



Around Europe

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New QCEA report surveys prisoner reintegration policy in 20 European countries

The Quaker interest in prison conditions goes back to the concerns of Friends for their imprisoned members during the seventeenth century. Since then Friends have moved from narrow consideration of prison conditions to consider more broadly the aims and methods of the criminal justice system overall. QCEA's work in recent years has mirrored this trend: in 2007 we reported on the conditions of women in European prisons, and in 2010 published research on the use of non-custodial sanctions. Nevertheless, prison has been (and will remain for the foreseeable future) a component of European criminal justice systems; where its use cannot be avoided, it is imperative that prisons are run so as to facilitate the reintegration of the prisoner to society.

Yet the arguments advanced in favour of stronger, longer, harsher prison terms are highly dubious. It is true that offenders in prison are unlikely to commit further crimes; but only a tiny proportion of prisoners will never be released. Most prisoners eventually leave prison. Whether after a short or a long sentence, they will often have been damaged by the experience, having disproportionately come from some of the most disadvantaged sections of society. They may have lost a job, or at least gained the stigma of a criminal record; they may have lost contact with their families, or made new contacts with more serious offenders while in prison; many are homeless and indebted on release; others will still not have received effective prison treatment for addictions or for mental health problems.

These problems are exaggerated in the majority of European prison systems, due to overcrowding and an inability to carry out their rehabilitative duty to prisoners. In expecting no repeat offences, we are making a large demand on offenders. In the absence of proper reintegrative support, it may be that the demands are unrealistic.

QCEA's report, *The Social Reintegration of Ex-Prisoners in Council of Europe Member States*, will be published imminently. Readers will be able to download it from the QCEA website in early May. We have followed a similar approach to that taken in our recent reports, sending questionnaires to justice



Prisoners contemplating release at the end of their sentences face an uncertain future, during which advice and support may be unavailable. Photo: publik16 via Flickr CC Search.

ministries around Europe, and collating and comparing the results, as well as collecting examples of best practice from other sources.

The report examines the role played by supervision after release by probation services. We suggest that there should be clearly defined statutory link services, referring prisoners to advice on housing and employment. We also recommend that drug and alcohol treatment must be provided outside prison wherever possible, coupled with the greater adoption of 'harm reduction' measures within prisons. Detailed chapters explore the role that education and training can play, recommending that prisoners should be paid the minimum wage for their prison work and training, with incentives to save in preparation for the difficult time following release, during which they may face financial problems with no sources of income. We also argue that prisoners who are paid a decent wage will be able to contribute more realistically to family life, and (in a separate chapter on the role of families and friends) consider interventions in prison that help prisoners and their families to maintain contact and support each other so that reintegration becomes a more realistic aim. A chapter on prisoners and the vote makes the case for civic reintegration; finally,



*Some believe prison works.
Mostly, in fact, it harms. It
should be used as a last resort.*

chapters on sex offender rehabilitation and restorative justice examine how recent Quaker work may be able to help with the rehabilitation of other kinds of offenders.

The failures of prison, and the high reoffending rates around Europe, should act as a wake-up call for those who believe 'prison works'. A decade or more of harsher prison terms has not reduced reoffending, and

as prisons have become more overcrowded they have also become increasingly unable to fulfil the rehabilitative function to which their governments have committed them. With this report we have learned a great deal about the extent and nature of the problem; the next challenge is to persuade those in power in Europe to act on our recommendations.

Ben Jarman

EU Responses to Terrorism: a Paper Tiger on a Wild Goose Chase?

There has been a dizzying array of counter-terrorism related policy developments and initiatives within the EU since QCEA published its Briefing Papers and 2007 report "Effective Counter-Terrorism: A Critical Assessment of European Union Responses".

