

ФЕДЕРАЛЬНАЯ СЛУЖБА ИСПОЛНЕНИЯ НАКАЗАНИЙ  
ФЕДЕРАЛЬНОЕ КАЗЕННОЕ ОБРАЗОВАТЕЛЬНОЕ УЧРЕЖДЕНИЕ  
ВЫСШЕГО ПРОФЕССИОНАЛЬНОГО ОБРАЗОВАНИЯ  
АКАДЕМИЯ ПРАВА И УПРАВЛЕНИЯ  
ПСКОВСКИЙ ФИЛИАЛ

**Кафедра социально-гуманитарных и естественнонаучных дисциплин**

**Н.Н. Иванова, С.С. Денисова**  
**Уголовное право зарубежных стран**  
*Учебное пособие по изучению дисциплины*  
*«Иностранный(английский) язык в сфере юриспруденции»*  
*по направлению подготовки*  
*40.03.01 – Юриспруденция*

Псков 2016

**Рецензенты:**

Озерная Е.П., кандидат педагогических наук, начальник кафедры философии и общегуманитарных дисциплин ФКОУ ВПО Самарский юридический институт ФСИН России;

Ефремова А.А., кандидат филологических наук, доцент кафедры белорусского и иностранных языков учреждения образования «Академия Министерства внутренних дел Республики Беларусь»;

Варламова О.Ф., старший преподаватель кафедры иностранных языков Академии ФСИН России.

И21 **Иванова Н.Н.** Уголовное право зарубежных стран: учебное пособие по дисциплине «Иностранный (английский) язык в сфере юриспруденции» по направлению подготовки 40.03.01 - Юриспруденция/ Н.Н. Иванова, С.С. Денисова. – Псков: Псковский филиал Академии ФСИН России, 2016. – 73 с.

Обсуждено и одобрено на заседании кафедры социально-гуманитарных и естественнонаучных дисциплин «05» мая 2016 г., протокол № 7.

---

---

**Учебно-методическое издание  
Иванова Наталия Николаевна  
Денисова Светлана Сергеевна**

***УГОЛОВНОЕ ПРАВО ЗАРУБЕЖНЫХ СТРАН***

Подписано в печать .  
Формат 60x84 1/16.  
Бумага офсетная. Гарнитура Times.  
Печ. л. 3  
Тираж \_\_\_\_\_ экз. Заказ № \_\_\_\_\_.

Отделение информационно-технического обеспечения Псковского филиала Академии ФСИН России  
180014, г. Псков, Зональное шоссе, 28  
ББК 81.2 Англ.-73

© Иванова Н.Н., 2016  
© Псковский филиал Академии ФСИН России, 2016

### **Пояснительная записка**

Предлагаемое учебное пособие предназначено для курсантов и студентов юридического факультета высших учебных заведений Федеральной службы исполнения наказаний, прошедших на I этапе обучения базовый курс английского языка и желающих изучать английский язык для профессиональных целей на промежуточном и продвинутом этапах обучения.

Цель учебного пособия – обучение функциональному чтению, выработке навыков аналитического и просмотрового чтения оригинальных текстов юридической направленности. Поскольку язык права достаточно сложен, некоторые тексты подверглись сокращению и адаптации, но специфика юридического языка сохранена.

Учебное пособие освещает вопросы, связанные с работой исправительных учреждений Великобритании, США, Норвегии и Франции.

Учебное пособие состоит из пяти разделов.

Раздел 1 (Unit 1) содержит материал по пенитенциарной системе Великобритании, ее структуре и происходящих в ней реформах.

В разделе 2 (Unit 2) рассматриваются современные проблемы тюремной системы Великобритании, категории тюрем и заключенных.

Раздел 3 (Unit 3) посвящен вопросам контроля за работой пенитенциарных служб в Великобритании.

В разделе 4 (Unit 2) детально рассматриваются вопросы реабилитации заключенных в Великобритании.

Раздел 5 (Unit 5) содержит материал по истории становления пенитенциарной системы США и происходящих в ней реформах.

В разделе 6 (Unit 6) описываются цели и задачи координационного общественного центра США и различных социальных служб.

Организация материала внутри каждого раздела предусматривает последовательное формирование речевых умений благодаря комплексу упражнений на активизацию изучаемой лексики (поиск правильного лексического варианта, значения, идентификация синонимов, составление словосочетаний либо предложений).

Раздел 7 (Unit 7) включает в себя материалы о пенитенциарном праве Франции и Норвегии. Представленные тексты предназначены для дополнительного чтения, перевода и обсуждения.

## Содержание

Раздел 1.	Тюремная служба Великобритании: структура управления и организация работы	5
Раздел 2.	Виды тюрем Великобритании	13
Раздел 3.	Управление исправительными учреждениями Великобритании	28
Раздел 4.	Деятельность службы пробации Великобритании по реабилитации заключенных	34
Раздел 5.	Пенитенциарная система США: история и современное состояние	40
Раздел 6.	Деятельность Общественного Координационного Центра США по ресоциализации осужденных	52
Раздел 7.	Дополнительное чтение	64

## UNIT 1 HER MAJESTY'S PRISON SERVICE

### 1. Active vocabulary

National Offender Management Service	immigration removal centre
to keep in custody	Independent Monitoring Board
to seek execution of the sentences	assigned to a specific duty
to reduce re-offending	non-uniformed
to be currently underway	rank insignia

### 2. Read the text. Choose the title to the parts of the text:

- Operation
- Proposed legislation
- Independent Monitoring Board
- Prison Officers' Powers
- Reform
- Private Prisons
- HMPS in the National Offender Management Service
- Prison Service Structure

...

Her Majesty's Prison Service is a part of the National Offender Management Service of the Government of the United Kingdom tasked with managing most of the prisons within England and Wales. (Scotland and Northern Ireland have their own prison services: the Scottish Prison Service and the Northern Ireland Prison Service, respectively).

The Director-General of the National Offender Management Service, currently Michael Spurr, is the administrator of the prison service. The Director-General reports to the Secretary of State for Justice and also works closely with the Prisons Minister, a junior ministerial post within the Ministry of Justice. It has its head office in Clive House. It formerly had its head office in Cleland House in the City of Westminster, London.

...

In 2004, the Prison Service was responsible for 130 prisons and employed around 44,000 staff. As of 2009 the amount of prisons had increased to 131, including 11 privately owned prisons.

The Service's statement of purpose states "Her Majesty's Prison Service serves the public by keeping in custody those committed by the courts. Our duty is to look after them with humanity and help them lead law-abiding and useful lives in custody and after release."

The Ministry of Justice's objective for prisons seeks "Effective execution of the sentences of the courts so as to reduce re-offending and protect the public".

Population statistics for the Service are published weekly. Statistics available for 3 September 2010 showed the service housed 84,955 prisoners: 80,722 males and 4,233 females.

...

Early in 2004, it was announced that the Prison Service would be integrated into a new National Offender Management Service later in the year. Rationalisation of the prison management system is currently underway with the advent of the Titan Prison concept.

...

Public sector prison officers have “all the powers, authority, protection and privileges of a constable” whilst acting as such.

Although the system is flexible in operation, most Prison Officers work in small teams, either assigned to a specific duty, or providing one shift of staff for the supervision of a particular *wing* within a prison. Each such team is led by a Senior Prison Officer. Where several teams work together, such as the different staff shifts on an individual prison wing, there will be an overall supervisor with the new position of Prison Service Manager (previously the rank of Principal Prison Officer closed in 2010).

All uniformed prison staff were formerly under the supervision of a small number of very senior and experienced officers who held one of three *Chief Officer* ranks; however, reorganisation in the 1980s termed ‘Fresh Start’ saw these Chief Officer ranks abolished, and their role taken by junior grade prison Governors. During the recent restructure of 2010 Principal Officers were offered employment as Developing Prison Service Managers (non-uniformed) those that declined this offer remain as Principal Officers however recruitment to this rank has closed.

...

The Prison Service does not manage all prisons within England and Wales. Currently there are nine prisons that have been designed, constructed, managed and financed (so-called DCMF prisons) privately. In addition, three prisons that were built with public money are managed by private companies under contract. During 2012 two further prisons will open under private sector management: Belmarsh West, a DCMF prison, and Featherstone 2 prison, built by the public sector. Private prisons are subject to scrutiny by Her Majesty’s Chief Inspector of Prisons in a similar manner to prisons run by the public Prison Service.

...

In January, 2008, the Home Secretary announced that the government was to introduce legislation to remove the right for Prison Officers in England and Wales to take strike action.

...

Every prison and immigration removal centre has an Independent Monitoring Board (IMB), formerly known as a *Board of Visitors*. Members of the IMB, who are volunteers, are appointed by the Home Secretary and act as ‘watchdogs’ for both the Minister of Prisons and the general public, to ensure that proper standards of care and decency are maintained.

...

On 6 January 2004, then Home Secretary David Blunkett announced that the Prison Service, together with the National Probation Service, is to be integrated

into a new National Offender Management Service. The Service will be “a new body to provide end-to-end management of all offenders”.

On 1 April 2008, NOMS was reorganised as part of a shake-up in the Ministry of Justice. The headquarters and regional structures of NOMS and HMPS were merged into a single HQ structure with Phil Wheatly as Director General of NOMS. This brings HMPS and the National Probation Service under a single headquarters structure for the first time ever.

(Материалы сайта <https://www.gov.uk/browse/justice/courts-sentencing-tribunals>)

### Exercises:

#### **Ex.1. Give the English for:**

Военный персонал тюрьмы, министр внутренних дел, реорганизация, служба управления правонарушителями, тюрьмы, находящиеся в частной собственности, вести законопослушный образ жизни, центр временного содержания нелегальных иммигрантов, сторожевая собака, соблюдать стандарты оказания медицинской помощи и правила приличия, гарантировать, реализовываться (воплощаться в жизнь), статистика численности населения, внести законопроект на рассмотрение, содержать под стражей, сократить рецидивизм.

#### **Ex.2. Match the synonyms:**

- |                 |                                    |
|-----------------|------------------------------------|
| 1) a shake-up   | a) to supervise                    |
| 2) to manage    | b) dependent on                    |
| 3) to integrate | c) to initiate                     |
| 4) to introduce | d) to merge                        |
| 5) subject to   | e) examination                     |
| 6) statistics   | f) to cut down                     |
| 7) legislation  | g) reorganisation                  |
| 8) scrutiny     | h) a systematic collection of data |
| 9) to reduce    | i) law                             |

#### **Ex.3. Complete the table with the words from the text using their related forms:**

<b>Verb</b>	<b>Noun</b>	<b>Adjective/Participle</b>
to manage		
	supervision	
		introduced
to maintain		
	scrutiny	
		illegal
	legislation	
to execute		
	humanity	

**Ex.4. Collocations. Match these verbs and nouns as they occur in the text:**

- |                 |                             |
|-----------------|-----------------------------|
| 1. to introduce | a) in custody               |
| 2. to keep      | b) legislation              |
| 3. to be        | c) reoffending              |
| 4. to reduce    | d) prisons                  |
| 5. to maintain  | e) underway                 |
| 6. to manage    | f) proper standards of care |

**Ex. 5. Complete the sentences:**

1. Our duty is to look after them with humanity and help them lead ... .
2. The Ministry of Justice's objective for prisons seeks "Effective execution of..."
3. Members of the IMB, who are volunteers, are appointed by the Home Secretary and act as ...
4. Public sector Prison officers have "all the powers ... , .
5. Statistics available for 3 September 2010 showed... .

**Ex. 6. Agree or disagree with the statements. Give your reasons:**

1. Her Majesty's Prison Service is a part of the National Offender Management Service of the Government of the United Kingdom which manages all prisons within England and Wales.
2. The Service, Blunkett said, will be "a new body to provide end-to-end management of all offenders".

**Ex. 7. Read and translate the text to find out the new perspectives of commissioning prison services with the creation of a National Offender Management Service (NOMS). Pay attention to the translation of the underlined words.**

**The Organisation and Functions of Her Majesty's Prison Service  
"Reducing Crime - Changing Lives"**

In 2003 the then Director General of the Prison Service, Martin Narey, was appointed to a new post of **Commissioner of Correctional Services**. This brought together **custodial** and community **interventions** under a single **line manager**.

Earlier this year the Government published the report "Managing Offenders - Reducing Crime". Its recommendations, which the Government has accepted, aim **to ensure a more seamless service** between prison and probation to do more to reduce re-offending through the creation of a National Offender Management Service (NOMS).

The key elements of this are:

(i) To **cap** the prison population at 80,000 by encouraging more use of fines and other **non-custodial sentences**. This is going to be **challenging**.

(ii) A **Sentencing Guidelines Council** is to be created but it remains to be seen how far this will influence the judiciary and magistracy. And the report also proposes measures to increase confidence in alternatives to custody and fines.

(ii) To develop seamless links between prison and probation so that offending behaviour programmes can be continued in the community. The Prison



Service and the Probation Service will both be part of the National Offender Management Service.

(iii) To create “**contestability**” to ensure a wider base of providers of both custodial and non-custodial programmes. Providers will be from both the public and private sectors.

(iv) To introduce a model of commissioning services with the creation of Offender Managers (commissioners/purchasers) who are separate from community and custodial providers.

(v) To introduce a **new sentencing framework** including:

- Custody Plus – a sentence part served in prison and part in the community.
- **Intermittent** custody where low risk offenders are imprisoned at weekends so as not to lose their job and home; or during the week only so as to maintain family ties.

In organisational terms this will mean that the Prison Service will no longer be an executive agency but will be part of NOMS, and thus will revert to being an integral part of the Home Office. This is because of the different legal position of the Probation Service, which cannot become part of an executive agency.

(Материалы сайта <https://www.gov.uk/browse/justice/courts-sentencing-tribunals>)

#### Ex.8. Give the English for:

Меры, связанные с лишением свободы; уполномоченный (руководитель); менеджер подразделения; гарантировать слаженную (эффективную) работу службы; ограничить; сложно выполнимый (трудный); спорность (оспоримость); система назначения наказаний; временное лишение свободы на определенный период; преступник с низким потенциалом рецидива; приговор, не связанный с лишением свободы; Комиссия по назначению наказаний.

#### Ex.9. Match the synonyms:

- |                 |                       |
|-----------------|-----------------------|
| 1) manager      | a) measure (activity) |
| 2) framework    | b) commissioner       |
| 3) intervention | c) to advise          |
| 4) to cap       | d) system             |
| 5) to recommend | e) to preserve        |
| 6) to maintain  | f) to limit           |

#### Ex.10. Complete the table with the words using their related forms:

Verb	Noun	Adjective/Participle
to contest		
	commission	
		imprisoned
to develop		
	re-offending	

**Ex.11. Collocations. Match these verbs and nouns as they occur in the text:**

- |                          |              |
|--------------------------|--------------|
| 1. low risk              | a) service   |
| 2. probation             | b) office    |
| 3. home                  | c) offenders |
| 4. offender              | d) council   |
| 5. non-custodial         | e) managers  |
| 6. sentencing guidelines | f) sentences |

**Ex. 12. Complete the sentences:**

1. The Prison Service and the Probation Service will both be part of... . 2. The key element of the government recommendations is to cap the prison population at 80,000 by ... . 3. Custody Plus implies that a sentence is part served in prison and ... . 4. Intermittent custody means that low risk offenders are imprisoned at weekends so as ... . 5. Its recommendations, which the Government has accepted, aim to ensure a more seamless service between... .

**Ex. 13. Agree or disagree with the statements. Give your reasons:**

1. The key elements of the Government report "Managing Offenders - Reducing Crime" are concerned about introduction of more severe custodial sentences.
2. The fact that the Prison Service will be part of NOMS will ensure a more seamless service between prison and probation to do more to reduce re-offending

**Ex. 14. Read and translate the text to find out the functions of the Prison Service officers.**

**The Management Structure of HM Prison Service  
Directors and Area Managers**

The Prison Service will continue to operate as a discrete public sector provider within NOMS with significant 'operational freedoms', headed by the Director General who reports to the Chief Executive of the National Offender Management Service. He chairs the Prison Service Management Board.

The Director of Operations line manages most of the public sector prisons through 13 Area Managers. The only prisons not managed in this structure are the nine High Security Prisons that are managed separately by the Director of High Security Prisons. Otherwise all prisons are managed on a geographical basis regardless of their function. However there are two Assistant Directors who retain a functional lead responsibility for female prisoners and juveniles (under-18s) respectively.

The Directorate also includes;

- the Estate Planning and Development Group whose main functions are to monitor actual and forecast prison population changes and to identify, plan and manage programmes to develop and expand the prison estate, to meet population needs; and

- the Population Management Unit whose most immediate daily task is to ensure that spaces exist in appropriate places for all the prisoners committed to custody by the courts that day.

