



Differentiation of convicts in Czech prisons in numbers and experts‘ opinions

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“Knowledge of the target group is one of the key prerequisites for successful treatment and thus for reducing the likelihood of prisoners’ reoffending.”

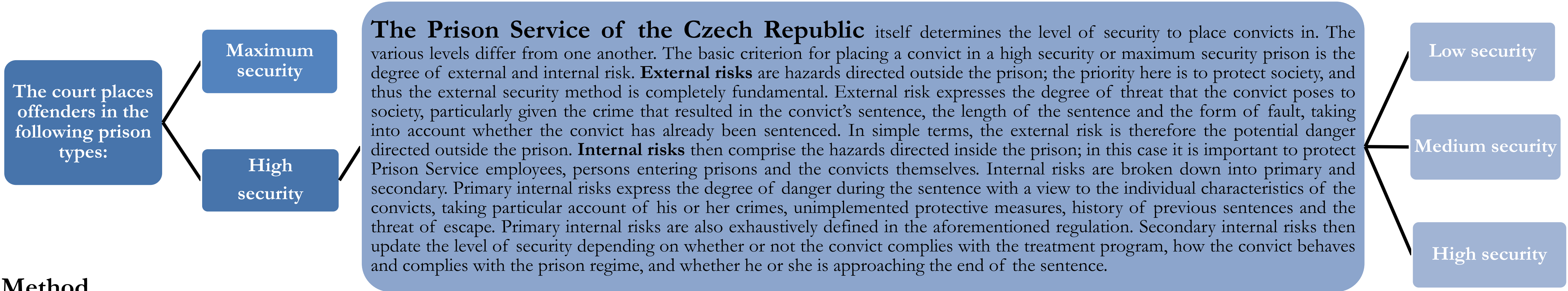
(Drahý, Hůrka & Petras, 2018, p. 137)

Since 1 October 2017 the Czech Republic has seen a change in the external differentiation of prisons and the original four types of prisons (minimum security, medium security, high security and maximum security), which differs in the degree of external prison security, dependent on armed guards and special structures to prevent convicts from escaping, have been reduced to two, high security and maximum security (Table No. 1). It is now the courts that decide which type a convict is to serve his or her sentence in. High security prisons are arranged into sections inside, which differ as regards the level of security – sections with low, medium and high security (tool SARPO-HDZ). In the case of the security prison, the prison service itself determines in which of the three departments, distinguished by the level of security, the sentence is to be served. It differentiates according to the criminogenic risks and the needs of the individual prisoner. The poster also presents the views of prison staff of this prison change (obtained through a survey in the autumn of 2021, spring 2022 and guided interviews in late 2022 - Table No. 2, 3).

Insight into the topic

Quality and targeted treatment of convicts (not merely as tertiary prevention) is essential for the more effective reintegration of convicts back into society and thus reducing the risk of recidivism. It is clear that the activities of the Prison Service of the Czech Republic are not sufficient in themselves and that the involvement of other entities is required, which will play a part in the treatment of convicts and will interconnect the penitentiary and post-penitentiary process. The submitter intended to reduce prison types particularly for the following reasons: increasing internal and external security; preventing recidivism; more economical use of prison capacity; ensuring further protection of society; greater objectivity when placing convicts in the individual types of prisons; making reassignment faster and more efficient; reducing the risk of corruption; bringing the Czech Republic closer to other western countries. According to the Statistical Yearbooks of the Prison Service of the Czech Republic for 2022, as of 31 December 2022 the Czech Republic had 17 498 convicts. If we focus on the numbers of convicts first serving an unconditional sentence, they make up 33.9% of convicts. A high percentage of convicts were serving their second (21.4%) and third (13.7%) prison sentence. (Statistical Yearbook of the Prison Service of the Czech Republic for 2022, 2023).

Table No. 1: Prison type and degree of security (custom processing)



