

## **Education and vocational training in the penitentiary institutions of Lithuania: Present situations, problems and future perspectives**

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This paper presents the situation of the vocational training and general education at the penitentiary institutions of Lithuania in the eve of joining the European Union. The paper provides some statistic data relevant for the topic and gives a general idea of the legal basis that regulates education and vocational training in the penitentiary system. There is also a short overview of the legal reform that took place in Lithuania. The reorganization of the penitentiary system played an important role in the reformation process bringing the whole jurisdictions as well as its separate laws in conformity with the requirements of the European Union. Best practice of the neighboring countries and the documents issued by the European Council were taken into consideration. Further on the paper describes the organization of the general education and vocational training in the correction houses of Lithuania. The paper also clearly states the problems in this sphere and the ways to overcome them in the coming years.

### **Present situation**

Lithuania is going to join the European Union – and this is not only a great honor to become a member of the most powerful European organization, this is an immense responsibility as well. Lithuania will have to ensure the conformity with the European standards in all the spheres of life.

The penitentiary system of any country is one of the most socially sensitive problems. The people with their freedom temporally limited or devoid are a part of the community, and after having served their sentence they will inevitably find themselves within the same community again. What really might change the situation is the quality of the personalities of the former inmates – a lot depends on the activities within the penitentiary facilities. And one of the missions of each and every prison as well as the entire penitentiary system is to assist the former inmates to reintegrate into the society after their release. The desirable result can be achieved only on condition that the complexity of the whole spectrum of the penitentiary measures is applied while in prison. Education and vocational training play an important role in this system.

The crime rate statistics clearly indicates the fact that the offenders in most cases are people with little or no education at all, without any professional qualifications or working skills. In 2002 there were 25,8 thousand offenders registered in Lithuania and about two thirds of them (63,4%) neither worked nor studied anywhere at the moment of the commitment of the crime.

According to the statistic data collected in the penitentiary system of Lithuania, 1% of the inmates had no education whatsoever, 15% attended primary school only, 37% had high school education, 10% went to college and only less than 1% had a university degree. According to the European Prison Rules approved on February 12, 1987 by the Committee of Ministers of the Council of Europe Recommendation No. R (87) 3 one of the main objectives of a penitentiary system is “to provide opportunities for all prisoners to pursue at least some of their individual needs and aspirations, to improve the prospects for their successful social resettlement, the morale and attitudes of prisoners and their self-respect.” In order to achieve these objectives it is necessary to implement all the correctional, educational, spiritual and moral measures meeting the individual needs of the inmates (spiritual guidance, support, possibility to work, professional guidance, vocational training and education, physical training, development of the new social habits, meeting sessions, collective work and the proper organisation of leisure activities).

These provisions of the European Prison Rules stipulated the legal basis of the penitentiary system of the Independent State of Lithuania. In 1993 the Parliament of Lithuania adopted the resolution “On the Draft of the Legal System And the Ways of Its Implementation”. Later on some adjustments of the Draft have been made, and in 1998 the new edition of “The Draft of the Reform of the Legal System” was approved. One of the chapters of this document gives the characteristics of the reform:

- Legal status of a sentenced person (his/her rights, freedoms and duties) is determined by the Penal Enforcement Code and other laws as the standards of the Council of Europe provide;
- During the period of the implementation of the Reform the greatest attention is paid to the way the imprisonment is executed. The basic changes are related to the classification of the inmates, increased number of the incentives changes in the methods of the vocational education and training that is being orientated to the realistic perspective to find a job after release. Thus the vocational education and training as well as the work of the inmates becomes voluntary and has a great significance in the evaluation of the personality correction process and the possibility to apply certain privileges;
- The prison workshops are organized in such a way that they are fit not only to ensure the daily working process of the inmates but also to give them the possibility for the vocational training. While engaging them in work it is of vital importance to select such work and technologies that the skills and the knowledge acquired during the process would be easily used after release.

The laws provide for the priority of the penitentiary institutions in getting the state orders as well as the subsidies for the private enterprises that supply the inmates with work. The whole penitentiary policy is being orientated to the application of penal measures alternative to imprisonment. In 2001 the Government of the Republic of Lithuania have adopted the Resolution which obligates the bodies responsible for the distribution of the state financial assignments to allot no less than 10% of the assignments to buy goods and various services from the state enterprises at the penitentiary institutions, from the enterprises created by the public organizations uniting the disabled and also from the enterprises at the health care organizations. This provision is compulsory in all cases unless the above-mentioned enterprises do not manufacture the required goods or do not provide the required services. It is also planned to apply the same provision in the new Law of the Public Purchasing in the Republic of Lithuania. The latter law is in the conformity with the requirements of the European Union. It would allow the state

enterprises at the penitentiary institutions to get more orders and, at the same time, to create more working places for the inmates as well as to enable them to acquire a profession or certain working skills while the prison term service.

Practically, this provision has already been put into practice in all the three new codes: the Criminal Code, the Criminal Procedure Code and the Penal Enforcement Code that came into force on 1 May 2003.

