

Foreign Nationals in Prison and Probation Workshop Summary

29 - 30 October 2024, Vienna, Austria



About

The Foreign Nationals in Prison and Probation (FNPP) Workshop, held on 29–30 October 2024 in Vienna, Austria, was organised by **EuroPris** (European Organisation of Prison and Correctional Services) and **CEP** (Confederation of European Probation) and hosted by the **Austrian Federal Ministry of Justice** (Bundesministerium für Justiz).

This workshop was made possible with the hard work of the **joint EuroPris and CEP Foreign Nationals in Prison and Probation Expert Group**, whose expertise and dedication played a critical role in shaping the event and its outcomes.

This event gathered **60 professionals** from across Europe, including prison and probation services, policymakers, academics, and NGOs, to discuss the challenges and opportunities in managing **foreign national prisoners (FNPs)**. The workshop focused on practices for supporting FNPs, addressing systemic barriers, and fostering international collaboration.



Torben Adams (workshop moderator)

Opening Remarks and Introduction

The workshop began with welcoming remarks from **Dr Christian Schnattler**, Head of the Department for Legal and International Matters of the Penal System, and **Alfred Kohlberger MAS**, Director of Neustart. They emphasised the critical importance of collaboration and knowledge-sharing to address challenges in the penal system.

Following their introduction, **Gustav Tallving**, Executive Director of EuroPris, and **Jana Špero Kamenjarin**, Secretary General of CEP, emphasised the role of their organisations in promoting knowledge exchange and fostering cooperative frameworks to improve outcomes for prisoners across Europe. Setting the tone for the workshop's topic **Petra Pavlas**, Coordinator of the FNPP Expert Group, concluded the opening session by providing an overview of foreign national prisoners in Europe. She underscored the importance of recognising the diversity of this population.



Dr Christian Schnattler



Jana Špero Kamenjarin



Gustav Tallving

The Population of Foreign Offenders in Europe

Foreign National Prison Population in Spain

Esther Montero Pérez de Tudela (Penitentiary Administration, Spain) shared insights into Spain's diverse FNP demographic, which constitutes **31.6%** of the prison population. The presentation highlighted several challenges, including high rates of pre-trial detention, language barriers, and limited awareness of legal rights. However, good practices were also identified, such as **orientation sessions for new arrivals, consular engagement, translation services, and specialized staff training**. To address the challenges, recommendations include **improving repatriation measures, enhancing communication about legal rights, and expanding training for staff**.



Plenary Discussion: Nationals Imprisoned Abroad

The plenary discussion of this session brought together representatives from the **UK, Ireland, and the Netherlands** to address the dual perspectives of supporting foreign prisoners detained abroad and facilitating their reintegration after release. The session highlighted challenges such as **difficulty reaching imprisoned citizens, reluctance to seek assistance, and the lack of resources available for reintegration**. Participants suggested practical solutions, including the creation of **multilingual resources**, such as collaborative leaflets, to better inform foreign prisoners about support services available to them. This collaborative approach was seen as a promising step towards bridging gaps in support and ensuring consistent assistance across jurisdictions.

Foreign Nationals in Prison and Probation Practices

Council of Europe Recommendations – Foreign Prisoners

Dr Róisín Mulgrew from the University of Galway presented the **Council of Europe's 2012 Recommendations (CM Recs 2012/12) on foreign prisoners**. She discussed the overrepresentation of FNPs in Western European prisons, attributing it to factors such as increased mobility and immigration-related offences. Dr Mulgrew highlighted the importance of **alternatives to custody, tailored prison regimes, and staff training** to ensure humane treatment and continuity of care during transfer and reintegration processes. Participants afterwards engaged in breakout group discussions to review the recommendations. They explored what could be added, removed, or modified to ensure the recommendations were practical and applicable to their work.

HELP Course – Managing Foreign National Prisoners E-Learning Module

Dr Mulgrew and **Ana-Maria Telbis** of the **Council of Europe** introduced the **HELP E-Learning Module**. This accessible and multilingual training programme offers guidance on FNP management and reintegration strategies, making it a valuable resource for practitioners across Europe. Find the online modules [here](#).

