



Policy Paper

November 2024

A photograph of a stack of books on a table, with an open book on top. The scene is lit with a warm, reddish light, and a window with a grid pattern is visible in the background.

'Fine pena ora'

Higher Education in Italian Prisons. A Model for Europe

Image: ©tapui via Pexels

Abstract

Universal access to public education ensures equal opportunity for everyone, and the right to education, even in prison, is protected by all EU Constitutions. Universities play a key role in upholding this right for individuals in detention, and the Italian Higher Education Project (HEP) demonstrate the positive impact of connecting Universities with prisons and prisons with civil society, suggesting that similar opportunities should be replicated at the EU level.



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Introduction. The Context

‘In order to surmount the situation of oppression, people must first critically recognise its causes, so that through transforming action they can create a new situation, one which makes possible the pursuit of a fuller humanity’.

(P. Freire, Pedagogy of the Oppressed, 1968)

Universal access to school is the ability of all people to have equal opportunity in education, regardless of their social class, race, gender, sexuality, ethnic background or physical and mental disabilities. Public education is a common good, and the right to education – even in situations of detention – is a right guaranteed in all EU Constitutions.⁵ The University institution is committed to ensuring this right for individuals in a state of detention and, in general, to improving their living conditions through cultural initiatives and activities of scientific promotion. This connection between the University’s context and prisons represents an essential prospect for study and in-depth learning for people in prison, but it also provides an opportunity for personal and cultural growth for students. They are called to actively interact with a human and contextual reality that is very different from the ordinary one.

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The prison, understood as an institution, arises from the need to remedy an injustice. Yet, this institution can become a profoundly unjust place, and the injustice that – more and more often in recent years – prisons in Italy have represented as a testing ground is tangible, concrete, and concerns the structures, the spaces, the treatment of

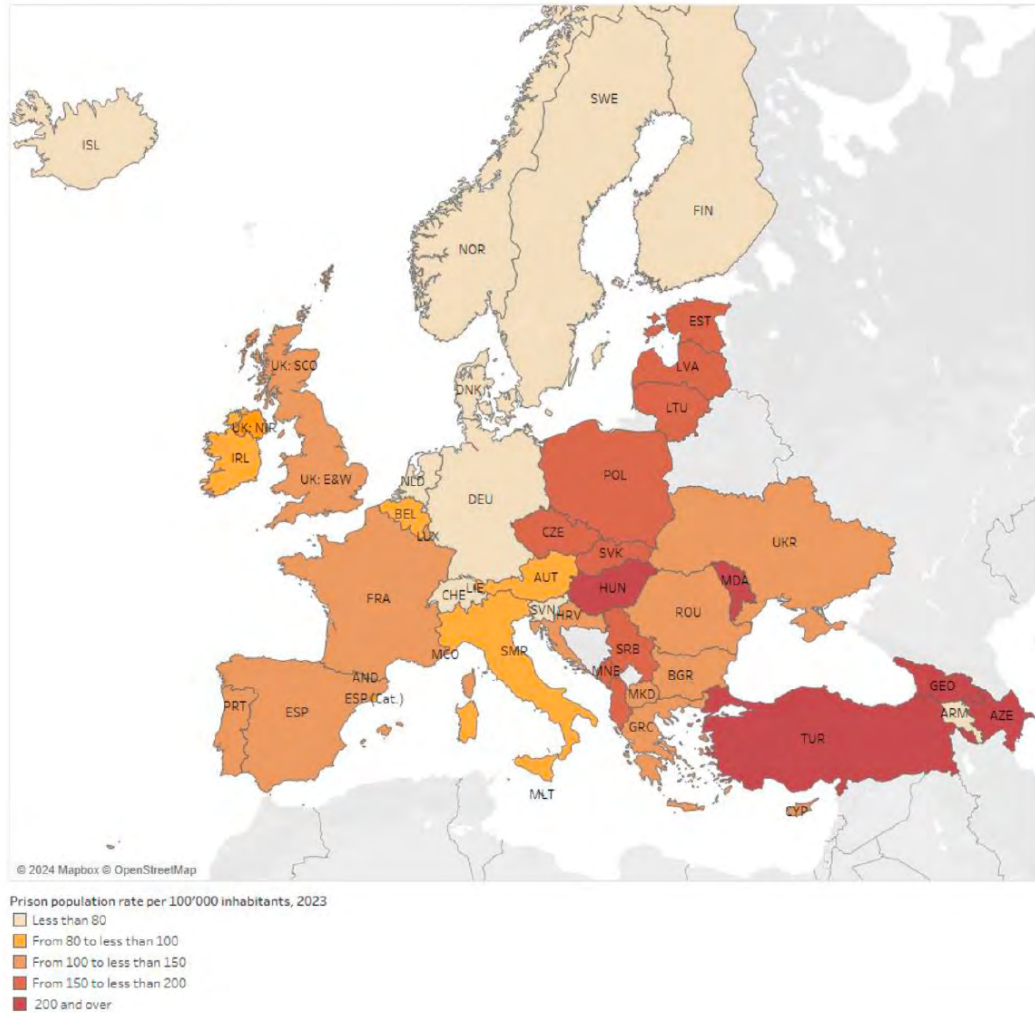
people (see also Figure 1 for the European context).⁶ The suicide rate in Italian prisons is among the highest in the EU, despite Italy being one of the European countries where suicide is less prevalent among the general population. In Italian prisons, there is an average of 7.2 suicides per 10,000 detainees (with 2022 being the year considered). Worse than Italy, are France, Germany, and the outgoing United Kingdom.⁷

