

The importance and meaning of resettlement to foreign national offenders leaving Swiss prisons

Perceptions of foreign national offenders' support needs

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Abstract

The resettlement of offenders is a cornerstone of modern criminal justice, aiming to reduce recidivism and facilitate successful reintegration into society. Foreign national offenders (FNOs), however, face unique challenges, particularly when their release from prison coincides with expulsion orders requiring them to leave the country. This dual mandate – supporting offenders while enforcing their removal – creates a significant tension for the professionals tasked with providing resettlement support. Within the context of this tension, my empirical qualitative study aims to answer the following research question: *How do personal, professional and institutional factors facilitate or hinder the provision of resettlement support for FNOs who do not have the right to remain in Switzerland?* Semi-structured interviews were conducted with eight case managers (CMs) in three cantons, as well as three FNOs, to capture the perspectives of those delivering and receiving resettlement support. The findings add nuance to existing research and identify key components of effective resettlement support: fostering and maintaining a trusting working relationship with the offender, providing practical social assistance, embedding casework in a positive social climate within the prison, and recognising the reciprocal importance of motivational empowerment. Relatives are identified as vital anchors for resettlement and are engaged as early as possible in the case management process. However, systemic constraints to resettlement support remain at various levels: case management typically begins only after pre-trial detention, transnational aftercare remains minimal, and professional networks often rely on fragile, personal relationships. The study also identifies critical challenges in cases where the ‘resettlement package’ is incongruent with relapse prevention, thereby restricting the ability of CMs to fulfil their professional and ethical mandates. Such situations raise concerns about CMs’ confidence in the system. The study concludes by calling for further research into resettlement support while highlighting the potential for targeted optimisations in Switzerland and Europe.

1. Introduction

One of the most important tasks of modern criminal justice is to enable offenders to live a life without crime after serving their sentences. For this mandate to be fulfilled, resettlement support should begin as early as possible and continue for as long as needed. However, when life in freedom is set to begin in another country, additional challenges arise for the offenders, their immediate and extended family, and the case managers (CMs) tasked with facilitating this transition. The present study addresses this area of tension: providing resettlement support to foreign national offenders (FNOs) in the here and now to prepare them for a future life that will unfold far away.

In jurisdictions in which the obligation to offer resettlement support is established in law, its implementation varies depending on their legal system. In Switzerland, CMs are legally mandated to offer resettlement support according to Article 75 of the Swiss Criminal Code (SCC). Authorities are required to assist all sentenced individuals in their rehabilitation efforts with the overarching goal of preventing recidivism. Evidence suggests that, when provided at a high standard, resettlement support has the potential to substantially reduce recidivism – especially when the support is comprehensive, starts early, and incorporates community-based interventions in the social environment in which the individual will reintegrate (Canton 2022, Maguire & Raynor 2017 & 2019, Maruna & LeBel 2010). Ideally, the social climate in the prison should be as positive as feasible, minimising harm and, as far as safety and security requirements allow, replicating living conditions outside the prison. To avoid disruption after release, it is crucial to help FNOs maintain or foster supporting social relationships, especially family bonds (Canton 2016), provided that the interests of family members, particularly children, are safeguarded (Zermatten 2019).

Importantly, the obligation to provide resettlement support in Switzerland also extends to individuals who must leave the country upon their release from prison (Federal Supreme Court (FSC) 2012). The enforcement of criminal sanctions falls under the jurisdiction of the country's 26 cantons (Federal Constitution of the Swiss Confederation, Art. 123), resulting in large variations in the roles, tasks and organisational structures of the professionals working in

criminal justice. Cantonal institutional arrangements are further characterised by cooperation with the municipalities and other key actors, such as the cantonal migration authority. In the context of resettlement support for FNOs, third-sector organisations also play an important role. This complexity is increased by the direct collaboration with institutional actors in third countries.

For the past 20 years, the proportion of foreign nationals in Swiss prisons has been very high, with FNOs accounting for 72.3% of the prison population in 2024 (Federal Statistical Office (FSO) 2024a). Although the mean (25%) and median (16%) proportions of FNOs in prisons across the member states of the Council of Europe are substantially lower, these figures have been rising overall since 2021 (Aebi et al., 2023). As in other countries, the FNO population in Switzerland is highly heterogeneous, with substantial differences in residence rights. Switzerland's high proportion of foreign residents – 27% of the population in 2024 (FSO 2024b), which is twice as high as the average in EU countries (INSEE 2024) – partly explains the high proportion of FNOs in the prison system.

