HesaMag #19
Working behind bars
ETUI news
Conference

The future of health and safety in Europe
30 years after the EU Framework Directive on health and safety at work, what's the way forward?
3 and 4 December 2019, 1210 Brussels

Thirty years ago, on 12 June 1989, the European Union adopted the Framework Directive on health and safety at work. Thirty years later, what is the state of play regarding occupational health in Europe? What are the prospects for development in the face of an ever-increasing pace of change in the world of labour and with the future of the European Union marked by uncertainties? What links can be forged between collective action and knowledge? What role does expert knowledge play? These questions will be at the heart of this two-day conference held in Brussels by the European Trade Union Institute.

New publications

Musculoskeletal disorders and psychosocial factors at work
Yves Roquelaure

This report presents the current state of scientific knowledge on the ways in which psychosocial factors influence musculoskeletal disorders (MSDs), and their impact on work capacity and quality. Almost 40m workers in Europe suffer from MSDs of the limbs and back and are the most common occupational disease in the EU. The aim of the paper is influence intervention efforts and provide scientifically-grounded recommendations to improve the health of Europe’s workers.

A Arte da Prevenção em Segurança e Saúde no Trabalho

In 2018, the Fondation Fundacentro, the Brazilian federal agency responsible for occupational health, decided to publish a Brazilian Portuguese translation of an ETUI book on workplace prevention via posters. The ETUI is happy to thus contribute to the discussion on the importance of trade union action on occupational health. In 2013, the European Trade Union Institute organised a poster exhibition on the history of prevention. Entitled “The art of preventive health and safety in Europe”, a catalogue containing the exhibited posters and a study carried out by the historian, Alfredo Menéndez Navarro from the University of Granada (Spain) was subsequently published. Circulated widely, the book was available in four versions: in French, Spanish, English and German. It highlights the importance of independent trade union action for improving working conditions.

ETUI, 2018
84 p.
Also available in French
www.etui.org > Publications > Reports

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European Commission accused of keeping hazardous products on the market

Senior European Commission officials have been working hard to water down the criteria used for defining endocrine disruptors and to promote the continuing existence of dangerous pesticides on the European market. This has been revealed in more than 600 confidential documents obtained by the NGO Pesticide Action Network (PAN) after two years of legal proceedings before the Court of Justice of the European Union.

The European Pesticides Regulation bans the use of hazardous active ingredients such as carcinogens, mutagens, reprotoxics and endocrine disruptors. However, the criteria for defining endocrine disruptors were only adopted in the legal text in April 2018, although they were supposed to have been established in December 2013.

The confidential documents obtained by PAN show that senior Commission officials knowingly gave precedence to the commercial interests of pesticide manufacturers over public health. Besides the five-year delay, the documents also show that unscrupulous officials also managed to get a "softer" version of the identification criteria adopted, allowing, de facto, pesticides belonging to the family of endocrine disruptors to continue to be marketed instead of being withdrawn from the European market.

Reacting to these accusations, the European Commission denies any concrete aim to manipulate matters, defending its decision to go ahead with an impact assessment before drafting criteria for defining endocrine disruptors, and thereby contributing to the delay in regulation denounced by PAN.

Questioned about the documents updated by the PAN, senior ETUI researcher Tony Musu had this to say: "These new revelations confirm that the identification criteria adopted in 2018 were biased and that they urgently need to be revised to better protect the health of farmers, citizens and the environment".

France: a link between working conditions and suicides

A study published in the Bulletin épidémiologique hebdomadaire (BEH) – a weekly epidemiological bulletin – of the French public health agency helps us to better gauge the impact of working conditions on thoughts of suicide. In 2017, 3.8% of the French population in employment stated that they had considered suicide in the course of the past twelve months (4.5% of the female population and 3.1% of the male population).

In more than a third of cases, working and employment conditions were stated as being the cause. The most important factor was fear of losing one’s job, followed by verbal threats, humiliation and intimidation at work.

The survey covered more than 14,000 people aged between 18 and 75. The self-employed were more likely (4.32%) to consider suicide than employees (2.85%). Among women, blue-collar workers were more likely (5.13%) to have such thoughts than white-collar workers (4.84%). The percentage dropped to 3.91% among female managers. Turning to the male cohort, the highest percentage was found among skilled craftsmen, traders and entrepreneurs (3.56%), followed by farmers (3.49%) and blue-collar workers (3.01%). The lowest percentage applied to managers (2.62%).

As regards sectors, the Horeca sector topped the list at 6.8% for both women and men, followed by the (performing) arts, teaching, healthcare and social work.

There was also a strong correlation with a worker's place on the social ladder: employees earning less than 1,500 euros a month were more than twice as likely to consider suicide than those with a higher income.

The Solidaires trade union launched a campaign in April, one of whose features will be the compilation of a geographical map of work-related suicides in France. It will be created by union activists reporting cases of suicide.

A guide on detoxifying workplaces

The US Center for Progressive Reform (CPR) has just published its new "Guide to Securing a Nontoxic Work Environment". According to the guide’s authors, some 50,000 people die each year in the US from the consequences of a work-related disease. In the majority of cases, death is caused by a toxic chemical substance. The probability of dying from such occupational exposure is higher than that of being killed in a road accident or of dying from an overdose of opiates. Regulation of chemical substances is inadequate, allowing workers to be exposed to risks much higher than for the population in general. Current scientific knowledge tells us that protection could be much more effective.

The guide encourages the world of work to act upon waiting for new legislative improvements. Such action can take many different forms. The guide is divided into three sections: 1. Strategies to reduce toxic risks and assist injured workers; 2. An overview of federal laws governing toxic chemicals; 3. Resources for gathering information about chemical hazards.

Even if major differences exist between the European Union and the United States in this field, the methodology described in this guide is of great interest for union action on improving protection in Europe. In particular, the accent put on the importance of a legal strategy is just as important on this side of the Atlantic as it is in the US.

The guide was compiled by Thomas McGarity, Sidney Shapiro, Rena Steinzor and Katie Tracy. Founded in 2002, the non-profit CPR connects a nationwide network of scholars with policymakers and allied public interest advocates. CPR pursues a vision of legal and regulatory policies that put health, safety, and environmental protection before private interests and corporate profit.

Download the guide on etu.org
**Burnout: Belgium launches a pilot project**

In Belgium, stress and burnout are responsible for one third of all days taken off work. Furthermore, the increase in mental illnesses (including burnout and depression) explains, to a large extent, the increase in the number of people permanently leaving the workforce on health grounds. Faced with this worrying economic and health problem, the Belgian Federal Agency for Occupational Risks (FEDRIS) launched a pilot project on the burnout issue in January 2019.

Funded to the tune of 2.5 million euros, the aim of this three-year project is to provide support for workers threatened or affected by an early stage of burnout associated with exposure to one or more work-related psychosocial risks. The pilot project will be open solely to people working in the sectors of hospital care and financial services. At the end of a two-step enrolment procedure, workers with a confirmed diagnosis of (pre-) burnout will be offered an individual “support path” using “bodymind” or cognitive-emotional approaches to help them stay at work or to get back to work quickly.

The unions are very much in favour of such projects, as they bear witness to policymakers’ heightened awareness of the problem of psychosocial risks. Obviously, in order to be successful and to counteract the disturbing trend of lack of wellbeing at work, secondary prevention projects of this kind will have to be accompanied by strengthened primary prevention measures. Moreover, looking after workers threatened or affected by early-stage burnout can only be a first step towards looking at the situation of workers in a more serious stage of burnout. At the moment, the Belgian Ministry of Social Affairs and Public Health considers burnout to be a work-related illness. When will it be recognised as an occupational disease?

**Detecting work-related diseases using alert and sentinel systems**

A report of the European Agency for Safety and Health at work (EU-OSHA) analyses the alert and sentinel systems used in various European countries for the early detection of work-related diseases. This report is based on the analysis of twelve national schemes implemented in European countries or the United States, all of which help to spotlight health problems caused by bad working conditions and insufficient prevention measures in companies.

In all European countries, recognised and compensated work-related diseases account for just a small fraction of health problems caused by work. This situation concerns both risks known for many generations and new risks associated with the use of new processes, changes in work organisation and the use of chemical substances whose risks have not been properly assessed. In many countries, the covering up of work-related diseases applies more to women than to men and is particularly striking in the field of cancers where very few women workers manage to get their cancer recognised as having been caused by work.

Examples include the “popcorn disease”, a serious lung disease suffered by factory workers, and heart problems from carbon monoxide exposure at a coffee-processing plant.

The report identified 75 surveillance systems used in 26 countries. In-depth analysis of 12 of the systems shows the different approaches that can be followed and showcases their strength and versatility. Practical aspects of their implementation and links with prevention and policymaking are described and the report also shows how an alert and sentinel function can be added to an existing monitoring system.

**New limit values on carcinogens**

The Official Journal of the European Union published the text of Directive 2019/139. This directive constitutes the second step of the process of revising the Directive on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (CMD). The revision of the CMD was launched in May 2016, with the first step ending with the adoption of the Directive 2017/2398 on 12 December 2017.

The second step currently being concluded introduces six new occupational exposure limit values for carcinogens. The final text, the result of a compromise between the European Parliament and Council of Ministers, constitutes a major improvement on the European Commission’s original proposal introduced in August 2017. Thanks to amendments voted in by a very large majority of MEPs, workplace diesel engine exhaust emissions have been included in the Directive’s scope. The binding occupational exposure limit value (BOELV) for these emissions is set at 0.05 mg/m³, a value calculated on the basis of elemental carbon. It must be implemented in EU Member States by 21 February 2023 at the latest, though for underground mining and tunnel construction the deadline is three years later, i.e. 21 February 2026. This second revision step also introduces the inclusion of work involving the uptake (through the skin) of mineral oils previously used in internal combustion engines into the CMD’s scope. About one million workers in Europe are subject to this form of occupational exposure.

The decision on diesel engine exhaust emissions will affect 3.6 million workers in the EU and is expected to lead to 6,000 fewer deaths a year through lung cancer.
A new report by EUROGIP presents an analysis of the extent to which occupational cancers are recognised in nine European countries: Austria, Belgium, Denmark, Finland, France, Germany, Italy, Sweden and Switzerland. It also looks at the schemes for identifying occupational cancers, especially via monitoring the health of people exposed to carcinogens in the course of their working careers.

The report looks at how the data has developed between 2005 and 2016. From a general perspective, little progress has been made. Occupational cancers remain greatly under-recognised, weighing heavily on all prevention efforts. Austria and Germany are the only two countries where any real progress can be seen over this 12-year period. In Germany, the progress is mainly in the field of skin cancers, which account for 39% of occupational cancers recognised in 2016. However, these do not feature at all in the figures for Austria and Sweden and only to a very low degree in those of France and Switzerland. In certain countries, the number of cancer cases recognised as occupational diseases has even gone down (Italy and Sweden), despite better knowledge of the links between cancer and occupational exposure.

Looking at the data from an overall perspective, we see three distinct groups of countries. In two countries, the number of recognised cases of occupational cancers per 100,000 insured persons is higher than 10 (Germany: 15.1 and France: 11.39). In a further two countries, the number is between 5 and 10 (Denmark and Italy), while in the remaining five it is below 5. The most dramatic situation is to be found in Sweden, where the number is just 0.5, which, in relation to the whole Swedish working population, constitutes just 27 cases in 2016.

The majority of occupational cancers are not even reported. In the view of ETUI researcher Laurent Vogel, restrictive recognition practices act as a major deterrent, discouraging the majority of victims from embarking on a complicated administrative and judicial battle with an uncertain outcome. The situation is compounded by social inequalities, with women, workers in precarious employment and people with problems accessing the legal system the ones most often having to renounce the compensation offered by occupational disease insurance systems. One major shortcoming of the report is that no distinction is made between men and women, despite many other studies highlighting the fact that women are more likely than men not to have their occupational cancers recognised. Such discrimination is tantamount to denial, with the word “woman” only appearing once in the report – and in parentheses, stating that housewives don’t get occupational cancer.

### Vietnam bans glyphosate

Vietnam has decided to ban herbicides containing glyphosate. This is a blow to Roundup, a key product of Monsanto, the US multinational now in the hands of agrochemical giant Bayer.

The decision was taken shortly after a Californian jury sentenced the company to pay compensation to a Roundup victim. The decision was quickly put into practice, with Vietnam’s Ministry of Agriculture and Rural Development removing the herbicide from the list of authorised products on 20 April.

The Trump administration sided with Bayer-Monsanto, condemning Vietnam’s decision and repeating, parrot-fashion, the argument of the pesticide lobby.

Vietnam is not the first country to ban glyphosate. In October 2015, Sri Lanka took the same decision following the publication of a study on the renal toxicity of glyphosate among rice-growers, leading to more than 20,000 deaths in that country. Under pressure from the United States, Sri Lanka partially suspended the ban, re-authorising the use of glyphosate for rubber and tea plantations.

While Monsanto achieved a success in November 2017 with the five-year renewal of the authorisation for glyphosate on the EU market, the obscure conditions under which this authorisation was gained make this a very sensitive issue. The case highlighted the industry’s stranglehold over the EU regulatory agencies which handled the dossier and the European Commission’s kowtowing to the pesticide lobby. It seems quite likely that the new European Parliament, due to be elected in May 2019, will reopen the dossier. Recent developments in various fields underline how dangerous this product is.

As of March 2017, California requires to label pesticides containing glyphosate, informing of the product’s carcinogenic properties. In summer 2017, a US Court provided proof of the company’s strategy of infiltrating scientific circles to sow doubt about reports linking glyphosate to cancer.

Vietnam is undoubtedly the country that has suffered most from Monsanto’s operations. During the Vietnam War, Monsanto and Dow Chemical made massive profits from the production of Agent Orange, a powerful defoliant, for the US Army. The aim was to destroy vegetation in the rural areas occupied by the Vietcong. The toxic concentrations were 15 times higher than those usually found in agriculture and other non-military fields. Agent Orange has had disastrous consequences not only on the health of people exposed to it but also on their offspring. Children of exposed people are affected by deformities, cancers and blindness. According to the Vietnamese association of Agent Orange victims, more than three million Vietnamese are still affected.

### QDB5: Burn-out classified as an occupational phenomenon

Meeting in Geneva for its 72nd session, the World Health Organisation’s (WHO) World Assembly has taken a landmark decision. Referring to the conclusions of health experts, it has declared burn-out to be an “occupational phenomenon”, opening the door to having it classified in the WHO’s International Classification of Diseases (ICD). Codenamed “QDB5”, burn-out is now to be found in the section on “problems associated with employment or unemployment”.

In the words of the WHO, burn-out “specifically refers to phenomena related to the professional context and should not be used to describe experiences in other areas of life.”

The new International Classification of Diseases (ICD-11) will come into force on 1 January 2022.

First identified in the 1970s, burn-out had not yet been listed in any of the international classifications (i.e., that of the WHO or the American Psychiatric Association).

The UN’s specialist agency had initially stated that burn-out had been included as a disease in the ICD, a classification used for identifying health trends and statistics. However, the next day a WHO spokesperson issued a revised statement, saying that burn-out was going to be switched from the category “factors influencing health status” to “occupational phenomena”, though without being included in the list of “diseases”.

“Inclusion in this chapter means that burn-out is not conceptualised as a medical condition, but as an occupational phenomenon”, the spokesman clarified in a communiqué.
Editorial
Three Mile Island - lest we forget

Laurent Vogel
ETUI

The events commemorated by a society – and the events passed over with silence – say a lot about that society. The anniversary of the Three Mile Island accident, which occurred 40 years ago in a nuclear power plant in the United States, has received almost no media coverage, even though it was a major incident which, in many ways, sowed the seeds for the later backlash against the ideology of progress. It is hardly surprising that leaders such as Trump, Bolsonaro and Putin should shy away from the topic of past nuclear disasters, but it is downright worrying that the international media and academic circles are also happy to consign them in the past.

