



The Ministries

Strategy

Reduced Recidivism to Crime

National strategy for coordinated reintegration after served sentences
2017–2021



Introduction

Proper return and integration into society after sentences have been served prevent outsidership, promotes participation in the workforce, and counteracts new criminality. Fewer crimes mean fewer crime victims and significant social profit. Serving a sentence in Norway shall occur in a manner that is reassuring for society, and that prevents new punishable offences. Nevertheless, many convicted criminals commit new crimes after having served their sentence. Reduced recidivism to new criminality is a joint responsibility across several sectors and administrative levels. The correctional services, cooperating agencies, and municipalities must therefore coordinate their remedies better, and accommodate for convicts to make an individual effort to turn their criminal careers around. The ambition is for more people to live crime-free lives!

The correctional services enforce punishments both in prisons and in society in general. Convicted prisoners serving a sentence have the same rights as others to health and care services, social services, training, work-related assistance, access to culture, etc. The sectors responsible for these services in society in general are also responsible during the execution of sentences. This guarantees equal rights to services. The correctional services cooperate with various administrative agencies to accommodate for initiatives during the execution of sentences. A precondition for succeeding in returning to a crime-free life is continuity and good coordination between the correctional services, various governmental administrative partners, county municipalities and municipalities. When this coordination does not work, backslide zones ("glippsoner") emerge, potentially preventing successful reintegration.

This strategy takes as its starting point knowledge of the convict's challenges with living conditions, insufficient administrative coordination, unclear distribution of responsibility, and shortcomings both in the existing cooperation agreements and in the current regulations within the field. Systematic work on counteracting backslide zones will help bring more people into education or work after having served their sentences, which in turn will reduce recidivism into crime and improve integration. At the same time, we need to improve our knowledge about factors affecting the risk of recidivism.

The initiatives in this strategy are primarily concerned with preventing recidivism after spending sentence time and society in general, so that inmates can live a future life without committing further crimes. Certain initiatives have a wider scope, and include all convicts, regardless of where the sentence is served. The strategy is primarily targeted at employees of the correctional services and concerned bodies. We hope the strategy also will be useful for others with an interest in correctional services and crime prevention.

The implementation of the initiatives in this strategy will be an important contribution to ensuring a safer everyday life, and making Norway a more inclusive society.



Bent Høie



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Challenges among Inmates in Norwegian Prisons

In 2014, Statistics Norway (SSB) made a country-wide interview-based survey on living conditions among inmates in Norwegian prisons.¹ The survey shows that most inmates face challenges with living conditions in one or more areas. According to the survey, there is a clear correlation between the number of living condition challenges experienced by each individual and the degree to which they expect to be able to avoid committing new crimes upon release. A study the Regional Centre for Research and Education in Forensic Psychiatry (SIFER) made for the South-Eastern Norway Regional Health Authority shows that the prevalence of mental illness among convicts is significantly higher than among the population in general.²

- Only 56 percent of inmates can move into a residence they own or rent upon release. 20 percent plan to live with friends and family or in welfare housing, shelters, etc. upon release. 24 percent of the inmates have not clarified where they may live upon release.
- 34 percent have a job upon release, while 8 percent are in school. 58 percent are neither employed nor in school upon release.
- 40 percent state that they do not have enough money to get by upon release, and many inmates are in debt.
- In 2012, around 35 percent of the inmates had upper secondary education as their highest level of completed education. Only 13 percent of the inmates have started or completed higher education, compared to around 30 percent of other Norwegian citizens. 28 percent of inmates have only completed primary and lower secondary education.³
- Almost 65 percent of convicts in prison have issues associated with the abuse of alcohol, substances, or both. The study showed that only 35 percent had no abuse or dependence issues.
- 92 percent had signs of a personality disorder or a mental illness. The study also indicates that a much larger share of inmates than of the general population has lifelong mental disorders.

¹ Revold, Mathias Killengreen (2015). *Innsattes levekår 2014. Før, under og etter soning*, SSB report 2015/47. Oslo, Statistics Norway, Oslo-Kongsvinger. Documentation memo. Inmates in custody, persons with expulsion decisions, and inmates under the age of 18 were excluded from the sample.

² Cramer, Victoria (2014): *Forekomst av psykiske lidelser hos domfelte i norske fengsler*. Kompetansesenterets prosjektrapport 2014-1. Regional Centre for Research and Education in Forensic Psychiatry for Southern and Eastern Norway Regional Health Authority. The population of the study consisted of female and male inmates with legally enforceable judgements.