The new Criminal Procedure Code provides that a person who appears before the court for the first time for a minor crime usually is sentenced to a penalty other than imprisonment. On the other hand, a broader range of the sentenced persons could be assigned to serve their custodial sentences in the open colonies. Earlier, the persons convicted for the crimes of negligence used to serve their sentence there. According to the new procedure the persons convicted for minor crimes will also be able to serve their sentence there. There is also a possibility foreseen for the well-behaving convicted persons serving their sentence in the penitentiary institution of the closed type and after having served no less than one third of the sentence to leave the territory of the penitentiary facility unguarded provided the leave is required by the nature of their education or vocational training process, or is necessary in order to carry out the tasks related to their practical work. Juvenile inmates are allowed to leave the territory of the penitentiary facility unguarded after having served no less than three months of the term of their sentence. This provision gives inmates the possibility either to start their classes at the regular community schools or to continue their disrupted studies there. The above provision is in conformity with the Recommendation of the European Prison Rule No. 81 which says:

“So far as practicable, the education of prisoners shall:

- a. be integrated with the educational system of the country so that after their release they may continue their education without difficulty;
- b. take place in outside educational institutions.”

As it is stated in the Constitution of Lithuania, education is compulsory for all persons until they are 16 years of age. This constitutional provision found its reflection in the legal acts regulating the penal enforcement. Consequently, the inmates younger than 16 years of age are obliged to attend secondary school, and for the older prisoners the possibility of further education is being offered. The aspiration of an inmate to seek for education is encouraged by granting him/her various incentives and privileges.

At present 7 penitentiary institutions of the closed type out of the 12 situated in Lithuania have secondary schools functioning. At the end of the 2002/2003 school year the percentage of those attending school was 8,5%. Having in mind that more than half of inmates have not finished the secondary school, 15% of inmates went to primary school only and 1% of inmates have no education at all, the number of prisoners attending school is insignificant. It is caused by the two factors: lack of schools at the penitentiary institutions and the reluctance of the prisoners to study. In the spring of 2003, 23 prisoners finished high school and have acquired school-leaving certificates and 36 prisoners finished secondary school and have acquired the respective certificates. It is worth mentioning that the inmates' education certification documents do not differ from those acquired at the regular community schools. So the inmates who decide to continue on with their education after their release do not endure any further limitations or inconveniences.

The Recommendation of the European Prison Rule No. 71 says:

“Prison work should be seen as a positive element in treatment, training and institutional management.”

This recommendation is followed in the Program of the Government of the Republic of Lithuania as well as in the Penal Enforcement Code. Vocational training is considered to be one of the priorities of the social rehabilitation activities. In 2001 a study initiated by the Lithuanian Institute of the Labour and Social Research has been carried out in the 6 penitentiary institutions. The goal of this study was to determine the priorities of the social and professional needs of the prisoners. Total number of 1500 inmates serving the last year of their term was interrogated. It was found out that the former prisoners after their release would expect a kind of support from either the governmental or municipal bodies: 84% would prefer monetary payments, 57% - assistance in finding a job, 35% - assistance in putting in order the required documents. While answering the question about the priorities of their personal needs the respondents put the need to work in the first place (62%). According to the results of the research the former prisoners have considerably more difficulty in finding a job than any other groups of the unemployed. Usually this fact is related to the lack of professional qualifications and the insufficient level of education.

At present 11 penitentiary institutions provide vocational training at the community vocational school branch offices functioning at the correction houses. During the 2002/2003 school year 856 inmates which make 10,3% of the total number of prisoners attended those schools. The inmates are trained in 13 professions, the latter being selected according to the needs of the labour market, the curriculum of the vocational school that opened its branch office at the correction house and the material conditions for an appropriate training. During the last three years the correction houses provide vocational training in the most relevant professions, the ones corresponding the demands of the labour market of Lithuania best, i.e. qualified dressmakers, cooks, carpenters, garage mechanics, welders, hairdressers are being prepared. An inmate himself is to choose the profession he prefers to receive training in from the list presented to him. In 2003, 697 inmates (8,3% of the total number of prisoners) graduated from the vocational training schools successfully and acquired a profession. They received a graduation certificate identical to that received by any other graduate of the school.

At the moment we are facing the problem of the availability of the vocational training to all inmates who wish to be trained at the vocational school while serving their sentence. This problem is caused by the following factors:

- limited number of vacancies at the vocational school branch offices;
- as the school year is approximately 9 months long the prisoners sentenced to shorter than this terms of imprisonment are not able to finish the schools;
- the distribution of financial means allotted by the Ministry of Education is not clearly defined so the funding primarily goes to support regular community vocational schools.

In order to solve this problem and to provide professional qualifications for as many inmate – students as possible the vocational training is organized directly at the working places. It is executed through the state enterprises functioning at the penitentiary institutions. This is the way to provide the inmates with the professions that are required at the state enterprises and are not on the curriculum of the vocational schools. The entire training process lasts for 6 months. Later on, after having finished the course and with the consent of the administration of the correction house the inmates are given the documents certifying their qualifications.