EU counter-terrorism policy comes under a four-pronged framework of "Prevent, Protect, Pursue, and Respond". Actions under these four areas are prolific, lacking coordination and insufficiently scrutinised. The "prevent" strand is acknowledged to be the most neglected; this is the strand that is intended to address the roots and processes that lead people to become radicalized and take violent action for some perceived goal. The European Parliament has, on numerous occasions, called for a full and independent evaluation of the effectiveness of EU counter-terrorism policy - given the large costs, financially and in terms of civil liberties and human rights - they argue that it should be scrutinised and reviewed in the same way as any other, less politically sensitive, policy area.

Aside from general concerns over effectiveness, there is abounding criticism over specific strategies, for example, the use of terrorist lists - the targeted sanctioning of an individual or group on the basis of often secret and inaccessible information that leads to the freezing of assets, a ban on travel etc. The Kafkaesque curtailment of due legal process (the right to be informed, to be heard, to judicial review and effective remedy) is not the only concern. The consequences for non-governmental organizations involved in mediation of criminalising any kind of interaction with a designated group or person is also worrisome. If when meeting a listed individual to engage in constructive dialogue, mediation or de-

radicalization efforts, they provide that individual with coffee during such a meeting, this could be construed as financial support of a terrorist organization and thereby a criminal offence.

'Prevention - addressing the roots and processes that lead to radicalisation - is acknowledged to be the strand of counter-terrorism policy that is most neglected.'

Numerous other issues relating to counter-terrorism policy remain unresolved, or are fraught with disagreement and dissent. Past contentious issues include the alleged complicity of some Member States in CIA rendition, the use of legal havens and unenforceable diplomatic assurances with countries known to use torture. Current controversies relate to new directives concerning Air Passenger Name Records, and the Terrorist Finance Tracking Programme (TFTP) which involves the transfer of financial data to the US.

At a public hearing of the European Economic and Social Committee (EESC), assessing a European Commission communication on the main achievements and future challenges of EU counter-terrorism policy, another contentious issue was moving in the shadows: the practice of profiling according to certain characteristics such as race, sex, religion, age, travelling record etc. Due to the public furor led by human rights organizations over the ineffectiveness



and unacceptability of profiling, the issue has disappeared from the agenda. But has it really gone away? Listening to attendees at the EESC hearing indicated that, behind the scenes, there are still some highly influential people in the policy making world who are of the view that whilst it may not be politically correct to advocate religious/racial profiling, it *is just* necessary.

Not only is this shocking, it is also stupid. To defend this assertion, aside from the legal right to non-discrimination, one only needs look at the numbers. In 2009, the terrorist attacks that occurred in Europe were:

- separatist attacks (257)
- left-wing or anarchist attacks (40)
- right-wing attacks (4)
- "single issue" attacks (2)
- Islamist terrorism (1) ¹

Religiously motivated terrorism is publicly perceived as the most common and dangerous type of terrorism, despite the fact that it is actually the rarest. This misconception is in part a result of media distortion, which has led to terrorism being equated with fundamentalist Islamist terrorism. This distortion also seems to promote the idea that it would disrespect the victims of terrorist attacks to point out their

relatively tiny impact, compared to, say, climate change, poverty deaths or state-sponsored military action. It is high time the media started to pick up on both the reality of scale and proportionality, and that neither the historical nor modern-day phenomenon of "terrorism" in Europe reflects the picture they paint.

Digging beneath the rhetoric of EU counter-terrorism policy, it begins to resemble the ineffectualness of a 'paper tiger', and the fruitless misdirection of a wild goose chase. It is time EU responses to terrorism ceased to be founded on populist and media-distorted fears of the 'other' that play down the vital role of economic and social equality. The underpinning of any real 'response' to terrorism should focus on removing the obstacles and injustices that lead people to see no other outlet than violence.

Rachel Tansey

1. Source of data: European Economic and Social Committee, SOC/388 EU Counter-Terrorism Policy, March 2011. OPINION of the Section for Employment, Social Affairs and Citizenship on the Communication from the Commission to the European Parliament and the Council - The EU Counter-Terrorism Policy: main achievements and future challenges COM(2010) 386 final.

Israel: Democracy and Free Speech for all?

