




National Administration of Penitentiaries

Ministry of Justice - Romania


**Constraints and opportunities for doing business
within the walls**



Role of Romanian Administration of Penitentiary


As a public service, the **National Administration of Penitentiaries (NAP)** contributes to defense, public order and national security by taking measures of safeguard, surveillance and escort, as well as the enforcement of the detention regimes, while having a special social role due to its punitive educative function and social reinsertion of persons in custody.

The activity of **National Administration of Penitentiaries** and its subordinated prison units is directly coordinated by the **Minister of Justice**.



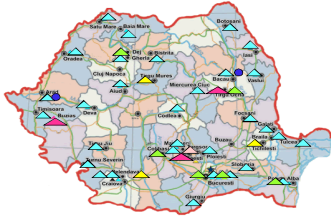
There are many types of prison units in the penitentiary administration system. Restrictions, in terms of freedom of movement, are based on detention regimes for enforcement of punishments:

- > maximum security regime
- > closed regime
- > half open regime
- > open regime



Prison units and structures subordinated to NAP

- >15 prison units with open and half open regime
- >15 prison units with maximum security and closed regime
- >4 minors and young offenders prison units
- >1 female prison and 6 regional sections
- >6 hospitals prisons
- >3 re-education centers
- >2 staff training centers
- >1 Supply, Administration and Repairs Unit
- >1 Security and Transferred Prisoners' Escort Subunit



- ▲ - 35 penitentiaries
- ▲ - 6 hospital prisons
- ▲ - 3 re-education centers
- - 2 Centre de Instruire




Regulatory and wage framework

In Romania there are no special arrangements regarding prison economy, therefore the work performed by inmates and wage regulatory are stipulated in the general legal framework (**Law 275/2006 regarding the serving penalties and other measures disposed by judicial institutions along the penal process**) modified and completed by Law 83/2010 and Regulations on law application approved by Government Decision no. 1897/2006.



A specific framework regarding work performed by the detainees was regulated by **General Director Decision no. 619/2011**.


Referring to voluntary work, the **Ministry of Justice Order no. 420/2011** states under what conditions inmates can be involved in labor activities on voluntary basis.

Regulatory and wage framework

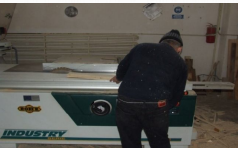
The work performed by the persons convicted to punishments involving deprivation of liberty **shall be remunerated**, except for the household activities necessary for the penitentiary and of those carried on in case of disaster.

The incomes obtained **can not be lower than the minimum wage on the economy**, depending on the work schedule. In this case, 40% of the income shall go to the convicted person and 60% of the income shall go to the National Administration of Penitentiaries.



As a state rule, the work performed shall not exceed 8 hours per day and not longer than 40 hours per week.

The persons convicted to serve punishments involving deprivation of liberty may perform work after a schedule of 10 hours per day, but not longer than 50 hours per week, based on the written agreement.




Main production activities inside prisons

The **main markets** for the companies working within the prisons are:

- > **Netherland and Switzerland** – timber processing
- > **Germany** – auto parts (steering wheels), sports equipment and shoes sewed in prisons, furniture and sofas
- > **Italy** – electronic components for home appliances, shoes production and telemarketing
- > **USA** – leather sofas
- > **Austria** - paper and cardboard packaging
- > **France** – electronic switches production
- > **internal market** - bookbinding and archiving magazines, books and newspaper for National Library, furniture production, pastry and bakery production, picture frames, clerical furniture, welded fabrics (trammels), etc.

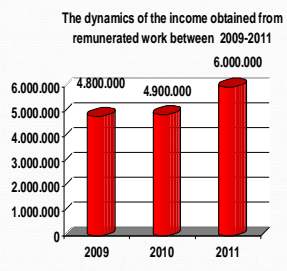



Inmates participation at work activities and earned incomes in Romanian Prison System in 2011

During the year 2011, inmates participation at work activities has brought incomes for the Romanian Prison System, as it follows:

- 7318 inmates were selected and allocated to work
- 2612 inmates were used to remunerated work, the wages negotiated depending on the services complexity provided for the beneficiaries
- the total incomes from work activities valued 6 million euro

The dynamics of the income obtained from remunerated work between 2009-2011




Year	Income (Euro)
2009	4,800,000
2010	4,900,000
2011	6,000,000

The dynamics of the incomes (Euro) obtained from remunerated work

Security constraints concerning the organization of the work inside

Internal security is a consequence of the particular situation of the persons who serve a punishment involving deprivation of liberty. Such security measures are:

- restriction to the minimum of other persons and vehicles access and circulation inside penitentiary
- antiterrorism and specialized control of the persons and vehicles entering the prisons
- safety systems within the work place inside the prison





Several **restraints to some facilities** could create reticence to the possible economic agents:

- the stakeholders/the beneficiaries have to comply to body search each time they are entering or leaving the work place and the prison
- the stakeholders/the beneficiaries cannot use mobile phones
- the stakeholders/the beneficiaries are not allowed to bring any goods or objects within prison (excepting those related to the production process)
- The service arrangements cannot be concluded with relatives of the prisoners and neither if there is any suspicion that the prison security could be affected
- The stakeholders cannot name the prisoners who will perform lucrative activities and the selection of those involved will be done by the prison work committee.

Main difficulties encountered and solutions adopted

- Legal framework that forecast the inmates possibility to chose if they work or not, considering that work in prison is not mandatory. At the same time, they shall benefit by at least two days of rest per week. Only a legislative change in order to institute compulsory work of the prisoners could solve this problem.
- The lack of equipment in production areas within penitentiary was compensated through an agreement concluded with the beneficiary, stating that they should endow the work areas. For the accurate payment of utilities inside the prison there were settled meters.


- Taxes regarding the production spaces used are to be paid by the beneficiary
- Economical crisis has decreased the number of economic agents interested in work performed by the inmates.
- The delay of payments generated the impossibility of the prison administration to pay the wage rate worthy by the detainees.

Measures for reinsertion on labour market in 2011

During 2011, in 30 prison units **The Local Labour Market** was organized in collaboration with county labour force agencies, local public institutions and different nongovernmental organization.

As a result, there were:

- 729 beneficiary inmates of direct meetings with the employers (CV deposits were made, interview participation registered)
- 454 employers took part
- 73 inmates registered in the employers evidence by signing working pre-contracts, as future employees
- 15 persons employed
- 585 inmates participated in professional initiation courses in domains such are: computer operator, technical and photographic art, primary accountancy, mechanic fitter, developing civic and social competences.



Measures and activities funded under European Social Fund or other European Programs

National Administration of Penitentiary – Ministry of Justice has been and continues to be (as implementer or partner) an important beneficiary of strategic projects co-financed from European Social Fund (ESF), through Sectoral Operational Programme Human Resources Development.

The overall objective of the **Priority Axis 6 - Promotion of Social Inclusion** is facilitating access on the labor market of vulnerable groups and promoting a cohesive and inclusive society in order to ensure the welfare of all citizens.

National Administration of Penitentiary has developed several projects within the **Key Domain of intervention 6.1 – “Developing social economy”** and **Key Domain of Intervention 6.2. “Improving the access and participation for vulnerable groups on the labor market”.**




1. Increasing opportunities for social inclusion of the detainees through a better education, an informed society and improving the activities in prison is a project developed in partnership with Portugal.

Among the activities and measures we could mention :

- the assessment of inmates needs and expectations, incorporating their views in strategy and work methodologies
- the evaluation of prisoners perception related to quality of life and organisational climate and staff motivation
- interaction with the outside community through educational programs
- inclusion of the media in the dissemination strategy for the innovation and organisational change process



2. Improving access of young inmates to training programs and their integration on the labour market during and after sentence serving is a project developed in partnership with Austria.

These are some indicators aimed and achieved:

- 188 vulnerable persons were supported
- 84 persons from vulnerable groups participated to qualification/requalification programs
- 12 persons attended another training program or found a job after being involved in integrated programs
- 43 local public administrations benefited by information
- 41 employers - beneficiaries of technical support for development forms of alternative occupancy



3. The employment strategy and skill in learning and activities for freedom is a project developed in partnership with Italy , project that ends in September 2012

- 76 inmates attended qualification courses in bakery and pastry cook occupation
- 80 inmates attended professional training courses
- 89 inmates benefited counselling services and professional orientation
- 15 prison officers are attending a practical training stage in Italy
- 60 Romanian prison officers are attending project management courses and train of trainers
- 2 business plans were perfected in order to develop social economy activities
- 2 project dissemination conferences were organized in Timișoara and Craiova where 2 social economy entities were established and endowed

4. The return of former inmates on the labour market and their integration into society is a project in progress, which started in march 2011.

Within *Chilia ecological project through work* the inmates are to be specialized in a ecological profession during 2 years (farmer, gardener, traditional houses constructor).

The principles of ecological model of re-learning, step by step, the society rules are: return to nature, where respect and responsibility lessons can be learned through power of example, reconsideration of the relationships and authentic cultural emotions.




Thank you!



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