

Country	Name of National Agency / Prison Service	Created
Belguim	Directorate-General for the Houses of Justice - Wallonia-Brussels Federation	05-Mar-19 16:50:32

Question	Answer
<p>Which organisations or institutions (if any) work to support foreign offenders in your country:</p> <p>a) while in prison/custody;</p> <p>b) in the community?</p>	<p>1a: Foreign offenders in Belgium prisons:</p> <p>All the foreign nationals in Belgian prisons are met by the Psychosocial Service. As long as theres no decision from the Migration office, they're treated in the same way as prisoners who have the right to stay in Belgium. The Psychosocial Service will help the prisoner to prepare his re-integration in Belgian society. For this purpose they will make appeal and collaborate with their colleagues from the communities who are responsible for help and all kinds of services in order to support the prisoner in his re-integration (e.g. therapy, training). In the case where foreign prisoners are no longer allowed to remain in the country, the Psychosocial Service will make a report concerning the prisoners re-integration prospects and complete it with all the information they have at their disposal.</p> <p>They will try to contact the Migration officer in order to see what can be done for this particular foreign prisoner. In cases where the foreign prisoner has psychological problems, they shall contact the person who is responsible for the Special Needs Project (Migration office). A special needs worker will support the foreign prisoner to work out a re-integration plan in the country of origin. Also he will accompany the foreign prisoner to his country of origin and put in order all the practical aspects for a successful re-integration (e.g. finding apsychiatric hospital/psychosocial follow-up/work/network/etc.) One of the big issues is that foreign offenders often don't speak one of the Belgian languages. Therefore its more difficult to detect their needs or diagnose their mental and other problems. Nevertheless Psychosocial Service will make all the possible efforts to have a view on the foreigners situation :</p> <p>Where will he live in the country of origin and with whom? What is his network? Are there persons on which he can rely? What are his possible occupations? Possibilities for therapy?</p> <p>For foreign prisoners who committed a crime with sexual character, Psychosocial Service will work out an in-depth specialised standard report concerning the offenders sexual problems. Based on a profound research, Psychosocial Service will try to find out if its necessary to impose a specialized treatment.</p> <p>The Immigration Office is competent for the administrative follow-up of foreign offenders whilst they are in prison, as well in regular as in irregular staying. The Immigration Office will inform the DG Penitentiary Institutions of the legal status of every individual (three categories : regular stay, irregular stay, under inquiry).</p> <p>If a status changes (either in the positive or in the negative way) this will also be communicated. In order to ensure an update of the database of the DG Penitentiary Institutions, a daily update for the new arrivals in the prisons will be uploaded by the Immigration Office.</p> <p>Decisions taken in the administrative procedures for the foreign offenders will also be uploaded. An assessment is made for the regular staying foreign offenders whether they status could be terminated (and therefore a return decision, eventually combined with an entry ban, could be imposed at the end of the sentence or on the moment of early release). This is a case by case assessment for which the Immigration Office has to take into account how long the person is already living in Belgium, whether he has family in Belgium (and what is their nationality or status), the health situation of the concerned person, the heaviness of the sentence or the fact that the person is a multiple offender, For an irregular migrant, a return decision (with possibility of immigration detention and with possibility of an entry ban) can be taken once the person is released by the Justice Department.</p> <p>If the person has been condemned to sentences of max 3 years, it is the prison direction which can decide whether the person can be released anticipatively (afterat least 1/3 of the sentence) or whether the foreign offender has to continue his sentence to the end. If the person has been condemned to more than 3 years , the early release or not will be decided by a court. The decisions by the prisons and the courts are communicated to the Immigration Office, which has then to decide which kind of decision should be taken.</p> <p>For short term sentences (max 3 years), the Immigration Office can already plan an effective return to the country of origin or the country where the foreign offender has a right to stay 4 months before the person can be early released or has finished his sentence. For the long term sentences, the Immigration Office can already start from 6 months before early release or end of sentence. One of the criteria for early release in the long term sentences, is that the foreign offender in irregular staying should cooperate with the organization of his return.</p> <p>In order to get the cooperation of the foreign offender, staff of the Immigration Office visit on a regular basis the detainees, in order to inform them about their administrative status, their rights and obligations, the possibility that their status could be revoked (in case of a regular stayer). They also try to convince the foreign offender to cooperate. They make an assessment about the need of support which the detainee could be given once he is released in function of the organization of a return (this assessment, together with medical and psychological assessment of the competent staff in the prisons, is communicated to a dedicated service in the Immigration Office in order to check theavailabilities of support in the country of origin see infra).</p> <p>They also interview the person in the framework of the right to beheard (art. 41 EU charter Fundamental Rights); the answers will be used to motivate the decisions taken by the Immigration Office. This staff also checks the administrative file of the foreign offender in the prisons (on relevant information concerning the identity and the nationality).</p> <p>Contact details : Geert Verbauwhede, Director for the Section Identification and Removals at the Immigration Office geert.verbauwhede@ibz.fgov.be</p>
<p>Which organisations or institutions in your country work to support citizens from your country who are imprisoned or under probation abroad?</p>	<p>The Immigration Office can foresee special needs for foreign offenders who have to be removed to their country of origin. This support is mainly for medical, psychological and psychiatric reasons and foresees the possibility to buy the necessary medication, to make arrangements with medical doctors, psychologists, psychiatrists, or medical institutions, but also with state health care systems, in order to ensure a follow up of the problems with which the foreign offender is confronted.</p> <p>If possible a placement in such an institution will be foreseen or there will be ambulant care (at the cabinet of the MD, at the hospital or at home). The Immigration Office can also make financial support available for appropriate accommodation for the concerned person. The support for special needs is however limited in time (max. 1 year). The foreign offender should beself-sufficient after 1 year or the national authorities should take charge of him.</p> <p>In a limited number of countries of origin, there is also a partnership with local NGOs or authorities which could help to find a job for removed foreign offenders. A typical possibility is to work in a call center, since these foreign offenders have in many cases language skills (of the host country where they lived), which are not necessarily available in the country of origin.</p>
<p>Which organisations or institutions in your country work to support citizens from your country who return from prison or probation abroad?</p>	<p>See 1b</p>
<p>Is there particular information, guidance or support you believe that CEP/EuroPris should provide to their members in order to assist them in working with:</p> <p>a) foreign national offenders and prisoners in their own country;</p> <p>b) their own nationals imprisoned?</p>	<p>n/a</p>