penitentiary assistance. A fund of prisoner's self-help was established, which has had no equivalent in other countries" [publikacje.edu.pl]. Social section clerks were responsible for: gathering data on convicts and their families, assistance in finding employment after release, directing the convicts in need to social aid centers, help in getting clothes, IDs. Work of those clerks in 25 prisons was suspended and their duties were assumed by post-penitentiary educators [Piasecki 2002: 100-101]. The following statement by a practitioner, penitentiary educator, author of the analyzed paper sounds remarkably meaningful: "...currently only social work fully meets the challenges of Polish penitentiary science at the threshold of a new century." [ibidem: 103].

It is worth remembering that the discussion over the scientific dimension of social work in the Western European countries has been held since 1980s. Currently these countries have developed practical solutions concerning the use of social work in penitentiary science. For example, in England, while still in prison, convicts contact a custodian working in prison and indicate individual problems which they may encounter after being released. Custodians organize courses where prisoners learn to tackle current and potential problems. In Germany prison service offers advisory services concerning financial, personal and social problems. Post-penitentiary assistance there relies on cooperation among prison administration and social organizations which, inter alia, help in seeking employment and accommodation. In Sweden, France and Norway prison administrations also primarily try to provide convicts with accommodation and work. In Switzerland those leaving prisons without a domicile are directed to so called transitory houses and in Austria - to hotels [Rekosz 2010: 18].

Hopefully, recently in Poland social work has started to be treated as a new scientific discipline called "social assistance and social work theory" [Wiatrowski 2008: 78-79].

An important action partly solving problems of post-release adaptation is provided by the efficient functioning of court custodians. Their status is set forth in Act on Court Custodians [See: Act on Court Custodians, Journal of Law of 2001, No 98, item 1071]. Since the mid-90s basing on the British experience, the activity of so-called penitentiary custodians was experimentally initiated [Machel 2003: 295-299]. In Poland they appeared in Białystok district and probably also worked in some other districts. However, it turns out that there is no legal basis to use this term for

custodians working in prisons in accordance with Article 164 of Executive Penal Code. It is rather indicated that the name "penitentiary custodian" was conventionally used for those performing their duties mainly in prisons, assuming duties of prison educators [ibidem: 296].

"A penitentiary custodian provides assistance to prison administration in preparing prisoners to be released and uses the time of imprisonment to prepare their families for their return. If the family does not await the return of the convict a custodian organizes the first days after the release. [Szczygieł 2002: 217]. The fundamental thing related to the activity of court or penitentiary custodians is the fact that they do not perform strictly social work and are strictly connected to the judicial system to execute the post-penitentiary rehabilitation and prevention [see: Article 169-172, Executive Penal Code].

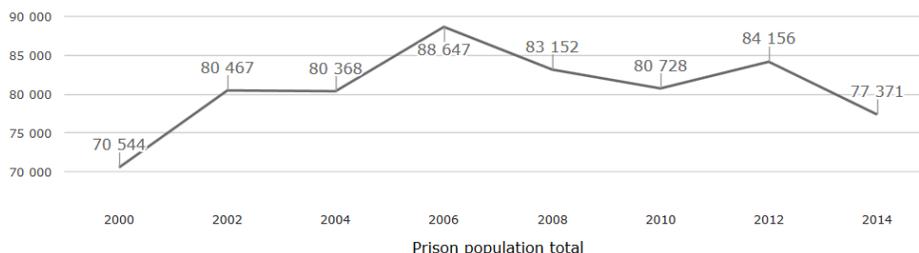
To sum up it may be argued that social work is present in politics and penitentiary rehabilitation of our state. However, penitentiary practice indicates on one hand some of its limitations and on the other - possibilities of including it in rehabilitation activities. Skillful organization of the penitentiary rehabilitation system in connection with social work can be an alternative for the foregoing solutions used in practice. Modified penitentiary politics stands a chance to contribute to creating a model providing for participation of social workers in the repairing process for those in prison. Once again it needs to be underlined that in spite of the fact the social work executed in accordance with current law enables supporting prisoners and their families it is the lack of unequivocal provisions which makes any progress in this area difficult. The area of the existing social assistance and social work in the light of real needs is still a challenge for activities in penitentiary space. Specialized training of social workers and their appropriate placement in prison systems is an idea which is not related to substituting penitentiary educators but rather to professional support for foregoing initiatives.

