

There's many a slip twixt cup and lip

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Legal Advice



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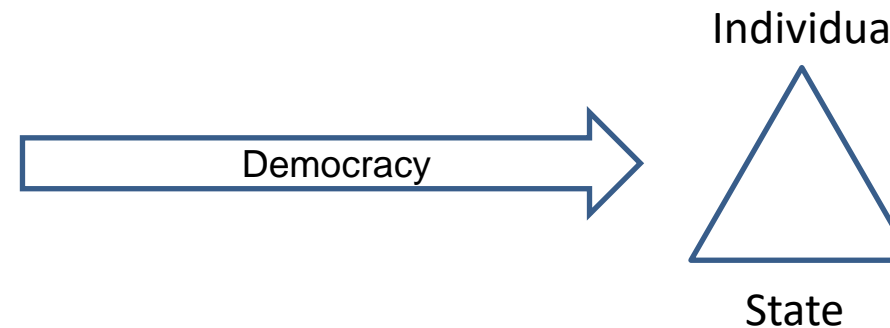
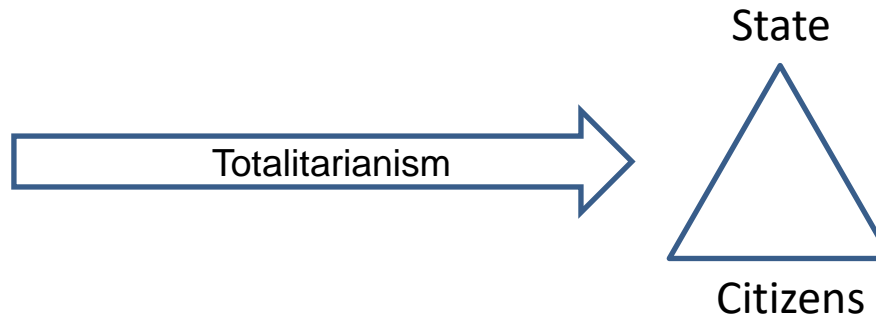
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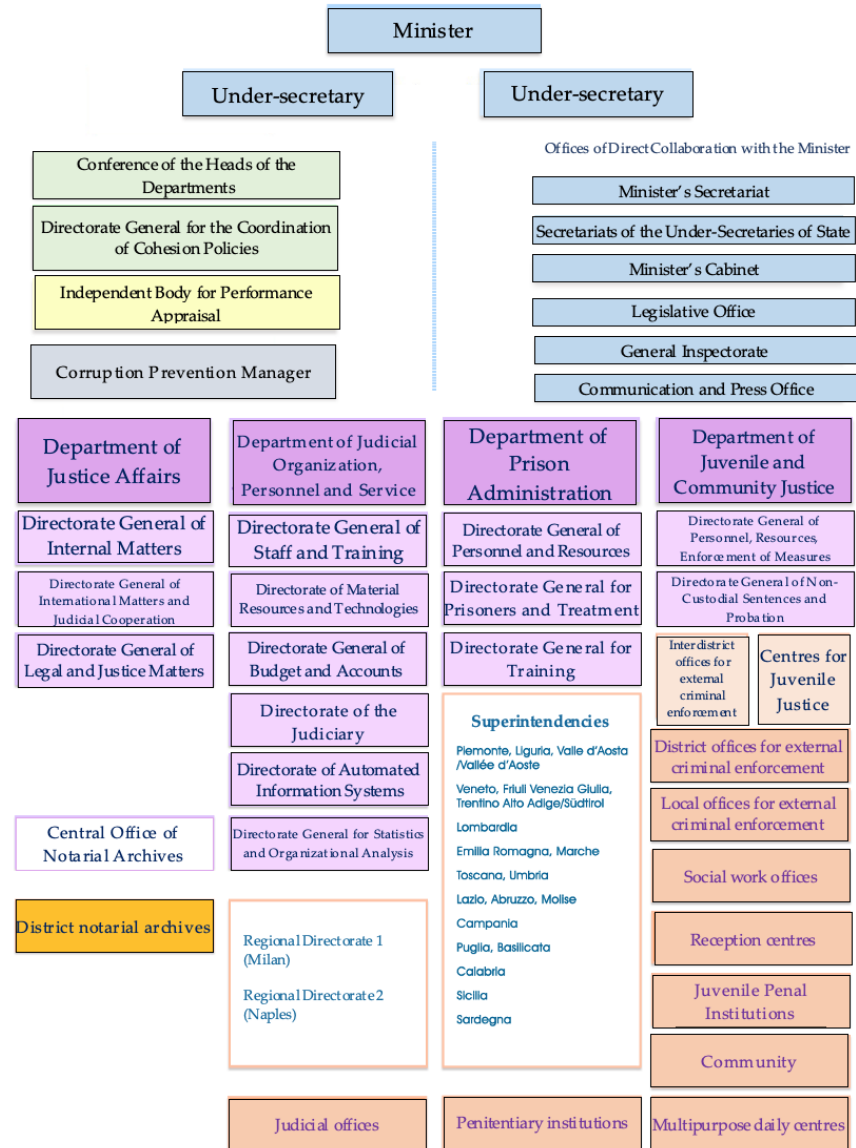
- **Italian Penitentiary System**
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- **Criticalities**
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- **Culture and Terminology**
- **Solutions: bringing theory and practice closer together**
- **Establishment of permanent formation centres**
- **Other solutions**
 - Personnel supervision
 - Mindfulness courses