This empirical qualitative study focuses specifically on the resettlement support offered to the following subgroup of offenders: FNOs who are required to leave Switzerland after serving a prison sentence. Considering the concept of 'crimmigration' introduced by Stumpf (2006) – the critical analysis of the intersection of criminal law and immigration law – I pay particular attention to the tension that arises from the simultaneity of the resettlement support mandate and the practical consequences of the expulsion order. This tension is related to constraints that limit the room for manoeuvre available to CMs, a challenge that has received some attention in research but remains underexplored in terms of its effect on the provision of resettlement support for FNOs.

Within this context, this study aims to identify factors that facilitate or hinder the provision of resettlement support to FNOs who must leave Switzerland after release from prison.

A total of eight semi-structured interviews were conducted with CMs tasked with preparing prisoners for release and return to their home or destination country. To compare organisational structures and practices surrounding resettlement support, the sample in this study consisted of

CMs from three cantons: Bern, Aargau and Ticino. Given the abovementioned tension between resettlement support and expulsion, I placed particular focus on examining the room for manoeuvre available to these CMs and how they navigate various systemic constraints. To ensure a more comprehensive understanding, the experiences of FNOs were included through three semi-structured interviews, one conducted with a female FNO and two with male FNOs. Each of the three FNOs was incarcerated in a prison located in one of the three cantons. Because the study relied on qualitative data from interviews, the concerns, experiences and emotions of the participants were central to the analysis.

The remainder of this study is structured as follows: In Chapter 2, I provide an overview of the literature to establish the theoretical underpinnings for this study. I explore what is meant by prisoner resettlement, how it is justified, and the significance and heterogeneity of the FNO population in Swiss prisons. To set the foundation for analysing the narratives of the CMs and FNOs, I critically explore three key concepts: ‘special needs’, referring to specific challenges faced by this group of offenders; ‘procedural justice’, which frames resettlement support as a relational process that can increase the legitimacy of decisions; and the ‘use of discretion’ in decision-making, which explores the room of manoeuvre available to CMs in this context. In Chapter 3, I describe the methodological approach used to address the research question, explaining the rationale for conducting semi-structured interviews as part of a qualitative research design, detailing the composition of my purposive sample, and reflecting on my positionality as a researcher. Chapter 4 is dedicated to presenting the findings of my thematic analysis, which were derived through deductive and inductive approaches. This chapter focuses primarily on the perspectives of CMs while also incorporating the narratives of the FNOs. Finally, in Chapter 5, I offer my concluding reflections, summarising the findings in the context of existing literature and identifying areas for further research and practical advancement.

2. Literature Review

2.1. Resettlement

Resettlement is a central pillar of criminal justice systems in Europe (Dünkel et al. 2019). It refers to the process of reintegrating offenders into society after their release from custody, providing support and services to facilitate their adjustment to life outside prison. With the overarching aim of crime prevention, resettlement is generally embedded in state-driven case management and carried out by professionals. However, resettlement services are inherently contingent, complex, expensive, and difficult to implement, and their outcomes are uncertain (Gelsthorpe et al. 2020:5, Raynor & Robinson 2009:5).

Considering these challenges, especially the contingent nature of resettlement and the difficulty of measuring its quality and impact (Shapland et al. 2012:42, Raynor 2017:41), this study focuses on the concrete ‘how’ of resettlement support might be provided to FNOs. Rehabilitation is understood as an integral component of resettlement, focusing on change in the offender’s behaviour. When referring to ‘rehabilitation models’, I include personal, correctional, moral, social and judicial rehabilitation (McNeill & Graham 2019:373).