The incident at Three Mile Island in Pennsylvania (United States) – the first major accident at a nuclear power plant – occurred on 28 March 1979, when various factors contributed to a chain of events which resulted in the temperature within the reactor core rising rapidly (leading to partial fusion and the associated damage) and radioactive water penetrating into the containment chamber. There were no serious public health consequences, and the reactor did not explode despite the large amounts of hydrogen produced by the high-temperature chemical reactions, but the incident came within a hair’s breadth of becoming a major nuclear disaster. Although each individual link in the chain of events would have been harmless or repairable had it occurred in isolation, their concatenation had consequences of the utmost severity – even though this was precisely what appeared to have been ruled out by all the risk assessments carried out on the basis of probabilistic models. Design errors, disregard of previous incidents, inadequate training of “operators” who were regarded as mere drudges, negligence on the part of the public institutions tasked with acting as regulatory authorities, “wiggie room” built into standards in order to avoid thwarting the progress of the nuclear industry, and on and on – all of these factors played a part in the catalogue of failings which led to the accident.

Back in 1984, the sociologist Charles Perrow published an in-depth analysis of what had really happened on the ground in a book entitled Normal Accidents. The technical systems at Three Mile Island had apparently been functioning correctly, and so the incident could be deemed a “normal accident” within a system which was designed for profit and which placed managers and workers in separate silos.

Three Mile Island triggered a shift in the nature of the debate on nuclear power; the topic started to be discussed not only by experts in the field, but also by citizens’ associations which brought together students, researchers, trade unionists and people living in the vicinity of nuclear power plants. New initiatives were launched, the various disciplines involved in nuclear research began to talk to each other, campaigners started to employ militant tactics, and public opinion polls confirmed the success of the novel alliances which emerged. The technoscientific doctrine began to attract criticism from socially minded quarters, and one of the most important arguments against nuclear energy was first heard (an argument which is social and political in nature rather than technical or scientific, and which remains relevant today): the concentration of capital and power necessary for a nuclear energy programme cannot be reconciled with a social democratic approach to energy management. The occurrence of further disasters in the future is therefore inevitable, and the only thing that remains unclear is their exact dates and circumstances.

Three Mile Island was followed by Chernobyl (1986) and then Fukushima (2011); their public health consequences were vastly more serious, and aggravated yet further by the social division of labour. In both the former Soviet Union and Japan, the thousands of frontline “liquidators” who were sent in to respond to these incidents – and who were drawn from the most exploited sections of society – were knowingly sacrificed and exposed to immense levels of radiation. Once again, this was a “normal accident”; the radiation to which the “liquidators” were exposed over a number of weeks was the same radiation (albeit on a different order of magnitude) to which countless subcontractors – assigned to the most hazardous tasks in nuclear power plants which are “functioning properly” – are exposed on a daily basis.

The doctrine of never-ending progress and blind trust in technological solutions is all the rage again today, as though society had failed to learn any lessons at all from the errors of the past. This ideology underlies the narrative of the global warming sceptics (or at least those willing to move beyond simple denial), and has a major influence on institutional action by serving as a pretext for delaying decisions which are as necessary as they are radical. Multinational corporations eager for a recovery in their profit margins are stepping up the pressure to enshrine the “innovation principle”, which stands in direct opposition to the precautionary principle; its proponents argue that risk should be accepted as an intrinsic feature of all innovation, and that overly restrictive regulations should not be imposed since, sooner or later, a technological solution will be found to our current problems.

Given that society is staring down the barrel of environmental disaster, and given that the associated risks are distributed extremely unevenly between the social classes, the “innovation principle” is a bitter pill to swallow. It combines both cynicism and naivety: cynicism because its sole purpose is to put more money in the pockets of the privileged few who are already hogging most of the world’s wealth, and naivety because the history of the past few decades tells us nothing if not that we would be misguided to believe in the ability of technology and science to come up with miraculous solutions. Rushing headlong into the future will not help us to overcome the immutable material and human limits which exist; instead, we must prioritise the concept of social and human value over the desire of the ruling classes to make everything buyable and sellable.

Further reading

The concentration of capital and power necessary for a nuclear energy programme cannot be reconciled with a social democratic approach to energy management.
What are TUPAs? A trade union tool to reach the most vulnerable people

Though TUPAs are not rebels fighting dictatorship in Latin America, they do represent a silent revolution in European trade union activity: they are trade union representatives who work at regional or sectoral level, going beyond corporate boundaries and allowing trade unions to reach people who work in organisations in which union representation is weak or non-existent. TUPAs is the English acronym for “Trade Unions Preventive Agents”.

Berta Chulvi
Journalist

In Italy, owners of a car repair garage were very open to proposals for improving the quality of the air, as they didn’t want to end up suffering from the same illness as their father.

Image © Belga
TUPAs were so called by an interdisciplinary team of trade unionists and academics who worked together on an EU-funded project. Specialists from the Instituto Sindical de Salud, Trabajo y Medio Ambiente de CCOO (Spain), the Fondazione Di Vittorio (Italy), Solidarnosc, the Polish trade union, and researchers from the University of Cardiff (United Kingdom) and Luleå Technical University (Sweden) spent two years identifying trade union involvement in occupational health that goes beyond the scope of the company to reach out to small and medium-sized organisations in which there are broad gaps in health and safety.

Trade union demands are not new in Europe: many organisations have for decades been urging governments to create the position of regional or sectoral OHS representative who can take action in organisations in which trade unions are not represented. In some countries, such as Sweden, trade unions achieved this in the 1970s, while in others, such as Italy, they did so in part in the 1990s. In countries in which union demands were not granted legal status, such as Spain or Great Britain, trade unions have managed to negotiate bilateral agreements with employers, with some interesting results. The novelty is that this long-standing demand from the 1970s is now an extremely effective mechanism for addressing the challenges arising in an increasingly complex labour market in which subcontracting, corporate restructuring and self-employment are rife.

This research team has defined TUPAs as “people designated by trade unions to intervene in companies with fewer than 50 employees, from outside, without belonging to them”. Their aim is to help to ensure that workers are heard when decisions are taken to prevent and control occupational risks. As will be seen, the practical implementation of this position has been highly varied.

**The health and safety gap in SMEs**

“Small is not always beautiful”, at least when it comes to occupational health. Research into safety and health has, for many decades, identified the need to develop specific safety and health strategies for small and medium-sized enterprises. The recent ESENER-2 report, produced by the European Agency for Safety and Health at Work, identified three key aspects of good practice in relation to occupational health: enterprise size, high management commitment and the existence of formal representation of workers. ESENER-2 specifically points out that establishments that do not carry out risk assessments (23%) or provide any OHS-related training (6%) are generally micro or small enterprises, operating in the services sector. The study finds that establishments in which arrangements for the representation of workers and high management commitment are present are seven times more likely to have high levels of implementation of occupational health and safety measures.

Much of the research in this area suggests that lack of worker participation in management decision-making in small and medium-sized enterprises is largely responsible for the huge health and safety gap in small or micro production units. This is not a residual reality: in the European Union, almost 99% of enterprises have fewer than 50 staff and create around 50% of the jobs. The new forms of organisation of work (outsourcing, relocation and downsizing) have given rise to an increase in the number of companies in this segment. What is more, the largest

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Although the Swedish network of TUPAs appears to be well established, it is not immune from threats.
and most powerful enterprises now tend to outsource risks to weaker players, and such SMEs are not only numerous but also take on the most hazardous or heaviest tasks.

**The Swedish case: over 50 years of experience**

Since the 1970s, Swedish trade unions have had the legal right to appoint Regional Safety Representatives (RSRs), who have the power to act in all companies in their field in which two conditions prevail: they do not have an OHS committee and they have at least one union member among their workforce. Kaj Frick, a doctor of sociology at the University of Stockholm, is one of the European researchers who is most familiar with TUPAs and with the soul of the European project that has given them their name. Frick began in the 1970s with research into this trade union position: "No sooner had I left university with a sociology degree than I received an offer to carry out research into the functions of regional safety representatives, and I haven't looked back since". What Frick did not imagine in the 1970s was that large-scale economic changes and labour market insecurity would make TUPAs a strategic position in 21st-century Europe.

The work of trade unions is becoming increasingly complicated. Even in Sweden, where unionisation has always been high, the rate fell from 83% of wage earners in 1993 to 69% in 2015. In this context, the work of TUPAs has become increasingly important since they can support workers in companies where there is at least one union member and can promote union elections. Once OHS representatives have been elected, TUPAs are crucial for offering them training and experience.

Sweden currently has around 1,700 part-time TUPAs who also carry out other work: some are risk prevention representatives in large enterprises while others are trade unionists who combine their safety work with other union duties. The cost of the system is about €20 million. This is partly borne by the government, but almost 50% of the budget is paid for by the unions themselves. TUPAs visit around 50,000 to 60,000 workplaces per year, more than five times the number visited by the labour inspectorate. During each visit, they review documentation and monitor working conditions, adapting their focus to the risks inherent to the sector in which they operate. They also talk to workers and trade union representatives and try to discuss the problems they have identified and their improvement proposals with managers. Almost all cases are soon resolved directly with the company without the need for the occupational health inspectorate to intervene.

Although the Swedish network of TUPAs appears to be well established compared to other European countries, it is not immune from threats: "In 2017, employers' organisations threatened to forcibly remove this position as part of a strategy that was without doubt meant to intimidate the unions but was ultimately unsuccessful," explains Kaj Frick.

We spoke to Tomas Kullberg, a carpenter by profession and member of the LO trade union confederation. For 18 years, Mr. Kullberg has combined his activity as a trade union representative in a construction company with his work as a TUPA in Stockholm. He believes the action of TUPAs is gaining ground because the fear of accidents worries small and medium-scale business owners, and says that there is generally reasonable cooperation with employers and that the relationships improved over time. Statistics on the activity of TUPAs in Sweden, which are collected in various annual reports, confirm this: the results of visits by TUPAs were positive in 55% of cases, i.e. the results were applied in practice, while for some 43% there was a neutral response to suggestions made, though it is not known whether they were applied. Around a quarter of RSR visits were initiated by employers, and suggestions for improvement were also mainly received positively (56%) or neutrally (37%) by employers.

**The Italian case: territorial representatives**

In Italy, TUPAs are known as "OSH Representatives at Territorial Level" (RLST). These originated in the construction sector in connection with joint bodies. The role of RLST in relation to joint bodies was then included in the Italian regulation transposing the Framework Directive on Occupational Health and Safety, first in 1994 and again in 2008. According to Italian law, the collective bargaining system is responsible for defining the specific means of intervention adopted by TUPAs. Italy has a second type of trade union health and safety representation that goes beyond the traditional company framework: the Workers' Health and Safety Representative at Production Site Level (Rappresentante dei Lavoratori per la Sicurezza di Sito Produttivo in Italian), who acts in places such as ports and whose activity requires intense cooperation between many companies from different sectors.

Simona Baldanzi works as a TUPA in the province of Prato in Tuscany, where the textile industry is very prominent. This political science graduate has spent a great deal of time researching the various aspects of job insecurity and has also had direct experience by working in a call centre, where she became trade union representative for the Italian General Confederation of Labour. She subsequently began to develop her activity as a TUPA in Prato, where she has been putting the potential of this position into practice over the past three years. Simona tells us about a furniture company whose workers were clearly exposed to psychosocial risks. Among other forms of harassment, sales staff were labelled according to their weekly sales. Their names appeared on a wall chart on which the winners were at the top, while less productive staff were labelled "black sheep". The company's trade union representative had just been elected and did not know how to deal with such a complex situation of abuse of and contempt for workers. Simona offered her the expert support she needed, and together they began a strong trade union campaign resulting in a significant conflict with the company. The action finally concluded with an official complaint and recognition that a worker who suffered depression because of the harassment she had undergone had an occupational illness.

Other less contentious actions offer a sample of the potential that TUPAs have to intervene in small companies by providing technical knowledge and resources which the management concerned often do not have. Simona refers to a paper filing company in which workplace dust was a serious problem. She interviewed all the workers and the management, and in response to her report the management decided to consult its OHS service and finally installed an air-purifying...
system that prevented toxic exposure to dust. Another interesting case concerns a small company that had a very noisy compressor. The company was going through a difficult period, and the owners feared they would have to change the compressor at considerable expense. Thanks to the steps taken by Simona, who consulted a specialist company, it turned out that the problem could be resolved by replacing just a single valve.

Simona believes this type of intervention will ensure that enterprises will begin to trust TUPAs and will appreciate the importance of investing in occupational health: “Very often, the employers are also workers and fall sick just like their labour force does, and they are therefore more receptive than what might be expected,” she explains, recalling a case involving two brothers who owned a car repair workshop. They were very open to her proposals to improve the air quality because they did not wish to follow in their father’s footsteps and become ill themselves.

The Spanish case: collective bargaining as a resource

Although not recognised in law, there have been several instances of TUPAs in Spain. All of them consist of health and safety experts visiting small firms. Some are based on tripartite agreements at regional level, and some are sectoral, bipartite agreements between employers’ associations and trade unions. Asturias, the oldest example, is explained by Daniel García Arguelles, occupational and environmental health secretary to the Federación de Construcción y Servicios de CCOO-Asturias [Spanish trade union]: “The Spanish Law on Occupational Risk Prevention was approved in 1996, and we had not managed to introduce the position of territorial health and safety delegate; the situation was very tense, and we had just had a 30-day strike in the construction sector, so the trade union was strong, allowing us to establish the position of territorial health and safety delegate in negotiating the collective agreement for the sector.” The employers agreed that part of the company’s contributions per worker and per day were to be used to finance TUPAs through the Fundación Laboral de la Construcción, a bipartite body established in 1988. The characteristic of TUPAs in Asturias is that they began to visit sites in pairs, one representing employers and the other representing the trade unions, and by collective agreement they are entitled to enter any active work site. “At the moment, visits are carried out independently so that more workplaces can be covered, but if sites with particular problems are identified, the scheme of one management representative and one trade union representative is applied,” García Arguelles explains. Employers have always seen TUPAs as an instrument for combating companies that compete unfairly by reducing contracting costs through the cutting of preventive measures or the employment of illegal workers.

In 2017, TUPAs in the construction sector in Asturias carried out 4,959 visits to workplaces. García Arguelles recalls a successful case: “For a company that was notorious for failing to comply with occupational risk prevention requirements and which also had a high accident rate, we decided to shorten visits to workplaces and ensure more constant follow-up. On one occasion, protective netting was poorly placed, and one morning we got them to place nets correctly, observed by our TUPAs. It took us two hours to ensure that they were properly placed and that a canopy was installed over the main entrance to the works. On the following morning, we were told that, if we hadn’t made them install the canopy, a loaded pallet would have fallen on two workers who were directly below it when the accident occurred.” But there have also been failures: “On one job, we eventually had to file an official complaint to the Labour Inspectorate because openings in floor slabs were not covered, among many other irregularities. Two days after our visit, a worker fell down the lift shaft,” explains García Arguelles.

TUPAs are also active in other areas of Spain, such as Castilla-La Mancha, Castilla y León and Madrid: the regional governments fund teams of people appointed by trade unions and business associations to visit SMEs. In Castilla y León, for example, an agreement is in place between the regional government, its forestry contractors and the regional trade union that allows TUPAs to visit forest work sites. This programme made it possible to reduce accidents in this high-risk sector by almost 45% between 2007 and 2014.

Five results of the research

David Walters, Kaj Frick and Emma Wadsworth are the authors of the final report entitled Trade union initiatives to support improved safety and health in micro and small firms: Trade Union Prevention Agents (TUPAs) in four EU Member States. The complete report is available online in English. The following are some of the outstanding results of their research:

1. The managers of small and medium sized firms overestimate [...] their understanding of both the occupational safety and health risks and the necessary measures for control, in contrast with their low real levels of knowledge of occupational safety and health and their legal responsibilities in this respect;
2. They fail to see the need to take action themselves, instead ascribing responsibility for such actions to their workers. Many micro and small firms would prefer to be clearly “told what to do”;
3. TUPAs are a potentially useful tool for improving health and safety performance in micro and small firms because face-to-face contact with “change agents” is by far the most effective way of bringing about a successful intervention;
4. The training of TUPAs in the skills needed to win the trust of owner-managers and workers is important;
5. A framework of institutional cooperation and political will on the part of public administrations is crucial if they are to multiply and spread.
"Prison is a magnifying glass: what happens there happens one day or another to us all," writes Anne Lécu, a Dominican nun who has been practising medicine in the French prison system for the last 20 years.