### The Prison Governor

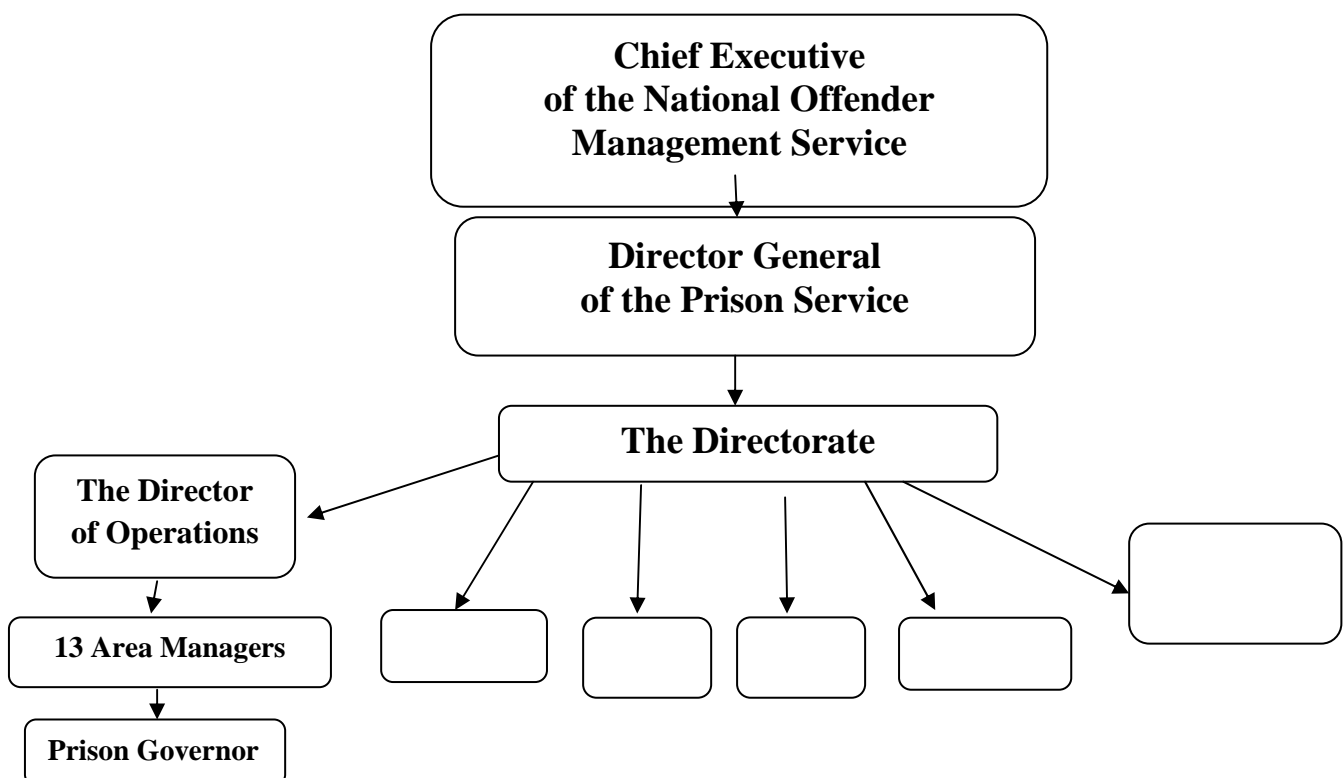
The individual Prison Governor has a legal status conferred by the Prison Act 1952 and has considerable delegated authority to manage their prison within a budget agreed with their Area Manager. They have to meet a range of Key Performance Targets, also agreed with the Area Manager, and which contribute to the Prison Service as a whole meeting its targets. In addition to the ongoing management oversight exercised by the Area Manager, prison establishments are subject to regular Standards Audits by the Prison Service's own Standards Audit Unit and to a range of external checks and inspections.

Governors are managers of an operation, of people and of resources and to the "normal" manager role is added the need to interface personally with the client population to a degree unprecedented in most other occupations. The Governor has to be "a Manager with a Social Purpose". The Governor must understand and take personal responsibility for everything that happens in a gaol; a medium sized gaol may have a budget of £19m, 250 staff and 600 prisoners.

The Governor is supported by a management team which includes the Deputy Governor and other senior operational managers who are responsible for specific functions (such as Residential care; Regime/Activities; Operations). Health Care in prisons is now provided in partnership with the National Health Service.

(Материалы сайта <https://www.gov.uk/browse/justice/courts-sentencing-tribunals>)

### Ex. 15. Draw a map of the Management Structure of HM Prison Service.



**Ex.16. Read and translate the text to find out the difference between the public sector and the private sector of Prison Service.**

**The Private Sector**

Nine out of 137 prisons are privately managed. Two of these were built by HMPS but are privately operated; the other 7 were procured under DCMF – Design, Construct, Manage & Finance – arrangements whereby the contractor – usually a consortium – has a contract under which they raise the capital, design and construct the prison as well as operate it.

Private sector prisons are managed separately within the National Offender Management Service. The Director General and Management Board of HM Prison Service are only responsible for the management of the 128 public sector prisons. High security prisoners are only held in public sector prisons.

The private sector is likely to grow for two reasons. Firstly, for some time now it has been Government policy to fund most major capital expenditure through the Private Finance Initiative, which means new prisons are likely to be constructed under DCMF. And secondly, “Reducing Crime – Changing Lives” envisages more contestability by encouraging a thriving private sector.

The main ways in which the private sector makes efficiencies in comparison with the public sector is through greater use of technology and also by setting local pay rates which can be lower in some parts of the country. The Prison Service is tied to national pay agreements, albeit with some local pay additions in areas where the cost of living is particularly high.

The private sector has succeeded in winning contracts for the running of a number of new prisons, and competition has brought efficiency improvements to the public sector too. However, over recent years the Prison Service has an excellent record of success where it has been able to compete with the private sector to run existing gaols. The Prison Service has never lost to the private sector in any competition to run an existing public sector prison; and where the early private sector contracts have come up for renewal, the Prison Service has won the contract to take over two prisons previously managed by private companies.

(Материалы сайта <https://www.gov.uk/browse/justice/courts-sentencing-tribunals>)

## UNIT 2 PRISON LIFE

### 1. Active vocabulary

to be at record levels  
custodial sentences  
sentencing severity  
to increase seven-fold  
remand population  
high-profile campaign

to set a tariff  
upon expiry of the tariff  
remain on life licence  
liable  
to recall  
life sentence prisoners

### 2. Read and translate the text. Pay attention to the translation of the underlined words. Find answers to the following questions:

1. Has the prison population increased recently? Why?
2. Why has sentence severity increased significantly?
3. Can life sentence prisoners be released? What is done to indicate that there is no risk of reoffending?
4. What offenses are life sentences imposed for?
5. What is a tariff?
6. Do you agree that life sentencing for minor crimes is an effective deterrent from reoffending?

### Current Trends in the Prison Population and their Characteristics

The prison population **is at record levels**. On 16<sup>th</sup> April 2004, the population was 75,532, of whom 4,625 were women.

The use of prison and probation has increased by a quarter since 1996, whilst the use of fines has fallen by a similar amount. In 1996, 85,000 offenders were given **custodial sentences**. By 2001 this figure had risen to 107,000.

Sentencing is becoming more severe. The number of people arrested in 2001- 2.1 million – was in fact slightly fewer than in 1996. The number of offenders found guilty fell from 1.44 million in 1996 to 1.35 million in 2001. There has not been any increase in the overall severity of offenders brought to justice to justify the greater use of prison and probation. In 1995/96, someone convicted of domestic burglary stood a 27% of being given a custodial sentence. By 2000, this had increased to 48%, with the average sentence length increasing from 16 to 18 months. Between 1992 and 2002, the longer sentenced population (four years and over) rose from 42% of the population to 48%. More first time offenders are being sent to prison.

**Sentencing severity** has increased significantly for women. At magistrates courts the chances of a woman receiving a custodial sentence has **increased seven-fold**. The number of women in custody as a percentage of the total population doubled between 1992 and 2002, from 3% to 6%.

While the average overall population increased by 7% between June 2001 and June 2002, the female population increased by 15% and the **remand population** by 14% over this period.

Sentencing has become more severe for several reasons because of both legislative changes, including the introduction of more mandatory life sentences for repeat offenders, and public, political and media pressure. A recent example has been a major high-profile campaign to reduce street robbery which has seen more severe sentencing as well as measures to improve arrest and conviction rates.

Recent legislation has increased the number of life sentenced prisoners and this trend is set to continue. There are currently about 5,700 **life sentence prisoners** and this number is expected to double over the next five years. Only a handful of these prisoners are actually likely to remain in prison for their whole natural life. In the English and Welsh system, when imposing a life sentence, the judge will also **set a tariff** which is the minimum period the offender should serve in custody. **Upon expiry of the tariff**, their release is subject to the approval of the independent Parole Board, who will decide on the basis of reports and assessments from prison staff whether the offender can safely be released without posing a threat to the public. Life sentence prisoners approaching release have to be tested in open prison conditions from which they will eventually go out to work in the community for a period before being released. Life sentence prisoners can remain in prison for several years beyond tariff expiry. When they are released, they **remain on life licence** and can be recalled to prison at any time for the rest of their life if their behaviour indicates the risk of reoffending has increased.

In response to political and public pressure, life sentences are now imposed for a wide range of offences; apart from the serious offences such as murder, a life sentence can be mandatory for repeat offences even where the offence itself is quite minor. Such life sentences do however attract short tariffs – as little as eighteen months in some cases – but have the effect of ensuring that release is subject to an assessment of risk and that the prisoner remains **liable to recall** throughout the rest of their life.

(Материалы сайта <https://www.gov.uk/browse/justice/courts-sentencing-tribunals>)

### Exercises:

#### **Ex.1. Give the English for:**

Рекордно высокий уровень, приговор к лишению свободы, суровость приговора (наказания), арестованные (взятые под стражу), приговоренный к пожизненному тюремному заключению, устанавливать минимальный срок тюремного заключения, оставаться с разрешением жить на свободе, быть обязанным вернуться назад (в тюрьму).

#### **Ex.2. Match the synonyms:**

- |                    |  |
|--------------------|--|
| 1) life licence    | a) to impose a minimum prison sentence |
| 2) liable          | b) permission to live in freedom       |
| 3) to set a tariff | c) prison sentence                     |

- 4) custodial sentence                      d) the arrested  
 5) remand population                      e) convicts sent to prison for the rest of their lives  
 6) life sentence prisoner                  f) possible, be able to do smth.

**Ex.3. Complete the table with the words from the text using their related forms:**

Verb	Noun	Adjective/Participle
to sentence		
	prisoner	
		released
	expiry	
to respond		
to justify	recall	

**Ex.4. Collocations. Match these verbs and nouns as they occur in the text:**

- |                |                           |
|----------------|---------------------------|
| life           | a tariff                  |
| to impose      | a sentence                |
| to set         | offences/offenders        |
| in response to | a life sentence           |
| to pose        | population                |
| remand         | pressure                  |
| repeat         | the greater use of prison |
| parole         | custodial sentences       |
| to give        | to justice                |
| to be brought  | board                     |
| to justify     | a threat                  |

**Ex. 5. Complete the sentences:**

- Recent legislation has increased the number of life sentenced prisoners ...
- Upon expiry of the tariff, their release is subject to the approval of the independent Parole Board...
- Between 1992 and 2002, the longer sentenced population (four years and over) rose ...
- Life sentence prisoners approaching release have to be tested in open prison conditions ...
- In response to political and public pressure, life sentences are now imposed for a wide range of offences ...
- There are currently about 5,700 life sentence prisoners and this number is expected ...
- In the English and Welsh system, when imposing a life sentence, the judge will also set a tariff ...

**Ex. 6. Agree or disagree with the statements. Give your reasons:**

- Sentencing is becoming more severe.
- More first time offenders are being sent to prison.
- All prisoners remain liable to recall throughout the rest of their life.
- Sentencing severity has increased significantly for juveniles.
- Only a handful of life sentence prisoners are actually likely to remain in prison

for their whole natural life.

6. Life sentencing is an effective way to deter people from reoffending.

**Ex. 7. Read the text and speak on the advantages and disadvantages of a new Titan prison. Pay attention to the translation of the underlined words.**

### **You Can't Keep a Bad Idea Down**



IN APRIL 2009 the Labour government dropped plans to build three “Titan” prisons housing 2,500 offenders each. Dominic Grieve, now attorney general but then a member of the Conservative front bench in opposition, asked Jack Straw, the home secretary of the day, whether he had **run out of money or out of spin**. Mr. Straw said meekly that he had **taken on board the negative views** of most of the experts consulted. So it is a bit of a surprise today to hear Mr. Grieve’s cabinet colleague Chris Grayling, the justice secretary, announce something very like a new Titan prison, with capacity for more than 2,000 inmates.

Closing crowded, crumbling prisons is a good idea in principle. It is hard for such places to provide the facilities for learning and work that can help prisoners find their feet on release. The nine prisons that Mr. Grayling intends to shut down in whole or in part over the next few months, losing 2,600 places in the process, are all moderately very crowded. Shrewsbury was running at 195% of its certified normal accommodation in use at the end of November. Canterbury was at 150% and Gloucester at 131%, with Hull not far behind. (Several of the nine prisons—including Shepton Mallet, Shrewsbury and Hull—get something bordering on rave reviews from Her Majesty’s Inspectorate of Prisons nonetheless.)

But replacing them with huge, understaffed “warehouses”, as Roma Hooper of Make Justice Work calls them, is a bad one. She points out that other European



countries—in particular France—have thought better of it. Juliet Lyon of the Prison Reform Trust cites evidence that small community prisons tend to be safer and better at reducing re-offending than large ones. Prisoners who are able to keep in contact with families and employers, and where prison staff actually know who they are, do better on the outside than those who are shipped across the country to big, impersonal facilities. For the Howard League for Penal Reform, Titan prisons are “a titanic waste of money”.

Indeed, not long ago it seemed that Tories thought the same. Alan Travis of the Guardian tweets that David Cameron said four years ago “the idea that big is beautiful with prisons is wrong.” Nick Herbert, the policing minister until last September, reckoned in 2008 that “huge prisoner warehouses [were] not the right answer”.

So why are they the right answer now? Cost, mainly. Mr. Grayling expects to save £63m (\$102m) a year by closing the old prisons, and says that offenders can be held in new ones for half the cost. A key component will be slimmer staffing ratios, the easiest way to cut prison budgets. As for Mr. Straw, saving money looks a much stronger motive for renewing the prison estate than improving rehabilitation.

In fairness, Mr. Grayling also plans to build four “homeblocks” attached to existing prisons (three of them privately run), providing 1,260 places. It’s not clear just what these amount to. It’s also not clear that the new superprison will be built soon: feasibility studies are the immediate goal. It is possible that Mr. Grayling will close the old prisons, build the four mini-prisons, and wait and see what more is needed.

The prison population, currently 83,632, is now falling. The most recent projection of the likely number of people who will be locked up in June 2017—90,300—is 5,000 lower than the one made a year earlier. Though this is usually a **finger-in-the-wind exercise**, there are reasons to think it might be right about the trend. If it is, the overall “operational capacity” officials like to refer to—90,450 at present—would appear **to be roughly on the mark**, though there is room for only around 81,000 prisoners without overcrowding.

All in all, it has been a **topsy-turvy week** for penal policy. There was much good sense in Mr. Grayling’s proposals on January 8<sup>th</sup> **to shake up** the probation service. There is some good sense in his proposals today to replace old prisons with new ones. Underlying both announcements, however, is an uncertain tension between right-wing hang ‘em high rhetoric, compassionate Conservatism, cost-cutting zeal and assumption that the private sector holds the answers. Which is, no doubt, to be continued.

(Материалы сайта <https://www.gov.uk/browse/justice/courts-sentencing-tribunals>)

**Ex. 8. Collocations. Match the words as they appear in the text and translate them. Reproduce the situation where they were used in the text.**

to run out of

rehabilitation

to take on board

on release

to provide

money

to find one's feet	new ones
to shut down	the facilities
to run at .....% of	re-offending
to reduce	the negative views
to keep in contact	the prison estate
to do better	the country
to ship across	on the outside
to cut	with families
to improve	prison budgets
to renew	its certified normal accommodation
to replace old prisons with	prisons in whole

**Ex. 9. Explain the meaning of the words in English or in Russian. Reproduce the situation where they were used in the text.**

a finger-in-the-wind exercise; a topsy-turvy week; to shake up; to run out of money or out of spin; to take on board the negative views; to be roughly on the mark; to keep a bad idea down.

**Ex. 10. Complete the sentences:**

1. Closing crowded, crumbling prisons is... . 2. Mr. Grayling expects to save £63m (\$102m) a year by closing ... . 3. Juliet Lyon of the Prison Reform Trust cites evidence that small community prisons ... . 4. Prisoners who are able to keep in contact with families and employers, and where prison staff actually know ... . 5. For the Howard League for Penal Reform, Titan prisons are ... . 6. As for Mr. Straw, saving money looks a much stronger motive for renewing... . 7. Alan Travis of the Guardian tweets that David Cameron said four years ago. 8. Nick Herbert, the policing minister until last September, reckoned in 2008 that "huge prisoner ...

**Ex.11. Agree or disagree with the statements. Give your reasons:**

1. "The idea that big is beautiful with prisons is wrong".
2. Small community prisons tend to be safer and better at reducing re-offending than large ones.
3. The prison population, currently 83,632, is now falling.
4. There is some good sense in his proposals today to replace old prisons with new ones.