Resettlement is conceptualised as a service that “comprises the whole process including release preparation within prison, probation and aftercare.” (Dünkel et al. 2019:7). Particular attention is paid to the principle of seamless transition management which seeks to minimise disruptive elements during this process (Pruin 2016). The analysis also considers the applicability of ‘thick supervision’ (Dominey 2019:289), wherein the CM collaborates with a network of key workers to provide coordinated support. In line with desistance research (Weaver et al. 2023), which calls for a community-oriented approach, this study explores the extent to which local third-sector organisations are involved in the resettlement process. It also examines how family members, who often serve as supporting bridges to reintegration, are incorporated into case management.

Each rehabilitation model is explicitly and implicitly justified by a broad set of arguments (Raynor & Robinson 2009:5). The welfare state and the rule of law provide a strong and, so far, stable basis for resettlement support. In Switzerland, the principle of ‘positive special prevention’

is enshrined in a legal mandate for resettlement in the Swiss Criminal Code (SCC, Art. 75). In a landmark decision, the Swiss Federal Court (FC) ruled that resettlement support is not restricted to offenders remaining in Swiss society (FSC 2012), suggesting that aftercare should be offered to all offenders, including those resettling beyond the country's borders.

Empirical studies have demonstrated that this requirement has not been fulfilled in Swiss practice (Montero 2008, Achermann 2008, Urwyler 2020, Darcan 2024). According to Weber (2019), the Swiss 'rehabilitation model' was designed for offenders who are allowed to continue living in Switzerland after their release (Weber 2019: 358). More recently, scholars have proposed a new rehabilitation model for FNOs called 'return orientation': Conceptual considerations for this model are based on the positive obligation of the state to provide resettlement support, the prohibition of discrimination, and the principle of universal legal protection (Urwyler et al. 2022:7).

When resettlement procedures, interventions and professional attitudes are based on an evidence-based approach, they deliver expected outcomes (Raynor 2017). Models such as risk, needs and responsivity (RNR), the desistance paradigm (with a range of professional tools, including the working alliance, prosocial modelling, motivational interviewing, and problem-solving approaches), and cognitive behavioural therapy, have been successfully operationalised and translated into effective 'core correctional skills' for a broad range of professionals working in prison and probation (Durnescu 2020).

At a practical level, the professionalisation of social work and probation services, anchored in the concept of 'case management', provides an important framework for the day-to-day work of CMs. This has been accompanied by efforts to standardise offender management practices. The European Probation Rules, adopted as Council of Europe recommendations in 2010, serve as a reference point (Council of Europe (CoE) 2010). In Switzerland, a consensus was recently reached among experts on 72 common standards for probation, providing an ideal basis for joint quality development (SCEPP, 2024a).

In England and Wales, probation has been established as an organisational unit, a dedicated service (Bird & Ward 2021). In Switzerland, resettlement support is provided by various professional groups and organisational units that work in and/or outside of prisons (Richter & Emprechtinger 2024). Although risk orientation has become an integral aspect of their professional role, social work remains an important task and a central source of their professional identity (Erismann 2022).

The motivation and commitment of CMs are relevant factors for effective practice. As Dominey and Canton (2022) note, an ethic of virtuousness involves a commitment “to do what is right for the right reasons” (2022:420). This underscores the importance of CMs who approach their work with intrinsic motivation and who fully embrace the resettlement mandate. According to these authors, knowledge and skills are just as important in this profession as commitment and integrity, even if their relative weight cannot be precisely measured (Dominey & Canton 2022:421).

Resettlement support is often framed as an offer, but it is embedded in a coercive context. As Robinson & McNeill (2023) emphasise, professionals involved in resettlement support enforce criminal sanctions. The FNOs are not participating voluntarily. As a result, resettlement support is invariably shaped by dilemmas that arise in coercive settings, requiring CMs to take numerous factors and circumstances into account and make complex decisions (Dominey & Canton 2022:422). This requires highly qualified CMs with the right attitude but also discretion in decision-making (Dominey & Canton 2022:419).

Before the paradigm of offence and risk-oriented work gained prominence, resettlement was understood primarily as social assistance that aimed to alleviate hardships, secure housing and employment, and ensure that other basic needs were met (Maguire 2013). In the contemporary approach, offenders are viewed as individuals responsible for their own lives – as “morally responsible for their actions” (Raynor & Robinson 2009:11). In Switzerland, the obligation of offenders to cooperate with their individual sentence plan is codified in law (SCC, Art. 75 para. 4). In Switzerland, the pendulum has swung back somewhat in recent years, with more attention being paid to the relational aspect of case management (Zobrist, 2018). Internationally, strengths-

based approaches have led to the valorisation of peer support and the empowerment of people with lived experience, together with the involvement of their immediate environment (Weaver et al. 2023).

