



REPORTS AND ENQUIRIES

The Protection of Discharged Prisoners in Italy and Great Britain

It is coming to be more and more generally admitted that if imprisonment is to help towards the social rehabilitation of the delinquent, the prisoner must be continuously employed on useful work. Work is not only morally beneficial ; it also develops the occupational skill of the prisoner and provides him with some capital which, however small, will make it easier for him to find a place in economic life after his release. As a general rule the position of the discharged prisoner is precarious ; his means are extremely limited and many difficulties stand between him and employment, especially in times of economic stress. Assistance in some shape or form is therefore a necessity for him. On a number of occasions the League of Nations has emphasised the importance of such measures. The "Standard Minimum Rules for the Treatment of Prisoners", drafted by the International Prison Commission and recommended by the Assembly of the League of Nations for adoption by the various countries, advocate in Articles 54 and 55 the development of assistance for discharged prisoners. At its Sixteenth Session in 1935 the Assembly adopted the report of its Fifth Committee ; this embodied the suggestions of the delegate for Belgium who, after stressing the importance of the work of rehabilitating discharged prisoners and the difficulties encountered in such work during periods of economic depression, expressed the hope that this problem would be made the object of a thorough investigation by the International Prison Commission.

The protection of discharged prisoners as a sequel to the regulation of prison labour is also of great importance from a social standpoint. In a previous article ¹ a brief study was made of this question in relation to prison labour as a whole. In order, however, to bring out some practical aspects of the matter, it is now proposed to describe, on the basis of official reports, the measures taken in Italy to provide prisoners with a certain amount of capital which they can use on release, and those taken in Great Britain to assist discharged prisoners and the various reforms suggested.

¹ Cf. *International Labour Review*, Vol. XXV, Nos. 3 and 4, March and April 1932 : "Prison Labour".

Italy

Prison rules allow for the opening of a cash account in each prisoner's name. This account includes two parts : a personal account and a labour account. In the personal account are entered the amount of money in the prisoner's possession on admittance to prison, any sums received from the sale of his effects, and any money sent to him by relatives or other persons. The part which the prisoner is entitled to claim of any remuneration granted for work performed in prison is paid into his labour account. The prisoner's right to dispose freely of these moneys, that is to say of the total amount in the two accounts, is recognised, provided the different objects of the two funds are observed and subject to two general restrictions. The first restriction is of a disciplinary nature and prohibits the prisoner from transferring his savings to another person who is not a near relative. The second restriction is intended to ensure that the prisoner will have a small sum at his disposal which will enable him to cope with the initial difficulties encountered on his release. To this end, prison legislation stipulates that a fraction of the prisoner's savings, varying with the length of his sentence and the actual amount of his savings, must be set aside to form a discharge fund.

In order to make sure that prisoners will obtain the fullest possible benefit from the fraction put aside to form a discharge fund, the authorities took steps to establish an accumulation system for the investment of such savings. Negotiations opened with the National Social Insurance Institution led to the conclusion of an agreement which lays down the terms and conditions of an investment scheme offering definite advantages to prisoners. By means of this scheme, the released prisoner receives a sum of money considerably higher than the total amount paid by him into the scheme, and should he die before the expiry of his sentence, his dependants are entitled to the refund of all contributions paid by him, plus the corresponding interest.

The agreement between the Ministry of Justice and the National Social Insurance Institution is based on the same principles which inspire prison rules in Italy and ensures that the best and most profitable use is made of the fraction of the prisoner's account set aside to form a discharge fund, by means of a scheme which, in the opinion of the Ministry, offers a remunerative and safe means of investment for the prisoner's savings.

The text of the agreement is given below :

Article 1. In order to realise the objects mentioned above, the fraction of the cash account of prisoners performing work in prison which goes to form a discharge fund shall be invested, in accordance with the terms of the present agreement, in a special accumulation fund.

The present agreement shall not apply to prisoners who are sentenced to less than three years' imprisonment.

Article 2. The benefits granted under the scheme shall be based on the schedule attached to the present agreement.¹

¹ See below, p. 539.

The minimum monthly contribution payable by each prisoner shall be fixed at 8 lire.

Article 3. The issue of insurance policies and the management of the scheme shall be entrusted to the "Praeventia"—an institution specially set up by the Social Insurance Institution to administer accumulation systems instituted by the Decree of 27 July 1931 of the Ministry of Corporations.