**Ex.12. Read and translate the text. Fill in the table with the information given in the text.**

**What Should Prisons Look Like?**

The idea for massive Titan super-prisons to tackle the overcrowding crisis has already caused controversy. But is there any “right” way to design a prison?

Think of a prison and you probably think of a Victorian prison, brooding Gothic gatehouse in dirty stone with a door-within-a-door opening to spit out furtive convicts.

This stereotypical image is one that many prison reformers would like to end. Replacing these monolithic 19<sup>th</sup> Century structures with smaller, warmer, friendlier local institutions. Less grim, less Victorian.

And yet the next generation of prisons is to be the Titan, giant super-prisons packed with biometric scanners and other gadgetry. Despite all this new technology, a quick glance at the early plans for the Titans conjure up echoes of their Victorian ancestors. The principles for these new jails - which will hold 2,500 people - was set out by Lord Carter in his report into the state and future of the prison service in England and Wales.

Dwarfing anything in the current system, a key quality will be “optimal sight lines which would result in better staff utilisation and deliver staff savings”.

Such a demand harks back to a crucial crossroads in the development of Britain’s prisons at the beginning of the 19<sup>th</sup> Century.

“To induce... a state of conscious and permanent visibility that assures the automatic functioning of power. So to arrange things that the surveillance is permanent in its effects, even if it is discontinuous in its action; that the perfection of power should tend to render its actual exercise unnecessary.”

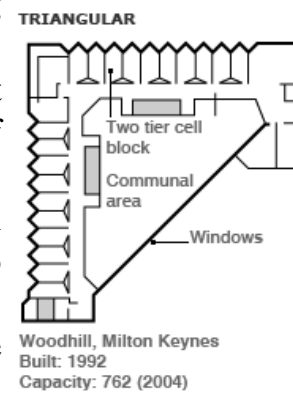
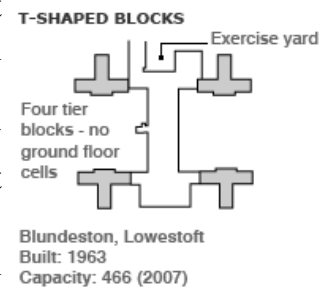
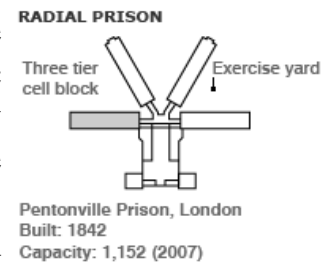
This could be a criticism from one of the opponents of Britain’s “CCTV society”. In fact, it is from French philosopher Michel Foucault’s attack on Jeremy Bentham’s Panopticon, a landmark concept in the British prison system.

The Panopticon was to be a prison that gave the inmates the impression they were being watched at all times.

A central observation section shrouded in darkness would be surrounded by a ring-shaped building containing the cells. From the centre, the warder would be able to see into any cell to spot signs of trouble or misbehaviour.

“The basic principle was that you had one all-seeing eye - that all prisoners would be watched at all times of day and night. That was not entirely feasible. It moved to the notion that all prisoners could expect that they *might* be being watched,” says Philip Steadman, architecture professor at UCL’s Bartlett School.

What the state would end up with would be a “machine to grind rogues honest” at minimal cost, a model prison for the world to see how to reform the



worst criminals.

But practical and political opposition killed Bentham's Panopticon, and instead, Britain had to wait until 1842 for its model prison, Pentonville.

Inspired by the forbidding Eastern Penitentiary in Philadelphia, Pentonville contained a revolutionary design concept. The prisoners would be held in cells in long galleries, radiating from a central point. This radial design meant while the chief warden standing at the hub of the "radial" could not see into the cells, he could see the patrolling warders that could.

As well as the new design there was a new system of prison discipline: the "separate system", which was inspired by the morass of sexual immorality, gambling and criminal chatter found in jails such as Newgate.

At Pentonville and other new prisons, every inmate was kept in solitary confinement for most of the day. Communication with others, even tapping pipes, was strictly forbidden.

On visits to the chapel, each prisoner stood in an individual upright box so he remain isolated. Work took the form of walking on a giant treadmill which, in many prisons, served no useful purpose.

Despite the quiet terror of the system, Pentonville, like its descendant the Titan, was designed Radial prisons allow easy to contain the very latest technology. There was supervision mechanical ventilation, piped water, and central heating. There was even one primitive toilet to each cell, a feature that was later removed.

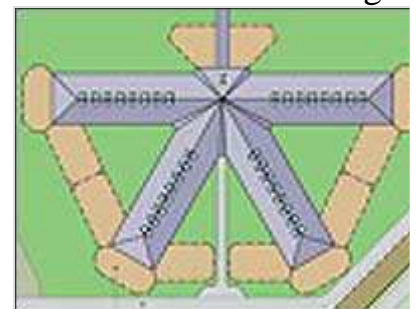
The adoption of the radial principle at Pentonville sparked dozens of similar jails in Victorian Britain and abroad. More than 150 years later, Pentonville is still in use and its radial principle is echoed in early blueprints for the new Titan design.

Roger Outram, a former warden and governor, says the old Victorian designs have advantages in terms of maintaining order over modern modular buildings. "People are going back to the radial notion. There are a lot of crucial design advantages. You can stand in the centre and see the whole radial at one glance from ground to roof. One man can see everything. The minute you put a corner in you need to put two more members of staff.

"You get a sense of a prison immediately. With one deep breath I can tell exactly what the temperature is. You don't get that with prisons that are modular."

Former Pentonville governor Robert Duncan is sceptical about super-prisons but believes the open plan nature of a Victorian radial jail allows safe contact between prisoners and staff.

"It makes for an intimate atmosphere because it's open plan. Staff felt safe...



Titan prison design

a whistle was always very effective. You have got good access to the prisoners.” To Leslie Fairweather, architect and author of *Prison Architecture*, big prisons with Victorian-style galleries are not a good idea.

“Things have moved on so far. The idea is smaller group prisons with corridors not great open galleries. The ideas of these huge prisons holding vast numbers is absurd.”



Viewers of *Porridge* are

While the radial template ruled for a century, other shapes have since gained popularity. The construction of Blundeston in Suffolk in 1963 marked the British debut of T-shaped blocks.

And in the 1990s America was again the familiar with traditional influence as triangular units were introduced at three new prisons, Lancaster Farms, Doncaster and the high-security Woodhill.

In these triangles, two walls would have two tiers of cells spaced along them, while one wall would be largely glass in order to let in as much light as possible onto a central atrium.

“These triangular designs worked well,” says US criminologist Prof Norman Johnston. “They forced the staff to have face-to-face contact. That has a positive effect. It cuts down on rape, it cuts down on trafficking.”

But ultimately, Mr Outram argues, what design works best depends on the occupants and the purpose.



“If you are trying to maintain order and limit the amount of staff then a Victorian prison is ideal. If you are looking for privacy and discrete areas then the Victorian model doesn’t work,” he says.

And exactly what a prison is supposed to achieve is a politically charged question that goes back to Victorian times and beyond.

Prisoners at Pentonville wore masks to stop them

It is hard to escape the notion that prisons recognising each other reflect the politics of the times. Newgate was a chaotic expression of a riotous era, Bentham’s Panopticon was about the desire to impose rationality, and Pentonville about offering a dose of morality.

And the uniting factor between the 19<sup>th</sup> Century and the 21<sup>st</sup> is the need to watch the prison at a reasonable cost. But no design is yet established as the best.

	Panopticon	Pentonville	Triangular Prisons
Design			
Pluses			
Minuses			

**Ex.13. Read and translate comments on prison life. What points of view do you agree with? What is prison for: punishing or reforming? Express yourself.**

**Below is a Selection of Your Comments**

Having worked in three different styles of establishments I have to say the Victorian-style prison was where I felt there was more control of prisoners and a higher level of safety for both staff and prisoners. Confined spaces allow for effective monitoring and control, open spaces allow prisoners more freedom to conduct illicit activities such as drug dealing and bullying due to the lack of supervision that can afford these areas due to staffing levels.

The Victorian idea was based around safety and control and being able to monitor activities from a central viewpoint and in effect prisons such as Pentonville and Wandsworth were way ahead of their times as model prisons.

**Nick, Chippenham UK**

The penultimate sentence sums up what the debate should be about. As Foucault shows, the type of prison reflects how society views punishment. If so many people argue that most of the time prison “doesn’t work”, then we need to ask if we are punishing for revenge or punishing in order to reform. Do we want to make prisoners suffer as a reflection of the suffering they have caused, or do we want them to come out of prison with less chance of committing a crime?

**George, UK**

Frankly, I think we should forget all the current ideas about making prisons inviting, warm and welcome, and keep the traditional ways. Prison is not a holiday camp, it is not somewhere to enrich a persons life experiences, its there to make them feel worthless, useless and pathetic. Manual labour, boring and physically draining tasks should be utilised. A prison should instill fear into the detainee to the point where they would never consider doing anything wrong ever again for fear of going to prison.

**Robert Dabill, Sheffield**

I have worked in 3 different prisons, including an open prison. I can say that prison is no holiday camp - it is grim. Many of the inmates are the most damaged in our society and it seems politically simpler to lock them up than deal with the issues. We need to be humane. Prison does not work, many petty offenders do life sentences by installment. It is a revolving door. We have a huge jail population compared to other European countries; instead of increasing it, we need to look at how many people we jail and why.

**JM, Scotland**

Prisons should be basic, safe, secure and unwelcoming.

**Andrew, Hertfordshire**

In 1980 as a young soldier, we were sent to run Franklin prison, Durham, during the prison officers strike. It was brand new, the accommodation was fantastic, the sports facilities, including football pitches, running track and gym, were second to none. I enjoyed my time up there and was devastated to return to inferior accommodation and facilities back at my army barracks. My point being there is something badly the wrong way round here. Build the prisons hard, bleak and punishing, fit for the purpose they were intended for, and build good, decent accommodation fit for our fighting forces (free of council tax) to return to when grueling tours of duty are complete!

**Patrick Cashman, Bingley**

**Ex.14. Read and translate the text.**

**Being Charged with a Crime**

If you are charged with a crime you will be given a ‘charge sheet’. This sets out the details of the crime you are being charged with. The police will decide if you: can go home until the court hearing - but may have to follow certain rules, known as ‘bail’; are kept in police custody until you are taken to court for your hearing.

Your first court hearing after you are charged with a crime will be at a magistrates’ court or a ‘virtual court’ using video technology - even if your trial will be at a Crown Court later on.

If you’re under 18, your first hearing will usually be at a youth court. If you’re under 17, the police must arrange for you to be held in local authority accommodation, if possible, before you go to court. If you’re aged 12 to 16, the police can decide to keep you at the police station if they think it will protect the public.

**Ex. 15. Read and translate the text.**

**Bail**

You can be released on bail at the police station after you’ve been charged. This means you will be able to go home until your court hearing. If you are given bail, you might have to agree to conditions like:

- living at a particular address
- not contacting certain people
- giving your passport to the police so you can’t leave the UK
- reporting to a police station at agreed times, eg once a week

If you don’t stick to these conditions you can be arrested again and be taken to prison to wait for your court hearing.

When you attend your hearing at a magistrates’ court or a ‘virtual court’ - video conferencing in court - you might be given bail again until your trial begins.

You’re unlikely to be given bail if:

- you are charged with a serious offence, eg armed robbery

- you've been convicted of a serious crime in the past
- you've been given bail in the past and not stuck to the terms
- the police think you may not turn up for your hearing
- the police think you might commit a crime while you're on bail

**Ex. 16. Read and translate the text.**

**Remand**

If the court decides to put you on remand it means you will go to prison until your hearing at a magistrates' court.

If you are under 18 you will be taken to a secure centre for young people, not an adult prison.

You will probably be put on remand if:

- you have been charged with a serious crime, eg armed robbery
- you have been convicted of a serious crime in the past
- the police think you may not go to your court hearing
- the police think you may commit another crime while on bail
- you have been given bail before and not stuck to the terms

When you attend your hearing at a magistrates' court, you might be put on remand again until your trial begins, even if you were previously given bail.

**Ex. 17. Read and translate the text. Pay attention to the translation of the underlined words.**

**Types of prison sentences**

If someone's convicted of committing more than one crime, they're usually given a sentence for each crime. **Concurrent sentences** are served at the same time. **Consecutive sentences** are served one after the other - eg a 6 month sentence followed by a 3 month sentence.

The judge (or magistrate) tells the person what type of sentence they get and how it must be served.

A '**suspended**' prison sentence is carried out in the community. The person has to meet certain conditions - eg: having to stay away from a certain place or person; doing unpaid work – called «Community Payback». If the person breaks the conditions of their sentence they can be sent to prison.

A 'determinate' prison sentence is for a fixed length of time.

For prison sentences of 12 months or more the person spends the first half of the sentence in prison and the second half in the community 'on licence'. If they break any licence conditions - eg they commit another crime - they could go back to prison.

For prison sentences under 12 months, the person's normally released automatically halfway through.

An '**indeterminate**' prison sentence doesn't have a fixed length of time.



This means: no date is set when the person will be released; they have to spend a minimum amount of time in prison (called a ‘tariff’) before they’re considered for release.

The Parole Board is responsible for deciding if someone can be released from prison.

Indeterminate sentences are given if a court thinks an offender is a danger to the public.

If a person’s found guilty of murder, a court must give them **a life sentence**. A court may choose to give a life sentence for serious offences like: rape, armed robbery.

A life sentence lasts for the rest of a person’s life – if they’re released from prison and commit another crime they can be sent back to prison at any time.

**A whole life term** means there’s no minimum term set by the judge, and the person’s never considered for release.

### **Ex. 18. Read and translate the text.**

#### **Sentences for young people**

People under 18 get different sentences to adults.

**A Detention and Training Order** can be given to someone aged between 12 and 17. They last between 4 months and 2 years. The first half of a Detention and Training Order is served in custody, the second half is served in the community.

For severe crimes - usually violent or sexual - young people can get an **‘extended sentence’**. They could spend a long time in custody, and when released they’ll be put under supervision for a long time (eg being tagged).

For murder, the court sets the minimum amount of time to be spent in custody. The young person can’t apply for parole before this time. When released, the young person will be kept under supervision for the rest of their life.

Sometimes the sentence for a young person can last as long as the sentence for an adult for the same offence (but not longer). This includes **life sentences**.

The age of criminal responsibility in England and Wales is 10 years old. This means that children under 10 can’t be arrested or charged with a crime. There are other punishments that can be given to children under 10 who break the law.

Children between 10 and 17 can be arrested and taken to court if they commit a crime. They are treated differently from adults and are: dealt with by youth courts; given different sentences; sent to special secure centres for young people, not adult prisons.

Young people aged 18 are treated as an adult by the law. If they’re sent to prison, they’ll be sent to a place that holds 18 to 25-year-olds, not a full adult prison.

### Ex. 19. Read and translate the text.

#### Prison Security Categories

When someone arrives at prison they have at least one interview and assessment so they: understand prison rules and procedures; know what their rights are; are told of courses available; get the right healthcare.

The prisoner gets a prison number and their property is recorded and put somewhere safe until they're released.

Prisoners are given a security category based on: how likely they are to try to escape; their risk of causing harm to other prisoners and prison staff.

A prisoner may be transferred to another prison with a different security category at any time.

There are four prison security categories in the United Kingdom used to classify every adult prisoner for the purposes of assigning them to a prison. The categories are based upon the severity of the crime and the risk posed should the person escape.

Prisons in England and Wales are managed by HM Prison Service. Scotland, Northern Ireland, the Isle of Man and the Channel Islands have their own prison administrations.

Prisons in England and Wales are divided into several categories relating to the age, gender and security classification of the prisoners it holds.

Male adult prisoners (those aged 21 or over) are given a security categorisation soon after they enter prison. These categories are based on a combination of the type of crime committed, the length of sentence, the likelihood of escape, and the danger to the public if they did escape. The four categories are:

- **Category A** prisoners are those whose escape would be highly dangerous to the public or national security
- **Category B** prisoners are those who do not require maximum security, but for whom escape needs to be made very difficult
- **Category C** prisoners are those who cannot be trusted in open conditions but who are unlikely to try to escape
- **Category D** prisoners are those who can be reasonably trusted not to try to escape, and are given the privilege of an open prison. Prisoners at 'D Cat' (as it is commonly known) prisons, are, subject to approval, given ROTL (Release On Temporary Licence) to work in the community or to go on 'home leave' once they have passed their FLED (Full Licence Eligibility Dates), which is usually a quarter of the way through the sentence.

Category A, B and C prisons are called **closed** prisons, whilst category D prisons are called **open** prisons.

Category A prisoners are further divided into **Standard Escape Risk**, **High Escape Risk**, and **Exceptional Escape Risk**, based on their likelihood of escaping.

## Ex. 20. Read and translate the text.

### Female adult prisoners

Women are also classified into four categories. These categories are:

- **Restricted Status** is similar to Cat A for men.
- **Closed** is for people who are not trusted to not attempt to escape.
- **Semi-open** was introduced in 2001 and is for those who are unlikely to try to escape, though it appears to be being phased out as HMP Morton Hall and HMP Drake Hall were re-roled to closed in March 2009.
- **Open** is for those who can be trusted to stay within the prison.