2.2. Foreign National Offenders

The definition of FNO is straightforward: an FNO is a person who has been convicted of a crime in a country of which she or he is not a national. Differentiating this group based on their residence status before and after the criminal sanction, however, is more complex. Regardless of the perspective one takes, Switzerland ranks among the highest in Europe in terms of the percentage of foreign national prisoners (FNPs). While the European average stood at 25% in 2022 – significantly lower due to a sharp decline in 2019 across 49 jurisdictions – it has been rising steadily since 2021 (Aebi et al. 2023). As of January 2024, FNPs accounted for 72.3% of the total Swiss prison population (i.e., 4,973 out of 6,881 individuals in 88 prisons); this high proportion of foreign nationals in the prison population has not significantly changed over the past 20 years; in 2004, the proportion was already 70.7% (FSO 2024a). The 72.3 % figure requires contextualisation. This percentage includes individuals held in administrative detention under immigration law, which in many cases is not based on criminal offences. Furthermore, Swiss citizens and foreign nationals who have strong ties to Switzerland (e.g., family, work, home) and do not lose their residence permit because of the criminal offence, are more likely to serve their time through suspended sentences and alternative measures such as open prisons, community service, or electronic monitoring. FNPs without resident rights are therefore overrepresented in closed settings (Urwylar 2020:271, FSO 2024c). The high proportion of FNOs in custody in Switzerland reflects the important and growing proportion of foreign nationals living in the country (FSO 2024b). Additionally, Switzerland's restrictive naturalisation policies make obtaining citizenship especially challenging for immigrants from disadvantaged educational or economic backgrounds (Pont 2023).

In 2016, Switzerland reintroduced judicial expulsion to the Criminal Code, transferring decisions on expulsion for a range of offences to the cantonal courts (SCC, Art. 66). Under this mandate, FNOs who are issued an expulsion order are required to leave the country for a period of five to

15 years. Courts may exceptionally refrain from ordering a mandatory expulsion if it causes serious personal hardship. Accurately determining the proportion of FNOs issued a court-mandated expulsion order requires an in-depth analysis of various data sets. An initial study by the FSO found that between 2017 and 2019, approximately 69% of FNOs were issued expulsion orders, meaning that almost seven out of ten FNOs faced expulsion. However, the majority of FNOs who receive an expulsion order never held residence rights in Switzerland before their conviction (FSO 2019:3).

In Switzerland, as in other countries, FNOs as a group are extremely heterogeneous. Based on their previous residency status and the potential issuance of an expulsion order, FNOs can be classified into five categories: long-term immigrants with a resident permit who are allowed to retain it; long-term immigrants who lose their residence permit due to imprisonment and an accompanying expulsion order; temporary residents who entered the country legally as tourists or on a visa but lose their right to stay; undocumented immigrants who have never had a Swiss residence permit and are not allowed to remain; and offenders sentenced to an expulsion order that cannot be enforced due to international or humanitarian law or technical obstacles (State Secretariat for Migration 2029:1).

The majority of FNOs who lose their residence permits and are required to leave Switzerland are denied progression through prison regimes or temporary release during their sentences, such as transfers to open prisons or subsequent external living and working arrangements. This is typically due to a general evaluation of their high risk of absconding (Montero 2008:65, Achermann 2014:38). According to Urwyler (2020), who compared the practice of conditional release in four cantons, FNOs without resident permits are granted substantially less resettlement support. FNOs who can leave Switzerland after serving their sentences are almost always conditionally released, but they receive probation assistance much less frequently than offenders who are allowed to stay in the country (2020:277 & 360). Findings by Stoll (2020) on the desistance process experienced by FNOs and Probation Officers (POs) in French-speaking Switzerland underscore how the threat of expulsion burdens resettlement efforts. The POs interviewed by the author expressed concerns that this limited the effectiveness of their work (Stoll 2024:155).