¹ See also https://venice.coe.int/WebForms/pages/?p=01_CODICES_constitutions&lang=EN.

² See also F. Vianello (2019), *Sociologia del carcere* (Roma, Carocci).

⁷ Associazione Antigone (2020), ‘Il carcere al tempo del coronavirus. XVI Rapporto di Antigone sulle condizioni di detenzione’; <https://www.antigone.it/news/3301-il-carcere-al-tempo-del-coronavirus-xvi-rapporto-di-antigone-sulle-condizioni-di-detenzione>.

Figure 1: Prison population rates (number of inmates per 100,000 inhabitants) on 31 January 2023

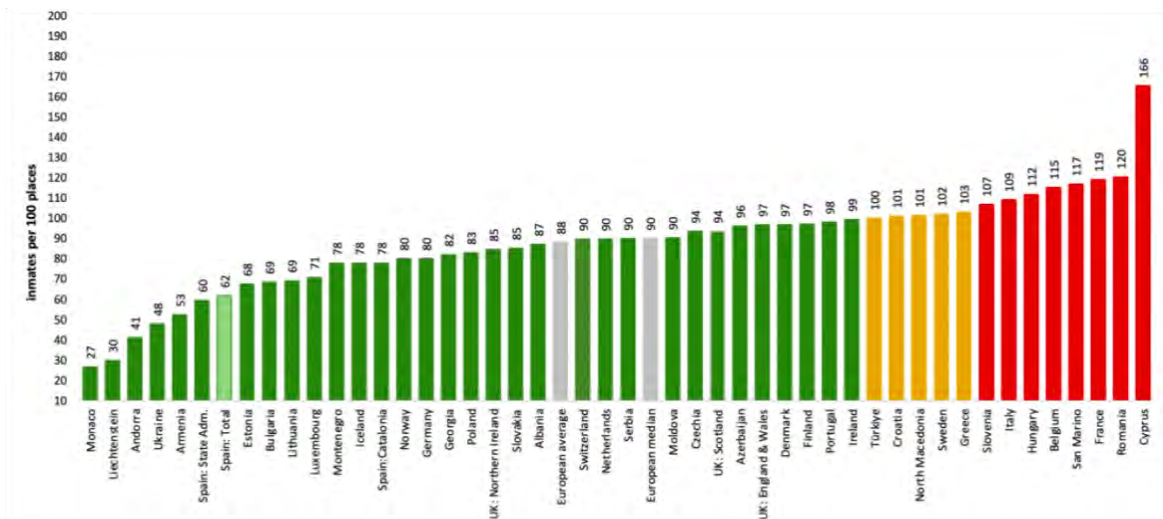


Source: M.F. Aebi and E. Cocco (2024), *Prisons and Prisoners in Europe 2023: Key Findings of the SPACE* (The Council of Europe Annual Penal Statistics) I report, Series UNILCRIM 2024/1, Council of Europe and University of Lausanne

A Close Look at the Data

As of January 31, 2024, there were 60,637 people in prison in Italy, compared to 51,347 official places: 2,615 were women, accounting for 4.3% of the prison population, and 18,985 were foreign detainees, making up 31.3% of the total. Already during 2021, after the decrease in prison populations due to the pandemic, the numbers in our prisons began to rise again. From the end of 2020 to today, the increase has been over 7,000 people, an average growth of 0.4% per month. Looking at the growth over the past 12 months, it averages 0.7% per month. Over the last six months alone, the average monthly growth has been 0.8%. The average overcrowding rate (calculated based on official capacity and not on the actual available places) is 118.1% (see Figure 2 for the European situation).