³ Jones, L.Ø., Asbjørnsen, A.E., Manger, T. and Eikeland, O.J. (2013). *Innsatte i norske fengsel: Lese- og skriveferdigheter og læringsforventningers betydning for deltagelse i utdanning*, The County Governor. Report no. 3/2013. The County Governor of Hordaland, Bergen.

Coordination Challenges: – The "Import Model" and Administrative Cooperation

The correctional services are responsible for the execution of sentences. The sentence shall be executed in a manner that takes the purpose of the punishment into consideration, counteracts further punishable offenses, and is satisfactory for society.

The bodies that generally provide services for the population, are also responsible for offering their services to convicts and inmates. This is often referred to as an "import model" because services are "imported" to the correctional services from their respective bodies, as opposed to a model where the correctional services employ separate teachers, medical personnel, priests, etc.

The cooperation between the correctional services and the bodies providing services to inmates is referred to as administrative cooperation. Administrative cooperation is described in Section 4 of the Execution of Sentences Act:

"The Correctional Services shall by engaging in cooperation with other public services arrange for convicted persons and persons in custody on remand to receive the services to which they are statutorily entitled. Such cooperation shall lead to a coordinated effort to supply the needs of convicted persons and persons in custody on remand and to assist them to adjust to society."

If the correctional services are to execute its social responsibility, including preventing new criminality, other sectors must attend to their responsibilities for, among other things, health and care services, housing, education, work-related and social services. On returning to society after serving a sentence, coordination challenges may emerge. The coordination challenge is accurately described in the report by the Norwegian Institute for Alcohol and Drug Research (SIRUS) *Tilbakeføringsgarantien som smuldret bort (The guarantee of return to society that crumbled)*⁴:

"One of the main challenges in organizing the release process is that the correctional services have the main responsibility for planning the return, but not for the follow-up. The correctional services' responsibility ends when the sentence has been served. A "backslide zone" emerges between the responsibility for planning and further follow-up of the plans after imprisonment."

The Agency for Public Management and eGovernment (Direktoratet for forvaltning og IKT, Difi) has in several reports⁵ highlighted the coordination challenges of Norwegian administration. In the policy area of "execution of sentences", the Ministry of Justice and Public Security has the main responsibility, while other ministries have considerable authority in the reintegration work. The point of the coordination is to make the relevant ministries contribute to a common policy in the field.

⁴Falck, S. (2015): *Tilbakeføringsgarantien som smuldret bort. Mellomkriminalomsorg og kommunale tjenester. Tiltaksbro, systematikk eller tilfeldighet?* SIRUS report 3/2015: 9. The Norwegian Institute for Alcohol and Drug Research (SIRUS), Oslo.

⁵ See e.g.: The Agency for Public Management and eGovernment (2014). *Mot alle odds? Veier til samordning i norsk forvaltning.* Difi report 2014:07. Oslo.

Reduced Recidivism to Crime

Common responsibility – common goals

Challenges of living conditions and challenges of coordination must be met with effective initiatives if we are to succeed better in returning the previously convicted to society, and reduce recidivism to new crime.

The Government has the following vision and goal for this work:

Vision:

A crime-free life for more people

Goal:

- Reduced recidivism to new crime
- Reduced social exclusion through increased transition to education and work after served sentences
- Coordinated effort on and between all levels of administration

Prioritised areas

1. Regulations, agreements and routines clarifying responsibility and need for information.
2. Means for coordination between ministries, directorates, county governors, county municipalities and municipalities.
3. Access to essential health and care services, housing, education, work-related and social services.

Correctional services

In 2016, the correctional services had approximately 4,100 prison beds. There are annually around 9,000 new imprisonments and releases from the prisons. At any given time, there are around 1,000 inmates in custody. In 2015, the length of the average sentence served was 170 days.

The correctional services can decide that immediate custodial sentences in certain cases can be served in whole or in part outside of prison. This applies to the execution of sentences with electronic monitoring (EM) pursuant to Section 16 of the Execution of Sentences Act, and execution of sentences in institutions pursuant to Section 12 of the Execution of Sentences Act.

A gradual transition from serving sentences in prison to execution of the sentence outside of prison through e.g. electronic monitoring can in itself be an important initiative for successful reintegration into society. The probation offices are in charge of electronic monitoring. At the end of 2017/beginning of 2018, there will be an electronic monitoring capacity corresponding to 500 prison beds.