While source literature indicates opinions of authors who reject the classic rehabilitation for the benefit of social work, the correlation of suggested activities instead of substituting the foregoing ones seems more justified. It is enough, however, to consider the number of persons dealt with by penitentiary educators and the need for different types of social work wards to confirm that the effects of activities are related to job and workplace conditions. There are interesting opinions placed on the forum of Independent Self-governing Union of Prison Service Officials and Workers. One of educators anonymously states: "The unit in which I work is a semi-

opened prison unit. The number of prisoners fluctuates on average between 190 and 230. Apart from me there is one more educator employed, so there are about 95-115 prisoners per each pedagogic group. The character of this unit, which makes it different from others, is that prisoners from 3rd unit both learn and work being employed in all work places of the prison (production center, kitchen, laundry, maintenance, cleaning services) and external groups outside of the prison. Taking into consideration the total number of prisoners, most of them frequently take advantage of visits and leave the prison. Consequently it causes increase in influence and obligation related to servicing prisoners. Accumulation of duties, especially nowadays in holiday period, caused the fact that while admitting a John Due prisoner to the prison I trusted in calculations of the term of periodical assessment made in the previous unit. It turned out that the term was miscalculated. There was a 3 days difference concerning, as I understand The Head's care to rightfully execute the custodial sentence. I am, however, forced to raise the question of totally unreal, even from the perspective of common sense, demands which you make towards me. I understand that the construction of the scope of my responsibility universally matching all educators' positions, possibly in the whole country, enormously facilitates your work. Hard as I try, I am not able to understand the sense of the definition created by you, which regulates a completely new concept of so called "educator with no education group". You specify and sanction the existence of 1 post in the penitentiary department (senior educator), who was not assigned any education group and his job is to perform actions enigmatically referred by you as penitentiary "influence". Because of that and the fact that I am not able to "serve" 200 prisoners on my own I request temporary delegation of a chaplain working on full time basis in the penitentiary department to assist me. It might happen that with his help I will be able to make miracles" [Nszzfipw.p2a.pl].

The number of social workers per number of social aid clients is clearly stipulated in Act on Social Aid. "Social Aid Center employs social workers proportionally to the number of residents in the community at the ratio of one social worker per 2000 residents but not fewer than three workers" [Act on Social Aid]. Therefore, if new solutions are suggested in this field, there is always the financial issue. Polish prison service budget does not guarantee sufficient amount that would allow introduction of this type of innovation, so the forecast seems to be unambiguous. Taking into consideration the fact that penitentiary units can keep from (more or less) 60 to 1480 convicts a conclusion can be drawn that prisoners constitute a significantly large group that should be kept under custody of social workers. It is proven by the information on population in penitentiary units [See: sw.gov.pl].

Chart 1. Population of prisoners in Poland between 2000 and 2014



Source: [prisonstudies.org (a)].

After analyzing the relationship between penitentiary politics and social work executed in Poland towards prisoners it is worth mentioning solutions used in selected EU states. It is particularly important to gain solutions which would create cooperation between the social aid system and penitentiary politics in Poland.

By definition, social work supporting particular persons and families in enhancing or regaining ability to function in society by playing appropriate social roles and creating conditions being favorable to this purpose is particularly close to the pursuit of penitentiary rehabilitation. A broadly understood activity of social workers in many countries was extended by working for the benefit of prisoners and those who stayed in prison and so called open environment and closed environment were merged [Stępniaak 1998: 55]. Prison limits its influence only to rehabilitation and prevention in the environment of convicts while sometimes the need of support concerns also their families. Therefore, support out of prison is a better solution. In that situation a social worker can effectively accomplish certain assistance goals. Following the example of other countries social work should be introduced to the strand of custodial sentence execution. Accepting the division into penitentiary influence and rehabilitation influence we assume that they can smoothly penetrate the environment of prisoners and their families during the stay in prison and after the release. Keeping certain intensity of support and accompaniment and even control of environments of ex-prisoners would naturally involve social workers in subsequent stages of custody and aid directed towards them. "Penitentiary influence is: total influence of prison's administrations on prisoners, which aims at keeping good health, discipline, security against demoralization, safety and their rehabilitation. Rehabilitation influence is programmed,

individualized influence on prisoners (also therapeutical) aiming at changing their attitude towards obeying law and moral norms" [Machel 2003: 23].