And prison is just as important in the reproduction of social inequalities. It is a symbolic place of total bodily control. Often located far from the nearest urban centre, this disciplinary institution projects its shadow over the factory, the school and even over asylum. In one sense, it is familiar to us but its reality is infinitely worse than that of other places that have borrowed some of its principles.

The judicial institutions are highly selective in the choice of people they send to prison. In contrast to what the media would have you believe when they focus on certain cases, the privileged classes rarely find themselves locked up. An employer may cause the deaths of dozens of workers by exposing them to carcinogenic substances but he or she will be punished with no more than a fine.

To work in prison is to work on the margins of society. To work as a prisoner and to work with prisoners is a very ordinary job in terms of the actual actions and tasks being performed. But the context in which the work is being performed is radically different to the "outside" world. This is an issue that is rarely addressed in occupational health.

In this edition, we wanted to explore the conditions of three groups that are directly affected. Firstly, the prisoners, for whom work is never guaranteed. Secondly, the prison staff, who have multiple and contradictory tasks: monitoring, punishing, providing support for possible reintegration. Lastly, those from the outside world who come in to undertake health, social, educational and other tasks. With the same conviction that emerges from our survey: the more inhumane the situation of prisoners, the more the work of other groups deteriorates, as if there were a causality or a common link between these three groups in the prison environment.

This brief recalls the urgent need to fight for prisoners’ rights, making no concessions to the rhetoric of security that is so currently in vogue. Humanity exists only when it is shared by all members of a democratic society.
Employment quality of prison staff in Europe: trapped in a vicious circle?

What is the employment quality of prison staff in Europe after a decade of austerity measures for public services? That was the highly relevant research topic of a study carried out by HIVA-KULeuven, commissioned by the European Federation of Public Service Unions (EPSU).

Yennef Vereycken and Monique Ramioul
Researchers at KU Leuven – Research Institute for Work and Society (HIVA)

The United Kingdom has the greatest proportion of prisoners (85,000 men) in Europe, housed in 120 (mega) prisons, of which 65% are overcrowded.

Image © Belga
To answer this question, four countries were examined: Sweden, the United Kingdom (UK), Italy and Greece. The study focused on prison officers and their work experiences, the tasks they perform, their working environment, their working conditions and their concerns, referred to as the employment quality of prison staff. Wages, contracts, working hours, training opportunities, representation, collective bargaining, rights to strike, occupational health and safety but also work organisation and autonomy are key factors of employment quality. We observed a general deterioration in the employment quality of prison staff in each of the participating countries, although not to the same extent.

**Different stories?**

When we analyse employment quality and recent changes in the countries covered by our study, we see significant differences. The Swedish prison system is historically embedded in a welfare tradition and focuses more on the rehabilitation of inmates. This vision is first of all reflected in staffing numbers: in 2018, 5,000 prison officers were employed in 48 prison facilities that accommodated 40,000 inmates (with a total capacity of 50,000). This gives a prisoner/staff ratio of one-to-one. Prison officers combine surveillance duties with their role as personal coach, counselling one or more inmates. To this end, prison officers undergo extensive training. This combination of training and challenging (rehabilitative) tasks result in a rewarding job. Moreover, the prison officers have decent employment conditions. However, after a violent attack on a prison officer, Swedish prison policies have undergone several changes. Additional security rules and administrative procedures have been implemented, there has been a general trend towards shifting decision-making to the central administration, individual coaching has been increasingly replaced by group sessions, and prison staff now have to specialise and choose between surveillance or rehabilitation roles. In addition, the trade unions feel that the government is making unfair use of temporary employment contracts, thereby increasing the job insecurity of prison staff. Although not as severe as in other EU countries, prison services have also experienced some budget cuts due to austerity policies. These changes, together with the growing diversity of inmates, are putting increasing pressure on what has hitherto been a very successful combination of high-quality prison services and decent employment quality of Swedish prison staff.

On paper the Italian prison system echoes the rehabilitation goals of the Swedish system, but this is far from the case in practice. In a context of widespread austerity policies, there are no (additional) resources to enable prison officers to deal with this increased complexity.

In a context of widespread austerity policies, there are no (additional) resources to enable prison officers to deal with this increased complexity.
societal environment against crime. The UK has proportionally the largest number of prisoners in Europe (85,000 men) spread over 120 (mostly mega-) prisons, of which 65% are overcrowded. In addition, the number of prison officers has decreased by more than a quarter since 2010, mainly due to mass layoffs. These factors have led to poor-quality prison services and corresponding low employment quality. Most alarming are the health and safety conditions for those living and working in prisons, as illustrated by the annual increase in the number of violent attacks and even riots within British prisons. Moreover, prison officers are expected to combine surveillance and rehabilitation yet the structural understaffing, overcrowding and lack of training – the latter being particularly evident in privately run prisons – make this impossible, resulting in a major source of work-related stress. British prisons are organised hierarchically, which limits both participation opportunities and the autonomy of prison officers, and again this is particularly noticeable in private prisons. Other elements that have a negative impact on employment quality are the low wages, limited career opportunities and the ban on strike action. Autonomy seems to have played a major role in the deterioration in the quality of both employment and services in British prisons.

Finally, the employment quality of Greek prison officers has suffered significantly as a result of austerity measures. Wages have decreased by up to 50% of the annual net income. As a result, many prison staff have quit or taken early retirement. As there has been no budget to recruit new officers, prison services are suffering structural understaffing, resulting in situations where two prison officers are responsible for 400 prisoners. In addition, overcrowding in prison facilities has further exacerbated the difficulties of the work. Although the understaffing and overcrowding have improved slightly in recent years, the situation has had a serious impact on the health and safety conditions of prison staff and inmates, with a number of lethal accidents the unfortunate outcome. Moreover, prison officers are being given less training: initial training has been cut from six months to one month (or less) and continuous training is only given on an ad hoc basis if the funds are available. This lack of training for prison staff contrasts sharply with their increased training needs. Many prison officers now do not know how to deal with the rising number of conflicts and the multidimensional problems that are characteristic of increasingly diverse prisons. Although rehabilitation has recently been included in official policy documents, the funds have not been forthcoming. In 2017 only 120 specialist staff worked actively in the area of reintegration, compared to 4,000 custodial staff.

Common trends?

Although the national settings and different policies make it difficult to provide a full comparison, several common trends can be identified in the four countries included in the study. Essentially, work in prisons has become more complex. On the one hand, governments have added rehabilitation tasks to prison officers’ roles, and these are much more demanding in terms of staffing, time and competences; at the same time the administrative burden is increasing. On the other hand, prison populations have become much more complex and demanding, with greater cultural and national diversity, ageing and often very high levels of recidivism. The increasing number of prisoners suffers from (mental) illnesses is another urgent problem. In Greece, two out of three inmates have a foreign background; this figure is 30% in Italy. Swedish prisons have experienced a significant rise in mental health issues, while suicides, cultural differences and drug abuse have become extremely problematic in UK prisons. In addition, there seems to be a growing discrepancy between training demand and training supply. Although soft skills are more and more important in dealing with the increasing diversity of inmates, prison staff training is still predominantly focused on so-called hard skills (surveillance and detention). In Greece, 44% of prison staff do not know how to deal with inmate conflicts and problems.

In a context of widespread austerity policies, there are no (additional) resources to enable prison officers to deal with this increased complexity. Most urgent is the understaffing in Greece, Italy and the UK. However, the increased centralising of decision-making and administration results in prisons having less autonomy to use the available resources for their local needs. Finally, this lack of resources also leads to a general lack of staff training, most notably in Greece. Training is crucial in helping prison officers cope with the extra complexity of, for example, self-harm by inmates. Employment conditions, such as wages and secure employment contracts, are negatively influenced by this budgetary situation, too. The combination of the high demands of the job and limited resources (I) explains the high turnover among prison officers in each country and (II) is likely a key factor in the deterioration in the employment quality of prison staff.

Two additional common risks to this employment quality have been identified. Firstly, the combination of understaffing and overcrowding seems to be the perfect breeding ground for unsafe working environments. If the health and safety conditions of both inmates and prison officers cannot be secured, the quality of services and employment quality will suffer considerably. Secondly, experiments with the privatisation of prison services, e.g. in the UK, also have a negative effect on employment and service quality. The education and on-the-job training of prison officers in private prisons has been revealed to be largely insufficient, accompanied by inadequate staff replacement.
Prisoners. Staff and the quality of the service offered to them both the employment quality of prison services. This relationship can be explained by looking at the societal and policy orientations regarding imprisonment and its role in broader welfare policies. In general, there appear to be two contrasting policy orientations leading to virtuous or vicious circles that affect both the employment quality of prison staff and the quality of the service offered to prisoners.

A virtuous circle can arise when imprisonment is embedded in broader welfare policies focusing on the reintegration of inmates. Rehabilitation is a highly complex goal, so it is important to have officers who are skilled and well trained, have sufficient job autonomy and social support from their colleagues and superiors, and have stable contracts and decent wages. As the work of prison officers adds a great deal of value, it is crucial to attract and keep competent staff, which will in turn have a positive impact on employment quality. In this context, trade unions can use collective bargaining to negotiate high standards for the overall well-being of prison officers, including job security, decent wages, and safe and healthy working environments. Moreover, high quality standards and the related job requirements restrict the ability to outsource or privatise (parts of) prison services, which otherwise might have a negative impact on employment and service quality. Finally, trained prison officers and high-quality prison services will help to reduce recidivism and, thus, will deliver a high return on investment, which governments could then invest in even stronger welfare policies.

A vicious circle, in contrast, is likely to arise when imprisonment is part of a criminal justice policy that stresses the punitive function of imprisonment. It would seem that if the focus is on punishment and detention rather than rehabilitation and reintegration, prison work is deemed to be low-skilled, there is no need for autonomy among prison staff or decentralised decision-making, and the emphasis is on flexible contracts and working times. This leads to cost-cutting strategies that are likely to focus on labour costs and, in turn, result in downward pressure on employment quality. Privatisation of prison services based on price competition is quite likely. Privatisation or outsourcing also means fragmentation of collective bargaining and a structural weakening of trade unions. This could lead to a higher incidence of labour conflicts such as strikes. In turn, the demand for more flexible and cheap labour weakens employment protection. Consequently, a vicious circle and race to the bottom is set in motion, with a gradual deterioration in the employment quality of prison officers.

The common trends identified in our study seem to suggest that crime and justice policy in Europe is shifting towards a more punitive rather than a rehabilitation orientation in the area of imprisonment. Nevertheless, there are considerable differences in employment quality in the countries examined in our study because previous policies are still influencing employment quality and will continue to do so in the future. Employment quality in Sweden is historically high but there is increasing pressure from policies that affect job content and employment conditions. Employment quality in Italy is historically high and upscaling of prisons and austerity, although the trade unions are historically strong in the sector, they feel quite pessimistic about the likelihood of any future improvements in employment quality. Finally, the Greek situation resembles the Italian case and is characterised by understaffing, overcrowding and a deterioration in employment conditions. Strong trade unions could not prevent austerity measures from having a severe impact on the employment quality of prison officers.

**Towards an understanding**

The employment quality of prison staff and the quality of prison services are closely related. A deterioration in employment quality, such as that observed in the UK, goes hand in hand with a decline in the quality of prison services. This relationship can be explained by looking at the societal and policy orientations regarding imprisonment and its role in broader welfare policies. In general, there appear to be two contrasting policy orientations leading to virtuous or vicious circles that affect both the employment quality of prison staff and the quality of the service offered to prisoners.

**General decline in well-being at work**

European prison services seem to be standing at a crossroads. During the last decade, imprisonment policies and the growing diversity of prison populations have made prison work increasingly complex, yet the resources to handle this complexity have not risen accordingly. The consequences of these policies are clear: overpopulation, understaffing, a general decline in prison officers’ well-being and a steady fall in both the quality of prison services and the employment quality of prison staff. Policy makers should consider this question: what is the role of imprisonment in our societies, an instrument for reintegration or a tool for punishment? Recent policies in a number of very different EU countries seem to converge on the second option and risk causing a vicious circle. The basis of high employment quality among prison officers is a humane vision of imprisonment, in which prisoners and prison officers have equal interests.
Interview by
Mehmet Koksal
ETUI

Nadja Salson — The European trade unions subscribe to the Council of Europe’s European Prison Rules, under which imprisonment must be a last resort that is limited to the already substantial measure of a custodial sentence. The prison system must protect society from violent individuals but must also ensure the safety of inmates and staff and, at the end of the day, reintegrate, and even socialise, prisoners back into society.

The detention conditions in many prisons hark back to a bygone era. In addition to the deprivation of their liberty, there are daily violations of their fundamental rights, extremely high stress levels for staff and, in addition, significant levels of re-offending. This lack of resources and staff recognition is in stark contrast to the growing complexity of prison work, not to mention the growing diversity of the prison population.

Is prison considered a measure of last resort?

Abuses of pre-trial detention, which account for 22% of all inmates, current spiralling security issues leading to an over-representation of people from migrant backgrounds, drug offences (37% of detainees) and deteriorating healthcare, especially psychiatric, all mean that prison is not a measure of last resort.

The work of our European trade unions is aimed at bringing prisons into the limelight, setting common areas for improvement and challenging the European-level public authorities. Within our social dialogue body, we are highlighting good policies and emphasising the complex link between prisoners’ living conditions and staff working conditions. Degrading prisoner conditions are also degrading for the staff. Prison work is a difficult but worthy public service that should be more highly valued.

Norway is fulfilling its reintegration mission by training prison staff to have a role that is more one of an educator than a guard. These staff have the same union rights as any other worker and are working in decent conditions in a country that is implementing a humanitarian prison policy, a restorative criminal policy rather than one based on retribution and revenge.

Having sufficient trained staff and thus ensuring sufficient human interaction with the prisoners and fewer automated surveillance systems was also one of the European Parliament’s requirements in its 2017 report.

The solution is not to build more prisons, except where these are needed to replace ageing infrastructure, but to invest in staff training, promote alternative sentencing, encourage supported release and offer reintegration activities.

Are there any examples where trade unionists have taken detention conditions into account when fighting to improve the prison officers’ working conditions?

The 630,000 prison inmates throughout the European Economic Area (2015 figures, EPSU report) are generally poorly organised and defended within prison facilities. And yet, in their actions and in their research, the trade unions are taking the rights and concerns of prisoners into account, creating solidarity between workers, improving both the role of prison staff and their relationship with the prisoners.

Many trade union concerns are, in actual fact, related to prison conditions. Overcrowding, for example, was the object of a major European trade union action in Brussels in 2005. Overcrowding remains a real problem in one-third of prisons. Two or three prisoners often have to share a space measuring a mere 9m2; they are clearly the primary victims of the situation but the prison staff also pay a price. The federation is recording problems of a lack of staffing, and safety and violence issues are being raised by our affiliates in France, Spain and the United Kingdom. In addition to this, infrastructure is falling into disrepair, there is a lack of access to quality healthcare, and British prison nurses are working staunchly to defend detox programmes.
Some prisoners are also workers and often thus unionised themselves, or potentially so. The work that prisoners do is often noteworthy for the unacceptable remuneration received, in addition to a total or partial lack of access to skills training. One of our Italian affiliates is working to extend solidarity to prisoners and is, for example, negotiating prisoner wages. In Norway, the focus on staff training is having a positive effect on the prisoners, who also benefit from access to skills training. The Norwegian trade unions’ right to strike is an effective one and has no negative impact on the prisoners as these prisons are running well below their maximum capacity level.

The latest report from the Council of Europe indicated a decline in the rate of imprisonment. What is the main reasons for the disparities between the different countries? Is the Council of Europe listening to the trade union movement?

The most recent crime statistics from the Council of Europe, for the period 2015 to 2018, show a global decline in the rate of incarceration even though this was still rising in 2015. This is good news but it remains to be seen whether these trends will continue over time. It is clear that this report confirms some significant disparities between countries and even between prisons in the same country.

In terms of prisoner numbers as a proportion of the population, this varies from 51.1 per 100,000 in Finland to 234.9 per 100,000 in Lithuania. The proportion of prisoners is generally lowest in the Nordic countries and highest in eastern and central Europe. The country with the largest prison population remains the United Kingdom, with nearly 94,000 prisoners.