Meeting the Needs and Rights of FNPs During Detention and After Release

Dr Femke van der Meulen from **Prison Watch (The Netherlands)** addressed the challenges faced by FNPs, including **language barriers, isolation, and limited family contact**. She emphasised the role of humane and multilingual approaches and advocacy in ensuring FNPs' well-being and access to education, reintegration, and aftercare programmes.

Foreign Nationals in Prison and Probation Practices

A Collection of Good Practices from Probation Services Regarding International Procedure

Bogdan Popa, Arad Probation Office, **Romania**, highlights the importance of standardised criteria—partnership, community involvement, and ethical soundness—to define good practices. In the Arad region, data shows non-EU foreign nationals form a larger share of community sanctions caseloads than EU nationals, despite low regional crime rates. Challenges include language barriers and guidance during supervision, with **collaboration among authorities, local entities, and FN communities key to improving effectiveness.**

FNP Probation Training at HMPPS

Osman Nazir, FNO Lead for **England & Wales**, outlined HMPPS' approach to the challenge of Foreign National Offenders. With a small resource commitment, a dedicated **Hub** has been **transformational in supporting front-line Probation FNO practice.** This model can be applied in areas where FNOs make up a significant portion of the prison population. Osman provided a compelling overview of the guiding principles behind the project, which has ambitious goals. Some of these have already been achieved, including **a paradigm shift in how practitioners approach FNO cases.**

Community Interpreting within the Prison System

Matthias Morgner from the **Austrian Prison Service** outlined the importance of interpreters in prisons for facilitating communication and building trust with non-native speakers. He highlighted both the benefits, such as improved fairness and well-being, and challenges, including mistrust and logistical hurdles.

Discharge and Reintegration - World Café

Participants reviewed case studies to discuss strategies for managing and rehabilitating FNPs.

- **Mr A:** A young economic migrant serving a life sentence. Discussions focused on leveraging family support and initiating early rehabilitation to prepare for eventual resettlement.
- **Ms B:** A middle-aged woman without formal residency status. Recommendations included legal aid, citizenship pathways, and early verification of residency status to facilitate reintegration.
- **Ms C:** A young trafficking victim convicted of drug offences. Jurisdictions prioritised victim-centred approaches, such as the UK's National Referral Mechanism, while preparing for resettlement in her home country.
- **Mr D:** A youth involved in a severe offence with family ties in the sentencing country. Rehabilitation strategies highlighted educational and vocational training, with a focus on cross-border coordination for post-release supervision.

Key takeaways included the importance of **consistent family support, timely rehabilitation and language assistance**, and **improved cross-border coordination for deportation and resettlement**. The value of networks was emphasised to ensure effective support, especially in complex deportation and reintegration cases.





Framework Decisions 909 and 947

FD909

Emphasis was placed on **improving the quality of information provided to individuals being transferred, detailing each stage of the process to enhance transparency. A comprehensive assessment** of the time served in the issuing country, including health, addiction issues, and skills acquired, was suggested to support rehabilitation. Strengthening collaboration between countries, including local-level cooperation, was highlighted as essential for achieving better outcomes.

FD 947

This decision enables **cross-border supervision of probation and alternative sanctions within the EU, supporting rehabilitation, reducing reoffending, and promoting judicial cooperation.** Case studies illustrated the procedural steps and highlighted challenges, including discrepancies in national probation laws, residence vs. nationality complexities, and inconsistent monitoring standards across jurisdictions. **Effective implementation of FD 947 requires enhanced coordination, communication, and an EU-wide instrument for assessing risks and needs.** The need for increased awareness, training, and harmonised practices was underscored to ensure FD 947's effective use as a tool for managing cross-border probation supervision.

Key Takeways

The workshop highlighted the critical importance of **international cooperation**, particularly in creating networks that enable cross-border coordination. Participants stressed the value of **family** and **community engagement** in supporting foreign prisoners through **rehabilitation and reintegration**. Tailored **training programmes**, such as the HELP E-learning module, were recognised as vital tools in empowering practitioners. Lastly, the discussions underscored the need for **greater clarity and harmonisation in applying Framework Decisions 909 and 947** to ensure their effectiveness across Member States.