Italian Penitentiary System - History

- **1915- 1918: World War One**
- **1922-1943: Italian Fascism**
- **1940-1945: World War Two**
- **1946: Italy becomes a Republic**
- **1948: Italian Constitution is ratified Article 27:** *Criminal responsibility is personal. A defendant shall be considered not guilty until a final sentence has been passed. Punishments may not be inhuman and shall aim at re-educating the convicted. Death penalty is prohibited.*
- **1975: Italian Penitentiary Act**



Organisation



Organisation

11 Regional Directorates + 189 Penitentiary Institutes + 8 Training Facilities



Regional Directorates are in charge of:

- Personnel
- Services and institutions
- Inmates
- Relations with both regional and local institutions, including the **National Health Service**

In Italy there are both penitentiary training institutes and training and refresher schools for personnel. There are:

- 4 **Schools**: (every one of which is headed by their own executive)
- 4 **Education Institutes**: (that are led by Directorate general for Training)
- 189 **Penitentiary Institutes**

Personnel

Penitentiary Police

	Expected	Actual	Gap
Management section	715	480	-235
Inspectors	4,190	2,220	-1,970
Sergeants	5,300	4,200	-1,100
Agents and assistants	31,390	30,331	-1,059
Total	41,595	37,231	-4,364

Administrative personnel

	Expected	Actual	Gap
Management staff	345	263	-82
Rehabilitation officers	998	771	-227
Accounting area	952	690	-262
Administrative area	1,251	1,065	-186
Technical area	580	256	-324
Others	901	695	-206
Total	5,027	3,740	-1,287

Training courses

Administrative staff training

Initial Training

Refresher courses

Thematic Training

**Focus on human rights and
human dignity**

Penitentiary Police staff training*

Initial Training

Refresher Training

Qualification courses

Specialization courses

**Focus on human rights and
human dignity**

*all training programmes include a module on preventing radicalisation

Training courses – Initial training



Administrative Staff

Management Staff

- The training duration is 18 months

Area 3 Officers (both rehabilitation and human resources)

- The training duration is 5 weeks + traineeship

Area 2 Assistants (both information technology and accounting)

- The training duration is 1 week + traineeship

Penitentiary Police Staff

Executives

- The training duration is 2 years

Inspectors

- From 6 to 12 months (theoretical + practical training)