In his empirical study of six London prisons, Bhui (2004) found that foreign nationals had less access to reintegration support than British citizens. FNOs also reported that they feared severe stigmatisation and experienced feelings of shame related to deportation (Bhui 2004: 36). These findings raised fundamental questions regarding public protection responsibilities and sentence progression (Bhui 2004: 36). Analysing the legal and ethical rationale for deporting FNOs who have established their homes in the UK, O’Nions (2020) argues that the automatic deportation of FNOs sentenced to 12 months or more in prison, introduced under the UK Borders Act 2007 (Section 329), constitutes a “second punishment that amounts to forced banishment or expulsion” (O’Nions 2020:2). In such cases, “prevailing human rights norms are decoupled from nationality”, FNOs are portrayed as a threat to the public, and “their family and private lives are devalued in the decision to deport” (O’Nions 2020:2). The author advocates for a “fairer membership model that respects the fundamental rights of the entire community” (O’Nions 2020:20).

Franko (2023) addressed the question of how membership or citizenship and criminal law interact. Through her analysis of court rulings in Norway and the European Court of Human Rights (ECtHR), she demonstrates how state sovereignty is prioritised over “lived citizenship” (Franko 2023:14). In Norway, according to Franko (2023), the margin of discretion granted to enforcement authorities responsible for implementing the ‘double punishment’ is considerable (Franko 2023:9). The authors of a Belgian study examining court orders for mentally ill FNOs without residence rights found that many of these individuals were detained in prisons or high-security forensic institutions for indefinite periods. This situation triggered feelings of powerlessness among all the judges interviewed (Vandennieuwenhuysen et al. (2023:6) A study on foreign women undergoing a process of ‘illegalisation’ in prisons and healthcare systems in Denmark and Norway revealed systematic exclusionary practices. The authors argue that such findings confirm a growing body of research highlighting the intersection of complex inequalities faced by individuals legally classified as non-citizens or ‘foreigners’ (Damsa & Franko 2022:196). This area of research is also referred to as ‘bordered penalty (Franko & Bosworth, 2013).

2.3. Special Needs

All prisoners are, to some extent, vulnerable (UNODC 2009:4). However, certain groups face particular difficulties in prison (CoE 2012,1; UNODC, 2009:4). Based on this understanding, FNPs are referred to in international soft law, including by the United Nations (UN) and the Council of Europe (CoE), as “prisoners with special needs” (UNODC 2009:3 and 2009:79; CoE 2012:1). The UN Standard Minimum Rules for the Treatment of Prisoners, now known as the Nelson Mandela Rules, justify this categorisation with the principle of non-discrimination. In practice, this requires criminal justice systems to consider not only the individual needs of the prisoner but also those of the most vulnerable categories (UNODC 2015:3).

The CoE recommendations and the UNODC handbook list the following ‘special needs’ or potential difficulties faced by FNPs: language barriers; differences in culture, customs or religion; lack of family or social ties; little contact with the outside world; and unequal access to justice (UNODC 2009:82; CoE 2012:1).

The last special need highlighted by the UNODC handbook – unequal access to justice – is emphasised by the observation that losing the right to reside and being returned to a potentially unfamiliar environment is often harmful. The authors argue that FNOs in those cases do “face two penalties: firstly, imprisonment and secondly, deportation to their country of origin, often against their will.” (UNODC 2009:83). In view of this ‘double punishment’, further deficits are identified regarding resettlement support for FNOs who must leave the country, such as repatriation to a country in which the FNO has no personal connection or familiarity with the language (UNODC 2009:83); temporary release or parole generally not being granted “due to fears that they may try to escape and flee the country”, even though FNPs are usually entitled to the same rights as other prisoners (UNODC 2009:84); and a lack of aftercare. As noted in the handbook, “There is usually a lack of communication and co-operation between the authorities of the country of detention and the home country for the purpose of post-release assistance” (UNODC 2009:85).

The recommendations of the CoE on this issue appear consistent with these observations: Preparation for the release of FNPs “should begin in good time and should be designed to

facilitate their reintegration into society” (CoE 2012:35.1). Moreover, the recommendations state that the legal status and the “situation after release” should be determined as early as possible (CoE 2012:35.2a), and FNOs should be granted temporary release and assisted in establishing or re-establishing contact with family, friends and relevant support services (CoE 2012:35.2.). Also, provided the prisoner agrees, the necessary medical information should be transferred for the purpose of continuity of treatment and care (CoE 2012:35.5).

