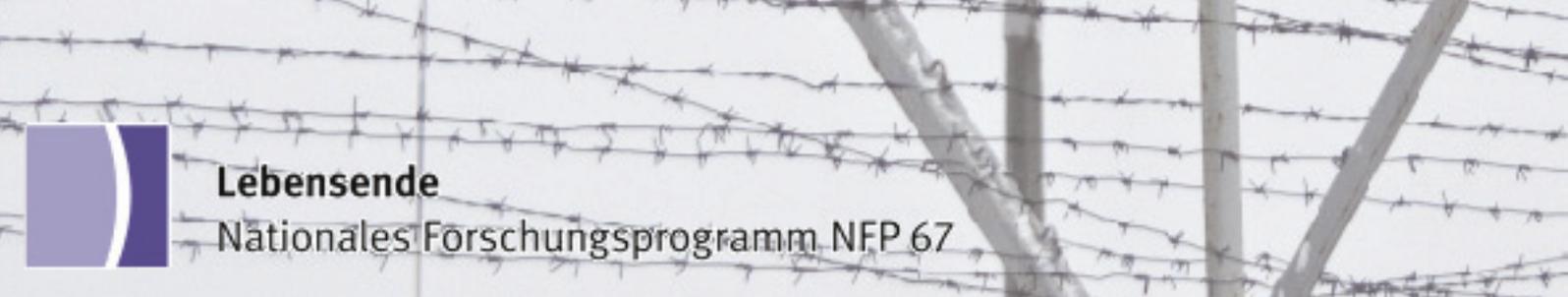


End-of-life in prison: legal context, institutions and actors



Staff

Ueli Hostettler, Anna Isenhardt, Anne Kersten,
Marina Richter
University of Fribourg | Soziologie, Sozialpolitik
und Sozialarbeit
Nicolas Queloz, N.N.
University of Fribourg | Droit pénal et criminologie

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Further Information:
> ueli.hostettler@unifr.ch
> http://eolinprison.ch

Research problem

- People in prison are not free to choose how and where they die
 - » The issue of dying with dignity requires special attention in the prison setting
- The Swiss state is responsible for the well-being of imprisoned people
 - » There is a need to focus on the topic for moral and legal reasons
- The number of people dying of natural death in prisons will increase in the future:
 - » Demographic development of the ageing society
 - » Older people increasingly commit crimes
- Public debate and policy increasingly focussed on issues of risk and security
 - » Punitive turn and longer sentences (e.g. new option of lifelong detention)

Research questions

1. What is the legal framework regarding EOL in prison? Which laws are applicable on the national as well as on the intercantonal and cantonal level, bearing in mind the international legal instruments ratified by Switzerland?
2. What is the institutional logic in Swiss prisons and related institutions dealing with EOL?
3. How does this institutional logic frame the practice of actors (dying inmates, prison staff, family, and friends)?
4. What types of institutions and institutional practices are emerging? What might be "good practice" in the field?

Current state of research

- Ageing population in prison
 - » Older inmates have special needs (physically, mentally) and other limitations and an increasing need for care
- EOL and dying in prison
 - » Most studies conducted in the US, no explicit study in CH
 - » Contradicting logic: care vs. custody
- The Swiss context
 - » Figures: 5-13 inmates die every year of non-sudden death, increasing numbers expected (demography, punitive turn, lifelong detention)
 - » Legal foundations: lifelong detention; international, national, intercantonal and cantonal laws and agreements
 - » Ethical and moral issues: principle of equivalence
 - » Institutional response and practice: condition of liminality

Main challenges

Achieved:

- The research partners (prisons, prison hospital, cantonal and intercantonal authorities, experts in the field) are very interested and have accepted to participate and provide access to the field

Challenges:

- EOL is a very sensitive topic, in particular in prison, challenge to approach affected people
- The combination of EOL, the prison setting and the inmates (sentenced because of severe crimes) can be stressful for the researchers

Research approach: design and method

Methods:

1. Case study methods in order to study and document cases of inmates who have died or will be dying in prison
2. Semi-structured interviews with various actors in the field
3. Legal analysis of the relevant juridical frame regulating penal deprivation of liberty
4. Document analysis of documents regarding prison management (internal and external)

Units of analysis:

- Cases of inmates who died or will die in prison
- Institutions where cases are located (prison and prison hospital)
- Officers and staff of the prison system (cantonal, intercantonal)
- Experts in the field (chaplains, social workers, health care staff, doctors etc.)