One-third of prisons in the European Union are overcrowded bearing in mind that they should be no more than 90% full to leave a margin for manoeuvre.

The disparities can be explained first and foremost by the role of the welfare state, which is protective and reduces social inequalities. The prison population largely comprises young men from disadvantaged backgrounds – as is often the case for the prison staff – and so a custodial conviction is equivalent to a double sentence. Access to quality public services such as education, culture, healthcare, including psychiatric care, social services and meaningful employment is a key factor in explaining a high or low rate of imprisonment.

Specialists already know what works in terms of imprisonment: open prisons and alternatives to confinement result in lower levels of re-offending than closed prisons, which are also more expensive to run. Small-scale structures, in the town centre to facilitate visits and contact with the outside world, are more effective. In countries where the staff are better trained and benefit from the same union rights as other sectors, prisons are more “normalised” and free from violence.

The Council of Europe statistics are useful insofar as they also include information on the ratio of prisoners to people. While these statistics remain somewhat theoretical, the many recommendations adopted by our ministries of justice are generally positive although also still not implemented in far too many prisons. Multiple condemnations of countries by the European Court of Human Rights, particularly France and Belgium, have unfortunately had no effect.

The Council of Europe could, however, be more open to the analyses and demands of the trade union movement, for example regarding their opposition to all forms of commercialisation and privatisation of prisons, and could include them in its recommendations, particularly when related to staff. For example, in 2011, a staff code of conduct was adopted by the Council of Europe without taking the unions’ opinions into account and this code consequently fails to mention either social dialogue or union rights.

What is your view on the economic management of prisons in Europe?

The 2008 crisis exacerbated a prison situation that was already under pressure in many countries, with the justice system being the poor relative of public services. According to an EPSU report published in 2015, prison staffing levels in half the countries of the European Economic Area (EEA) fell by 5%, from 308.6 to 293.3 in 2013. The situation was worst in the United Kingdom where, despite an increase in the number of prisoners, there was a 21% decline in staffing numbers over the same period.

In 2012, our Greek comrades even went on hunger strike in protest at the violence that was being created by the unacceptable overcrowding. The Korydallos prison in Athens is, moreover, the worst prison we have ever visited, with 2,900 prisoners housed in a prison with the capacity for 900.

The social and human cost of austerity is still with us. Social movements have proliferated more recently in Belgian, French, Spanish and Italian prisons. Lawyers and judges have even held several protests to condemn the lack of State resources being provided to the justice system in general and the prison sector in particular.

A recent EPSU report on the quality of employment in prisons in Italy, Greece, the United Kingdom and Sweden revealed alarming situations, with staff even afraid to go to work every day. What is worrying is that, even in a country like Sweden, there is now less investment in the task of reintegration, although the situation still remains far better than in other countries.

Member States may also be tempted to free themselves from the responsibilities of the prison service by privatising prisons. For the moment, the United Kingdom is the exception in Europe, with 13 fully privatised prisons being run by companies such as G4S, Serco and Sodexo, although there are also many public-private partnerships in other countries such as France and Belgium.
Jilava, Romania's "open prison" experiment

Jilava penitentiary centre, to the south of Bucharest, is one of the largest prisons in Romania and one of the rare prisons of which the Romanian prison system can be proud. What served as a political prison during the Communist regime now houses around 1,000 prisoners under open and semi-open regimes, half of whom work inside or outside the prison. This system allows this "town" to operate within the town and has improved the conditions of detention, assisted the work of staff, alleviated the country's labour shortage and controlled prisoners.

Laura-Maria Ilie and Florentin Cassonnet
Journalists

For eating, Romanian law allocates 6 lei (1.30 euros) to each prisoner per day.
Images: © Florentin Cassonnet (p. 18-22)
Rather than "Jilava prison", you want to call it just "Jilava", like the small town in which it is situated, to the south of Bucharest. This is because it’s like a “town” within the town: a thousand prisoners, staff, a small “government”, church, mini-market, library, study room, sports fields, television channel, and so on. There is also a “food block”, which adjoins the three-storey building in which the cells are located. The cell doors are open at the moment – it is 10 a.m. – with prisoners coming and going as they wish within the compound, at least those that are not busy doing something.

In the food block, which also houses the laundry, around 15 prisoners are at work. This is where the meals are cooked every day. They don’t just cook anything as there is a special calorie-controlled diet regulated by law: 350 g of soup at lunch; 500 g for the main meal. And they can adapt to different medical and religious diets. In all, 14 different dishes are prepared for every meal, cooked by the prisoners themselves, who are managed by two alternating chefs. One of them, Gheorghe, has worked at Jilava for 20 years. "It’s like a family here. But you can’t allow yourself to get attached". At Jilava, most of the sentences are for less than three years, so prisoners don’t stay for long. However, it is also a rule of professional conduct that is written into the internal regulations: physical contact between staff and prisoners is prohibited to avoid any favouritism. You can say hello, but not shake hands.

Starting at the food block gives you an immediate view of the Jilava microcosm. The law allocates 6 lei (1.30 euro) per day per prisoner for food. Like many Romanians who grow vegetables in their gardens to make up for their low incomes, Jilava has its own garden covering several hectares. Cabbages, beans, carrots, cucumbers, aubergines, tomatoes, onions, celery, peppers, etc. are grown in greenhouses or outside, so that the prison is self-sufficient in vegetables. Prisoners are already in the process of preparing the seeds for spring. Every year 40 to 50 tonnes of cabbage are harvested and pickled to be stored and consumed in the winter. As a result, the 6 lei/day/prisoner are used to buy meat, bread and fruit in the market. Previously, there was a "livestock sector" with pigs. "Around 25 years ago Jilava was totally self-sufficient", "If you work, you get benefits, so that’s why I work, because I have two children and I want to get out of here as soon as possible."
Your behaviour is good, you will enjoy many opportunities. Bad behaviour: no opportunities. The deputy governor responsible for security is on the labour board, which is responsible for assigning prisoners according to their profile and skills. He is also on the reward board. Together with the prison governor, the deputy governor responsible for education and the deputy governor responsible for economic and financial matters, they form Jilava’s small “government”.

With this system, there are no sticks, only carrots that can be given or taken away. Ștef Marius made particular use of these in July 2016. Riots broke out in Iași prison, prisoners railed against their conditions of detention, and the movement spread to other prisons in the country. But not Jilava. “We mobilised all our staff and the reintegration centre went into full swing”, he recalls. “If you keep them busy, there will be no problem. If you let them think what they want… I went into the cells, I sat on the beds with the prisoners to watch the riots on TV with them, and we talked about it. I got together the informal leaders and asked them: ‘Is there anything wrong here? Think about your children; things need to stay the same or you will lose everything. If you control the leaders, you control the prisoners’.”

The Romanian prison system employs 13,000 people for 16,000 posts; 3,000 positions are vacant, mainly guard positions, due to a lack of resources. As a result, keeping prisoners busy is vital. “The more active prisoners are, between work and educational activities, the fewer prison rules are broken”, explains Gabriel Badea. He is currently head of the production service at Jilava, where he has worked for over 15 years. “It helps the staff if a prisoner gets himself up in the morning, has a schedule to stick to, etc. They are better behaved, their energy is channelled, and our colleagues have fewer problems with them. And we have something to offer them, otherwise it’s just man against man and a clash of energy.”

At Jilava, three-quarters of the prisoners are busy doing something, according to Ștef Marius, either work or educational or cultural activities. The latter mainly take place in the reintegration centre. Prisoners...
also work here, always under the supervision of staff members: Sorin, 36, is teaching foreign prisoners, or those who haven't been to school, to read; Dragoș, 43, is a sports coach... Teachers come from outside to give lessons, from primary to secondary level. The most well-educated prisoners are also responsible for giving short talks on a variety of subjects. Tudor, 38, a former prisoner at Jilava who was released in December 2018, was, for example, responsible for an educational course on the family. Each course earned him credits, as it did for those who attended. He also worked on the Jilava magazine, a unique monthly issue published in a single copy because it is handwritten by the prisoners. And he worked in the library. "For me, that was my dream job". So much so that he would now like to come back to work at the Jilava reintegration centre as a staff member. "The people there come back to work at the Jilava reintegration centre: "OK Mr Tudor, you're an optimist and happy, but you have money to buy bottled water and cigarettes in the shop and to make phone calls; we don't have that". Cigarettes are the currency inside the prison and to make phone calls; we don't have that". Cigarettes are the currency inside the prison for all informal services and trading between prisoners. The tap water travels through old pipes and most of the inhabitants of Bucharest filter it or avoid drinking it; the two prisoners who we saw shopping in the mini-market each had a pack of water. "The inequalities of society on the outside are replicated inside", assesses Tudor. Prisoners whose families can send them money may be happy with "domestic" work for reward credits and days. The poorest prisoners, those who have no family to send them packages and money allowing them to buy what they need in the prison shop, must ask the work board if they can work outside to earn a wage. But it does not rain in the desert and Gabriel Badea, head of production, imposes certain conditions — in addition to requiring certain skills — for a prisoner to work outside: "that he has family who have not disowned him, who are waiting for him and who visit him. That he has something to lose; that it's not just about him".

"Jilava Temping": a response to the labour crisis

Green Revolution is an urban ecology NGO. It is mainly involved with the bike-sharing service in Bucharest. For 2019 it has signed a contract for five prisoners with Jilava. "We have been working together since 2017 and it's been going well; it's beneficial for both sides", says Razvan Nastase, manager of the iVelo project. "The prisoners work under the same conditions as civilian employees, side by side, without any differentiation". Why has Green Revolution turned to Jilava? "Because of the labour shortage that the country has been suffering for a number of years". There are multiple reasons for this crisis: poor working conditions, low wages on offer, exodus of the population seeking work abroad. Last year, the NGO employed a former prisoner when he left prison; he worked there for 8 months before also leaving the country.

Inside the storage facility, the five prisoners are working on bikes in the workshop. They are all covered by the open regime, which means that they can work without being supervised by a guard. "We're happy to come here", says Virgil. "I am always early at the prison gate; we have to leave at 8.30 a.m. and I get there at 8.20 a.m. I like it here; I would like to come back and work here afterwards". "Time passes differently when you're working", says Alexandru. "The rehabilitation is better than for those guys inside. There are telephones here and we can call 10 numbers; there's also a shower". In prison, the showers are communal. So as not to lose these advantages, they make sure that they stick to the rules. A disciplinary procedure can move prisoners back to the semi-open regime from the open regime, and to the closed regime from the semi-open regime.

The labour crisis is also what led Andrei Puiu, director of Transan Interactive Distribution, to employ prisoners. A contract for 25 prisoners (out of a total of 100 employees) has been signed for the second year running, mainly for assembly-line work. "Without a contract with the prison, we would have had a major problem". And there are numerous benefits: 1) zero absence rate: you can be sure of having 25 for work every day, and on time; 2) if there is a problem with a prisoner, I inform Jilava and they send a replacement; 3) administrative benefit: it's easier to produce an invoice than 25 contracts; 4) tax benefit: the contract with the prison comes under
The system of reward credits and sentence adjustment is effective and results in a disciplined, motivated and theoretically perfect workforce. But perhaps too perfect?

overheads – I am not employing employees, I am paying for a service – and therefore I don’t have any employment costs; 5) the prisoners promote stability among the other employees who say: “the boss is not solely dependent on us”. They therefore have less leverage against me”, he confides. The disadvantages: the total cost of the contract. “Negotiations are confidential, but I can say that the firm has to pay more than for a normal employee, given all the transport and security costs”, says Cristian Micu, spokesperson for the prison.

"Motorway construction, cleaning, thermal insulation of buildings, excavation of trenches for internet cables, etc. Many firms are looking for labour in Romania", explains Adrian Neagoe, vice-chairman of the National union of prison workers. So much so that the demand for labour is more than Jilava can meet. This gives its “negotiating board” a certain power; this is the third “government” body at Jilava. In the negotiations, the institution has as much interest as the prisoner in the wage being as high as possible, given that it deducts 60%. As a result, Jilava acts simultaneously as a prison, a reintegration centre and a temping agency. We weren’t able to access the precise figures but, according to Gabriel Badea, outside work by prisoners brings in around 1 million euros every year at Jilava. "We are lucky in being close to Bucharest, which is a major economic centre", explains Cristian Micu. "At Girgiu for example, there is not so much work available because the prison is more isolated, in a region with few job opportunities".

By law, the 60% deducted from prisoners’ wages can be used only to improve the conditions of detention. For years, Romania has been criticised by the European Court of Human Rights for its poor conditions of detention, for which it pays numerous fines. This has in fact become a thorny political issue for the country. Although the outside work does not, on paper, reduce the occupancy rate at Jilava (currently 140% and therefore overpopulated under European rules), it does free up space during the day and provide an income to improve the infrastructure and therefore the conditions of detention. The showers, for example, have been renovated, air-conditioning has been installed in communal areas and repainting has been carried out.

All this seems to support the idea of work by prisoners, which, since it is no longer forced work, respects fundamental rights and labour law, and benefits everyone: staff, the prison system, contracting firms and prisoners themselves. The system of reward credits and sentence adjustment is effective and results in a disciplined, motivated and theoretically perfect workforce. But perhaps too perfect? Cristian Cristea, 36, is a vet whose practice in the western suburb of Bucharest also suffers from the labour shortage. He started working with Jilava under the “Romanian Prison Dogs” programme – which is specific to Jilava – where prisoners and stray dogs get involved in their mutual rehabilitation. He realised that there were “good people” among the prisoners. So, at the end of the project, he employed two former prisoners who had just been released and with whom he had worked inside the prison. "One of them, aged 23, was with me for six weeks and all was going well, but then he stopped coming because he found that the wage was not high enough. The other, aged 40, said one day that he could not come because his mother was ill, and he never came back and would not answer the phone. In prison, he was the most hardworking and offered to help with every difficult task, but, once he had left, he used every opportunity to hide and go on his phone. I was disappointed because he had signed documents saying that he would work with us, which was what helped him gain his parole". It was as if, once they left prison, the former prisoners were no longer the same, and no longer as responsible and motivated.

Cristian Cristea is currently in the process of negotiating a contract with Jilava: this time for work by prisoners still in prison, for which he has rules that they must obey and they do because there are benefits to obeying”. It is the flip side of the reward system set up to get prisoners interested in work and teach them discipline, a system that tends to regard them as children and that, while effective during their time in prison, does not facilitate their subsequent reintegration. Can prisoners be anything other than “big children”? Given the deprivation of liberty that goes with their sentence, this seems difficult. What is for sure, as stated by Cristian Cristea, is that “once outside, the reward is no longer as high”. Because nothing matches newfound freedom.
“We are more like social workers than guards”

In Norway, prison guards are employed not just to open and close doors. As guarantors of security, psychologists and guidance counsellors, they are an integral part of the rehabilitation process.

Deborah Berloz
Journalist

Since the 1990s, each Norwegian guard is assigned two or three prisoners, for whom he is the “contact officer”.

Images © Deborah Berloz (p. 23-26)
There are only 25 prisoners in the small prison at Sarpsborg in the south of Norway. Although the barbed wire and cameras at the entrance signal that this is a high-security establishment, the atmosphere inside seems fairly relaxed. Just before lunch, a few prisoners are heading through the corridors to complete their morning tasks. One is busy cleaning, another is sorting the washing, while another five are working in the workshop. Tom, one of the prison’s many guards, has no qualms about walking among the prisoners, and their interactions might surprise a layperson. Smiles, jokes and praise are the order of the day. “He’s a really good guy! I can talk to him whenever I want”, says one of the residents as the guard passes by.

“When I first entered the prison world, we were not supposed to have contact with the prisoners”, says Lena, who has been in the job for 30 years. “But that changed in the 1990s and now we take the time to sit down with them and chat”.

The purpose of prison has always been to rehabilitate offenders, but the methods have changed over the years. “In 1850 it was thought that the behaviour of criminals could be changed by isolating them and making them read the Bible”, recalls Hedda Giertsen, Professor Emeritus at the Department of Criminology and Sociology of Law at Oslo University. "Conversely, in the 1970s they believed in the virtue of work and production. The accessibility of the guards is also very much appreciated by prisoners such as Klaus, who has been in Sarpsborg for seven months. “They are the only people from outside who I can talk to”, stresses this Dane who is awaiting trial for drug trafficking. “If I need anything, such as to send flowers to my wife, I can go and see them”.