Underlining the fact that social work is not penitentiary or post-penitentiary rehabilitation close to pedagogy or psychology, it should be reconsidered how to correctly join these strands with each other. "Highlighting the educational role of social work led to the proposal of specifying the described activity with the phrase "social-educational work", which should cover activities for the benefit of individuals, groups and whole societies..." [Kantowicz 2005: 105]. Each state regulates social aid in a slightly different way and unification is even more difficult due to different rehabilitation standards. Polish law in Article 2.1 of Act on Social Aid uses the following definition: "Social aid is an institution of social politics of the state aimed at enabling persons and families to overcome difficult life situations, which they are not able to cope with, using own privileges, resources and possibilities (Journal of Law 2015 item 163).

Integrating the system of social aid and penitentiary politics offers a chance of accommodation of convicts released from prisons and their families to the requirements of the society, particularly in the scope of obeying law and functioning in accordance with social expectations. Therefore it would be possible to protect the society and complete rehabilitation started during imprisonment. This case was settled by P. Stępniański who claims that: "rehabilitation puts traditional pressure on education work while social work exposes the guardianship function" [Stępniański 1998: 65]. At the same time as P. Stępniański notes by treating prophylactics as a form of crime prevention we can follow England, France, Italy, Germany and Denmark from the early 20th century when the preferred this solution as a success of social work while dealing with criminals [see. Stępniański 2007: 163]. "Western European Countries give them (rehabilitation and social work - author's note) different content and differently set their priorities of influence" [ibidem: 164]. Naturally a question appears if social work in penitentiary units can be an alternative to penitentiary rehabilitation. A meaningful commentary complements the author's opinion on the mentioned subjects. "Social work requires common effort, which we do not like to make. Due to that the paradigm of rehabilitation will remain alive as it is comfortable, justifies apparent actions and enters the culture of apparent effort. It assumes that only prison personnel should work with prisoners. Other members of society or - better - a collection of persons are excused from that. In some sense it means social sweeping the problem under the rug. Easy, comfortable, practical, peculiarly opportunistic. None of these adjectives may be referred to social work with prisoners, Both their

success and generally the sense of its undertaking depend on social will of participation" [Stępniaak 2014: 128-129]. In the countries which built penitentiary politics with no totalitarian burden it is surely achievable, but in Poland it is still difficult to execute [ibidem: 128]. The table below shows some of the problems of penitentiary system in selected countries.

Table 1. Penitentiary systems in selected European countries - comparison of major problems

Penitentiary system	Major problems
Denmark	The problem of ethnic minorities and drugs in prisons, psychiatric problems of prisoners related to imprisonment, violence used by organized groups of prisoners, overcrowding in prisons
France	Drastically increasing number of prisoners; the rate of prisoners per 100,000 inhabitants has risen from 75 in 2001 to 100 in 2015, major overcrowding in prisons, high percentage of foreigners (21.7% of prisoners); bad conditions in prisons
United Kingdom	Drastic overcrowding in prisons (149 prisoners per 100,000 citizens), high level of mortality among prisoners (HM Chief Inspector of Prisons for England and Wales Annual Report [2013-2014]); very high rate of psychiatric problems among prisoners; increasing tendency of prison population
Poland	Overcrowding in prisons (high rate of 201 prisoners per 100,000 inhabitants); crisis in convicts' employment; obsolete infrastructure, dominance of protective functions in open and semi-open types of custody; lack of trained penitentiary staff; technical standards and treating prisoners in a way characteristic to units of the highest level of security

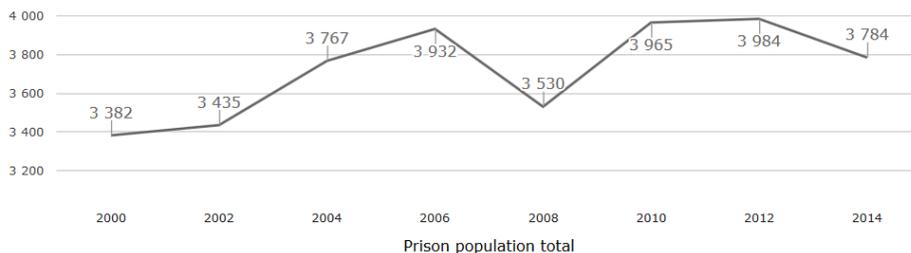
Source: [Nowak 2015: 58].

The solutions presented below used in different countries are hard to compare directly to the Polish ones. There is a significant role of the number of prisoners and financial possibilities of authorities responsible for custody over prisoners. However, some concepts should be considered as they might turn out to be useful for our solutions in the future.