Method

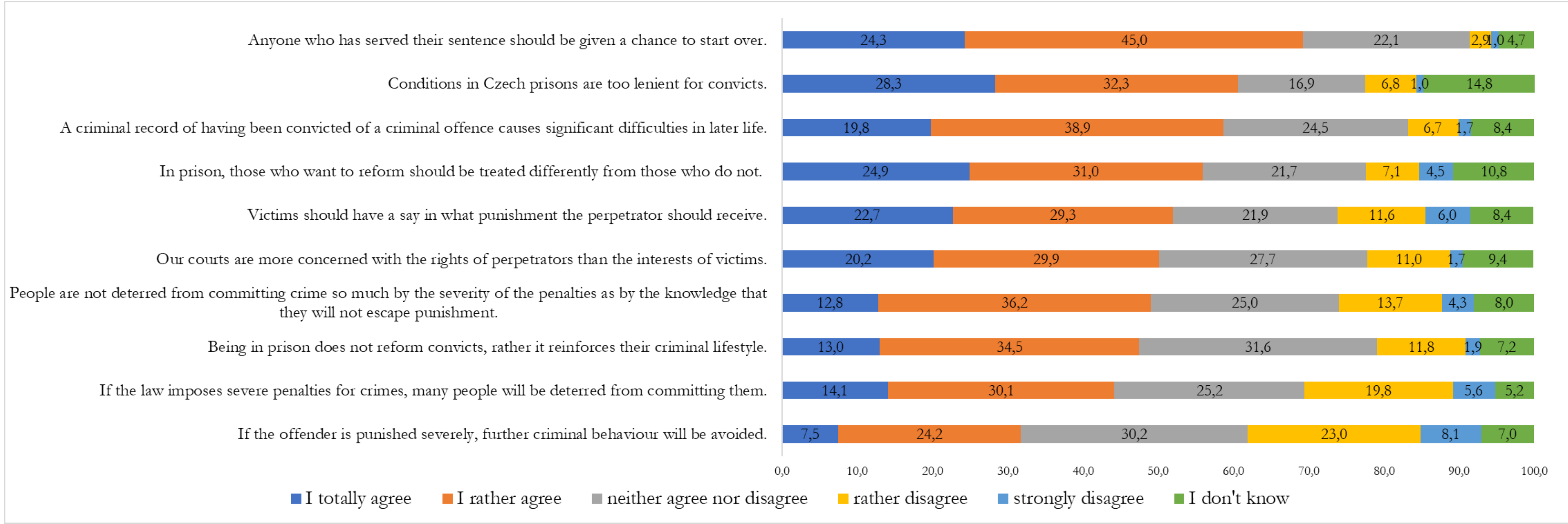
In determining whether the objectives of reducing the number of prisons are being met, one cannot, of course, ignore the key source of information about the reality, which is practitioners, i.e. Prison Service staff (special educators and social workers N=175 and secretaries of expert committees N=35), supervising prosecutors and judges (N=8). Two different questionnaire surveys were used to obtain their views and experiences in the case of Prison Service staff, and semi-structured interviews in the case of judges and prosecutors. The time, and in particular the social mood in which the change in the prison system took place, is framed by the IKSP's omnibus public opinion surveys (N=1 015 respondents).

Table No. 2: "Are convicts assigned to the different wards of a maximum security prison according to the degree of personality disturbance and the related possibility of resocialization?" (N=175)

	Abs.	%
All or nearly all of the convicted	41	23,4%
Majority of convicts	79	45,1%
Approximately half of the convicted	21	12,0%
A minority of convicts	14	8,0%
None or almost none of the convicted	1	0,6%
Cannot assess	19	10,9%
Total	175	100,0%

- One of the members of the Commission is its secretary (appointed by the prison director).The list of members of the Commission is fixed by order of the Director General of the Prison Service. They are the head of the Penal Enforcement Department, the head of the Administrative Department, the head of the Prison Guard, a member of the Prevention and Complaints Department, a psychologist, a special educator, a social worker and a tutor. The vast majority of secretaries carry out complex processing of the entire process of placing convicts in the prison security ward. This includes not only administrative work, but also communication with the other members of the Commission, with the various departments of the prison, interviews with the convicts and their respective educators.
- Semi-structured expert interviews followed up on findings from questionnaire surveys of social workers and special educators in prisons and secretaries of internal differentiation committees. The interviews were always conducted by the same interviewer and lasted an average of one hour. Due to the fact that the subject of the interviews was the agenda of professionals with many years of experience, the interviewer did not have to intervene much in the interviews and his role was limited to asking basic questions covering the following headings: Expectations associated with the prison change, what the experts believed was the purpose of the change, and what the specific effects of the change were on their agenda; Comparison of the agenda before and after the change in the prison system, including a comparison of the status of convicts in terms of the agenda before 2017 and after the change; The new system of differentiation of convicts; Possible need for changes in the system.
- All respondents compared the system in some form before and after the 2017 change. There was a prevailing critical view from judges towards the new classification system, with frequent criticism that it completely lacked a human element allowing for individual assessment of the offender's personality and specific needs for rehabilitation. In contrast, prosecutors and judges differed as to whether the decision-making agenda should have remained with the courts or whether it was right for prison directors to do so. The lack of individualisation was also criticised by prosecutors, but not to the same extent. Neither did the judges nor the prosecutors find any contradictions between the practice of placing convicts in the particular units of a high security prison and the relevant legislation.

Table No. 3: Public opinion survey - Opinions on the function of punishment and sentencing (percentages in %, ranked by percentage of responses agreeing on a scale of 1: strongly agree to 5: strongly disagree; N=1 015 respondents aged 15 and over)



Conclusions

- In its main features, the prison reform has fulfilled the goals it was associated with, and prisoners are assigned to particular unit of the high secure prison according to their criminogenic risks and needs. However, this change has had negative consequences in addition to positive ones. In particular, social workers and special educators mentioned the heavy administrative burden placed on them. According to our survey, special educators are the most frequently appointed secretaries of the commissions (31 out of 35 respondents), and they are not reduced in their regular agenda, this burden has fallen on them twice as often (on average there are 93 prisoners per special educator). There was criticism from all respondents, including judges and prosecutors, of the RNR tools setup, which automatically places first-time offenders in the highest security unit if they have committed a offense after using alcohol, even if it is, for example, a traffic accident.
- Although there are occasional calls from the public for harsher punishments (often in connection with high-profile media coverage of serious crime cases, e.g. Háková, 2021), respondents in our survey clearly perceived that harsh punishments are not self-sustaining. While more people agreed with the statement that if the law provides for harsh punishments, many people will be deterred from committing crime (44% agree , 25% disagree), the proportion of people who agreed and disagreed with the statement that if an offender is punished severely, further criminal behaviour will be avoided was rarely even (32:31). Thus, respondents were more inclined to trust in the general preventive role of harsh punishments than in their individual preventive effect. At the same time, respondents trusted the deterrent effect of the inevitability of punishment (49%) more than its severity (44%, see above).