Ever-improving training

The guards are also responsible for organising programmes for the prisoners. In Sarpsborg, prisoners can follow a programme designed to help them better manage their stress. "Most of the men in here are being held in custody and therefore awaiting trial", clarifies Tom. “It is a highly stressful situation”. Patrik, a 32-year-old guard, alternates between Sarpsborg and the nearby prison at Halden. In that prison, which accommodates 250 prisoners, he runs a programme aimed at dependents. "Our goal is to prepare them for re-joining the community", explains Lena. “We are almost more like social workers than prison guards”.

The training for prison staff must therefore be equal to the tasks that they are assigned. To become a guard, you must first complete secondary school and then join the academy for correctional service staff. It takes two years to obtain the diploma, which clearly puts Norway among the leading European countries in this respect. Although Denmark beats it with three years of initial training, the average is mostly between six months and a year.

When Asle got his diploma in the 1980s, the training already took two years, but its content has developed significantly since then. “At the time we learnt in particular about the law and many practical aspects, such as how to write reports or when a prisoner should be placed in isolation. We also had lessons in psychology, but the standard of these lessons has improved considerably since the 1990s. Students are taught about sociology and ethics; they learn how to recognise signs of radicalisation, and so on”. However, Asle’s trade
Guards can also pursue further studies throughout their career. A broad catalogue of training is available to them.

A rewarding job

While prison guard training is paid for by the State, salaries are modest. “A guard earns on average 30,000 euros a year, which is particularly low for Norway”, says Asle. However, at Sarpsborg, all the officers say that they enjoy their work. “Helping someone to make it through is deeply rewarding”, confirms Tom. Job satisfaction is also due to the size of the prison. “At Halden, every guard is more specialised. Here I really have to do everything. I welcome prisoners when they arrive, I organise family visits, I supervise the workshop, and so on. I enjoy the diversity of my work” stresses Patrik.

However, the range of activities available to prisoners is fairly limited at Sarpsborg. Between four and six of them can work in a packing workshop. As for the others, they can take courses in English or cooking. As most of the prisoners are being held in custody, no proper training is available. They therefore spend a lot of time in their cells, where they have the majority of their meals. In the evening, however, they can meet up in the little communal room to eat, play games or even listen to music.

Klaus enjoys life here, but he would like to be transferred to the prison at Halden if he is convicted. “They have better training and more job opportunities” he explains. Opened in 2010, Halden prison is emblematic of the new prison policy introduced in the 1990s. As in all prisons in the country, every prisoner has their own cell. In 2017, 92.1% of the approximately 40,000 cells in the country were occupied. By comparison, in the same year, the occupation rate for French prisons was 116.5% and 85.2% in Germany.

However, the quality of the cells varies greatly from one prison to another. Although the prisoners at Sarpsborg have a TV in their cell, they do not have a toilet, whereas those at Halden have their own shower. But there is no question of spending the day in your cell. Every prisoner must choose between training and work. In their free time, they can play sport, take cooking lessons or even record music in the prison’s studio.

A prisoner costs 348 euros per day

The concept behind all this is written into Norwegian law. “Life in prison must, as far as possible, resemble life on the outside” is the message on the website of the correctional service authority. “If it is too different, returning to normal life will be difficult”, explains Asle. “We therefore have to ease the transition”.

Quite clearly this comes at a cost. According to Council of Europe statistics, each prisoner cost the Norwegian State 348 euros per day in 2015, and the cost is increasing. In 2005, the bill was 294 euros. In Croatia,
this figure is just 7.3 euros, compared with 102.7 euros in France. It goes without saying that this expenditure is not always unanimously approved. When Halden prison opened its doors, the local newspapers criticised the “luxury” of the cells. “They underlined in particular that the elderly were less well-treated in retirement homes, because they were forced to share a room”, remembers Asle.

“The State replied that these new prisons were cheaper to run”, explains Hedda Giertsen. “As the prisoners have their own bathroom, they do not need to be accompanied to the toilet, which results in staff savings”.

As for Asle, he says that all this expenditure is worthwhile. “How much are you prepared to pay to have a good neighbour? We have to ensure that the person released from prison will not reoffend, will find work and will pay his taxes”. According to a 2010 study, the reoffending rate in Norway was less than 20%. Asle feels that this is definitely due to the changes made in the 1990s.

Hedda Giertsen is not as categorical. “It is very difficult to know what really works in the prison system. There are too many factors at play in terms of reoffending, such as the living conditions of prisoners before and after their time in prison. You have to look at whether they have a job, a family, a home to which they can return when they leave, and so on.”

Since 2015, the budget for prison and correctional services has been cut by 3 to 4 million euros a year.

It is time for savings

Whatever the case may be, prison policy is changing again. For the right-wing coalition that has been in power since 2013, the priority is saving money. Since 2015, the budget for prison and correctional services has been cut by 3 to 4 million euros a year. “They say that they want to reduce bureaucracy, but in actual fact this budgetary rationing mainly results in staff cuts in prisons”, regrets Asle. “If we don’t have enough guards, we have to concentrate on the security aspects of the job and we cannot organise educational programmes for example”.

In addition, if there aren’t enough staff to supervise them, prisoners have to spend more time in their cells. Norway has already been criticised on the subject of isolation by the Council of Europe’s Committee for the Prevention of Torture. Following an inspection in the spring of 2018, the committee reported that many Norwegian prisoners were still spending 22 hours a day in their cells, often for long periods at a time and without any proper contact with staff. “It’s a real problem”, confirms Asle. “Prisoners kept in isolation are ticking time bombs”.

His trade union is therefore fighting against the job cuts and for the maintenance of educational programmes in prisons. Last November, it even received some rather unexpected support. Groups of former prisoners organised a concert as a sign of solidarity with prison guards. Yet more proof that, in the country of the fjords, relations between guards and prisoners defy preconceptions.
An uncertain road to reintegration

At the Melun detention centre, over a hundred prisoners work in the printshop and metal workshop. Here they learn useful trades for when they leave prison. However, wages are very low and labour rights are patchy.

Arthur Frayer
Journalist

Photos by Sadak Souici – Agence Le Pictorium
In the printshop

On this Tuesday morning in January, it is arctic cold and, in the prison yard at Melun, puddles of water have frozen in places. It is also rather nippy in the prison's vast workshops. Prisoners and guards are wearing hats, polo-neck jumpers and sleeveless body-warmers to keep the cold at bay.

One of the prisoners, Pascal, who is 59 years old, is wearing a large black fleece jacket and thick tracksuit bottoms. He is busy at work on the printshop’s digital press, which is a huge printer on which just about anything can be printed. “It’s mad how much work I’ve got to do this morning”, Pascal says, although he says it with a smile on his face. He is in fact quite content with all this work as it reminds him of life outside. He has worked on the digital press for two years.

Pascal has light-coloured eyes and little hair. He adds: “I’ve got 1,500 copies of an 88-page catalogue to print! It’s rare to have such large orders”. Ordinarily he prints business cards, greetings cards or court summons.

Today’s order is particularly special because it’s the catalogue of the Régie industrielle des établissements pénitentiaires or “Riep”: in short, it’s the catalogue of the prison authority. It shows furniture, peepholes and locks, among many other items.

Some computers have been set up in a nearby room. Black and white photos have been pinned to the walls to brighten up the place. This is where the documents to be printed are first designed on the computers. Nicolas, a 33-year-old prisoner dressed in a large green jumper, is in the process of creating the mock-up for the menu of a caterer who offers surprise breads for cocktail buffets. Today’s order is particularly special because it’s the catalogue of the Régie industrielle des établissements pénitentiaires or “Riep”: in short, it’s the catalogue of the prison authority. It shows furniture, peepholes and locks, among many other items.

The prisoners in the printshop also make seals: real seals, like in olden times. They are designed to be sold to tourists and collectors. On the wall there are samples: the seal of the Third French Republic; the seal of René d’Anjou, the great nobleman of the 15th century who rubbed shoulders with Joan of Arc; or the seal of Louis X the Quarrelsome, one of the kings of France. Patrick has 10 seals to make this morning: “I’m working on the seal of Melun prison”. My eyes must have rounded with surprise, because he adds, almost immediately: “But of course! The prisons also have their own seals”. He has a bit of a grumble: “So, I can tell you, I won’t have enough time to make all these this morning! There’s the plaster to make, then two coats of paint to apply. You also have to prepare the baize of the box and then apply two coats of paint. And you have to make sure that the first coat is dry before applying the second… otherwise the end product is rubbish and you have to start again”. When he is not making seals, Patrick works in the printshop: “On the outside I was a bookbinder”.

Cheap labour

Nearly 200 out of the 290 prisoners held in Melun are occupied, either working or receiving training. Those who do not work at all have long since passed retirement age. The oldest of the prisoners is 92. Most of them are in prison for sexual crimes.

The employment rate at Melun – nearly two-thirds of prisoners – is quite exceptional for France and the detention centre stands out as an exception. Out of the 700 prisoners in France, only one-third had regular work in 2016 according to data from the prison authority.

The Melun prisoners work every day from Monday to Friday, from 7 a.m. to 1:30 p.m., which is 6.5 hours of work per day and 32.5 hours per week. This is almost equivalent to a full-time job on the outside. Wages, however, are not on a par with the outside. The “seuil minimum de rémunération” or minimum level of remuneration, which is the official title for the prisoner pay scale, is 4.51 euros gross per hour, whereas the minimum wage for a worker in France is 10.03 euros gross.

Depending on the length of time spent in prison and the post that the prisoner holds, wages can be up to 6.62 euros gross per hour, but that’s the maximum. "We are trying to bring wages into line with ordinary law", says Dominique Bécret, the lieutenant in charge of prison work at Melun. But there is still significant room for improvement. Most of the prisoners earn between 400 and 800 euros gross every month.

A few steps away from the printshop is the metal workshop, which is the other main employer in the prison. Sixteen prisoners work here, five days a week, converting flat sheets of metal into table legs, cupboard doors or metal boxes.

Didier, who is 52, has worked here as a welder since June 2016. Today he is busy welding metal boxes designed to be used as

The employment rate at Melun – nearly two-thirds of prisoners – is quite exceptional for France and the detention centre stands out as an exception.
In addition to the low wages, there are huge disparities in terms of labour rights.

Jacques from the metal workshop is woken at 5:30 a.m. by CNN, which comes on by itself. He has programmed his TV to wake him. "I watch the news." Then, when he returns from his shower, he switches to Canal 23 and listens to BFM Business while he drinks his tea.

Didier normally makes himself a coffee using the Senseo machine set up in his cell. Except for this morning: "I had washing to hang up, so I didn't have time for coffee." At 6:45 a.m. everyone is ready to head off to work. "You have to wait at your cell door", says Patrick. That's when the loudspeakers in the corridor crackle into life: "Go to the workshops." Patrick and the other guys from his floor come out into the corridor and wait for a guard to open the door. They walk through the prison's silent and frozen yard. At this time in the morning, there are only muffled sounds coming from the surrounding town.

Once in the workshops, the prisoners stamp their time cards. The workshop supervisor ticks off on his sheet who is there and writes in the name of those who are absent.

Just before, Ahmed Lestal, who is head of production, arrives in the metal workshop from outside the prison, with the cold biting his cheeks. Still wearing his coat, he goes around the vast workshop switching on the lights and starting up the machines: "You have to anticipate. The painting booth takes time to get to temperature." He also opens the toolboxes, which are locked so that the prisoners can't steal anything. The silhouette of the hammers, pliers and screwdrivers is drawn on the bottom of the boxes so that he can be sure that nothing is missing at the end of the day.

When the first workers arrive, Ahmed Lestal removes his coat and gets his first coffee of the day, black without sugar. Everyone goes to their post: Didier the welder switches on his welding machine and, in the printshop, Nicolas sits down in front of his computer to design the mock-ups for future documents to be printed. The day begins.

At 9:30 a.m. all the workers go for a break. In the metal workshop, the rest room is a long, white, bare room where the guys drink an instant coffee made with water from the kettle. Here they eat a "snack", as the prison authority calls it: an apple, an orange or a packet of biscuits. Ahmed Lestal takes his second coffee of the morning at that point. But not with the guys: "That's their time''.

At 1:30 p.m. it's leisure time. Everyone goes back to their cell. The "lunch box", as everyone calls it here, is served at around 2 p.m. in the cells. In the afternoon, the guys are free to do what they want: stay in their cells or go for a walk.

The uncertain prospect of integration

For the prison authority, there is a purpose to making prisoners work in prison: it helps with their reintegration when they leave, which is not always easy.

Emmanuel Gandon is head of the Service pénitentiaire d'insertion et de probation (Spip) or Prison service for integration and probation for Seine-et-Marne, which is responsible for reintegrating prisoners. His office occupies a vast room without anything on the walls, just beside the prison canteen. He is wearing a light scarf knotted at the neck. He says: "The idea behind work in prison is to get the prisoners to understand why they are here and to reflect on what brought them here". He adds: "Work in prison is about keeping to working hours, respecting constraints and obeying management, among other aspects. This can seem trivial when said like that, but many prisoners have never worked before ending up here". He discreetly says that many have had "complicated journeys through life". This means "family problems", "problems with alcohol and sometimes drugs". One day he saw a 47-year-old man arrive at the prison; he had never worked in his life. "Many have their first experience of work in prison".

With the advent of digitalisation, some tasks still carried out in the prison printshop
no longer exist on the outside. The sector is less prosperous than before. In metalworking, on the other hand, the sector is struggling to recruit staff. "For years there has been a huge shortage of labour!", says Ahmed Lestal. "Look at the temporary job adverts: welders, boiler-makers, pipe fitters, and so on; all the firms are looking for them! When they leave here, if they want, guys who have gone through the metal workshop are certain of finding work".

Some prisoners submit a request to be released early. They are entitled to do this once they have served the majority of their prison sentence. Having a promise of a job on the outside is essential.

On this January day, a sentence enforcement board has been meeting within the prison compound, chaired by a sentence enforcement judge (juge d'application des peines – JAP) from Melun court. During the break, the judge says: "Many requests for early release are rejected at Melun because, in most cases, the applications are not complete. They have no accommodation on the outside, or job offers are fictitious. If the firm promising to hire someone has a very limited turnover, you know that they cannot pay the released prisoner. What we should have is more chantiers d'association'. These are cruelly lacking in the region".

Pascal, the digital-press-man at the prison, has already learnt three trades since being imprisoned: graphic designer, audio-visual editor and web developer "using software that mimics the internet because web access is prohibited in prison". Although "Jacquot" works in the printshop, he really hopes to learn a trade "connected with cooking" for afterwards, because he knows that jobs are easy to get in that sector. Nicolas, who is laying out the caterer's menu, is studying for a vocational training certificate in the "creation of communication projects". The most surprising person is certainly Jacques, in the metal workshop, who is in his second year of a master's degree in accountancy.

"Many have their first experience of work in prison."

1. These are worksites that are set up outside prisons by reintegration associations.
My experiences as a prison nurse

Prisoners suffer from poorer health than the rest of the population. It is also more difficult for them to access healthcare, further exacerbating this inequality. A British nurse reveals how crucial this issue is if we want to prevent the “double punishment” of prisoners.

Ann Norman
Registered nurse and professional lead for nursing in justice settings,
Royal College of Nursing (UK)
During the 1990s, I worked as a nurse delivering frontline care in an old Victorian prison in the south of England and under the management and leadership of Her Majesty’s (HM) Prison Service. In this relatively short period of time I saw phenomenal changes in both policy and practice in prison healthcare. In 1996, HM Inspectorate of Prisons for England and Wales published a discussion paper entitled "Patient or prisoner" (HMIP 1996a). A response to many previous poor inspection reports, it posed the question of whether people in prison who have health problems are prisoners or patients first, and how their health needs can be met.