One more way to broaden the range of possibilities of the vocational training of the inmates is the participation in various programs and projects financed by international organisations and foundations. A computer class at the Kaunas Juvenile Correction House founded with the assistance of the Open Lithuanian Foundation serves as an example of the stated above. In 2003, 59 juveniles (which makes about a half of this prison population) were taught computers there.

In 2002 the Marijampole Correction House won the contest for obtaining financing from the PHARE 2000 Economic and Social Initiatives for Human Resource Development Foundation. The money was allotted for the project “Vocational Training of Prisoners for their Successful Reintegration in the Society”. The realization of this project is of great importance for this correctional facility housing approximately 1500 inmates sentenced for repeated crimes. The project will develop in several stages connecting various interrelated spheres: art studio activities, computer lessons, professional training in order to provide qualifications relevant for today’s labour market, seminars and lectures both for the inmates and the personnel teaching how to stimulate the urge of the inmates for education and obtaining a profession. The duration of the project is 2 years. In 2003, during the implementation of this project 70 inmates of the Marijampole Correction House and 50 inmates of the Kybartai Open Colony acquired certain professions.

The result of a close cooperation with the Vilnius Teachers’ Training University was a special program created for the inmates serving long-term sentences in closed prison. The program has been already launched and 2 inmates serving life sentences have already started their studies in order to obtain the university degree of social workers. This year 3 more inmates from the Vilnius Correction House No.2 have become students of the Vilnius University and the Vilnius Teachers’ Training University distant studies department. The number of the university students at the correction houses is very modest indeed. Nevertheless, we are extremely glad the program is working. An inmate who started his education process while in the correction house will be able to continue it after release. And this guarantees his engagement in purposeful activities. An inmate who has received a university education while in prison will definitely have broader possibilities to successfully reintegrate in the society.

On 10 January 2001 an agreement of cooperation between the Prison Department and the Labour Exchange of Lithuania was signed in order to ensure a more successful vocational training of the inmates. On 1 August 2003 the common administrative order “Regarding the integration of the prisoners in the labour market” was issued. The Director of the Labour Exchange of Lithuania and the Director of the Prison Department signed it. This document provides the basis for the information supply to the correction houses on the needs of the Lithuanian labour market. The Training Centre of the Labour Market assists in organising short-term training courses with the purpose to give inmates a possibility to acquire a profession. Every year there is a special course organised in the Panevezys Correction House for women where they can acquire the profession of a cook, a hairdresser and a knitter. They will also have a possibility to learn computers there at the newly installed computer class.

### **Main problems**

- In a small town Pravieniskes there are 4 correction facilities of the closed type situated. Neither of them has a school. According to the laws regulating the

foundation of schools including school branch offices in correction facilities the district administration is the responsible body. Nevertheless, they lack financial means for the opening of new schools and their branch offices. This problem is going to be solved in the nearest future.

- The inmates themselves lack the interest to continue with their education or to upgrade their qualifications. Lithuanian laws foresee only a certain payment for work, not for the learning process.
- Rather poor material conditions of the penitentiary institutions.

## **Future perspectives**

The foundation of the secondary schools at the penitentiary institutions has been entered into the Program of the Government of Lithuania Activity Plan for 2001 – 2004. The goal to be achieved is a school at each correction facility.

The new Penal Enforcement Code valid since 1 May 2003 provides broader possibilities for the inmates to leave the territory of the correction facility unguarded when it is required by the nature of his/her work, education or vocational training. It is hoped that these provisions will prove to be useful for many inmates willing to acquire better education or to upgrade their qualifications. It is especially relevant for those prisoners who had to terminate their studies after the commitment of the crime and the infliction of a punishment.

There is also a provision in the Penal Enforcement Code allowing prisoners to be involved in scientific, artistic or other kind of activities instead of working. So there is a perspective for convicted scientists or highly qualified experts to be engaged in putting into practice educational programs for other inmates.

In 2002 the Prison Department prepared “The program for creation of the working places at the penitentiary institutions and at the state enterprises during their renovation and the construction of the new buildings” for the years 2004 – 2006. The Government of Lithuania has approved this program. The main goal to be achieved by this program: to make the work – as the most important factor of the correctional process and the social rehabilitation of the inmates – available for all inmates willing to work. It is planned to create working places for approximately 30% of the prison population in the coming three years. While making this program the good practice of foreign countries (Denmark, Finland, France, Germany) in employing the prisoners was taken into consideration. The results planned to be achieved:

- After the renovation of the working facilities and the implementation of the new technologies of the industrial process extra 1000 working places for the inmates will be created. This will enable them to upgrade their qualifications and to acquire new working skills.
- After the renovation of both the facilities and the working methods a better effectiveness of the working process is achieved as well as better working conditions are created. This will lead to a better competitiveness of the produce and the urge of the inmates to work.

It is hoped that after Lithuania joins the European Union there will be broader possibilities for the participation in various programs and projects supported by the numerous international organisations in order to provide better education, vocational training or engagement in any other purposeful activities for the prisoners.