2.4. Procedural Justice

A particularly relevant concept for the dilemma of resettlement support offered to FNOs who must leave the country after imprisonment is ‘procedural justice’, developed by Tyler (1990) in the context of compliance with official measures. This concept posits that a sanction, order, or directive is seen as more legitimate by the sanctioned person when the way in which it is communicated and implemented is perceived as fair. Procedural justice is not confined to a single moment but represents a process – in this case, the resettlement process –involving multiple actors with differing roles and notions of justice, engaged in an ongoing dialogue (Bottoms & Tankebe 2012). This approach weaves together two critical perspectives to produce legitimate state action: the perspective of the ‘powerholder’ – here, the CM – and the perspective of the individual subject to sanctions, proceedings, or decisions – namely, the FNO.

2.5. Use of Discretion in Decision-making

An asymmetry remains: because CMs supporting FNOs in the resettlement process have less decision-making power than the court, the question of the extent of their authority and corresponding scope for action arises. According to Hawkins (2003), the decision-making power of any single individual in the criminal justice system is generally overestimated, as decisions are typically “a collective enterprise in which several people, either formally or informally, take part in deciding” (2003:194). The author further argues that in the “serial decision-making system” of criminal justice, “those who come earlier in the process can severely constrain the discretion of those who come later” (Hawkins 2003:199-200). In this light, the discretion available to CMs supporting FNOs in Swiss prisons appears limited or residual. Nonetheless, decision-making

always takes place in a social context characterised by a multitude of conflicts, values and competing objectives (Gelsthorpe & Padfield 2003:11). Moreover, the role of individual actors in the decision-making process is situational and dynamic, requiring a “fine-grained analysis of character and the exercise of discretion on the ground, examining decision-making practices in specific cases” (Hawkins 2003:187). What is certain is that interpersonal factors influence decision-making in the “serial decision-making system” by means of relationships among institutional actors and through their interaction with the affected individuals or ‘participants’ (Hawkins 2003:199 & 202), such as FNOs.

From feminist, anti-racist or anti-discriminatory theoretical perspectives, factors such as gender, race and intersectionality may influence decision-making, thereby influencing the ‘how’ of resettlement support. For example, a study of court decisions showed how power holders were influenced by so-called gender-appropriate or gender-inappropriate behaviours in their rulings (Gelsthorpe & Loucks 1997). Furthermore, the inherent asymmetry between decision-makers and those affected can result in systematic misuse of power, including overt abuse of authority (Gelsthorpe & Padfield 2003:9).

3. Methodology

3.1. Research Aim

My epistemological perspective rests on the notion that social phenomena can be understood through the accounts of people who interact with each other in a given social space (Mason 2002:16). From this perspective, this study examines the ways in which a legal mandate is implemented through the experiences of the professionals tasked with carrying it out. In particular, the study aims to address the following research question: *How do individual, professional, and institutional factors facilitate or hinder the provision of resettlement support for FNOs who do not have the right to remain in Switzerland?*

The contextual factors that prevail in the closed prison setting limit the scope for offering resettlement support and constrain the ability of FNOs to access and engage with the support available. These factors affect both the CMs, who are tasked with supporting the FNOs' resettlement efforts, and the FNOs, who must navigate these constraints while preparing for an enforced return to their country of origin. Despite these limitations, the focus of this research is the available room for manoeuvre: What opportunities and obstacles are identified by the CMs through the case management process? To address this, the study findings were analysed across the individual, the professional and the institutional or organisational levels.

3.2. Research Design and Method

The research design chosen to address the research question is exploratory, rooted in a qualitative research paradigm that seeks to capture the 'social reality' of the participants in the field under investigation. Semi-structured interviews served as the primary data collection instrument, complemented by the author's field diary. The interview schedules were designed to cover all areas of interest, ensuring that no fundamental aspects of the topic were overlooked. To maintain comparability across participants, all interviewees were asked the same set of questions.

