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1. INTRODUCTION

The aim of the study is to monitor the implementation of the Penitentiary and Crime Prevention Systems Development Strategy and the infrastructure part of the 2019-2020 Action Plan, and to analyze the best international practices in this area. To do this, the research report reviews in detail each activity defined by the Action Plan, which aims to develop the infrastructural side of the penitentiary system and evaluates its performance according to pre-defined indicators. It should be noted that the report is not limited only to measure the indicators and aims to assess the quality of the indicators themselves. In cases where the indicator is unsatisfactory and does not allow for a proper assessment of the results of the activity, the performance of the activity will be discussed based on an additional criteria. The report will focus on the challenges that hinder the full implementation of the activities envisaged in the plan and develops recommendations for improving the infrastructure planning process of penitentiary institutions, taking into account the best international practice.

Key Findings and Recommendations

Implementation of a strategy for the development of penitentiary and crime prevention systems and an action plan for 2019-2020, although prepared without the broad involvement of human rights organizations, is a progressive step towards the development of the penitentiary system. Taking into consideration the Georgian reality, the official statement of the state in the strategy on the establishment of small institutions and constructing the infrastructure in accordance with the international standards required for the rehabilitation is also of fundamental importance for future development. It is true that other issues directly related to the development of penitentiary infrastructure are discussed in the strategy in a more secondary context, however, this does not overshadow the importance of legalizing the transition to small institutions and identifying primary measures to be taken in this direction.

One of the explicit flaws of the strategy is a lack of coverage in the direction of the technological developments, which according to the penitentiary sector trends, may lead to the negative influence on the development of infrastructure and the refinement of the operational capacities, the provision of the security, and delivery of services. Today, all these directions are directly or indirectly related to the level of technology development. It should be noted that the tasks set by the strategy are aimed at achieving results in at least 5-10 years. In the context of various areas of public life, including the rapid development of technology, to plan the infrastructure without considering this context will have the same consequences as the Soviet penitentiary infrastructure planned for the 1970s and 1980s

displays today. The incomplete reflection of these topics in the 2019-2020 strategy led the responsible state bodies to a waste of time needed for the study of the research and experience of the development systems, because, as the analysis of sources presents, no special actions have been taken in this direction (for example, did not order the research, did not conduct study visits, etc.). Therefore, in the 2021-2022 development strategy,¹ it is advisable to devote separate chapters to technological development issues, even at the research and planning level, and to fully cover infrastructure, operations, services and security issues.

Most of the activities of the infrastructural part of the action plan are relevant and address the key issues identified by the Public Defender and human rights organizations. However, the indicators of these activities, in some cases, do not allow for complete measurement of their performance. It is desirable that in the future, more attention is paid to the structure of the plan and the interaction between activities and indicators to avoid overlapping by adjacent activities in the action plan or redistribution of the activities with common results to activities with the different outcomes. The biggest flaw of the action plan is the lack of information about the budget and financial resources, which complicates the possibility of assessing its achievement and realism, especially in the infrastructural sector, the realization of which in most cases is directly related to significant financial costs. The most important result of the implementation of the infrastructural part of the action plan will be the development of a logistical plan, which, if properly drafted, will practically replace the action plan for 2021-2022 in the infrastructural part.

Regarding the specific activities of the Action Plan, based on the international experience discussed in the report, it is possible to identify several specific recommendations: When developing a logistics plan, it is desirable that the plan includes not only the infrastructural needs and the resulting tasks but also reflect goals in the complexity which should be achieved as a result of infrastructural development with its measurable indicators; When drawing up a logistics development plan, attention should be paid not only to the construction of a new facility but also to the modernization of existing facilities to improve detention conditions and to develop rehabilitation and recreational spaces; It is essential that the plan includes information on financial costs and funding sources and includes activities for at least 5 years;

- Improving the conditions of detention according to international standards and successful practices, on the one hand, implies sufficient space in the cells, provision of the material environment for detention and living conditions (including sanitary-hygienic conditions), on the other hand, creation and functioning of the recreational and rehabilitative spaces, and long-term family visits for supporting of the communication with the family. The need for recreational and rehabilitation spaces, according to the

¹ The Minister of Justice said at a meeting of the Human Rights and Civil Integration Parliamentary Committee on January 21, 2020, that work is underway on the development of the coming years' strategy and action plan.

Public Defender and non-governmental human rights organizations, is particularly acute in relation to the placement of convicts with the special risks. International experience shows the positive consequences of the provision of the certain services including to inmates under the influence of criminal subculture, which should be taken into account by the Ministry of Justice of Georgia and more efforts should be made to study this experience to implement the pilot projects in Georgia with the support of the international organizations or penitentiary services of partner states; It is in this context that the infrastructural development of recreational and rehabilitation spaces in closed-type facilities should be planned; Improving the conditions of detention should also be considered in terms of technological development, and the development of additional electronic services for convicts;

- Ensuring the security of the outside buffer zones of the penitentiary establishments and reducing the number of drones flying over should be considered as the combined problem and for its solution, it is not sufficient the separate approaches to physical infrastructure or purchasing the anti-drone systems, it is better to solve the problem in a comprehensive approach, which is based on the principle of infrastructure, technology, operations;
- Regarding the separation of juvenile and adult remand prisoners/convicts, it is important to achieve complete isolation of juvenile and low-risk 18-21-year-old adult remand prisoners/convicts in the penitentiary system, further improvement of the existing system of the risk assessment and individual sentence planning for the prevention of the influence of subculture and strengthening the component of preparation for re-entry, promoting family ties and planning for the appropriate infrastructural development for these purposes;
- Further development of the penitentiary system for women prisoners is inevitably linked to introducing a risk assessment system, implementing which depends on the arrangement of infrastructure. Female prisoners are currently serving sentences in the so-called corpus-type prison facility, for the re-allocation of the prisoners according to the risks a low-risk facility and the facility for the preparation for release is required, where the models of their organization, given successful international practice, might be small living dorms in the urban spaces operating in collaboration with NGOs or buildings intended for the small groups of people approaching the design and conditions of residential houses within an open-air facility building;
- In the process of developing the standards of new institutions, it is advisable to provide a detailed analysis of the UN rules and the information from the supporting manuals.