Remand prisoners are normally held in closed prisons.

### Young offenders and juveniles

When offenders under the age of 21 are sentenced to a custodial term they may be sent to one of four types of establishment:

- **Secure Training Centres (STCs)** – privately run, education-focused centres for offenders up to the age of 17
- **Local Authority Secure Children's Homes (LASCHs)** – run by social services and focused on attending to the physical, emotional and behavioural needs of vulnerable young people
- **Juvenile Prisons** - run by the prison service, these prisons accommodate 15-18 year olds and have lower ratios of staff to young people than STCs and LASCHs
- **Young Offender Institutions (YOIs)** – run by the prison service, these institutes accommodate 18-21 year olds and have lower ratios of staff to young people than juvenile prisons.

### Prison categories in Scotland

Since 2002, in Scotland, prisoners have been assigned to one of three categories:

- **High Supervision:** an individual for whom all activities and movements require to be authorised, supervised and monitored by prison staff.
- **Medium Supervision:** an individual for whom activities and movements are subject to locally specified limited supervision and restrictions.
- **Low Supervision:** an individual for whom activities and movements, specified locally, are subject to minimum supervision and restrictions. Low Supervision prisoners may be entitled to release on temporary licence and unsupervised activities in the community.

**UNIT 3**  
**TRANSPARENCY AND ACCOUNTABILITY**  
**IN THE ADMINISTRATION OF INSTITUTIONS**

**1. Active vocabulary**

to make an oral (written) request or complaint	to make a complaint under confidential access
to encourage	alleged harassment
straightforward matters	to intercept
to obstruct or deter from	to lead to retribution
to monitor	to raise complaints with
Race Relations Liaison Officer	formal written complaint system
informal applications	appeals against disciplinary
reserved subjects	adjudications
to refer to	formal complaint

**2. Read and translate the text. Pay attention to the translation of the underlined words.**

**Handling Questions and Complaints from Prisoners**

Any prisoner can **make either an oral or written request or complaint** at any time. They are **encouraged** to raise their complaints orally and informally so that staff can listen to a prisoner's problem, give advice and deal with **straightforward matters** quickly. However they have the right to use **the formal written complaint system** straight away. Until about three years ago, prisoners had to ask staff for a form on which to make a request or complaint, but there were concerns that prisoners were being **obstructed or deterred from** doing so. Complaint forms are now freely available for prisoners to pick up, complete and return without having to ask a member of staff, and the boxes must not be in or directly outside the wing office. All **informal applications** and **formal complaints** have to be recorded and must be answered within strict time limits.

Most complaints are answered by an appropriate member of staff in the prison, and the prisoner has a right of appeal to the Governor if they are unhappy with the reply. Complaints with a racial element are **monitored** by the prisons' **Race Relations Liaison Officer**. Certain subjects – **appeals against disciplinary adjudications** and a few key decisions that are handled at Prison Service Headquarters – are described as **reserved subjects** and complaints about these are **referred to** Prison Service Headquarters.

Prisoners can also **make a complaint under confidential access** which means it goes unopened to the Governor or the Area Manager. This enables prisoners to report serious matters such as **alleged harassment** by staff to a senior manager without fear that it will be **intercepted and lead to retribution**.

Of course, there is nothing to stop prisoners or their relatives **raising complaints directly with** Prison Service Headquarters, through solicitors or with

their Members of Parliament.

### Exercises:

#### **Ex.1. Give the English for:**

Откровенные вопросы; препятствовать; сдерживать от; специалист по вопросам межрасовых отношений; вопросы, относящиеся к исключительной компетенции; отсылать к; подавать жалобу; предполагаемое (якобы имевшее место) домогательство; помешать; повлечь за собой возмездие; апелляции по поводу объявления о дисциплинарной ответственности; контролировать; неофициальные заявления; официальная жалоба (ходатайство); призывать (поощрять).

#### **Ex.2. Match the synonyms:**

- |                        |  |
|------------------------|--|
| 1) to obstruct         | a) annoying or unpleasant behaviour towards someone that takes place regularly, (threats, offensive remarks, physical attacks) |
| 2) to make a complaint | b) to intercept  |
| 3) an appeal           | c) to raise a complaint  |
| 4) retribution         | d) a formal request for a court of law to change a its decision  |
| 5) matter              | e) punishment that someone deserves  |
| 6) harassment          | f) subject   |

#### **Ex. 3. Study the expressions with the word «complaint» and translate the sentences where they are used.**

##### **1. to make/file/lodge a complaint:**

I intend to make a complaint.

##### **2. complaint about:**

Customers lodged a formal complaint about the way they were treated.

##### **3.complaint against:**

An alarming number of complaints have been filed against him.

##### **4.complaint that:**

The council has received complaints that the building is not safe.

##### **5. to investigate a complaint:**

All complaints are thoroughly investigated.

##### **6. to uphold a complaint (=say it is reasonable):**

The Commission upheld the complaint under Article 13.

##### **7. grounds/cause for complaint:**

If they had a more caring attitude, we'd have less cause for complaint.

#### **Ex. 4. Complete the table with the words from the text using their related forms:**

Verb	Noun	Adjective/Participle
------	------	----------------------

	complaint	
to retribute		
	appeal	
		alleged
to refer		
	application	

**Ex.5. Collocations. Match these verbs and nouns as they occur in the text:**

to raise	adjudications
alleged	liaison officer
disciplinary	a complaint
race relations	harassment
reserved	retribution
to lead to	subjects

**Ex. 6. Complete the sentences:**

1. Prisoners are encouraged to raise their complaints orally and informally so that staff ... . 2. Prisoners can also make a complaint under confidential access which means it ... . 3. Complaints with a racial element are monitored by... . 4. Complaint forms are now freely available for prisoners to pick up, complete and return without... . 5. Certain subjects – appeals against disciplinary adjudications and a few key decisions that are handled at Prison Service Headquarters – are described as reserved subjects... . 6. All informal applications and formal complaints have to be ... . 7. Any prisoner can make either an oral or written ... . 8. Until about three years ago, prisoners had to ask staff for a form on which to make a request or complaint, but there were concerns that prisoners were being...

**Ex.7. Read and translate the text.**

**Parliamentary Accountability**

The Home Secretary is accountable to Parliament for the operation of the Prison Service. Individual Members of Parliament can ask questions in writing, orally or by letter; while this may often appear to be a token gesture, the question and answer will be published in Hansard, the record of Parliamentary proceedings, and if it is an oral question it will be broadcast on television or radio. They can also use the mechanism of an adjournment debate to raise the profile of particular matters; an Adjournment Debate is a Parliamentary device whereby any matter raised by a Member of Parliament chosen by ballot is debated for 30 minutes at the end of the day's business.

Ministers and Civil Servants may be called to give evidence to a Select Committee of MPs (held in public and often shown on television).

### **International Accountability**

In addition to the European Court there is a European Committee on the Prevention of Torture. Members of the Commission visit prisons in England and Wales on a regular basis to satisfy themselves that prisoners are being treated properly and conditions are acceptable. In the past they have criticised levels of overcrowding and access to sanitation. However, all prisoners in England and Wales now have 24 hour access to sanitation/toilets. The Committee's recent interest has focussed on the small number of detainees held under Anti-Terrorism legislation, and some of the issues raised relate to the appropriateness of detention which is not, of course a matter for the Prison Service. However, some concerns have been raised about the care and treatment of detainees considered by the delegation to be mentally ill. The Committee have suggested that the level of care given to some such detainees amounts to inhuman or degrading treatment. They have not suggested that detainees are being subjected to torture by the Prison Service. This is not the case. But they have suggested that the fact of indeterminate detention is sufficient to evoke memories of experiences of torture elsewhere in the past. These concerns are taken seriously and considered by the Special Appeals Courts established to review detention for individuals detained under Anti-terrorist legislation.

The CPT is an important body and any issues raised by the CPT will be investigated and a full response will be provided.

#### **Ex. 8. Answer the questions.**

1. Who is the Home Secretary accountable to for the operation of the Prison Service?
2. What parliamentary device is used to raise the profile of particular matters?
3. What is one of the functions of European Committee on the Prevention of Torture?
4. Have there been any cases of offenders' inhuman treatment found by the Committee?
5. What is done by authorities in case the Committee finds a case of degrading treatment of the offenders?

#### **Ex. 9. Read and translate the text.**

### **Prisons Ombudsman**

Lord Justice Woolf's inquiry into the Manchester riots in 1990 identified lack of prisoner confidence in the complaints system as a contributory factor in prisoner unrest. This led to the creation of a Prisons Ombudsman who is independent of the Prison Service. He can investigate any complaint only after internal Prison Service procedures have been exhausted, and the prisoner must apply to the Ombudsman within 30 days of the Prison Service reply. However he can also investigate any case where the Prison Service has not replied to the prisoner within the appropriate time limit.

The Ombudsman has full access to prison staff, records and prisoners. Prison staff must provide him with documents and information. However he must clear his reports with the Prison Service to ensure that they do not reveal any information which would compromise the security of the prison. He can make recommendations to the Prison Service. These are not binding but the Prison Service is committed to accepting most recommendations, and in practice this is what occurs.

The Prisons and Probation Ombudsman also deals with complaints against the Probation Service and since 1 April 2004 he has also been given the responsibility for investigating all deaths in prison custody.

In 2003-03, the Ombudsman received 3,132 complaints about the Prison Service, a 15% increase on the previous year. The most common subject (17%) is lost or damaged property, followed by 12% about general conditions. 33% of complaints are upheld, but the Ombudsman reports that increasingly the problem is put right locally by the Governor when the problem is pointed out and he does not need to make formal recommendations to the Prison Service.

**Ex. 10. Read and translate the text.**

**Inspection of Prisons**

Her Majesty's Inspectorate of Prisons was established in 1980 following recommendation of the May Committee of enquiry into the United Kingdom Prison Services. It provides independent scrutiny and public assurance and reports in public. At times in the past, various Chief Inspectors of Prisons have indeed taken a high and controversial public profile, although at the present time the Inspectorate combines robust inspection with a constructive approach to guiding and encouraging improvements in the care and treatment of prisoners and in reducing re-offending. The Chief Inspector is appointed by the Home Secretary from outside the Prison Service; although some of the Inspectorate staff are seconded from the Prison Service. She is the Inspector of Prisons, not of the Prison Service; she and her team will comment on the management structures and practices of the Prison Service, and indeed on the policies of the Government, where they consider that they adversely affect conditions for prisoners, but they do not inspect Prison Service headquarters. The Inspectorate inspects for outcomes not processes. It inspects against published criteria, and focuses on four tests of a healthy prison:

1. Safety;
2. Respect;
3. Purposeful Activity; and
4. Resettlement.

The Inspectorate's focus is therefore different from the Ombudsman, who is concerned with individual prisoners, and the Prison Service's own Standards Audit Unit, who are more process-oriented and provide Prison Service Managers with assurance about adherence to procedures and standards. The Inspectorate provides infrequent but in-depth inspection, in contrast to the IMB who provide continuous



monitoring. Inspections always include surveys and interviews with prisoners. The Inspectorate carries out a five year cycle of full inspections (three yearly for juveniles), together with a programme of short inspections, usually unannounced, in-between to check progress. In 2003-04, their programme provided 24 full announced inspections and 24 unannounced, 17 juvenile inspections, six immigration removal centres and one Military Training Centre inspection, and five thematic inspections. Between September 2002 and August 2003, unannounced inspections followed up 2237 recommendations of which 54% had been achieved and 14% partly achieved.

**Ex. 11. Read and translate the text.**

**Commission for Racial Equality**

The Commission for Racial Equality has a statutory role to monitor application of Race Equality legislation. It recently conducted a formal investigation into racism in the Prison Service. This arose out of a number of allegations of racist incidents including in particular:

i. The murder of a young Asian prisoner in Feltham Young Offender Institution by his cellmate in March 2000. It was found that the murderer had a history of displaying racist behaviour and violence but had been located in the same cell as an Asian prisoner.

ii. An Employment Tribunal that found against the Prison Service for the victimisation and harassment of a black member of staff at Brixton prison. Following completion of the Investigation the Prison Service is now working closely with the Commission to implement a Joint Action Plan to promote Race Equality and ensure that Race discrimination is eradicated. This is one of the Service's highest priorities. Minority ethnic prisoners account for 17% of the prison population (compared to 7% in the community) and ensuring that the Prison Service treats all prisoners fairly and promotes good race relations is absolutely essential in this context.

## UNIT 4

### THE REHABILITATION OF PRISONERS

#### 1. Active vocabulary

statutory	performance against the targets
to be coterminous with	to scrutinise
commitment	to provide pre sentence reports to
to interact with	courts
supervision of offenders	to propose appropriate sentences
provision of reports	to advise smb/ smth on the
day to day operations	background
trust	to release from custody
to be accountable to smb/smth for smth	to have responsibility for an offender
to rebalance sentencing	throughout his or her sentence
robust	end-to-end offender management
	to deliver on obligations

**Read and translate the text. Pay attention to the translation of the underlined words.**

#### **The Management of Prisons and the Rehabilitation of Prisoners**

The **National Probation Service** for England and Wales is a **statutory** Criminal Justice Service, mainly responsible for the **supervision of offenders** in the community and the **provision of reports** to the criminal courts to assist them in their sentencing duties. It was established in its current form by the Criminal Justice and Court Services Act in April 2001, but has existed since 1907 as a set of area based services **interacting** at ever-shortening arms-length **with** central government. Northern Ireland has its own probation service, whilst in Scotland criminal justice social work services are managed within the social work departments of local authorities.

In its current form, the NPS is part of the National Offender Management Service (NOMS) and comprises 42 probation areas which are **coterminous** with police force area boundaries. Areas are funded by NOMS and employ all staff except the Chief Officer; they **are accountable to** their Boards (comprising up to 15 members appointed by the Secretary of State) **for day to day operations** and financial management, and to NOMS via a Regional Offender Manager, with whom they have service level agreements, for **performance against the targets** for the offender management and interventions services for which they have been funded.

The work of probation areas is **scrutinised** by HM Inspectorate of Probation, which reports independently to UK Government Ministers.

The Service, at the start of 2004, had some 18,000 staff. Statistics for the

year 2002 state that it supervised just less than 193,000 offenders and **provided 253,000 Pre Sentence Reports** to courts in England and Wales, **advising them on the background** of and **proposing appropriate sentences** for convicted offenders. In addition, it has responsibility for ensuring that victims of violent and sexual crime resulting in prison sentences of over 12 months are consulted before offenders are **released from custody**.

The advent of NOMS in 2004 changed the pattern of correctional services delivery in England and Wales. The Offender Management Bill, introduced in Parliament late in 2006, was intended to enable some probation areas to become **trusts** as part of wider Government policy to open up the provision of correctional services to greater competition from the voluntary, community, and private sectors. This was one of the recommendations of the Carter Report (2003): others were to introduce a system of **end-to-end offender management**, with one named offender manager **having responsibility for an offender throughout his or her sentence** (be it in custody, the community, or both), and **to rebalance sentencing** in order to **redress the drift** towards less and less serious offences resulting in imprisonment or community sentences. Carter saw the need to improve public and sentencer confidence not only in community sentences but also in the fine as credible sanctions for appropriate offenders and offences.

The probation service reached its 100<sup>th</sup> anniversary intact, but the Government's **commitment** to a wider range of provider agencies seems destined to result in probation areas' current monopoly over their present range of services coming to an end in due course. It seems likely that Interventions will be subject to greater competition in the immediate future.

The first wave of the new Probation Trusts enjoy greater freedoms as a result of having demonstrated that they were **robust** organisations capable of delivering to high standards of performance and efficiency. Trusts and continuing Boards alike will have a larger role in the local commissioning of services from the private, voluntary and community sectors, again as a result of changes to the Bill during its passage through Parliament. They will all still have **to deliver on their own contractual obligations** to their Regional Offender Manager.

More seismic change befell the probation service as a result of the Secretary of State's announcement in January 2008 that the Her Majesty's Prison Service (HMPS) was, in effect, to take over the national level management of the National Probation Service within a revamped National Offender Management Service. Most of the previous board of HMPS assume similar roles within the new board of NOMS. A separate and distinct voice for probation has therefore been lost given the demise of the National Probation Directorate and the passing of the Association of Chief Officers of Probation, which had morphed into the Probation Boards Association in 2001 and had become an increasingly disgruntled mouthpiece for disaffected probation boards rather than a vehicle for the professional perspective of the probation services managers.

By Finlo Rohrer  
BBC News Magazine

## Exercises

### Ex.1. Give the English for:

Меры, связанные с лишением свободы; уполномоченный (руководитель); менеджер подразделения; гарантировать слаженную (эффективную) работу службы; ограничить; сложно выполнимый (трудный); спорность (оспоримость); система назначения наказаний; временное лишение свободы на определенный период; преступник с низким потенциалом рецидива; приговор, не связанный с лишением свободы; Комиссия по назначению наказаний.