Danish and other Scandinavian penitentiary systems working in penitentiary and reintegration politics are thought to be modern [see. The Report of Supreme Chamber of Control (Polish: Raport Najwyższej Izby Kontroli) *Social Re-adaptation of Prisoners Convicted to long Imprisonment*: 67-68]. In Denmark the penitentiary politics and penalty execution are performed pursuant to Execution Act, Program of Assumptions for Prison and Probation Work of 1993 and European Prison Rules, while the penitentiary system and post-penitentiary assistance belong to Department of Prison Service and Probation. Danish prison and probation services are combined. "In recent years a low rate of 62 prisoners per 100,000 residents

has been achieved. Danes consequently close consecutive prisons and remand centers aiming at decreasing the number of convicts. It is proven by the successively falling number of prisoners and an offer of "renting" a pretty large number of prison cells submitted to Norwegian prison service. Danish prisons hold a small number of prisoners convicted to long sentences - only 2% of the sentences rendered are those over two years of imprisonment, 2/3 are below 4 months long and 80% below 6 months. As far as life imprisonment sentences are concerned, convicts may be released upon a motion of the minister of justice or pardoned by the king or queen under the condition of 5-year-long probation period. Prisoners sentenced to life in prison spend there 16 years on average. Indefinite detention is also characteristic to the Danish system and it is considered to be more lenient than life in prison and it is used towards dangerous offenders committing sexual or violence including crimes (rapists, robbers, murderers, arsonists). Convicts spend on average 9 years in prison and they are subjected to 5 years' probation. With time prisoners are moved from closed units to the open ones, then to hostels and later they are conditionally released." [Nowak: 59-60]. All actions taken in Denmark are concentrated on decreasing the negative influence of prison isolation and decreasing social and financial costs within the scope of penalties execution. It is crucial that convicts remain in control of their life and stay in one person cells with possibility of therapy or curing if such necessity occurs. Residing in a hostel they have unlimited possibility of contacting friends and family and are paid for the performed work or they receive social benefit, if they are unemployed. Prisoners placed in central prisons are obliged to learn or work (37 hours per week) and they have possibility of continuing their education and employment out of prison. The Internet access is limited or entirely forbidden. The effects of such penitentiary politics and penitentiary system functioning decrease chances of repeat crime. "The aim is to continue to limit custodial sentences in favor of using substitute measures. If there is necessity of imprisonment - assumption of "normalization" of prisons lets convicts adapt socially" [NIK report 2015: 68]. Post-penitentiary assistance (material and inhabitation related) remains at the disposal of the state and trainings in the area of psychological aid, therapy and professional counseling are performed by non-governmental organizations. The above mentioned actions together with a number of other initiatives connected with activity of local governments in such integrated penitentiary politics allow convicts to smoothly go from the period of isolation to functioning in freedom [ibidem: 61-62].

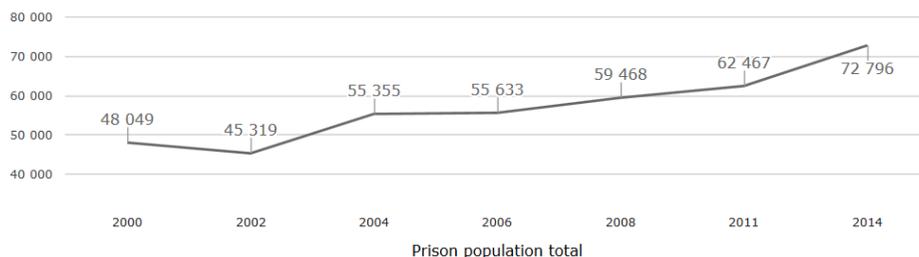
Chart 2. Population of prisoners in Denmark between 2000 and 2014



Source: [Prisonstudies.org (b)].

The French system of social aid works in a different way. It is complicated and many public institutions and social insurance offices are responsible for its execution. "Social aid as one of elements of state's social policy constitutes a part of the social protection system and it is complementary to pensions of the social security, which are universal" [Cieplą: 3]. The penitentiary politics of France is in practice created by Ministry of Justice and governed by Management of Penitentiary Administration. Re-adaptation and reintegration of prisoners are the duties of Integration and Probation Service [NIK report 2015: 68-70]. In the French system prisoners have the right to education, which concerns particularly persons delegated to basic education (juveniles and the worst educated, illiterates and foreigners delegated to learn the French language). The educational offer also provides tailor-made professional trainings. Work is not an obligation and mainly those sentenced to long imprisonment are employed. There is a penitentiary advisor seeking work places for prisoners finishing their sentences. Released prisoners may apply for temporary allowance for ex-prisoners and those entitled to receive assistance from the Work Office are granted the right to health and family allowances. The unemployed are refunded annual costs of medical treatment. The French Ministry of Justice concludes contracts with non-governmental organizations, which provide help to people leaving prisons. The French penitentiary system and actions related to social reintegration are negatively assessed due to the fact that prisons are overcrowded, of low standard, and reintegration activities are of low effectiveness. Negative effects of the overgrowth role of NGO sector in penitentiary politics are also underlined" [ibidem: 70]. In spite of taking different actions French rate of repeat crimes increases [Nowak 2015: 64-65].