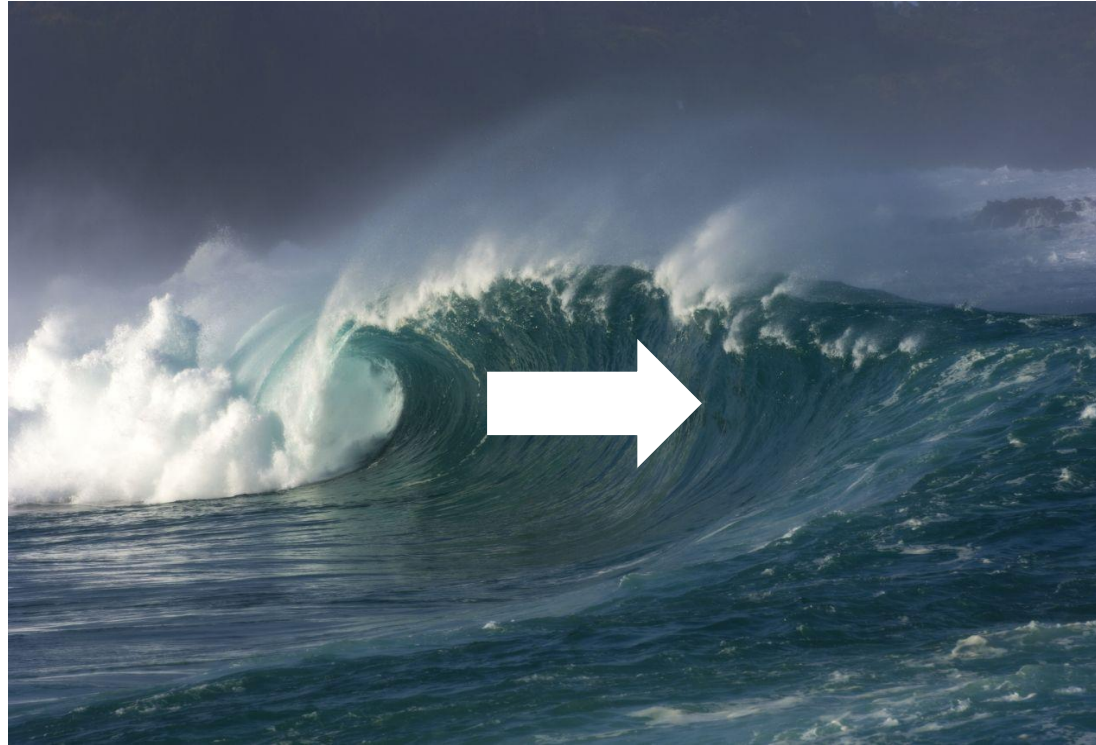
Sergeants

- The duration depends on the background in the Penitentiary system:
- From outside: 1 year
- From inside: 6 months

Agents and Assistants

- From 4 to 6 months

Theory-practice gap



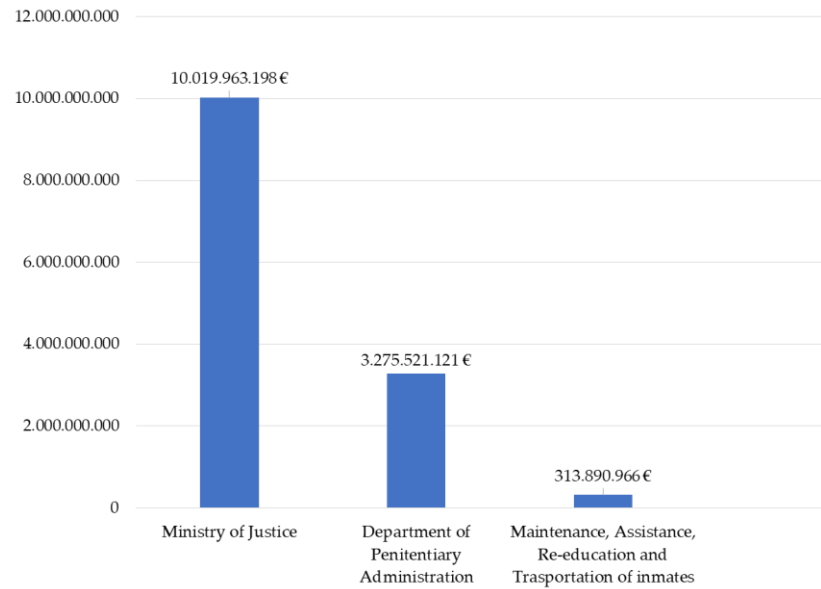
“Tra il dire e il fare c’è di mezzo il mare” is an Italian proverb that can be translated into *“easier said than done”*.