The Social Insurance Institution shall assume responsibility for the operations in question. Each policy shall lapse with the release of the prisoner concerned.

Article 4. The policy shall be drawn up in the prisoner's name, but all rights of negotiation shall be conferred on the authorities of the prison establishment in which the prisoner is confined.

The authorities of the various prison establishments shall pay every month the total amount of the monthly contributions deducted from prisoners' accounts to the "Praeventia" (89 via Nazionale, Rome), such payments to be accompanied by a list of the prisoners on whose behalf they are made.

All sums due by the Social Insurance Institution in pursuance of the present agreement shall be paid to the authorities of the prison in which the prisoner concerned is confined, the said authorities also being responsible for effecting such payments to dependants as are laid down in the prison rules in force.

To this end, the said authorities shall transmit policies due for settlement to the general management of the "Praeventia" at least 20 days before they lapse, so that the necessary measures may be taken before the discharge of the prisoners concerned.

Article 5. The present agreement shall apply to prisoners who are detained for work after its conclusion.

Article 6. The Ministry shall take the necessary measures to ensure that, within one month from the conclusion of the present agreement, the authorities in charge of prison establishments shall supply the Social Insurance Institution with a list of employed prisoners showing for each prisoner the name and surname, name of father, place and date of birth, and the date of expiry of his sentence.

Article 7. The following exceptions to the general rules governing insurance policies shall be observed:

(a) No charges or stamp duties shall be payable on prisoners' insurance policies;

(b) if a prisoner is released before the expiry of his sentence as a result of a reduction or remission of the latter, he may request the insurance authorities to buy back his policy at a price at least equal to the total amount of premiums paid at the date of his release, plus 4 per cent. compound interest per annum;

(c) a prisoner may not be required to pay premiums during periods of unemployment. During such periods his policy shall hold good for an amount equal to the total amount of premiums paid prior to the suspension of premium payments, plus 4 per cent. compound interest per annum. The payment of premiums may be taken up again at a later date so long as the policy has not been cancelled, and in this case the capital guaranteed shall be equal to the originally guaranteed capital minus the capital value of the premiums due but not paid up, calculated up to the maturity of the policy at the rate of 4 per cent. compound interest per annum.

Article 8. The present agreement shall come into operation on 1 June 1934 and shall remain in force for five years, when it shall be considered to be tacitly renewed for a similar period unless it has been denounced by one of the contracting parties at least six months previously. In case of denunciation, the conditions governing policies already issued shall remain in force without any amendment.

APPENDIX

Schedules of Benefit Rates

In accordance with the present schedule, the payment to the Social Insurance Institution of one lira a month shall guarantee the payment of :

(a) The sum indicated in the second column and corresponding to the number of premium years completed, if the holder of the policy lives until the expiry of the period fixed ;

(b) the total amount of the monthly premiums computed at the date of death if this occurs earlier ; in this case the actual amount will vary between the two amounts given in the second column and corresponding to the beginning and end of the year when death took place.

To obtain the amount corresponding to regular monthly payments other than one lira, the amount given in the second column for one lira should be multiplied by the actual amount of the monthly payment. For example, if 100 lire are paid at the beginning of every month over a period of eight years, the holder of the policy would receive 11,295.20 lire.

AMOUNT CORRESPONDING TO A MONTHLY PAYMENT OF ONE LIRA, COMPUTED AT THE RATE OF 4 PER CENT. COMPOUND INTEREST PER ANNUM

Period	Amount	Period	Amount
	Lire		Lire
After 1 year	12.258,444	After 12 years	184.192,923
„ 2 years	25.007,216	„ 13 „	203.819,079
„ 3 „	38.265,944	„ 14 „	224.230,281
„ 4 „	52.055,021	„ 15 „	245.457,932
„ 5 „	66.395,666	„ 16 „	267.534,688
„ 6 „	81.309,933	„ 17 „	290.494,515
„ 7 „	96.820,769	„ 18 „	314.372,735
„ 8 „	112.952,029	„ 19 „	339.206,083
„ 9 „	129.728,549	„ 20 „	365.032,765
„ 10 „	147.176,132	„ 25 „	510.513,835
„ 11 „	165.321,618		

Great Britain

In 1932 the Secretary of State for Home Affairs appointed a Committee "to review the methods of employing prisoners and of assisting them to find employment on discharge, and to report what improvements are desirable and practicable". An account was duly published in these pages¹ of the first part of the report made by this Committee on the methods of employing prisoners. In May 1935, the Secretary of State for Home Affairs submitted to Parliament the second part of the report, dealing with employment on discharge.² A brief summary is given below of a number of passages interesting from a social and international standpoint.