This seminal discussion paper, which still generates much debate, led to the decision that prisoner healthcare was to be provided by the National Health Service (NHS). Many staff were uncertain about what this change would mean for them in reality. Some were very positive and had a desire to "belong" to the wider health service "family", whilst others viewed the change with suspicion and trepidation. How would funding and contracts change for the delivery of services? Would some staff lose their jobs? What would this mean for the day-to-day running of the prison? How would the NHS and HM Prison Service work together in a new "partnership"? These were just some of the questions raised.

I had been working as a prison nurse for almost twelve years when this partnership was finally established in spring 2000. A Prison Health Policy Unit and a Prison Health Task Force were set up to lead it. There was a clear need to focus on nursing services within prisons, and a working party report in October 2000 made a total of 34 recommendations which aimed to strengthen the nursing contribution to prison healthcare.

**Increasing prisoner population**

At that time the prisoner population in England and Wales stood at 65,000 and was increasing. I personally felt that people in prison should have the same right to access mainstream health services in the NHS as any other citizen. I was therefore excited about these monumental changes and the potential to professionalise the services we worked in. Like me, many nurses were fed up with a sense of "not belonging".

I was appointed to work in the Prison Health Task Force at the Department of Health in London. I had learnt a great deal and developed an extensive clinical knowledge over my twelve years as a nurse working with prisoners. From very early on, I had a strong sense that if you treat people well, with professionalism, dignity and respect, you will be able to build a good relationship with those you are caring for. This principle was no different in a prison than in any other place I had worked. Addressing a person in prison by his/her name and not by their prison number, for example, was one significant way of acknowledging our common humanity. Not everyone took the same view, however, and this kind of principle could make you unpopular, but it was important for me to retain my moral beliefs. One of the first things I learnt from working in a prison was that it was crucial to challenge historical attitudes and practices. And, in fact, a consistent approach did deliver rewards, as I soon noticed other staff adopting the same approach.

I also learnt that respect has to be gained from both the staff and the people you care for. At the time, the Prison Service was adjusting to an increasing recruitment of registered nurses, to a point where today all prisoners have registered nurses delivering care. Building trusting relationships with staff was a priority, particularly with discipline staff who had worked in the prison a very long time without benefitting from professional development and who had little or no experience of working with nurses. We had seemingly different objectives of custody or care, and this was a new way of working for us all. Over the years, however, division and mistrust have slowly given way to partnership and collaboration. This has been an essential evolution.

I am still a registered nurse but my current role as professional lead for criminal justice and forensic nursing at the Royal College of Nursing (RCN) also involves supporting other nurses in prisons. In my work, I strive to ensure that all decisions that have an impact on nursing care and practice are carefully considered. For example, should nurses wear body cameras or carry cell door keys? Whose role is this and what are the moral and professional implications? Developing policy, providing clinical guidance, and promoting the best and safest practices across services are the main priorities in my work.

In the prison nursing profession, we all need to look very carefully at what is happening in our prisons today and what impact it is having on prisoners’ wellbeing and the health and safety of our workforce. There is no doubt that prison services look very different today in 2019 than they did in 1999 when "Patient or prisoner" was published. Two decades on we have seen a great deal of good work but also the emergence of some new and very real challenges. In 2019 we have a prisoner population of around 96,000 in England and Wales, an increase of more than 30,000 people since 1999.
In my role at the RCN, I hear many reports of assaults and attacks on nursing staff. This, in part, is being driven by overcrowding and staffing shortages (in both healthcare and discipline). This was never such an acute problem when I was practising in the 1990s. In submitting written evidence to the Health and Social Care Committee in 2018, the RCN called for: comprehensive workforce planning; strategic action to attract, recruit and retain nursing staff; safer working environments in the light of increasing violence against prison staff; ringfenced funding to improve the pay of all prison nurses; the establishment of a new staff council, particularly for those not employed by the NHS; and a review of HM Prison Service guidance on psychoactive substances.

The explosion in the use of psychoactive drugs in the UK is another issue posing challenges that, in this case, did not exist even five years ago. A new breed of powerful synthetic drugs are being sold under a variety of names and are poorly understood by users and the clinicians treating them. The commonly named 'Spice', for example, is a new compound that changes batch by batch and generates a wide variety of effects on the user. These substances are increasingly being used in the wider community but are also making their way into our prisons by various means, including visitors, drones and prisoners themselves, who see the huge potential for profit. Recent reports even cite evidence that some people are exploiting prison officer recruitment pathways to get into prisons for the purpose of selling drugs.

Most worrying is the rise in the number of prison deaths linked to these new psychoactive substances; the Prisons and Probation Ombudsman reported 79 deaths between June 2013 and September 2016. This is having a devastating impact on the government’s ambition to transform prisons into places of rehabilitation. Past cuts to prison officer numbers has been cited as one of the reasons for these developments. In recent times, the government has announced the recruitment of more officers, but many are merely replacing more experienced officers who have left the service.

All of these problems are having a direct impact on the nursing workforce in prisons. Our ability to retain excellent staff is being compromised in an already over-stretched NHS, while negative media coverage of riots and assaults in prisons is affecting their morale. These issues were raised and debated at the RCN Congress in May 2018 and as a result we are now seeing professional unions not only highlighting their own concerns but also working together in a bid to help find common solutions and influence government policy. I have had the opportunity to visit other prisons in Europe and further afield where many of the issues we face in the UK are also causing concern. We can certainly learn from each other and it has been good to see much greater international collaboration and sharing of ideas and solutions.

The road ahead for prison nursing is as challenging now as it has always been; indeed, more so. Yet despite these complexities, we have some of the most creative, dedicated and committed nursing staff working on the "frontline", delivering compassionate, quality care. One thing is certain: we cannot afford to lose such a valuable workforce. People in prison come from vulnerable communities and commonly have to endure poverty and poor health, education and life chances. It is important to realise that they need care, treatment and professional nursing support to improve their health and wellbeing in prison but also in preparation for their lives beyond, after they are released.
From compassion to revolt: women volunteers talk

Men make up a majority of both prison inmates and prison staff. In contrast, external people working in prisons, who do not form part of the prison structure, are more often than not female. They carry out a variety of roles: from public servants in some countries (teachers and health workers) through to volunteers. Many of them work for associations that have been entrusted tasks by the public authorities.

Laurent Vogel
ETUI

Genepi is a student association that coordinates the work of around 900 volunteers who provide more than 5 800 hours of workshops in prison.

Image: © Belga
Genepi’s offices are located in a building in the 19th district of Paris. Its rather bland exterior is immediately reminiscent of an administrative building home to the peripheral services of some ministry or other. As we arrive for our interview, we are struck by the nameplates on the letterboxes. They all refer to the prison world or its context: support for reintegration, victim assistance, probation services… headings all recalling different areas of the prison world but which are a far cry from the voices of those we are about to interview. Our interviewees all work within the context of an agreement with the French Ministry of Justice but their actions are in no way intended to legitimise the functioning of the prison system.

**Genepi: an acronym evoking the freedom of a wild plant**

Genepi is a student association that coordinates the work of some 900 volunteers. Divided into 37 local groups spread across the country, the volunteers provide more than 5,800 hours of workshops in prisons. Established in May 1976 following major uprisings in French prisons, the association was initially intended as a way for privileged students to contribute to a humanisation of the prison environment. The project was supported by Lionel Stolér, advisor to Valéry Giscard-d’Estaing, that compassionate yet somewhat aristocratic former President of the Republic. No matter. On 10 August 1974, the newly-elected President Giscard visited a prison in Lyon keen on having a photo opportunity shaking a prisoner’s hand. He stated at the time that "prison should not simply mean the deprivation of one’s liberty". No president elect has ever spoken so clearly since. A law-and-order ideology and innumerable powerful statements about “zero tolerance” to all and sundry have become commonplace in electoral propaganda. These days, you generally get elected by promising to build more prisons.

Genepi’s first volunteers came from France’s elite universities, like École polytechnique or Sciences Po, centres of excellence focused on the reproduction of France’s economic and political elite. At that time, it was more as future employers that these students were carrying out their mission, one that would make them aware of the professional reintegration of former inmates. The intention was clearly a paternalistic one. Lionel Stolér, the association’s founder, saw it as students who were making a success of their lives reaching out to the rather less successful prisoners!

To begin with, Genepi was the acronym of the Groupe Étudiant National d’Enseignement aux Personnes Incarcérées (National Student Group for the Teaching of Inmates). In 2014, a members’ assembly decided to abolish this name, which no longer reflected the association’s true identity. Its members are no longer solely students although, in practice, the vast majority of them still are. Genepi furthermore no longer sees its mission as one of teaching, which assumes a transfer of knowledge, and nor is its work still solely focused on prison inmates. Quite the contrary, an essential part of its work now consists of raising “outside” society’s awareness of what goes on inside prisons. The association retained the acronym but now focuses on the freedom innate in its original meaning. The genepi is a tenacious flower that grows in the hostile environment of the Alps at heights of more than 2,000 metres. When macerated or distilled, it produces an invigorating liqueur, slightly bitter and much appreciated by mountain dwellers.

Over time, a great deal has changed. While Genepi has contributed a great deal to prison inmates, these latter are now helping to give new meaning to the association’s work and to its volunteers’ awareness. At Nanterre prison, a few years ago, it was the inmates who were giving Arabic lessons to Genepi students! Sometimes, long-term prisoners and persistent re-offenders reflect critically on the social processes that result in discrimination, marginalisation, insecurity, crime and incarceration. They have the time to read, to discuss among themselves. This can lead to a political awareness that fuels Genepi’s work.

From a starting point of compassionate intervention, the volunteers gradually decided to frame their action within a different context. This has not been without tension with the

**Prison offers a mirror into all forms of social inequality.**
While Genepi has contributed a great deal to prison inmates, the latter are now helping to give new meaning to the association’s work and to its volunteers’ awareness.

1. In France, civic service is intended for 16 to 25-year-olds. It enables them to work in not-for-profit associations. Their salary is partly covered by the State budget.

authorities, who take a dim view of the anti-establishment dimension of their work and are now reluctant to renew the agreements signed with the association.

A political voice “outside”

Eloïse, Genepi’s communications officer, summarises this development. “We have gradually moved towards a more critical position with regard to incarceration. You cannot ignore the social determinants of prison. Our aim these days is to create a horizontal link with the prisoners. We learn as much from them as they do from us. We are seeking to make their political voice heard “outside”. We want to decompartmentalise the prison institutions. We have to enable their voices to reach people they would not usually reach. French prisons are holding 70,000 men and women but these people are not simply deprived of their liberty: they are also far from their families and friends, living in overcrowded conditions and subject to double, triple or quadruple sentences if you consider the different aspects of their lives. To this must be added the migrants being held in administrative detention centres awaiting deportation although we refuse to organise workshops in these centres to avoid being complicit in the State’s racism.”

Clémence began working as a volunteer in 2012. She is currently doing her civic service.¹ She is responsible for communications and advocacy. She explains her route into the role: “I began as a volunteer in 2012. I ran visual arts workshops in Villepinte for six months. The inmates really appreciate art workshops as they give them a few moments of respite from the daily grind. Then I began working with migrants. I came back to Genepi this year. You can’t talk of discrimination or social justice without addressing the issue of prisons. Prison offers a mirror into all forms of social inequality. Even in an artistic workshop, the dynamics can be ambiguous. On the one hand, I can see how much the participants are enjoying it. The administration, however, are seeking to use it more as an incentive. It’s all part of their carrot-and-stick policy. We have to deal with that while remaining faithful to our principles. We don’t allow prison staff to be present in our workshops. And we refuse to accept surveillance cameras in the room. The trust this builds means we don’t have any problems with the prisoners. We never ask them questions about their past. If they want to tell us about their lives, that’s fine. But we don’t insist on knowing. Unfortunately, we are unable to influence administrative decisions concerning who accesses our workshops. The prisoners find out about us by word-of-mouth. They ask to participate but the final decision is down to the prison’s management. Some prisoners are discriminated against because of their sexual orientation or because of the crime they have committed, particularly if it relates to crimes of a sexual nature. There is also often favouritism. Participation in a workshop is not a right but a favour. Those known as DPS (détenus particulièrement sensibles / particularly sensitive prisoners) are automatically excluded.”

— Can you recall any story that particularly struck you?

Margaux was elected to the association’s secretariat at the last General Assembly.

— What does an artistic workshop offer the prisoners?

“There are many different forms of artistic activity. These workshops enable them to express themselves, often by referring directly to the prison world but sometimes by distancing themselves, as in a workshop we ran with Brazilian transgender prisoners who drew brightly-coloured tropical landscapes. Not everyone is happy to draw or paint. We also make collages out of magazine cuttings. There are so many things that can be better expressed without words. On top of which, French isn’t always their first language. In an Ile-de-France prison, we ran a photographic workshop. This created bonds between the prisoners. It was also the only opportunity they had to see outside people without surveillance. There are many forms of artistic expression: sculpture, collage, comic strips, photos. We have even created silhouette frescoes on paper. The workshops enable them to discuss their prison conditions, respect for rights, appeals and possible actions.”

Eloïse returns to the profile of their volunteers. “We are primarily women. This has never created any problems with the male
Making inmates’ voices heard in society

One of Genepi’s activities is the publication of a magazine. Passe-Muratilles (“Walking Through Walls”) is a collection of articles written by volunteers and inmates. There are also contributions from alumni and others more loosely associated with the group. The aim is to keep a much-needed discussion on the prison world alive by sharing lived realities rather than myths and clichés. Each issue explores a particular theme. The latest (No. 76, March-April 2019) explores the inflation of crimes and sentences in the Criminal Code. It describes this overdose of repression, which is unfortunately not restricted to France. Other editions have considered the undercurrents running through the “fight against radicalisation”, psychiatry in prison, alternative sentencing, and the “model prisons” that various European countries are planning on building. You can also read the “text book on impunity”, which explains how the powerful - whether economic/political elite or the police - protect themselves. Despite financial difficulties, the magazine is sent free of charge to all prisoners that request it. Each edition is available in hard copy and pdf. You can view a list of issues and purchase them at: https://www.genepe.fr/boutique

Women prisoners are particularly invisible and neglected. They often carry the burden of violence in their bodies. Men are generally supported by their partners, they come to visit and offer assistance. For women, this is less common. When a woman goes to prison, her partner tends to disappear into thin air. There are only two women’s prisons in France (women’s detention centre in Rennes and prison in Versailles). They are both in the north of the country. This means it is virtually impossible to visit if the family does not live nearby. In other prisons, there are women’s quarters set aside within the male prison. All movements take place in isolation from the men, using footbridges and always under the supervision of guards. Given the levels of under-staffing, the women have to wait, and that wait can be endless. As a result, daily life becomes harder, more arbitrary. The possibilities of going to the sickbay, the visiting room, to workplaces are all restricted. There are often fewer work activities on offer than for men. They primarily involve knitting, sewing or cleaning. Most of these women have been abused in their previous lives to the extent that, for some of them, prison almost seems like a refuge. The crimes they have committed are often related to the violence of the family structure. Women who have killed their violent husband, for example, or their children because they were unable to face up to their responsibilities. They may also have been complicit in their partners’ crimes, sometimes passively, sometimes more actively.

The conversation with Eloïse, Margaux and Clémence is a long one. They clearly felt they were speaking on behalf of more than just themselves. Their voices in this bland meeting room were also those of a population whose plight rarely makes the front page. One last cup of coffee, smiles all round, and the interview is at an end. On re-reading our notes, we can see that our interviewees spoke almost as one person. Each person’s words blur into the next to such an extent that it is difficult to know who to attribute each sentence to. This re-reading also more clearly highlights the links between this association and the plant whose name it bears. A bitter taste can be a tonic that jolts us awake. This, then, is the surprising path of an association that has built reciprocal relationships with the most precarious population in our society.
Living and working under electronic monitoring

Considered a soft alternative to prison, electronic monitoring is an increasingly popular option as it enables the harmful effects of prison to be avoided, and better prepares prisoners for their release and for living in the outside world... Is there really no downside?

Marianne De Troyer
Labour sociologist and ergonomist

Electronic surveillance aims to keep track of the movements of a convicted person to and from an agreed place of residence. If the individual under surveillance deviates from the scheduled times, an alarm goes off in the control centre.