The Italian proverb is based on the word *“mare”* (sea in English) which emphasizes the huge gap between words and facts.

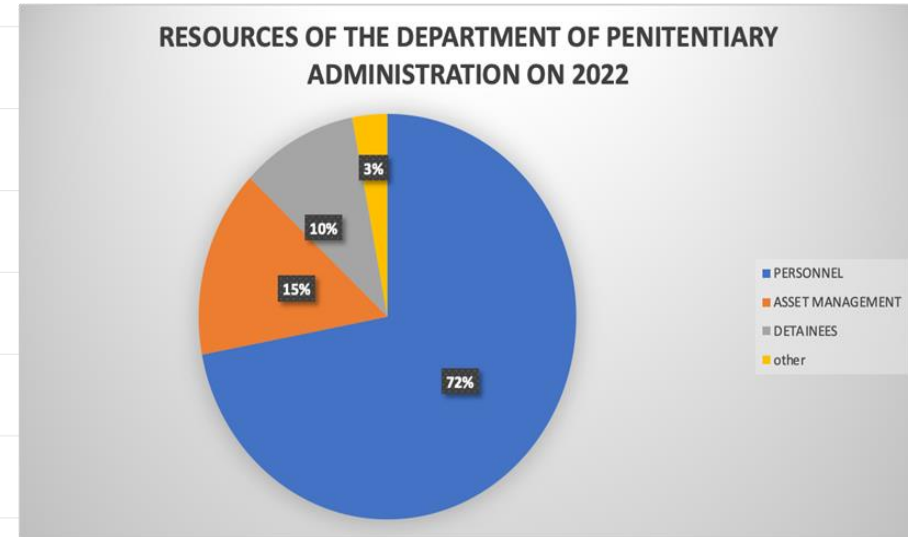
Literally, it would be translated as *“An ocean lies between what is said and what is done”*.

Criticalities - Budget

The main criticalities of the Italian Penitentiary System: 1. Budget criticalities



Budget appropriations 2022

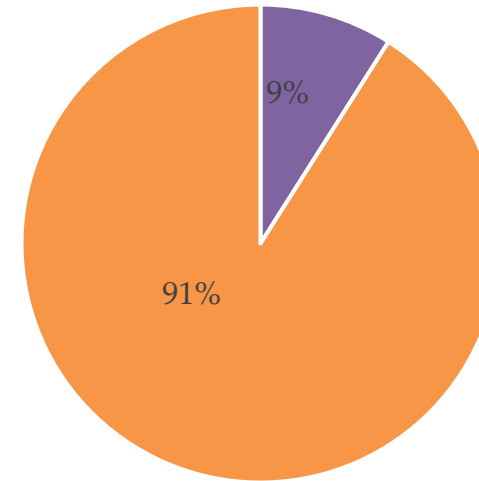


Criticalities - Staff

The main criticalities of the Italian Penitentiary System: 2. Administrative Staff and Penitentiary Police

As it can be seen from the chart, there's an imbalance between Penitentiary Police and civil personnel. While they are both in charge of the management and social reintegration of the prison population, Penitentiary Police officers are mostly in charge of the security, while civil personnel oversees programs for the detainees' education.