In Great Britain private associations, working in conjunction with the State, are responsible for the assistance of discharged prisoners. It is therefore the organisation and work of these associations which are discussed in the report.

ORGANISATION OF ASSISTANCE

The Prisoners' Aid Societies assist persons who have been condemned to a term of imprisonment. In most cases they are local associations and were set up at various times during the nineteenth century, generally in connection with a particular prison. Although, since the passing of the local prisons into the hands of the Prison Commissioners, many prisons have been closed, a number of the societies attached to them have continued to exist, so that nowadays there are in England and Wales 48 certified local societies as compared with 26 local prisons. Aid Societies attached to district prisons for women work on the same principles as those adopted by the local societies for the assistance of men, but one of them, attached to an establishment receiving persons from a large area, has set up branch societies in 12 different counties. There are also special societies dealing with Roman Catholic and Jewish prisoners.

Prisoners' Aid Societies must be certified by the State, which exercises a certain amount of supervision over their work and makes grants towards the cost of assistance rendered to discharged prisoners. The greater part of the revenue of the societies comes, however, from private sources; and in 1933 the societies raised £23,000 as compared with a total Government grant of £7,000.

The various societies are linked up to a central body—the Central Discharged Prisoners' Aid Society—which was set up in its present form in 1918 to act as an instrument of co-ordination. According to the Committee's report, the Central Society has rendered considerable service in dealing with difficult cases; as an agency for co-ordinating, guiding and stimulating the work of the local societies, however, it has failed to achieve the main objects of its foundation.

¹ Cf. *International Labour Review*, Vol. XXX, No. 2, August 1934: "Prison Labour in Great Britain and in the United States of America".

² Cf. *Report of the Departmental Committee on the Employment of Prisoners*, Part II. Employment on Discharge. London, H.M. Stationery Office, 1935, 75 pp. 1s. 3d.

Special associations deal with young prisoners leaving Borstal Institutions (the Borstal Association) and with persons condemned to hard labour or preventive detention (the Central Association for the Aid of Discharged Convicts ; the Aylesbury After-Care Association). In the measures taken for the rehabilitation of prisoners the most important part thus falls on the Prisoners' Aid Societies and the Borstal Association. How, then, have they performed their task ?

THE WORK OF THE SOCIETIES

The objects of the societies may be said to be to find employment on discharge for prisoners who are able and willing to work, to ensure that the influence under which released prisoners live is likely to contribute towards their rehabilitation, to assist prisoners who need help on leaving prison, and to assist the families of prisoners during their sentence.

The report points out, however, that in practice there is a tendency to concentrate on relief payments to prisoners on the day of discharge and that too little is being done either by way of finding employment on discharge or of assistance to wives and families of men in prison, or in maintaining personal contact with prisoners after release. The authors of the report state that on the whole they have not found much evidence of concentrated effort on the important task of finding work for discharged prisoners. In a limited number of cases local committees have been formed and the services of individual helpers enlisted ; but in most cases the matter is left largely in the hands of the society's agent, a considerable part of whose time is necessarily taken up with routine duties and the visiting of prisoners. The very large number of existing societies hinders their administrative work to the detriment of results, the more so as their work is not adequately co-ordinated. In view of the state of the labour market in recent years and of the lack of concentration on the task, concludes the report, it is not surprising that the number of prisoners for whom work is found is no larger than it is.

In contrast to the Prisoners' Aid Societies, the institution which deals specially with juvenile delinquents has, generally speaking, obtained good results with regard to placing. According to the report of the Borstal Association for the five years 1929-1933, temporary or regular employment was found for 3,192 of the 3,407 lads discharged for the first time to the care of the Association (this figure does not include lads discharged after return to the institutions on revocation of licence). The report adds that it is difficult to ensure reasonable wages and conditions of employment for ex-Borstal lads and to protect them against the exploitation to which they are liable by reason of their past history. It is not always possible to get them work at the trade they have begun to learn at the Institution. Better results could be obtained, states the Committee, if the links between the Borstal Institutions and the Borstal Association could be strengthened and more especially if the agents of the Association could get into closer contact with the persons with whom they have to deal at a later date.