The correctional services are also responsible for executing penal sanction such as community service, drug rehabilitation programs with judicial review (ND) and programs against driving under the influence. The probation offices are in charge of these penal sanctions.

Administrative Cooperation: Roles, Responsibilities and Functions

The specialist ministries are professional secretariats for their political leadership, and are also responsible for executing adopted policy within their areas of expertise. This entails, among other things, management of subordinate agencies, including giving assignments, formulating goals and expectations for deliveries, and following up on results.

For the ministries to be able to provide consistent and coherent governing signals on policy areas requiring joint efforts, the ministries need to coordinate.

The Ministry of Labour and Social Affairs (ASD), the Ministry of Health and Care Services (HOD), the Ministry of Justice and Public Security (JD), the Ministry of Local Government and Modernisation (KMD), and the Ministry of Education and Research (KD) have a joint responsibility to contribute to achieving the goals that the Government has established in this strategy. They will coordinate assignments to the directorates whenever required, share reports and results, and improve and streamline the cross-sectoral cooperation on reintegration after sentences have been served. JD has a special responsibility to accommodate for coordinated effort.

The Reintegration Committee is a coordinating forum on ministry level, with ASD, HOD, JD, KMD, and KD as permanent members. The Ministry of Children and Equality (BLD) and the Ministry of Culture (KUD) will participate as required. JD chairs the committee. The committee shall contribute to a good flow of information between the sectors, and be an arena for coordination of assignments to subordinate agencies. The committee shall assess and give input on strategies, plans and initiatives that can lead to a more coordinated reintegration of convicts and inmates.

The directorates are responsible for the professional and administrative management of their sectors. In addition to maintaining its social responsibility, the directorate shall achieve the goals and carry out the assignments and strategies they receive from the superior specialist ministries.

The directorates have a responsibility to cooperate with other directorates to the extent necessary to achieve its own or joint cross-sectorial goals.

The Directorate Committee for Reintegration shall be a cooperation forum on directorate level, with the Directorate of Labour and Welfare (AVdir), the Directorate of Health (*Helsedirektoratet*, Hdir), the Housing Bank (*Husbanken*), the Correction Service (KDI), and the Directorate for Education and Training (Udir) as permanent members. The Directorate for Children, Youth and Family Affairs (Bufdir), the Directorate of Integration and Diversity (IMDi), and the National Library (NB) will participate as required. The committee shall promote joint ownership of the reintegration work. The directorates shall jointly identify and suggest appropriate initiatives, report to the ministries on challenges that cannot be solved on a directorate or agency level, and prepare a joint annual survey review for the *Reintegration Committee*. The Directorate Committee shall highlight challenges and find solutions in cooperation with municipalities, county municipalities, and regional government agencies. KDI will be tasked with leading and acting as secretariat for the *Directory Committee for Reintegration*.

The regional health authorities shall ensure that the population is offered specialised health services.

The county governor is the state's representative in the county, and is responsible for following up on resolutions, goals, and guidelines from the Storting and the Government. The county governor plays an important part in making sure that municipalities and county municipalities follow up on regulations. This also includes regulations concerning convicts and inmates. The county governor's role as coordinator of government policy on a regional level is also of importance for better regional cooperation on proper reintegration.

The county municipalities are responsible for, among other things, upper secondary education, culture, and dental services.

The municipalities have the primary responsibility for many public services, and municipal efforts are often decisive for proper reintegration. The municipalities, among other things, are responsible for social services, many health and care services, and housing. Cooperation between the correctional services and municipalities, and a clarification of the division of responsibility between municipalities, are critical success factors.

The Association of Local and Regional Authorities (KS) is the municipal sector's organisation. KS works to secure the best possible framework conditions for the municipal sector to be able to develop good local communities with locally adapted welfare services.

