



PRESS RELEASE NO. 85 OF 29 MAY 2024

THE CNEI ASSEMBLY HAS APPROVED THE BILL ON PRISONER REHABILITATION AND REDUCING RECIDIVISM

Today, the CNEI Assembly approved a document of Observations and Proposals on study, training and work in and outside prison and a Bill on “Provisions for the social and labour inclusion and the reduction of recidivism of persons subjected to restrictive or limiting measures of personal liberty issued by the judicial authorities”.

This is a follow-up to the preliminary work carried out by the CNEI since the date of the signing of the Interinstitutional Agreement with the Ministry of Justice on 17 June 2023 and culminating in the working day *“Zero Recidivism”. “Study, training and work in and outside prison. From project experiences to system actions”*. The meeting, held on 16 April at Villa Lubin, was attended by over 400 people in plenary and thematic sessions, with the production of six summary documents by the six working groups on study, training, work, enterprise, governance and regulatory framework.

The bill proposed by the CNEI in the exercise of the power of legislative initiative attributed to it by Article 99 of the Constitution is intended to provide public decision-makers with legal instruments capable of improving the current **governance system** in terms of effectiveness and efficiency. At the same time, it facilitates the **development of a national public policy on the issue of prison labour** capable, on the one hand, of supporting the development of the best existing projects and, on the other, of activating projects in the less well-equipped territories in line with the specific contexts and the real needs of the users of penal institutions. **By means of an overall review of the current legal and regulatory framework of the prison system, it is therefore intended to contribute to the structuring of an integrated inter-institutional network capable** of: managing the problem of labour inclusion in its entirety both in prison and in the post-release phase; attracting external resources on a permanent basis both in economic terms and in terms of skills; developing and implementing



high impact interventions on a national scale capable of involving a significant number of prisoners.

The bill approved by the CNEL Assembly first of all introduces some corrective measures to the prison regulations on training and work, recovering the necessary equality between free workers and restricted workers, and for the latter between external work and so-called “internal” work (i.e. employed by the prison administration). It is therefore stated that work is work, irrespective of the condition of deprivation of liberty in which the worker may find themselves. These are just a few of the innovations introduced by the CNEL's bill on this specific matter: application of the national, territorial and company collective agreement drawn up by the most representative trade unions and employers' associations; equalisation of the overall economic and regulatory treatment; exemption of distraint of the four-fifths of the remuneration.

Among the particularly important measures aimed at increasing the overall *capacity building* inherent in prison study, training and work are:

- the legislative transposition and the consequent permanent structuring of the integrated multi-level governance system started experimentally as from 2022 by the Regions through the establishment of the network of territorial steering committees, further enhancing in this context the supporting and coordinating role of the “Cassa delle Ammende”;
- the establishment of a specific “fund for the social and labour reintegration of persons subject to measures restricting or depriving them of their liberty” It will be funded by voluntary payments made by the system of banking foundations in return for the recognition of a tax credit, by analogy with previous positive experiences made through legislation with the same instrument (see. “Fund for the fight against juvenile educational poverty” and the more recent “Fund for the digital Republic”).
- the establishment at the CNEL of a “*Permanent Secretariat for the economic, social and labour inclusion of persons deprived of their liberty*”,



capable of contributing, through the involvement of the entrepreneurial realities and productive categories, to the promotion of the labour inclusion of imprisoned persons in its entirety, both in prison and in the post-prison phase, giving impetus to the dissemination of high-impact interventions throughout the national territory, in order to overcome the quantitative and qualitative inhomogeneity of the interventions between the north, the centre, the south and the islands, and to involve the largest number of prisoners;

- the benefits of the so-called “Smuraglia Law” will be broadened, also providing for its extension in time with scaled-down facilitations and directing its widespread application throughout the country through percentage reserve mechanisms in the South and in terms of gender and generational balance;

- the prison commissions are strengthened, providing for an active role in the survey of prior skills and those acquired during penal enforcement, also introducing mechanisms to guarantee the participation of prisoners. The regional commissions for prison labour are also strengthened, a tool that has been underused to date and which, with the changes proposed by the CNEL, will give a voice to the trade unions and the third sector organisations present in the territories, acquiring the important function of validating the certification procedures of the training and professional skills of prisoners, assessed by the prison commissions. These commissions are then included in the multilevel governance system created with the establishment of the thematic steering committees for the integration of the social and health services and the socio-occupational inclusion of prisoners.

Also of particular interest is the measure provided in favour of young prisoners, which aims to offer a concrete chance to girls and boys between 18 and 25 years of age leaving the prison who have successfully participated in vocational training courses, using the formula of the so-called “targeted placement” already introduced for so-called “care leavers” by Article 67 bis, paragraph 1, of Decree-Law No. 34 of 19 May 2020, converted with amendments by Law dated 17 July 2020, no. 77.



In addition, the goal of “Zero Recidivism” is pursued by focusing on training, with the possibility of granting prisoners permits for school-leaving exams and graduation exams, and on welfare and social security benefits, with the activation by patronage bodies and the third sector of special information prison desks called to provide free assistance services and work experience support, delegating the Government to make changes to the implementing regulation of prisons in order to:

- enhance the principle of horizontal subsidiarity, implementing initiatives to promote the employment of persons subject to prison treatment and encouraging interaction with private economic initiative;
- systematise the relations between businesses and prison facilities by setting up an IT platform and a single access point at the prison administration in order, where possible, to foster interaction between private employers, individual prison boards and individual prison administrations;
- encourage the acceptance of work orders coming from private parties, also providing for the extension of the possibility - already envisaged - for prisoners to carry out work at home, and also introducing the tool of smart work and telework, in order to increase the employability of inmates.