While participant observation would have allowed the interactions between CMs and FNOs to be observed over time and could have provided a more holistic understanding of the interplay between the provision of resettlement support, practical constraints precluded this possibility. However, this method ensured the consistency and comparability of the participants' statements, allowing for open-ended responses for more in-depth information while enabling a focused investigation of the core topics relevant to the research question. The only exception was the decision to re-interview two of the 11 FNOs I had interviewed six months earlier as part of the SCEPP project (SCEPP 2024b), all with appropriate permissions. This sequential approach proved fruitful: in the later interviews, both FNOs expressed greater confidence in their future lives in freedom, an observation supported by changes in their body language and verbal expressions when compared to the earlier interviews.

3.3. Research Sampling

Since I employed purposive sampling, it was important to consider how the sample could best reflect the heterogeneous field of resettlement support in Switzerland. Given the limited time available, I focused on two of Switzerland's three main language regions – the Italian- and German-speaking ones – while excluding the French-speaking region. Within this scope, I sought to maximise the variety of case management models included in the study. The sample comprised: the canton of Ticino, where the probation service is solely responsible for case management; the canton of Aargau, where case management is carried out by the social service in prison and by CMs from the CA; and the canton of Bern, as the women's prison of Hindelbank has a unique model of integrated social service, with offenders living in residential groups supervised by social workers (Kohler 2024).

I interviewed two employees in Ticino, three in Bern and three in Aargau. In Ticino, the employees were from the canton's probation service. These POs act as reference persons from the moment the FNOs enter pre-trial detention, supporting them throughout their imprisonment and continuing their role after release. In contrast, in the German-speaking cantons, it is the CMs who start their work as a reference person for the FNO when the FNO enters prison to serve his or her sentence. Upon the offender's release, the CM working in the prison hands over the case

to a second CM, who operates in the CA. This CM oversees case management from the first court decision through to conditional release. In cases involving FNOs who are expelled from the country, the CA-based CM closes the case. However, if probationary licence is granted, the case is handed over to a PO within the same CA. Given this structure, I decided to interview two CMs from each of the two German-speaking cantons, focusing on those who support FNOs during their imprisonment, as well as one CM per canton responsible for overarching case management. Because FNOs who are required to leave the country generally do not receive support from probation services, I did not interview any probation staff in German-speaking Switzerland.

Finally, I considered gender representation in the sample, ensuring that half of the selected CMs were female. Among these, two work with female FNOs in a women's prison. Unlike their counterparts in the men's facilities, these CMs do not work in the social service unit but are embedded in one of the institution's residential groups (see CM data table, Appendix I).

In addition to the sample of CMs, I assembled a small sample of FNOs that included one woman. I selected FNOs who had already been convicted, were nearing release within the coming months or years, and were required to leave Switzerland. To link a type of casework with a perspective articulated by an FNO, I decided to interview one FNO serving his sentence in the penitentiary in Ticino, one in the men's prison in the canton of Aargau, and one female FNO serving her sentence in the women's prison in the canton of Bern (see FNO data table, Appendix II).

3.4. Research Procedure

To initiate the research, I contacted the governors of two prisons (in the cantons of Bern and Aargau), as well as the head of the prison service in the canton of Ticino, to request permission to conduct three interviews in each canton. Along with the request, I provided two information sheets tailored for the potential participants: one for CMs and one for FNOs. Upon receiving approval from the governors and the head of the prison and probation service, I shared the interview schedules with them, and they forwarded these to potentially interested participants.

English translations of the information sheets and the interview schedules are included in Appendices I to IV.

After several weeks, I was informed which CMs and FNOs I would be permitted to interview. As mentioned before, in two cases, the FNOs were individuals I had interviewed previously as part of the project mentioned above. At the outset, I made clear that I did not wish to be informed of the FNOs' names or offences, as this information was not relevant to the study. To avoid language barriers, I also stated that the interviews could be conducted in German, French, English or Portuguese, since I am fluent in these languages. I informed the authorities in Ticino that while I understand Italian, I do not speak it fluently.

I was able to conduct all the 11 requested interviews: eight with CMs and three with FNOs. The interviews lasted between 45 and 90 minutes, with an average duration of about one hour.