Figure 2: Prison density (number of inmates per 100 detention places on 31 January 2023)

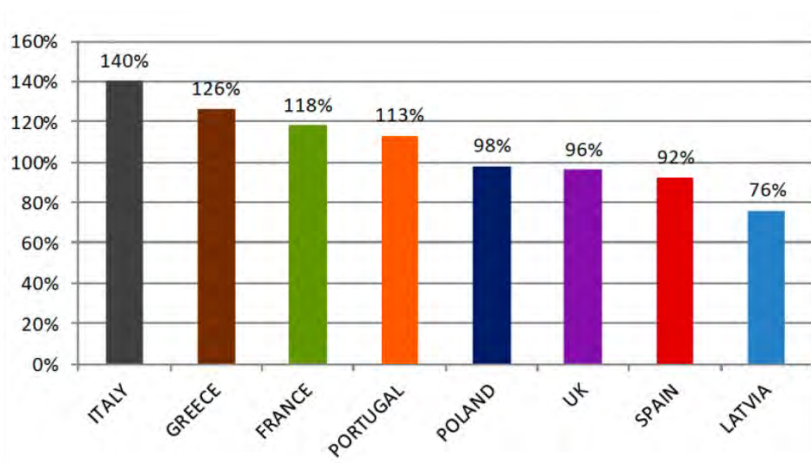


Source: M.F. Aebi and E. Cocco (2024), *Prisons and Prisoners in Europe 2023: Key Findings of the SPACE* (The Council of Europe Annual Penal Statistics) I report, Series UNILCRIM 2024/1, Council of Europe and University of Lausanne

Recently, the countries facing the greatest difficulties are evenly distributed across the Italian territory: Puglia (143.1%) from the South and Lombardia (147.3%) from the North. Lastly, but crucially not less relevant, in addition to this overcrowding situation, 2024 is also witnessing a number of suicides within the Italian prison walls that raises many concerns: out of the 56 people who have taken their own lives since the beginning of the year, 22 suicides have occurred in the last two months (see Figure 3).⁸

⁸ Source: Italian Ministry of Justice (<https://www.giustizia.it>) and Associazione Antigone (<https://www.antigone.it>).

Figure 3: Prison density



Source: A. Maculan, D. Ronco, and F. Vianello, *Prison in Europe: Overview and Trends* (Roma, Antigone Edizioni)

Regarding the resources invested in the prison system, in 2019, the funds allocated to the Prison Administration in Italy amounted to approximately 2.9 billion euros, according to the XV Antigone Report, an increase of 17 million euros compared to the previous year. Despite this increase, the cost per inmate has dropped sharply, falling from 137.02 euros in 2018 to 131.39 euros as of April 30th in 2019, due to the rise in the number of detainees (according to the Ministry of Justice, in 2020 the cost per inmate rose to 136.96 euros per day). With respect to the allocation, 69.03% of the DAP (Department of Penitentiary Administration) funds are allocated to the costs of prison police personnel, another 7.44% of the total is allocated to administrative personnel. Thus, total personnel expenses account for 76.47% of the Prison Administration’s budget.

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Funds allocated to reception, penitentiary treatment, and reintegration policies for individuals under judicial measures have increased by almost ten percentage points compared to 2018 (representing 10% of the DAP– Dipartimento di Amministrazione Penitenziaria / Italian Prison Administration – budget), which

includes expenses for food and maintenance of detainees (40% of the reception and treatment budget), medicines (36% of the same budget), and education, recreational activities, and childcare for the children of female detainees (unfortunately only 2.2% of this budget). Additionally, it is important to note the staff shortage: there are currently 37,000 officers, but there should be 42,130.