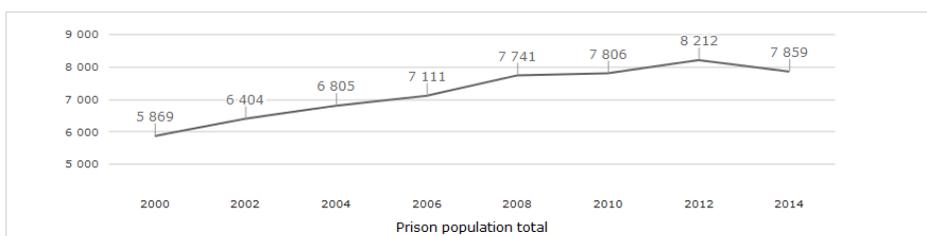
Chart 3: Population of prisoners in France between 2000 and 2014



Source: [Prisonstudies.org (c)].

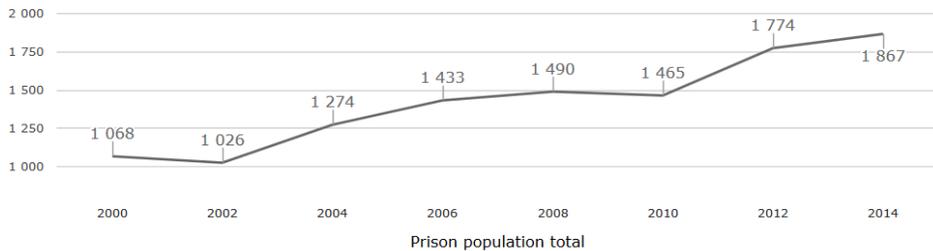
Solutions implemented in the United Kingdom are also worth considering. The system used there concentrates on the retributive role of justice and restrictive character of penalties and on supervision over perpetrators of crimes and offences. "Two of the constituent parts - England and Wales - have common administration of penitentiary system - National Offender Management Service superior to National Probation Service and Her Majesty Prison Service; The Northern Ireland and Scotland have their own: Northern Ireland Prison Service and Scottish Prison Service" [Nowak 2015: 66]. The following legal provisions are considered the most important: Criminal Justice Act of 2003, Offender Rehabilitation Acts of 2014 and multiple Prison Order Acts. National Offender Management Service underlines the rehabilitating function of punishment and its retributive justice and isolation-related importance and also coordinates activity of Her Majesty Prison Service and National Probation Service, which takes care of supervision over isolation penalty execution and providing assistance to prisoners in social re-adaptation process [ibidem].

Chart 4. Population of prisoners in Scotland between 2000 and 2014



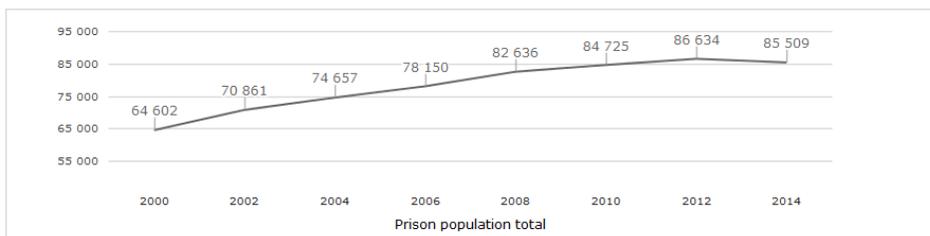
Source: [Prisonstudies.org (d)].

Chart 5. Population of prisoners in Northern Ireland between 2000 and 2014



Source: [Prisonstudies.org (e)].

Chart 6. Population of prisoners in England and Wales between 2000 and 2014



Source: [Prisonstudies.org (f)].