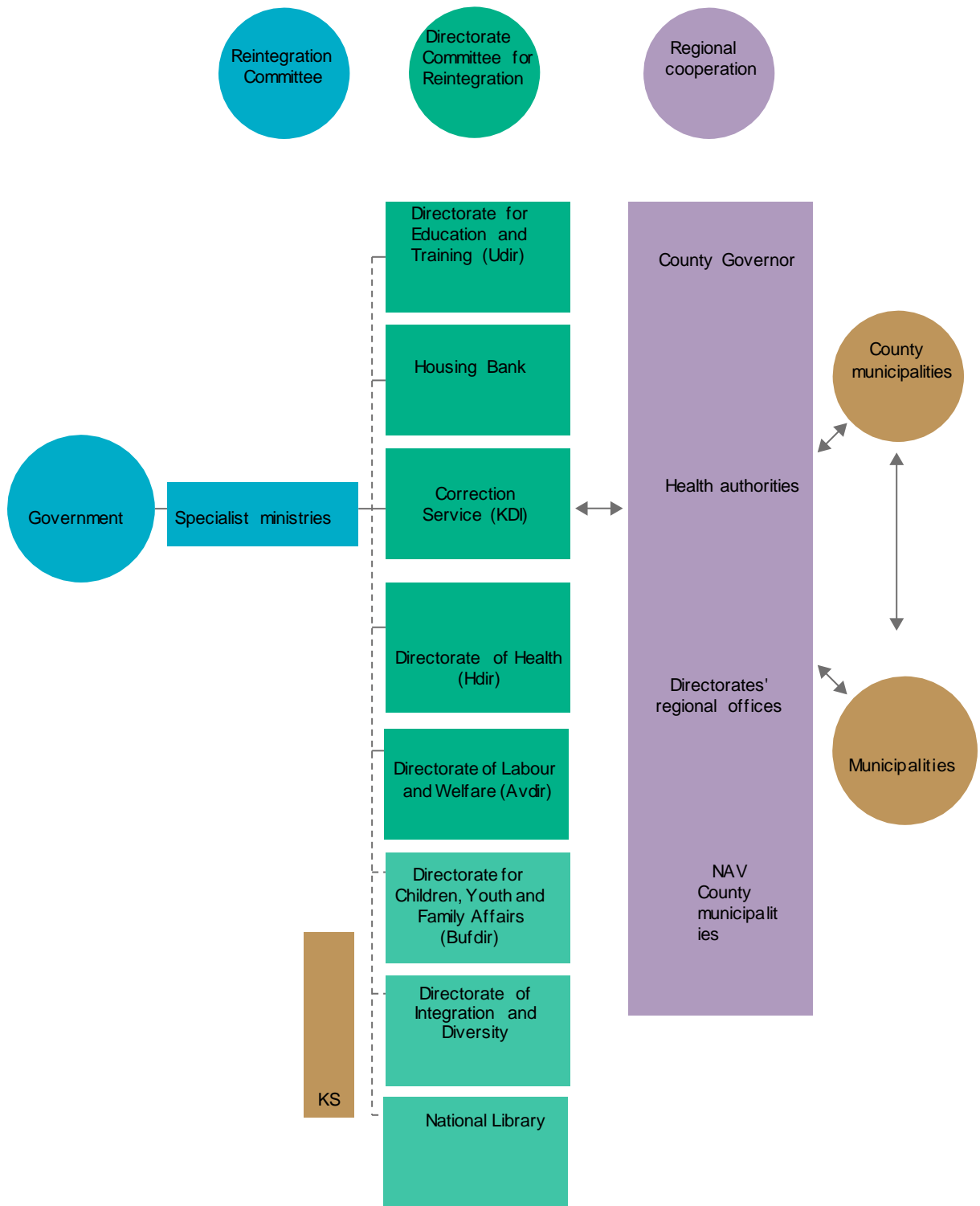


Figure 1.1 Overview of responsibilities, roles and tasks.

1 Regulations, agreements and routines clarifying responsibility and need for information



The goal of reviewing the framework for the administrative cooperation is to establish clearly what responsibility rests on the correctional services, the Labour and Welfare Administration, the health authorities, county municipalities and the municipalities. It must emerge clearly from the regulations and agreements made what responsibility each service agency has in the reintegration work, so that the agencies concerned cooperate well, securing an individually adapted reintegration. Likewise, the regulations and agreements must clarify the organisational responsibility of the correctional services. For the coordination between the correctional services, administrative partners and municipalities to work better, it is a precondition that the correctional services prioritise predictability concerning the exact dates of completed sentences, and of transfers between prisons.

It is a goal that the correctional services, administrative partners and municipalities share sufficient information on each individual inmate before transfer to another prison or to a different form of sentencing, and at the end of a served sentence.