The Model of the PUP (Prison University Project)

In Italian prisons, in addition to the 37,000 police officers, there are about 770 educators, around 220 mediators, and nearly 17,000 volunteers⁵. The prison is a (separate) city within the city, but with unique and specific rules. In spite of the increasing trade-off between overcrowding and prison costs, since 2014 a very special process gradually led the University of Milan to engage in a number of initiatives – in the context of the Convention signed with the Prison Administration Regional Directorate (PRAP)⁶ – through which it became one of the institutions aiding in the reintegration into civil context of persons with restriction of liberty for having broken the social contract with their community.

The PUP addresses the selected priorities as follows: the project's primary objective is to advocate for the right to HE (Higher Education), by ensuring its accessibility to individuals in state of detention (Schuster and Stickle, 2023). Extending educational opportunities to people in prison helps cultivate a more inclusive environment within the universities. The aim is to use University study and teaching as a tool to build civic bridges connecting universities and prisons, so as to de-isolate the incarcerated and, at the same time, translate the social responsibility of University's institutions into concrete actions, also remedying their tendency to remain isolated, out of touch with reality (Mutti, 1998).

When the PUP began, in 2015, there were only 4 individuals in prison enrolled at the University of Milan; today, this number has increased to 166, who can follow almost all of the degree courses of all types and levels. The Education Unit offers a broad and diverse curriculum to meet the wide range of learner interests and needs as well as a wide range of educational ability.

5 More specifically, educators are responsible for developing and delivering educational programs tailored to the needs of people in prison. This can include basic literacy, vocational training, and higher education courses. They help convicted persons to acquire skills that can aid in rehabilitation and reintegration into society, such as critical thinking, communication, and other technical skills; mediators facilitate communication between inmates and staff or between inmates themselves to resolve conflicts and promote a peaceful environment. They advocate for people's needs and concerns, ensuring their voices are heard in institutional processes, such as disciplinary actions or access to programs; volunteers provide emotional support and mentorship to inmates, helping them navigate the challenges of incarceration and offering guidance for personal growth. They work to bridge the gap between the prison and the outside community, fostering connections that can aid in reintegration upon release

6 With a teaching staff of about 2.200 tenured professors and with almost 60.000 students, UniMI is the largest University in Lombardia, one of the most dynamic and internationally-oriented EU regions. UniMI offers several study programmes covering three macro-disciplinary areas: i) Humanities, Social Sciences and Law; ii) Medicine and Healthcare; iii) Natural Sciences. UniMI is part of the National Coordination of Prison University Centres (CNUPP): on this point see also <https://www.cru.it/cnupp.html>.

Accredited and non-accredited courses are available to all kind of learners in prison, and are delivered by qualified teachers. The particularity and the very added value of the educational program at PUP lies in the fact that external university students enter the prison and participate in the educational offerings together with the internal students (namely the inmates).

“The aim is to use University study and teaching as a tool to build civic bridges connecting Universities and prisons, so as to de-isolate the incarcerated people.”

The Project operates both inside and outside of prison, with both persons in correctional facilities and formerly incarcerated individuals. The University of Milan’s PUP is by far the biggest in Italy and one of the largest in Europe, both in terms of the number of students involved (about 600 each year, including students in prison and college students), as well as for the amount of college courses held behind bars (12 University courses in 2024).

There are four main pillars of the Prison University Project (PUP):

- all the University courses for convicted people are free of charge, considering the fact that they do not have access to the vast majority of services that University provide to their on-campus counterparts;
- the higher prison teaching initiative includes a number of ‘for-credit’ college courses, that run for a full semester, on many subjects, ranging from Philosophy to Physics. Each class is made up of 25 inmates (not necessarily enrolled at the University) and about the same number of on-campus students (external students) who enter prison with professors;
- each year the PUP forms a network of college students who volunteer to mentor in the correctional facilities. This means that every single incarcerated student has a tutor to help them in their studies, from choosing their first exams to writing their final dissertation. The PUP currently has more than 250 students serving as tutors within the Project and going every week into the eight medium-to-high security prisons where the PUP is active, in the north of Italy. Of course, this is not only beneficial to the inmates, but to the tutors themselves, who learn as much as they teach and enjoy an extraordinary experience on both a personal and cultural level;
- by regularly bringing University into prisons, these projects try to make them a place of public service, which could improve freedom. Through higher education, including the weekly presence of a portion of the civil society from which prisoners have been separated, PUPs can restore dignity, renew responsibility, and perhaps one day reintegrate improved and focused people back into our world.