Image © Belga
Over the last few decades, the use of electronic monitoring as an instrument of criminal punishment has been increasing in many European countries (Netherlands: 1995, France: 2000, Germany: 2000, Norway: 2008). There may be many reasons for placing someone under electronic monitoring but these are not always a priority. Electronic monitoring enables both the number of prisoners and the cost of their imprisonment to be reduced, family and social ties to be maintained, reoffending to be tackled, social and professional integration/reintegration to be promoted, and prisoners to be prepared for their freedom and offered a solution to the hardships of prison life. Whatever the institutional, social or political reasons for placing offenders under electronic monitoring, this approach can significantly transform the way in which the prison system operates and influence the traditional roles of the probation service, the police, and associations for prisoner reintegration, and also affect the involvement of friends and family.

Putting the offender’s behaviour to the test?

Without going into too much technical detail, electronic monitoring is usually done via an electronic bracelet (or "tag") worn around the offender’s ankle; this tag is about the size of a large outdoor sports watch. It emits a signal that is captured by a base unit installed in the prisoner’s home. This receiver is, in turn, linked to a control centre via the telephone network (land or mobile line). In practical proceedings, the electronic monitoring system aims to establish how often an offender comes and goes at home at the given times, an alarm sounds in the control centre. Once the alarm is triggered, it is up to the control centre staff to make phone contact with the person to determine the cause of the alarm: has the prisoner maybe unintentionally mistreated the tag? Has a violation of the established protocol occurred (being outside the house after the agreed curfew)? Has there been a malfunction or technical failure in the monitoring system? Or maybe the delay is due to an unexpected event (train breakdown, car accident, public transport delayed…). There is no face-to-face contact between the two individuals: the prisoner is a digital record for the controller, and this latter is unaware of any of the case history, the specific features or profile of the person being monitored. Having spoken on the phone, an incident report is placed on the offender’s file.

In Belgium, there are now four different uses of electronic monitoring depending on the duration of the sentence, unless the accused is on remand (pre-trial or investigative detention). In this case, the person being investigated is under house arrest: they may not leave home except for necessary travel in the context of the legal investigation or proceedings. A prisoner being monitored thus benefits from “planned mobility”. This is focused partly around their home/accommodation and partly around an activation plan drawn up in advance in collaboration with their legal assistant.

What route on leaving prison?

Their office is located in the shadow of the Saint-Gilles and Forest prisons, two municipalities in the Brussels Region of Belgium. Olivier Gelin and Stefan Cristel are both professional integration advisers with APRES, and one of this association’s missions is to achieve the social and professional integration/reintegration of prisoners and former prisoners. This non-profit association has been operating for more than 30 years and has therefore seen the changes that have taken place in the way the Belgian criminal system operates. They start by giving us their comments and feelings on the male and female beneficiaries they meet through one-to-one interviews and guidance and who are benefiting from the electronic monitoring system. These people form about 15% of their target beneficiaries. It is the tagged offender who takes the initiative to make contact with the association.

1. In Belgium, the average cost of a day under electronic monitoring varies between EUR 25 and 37, depending on the source or the method of calculation used, while a day’s prison detention costs between EUR 126 and 200 (average estimated cost of EUR 172).
2. The legal assistant, who plays a role similar to that of a social worker, takes responsibility for providing guidance and for monitoring tagged offenders.
3. APRES ASBL is the acronym of Apprentissage Professionnel, Réinsertion Economique et Sociale (Professional Learning, Economic and Social Reintegration).
Electronic monitoring: an aid to social and professional reintegration or the reinforcement of social inequalities?

**Belgium: Annual average population of inmates (2011-2016)**

<table>
<thead>
<tr>
<th>Year</th>
<th>On remand</th>
<th>Convicted</th>
<th>Interned</th>
<th>Other</th>
<th>Total</th>
<th>Electronic monitoring</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>3,736</td>
<td>6,050</td>
<td>1,091</td>
<td>96</td>
<td>10,973</td>
<td>983</td>
</tr>
<tr>
<td>2012</td>
<td>3,600</td>
<td>6,497</td>
<td>1,133</td>
<td>101</td>
<td>11,331</td>
<td>1,009</td>
</tr>
<tr>
<td>2013</td>
<td>3,652</td>
<td>6,745</td>
<td>1,139</td>
<td>109</td>
<td>11,645</td>
<td>1,338</td>
</tr>
<tr>
<td>2014</td>
<td>3,611</td>
<td>6,773</td>
<td>1,088</td>
<td>107</td>
<td>11,579</td>
<td>1,783</td>
</tr>
<tr>
<td>2015</td>
<td>3,499</td>
<td>6,455</td>
<td>904</td>
<td>183</td>
<td>11,041</td>
<td>1,887</td>
</tr>
<tr>
<td>2016</td>
<td>3,552</td>
<td>6,124</td>
<td>784</td>
<td>159</td>
<td>10,619</td>
<td>1,601</td>
</tr>
</tbody>
</table>

The number of people working out their sentences under electronic monitoring nearly doubled between 2011 and 2015 (+ 92%) to decline again in 2016. According to the courts, however, the figures increased once more in 2017 and 2018.

Source: SPF Justice, *Justice en chiffres 2011-2016*, Belgium 2018

The first observation that springs to the mind of those involved: the paradoxical experience of electronic tagging for prisoners. The living and detention conditions are difficult in some of Brussels prisons: prison overcrowding, unhealthy conditions, insufficient access to basic needs (showers, exercise, reduced living space), problematic access to medical care (psychologist, dentist, …). And, in contrast, there is the experience of living “in the open air”. Once a prisoner has been tagged, there is therefore quite a lot of pressure on them. To begin with, surveillance of prisoners under electronic monitoring is quite strict. For Olivier, monitoring has “replaced some of the conditional discharges and, in some ways, it is far more restrictive. In the case of a conditional discharge, the prisoner meets their legal assistant once a month and is not subject to daily monitoring.”

During this meeting, the legal assistant’s aim is to check whether the conditions of their release (attending training, in employment, psychosocial support) are being met. What’s more, for less organised prisoners, electronic monitoring can be a source of stress and anxiety because they have difficulty in managing their times and schedules. Not all individuals have the capacity to respect the golden rules. One doctor from the medical centre tells us that “a number of highly vulnerable patients who were electronically tagged were incapable of handling the constraints of the system. They preferred to return to prison.”

What are the job and training prospects like?

Second observation: the importance of the individual’s personality and their ability to take responsibility. Stefan emphasises that electronic monitoring has added value when a prisoner is well organised and has a clear plan. The easiest thing would therefore be to have a prisoner with a job, on a permanent contract, and with a very clear routine, say 08.00-16.00; however, this kind of job is relatively inaccessible for most of the association’s beneficiaries who are seeking work!

Appreciated by the residents, who have to suffer the state of the roads on a daily basis, this initiative has enabled the Mayor of Rome to save around EUR 250 million per year! In fact, the work undertaken by the prisoners is done for free and without any reward as it is a legally-approved way of serving their sentence. Appreciated also by the prisoners, this work is reducing their feeling of isolation, boredom, the repetitive days and the impact of prison on their physical and mental health. They would, however, still like to receive some kind of remuneration for the work they do. Here, the boundary between the work of the prisoners and that of their guards is clear cut: each day, the prisoners are taken by convoy to the workplace by a group of prison staff who then encircle them and monitor them while watching them work...


**Italy: The “Mi riscatto” programme (“I redeem myself”)**

Since 2018, a number of prisoners in the medium-security wing of one of the largest prison complexes in Italy, the Rebibbia prison (north-east of Rome) have taken a training course (roadwork, green spaces) and then been put to work on Rome’s roads, which are in a poor state of repair, in the context of “community work schemes”. The training in roadworks (road and drain repairs) lasts around three months and is structured around different modules: the characteristics of the land and drainage networks, the nature of bitumen, safety, use of tools, road signposting, etc. A certificate is issued on completion of the training. The aim of the programme is the social and professional reintegration of these prisoners. Appreciated by the residents, who have to suffer the state of the roads on a daily basis, this initiative has enabled the Mayor of Rome to save around EUR 250 million per year! In fact, the work undertaken by the prisoners is done for free and without any reward as it is a legally-approved way of serving their sentence. Appreciated also by the prisoners, this work is reducing their feeling of isolation, boredom, the repetitive days and the impact of prison on their physical and mental health. They would, however, still like to receive some kind of remuneration for the work they do. Here, the boundary between the work of the prisoners and that of their guards is clear cut: each day, the prisoners are taken by convoy to the workplace by a group of prison staff who then encircle them and monitor them while watching them work...
Electronic monitoring has added value when the prisoner is well organised and has a clear plan.

rigidity of hours to which the offender is subjected on an electronic tag are difficult to tally. There is little room for unexpected events. The same kind of difficulty arises when a tagged prisoner is required to attend an interview at the last minute: it is virtually impossible to respond to an impromptu meeting. Stefan and Olivier feel that these situations create an atmosphere of ambivalence for the prisoner: the legal assistant receives a request for "additional hours" and either agrees or refuses it. "Does the offender then comply with the constraints of the tag or the requirements of the job? This forms a barrier to their professional reintegration and our beneficiaries are thus confronted, on the one hand, with the reality of the working world and, on the other, with the rigidity of the justice system."

What is the attitude of a potential employer to electronically-tagged prisoners when seeking work? Our interviewees told us: "The employer is not necessarily aware of the prisoner’s situation; however, for some jobs a criminal record check is requested. And there are some jobs (taxi driver, security guard, working with minors) for which a criminal record certificate is a necessity of the job. This makes these jobs immediately inaccessible. If a criminal record certificate is required, we try and prepare our beneficiaries for this eventuality. Other prisoners prefer to be honest during job interviews."

Our two interviewees have an extreme-ly good understanding of the network of social economy companies and this enables them to guide their users towards potential employers in this sector with a view to finding work. Everyone is then clear about the situation. In this case, it is primarily a question of subsidised employment. It is often a good springboard for the professional reintegration of prisoners or ex-prisoners. Employers from other sectors sometimes also wish to give an offender a chance and contact the association "but we don’t always have someone on our books who matches their required profile at that time".

More often than not, the association’s users require some kind of vocational training before they are ready to find a job. There are relatively few training possibilities for prisoners given their level of education. And training centres may be tempted to refuse people who are tagged. Two issues are highlighted by our interviewees: firstly, the administrative burden created by these prisoners (certificates for attending courses, etc.) and, secondly, the lack of psychosocial skills among prisoners that would enable them to integrate into a group. There are also some prisoners who simply want to get out of prison at all costs and will therefore agree to train in anything. When they know a training course is beginning, they submit their proposal to the Sentence Enforcement Court (TAP). Training centres are not taken in by this and thus prefer to register former prisoners.

Socio-economic inequalities in the prison world

The third observation raised: the importance of the prisoner’s social integration. For Olivier and Stefan: "The electronic monitoring system favours those who have someone waiting for them outside, which is discriminatory." In other words, it favours those who are receiving support from their family, for example, and who by extension have a roof over their head. Prisoners who have neither a home to go to nor a place in a shelter or hostel are not eligible for the electronic tagging system. Very few shelters will accept electronically-tagged prisoners and, even when they do, they have a quota they will accept. The need for somewhere steady to live raises the issue of whether vulnerable prisoners can actually be considered equally.

Final observation: the financial difficulties of some prisoners under electronic monitoring. Still considered a prisoner, a person under electronic monitoring is recorded on the prison register. Being "committed to prison" means they have no right to receive income support ("social integration income") or RIS from the Public Social Welfare Centre. Paradoxically, the RIS is the only income support denied to people under electronic monitoring. In fact, unemployment benefits, insurance benefits and disabled allowances can all be reactivated under electronic tagging.

What opportunities are there for tagged prisoners who have neither money nor familial/friends likely to support them financially? The Belgian Justice Federal Public Service may grant an allowance on the basis of a request followed by consideration of the file. This allowance is, however, less than the social integration income. The risk of returning to prison looms large as a threat. In fact, you need sufficient financial resources to be able to pay the rent, bills, living expenses and for the use of a land line or mobile phone. Prisoners who have a good support network are dependent on family incomes, whether from their parents, partner or extended family, and this can create tensions within the family. And, sometimes, they have debts to repay.

As an alternative to prison, electronic tagging therefore seems to be limited to the least socially and economically disadvantaged offenders, and there are not many prisoners that fit that profile.

Electronic tags, a marker of criminal conviction on the offender’s body?

Marie-Sophie Devresse, lecturer in criminology, notes what she calls both the "physical and psychological disadvantages" of wearing an electronic tag. Few scientific studies have been published on this subject; however, some prisoners experience irritation, burns or grazes on their leg due to wearing the tag; others feel they are constantly being watched, and fear that they are publicly wearing their conviction on their bodies. They may show a tendency to withdrawal or they may limit their activities for fear of creating legal problems for themselves.

Further reading

Après ASBL: www.apresasbl.be


The RIS is the last form of State aid for people in need, it is a conditional right. Since 1 September 2018, the amounts of RIS have been EUR 910/ month for a single person, for example, and EUR 607/ month for someone who is cohabiting.
When our work follows us into our dreams... or rather our nightmares

Attempts to improve working conditions apply unusual or even surprising approaches. This remarkable film, created by a film director in collaboration with doctors and workers, utilises dreams to express the inhumanity of capitalism.

Marianne De Troyer
Labour sociologist and ergonomist
It is impossible to remain indifferent or unaffected by what is happening on screen during the film. The causal link between the dreams and the managerial practices which gave rise to them is clearly painful.

Dream: female worker, private sector

“Over and over again, I found myself having the same dream – a dream in which I could hear the ‘beep beep’ of the till which I used to operate. And sometimes, when I heard the ‘beep beep’ in my dream, I would wake up in the middle of the night and be genuinely unable to work out where the noise was coming from, and it would take me a while to realise that it was the ‘beep beep’ of the till. It was the sound I’d hear all day long, from 8 or 8.30 in the morning when the shop opened, sometimes until as late as 7.30 or 8 in the evening, ‘beep beep’, all day long...

And it wasn’t even ‘beep beep’, in fact, it was ‘beep beep beep’ because you had to be super fast, at least 30 items a minute...

If all you heard was ‘beep beep’, that meant that the checkout operator wasn’t working fast enough or doing a good enough job. It needed to be ‘beep beep beep’, with lots of items being scanned and lots of shoppers being served – which was good news for the operator and good news for the shop owner. So the beeps were an easy way to tell whether someone was doing a good job or not.”

Dream: former private sector worker, currently unemployed

“I often have this dream on a Sunday night, which is when my stress levels are generally highest. I’m back working alongside the team where I used to work, and I’m sitting at my usual place, but all of a sudden, at the end of the month, when I ask for my pay, I no longer exist.

I ask the accounting department to add me back on the list, but I get a flat no in return. So I return to my team and find myself wandering around like a lost soul, not knowing whether I’m going to be paid at the end of the month, but working anyway – giving up the best of myself without getting anything in return. I feel like a ghost, I feel like I’m there, doing my job, but that I don’t exist. And things are always the same in this dream, I’m always begging to be paid at the end of the month. It’s like I’m a volunteer who slogs away but has to rely on the dole to survive.

What I find most stressful is that I always find myself preoccupied at the end of the dream with the thought that, when they add me back on the payroll list, when I receive all the back-paid wages, I’ll need to pay back all the dole I’ve received – it’s almost like an obsession.

When I wake up, I’m still half in a trance, and I start asking myself questions about why I’m here at all.”
The undermining of professional ethics

The worsening of social relations in both private and public sector workplaces, recurrent fears, insanely high productivity targets, the undermining of professional ethics and values, ways of organising work which are actively harmful to workers… workplace hardships such as these are an accepted fact of life, but that is exactly why we must keep on talking about them and asking new questions, particular when workers start to feel that their work has no meaning and their jobs are becoming unrecognisable.

It is impossible to remain indifferent or unaffected by what is happening on screen during the film. The causal link between the dreams and the managerial practices which gave rise to them is clearly painful.

Sophie Bruneau’s main goal was to encourage viewers to put themselves in the shoes of the individuals whose stories appear in the documentary, thus prompting them to ask questions about the way in which the neoliberal system demands work from us at the very deepest of levels.