PRISON STAFF



■ CIVIL STAFF ■ PENITENTIARY POLICE

Criticalities - Structural

The main criticalities of the Italian Penitentiary System:

3. Structural criticalities

- During the 18th century, new ways of conceiving detention allowed to introduce a model that did not deprive prisoners of their dignity.
- The old structure of some facilities combined with the resulting logistical problems is a challenge for the Penitentiary system.

Critical Structures - Architecture

Italian Penitentiary facilities

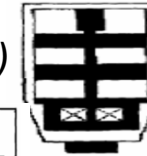
Remand prison in Lucca, Tuscany (14th century)



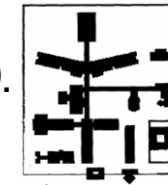
"Radical arrangement" structure - *Remand prison San Vittore – Milan (1892)*



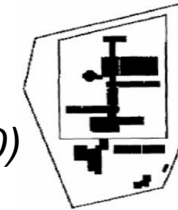
"Telegraph pole" structure - *Remand prison in Caltanissetta, Sicily (1908)*



Differentiated building - *Remand prison in Foggia, Apulia (1963).*



"New telegraph pole" structure - *Remand prison in Vibo Valentia, Calabria (1990)*



Former cloisters: Alessandria Cantiello, Gaeta; Aversa; Fermo (*photo*); Fossano; Lanusei; Lecco; Lucca; Noto; Orvieto; Pozzuoli; Roma Regina Coeli; Sciacca; Siena; Turi; Venezia Gludecca



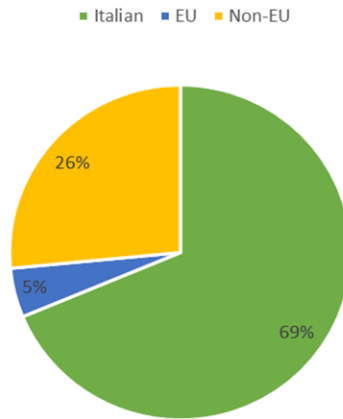
Former castles: Bolzano (Austro-Hungarian building, 19th century); Castel Franco Emilia (historical building); Castrovillari; Eboli; Lucera (17th century palace); Paliano; Pordenone; Porto Azzurro; Volterra (*photo*)



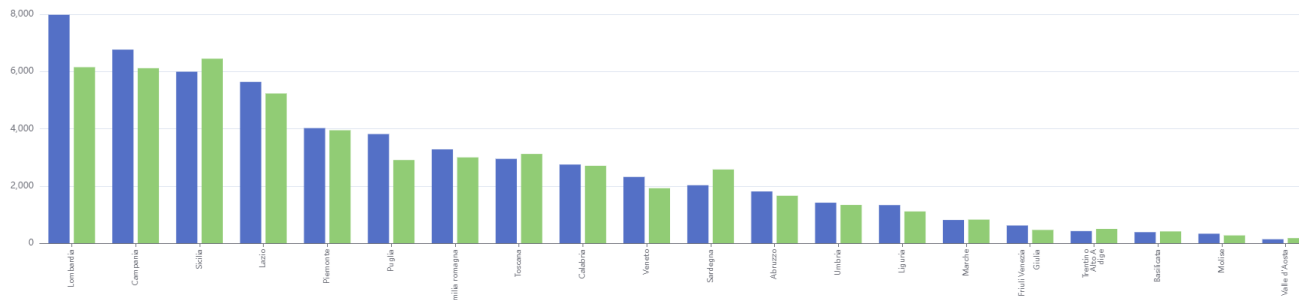
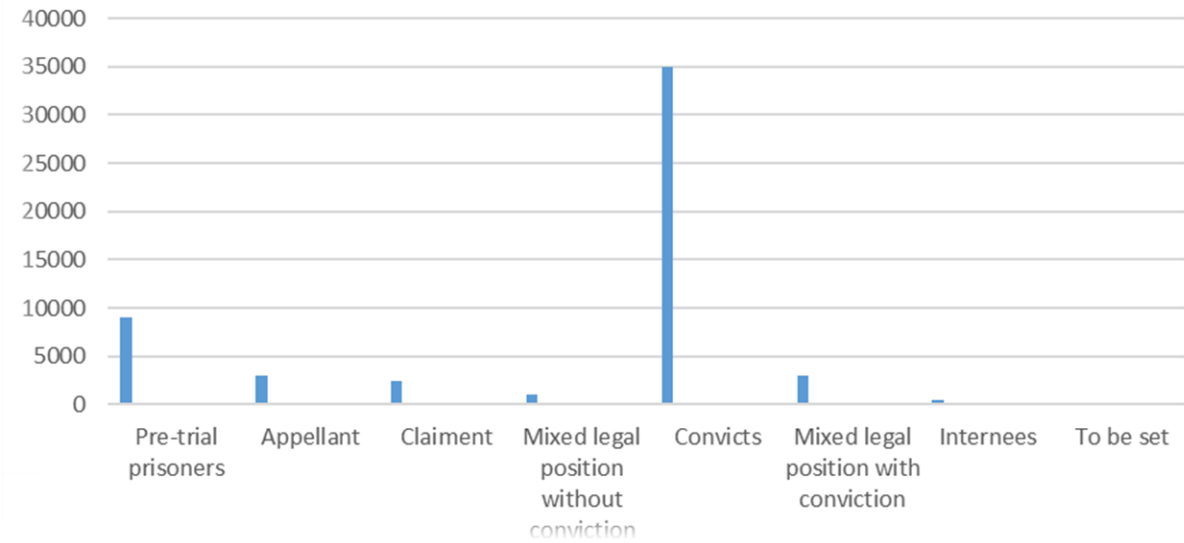
Criticalities - Overcrowding