This was the question at the heart of a conference in Oslo from 11-12 March 2011 organised jointly by Quaker Service Norway, the Association of Norwegian NGOs for Palestine, and the Palestine Committee of Norway. It was an opportunity to hear six Jewish Israelis¹ from different peace/human rights organisations; different voices with different views; they are, though, part of a small minority among Jewish Israelis who challenge the prevailing attitudes of their own society courageously and often at considerable cost.

Jewish Israeli society is fragmented. There are many organisations working on Palestinian human rights; there are more resources to support change than we or they realise. Some of the key messages which came out of the discussions included the following;

1. Obstacles to peace

Arabs, and that means all Arabs and not just Palestinians, are seen by the mainstream as 'the other': permanently an enemy. One speaker had been told by the authorities 'If you work with Arabs, we'll treat you like an Arab. You're a security risk by

association if you work with Arabs.' A December 2010 survey showed that 33.5 per cent of secular Jewish Israelis oppose equal rights for the Arab population in Israel. And from another speaker: neither side sees 'the other' as a true partner for peace; neither side teaches the other's narrative in their schools, though Israeli and Palestinian historians have researched an agreed text.²

'Israel is an ethnocracy, a country that belongs to one particular group.'

Israel is an ethnocracy, a country that belongs to one particular group. This is borne out by the fact that an Israeli ID number includes the ethnic identity of its bearer. So, Israel is a thriving democracy if you are Jewish. This poses a stark choice for Israelis: to accept the democracy as it is or to accept that Israel cannot be a Jewish state. Emergency laws are renewed every year in Israel and can be used at any time. The raft of recent and forthcoming laws, which curtail a wide range of democratic freedoms, just



make restrictions more visible. But because they are not part of the emergency legislation, they are even more dangerous because they will define the post-'emergency' political space.

2. The militarisation of the State of Israel

The role of the military in Israel is significant. Some describe the Israeli Defence Force as an army with a country, not a country with an army. It publishes no data about itself and is thus far less accountable than would normally be expected in a democracy. Ex-career officers hold many of the senior positions in government, in education and in business. They often retire on full pensions at 42/43 and are 'retrained' by the state. The Army has a public approval rating of 90 per cent or more, compared to the 20 per cent the Knesset has.

'Since 2006 there has been a dramatic drop in the willingness of Jewish Israelis to participate in military service.'

BUT since 2006 there has been a dramatic drop in the willingness to serve. 25-32 per cent of secular Jewish Israelis seek ways to dodge conscription. Religious recruits who are willing to serve have increased and now make up 31.5 per cent of the total force. 25 per cent of eligible graduates do not serve in the army; 26 per cent of graduates who do serve are released early; in almost all of the cases it is the military who find them unsuitable - often because of their unwillingness to participate in attacks on Gaza. New Profile, an NGO

working with conscientious objectors in Israel, is the only civil society organisation in Israel that is officially banned from entering schools.

3. The need for international support

Three speakers felt that the unlikelihood of substantive change from within Israeli society meant there was a need for strong international pressure. This might take the form of a boycott against Israeli institutions (not individuals). One speaker pleaded for support for the non-violent approach taken by increasing numbers of Palestinians. International civil society must work on the gap between their critical views and the official positions of their governments and the EU. Without this support, without a rights-based approach that can build a bridge and create perceptions of a future that Israel can share, change is not likely to be possible any time soon.

The call to the international community seemed to me to be: Put pressure on the Israeli government to respect international law, but don't advocate a particular solution - be it one state or two states; any solution must be a just and sustainable peace with equality for all and it must come from the people within Israel and Palestine, not from the outside.

Liz Scurfield

1. The two Palestinian/ Arab Israelis who had been invited were unable to join us because of ill health.
2. The book is called 'Learning the narrative of the other'. Its use has been banned by the Israeli Ministry of Education.

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Quaker Council for European Affairs aisbl
Square Ambiorix 50, B-1000 Brussels, Belgium
Editeur responsable : Elizabeth Scurfield
No entreprise 0420.346.728
www.quaker.org/qcea - info@qcea.org