The latest research in the field of neurosciences shows us the areas of the brain which are active when we dream. We can only hope that this “window into the unconsciousness” will not serve as an invitation for “dream chasers” to “re-educate” workers by controlling their dreams and perfecting hypnosis-like induction techniques to erase all links with the real social world and subjective suffering at work...

To borrow a suggestion from Christophe Dejours, we need to move beyond depair – firstly by putting up resistance to management methods and organisational arrangements. These arrangements dehumanise work by transforming it on the basis of individuals’ lived experiences of work and the potential of work as a source of solidarity and collective intelligence, allowing workers to thrive and to participate in democracy at grass-roots level.

Further reading


Sophie Bruneau – selected film credits

– Rêver sous le capitalisme (Dreaming Under Capitalism) (2017, 53 minutes)
– La Corde du Diable (Devil's Rope) (2014, 88 minutes)
– Co-directed with Marc-Antoine Roudil: Terre d’usage (Land of Utility) (2009, 112 minutes)
– Ils ne mouraient pas tous mais tous étaient frappés (They didn’t all die, but all of them were hit) (2005, 80 minutes)
– Arbres (Trees) (2001, 50 minutes)
– Par-devant notaire (A Country Solicitor) (1999, 75 minutes)

Dream: employee, trade union representative, private sector

“I’m going to tell you about a dream I had, although it wasn’t really a dream – it was a nightmare. It was about a job I used to have in an accounting firm in Brussels. Since I lived near Liège, I had a company car and picked up and dropped off three other female colleagues every day. In this dream, I experienced a full day at work, from leaving the house and getting into the car, picking up my colleagues at a meeting point along the motorway – and then the daily stress of navigating the heavy motorway traffic into Brussels, and trying to complete the journey within an hour in order to avoid being late.

As soon as we arrived, I would drop my colleagues off so that they wouldn’t be late, then park the car and rush to my office… and the boss was really hot on timekeeping – he was a larger-than-life character, or more accurately a tyrant who had zero respect for his employees, and everyone’s heart sank as soon as they saw him because he was never happy with what you could do or what you were doing.

By the time I’d parked the car and entered the building, he’d be standing at the top of the stairs, and every time he would ask me exactly what time I thought it was, addressing me by name to make sure that everyone could hear. In my dream, I went to my office, greeted the colleagues who were already there at their desks, just like I did every day… it was just like it was in real life. I sat down, booted up the computer and started hurrying through my to-do list – I had a huge pile of accounting codes to input every day, and the boss expected them all to be finished by 11 on the dot. We were all on edge because he would always be prowling around, coming into our offices and peering over our shoulders to see what we were doing and watching our every move. If you happened to have a cup of coffee on your desk, he would comment on the fact that you’d already taken a coffee break – it used to drive me up the wall.

In my dream, he called me into his office to ‘have a chat’, or rather to have a go at me, since I was the trade union representative for the company – and let’s not forget that relations between bosses and trade union representatives are somewhat tense in the best of companies, so that just made me even more afraid – and he went through a whole long list of complaints… I’d been late, I’d not done so and so after being told to do it… then I returned to my desk and carried on inputting codes for the rest of the day, taking calls in between – I dreamed my way through a full working day, completely immersed in the workplace and with my colleagues around me.

The morning after having this dream, I woke up with a jolt and a racing heart and said to myself, “I’m late! I must…” and it was only then that I realised that it was all over and I had a different job now, I don’t work for that boss any more. It’s amazing that the fear could return like that, and it really was a nightmare to go back and relive it all, as if we were actually happening. And the fear of being late, on top of everything… it all felt just as if I were really there."
Working at Amazon.fr: from honeymoon to divorce

Although he is only in his early 30s, Julien Vincent can already look back on a long career as an Amazon employee and union activist. We first met him in London during a meeting of the global alliance of trade unions representing Amazon employees, when we were so impressed with his honesty and candour that we arranged to meet him again (in a bar in Paris’ 12th arrondissement) to hear his story in full.

Christelle Casse
ETUI

70% of workers at Amazon.com are under intense job strain. They are subjected to strong psychological pressure coupled with limited decision-making latitude.
Image © Belga
It was when Julien Vincent decided to slow down and work out his contract without overtaxing himself that his performance improved – and he was more surprised than anyone.

1. Interview with Frédéric Duval, head of Amazon France, by Rémy Dessarts and Emmanuelle Souffri, for Journal du Dimanche, 3 March 2018.
3. Expert investigation carried out in April 2018 upon request by the Committee on Hygiene, Safety and Working Conditions with the aim of obtaining a clear overview of psychosocial risks within the company, prompted in particular by feedback from the occupational physician and the local health insurance fund. One third of employees responded to the survey on working conditions.

The long-term task of bringing successful claims against the company is made even harder because of a simple problem – when employees realise exactly how tough working conditions are, they leave.
would not be extended, although he was told by way of consolation that his productivity was "not terrible". And yet it was when Julien Vincent decided to slow down and work out his contract without overtaxing himself that his performance improved – and he was more surprised than anyone. "I took a more relaxed approach to my work, and that made me more productive," he remembers. "When you walk quickly, you concentrate on walking quickly... and you lose time. When you walk slowly as though you were strutting through the shops, you have time to look at your scanner while you’re walking, think about what you’re going to be doing and save time when you get there."

His new approach meant that he joined the ranks of the "most productive workers" and was ultimately given a permanent contract.

**From honeymoon to disenchantment**

After becoming a permanent member of staff, he gradually gained the skills he needed for new roles, and several months later his manager suggested that he might one day become a leader if he could ratchet up his productivity another few notches. " Everyone thought I’d gone nuts," he says when he describes working twice as hard as everyone else in order to achieve this goal. Yet his body refused to play along, and at the age of 23, after having worked for Amazon for 18 months, he suffered an attack of sciatica brought on by overwork. He took three weeks off sick and reported it as an occupational accident, but his employer argued the toss – all of a sudden, takes photographs (which he sometimes posts to social media) and draws up a report which he then sends to all managers with a request to take action. He is well aware of the significance of image and reputation for an e-commerce company, and his approach gets results: "Sometimes I feel like I hold more sway than one of the company's managers."

Over time, Julien Vincent gradually took on more responsibility at regional and then national level, and today acts as the central trade union delegate for Amazon France. He also continues to build his skills through training, in particular on health-related topics, in order to assess the risks to which workers in the Amazon warehouses are exposed and to identify the countermeasures which could be taken, with a particular focus on the standards which apply in areas such as carrying heavy loads and working postures, as well as making further refinements to the method he has developed to report problems and get them fixed, for example by using photographs.

Julien Vincent has recently become involved in a global alliance of trade unions representing Amazon employees, which has already met three times since 2017; at these meetings, union representatives and workers from different European countries, the United States and Australia shared details of their situations and strategised ways of mounting a united front against Amazon. The latter – one of many companies known to pursue anti-union strategies – does not make life easy for its union representatives, and John Logan (a researcher specialising in the anti-trade union strategies adopted by major US corporations) has collected examples of job listings for managerial positions at Amazon which include knowledge of anti-union tactics among the required skills. Mr. Vincent is aware that this makes the work he does even more important and he believes that trade unions need to launch a collective counter-offensive against the methods deployed by Amazon to exploit and control its workers by "fighting fire with fire". The alliance coordinated strikes across several countries last November under the slogan "We are not robots", which is clear evidence that it is starting to find its feet in organisational terms and take action, although Julien Vincent wishes that progress were faster, he has plenty to keep him busy in France – not least the role of central trade union delegate, which involves negotiating agreements for present and future Amazonians.

**Standing up for workers**

Julien Vincent decided to stay after becoming aware of the reality of working conditions at Amazon, but he developed his own personal strategies of silent resistance. He started by adhering strictly to the company’s "stupid" (in his words) safety rules, in particular the instruction to drink fluids every hour in order to avoid dehydration – and after drinking one litre of water every 45 minutes, he ended up needing to take toilet breaks every 10 minutes. He also decided that he would no longer be intimidated by the managers who came into the break room to tell workers to get back to their positions five minutes before their time was up, and instead remained seated until the very last minute – even though it meant staring at his boss who would come and sit in front of him every day for four of those minutes.

This period of passive resistance showed Mr. Vincent that workers needed to mount a more organised form of opposition to their employer, and so he decided to get involved in union activities and stand for election as an employee representative. His trademark irreverence does not sit well with everyone within the company, he has fielded criticism from certain "old-school" unionists and also from employees who are still in the honeymoon phase, who find his way of doing things too direct. He turned up for his first meeting with the local management after being elected to the Committee on Hygiene, Safety and Working Conditions with 50 different demands; he admits now that he was too inexperienced to prioritise the most important, but it is hard to deny the fact that his approach ("do what it takes to get the company to respond") is an effective one.

**Building skills**

This was the start of his career as a union activist, he quickly learned to schedule his tasks, to negotiate and (most importantly) to communicate effectively without losing his direct and provocative style. He learned how to play the system by turning the tables on Amazon’s managers and subjecting them to the kind of pressure they usually subject on others.
In praise of work on the side

Some books catch your eye first as an object. This is the case with Robert Kosmann’s book in which the illustrations and text combine to powerful effect. A wealth of photos allows you to flick through the book, in an order of your choosing, without necessarily reading the associated text. The book as a whole sheds light on a common situation in the world of work that has been little studied and that is known in French as “la perruque” (literally the wig), or work for yourself during working hours, particularly using an employer’s equipment and materials. This original piece of work creates such an affinity between the reader’s experience and that of many people who work on their own projects during working hours that your attention is caught by their creativity.

In this book, “la perruque” refers to the many forms of work on the side or, more precisely, objects made for personal use instead of those required. These are objects with multiple functions that often merge into one: they are ingenious in their demonstration of know-how, artistic in a society in which art seems to be created only by an elite, and practical or fun, such as the remarkable chess sets with pieces made of bolt heads that resemble futuristic sculptures. These objects are also political with a language that sometimes makes them seem like objects of piety; they are also militant, particularly in terms of self-defence, such as the arsenal of slings, rocket launchers and protective boxes made by shipyard workers in Gijón (Asturias) in 2009.

This is a universal phenomenon for which specific terms are used in many languages. In Chinese for example, “Gan Sihuo” can also mean “living for yourself”, “bootlegging” or “moonlighting”. In American English, the term “government job” is often used, whilst the British talk about “pilfering” or “fiddling”. It was in the mid-19th century that the term “perruque” began to be used in France with this specific meaning of using an employer’s time and materials to make an object.

Robert Kosmann’s career has been as unique as the subject of his book. Born in 1948, he started work at the age of 15 as a messenger in a bank. His political activism then pushed him towards metallurgy. He was a milling-machine operator at Renault until 1991 when he was made redundant due to the closure of his plant. He then studied history and joined the tax authority while remaining a union activist. Now retired, he still contributes to historical research on the labour movement by writing biographies for the Dictionnaire Maitron.

In his book, Kosmann explains the multiple meanings that “la perruque” can have, as well as the ambiguity with which it is received by both employers and trade unions. Employers often tolerate it, provided that it remains within certain limits. In a way it helps to make work less boring and to maintain the dexterity that repetitive tasks can reduce. Trade unions are sometimes suspicious of it as an individual practice that can seem to contradict collective action. It is one of a series of informal acts of resistance that range from absenteeism through sabotage to slow working. At times “la perruque” has been associated with collective struggles, as in the case of clothing workers at Nina Ricci who occupied their workshop one day in 1999 and made an evening dress to be worn by a model. This piece of work was meant to be an emblem for the strikers during a fashion show.

The book also looks at the future of “la perruque” given the development of robotic and digitalised work. The author is optimistic on this point and predicts a bright future for “la perruque”, which he believes will adapt and transform. In his words, “it is a mark of pride in, and re-appropriation of, know-how, and a resistance to the de-skilling of work”. He points out that, in 1975, the Hungarian oppositional activist Miklós Haraszti imagined a future in which society was organised like a “Grande Perruque” of worker self-management.

— Laurent Vogel

Sorti d’usines. La perruque, un travail détourné by Robert Kosmann, Éditions Syllepse, Paris, 2018

1. This incredibly detailed biographical dictionary of the labour movement and social movement can be accessed at http://maitron-en-ligne.univ-paris1.fr

When public health comes a poor second to profit

Tobacco causes lung cancer, sugar and fizzy drinks are the primary cause of tooth decay in children, workplace exposure to asbestos is strongly linked to mesothelioma, diesel engine emissions and certain pesticides have carcinogenic properties – and the list goes on. Yet despite being aware of the mountain of evidence proving the toxicity of these products, their manufacturers used all the marketing tricks in the book to boost sales, and public authorities took decades to ban them (the best possible outcome) or to impose limits on their use (the more frequent outcome). How did we find ourselves in this pose limits on their use (the more frequent outcome) or to implement evidence proving the toxicity of these products, their manufacturers used all the marketing tricks in the book to boost sales, and public authorities took decades to ban them (the best possible outcome) or to impose limits on their use (the more frequent outcome). How did we find ourselves in this situation? The answer is not hard to find: the tobacco, beverage, asbestos, automotive and agrochemical lobbies have done their jobs extremely well, allowing the multinationals to feather their own comfortable nests at the expense of human health and the environment.

Stéphane Horel is a journalist and writer for the French newspaper Le Monde. In her latest book, Lobbytomie, comment les lobbies empoisonnent nos vies et la démocratie [Lobbytomie: how lobbies are poisoning our lives and democracy], she dissects the strategies used by unscrupulous companies such as Monsanto, Philip Morris, Exxon or Coca-Cola to protect current and future sales of their harmful products and to thwart any regulations likely to affect their bottom line.

Horel’s well-documented investigations serve as a primer for newcomers to the field on the various lobbying techniques – sponsored research, conflicts of interest, self-regulation, etc. – used so expertly by manufacturers to push through the decisions they want.

The most popular of all these strategies was developed back in the 1950s by the tobacco companies, and involves manipulating science and sowing the seeds of doubt. According to the "Tobacco Papers", the industry’s response to the first publications proving that smoking was bad for your health was to fund research aimed at sparking controversy and spreading doubt about whether cigarettes really did cause lung cancer. Over 6,000 industry-sponsored papers were published in scientific journals over a period of almost 40 years, all of them attempting to demonstrate that people got lung cancer for many different reasons, that there was no scientific consensus on the harmful effects of smoking and still less evidence to support claims of its harm, and that a vast array of confounding factors made it impossible to draw any conclusions. The truth did eventually prevail, but it took decades to reach that point, during which sales continued unabated and the death toll rose. Tobacco was responsible for the premature death of 100 million people over the course of the 20th century, and it is estimated that this figure will rise to as high as one billion over the course of the 21st century.

Science has also been put to work for profit in the intervening decades to make it harder for the public authorities to clamp down on a long list of other toxic substances (asbestos, lead, mercury, benzene, vinyl chloride, etc.).

The take-away message from this book is that this strategy of influencing decisions continues to pay off. For example, it has been deployed successfully by Monsanto to keep Roundup on the European market and to secure an extension of the European Food Safety Authority approval for glyphosate, the active ingredient in the world’s most widely used herbicide, despite the fact that it has been defined as probably carcinogenic to humans by the International Agency for Research on Cancer (IARC). In a similar vein, legislators are dragging their heels on binding measures in the fields of endocrine disruptors despite mounting evidence of their harm to humans and the environment, and the same is true for the anthropogenic causes of climate change.

This book is a must-read for anyone who wants to understand why the production of knowledge is controlled by industrial players rather than independent research organisations, and how manufacturers ensure that decisions which are supposed to serve the public good are subverted for their own interests.

At the end of the book, the author has included a model declaration of interests form which could help to prevent manipulation of this kind, and which could serve as inspiration for the national and European regulatory agencies to sever the knot with their committees of experts who are “under the influence”. They might then succeed in tightening up the legislation needed to protect human health and the environment against hazardous products, and in increasing public confidence in governmental policies.

— Tony Musu

Lobbytomie, comment les lobbies empoisonnent nos vies et la démocratie [Lobbytomie: how lobbies are poisoning our lives and democracy] by Stéphane Horel, Édition La Découverte, 2018, 368 pages
Migration and working conditions in Europe

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