The main criticalities of the Italian Penitentiary System: 4. Prison Population

Inmates present by citizenship (54780)



Inmates present by legal position (54780) - 27/05/2022



Inmates present (54780) 
regulatory capacity (50859) 
27/05/2022

Culture and Terminology

Language plays a fundamental role in every community, especially in correctional institutions.

European prison rules also provide that life inside the institutions must be as similar as possible to life outside, and this 'assimilation' must also include vocabulary.

The terms currently used in penitentiary institutions in relation to detainees are often unrelated to those commonly adopted by the community and cause a progressive and deplorable infantilisation, an isolation of the detainee from the outside world that creates further difficulties for possible reintegration. Incorrect practices and persistent terminology for certain terms, in fact, some even institutionalised or used in prison jargon, have been highlighted by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.

In Italy, the elimination of "infantilising" terms has been proposed, as such expressions are disrespectful of detained persons, leading to misconceptions, as well as being used in a negative sense (e.g. terms of endearment)

Solutions

The 2022 political-institutional guidance of the Ministry of Justice provides for seven areas of incidence. Among them, the consolidation of staff policy and the improvement of the quality of "Justice Service".

For the staff: revaluation of organizational charts, investments, regular competitions, technological innovations and training focused on liveability of the workplace and psychological support.

For facilities: building and restructuring with special attention to the implementation and modernisation of video surveillance and anti-drone systems.

Possible solutions

- **Establishment of permanent formation centres: ongoing training in the major penitentiary institutions**
- **Personnel supervision**
- **Mindfulness courses**



Dario Doshi Girolami, Buddhist monk who teaches meditation to Rebibbia's detainees.

Conclusions

There is a real abyss between theory and practice. This can be seen everywhere, in any kind of training. However, this should not exempt us from transmitting and training our personnel.

Through obstacles we get to the goal! The Italian penitentiary system has many strengths, and, despite the several obstacles, we always try to get to the goal and to improve. It is important to transmit all possible tools, without hiding the problems, by educating resilience and providing people with motivation, attention and benefits. It is also essential to train staff psychologically and on stress management.

Theory is one thing, practice is another. We have to understand how to help our staff by including in the training, practices through which we understand how to behave in certain situations, preparing for the worst. It is therefore necessary to create more stages and spaces for listening and help, which can be accessed without being stigmatised.

Thank you!