Best Practices in Education and Reintegration: Bollate's Case as a Model for EU

Within the framework of the PUP, the Milano Bollate Prison (see Figure 4) – an Italian detention center inaugurated at the end of 2000 near the city of Milan – has been characterised as the best rehabilitation institute in Italy in terms of reducing criminal recidivism (Mastrobuoni *et al.*, 2014). It is a model as an open prison,⁷ an excellent practical implementation of the ruling idea set forth by the previously quoted Recommendation of the Council of Europe. It could be better described in the following terms:

- it's a context based on the empowerment of inmates (it is the first and only prison with open cells);
- the safety is grounded on dynamic and integrated supervision between operators;
- most of the Bollate inmates work or actively learn some job while they are incarcerated;
- there is a strong integration with the community, where the life of those inside should resemble that of the outside world;
- the prison's operating cost per inmate is about 50 percent lower than in the rest of the country;⁸
- Bollate has even its own garden produce, as well as horses, and both are used for therapeutic reasons;
- everyone in the Bollate's prison must be considered part of an educational community, including people in prison, their families, and the security staff.

⁷ Bollate is the only pure 'open prison' in Italy, and one of the few in the world, where cells are kept open during the day and prisoners are trusted to serve their sentences with minimal supervision: inmates are allowed to freely move across the prison with electronic badges, making it easier to reach the location where they either study or work. Open prisons are more common in Scandinavia countries and, to a lesser degree, in the United Kingdom. Famous examples are Bastoy (Norway), Suomenlinna Prison (Finland), Soebysøgaard (Denmark), HM Prison Prescoed (South Wales), HM Prison Castle Huntly (Scotland), HM Prison Ford (England).

⁸ The reason is that the prison administration managed to build a relationship with inmates that is based on trust and mutual responsibility. As a result, prison violence is contained and fewer guards are needed, which keeps costs down.

Figure 4: Bollate prison, one of the few 'open prison' in the world

The data related to the treatment experience at Bollate prison show that while the recidivism rate in Italy generally reaches peaks of 40% in the three years following release, outside the Bollate penitentiary, this figure decreases by six percentage points (Mastrobuoni and Terlizzese, 2014). Does that seem like a small amount? If we consider the national prison population in terms of 50,000 individuals, this would mean a reduction of 3,000 crimes (among the most serious, since, as is well known, it is generally harder to enter prison for lesser offenses). Reducing recidivism is in many countries an explicit or implicit goal of the judicial system (Pelletier and Evans, 2019).

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A recommendation of the Council of Europe (2006) stresses that ‘the enforcement of custodial sentences and the treatment of prisoners necessitate [...] prison conditions which do not infringe human dignity and which offer meaningful occupational activities and treatment programmes to inmates, thus preparing them for their reintegration into society’.⁹ Similar principles are contained in the United Nations Standard Minimum Rules for the Treatment of Prisoners. The activity of the PUP, as the idea of the project as education, is the central actor and factor of reducing recidivism (Gaes and Camp, 2009).

⁹ See Council of Europe, *European Prison Rules*, Recommendation Rec(2006)2.

Conclusion. Neither Supervise nor Punish

By following the PUP, individuals residing in regional correctional institutions – Bollate is only the exemplary model – who wish to pursue University studies can lastly:

- enroll in one of the courses accessible under favourable economic conditions;
- participate in workshops and educational modules within the prison facilities;
- benefit from tutoring activities for study assistance;
- access favourable loan conditions for the University library system;
- take proficiency and degree exams within the prison facility in case they cannot obtain permits for external attendance.

This connection between the University's world and prisons represents an essential opportunity for study and in-depth learning for individuals in a state of detention who cannot attend University lectures outside, but they also provide an opportunity for personal and cultural growth for all students. They are called to actively interact with a human and contextual reality that is very different from the ordinary one. Additionally, underscoring the belief in the power of education as a tool for social inclusion, PUP also develops its professional activity around restorative justice in the penitentiary context. Therefore, it carries out programmes inside prisons with offenders and outside prisons with victims and the community. It also develops

“Underscoring the belief in the power of education as a tool for social inclusion, PUP also develops its professional activity around restorative justice in the penitentiary context.”

training programmes on restorative justice, mediation and non-violent communication to train facilitators and participants of Restorative Justice encounters. PUP statutes set out explicitly commitments such as 'services to society', especially in situations that could prevent certain people from getting access to higher education courses.