	Initiative	Responsible	Deadline
1	Review and revise as needed existing agreements and regulations, so that the significance of unified responsibility and cooperation on reintegration of convicts and inmates emerges clearly.	JD, ASD, HOD, KD, KMD	2018
2	Review regulations and practice, to improve predictability on the date of release and transfer between prisons, both for administrative partners and for the inmate.	JD	2018
3	Improve and expand use of Needs and Resources Assessment in Correctional Services (BRIK), including collecting necessary consent to share essential information.	JD	2018
4	Prepare national routines for information sharing between the correctional services, administrative partners and municipalities.	JD, ASD, HOD, KD, KMD	2019
5	Introduce a notification requirement for the correctional services on the date of completed sentence, completed custody, and planned transfers between prisons. The notification shall be sent to cooperating agencies, the involved municipalities, and the inmate.	JD, ASD, HOD, KD, KMD	2019

2 Means of coordination between ministries, directorates,
county governors, county municipalities and municipalities



Several sectors and administrative levels, individually and collectively, are responsible for the work of reintegrating convicts and inmates into society. Backslide zones have been identified in connection with reintegration. It is therefore necessary to consider new means of ensuring that the responsible ministries are properly coordinated, that the responsible directorates cooperate closely and systematically, and that the central government and the municipalities cooperate in an optimal way.

These means shall, among other things, contribute to clarifying which municipality of residence is responsible after return from prison, and which administrative body is responsible for developing an individual plan for the person concerned.

The ministries shall, through the Reintegration Committee, coordinate the management of the agencies and the follow-up of the directorates in the reintegration work. The directorates shall coordinate and cooperate closely in executing assignments, evaluating results, and reporting to the ministries. For this to succeed, all concerned agencies must have integrated this responsibility into the planning and management of their operations.

	Initiative	Responsibility	Deadline
1	Establish a <i>Directory Committee for Reintegration</i> where AVdir, Hdir, the Housing Bank, KDI and Udir participate. KDI chairs the committee.	JD, ASD, HOD, KD, KMD	2017
2	Clarify the extent of the "pass the parcel problem", and consider suitable initiatives to ensure seamless transitions between municipalities in connection with completed sentences.	JD, KMD, HOD, ASD	2018
3	Clarify who will be responsible for work on the individual plan (IP) for inmates commencing during the serving of the sentence, and which agency in the municipality of residence will be responsible after the sentence has been served.	HOD, ASD, KD	2017
4	Prepare an incentive system between the correctional services, the specialist health service and the municipalities, to be able to offer inmates or convicts the right services at the right time.	JD, HOD, KMD	2020
5	Cooperate with KS on aligning the coordination between correctional services and municipalities within the field of reintegration.	JD, ASD, HOD, KD, KMD	2017
6	Make an overall assessment of penal sanctions and treatment services during the serving of sentences for individuals with substance abuse issues, and whether this arrangement should be changed.	JD HOD	2020

3 Access to required health and care services, housing, education, work-related and social services



Convicts and inmates have, with the limitations resulting from imprisonment, the same rights to services and the same obligations as the general public. The sectors responsible for these services in general society are also responsible during the execution of sentences.

As a result of the imprisonment, inmates have limited access to many services. It is necessary to review existing services. Services for each individual shall be targeted and accurate, so that they reduce living condition challenges and improve reintegration. To succeed in this, the needs of each individual inmate must be better mapped, and the information must be shared as early as possible.

It is a goal that more people are offered training contributing to qualifications for further training, studies or work, that more can move into suitable housing, are offered vocational training, access to treatment and necessary healthcare, and that this is followed up after the sentence has been served.

	Initiative	Responsibility	Deadline
1	Prepare a strategy for development of digital services between the correctional services, service agencies and inmates.	JD	2018
2	AVdir and KDI will have joint responsibility for evaluating and potentially also proposing measures that can secure inmates proper access to the services of the labour and welfare administration.	ASD JD	2018
3	Improve cooperation between the correctional services, labour and welfare administration, and educational authorities in prison labour. The purpose shall be to provide better conditions for mapping, training and vocational training, with a view to expanding transition to work and training after the sentence or custody has been completed.	JD ASD KD	2018
4	Collect available information on the reasons why certain inmates find themselves without housing after serving a sentence and, in light of the information collected, consider more targeted measures.	ASD KMD JD	2019
5	Clarify which rights to housing benefits apply to persons who are serving a sentence or are in custody.	KMD	2017
6	Review the information that is currently sent out to defendants, inmates and convicts, to ensure that rights and entitlements concerning housing emerge clearly.	JD ASD KMD	2018
7	Establish a department function within mental health care and interdisciplinary specialised treatment (<i>tverrfaglig spesialisert behandling</i> , TSB) for health authorities responsible for prisons.	HOD	2018

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