### Ex.2. Match the synonyms:

- |                 |                       |
|-----------------|-----------------------|
| 1) manager      | a) measure (activity) |
| 2) framework    | b) commissioner       |
| 3) intervention | c) to advise          |
| 4) to cap       | d) system             |
| 5) to recommend | e) to preserve        |
| 6) to maintain  | f) to limit           |

### Ex.3. Complete the table with the words from the text using their related forms:

Verb	Noun	Adjective/Participle
to contest		
	commission	
		imprisoned
to develop		
	re-offending	

### Ex.4. Collocations. Match these verbs and nouns as they occur in the text:

- |                          |              |
|--------------------------|--------------|
| 1. low risk              | a) service   |
| 2. probation             | b) office    |
| 3. home                  | c) offenders |
| 4. offender              | d) council   |
| 5. non-custodial         | e) managers  |
| 6. sentencing guidelines | f) sentences |

### Ex. 5. Complete the sentences:

1. The Prison Service and the Probation Service will both be part of... . 2. The key element of the government recommendations is to cap the prison population at 80,000 by ... . 3. Custody Plus implies that a sentence is part served in prison and ... . 4. Intermittent custody means that low risk offenders are imprisoned at weekends so as ... . 5. Its recommendations, which the Government has accepted, aim to ensure a more seamless service between... .

**Ex. 6. Agree or disagree with the statements. Give your reasons:**

1. The key elements of the Government report “Managing Offenders - Reducing Crime” are concerned about introduction of more severe custodial sentences.
2. The fact that the Prison Service will be part of NOMS will ensure a more seamless service between prison and probation to do more to reduce re-offending.

**Ex.7. Read and translate the text.****Probation**

Probation means you’re serving your sentence but you’re not in prison. You could be put on probation because:

- you’re serving a community sentence;
- you have been released from prison on licence or on parole.

While on probation, you may have to:

- do unpaid work;
- complete an education or training course;
- get treatment for addictions, like drugs or alcohol;
- have regular meetings with an ‘offender manager’.

When you’re on probation you may have meetings with your offender manager. This will usually happen at your local probation office. At your first meeting your offender manager will explain: the rules of your probation; the dates, times and places of future meetings; any appointments you must go to, e.g. training courses or treatment; what happens if you don’t do what you are asked.

Your offender manager will ask you to read and agree to a ‘sentence plan’. This will tell you the rules you have to stick to during your probation and what your responsibilities are.

You must tell your offender manager if: you plan to change your name or address; you won’t be able to make any meetings you have arranged with them; you’re having problems sticking to the rules of your probation.

If you miss a scheduled meeting with your offender manager, you should get in touch and tell them why. You may need to provide proof, like a letter from a doctor or your employer.

You are allowed to miss meetings or appointments to attend religious or other important events if you give your offender manager advance notice.

**Ex.8. Answer the questions.**

- 1) Why do you need to meet your probation officer while you are on probation?
- 2) What will you have to do while on probation?
- 3) When are you allowed to miss meetings with your offender manager?
- 4) When should you get in touch with your offender manager?
- 5) Do you have to get treatment for addictions, like drugs or alcohol while on probation?

**Ex. 9. Read and translate the text.****If You Break the Rules of Your Probation**

You could go back to court if you break any rules of your probation. For example, if you:

- do something your sentence bans you from doing;
- commit another crime;
- miss meetings and appointments without a good reason;
- behave in an aggressive, racist or other unacceptable way at a meeting or appointment.

You can also be taken back to prison if you break the conditions of your licence or parole.

You can be taken straight back to prison if you have been released on licence or parole and you break any rules. This is known as a 'recall'. Your offender manager will tell you why you are being recalled.

There are three types of recalls.

With a fixed-term recall, you will go back to prison, be released on probation again after 28 days and you will be on licence until the end of your sentence.

With a standard recall, you will stay in prison until the end of your sentence, unless a Parole Board decides otherwise. Your case will be sent to a Parole Board automatically after 28 days. They will either release you straight away or set a date (within 1 year) when you can be released on licence.

If you're on an extended sentence, your case will be sent to a Parole Board within 14 days of you going back to prison. They will either release you straight away or set a date (within 1 year) when you can be released on licence.

If you have been taken back to prison and you think you should be released from prison on probation again, you can ask the parole board. This is called 'making representations'.

You can speak to the parole board yourself, or ask a family member, friend or legal adviser to do it.

You must do this within 2 weeks of being told why you are being recalled to prison.

**Ex. 10. Answer the questions.**

1. When can you be taken to court or prison while being on probation?
2. What types of recalls are there? What is the difference between them?
3. What is «making representations»?
4. What committee decides on the type of recall to be given to an offender?

**Ex. 11. Read and translate the text.****Young people in custody**

People under 18 who are sentenced to custody are sent to secure centres for young people, not to adult prisons.

A court can give a young person a custodial sentence if:

- the crime is so serious there is no other suitable option;
- the young person has committed crimes before;
- the judge or magistrate thinks the young person is a risk to the public.

A young person can also be sent to custody on remand.

The Youth Justice Board decides which secure centre a young person will be sent to. They will choose somewhere that:

- can deal with the young person's needs safely, eg if they have a health problem;
- is suitable for their age, sex and background;
- is as near to their home as possible.

Time in custody is spent:

- in lessons;
- learning skills to get a job or to return to education;
- taking part in programmes to improve behavior;
- participating in sport, fitness, and other activities.

There are strict rules about what young people can and can't do, and they may have to go through alcohol or drug counseling.

### **Types of secure centres**

There are 3 types of custody for young people:

1. young offender institutions;
2. secure training centres;
3. secure children's homes.

Young offender institutions:

- are run by the Prison Service and private companies;
- are for people aged 15 to 21 (people under 18 are held in different buildings);
- house between 60 to 400 people, split into 'wings' of 30 to 60 people.

Secure training centres:

- are run by private companies;
- are for people aged up to 17;
- house between 50 and 80, split into units of 5 to 8 people;
- give 30 hours of education and training a week, following a school day timetable.

Secure children's homes:

- are run by local councils;
- are for people aged 10 to 14;
- house between 8 and 40 people;
- give 30 hours of education and training a week, following a school day timetable.

## UNIT 5

### HISTORY OF THE UNITED STATES PENAL SYSTEM

#### 1. Active vocabulary

to minister the guilty with punishment	shortcoming
deterrence efforts	penance
to dispense justice	to make amends with society
produce a quagmire	to necessitate changes
privatized incarceration industry	to be obsessed with
to birth the penitentiary era	conversion

#### 2. Read the text. Choose the title to the parts of the text:

- **The Penitentiary Era**
- **The History and Philosophy of Penal Institutions**
- **A Profitable Business**
- **A Unilateral Entity**
- **Various Ideologies of the US Government**

#### **The United States Penal System: Friend or Foe to Law and Order**

...

The penal system, also known as the correctional system, is part of a network of agencies created to punish and supervise those convicted of crimes or offenses in the United States. Overall, Americans stand in agreement with this system for it provides a way to remove threats from our communities and ministers the guilty with punishment, penitence, and prevention. The penal system is also part of the larger criminal justice system, which includes courts, prosecution, and police. Together they keep public order by the authority vested in them. Although they interact on a daily basis, the penal system remains a unilateral entity with a unique history.

...

The United States of America, long known as “the land of the free,” incarcerates more people than any other country in the world. A privatized incarceration industry, the penal system has grown into a profitable billion-dollar business, which has the American public and political organizations asking why while investigating alternatives.

...

The original purpose of government is order, the maintenance of security. It achieves this by dispensing justice to protect citizens from the violence of criminals, domestic and foreign. Additionally, the United States government is composed of various ideologies or worldviews; the two discussed are liberal and conservative. To comprehend how it influences the penal system one must first grasp their perspective. Schmidt et al. explains, the liberal worldview includes “the advocacy of positive government action (economic security) to improve the welfare of individuals (equal opportunity), support for civil rights (equal results),



and tolerance for political and social change (social liberty)”. The conservative worldview has a “set of beliefs that includes a limited role for the national government in helping individuals (to support capitalism), support for the traditional values and lifestyles (morality), and a cautious response to change (social order)”.

Naturally, using either worldview would produce a quagmire and may be the very reason for the continuous shortcomings leading to failures in the American penal system.

...

The United States is obsessed with imprisoning human beings and does so on a scale unmatched anywhere else in the world (Gallagher, 2008). Research shows, “the United States has more citizens behind bars than do China or Russia,” (Gallagher, 2008, 376) with incarceration rates 6.2 times that of Canada, 7.8 times that of France, and 12.3 times that of Japan (Loury, 2007). The Department of Corrections employs more Americans than General Motors, Ford, and Walmart combined and spends \$200 billion annually on law enforcement and corrections (Loury, 2007). How did this happen and is it really the answer to maintaining security in America? Where did it all begin?

...

From the end of the eighteenth century to the present day, the United States penal institution initiated nine distinct eras or models, of imprisonment as punishment as well as imprisonment for punishment. Beginning in 1790, the Quakers oversaw the conversion of Philadelphia’s Walnut Street Jail to a penitentiary and birthed the penitentiary era (Schmallegger, 2011). Their biblical based philosophy, referred to as the Pennsylvania system, encouraged making amends with society, acceptance of responsibility, and penance, which paved the way for further rehabilitation and deterrence efforts (Schmallegger, 2011). Supported by this new design, the Northeast decided to build more, however; overcrowding necessitated changes to the Philadelphia model’s individual cell floor plan, and the answer came in an alternate design known as the Auburn system.

(Wendy Silva Liberty University)

### Exercises:

#### **Ex.1. Give the English for:**

Недостаток, односторонняя структура, возместить ущерб обществу, отправлять правосудие, требовать изменений (делать необходимыми изменения), обеспечивать виновному отбывание наказания, приводить к затруднительному положению, переход, дать начало пенитенциарной эпохе.

#### **Ex.2. Match the synonyms:**

- |                   |                  |
|-------------------|------------------|
| 1) shortcoming    | a) to compensate |
| 2) to make amends | b) to administer |
| 3) to dispense    | c) disadvantage  |
| 4) to minister    | d) overstaffing  |
| 5) to necessitate | e) to provide    |

6) overcrowding

f) to demand

**Ex.3. Complete the table with the words from the text using their related forms:**

Verb	Noun	Adjective/Participle
	dispensation	
to overcrowd		
		compensated
	privatization	
to obsess		
		birthed
	conversion	

**Ex.4. Collocations. Match these verbs and nouns as they occur in the text:**

7. to make	g) justice
8. to dispense	h) amends
9. to necessitate	i) punishment
10. to minister the guilty with	j) changes
11. to be obsessed with	k) the penitentiary era
12. to birth	l) imprisoning

**Ex. 5. Complete the sentences:**

2. The United States is obsessed with... . 2. Their biblical based philosophy, referred to as the Pennsylvania system, encouraged making amends with ...  
3. Research shows, “the United States has more citizens ... 4. Public sector Prison officers have “all the powers .., . 5. Statistics available for 3 September 2010 showed... .

**Ex. 6. Agree or disagree with the statements. Give your reasons:**

1. The United States is obsessed with imprisoning human beings and does so on a scale unmatched anywhere else in the world.
2. The penal system, also known as the correctional system, is part of a network of agencies created to punish and supervise those convicted of crimes.

**Ex. 7. Read the text.**

### The Mass Prison Era

The Auburn system, prominent in the Mass Prison era (1825 – 1876) propagated a philosophy of deterrence and incapacitation and included solitary confinement, forced silence, whipping, and hard labor. The two vastly different incarceration models (the Pennsylvania system and the Auburn system) created tension amongst well-known figures until 1876. Meanwhile in 1841, a wealthy Boston cobbler named John Augustus set out to remedy the problem of tension by sponsoring a man awaiting trial for public drunkenness. Acting as a sponsor, he “brought the man home for three weeks and gave him a bed, hearty meals, and help

finding a job”. The judge was so impressed with his sobriety he waived the man’s prison time and dropped his fine to a penny. Augustus called his institution probation, from the Latin for “to test, to prove”. Around the same time, a Quaker abolitionist Isaac T. Hooper founded the Prison Association of New York to support inmates returning home. His daughter, Abby Gibbons, established the Home for Discharged Female Convicts where women studied the Bible, received training in core competencies and once free of addictions were released and given work. In 1862 the Times declared the institution, “...convinced us that the cheapest as well as the surest protection to society against the bad, is to make them good; to convert felons into upright and virtuous citizens”. In light of this atmosphere, one can understand how the next prison era was based on rehabilitation.

### Exercises:

#### **Ex.8. Give the English for:**

Выдвигать (пропагандировать) философию, отказаться от назначения срока тюремного заключения, одиночное заключение, ограничение права и дееспособности, устранять проблему, сдерживание преступности, освобожденный из заключения преступник, уголовный преступник.

#### **Ex.9. Match the synonyms:**

- |              |                                       |
|--------------|---------------------------------------|
| 1) to remedy | a) to prevent                         |
| 2) to deter  | b) convict                            |
| 3) to waive  | c) offender                           |
| 4) felon     | d) to officially ignore rule or right |
| 5) inmate    | e) to solve                           |

#### **Ex.10. Complete the table with the words from the text using their related forms:**

<b>Verb</b>	<b>Noun</b>	<b>Adjective/Participle</b>
	incapacitation	
to deter		
		confined
	remedy	
to discharge		
	propagation	

#### **Ex.11. Collocations. Match these verbs and nouns as they occur in the text:**

- |                 |                               |
|-----------------|-------------------------------|
| 1. to deter     | a) a convict                  |
| 2. to propagate | b) the problem of tension     |
| 3. to discharge | c) a philosophy of deterrence |
| 4. to remedy    | d) prison time                |
| 5. to waive     | e) crime                      |

**Ex. 12. Agree or disagree with the statements. Give your reasons:**

1. "... the cheapest as well as the surest protection to society against the bad, is to make them good; to convert felons into upright and virtuous citizens".
2. The Pennsylvania system propagated a philosophy of deterrence and incapacitation and included solitary confinement, forced silence, whipping, and hard labor.

**Ex. 13. Read the text.****The Reformatory Era**

Known for its rehabilitation, the Reformatory era (1876 – 1890) introduced the indeterminate sentence structure. Created by Captain Alexander Maconochie of Australia, this system allowed prisoners to apply for an early release provided they earned the correct amount of marks. Still in practice today, known as parole, Captain Maconochie received the title, 'father of parole'. In 1876, New York brought this model into the Elmira Reformatory, which housed first offenders between the ages of 16 and 30. Proving unsuccessful in deterring future crime, at the time, the system failed. However, this philosophy was not entirely abandoned as many non-profit and religious treatment centers survived through the years. Emphasizing redemption of individual and social sins, the wide-ranging theology, "... intended to stimulate thought and creative solution," holding the view that "both prisoners and the prison system need redemption and the prison system is a reflection of the larger American society". In recent years, "small nonprofit and religious treatment homes with state and local contracts have been bought out or replaced, in many states, by large-scale halfway-house companies".

**Ex. 14. Answer the questions:**

1. Who created the system of indeterminate sentence structure?
2. Did the system work effectively?
3. What did this system pay attention to?

**Ex. 15. Read the text.****The Industrial Era**

Focused on incapacitation and restoration, the industrial era, is responsible for such infamous prisons as San Quentin, Sing-Sing, Auburn, and Statesville. They employed the inmates to manufacture goods and eventually contributed large amounts of money to the States treasury due to cheap labor and goods sold on the free market. While prisons in the North were flourishing monetarily, the South formed a convict labor pool. From Reconstruction through the 1920's the state of Texas prison farm system practiced racialized labor by demanding African Americans work on plantations. As a result of the Thirteenth Amendment, convict leasing became the reality for many former slaves as they found themselves back in the fields and hired out for state construction projects.

Slaves built the original Texas Capital building and the present Capitol building was constructed with stone quarried by inmates under the leasing system. This period marked the progressive era in Texas prisons, and it was a dark time for

both male and female inmates. In order to reap more monetary gain, the Texas prison population grew from 489 to 2,157 between 1870 to 1880. After several prisoners accused warden A. J. Ward of abuse, the public demanded intervention and, as a result, the state turned the leasing contract over to two ex-confederate soldiers who became sugar plantation owners, Cunningham and Ellis. With the convicts at their disposal, they paid the state \$3.01 per month per convict and placed them permanently on their plantations. This practice and abuse continued until 1910 when the Prison Reform Act ended convict leasing by private industry and turned it over to state control where the practice continued until 1912. When Texans of faith, a prison chaplain, learned of the horrid conditions that continued he notified a journalist, whose research turned into an article that sparked an investigation. For both the North and South, the Great Depression impacted the Industrial era, which continued until the passing of the Ashurst-Sumners Act, constricting interstate commerce in prison-made goods in 1935.

**Ex. 16. Answer the questions:**

1. What did the industrial era focus on?
2. What abuses took place during this era?
3. Where was this system introduced?
4. What legislation was aimed at eliminating convicts' labour abuse?

**Ex. 17. Read the text.**

**The Punitive Era**

The Punitive era (1935 - 1945) encouraged the retribution philosophy in 1935 and focused on long terms of confinement without benefit of educational, treatment, or work programs. To appease the popular American belief that criminals should pay their debt to society, the federal government built a penitentiary denying them access to the free world on Alcatraz Island off the coast of San Francisco. Research shows, incarceration alone not only deters crime but may very well increase the crime rates. Not privy to these statistics at the time, many institutions were established based on this premise where humane treatment of convicts was never mentioned, they were simply ignored.