Administering justice, ultimately, cannot and should not conclude with the mere sentence of condemnation. To have a voice, it must be educated by knowledge (Craig, 2001). Only through one's own voice can an individual access knowledge: to have a voice, one must have language. And only through language can reality be altered. Implementing at EU level policies like the Italian Prison University Project would finally mean believing in and conceiving issues of injustice as politically salient issues, precisely because the sense of injustice is an eminently political experience, as it pertains to public actions and decisions about institutional intervention methods.

Recommendations

Based on these best practices, at an EU level the potential outcomes of the PUPs could be as follows:

- the creation of a network of entities that already have or want to launch a PUP;
- the dissemination throughout Europe of knowledge about these projects;
- the production of practices, namely training materials, guidelines and tools put in place and to be shared with anyone involved in similar projects or intending to start them, with a focus on the role of trainers and tutors;
- the strengthening of the right to HE (Higher Education) of people in prison, increasing their University access rate;
- the improvement of the research in correctional fields: insufficient research and evidence-based practices undermine the effectiveness of interventions and training programs for correctional staff;
- the improvement of new forms of training for correctional staff: insufficient initial training fails to equip new staff with the necessary skills and knowledge to effectively manage complex situations and support diverse needs within prisons;
- create a common language and approach for practitioners through a skills pact focused on education, re-engagement with learning, and correctional pedagogy.

The expected results, at an EU level, could finally be implemented according to these directions:

Boost awareness of prison education, engage academics, and inspire new initiatives across Europe where none currently exist.

Develop a project website to serve as a global information hub, detailing all activities and becoming a key reference for stakeholders.

Leverage social media to broaden project visibility, engage a wider audience, and inspire similar educational initiatives in prisons across Europe.

Raising awareness among University students and encouraging them to participate in inclusion processes through knowledge of prison HE initiatives.

And, finally:

To establish, widely disseminate, and expand the network of universities promoting and facilitating higher education opportunities within prison systems.

Author bio

Beatrice Magni is Associate Professor of Political Philosophy at the Department of Social and Political Sciences within the SPES Faculty at the University of Milan, where she teaches Political Philosophy, Ethics, Bioethics, and Theories of Equality and Rights. She co-directs *Bdl – Biblioteca della libertà*, the journal of the Centro Einaudi, and since 2009 has led the Bioethics Laboratory (La.B.) at the Centro Einaudi. She is listed as an expert in philosophy on www.100esperte.it, and is a member of the Ethics Committee at the University of Milan. Her work focuses on normative political theory, with particular interest in the following research areas: theories, problems, and practices of pluralism; theories of justice, conflict, and compromise; gender studies; public ethics and just societies; and bioethics.

About ELF

The European Liberal Forum (ELF) is the official political foundation of the European Liberal Party, the ALDE Party. Together with 57 member organisations, we work all over Europe to bring new ideas into the political debate, provide a platform for discussion, and empower citizens to make their voices heard. Our work is guided by liberal ideals and a belief in the principle of freedom. We stand for a future-oriented Europe that offers opportunities for every citizen. ELF is engaged on all political levels, from the local to the European. We bring together a diverse network of national foundations, think tanks and experts. In this role, our forum serves as a space for an open and informed exchange of views between various EU stakeholders.

About Centro Einaudi

The Centro Einaudi is an independent non-profit research institute based in Torino, Italy. It was founded in 1963 and is entitled to the second President of the Italian Republic, a liberal statesman and economist. The Centro Einaudi's mission is to conduct independent research at the local, national and international level, to elaborate resolutions and provide innovative recommendations for policymakers – responding to the principles of modern liberalism in terms of purposes and implementation method – to disseminate and discuss the results of the research and the proposed solutions via specific publications, seminars and conferences. The Centro's research agenda include political economy, social politics and welfare, liberal theory, comparative public policy and reforms, regional development, bioethics and it aims to be a reference in the Italian cultural panorama both on the theoretic and on the empirical level.

www.centroeinaudi.it

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