SUGGESTED REFORMS

Most of the proposals put forward in the report have to do with the reorganisation of the aid societies. The Committee recognises that after-care work among ex-prisoners is not a task which can be adequately discharged by the staff of a Government Department alone, although the policy of official co-operation and of Government contributions should undoubtedly continue. The work is one which requires the sympathy and active interest of the whole community, and can best be done through an efficient voluntary organisation closely in touch with persons of standing and influence, including employers of labour. If, however, the societies' freedom of action is to be maintained, considerable reorganisation is necessary.

The primary aim of the societies, which is to procure employment for discharged prisoners, could be achieved more easily if their organisation were better adapted to that of prison establishments, if their internal working were overhauled, and if efficient co-ordination on national lines were assured. Societies which, for historical reasons, exist side by side in various districts, should join to form one single society. The area covered by each society should, as far as possible, coincide with a given committal area. Each society should have a general committee and an executive committee, which would ensure its efficient working. In addition to certain officials responsible for prison administration, the general committee might include representatives of social and religious bodies and representative employers of labour. District committees should be set up to continue as it were the work of societies closed under the new scheme. Their aim would be to foster and maintain local interest in the work of the societies, to find work, and generally to arrange for the after-care of prisoners released into their district, and to occupy themselves with the welfare of the families of prisoners during their sentence. Each society should have a full-time paid secretary, and its own offices, not on prison premises.

The Committee also suggests merging the existing Central Society into a National Council, which would co-ordinate and guide the work of the individual societies. This Council would receive the Government grant and distribute it to the societies.

The report also studies the question of whether the task of the aid societies could not be facilitated by certain measures of public administration. The loss by prisoners of their rights in respect of sickness insurance and unemployment insurance is a real problem. "Apart from their ineligibility for pay in certain cases", says the report, "it was represented to us that the blank spaces on an ex-prisoner's card were liable to lead to questions which prevented him from securing or retaining employment." Special legislation would seem to be necessary to ensure the maintenance of prisoners' rights in respect of sickness and unemployment insurance. Pending a fuller enquiry into the matter, the report mentions that it is the intention of the Prison Commissioners to discuss with certain authorities responsible for unemployment relief and public assistance (1) to what extent public assistance may be utilised for the benefit of discharged prisoners, and (2) whether existing plans for the occupation and training of the unemployed

cannot be made available for a number of selected ex-prisoners who are found to be suitable.

"We regard the proper organisation of aid on discharge", declares the report, "as fundamental to finding employment for ex-prisoners and as an essential corollary to the proposals we have made . . . for the reorganisation of employment in prisons. Training in habits of industry or in craftsmanship will lose much or even all of its value unless it is associated with proper efforts to help prisoners on discharge."

In conclusion, it seems fitting to quote the following passage from a memorandum submitted to the Committee, which sums up the whole question :

"Objection is sometimes made to giving help to an ex-prisoner on the ground that there are many honest men who are equally needy and more deserving. This dilemma is as old as the parable of the Prodigal Son. But the ex-prisoner is not necessarily worse than a man who has not been in prison, and it is in the interest of the State to save him from being forced into a life of crime. It is not always possible to be logical in such matters, and reasonable help to an ex-prisoner is a commonsense compromise. It is a false economy to withhold necessary funds for after-care work when a few pounds spent on an offender at the beginning of his criminal career may save him from becoming an habitual criminal at the cost of many hundreds of pounds to the State."

Financial Operation of the Widows', Orphans' and Old-Age Contributory Pensions Scheme in Great Britain

Actuarial Report and Estimates as to the Future

The Act of 1925 which introduced widows', orphans' and old-age contributory pensions in Great Britain requires the Government Actuary to make a report on the general financial operation of the Act for the first time in 1935 and thereafter in every tenth year. The first report has accordingly been published, after being laid before Parliament as the Act prescribes.¹ It is a technical document, which is analysed below under three heads corresponding to the main subjects dealt with : the working of the scheme since it came into force and up to 31 March 1934, a forecast of its operation up to 1965-1966, and a study of two proposals for reform.

¹ U.K. TREASURY, GOVERNMENT ACTUARY'S DEPARTMENT : *Widows', Orphans' and Old-Age Contributory Pensions 1925-1932. Report by the Government Actuary.* London, H.M. Stationery Office, 1935.