**Ex. 18. Answer the questions:**

1. What is characteristic of the Punitive era of the penitentiary service?
2. Was this system effective?
3. What kind of penitentiaries were established in this era?

**Ex. 19. Read the text.**

**The Treatment Era**

Post World-War II found America's heart softening amidst a celebration of victory and freedom. This atmosphere segwayed into a renewed interest in prison reform and became the catalyst behind the treatment era. The philosophy, based on reformation and correction, brought new terms to prisons such as 'clients' and 'patients' instead of offenders. By this time, the lifespan development research of

renowned psychotherapists such as Freud, Piaget, and Erickson were well known and applied to offenders in an effort to rehabilitate and mature them. With a focus on psycho-social maturation counselors conducted one-to-one therapy sessions as well as groups to encourage an atmosphere of responsibility and cognitive change. By today's data, this method was 10 to 20% successful in reducing crimes however, many prisons and prison employees continued to operate under the punitive model. This defeated any progress made by the individual however, some present-day prisons and jails continue to offer treatment programs.

**Ex. 20. Answer the questions:**

1. What is characteristic of the Treatment era of the penitentiary service?
2. Was this approach to the penitentiary system effective?
3. What methods were applied to rehabilitate offenders?
4. How were inmates treated in accordance with this approach?

**Ex. 21. Read the text.**

**The Community-Based Era**

The 1960's began the transition to community reformation and is therefore called, the Community-Based Era. From 1967 to 1980 the philosophy of this period became rehabilitation and restoration, and it only made sense this could not happen in a secluded prison isolated from the free world. Before long communities were home to, "halfway houses, work-release programs, and open institutions". The Federal Bureau of Prisons began the first half-way house called, prerelease guidance center for juveniles and youthful offenders in 1961. Additionally, the Federal Prisoner Rehabilitation Act of 1965, provided that prisoners could work and/or attend school in the community all day and return to the prison at night. These open institutions introduced community and family involvement, which allowed a presence of volunteers to work with the soon to be released inmates. It also encouraged participation in academic and social learning skills, while family conjugal visits were expected to maintain and strengthen the family unit in a safe environment. The media became an important factor behind the rapid decline of this era. They wrote numerous articles suggesting prisons had become 'country clubs,' allowing offenders to work in the community and visitation to spouses and lovers. Additionally, reporting stories of offenders committing gruesome crimes, while on community release, became a regular and newsworthy past-time. However, today's data show this model encouraged mentorship and life-skill development. Dr. Orr states these programs, inclusive of Big Brothers/Big Sister organizations and multi- systemic family treatment initiatives, reduce crime and violence by 20 – 30% (2012). Adult half- way houses remain popular and are found in almost every state to this day.

**Ex. 22. Answer the questions:**

1. What is characteristic of the Community-based era of the penitentiary service?
2. Was this approach to the penitentiary system effective?
3. What did legislation allow inmates to do?

4. What did this model encourage?

**Ex. 23. Read the text.**

**The Warehousing Era**

The Warehousing Era (1980 – 1995) brought back the philosophy of incapacitation and was a direct result of the media’s sensationalism copy, restrictive legislation, and sentencing decision of judges. Moreover, it catered to the public’s perception that rampant criminal activity in the United States was out of control, regardless that the crime rate had gone down. However, as previously stated, incarceration alone without services would lead to an increase in criminal and violent offenses. Weinstein concurs and warns of prison health risks, “The lack of provision of rehabilitative type services demonstrates the public health disaster that can occur with the present arrangements”. Nevertheless, the criminal justice system, including policy makers, judges, and police officials rallied around Robert Martinson’s argument, “We do not now know of any program or method of rehabilitation that could be guaranteed to reduce the criminal activity of released offenders”. In light of his findings, the nothing-works doctrine became popularized and found its way into law maker’s offices; where new sentencing guidelines were created such as, mandatory minimum sentencing, three strikes you’re out law, and truth-in-sentencing requirements. Prison populations quadrupled between 1980 and 2008 and the rise was contributed to, stricter laws regarding drug-related offenses, removal of educational programs due to discontinuation of government PELL grants and the shift from rehabilitation to punishment. Moreover, this model created administration and personnel problems due to overcrowding and lack of adequate education dealing with the new breed of criminal in the drug offenders for corrections employees. Due to the overemphasis on drug-related crimes, incarceration rate increased by 110 percent while the per capita rate of reported crime dropped 2.2% across the nation.

**Ex. 24. Answer the questions:**

1. What is characteristic of the Warehousing era of the penitentiary service?
2. Was this system effective?
3. What problems did this model create?
4. Can incarceration alone hamper the rise of criminal offenses?
5. Are there any models and methods which can guarantee the reduction of criminal activity upon the release?

**Ex. 25. Read the text.**

**The Just Desserts Era**

The just desserts era, from 1995 to present, embraces individual responsibility and grounded in just desserts. Viewing rehabilitation philosophy a complete failure, the ensuing war-on-drugs commanded a new, broader theory, and it was found in the past. Loury explains, “This [re]new[ed] system of punitive ideas is aided by a new relationship between the media, the politicians, and the public”. Re-enacting deterrence, incapacitation, and retribution philosophies

demonstrate the desperation of the times and epitomizes the nothing works doctrine of the 1970's. The American public voiced a zero tolerance for crime as they lost faith in all branches of the government and criminal justice system to keep them safe due to media sensationalism. In response, by 1995, Alabama and Arizona reestablished chain-gangs and convict labor in hopes of deterring future criminals, a throwback from the industrial era. As of 2000, 33 states abolished limited parole, 24 introduced three-strike laws, and 40 states introduced truth-in-sentencing.

**Ex. 26. Answer the questions:**

1. What is characteristic of the just desserts era of the penitentiary service?
2. Was this model effective?
3. Why was this era called just desserts?
4. What deserts did the USA get?

**Ex. 27. Read the text.**

**The End Resulting Data**

As a result of prisoner intense supervision without services the prison/jail population has swelled to an unprecedented 1,5574,700 as of December 13, 2013, an increase of 0.3% from 2012 while the total number of persons under the control of the Department of Corrections (including in prison, on parole or probation) is 6.9 million. Moreover, the United States has an unlimited number of places to house them. There are “jails and prisons ..... but also, juvenile-detention facilities, military prisons, immigration detention and civil-commitment centers (used for court ordered treatment of the mentally ill...), as well as jails and prisons in Indian and overseas territories”. In addition, without access to a helping hand up to better themselves upon re-entry, “nearly two-thirds of released offenders are arrested again within three years”. This fact clearly shows there is a need for services in certain areas of rehabilitation. Kubrin points out programs such as substance abuse counseling, education and job skills development, housing options, and health/mental health attention (2013)

**Conclusion**

In the 1980's the Department of Correction's (DOC) overcrowded, revolving-door facilities quickly went from an issue to think about to a problem demanding solutions, which finally commanded the attention of the politicians as well as the public. Dr. Orr suggests, we must “change our thinking before we change our behavior” by realizing the dual intent of the political perspective. Additionally, policies must change to re-institute cognitive programs, mental health and drug courts, and family/community involvement. Elfman suggests upgrading educational programs, such as those offered at Bard College, so offenders are not just killing time but using time to rebuild a sense of self . In addition to the above, I also agree with and propose a return to building an ethical foundation for prisoners as well as employees, consistent with the Christian message, showing love, mercy, and wisdom to break the shackles of ignorance and



crime. Most importantly, make the programs measurable by creating specific goals that are attainable, relevant and time-based.

**Ex. 28. Answer the questions:**

1. What is the result of the prisoner intense supervision without services?
2. What programs should be introduced to reduce reoffending?
3. What places are there in the USA to house offenders?
4. What problems still exist in a penitentiary?

**Ex.29. Read the article. Complete the information file on the Federal Bureau of Prisons.**

**The Federal Bureau of Prisons**

**The Federal Bureau of Prisons** was established in 1930

- to provide more progressive and humane care for Federal inmates,
- to professionalize the prison service, and
- to ensure consistent and centralized administration of the 11 Federal prisons in operation at the time.



Today, the Bureau consists of 114 institutions, 6 regional offices, a Central Office (headquarters), 2 staff training centers, and 28 community corrections offices. The regional offices and Central Office provide administrative oversight and support to Bureau facilities and community corrections offices. Community corrections offices oversee community corrections centers and home confinement programs.

The Bureau is responsible for the custody and care of more than 193,000 Federal offenders. Approximately 85 percent of these inmates are confined in Bureau-operated correctional facilities or detention centers. The remainder are confined through agreements with state and local governments or through contracts with privately-operated community corrections centers, detention centers, prisons, and juvenile facilities.

The Bureau protects public safety by ensuring that Federal offenders serve their sentences of imprisonment in facilities that are safe, humane, cost-efficient, and appropriately secure. The Bureau helps reduce the potential for future criminal activity by encouraging inmates to participate in a range of programs that have been proven to reduce recidivism. The Bureau's approximately 35,000 employees ensure the security of Federal prisons, provide inmates with needed programs and services, and model mainstream values.

**Ex.30. Read the article. Complete the information file on the Federal Bureau of Prisons:**

Date of its Foundation \_\_\_\_\_

Number of Staff \_\_\_\_\_

Number of Departments \_\_\_\_\_

*Key functions* \_\_\_\_\_*Responsibilities of the employees* \_\_\_\_\_**Ex.31. Say what these numbers mean:**

28	6	114	2	85	193,000
1930	35,000		11		

**Ex.32. Match the verbs with the prepositions to make phrases. Then make sentences with the phrases:**

to consist	in	institutions, offices
to responsible	through	custody and care
to be confined	for	Bureau-operated correctional facilities
to be confined	of	agreements
to provide (inmates)	with	needed programs

**Ex.33. Paraphrase sentences using the words from the text:**

- The committee was founded in 2001 to supply people with better services, to improve the service, and to provide stable and committee-operated administration of the offices.
- Today, the committee is composed of establishments, local agencies, a headquarters, etc.
- The offices and the Headquarters ensure administrative supervision and help to Bureau facilities and correctional institutions.
- Community corrections offices supervise community corrections centers and programs of keeping a person in home custody.
  - The Bureau is in charge of the custody and care of offenders.
  - Approximately 85 percent of the inmates are kept in custody in Bureau-operated correctional facilities or detention centers.
  - The rest of the offenders are detained on the basis of agreements with state and local governments or contracts with privately-operated community corrections centers, detention centers, prisons, and juvenile facilities.
  - The Bureau guards public safety by overseeing the fact that Federal offenders serve their sentences of imprisonment in accommodations that don't endanger their lives, which are not costly and fit for living.

5. The Bureau takes efforts to decrease the potential for further criminality by approving inmates' initiative to take part in a number of programs that have been proven to reduce recidivism.

## UNIT 6

### COORDINATED COMMUNITY RESPONSE

*Coordinated community response refers to the collaboration and cooperation among the criminal justice system and community social service in a way that expands and reinforces intervention in criminal cases.*

#### 1. Active vocabulary

to establish a “coordinated community response”	parenting classes
wife abuse cases	compliance to the treatment
evaluation	job training classes
counseling program	o refer to supportive counseling
abuse	Protection Order
in response to	oversight and penalties
to comply with the requirement	to coerce especially resistant offenders
regular probation	social service referrals
a long standing ideal (objective)	sexual assault
collaboration	a family violence council
to expand and reinforce intervention	alcohol treatment
molestation	psychological treatment
therapeutic jurisprudence	summaries
delivery of social services	voluntary treatment
to substantiate this claim	probation supervision
to oversee	sanction
	to attend treatment

**2. Read the article on the results of a survey of the effectiveness of the community coordinated response held by the American scientists. Correct the mistakes in the summary of the text.**

#### **Coordinated Community Response to Wife Abuse Cases**

Over the last thirty years, the efforts to intervene effectively in “wife abuse” cases have expanded dramatically in the United States. “Wife abuse” cases are those in which a husband or boyfriend has been arrested for hitting his wife or girlfriend.

Counseling programs for the men who have abused their wives or girlfriends are largely in response to arrest policies that require police to make an arrest if they are called for help in a family conflict. The court requires the arrested men to attend a counseling program once a week usually for 6 months. If the man does not comply with the requirement, he is likely to be fined a large amount of money or be sent to a jail. The effectiveness of these programs has long been under debate with some program evaluations showing that the programs reduce violence and others not showing much improvement over regular probation.

A long standing ideal (or objective) has been to establish a “coordinated community response” to wife abuse cases. Coordinated community response refers to the collaboration and cooperation among the criminal justice system and community social services in a way that expands and reinforces intervention in wife abuse cases. A family violence council (or committee) of representatives from social services and the criminal justice system generally meets every other month to discuss procedures and difficult cases, and thus help to establish and maintain a coordinated response.

In a coordinated community response, arrested men who have additional problems may be sent to alcohol or psychological treatment, or parenting or job training classes. The victim may be referred to supportive counseling or given a “Protection Order” that requires the man to stay away from her. The oversight and penalties from particularly the criminal courts are a central component of this sort of response. They help to coerce especially resistant offenders to comply with social service referrals and to contain men who are not responsive to the intervention. The idea of a community coordinated response has become popular in several other types of crime including alcohol and drug offenses, sexual assault and molestation, other violent crimes, and even terrorism. It also reflects the trend towards what is called “therapeutic jurisprudence” (that is, court action that includes efforts to heal as well as punish).

The ideal of community coordinated response does increase the delivery of social services, and improves the effectiveness of counseling programs for alcohol treatment or wife abuse. In other words, the counseling programs become more effective when supported by the coordinated community response. Here are some of the findings that substantiate this claim:

There have been several program evaluations of specialized courts that address drug or alcohol crimes. The summaries of these evaluations show that drug or alcohol courts are more effective in reducing recidivism (being rearrested for similar crimes) than voluntary treatment, probation supervision without treatment, or jailing. These specialized courts require the offenders to attend treatment, oversee their compliance to the treatment, and sanction (or punish) offenders who do not comply.

(Professor, Doctor Edward W. Gondolf)

### Exercises:

#### **Ex. 1. Give the English for:**

Случаи жестокого обращения с женщинами, создать общественный координационный центр, соглашаться с требованием, обычное условно-досрочное освобождение, сотрудничество, расширять и усиливать вмешательство, лечение алкогольной зависимости, психологическое лечение, сексуальное насилие, предоставление услуг социальными службами, направления социальных служб, терапевтическая юриспруденция, домогательство, добровольное лечение, проходить курс лечения.

**Ex. 2. Find words or phrases in the article which mean:**

1. to interfere with (paragraph 1)
2. treated badly (p. 2)
3. does not agree with (p.2)
4. has been argued (p. 2)
5. supervision (p. 4)
6. punishment (p. 4)
7. to make somebody do smth (p. 4)
8. a tendency (p. 4)
9. program assessment (p. 5)
10. deal with crimes (p. 6)
11. being rearrested for similar crimes (p. 6)

**Ex. 3. Complete the table with the words from the text using their related forms:**

VERB	NOUN (THING)	NOUN(PERSON)	ADJECTIVE
	supervision	supervisor	
treat			
			counseling
		-	responsible
deliver			
	intervention		
comply			
		representative	

**Ex. 4. Fill in the gaps using the words from the table:**

1. The ideal of community coordinated response improves the effectiveness of counseling programs for alcohol ...or wife abuse.
2. The ...of practical training was performed by specialists skillfully.
3. The Probation officers ...the treatment of the offenders.
4. The head of the committee delegated the ...to start the conference to the Speaker.
5. If the man does not ... with the requirement, he is likely to be sent to a jail.
6. The committee is composed of ...of different states.
7. Coordinated community response is aimed at reinforcing ... in wife abuse cases
8. Psychological ...programs are very popular among the people.
9. The scientific partnership relations suggest ... lectures, organizing and participation in conferences
10. A family violence council of ... from social services and the criminal justice system generally meets every other month.

**Ex. 5. Comprehension Check. Here is a summary of the text. Read it to find out what is true and what is false.**

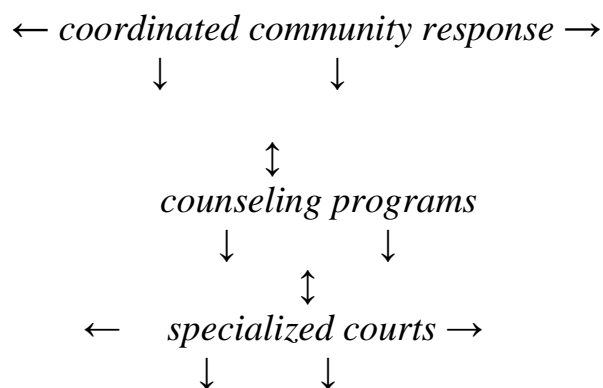
“Wife abuse” cases are those in which a husband or boyfriend has been arrested for being rude with his wife or girlfriend. Counseling programs for the men are concerned with arrest policies that require police to make an arrest if they are called for help in a family conflict. The police require the arrested men to attend a counseling program once a week for a month.