14 private prisons holding about 11% of all convicts are a peculiar phenomenon in England and Wales. The prison penalty is usually served in cells for several men. The following elements are constant: 30 minutes of walk a day, minimum one hour visit a month, unlimited but censored correspondence, paid prison phone, paid printed e-mail. Furloughs are granted at the end of the imprisonment period and in exceptional, random situations. Education is possible and provided by private entities on contract basis. Prisoners may participate in courses and trainings and basic education, which are organized only in 22 prisons. Employment gives chances of receiving remuneration, which is fully given to the prisoner, but usually it is lower than the market payment. "The system used in the United Kingdom seems ineffective due to poor conditions in prisons, strict sentences, low level of activities available to convicts and restrictive attitude of Prison Service. Since more pressure is put on punishing than re-adaptation

prisoners usually repeat their crimes" [NIK report 2015: 72-73]. Similarly to Poland prisoners under smaller rigor may work within prison or for external employers. Former prisoners can apply for assistance and support to a number of NGOs. "Some of the forms of aid offered by them is co-financed with public money. NGOs focus mainly on aid in the area of: employment (Unlock), gathering financial means to execute a particular life goal (Hartman Trust), fighting addiction (Shelter), re-adaptation (Hartman Trust, Unlock, NACRO), legal counseling (Unlock), supporting families of prisoners (Action for Prisoners' and Offenders' Families, Family Lives) and residential aid (Shelter, NACRO). Analyzing PFG (Prisoner's Finance Gap) i.e. a period between leaving prison and receiving allowance/salary showed that in majority of cases the assistance forms listed above are insufficient and former prisoners are forced to take advantage of help from relatives or borrow money" [NIK report 2015: 67-68]. Assessment data showing the process of repeating crime is meaningful - it indicates 57%, only 36% of prisoners commence work, therapy or education after being released from prison [NIK report 2015: 68].

Indications deriving from the report of Supreme Chamber of Control may be the final part of the subject studies. It expressly shows that the system of supporting social re-adaptation in Poland is not con-generic and does not constitute an entire system. NIK described actions of particular state authorities as not coordinated. The number of rehabilitation programs supporting social re-adaptation of convicts gradually increased (in 2012 there were about 4750 programs, in 2013 more than 6300 programs and in the first half of 2014 - almost 4400 programs) but it did not always impact their quality. Vast majority (93%) of assessed rehabilitation programs did not have their assessments and manners and tools of measuring their effectiveness formed correctly. In many cases they were placed in programs only to meet formal requirements. Workers and officers of penitentiary and therapy departments of prisons and remand centers are burdened with work related to excessive number of prisoners per one educator (even 110 persons) or one psychologist (even 369 persons). In spite of that they perform systematic work with prisoners, inter alia, create and run rehabilitation programs, develop individual influence programs, individual therapy programs, organize sport and cultural events. "Supreme Chamber of Control draws our attention to basic problems of Polish penitentiary system i.e. rare adjudication of non-custodial sentences; lack of public debate on philosophy of approaching criminal conduct of citizens, reaction of the state, courts, standards of penalty execution including imprisonment. It is connected to frequent populist slogans which are confusing as to concepts

and cause unwelcome emotions while developing useful solutions; instability of law - multiple amendments to the Executive Penal Code and amendments to executive provisions not always caused by real problems; lack of cohesion in actions and division of competences among different institutions responsible for rehabilitation of criminals, system dismemberment, alienation of entities which should work in symbiosis; overcrowding in prisons, high number of prisoners and permanent high rate of 201 prisoners per 100000 residents (data for 31.12.2014). (...) "While there are common system traits of penitentiary, post-penitentiary and re-adaptation formulas existing in respective states, there are also significant differences in approach to the subject. Reviewing the system solutions accepted in other European states is clear that none of them has solved the analyzed problem in optimal manner, which would fully satisfying from to basic for state politics points of view: good of social totality and good of a citizen" [NIK report 2015: 66].

The subject analyzed in this paper shows important aspects related to the effectiveness of rehabilitation and re-adaptation actions towards prisoners against the penitentiary politics executed nowadays in Poland and the selected EU states.

The suggested set of problems can constitute a reason for further consideration on the basis of different fields of science and could bring in-depth reflections on new, efficient solutions for the benefit of rehabilitation of prisoners. "Theory of social work embodies an idea which provides the description and explanation of social work essence and purposes, on one hand as a social phenomenon, on the other - as specific action." [Payne as quoted in: Kantowicz 2005: 822]. Further struggle in the area of including social work in the aggregate of tasks of penitentiary rehabilitation brings chance for effective correlation of these to fields.

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