A family violence council (or committee) of representatives from social services and the criminal justice system generally meets every other month to file a charge on the basis of information from citizen complaints and police investigations.

In a coordinated community response, arrested men are isolated from the society and are not allowed to receive help from social services. The idea of a community coordinated response also reflects the trend towards what is called “proper jurisprudence” (that is, court action that includes efforts to punish, first of all).

The counseling programs become more effective when supported by the coordinated community response. The summaries of the evaluations of specialized courts show that specialized courts are less effective in reducing recidivism (being rearrested for similar crimes) than voluntary treatment, probation supervision without treatment, or jailing.

**Ex. 6. Match the words and phrases from the article to the correct headings:**



**Ex. 7. Discuss these questions:**

1. What is the purpose of a “coordinated community response”?
2. What happens if a man does not comply with the requirement of the court to attend a counseling program?
3. How does the community coordinated response improve the effectiveness of counseling programs?
4. Why are drug or alcohol courts more effective in reducing recidivism than voluntary treatment and probation supervision without treatment?
5. What counseling programs are provided for the arrested men?
6. What does the term “therapeutic jurisprudence” imply?

**Ex. 8. Translate the sentences from Russian into English:**

1. Адвокат подзащитного заметил нарушение норм ведения допроса и решил вмешаться в дело. 2. Количество случаев жестокого обращения с женщинами очень резко возросло в Европе за последнее время. 3. Эффективность консультационных программ по лечению алкогольной зависимости и психологическому лечению в течение долгого времени оспаривалась. 4. Согласно статистике, количество рецидивов заметно снизилось после прохождения консультационных программ правонарушителями. 5. Общественный координационный центр направляет арестованных на различные консультационные программы. 6. Арестованный не согласился выполнить предписание суда на психологическое лечение и был оштрафован на большую сумму денег. 7. Общественный координационный центр осуществляет сотрудничество и взаимодействие уголовной судебной системы и общественных социальных служб.

**Ex. 9. Discuss these questions:**

1. What do you know about corrections in the criminal justice system?
2. Do you think jailing is effective in reducing recidivism (being rearrested for similar crimes)?
3. What measures should be taken to make a newly released man go straight as soon as he gets out of prison? Write down a list of effective measures to prevent people from committing crime. Compare your list with other groups.
4. Are there differences in the grown-ups' and young offenders' treatment?
5. What makes an ideal correctional establishment for young offenders? Draw up a profile of factors.
6. What makes an ideal correctional establishment for grown-ups? Draw up a profile of factors.

**Ex.10. Discuss this list of activities taking place in correctional establishments. In your opinion, which are helpful?**

- |   |   |
|---|---|
| 1. Attending alcohol and psychological treatment. | 4. Putting an inmate in a prison cell.                      |
| 2. Taking parenting and job training classes.     | 5. Participating in sport competitions, concerts, seminars. |
| 3. Producing some goods.                          | 6. Providing inmates with good living conditions.           |

**Ex.11. Roles play a meeting of the members of the Board of Coordinated Community Response. Fill in the table with their points of view.**

Some members of the Board are for sending an arrested man to a counseling program.	The other members are against sending an arrested man to a counseling program.
...	...



**Ex.12. Do the quiz individually. Then compare answers with a partner.**

- |  |   |
|--|---|
| <p><b>1</b> Do you normally think that choking, punching and slapping are :</p> <p><b>Q</b></p> <p><b>U</b></p> <p><b>I</b></p>  | <p><b>4</b> If your small brother behaves badly, do you</p> <p>a) order him to stop it</p> <p>b) distract his attention from his misbehaviour</p> <p>c) slap him for not following your commands</p>  |
| <p><b>2</b> What do you think about people who committed acts of violence? Is this:</p> <p><b>Z</b></p> <p>a) serious crime?</p> <p>b) morally wrong, but not a crime?</p> <p>c) a way to solve a conflict?</p> <p><b>3</b> Do you make your parents understand your point of view:</p> <p>a) using arguments?</p> <p>b) crying?</p> <p>c) showing that you are offended?</p> <p>d) displaying your irritation and raising your voice?</p> | <p><b>5</b> If a grown up orders you to do smth, do you</p> <p>a) comply to do it without asking for any reasons?</p> <p>b) try to find out why it's necessary to do?</p> <p>c) break up with him/her as you follow only your own orders?</p> |

**Ex.13. Write one more question to add to the quiz above. Ask your group mates to answer it.**

**Ex.14. Discuss your answers to the quiz. What do the answers say about your attitude to violence? What do they say about your behaviour, attitude to people? Use the words from the box:**

antisocial	provoking	extraordinary	normal	friendly
abnormal	destructive	domineering	humiliating	

**Ex.15. Read the findings of the survey quickly. Give the title to the article. Place the parts of the article in a logical order, following the development of the plot.**

The men who received the extra treatment were more likely to complete the wife abuse program and were less likely to assault their wives or girlfriends again.

The compliance rate then went to nearly 40% – still not as high as we would like but a substantial improvement.

Men with psychological problems were more likely not to complete wife abuse counseling and to assault their wives again.

***FACTS OF  
THE MOST  
RECENT  
STUDY OF***

...



If the counseling program reported that a man had not attended the program, the court issued a warrant for the man's arrest and put him in jail.

An elaborate system of tracking the men's compliance to the supplemental psychological treatment, along with their compliance to the family counseling, was implemented.

In the first stage of the project, these men were sent on a voluntary basis to a mental health clinic for a full evaluation and possible treatment. Less than 5% complied.

In the final stage of the project, the men were sent to the clinic as a requirement of the court with penalties for not complying.

**Ex.16. Which part:**

1. refers to the supervision and oversight tactics of men's compliance ?
2. states ineffectiveness of former voluntary treatment ?
3. suggests that psychological problems are closely connected with wife abuse cases ?
4. suggests that completing a program suggests less rate of the assaults ?
5. states consequences of man's refusal to attend the program ?
6. refers to the compliance rate at the end of the project ?
7. refers to the court's requirement?

**Ex.17. Study the meanings of the words and choose the meaning in which the word is used in the text:**

1. assault (v)– атаковать, оскорблять, набрасываться, изнасиловать, грозить физическим насилием.
2. issue (v) – появляться, происходить, выпускать(издавать), снабжать.
3. warrant (n) – ордер (на арест), предписание, полномочие, основание, удостоверение.
4. elaborate (adj) – продуманный, искусно сделанный, усердный.
5. track(v) – следить(проследживать), оставлять следы, находить общий язык, проследживать путь.
6. implement (v) – выполнять, осуществлять, снабжать.
7. complete (v) – выполнять, завершать, комплектовать

**Ex.18. Before you read the article below. Match these words to their definitions:**

- |                                 |   |
|---------------------------------|---|
| 1. <b>insufficient training</b> | - the rate at which workers leave an organisation and are replaced by others  |
| 2. <b>staff turnover</b>        | - the level of received education is lower than it is required                |
| 3. <b>diverted funds</b>        | - material resources are spent in an incongruous way that can't be approved   |
| 4. <b>competing priorities</b>  | - a great amount of work that interferes with proper fulfillment of the goals |
| 5. <b>system overload</b>       | - clashes in the work of agencies concerning their perspectives and tasks     |

**Ex.19. Complete the statements with the words (Ex. 18):**

1. The fact that the mental clinic staff managed to diagnose the men who were resistant to treatment proved that there was no issue of ... .
2. The services could not achieve good results and experienced great ...as the coordination between the participating agencies was not properly maintained.
3. People did not like the management style of the company and the rate of the ...was very high there.
4. It was hard to come to a compromise as the services had ... and lacked a good management style.
5. Due to ... the effectiveness of the work has significantly decreased.
6. The agencies intervened in the process of completing work assignments and clearly demonstrated ... .

**Ex.20. Read the memo and find out the problems caused by the change to a coordinated response.**

MEMO

To: the US Department of Justice  
 From: the Head of the Coordinated Community Response  
 Subject: Change to a Coordinated Response

Only few communities achieved a consistent and complete coordinated response. In our study of supplemental psychological treatment we identified insufficient training, staff turnover, diverted funds, competing priorities, and system overload as problems. As a result, the recidivism rate has not significantly improved. Let me summarise some of the reasons for such an outcome.

1. **Insufficient training** The mental health clinic expected their clients to be motivated and wanting treatment. However, many of the violent men who were sent for supplemental treatment were resistant and uncooperative. The psychological clinicians were not able to diagnose these men and did not recommend further treatment.

2. **System overload** The coordinated response overloaded the services. It may have led to less effective counseling and supervision. Also, unresponsive and dangerous men were retained in counseling who should have been sent in jail.

3. **Staff turnover** Also the administrators of the various services were often very busy with other work. They were absent from their position, or had been replaced by new individuals.

4. **Competing priorities** We found several inconsistencies in communications and breakdowns during a transitional stage from voluntary to required referral to the mental health clinics. The communication among the participating services and the courts was complicated and needed some sort of oversight. Moreover, there was often a clash of priorities and perspectives among the services and the court.

These sorts of problems may be corrected and the compliance improved by adding:

- 1) **a system coordinator.** A system coordinator is to meet periodically with service administrators to solve communication problems and improve procedures;
- 2) **a case manager.** A case manager is responsible for calling the men a few weeks after the wife abuse program began and discussing their compliance to the psychological counseling.

Most of the communities lacked an independent system coordinator and case manager that would have made a difference, according to our study.

Among the positive effects of the change to coordinated response there is a substantial increase in the use of services as a result. More men attended and completed wife abuse counseling and supplemental treatment for alcohol abuse or psychological problems, and more women received supportive counseling and protection orders.

**Ex.21. Comprehension Check. These are the key issues of the survey. Connect the parts of the sentences. Do you agree with the following statements?**

- |  |  |
|--|--|
| 1. For many offenders, counseling and education programs   | - help make it more consistent and effective                   |
| 2. Oversight or supervision of compliance by the courts  | - can offer an effective alternative to jailing or probation   |
| 3. Supplemental or additional treatment for the offenders' psychological or alcohol problems, as well as supportive service for the victim | - can substantially improve the results of the counseling,     |
| 4. Coordinated community response is difficult to establish but a case manager and system coordinator                                      | - tend to further improve the outcome of wife abuse counseling |

**Ex.22. The words below can be used to describe management style of the organization. Which have a positive meaning? Which have a negative meaning? Write + or – next to each one.**

consistent	complete	insufficient	competing	motivated
supplemental	resistant	uncooperative	effective	unresponsive
dangerous	voluntary	required	complicated	independent
substantial	supportive			

**Ex.23. Complete the table with appropriate forms of the words:**

Verb	Noun (thing)	Noun (person)	Adjective
<b>complete</b>			
	<b>support</b>		
		<b>volunteer</b>	
			<b>resistant</b>
<b>cooperate</b>			
	<b>complication</b>	-	
		-	<b>identifying</b>
<b>summarise</b>		-	

**Ex.24. Fill in the gaps using the words from the table:**

- The work was .....in time.
- The majority of the council members .....the project.
- The organization was established on the .....basis.
- He could not .....the temptation.
- Nobody expected him .....the chance of a lifetime.
- All the students .....with each other and completed the project in time.
- The conversation was rather ..... and we decided to stop arguing.

**Ex.25. Match the verbs with the prepositions to make phrases. Then make sentences with some of the phrases:**

to send		treatment
to be busy	with	counseling
to be absent	in	jail
to be replaced	by	other work
to meet	to	their position
to solve	from	new individuals
to improve	for	problems
to complete		procedures

**Ex.26. A meeting of senior managers has been called to resolve the problems. The group, led by the head of the Coordinated Community Response, consists of the court representatives, wife abuse counselors, victim services, and psychologists. Representatives from different organizations prepare separately for the meeting. Then hold a meeting as one group. Read the agenda below.**

<b>AGENDA</b>
<b>Senior Managers' Meeting</b>
<b>Subject: <i>Change to a coordinated response</i></b>
<b>DATE 1 July</b>
<b>TIME 11.00 am-12.30 pm</b>
<b>VENUE Main Road Room, Head Office</b>
<ol style="list-style-type: none"> <li>1. Suggestions for managing the offenders</li> <li>2. Action plan to raise the compliance rate</li> <li>3. Action plan to resolve the present problems</li> </ol>

**Ex.27. How to start the talk.**

**Stating aims**

Our main purpose will be to explore your views.  
The aim of this meeting is...

**Giving opinions**

I really think we need a report.  
We feel ... is the best way to...  
Shouldn't we have more information?

**Asking for opinions**

..., what do you think?  
How do you feel about this?

**Agreeing**

I agree with ....  
I think so too.

**Disagreeing**

I don't agree.  
I really can't agree with you there.

**Requesting action**

Can you arrange a meeting? Would you prepare a short report, please?

**Asking for clarification**

Can you explain it a bit more clearly?  
What exactly do you mean?  
Can I get this clear?

**Ex.28. Match the words in the box to the definitions below:**

<b>agenda</b>	<b>minutes</b>	<b>chair</b>	<b>to send your apologies</b>
<b>participants</b>	<b>vote</b>	<b>propose</b>	<b>any other business (AOB)</b>
<b>action points</b>	<b>item</b>	<b>second</b>	<b>attend</b>

1. the people at a meeting.
2. to go to a meeting.
3. a list of topics to be discussed.
4. one topic on the list.
5. the last topic on the list.
6. to make a suggestion formally.
7. a method of making a decision.
8. an official record of what was said and/ or decided.
9. to say that you can't go to a meeting.
10. the time during the meeting when items not on the agenda can be discussed
11. to officially support a suggestion, idea, etc made by another person at a formal meeting so that it can be discussed or voted on.
12. a person in charge of a meeting.

**UNIT 7**  
**ADDITIONAL READING**  
**The Penal Law of France**

**Legal System**

The legal system in France has developed through several stages since the country's establishment. The stage of the Private Reaction characterized the legal system from the time France was founded up until the 16<sup>th</sup> century. The accusatory procedural system predominated judicial procedures at this time. The 16<sup>th</sup> century was marked by the stage of the Public Reaction, which established the inquisitorial system. This system was based on secret judicial procedures. Thus, repressiveness and arbitrariness in the judicial and legal procedure were characteristic of the regime before 1789. After the Revolution of 1789, a judicial system was established that was inspired by English law which enacted the principle of legality of offenses and punishments.

The stage of the Imperial Penal Law produced two written codes: the Code of Criminal Instruction of 1808 and the Penal Code of 1810. The Code of Criminal Instruction emerged from a blending of the inquisitory procedure and the accusatory procedure. The Penal Code resulted in the creation of a list of definable offenses. A number of reforms followed the creation of these codes, which generally tried to individualize the punishment to the particular offender. Reforms included the development of a suspended sentence for juveniles in their early stages of delinquency, such as first-time offenders, stiffening of punishment for recidivists, probation, parole, and alternatives to imprisonment. In addition, reform measures were taken which strengthened the rights of the accused.

Substantial reform has taken place in the last few decades. In 1958, the Code of Penal Procedure replaced the Code of Criminal Instruction. On July 22, 1992, a new Penal Code was presented, which went into effect on March 1, 1994. The New Penal Code has retained the tripartite distinction of crimes, misdemeanors, and violations, which was first established by the Penal Code of 1810.

The Code also addresses some new issues such as corporate crime, the development of alternative punishments to the deprivation of liberty, and reinforcing the severity of punishments for criminals who have committed more serious offenses. It also includes definitions of new crimes, such as offenses wherein persons are placed in dangerous situations by others, ecological terrorism, sexual harassment, crimes against humanity, and genocide.

Under both the Penal Law and Penal Procedure, there is a tripartite distinction of offenses based on their respective seriousness: crimes, misdemeanors, and violations. (New Penal Code, Article 111-1). There are distinctions between completed and attempted acts for crimes and misdemeanors, but not for violations.

Under the Penal Code, crimes and misdemeanors can incur a 20 year sentence and a 5 year sentence respectively. Violations can incur a 2 year sentence. However, in practice, sentence length is generally 10 years for crimes, 3 years for misdemeanors, and 1 year for violations.



Crimes are also classified into attacks against persons, attacks against property, and attacks against public security. Attacks against persons include intentional homicide (murder, assassination, infanticide), intentional violence non-intentional death, harm resulting in a permanent injury), and rape (including rape with more than one offender, aggravating circumstances, simple rape, and rape of a minor under 15 years of age). Attacks against property include theft, robbery, fraud, breach of trust, aggravated robberies, and vandalism. Attacks against the public security include counterfeiting.

### **Detention**

The law prohibits arbitrary arrest and detention, and the Government generally observed these prohibitions; however, credible sources have criticized the judicial system for its inability to process suspects quickly. Some suspects spend many years in prison before a trial. According to the Prison Administration, as of June 18,598 of the 54,950 persons held in jails and prisons were awaiting trial.

Police are required by law to obtain warrants prior to taking persons into custody. Detainees have access to lawyers. Suspects must have access to a lawyer within 1 hour of being detained. Pretrial detention is generally only allowed if there is a possibility that the suspect would be sentenced to more than 3 years in prison for crimes against persons and to more than 5 years in prison for crimes against property. There is a system of bail. The law prohibits forced exile, and the Government did not employ it.

### **Courts**

The accused has the right to a self-obtained lawyer or to a lawyer chosen by the State. The accused also has the right to appeal the judge's decision. At appeal, the accused is brought in for temporary custody under the Chamber of Accusation. Under the law of August 24, 1993, the accused has the right to ask the President of the Accusation Chamber to suspend any sentence until a decision is made on the appeal. Finally, the accused has the right to be compensated for abusive custody. The accused has the right to the assistance of an attorney.

Generally, the procedure by which a case is brought to court is more elaborate as the seriousness of the crime increases. There are two procedural stages preceding trial. In the police stage, the police conduct a preliminary investigation under the direction of the public prosecutor. This process involves a search for the suspect, a hearing of the suspect, and an observation of the suspect, once arrested. During this investigation, the suspect is kept under observation for 24 hours, which can be lengthened under authorization of the public prosecutor. Another type of investigation takes place when the suspect is caught while committing the crime. Police officers can make observations at the scene of the crime and relate their information to the public prosecutor.

The judiciary stage can be initiated by either the Public Minister or the victim, although the Public Minister studies the legalities involved in the charges and prosecutes the suspect. The Public Minister decides whether the case should be brought before a judge (15%) or be disposed of alternatively (85%).

The victim can also initiate prosecution by bringing a civil suit against the suspect, forcing the public prosecutor to take action. Under the Chamber of Accusation, preparatory instructions for the case are given to an examining magistrate who has the power to proceed with the examination of the suspect. (Under the law of August 24, 1993, the term “accuse” was replaced by the term “put under examination”.) The magistrates can interrogate, confront, and bring warrants against the suspect. They can also arrest the suspect and bring him or her before judicial authority. Another set of instructions is given for the bringing of appeals. The examining Magistrate reads the charge and the statement of the defense. Judges of the Correctional Court must explain reasoning for their decision.

The Public Minister can prosecute a suspect. Suspects are not allowed to plead guilty. A person may be kept under observation if there is evidence against him or her. Pre-trial detention may be decided by the judge of instruction or the Chamber of Accusation. The accused can appeal this decision and request release or can use the provisional order of release.

The accused can be released from pre-trial detention on bail. This decision is made by a judge of instruction or the Chamber of Accusation. In 1990, the number of pre-trial offenders totaled 20,789.

Police Courts have jurisdiction over violations of the law that incur a punishment of less than 2 months imprisonment and a maximum fine of 25,000 francs. Correctional Courts have jurisdiction over offenses which can incur a maximum of 10 years imprisonment.

The Assize Court has jurisdiction over serious crimes that have possible life imprisonment sentences. The Assize Court sits on an ad hoc basis (not a permanent court). Its decisions are permanent and cannot be brought for appeal.

The Chamber of Correctional Appeals hears appeals of decisions brought to it by the Police and Correctional Courts. The Criminal Chamber of the Supreme Court of Appeal oversees the application of law in all courts. It verifies judicial decisions to ensure that the application of the law and the resulting sentences are sound, but does not actually hear any cases. Its judges determine the appropriate application of the law in a case, but do not draw any conclusions as to the facts of the case.

This court hears cases involving minors charged with offenses that would be brought to the Police and Correctional Courts if they were adults (for instance, misdemeanors and violations).

The sentence is determined by the court. The judge that sets the punishment also decides how the punishment will be carried out.

The accused, the victim, and the Public Minister can express their opinions at sentencing. Expert witnesses, such as psychiatrists, have a great influence. The court will generally abide by the conclusions of expert witnesses.

Penalties generally range from fines for minor offenses to deprivation of liberty for serious offenses, although imprisonment can be used for misdemeanors as well as more serious crimes. There are other punishments such as seizure of property, closing down of establishments, and community service.

A life sentence in prison is often given as punishment to the crimes of murder, assassination, parricide, poisoning, attack upon State security, and counterfeiting. Prison sentences are generally given for the crimes of rape, armed robbery, kidnapping of a minor, unlawful imprisonment, threats, assault, assistance of suicide, homicide, and forms of indecency (for instance, public indecency). The death penalty was repealed by the law of October 9, 1981.

The law provides for an independent judiciary, and the Government generally respected this provision in practice.

The court system includes local courts, 35 regional courts of appeal, and the highest criminal court, the Court of Cassation, which considers appeals on procedural grounds only. Prospective magistrates compete for entry into the National School for Judges; upon completion of their course of study and rigorous exams, magistrates are placed according to their class ranking.

The judicial system has been criticized by credible sources for its inability to process suspects quickly. In cases of serious crimes, investigating judges detain suspects for questioning and direct the criminal investigation that occurs before a case is tried. The *chambre d'accusation* reviews the investigating judge's investigation to determine whether the charge established by the investigating judge was appropriate. The Court of Assises investigates and decides cases involving serious criminal offenses.

There were no significant developments during the year 2002 in Abdelhamid Hakkar's suit before the European Court of Human Rights (ECHR) charging that the Government violated Article 5 of the European Convention on Human Rights by keeping him in provisional detention for 5 years.

Omar Raddad, convicted of murder in 1994 and later pardoned by President Chirac, submitted a motion for a retrial in 1999 after new DNA evidence was discovered. On November 20, the Court of Revision determined that there was insufficient evidence to merit either a retrial or the annulment of Raddad's original conviction. Raddad stated his intention to appeal to the ECHR. There were no reports of political prisoners.

### **Corrections**

There are five types of penal institutions. Central houses receive offenders who have been sentenced to more than 1 year in prison. Detention centers can also receive offenders with long sentences, but are orientated toward the re-socialization of offenders. Stop Houses receive offenders with less than a one year sentence. Penitentiary Centers are a hybrid of Stop Houses and Central Houses and receive offenders with both long and short sentences. Semi-liberty Centers house offenders who can be released for short periods of time to go to work, school, professional training, or undergo medical treatment.

The number of admissions into closed environment prisons located in cities, during 1990, was 78,444, the number of releases, 75,193. The number of annual incarcerations in an open environment was 91,545, with an average length of detention of 6.6 months.

Prison administration is affiliated with the Minister of Justice and consists of the central administration service and exterior services. The prison central administration service is headquartered in Paris. Prison exterior services operate at both a regional and local level, along four areas of interest: the application of judicial decisions, reintegration, human resources, and general administration.

Inmates can apply for early release from the Penalty Application Commission. The reduction cannot exceed 3 months per year of incarceration and 7 days per month for incarceration over one year.

Time reduction is also permitted if the inmate passes an academic exam or completes university or professional studies. However, this form of reduction cannot exceed 2 months per year of incarceration.

Prisoners with life sentences can also obtain parole. The total reduction of sentence cannot exceed 20 days or a month per year of incarceration. Inmates are not obligated to work, although in principal, prisons are obligated to provide work for inmates to do. About 40% of the prisoners are provided with paid work. Prisons are humanized on a physical level by the availability of sanitary conditions for inmates and on a moral level, by allowing inmates to have family contact and to receive visits at pre-determined intervals. In some cases, such as the death or imminent death of a relative, inmates can leave confinement for short periods of time.

Educators, social workers, prison visitors, and clergy from a variety of religions participate in the rehabilitation of inmates.

As of year 2002, prison conditions generally met international standards; however, public debate continued on the adequacy of prison conditions. In the past several years, credible nongovernmental organizations (NGOs) have reported overcrowding and unacceptable hygiene conditions in prisons. In September Parliament approved a prison reform bill that provided for the replacement of old prisons and the building of space for 13,200 more prisoners. The Government began construction and anticipated completing its plan to build 30 new prisons by 2006.

According to the Ministry of Justice, there were 54,950 persons in custody as of June. There was no evidence of deaths in prison due to mistreatment during the year 2002. The Ministry of Justice reported 235 deaths of persons in custody in 2001, of which 104 were suicides. The country does not keep statistics on causes of death of prisoners other than suicide. The NGO French Prison Suicide Observatory reported 116 suicides and suspicious deaths during the year 2002. Men and women were held separately, juveniles were held separately from adults, and convicted criminals were held separately from pretrial detainees and those serving sentences of less than 1 year.

The Government permitted prison visits by independent human rights observers. The Council of Europe's Committee for the Prevention of Torture visited the country in June but had not released a report of its findings by year's end.

## **Women**

The Penal Code prohibits rape and spousal abuse, and in general these laws were enforced; however, violence against women remained a problem. The Ministry of Interior reported that in 2001 there were 9,574 rapes and 15,273 instances of other criminal sexual assault; in 2001 there were 1,718 convictions for rape. The penalties for domestic violence vary according to the type of crime and range from 3 years' imprisonment and a fine of approximately \$46,778 (45,000 euros) to 20 years in prison. The penalty for rape is 15 years in prison, which may be increased due to other circumstances (such as the age of the victim or the nature of the relationship of the rapist to the victim). The Government sponsored and funded programs for women who were victims of violence, including shelters, counseling, and hot lines. Numerous private associations also assisted abused women.

On October 4, in the Parisian suburb of Vitry-sur-Seine, a 17-year-old woman named Sohane, was burned to death in an attack by 19-year-old Jamal Derrar. Derrar was taken into police custody on October 6 and was awaiting trial at year's end. Although the killing was an isolated incident, press reports and civil rights NGOs linked the incident to the "repressive atmosphere" in some suburbs dominated by immigrants from Arab countries. Some men in these suburbs reportedly intimidated women whom they perceived as breaking with social norms. The Government and NGOs have spoke out to condemn this behavior, which ranged from verbal abuse to physical assault and rape. On October 14, President Chirac announced the creation of an "independent authority" to combat all forms of discrimination, especially that against women.

Prostitution is legal; acting as a pimp is illegal. Trafficking in women for the purpose of sexual exploitation was a problem. A government agency, the Central Office on the Treatment of Human Beings (OCRTEH), addresses trafficking in women, prostitution, and pimping.

The law prohibits sex-based job discrimination and sexual harassment in the workplace. In January the Social Modernization Law modified existing laws on sexual harassment to prohibit harassment by colleagues as well as supervisors, to place on the employer the burden of proof that discrimination did not take place, and to create a mediation process to help workplaces address problems with harassment.

The law requires that women receive equal pay for equal work; however, this requirement often was not implemented in practice. Reports by various governmental organizations and NGOs have indicated that men continued to earn more than women and that unemployment rates continued to be higher for women than for men. The National Institute of Statistics and Economic Studies reported that in 2002 the unemployment rate for women was 10.1 percent, compared with 8.2 percent for men.

## **Children**

The Government was strongly committed to children's rights and welfare; it amply funded systems of public education and medical care. The Ministry for

Family Affairs oversees implementation of the Government's programs for children.

There are strict laws against child abuse, particularly when committed by a parent or guardian, and the Government effectively prosecuted abusers. Child abuse was a problem, which the Government took steps to address. In 2001 there were approximately 18,000 reported cases of mistreatment (physical violence, sexual abuse, mental cruelty, or severe negligence) of children, compared with 18,300 in 2000. Approximately 5,900 of these cases involved reports of sexual abuse. Special sections of the national police and judiciary are charged with handling these cases. In 2001 there were 502 convictions for rapes of minors under the age of 15 and 3,750 convictions for cases of sexual assault against minors. In 2001 there were 7,961 convictions for cases of violence, mistreatment, and abandonment of minors. The Government provided counseling, financial aid, foster homes, and orphanages for victims, depending on the extent of the problem. Various associations also helped minors seek justice in cases of mistreatment by parents.

## **The Penal Law of Norway**

### **A Better Future for Prison Inmates**

“People are really interested in creating a better future for inmates and staff,” says director of the Directorate of Norwegian Correctional Service, Kim Ekhaugen. The Directorate is a donor partner in the programmes contributing to improving the correctional services and prison conditions in Romania, Lithuania, Latvia and Poland.

Organisations from Iceland, Liechtenstein and Norway and the Council of Europe play a vital role as donor programme partners in many programmes supported by Iceland, Liechtenstein and Norway through the EEA and Norway. We have asked four partners taking part in the justice programmes about their participation as donor programme partner. This is the first of four interviews.

A growing prison population is a challenge for many countries. This leads to overcrowding and problems of ill health resulting from poor sanitation and accommodation. Norway supports programmes in this area in seven countries, contributing to improve prison conditions and prisoner rehabilitation as well as promote alternatives to imprisonment.

### **The Directorate of Norwegian Correctional Service**

In addition to being a donor programme partner in the correctional service programmes in Romania, Lithuania, Latvia and Poland, the Directorate of Norwegian Correctional Service cooperates with the Czech Republic and Bulgaria, where the Council of Europe acts as the lead donor programme partner. We asked the Director of the Directorate of Norwegian Correctional Service, Kim Ekhaugen, about the exchange of best practice.

**Q. In your experience, how easy is it to transfer the Norwegian practice to beneficiary countries?**

A: The transfer of practice from Norway has been welcomed in the beneficiary countries and 14 partnership projects are being implemented. I would like to emphasise that I see a lot of enthusiasm for change. People are really interested in creating a better future for inmates and prison staff.

**Q. What are the specific challenges that the beneficiary countries face?**

A: Many of the beneficiary countries face serious problems in particular with regard to overcrowding.

**Q. Is there a particular project where your involvement has made a real difference?**

A. In Latvia, they are building their first prison unit for addicted inmates. As in most countries, a high percentage of inmates in Latvia are addicted to drugs or alcohol and this is a big problem in prisons.

In Lithuania, they are in the process of opening four half-way houses, which will give some of the inmates a completely new way of serving their sentence. By living in a halfway-house, they will have to learn basic life-skills and hopefully leave prison for crime-free futures.

## **Correctional Services, Including Non-Custodial Sanctions**

A growing prison population is a challenge for many countries. This leads to overcrowding and problems of ill health resulting from poor sanitation and accommodation.

Norway supports programmes in this area in seven countries, contributing to improve prison conditions and prisoner rehabilitation as well as promote alternatives to imprisonment.

Norway supports programmes on correctional services, including non-custodial sanctions in Bulgaria, Czech Republic, Latvia, Lithuania, Malta, Poland and Romania. Each programme, while sharing the same overall objective, is tailor-made to align with national needs and wider EU and donor country priorities.

The number of prison inmates is increasing in many of the beneficiary countries. Poor prison conditions increases the risk of substance abuse and spread of infectious diseases. Funding from the grant scheme is intended to promote the use of non-custodial sanctions and assistance for vulnerable groups of prisoners

*Programme objective: Improved correctional services system in compliance with relevant international human rights instruments.*

*Expected results:*

- Overcome challenges connected to growing prison populations and prison overcrowding;
- Increased application of alternatives to prison;
- Increased focus on vulnerable groups in prison;
- Improved competence of both inmates and prison staff.

Priorities, funded activities and eligibility criteria vary by programme. Read more detailed information in the individual programme summary for each country: Bulgaria, Czech Republic, Latvia, Lithuania, Malta, Poland and Romania. Preparing Prisoners for Release and Reintegration into Society

“By helping prisoners to maintain family ties and equipping them with useful skills we hope to reduce reoffending. We will extend the project, from 30 prisons, to 60,” says the Central Prison Services Project Coordinator Aleksandra Skierkowska.

Norway has one of the lowest rates of reoffending in the world – prisoners in Norway must take responsibility for their past actions, but it is in everyone’s interest that offenders are helped to reintegrate into society when their sentences come to an end.

There are many factors that contribute to Norway’s success in reducing reoffending. Some of these lessons are being shared with other countries, with support from the Norway Grants. In Poland, the Directorate of Norwegian Correctional Services (KSF) is working in partnership with the Polish Central Board of Correctional Services, to improve the way prisons are run. One project brings together different aspects of rehabilitation, from making sure that prisoners maintain links with their family, to ensuring that they acquire new skills that will help them to find work once they leave prison. No less important are the skills needed to deal with anger, stress, fear and other negative emotions; emotions that were often the root cause of the original offence.



Maintaining close family bonds while in prison is not easy, particularly for those who are parents. Through the Norway Grants, the project is adapting more than 150 rooms and facilities to make the prisons friendlier for children – these improvements make a huge difference to a child, who can see their parent in a more ‘normal’ environment.

#### Dog Therapy

Contact with animals has been found to have a positive impact on mental health, in particular in improving emotional and social reactions. The prisoners are taught how to look after dogs, including obedience training, exercising and agility training. The positive relationship that develops reaps rewards not just for the dogs, who are tamed and can find new homes, but also for the prisoners, who regain confidence in themselves.

Maciej Bujny, from OTOZ Animals, a charity that provides shelters to homeless animals, explains in the video below that the prisoners have to work with some of the most difficult dogs, dogs who were beaten, those you cannot take for a walk and that need to be retrained. In the words of Maciej, in the prison “the dogs regain faith in themselves and the prisoners in themselves”.

#### Vocational skills

The Norway Grants are supporting more than 900 prisoners to develop new skills and also follow complementary training in self-esteem and anger management, as well as basic IT skills. A particular emphasis has been placed on training in environmental-management skills that include woodcutting, sawing and green-area maintenance. In certain areas, the prisons are working in partnership with the Forest Inspectorate and the National Water Management Authority, allowing prisoners to have real work experience.