The interviews with the CMs took place either in their offices or in small meeting rooms. Before starting each conversation, I provided an explanation of the purpose of the study. The interviews began with introductory questions about the CM's age and professional background, followed by topics related to the specific resettlement support offered, the willingness of the FNOs to engage with resettlement planning and cooperate with the CMs, and the opportunities and challenges associated with the CM's work. Participants were invited to suggest additional topics they felt were relevant. When clarification was needed, I asked follow-up questions to deepen my understanding. During the interviews, I took notes, which I later added to the interview transcripts along with any additional comments.

Five of the eight interviews with CMs were conducted in the Swiss German dialect, and one interview was held in standard German. Although the first language of the latter CM was French, his German proficiency was excellent, and we agreed to conduct the interview in German to facilitate transcription in my first language due to time constraints. In Ticino, the two interviews with POs were conducted in Italian. However, because both participants understand German, I posed the questions in German. Among the three interviews with FNOs, the one in Ticino was conducted in English, whereas the other two were conducted in standard German.

The settings for the interviews with FNOs varied. In Ticino, the interview was held in a room used for meetings with the probation service. In Aargau, in the men's prison, the interview took place in a separate section of a larger room in which visitors are usually received. In Bern, in the women's prison, the interview with the female FNO was conducted in a meeting room. For all three interviews, I was escorted to the designated rooms but was able to decide for myself when to end the conversation.

3.5. Data Analysis

Following Braun and Clarke's six-stage guide for thematic analysis (Braun & Clarke 2006:5), I first transcribed the verbal data. In five of the 11 interviews, this involved a manual 'translation' from the Swiss German dialect into standard German. For the remaining six interviews, this was not necessary, and transcription software was used to automatically convert the audio recordings into German (four interviews) and Italian (two interviews). To enable analysis and comparison of the data, all texts that were not in German were translated into German using translation software. Because the present study had to be written in English, I frequently referred back to the original audio files during the analysis to address any distortions that may have arisen from transcription and subsequent translation.

Guided by the concepts underpinning the topic and research question as elucidated in the referenced literature, I approached the thematic analysis in a systematic manner. During transcription and linguistic processing, I familiarised myself with the data, reading the texts multiple times and recording initial thoughts in the field diary. I then identified codes, themes, connections and overlaps within each code, which I then summarised into an initial coding framework. To further support the identification of patterns and relationships, I visually represented the data during the analysis. Through iterative revisions and reflexive engagement, the coding framework evolved, and topics and codes were refined and reduced into a final set of themes. While many topics emerged deductively, such as the degree of differentiation in FNO case constellations, other topics emerged inductively – particularly through interviews with the

FNOs, including their strong identification with relatives and the specific pains they experienced during court hearings and pre-trial detention.

Equally important was a reflection on my positionality as a researcher, as suggested by Damsa & Ugelvik (2017). I critically examined the extent to which participant bias may have arisen during the interviews or whether the phrasing or intonation of my questions may have led participants to give socially desirable responses. While analysing the data, I considered my own ‘confirmation bias’ by asking myself: To what extent was I actively searching for ‘my’ answers? My ontological position, characterised by fundamental optimism – in particular, the belief in promoting justice and quality development in prison and probation systems – meant that my personal opinion on the subject was formed before entering the field. I held (and continue to hold) the view that the expulsion of convicted offenders who have lived in Switzerland for many years is morally questionable, as it conflicts with my sense of justice. Recognising this, I strove to reflect on my moral stance to prevent it from leading me to selectively weight the findings. To ensure fidelity to the data, I repeatedly referred back to the original transcripts and audio files after drafting the findings. This was particularly important for the interviews with the FNOs, for which the degree of confidentiality and the potential risk of misrepresenting their narratives and perspectives required careful attention (Brierley 2023:3).

3.6. Ethical Considerations

Informed consent was obtained from all participants prior to each interview. Participants were provided with an information sheet outlining the purpose of the research, confidentiality measures, and harm reduction protocols. This sheet was reviewed with participants and agreed to at the beginning of each interview. Confidentiality was ensured by anonymising the names mentioned in the interview. For individual cases that might be publicly recognisable despite anonymity, details such as the participant’s home country were altered when quoting statements.

The voluntary nature of participation was a central criterion and was communicated in writing before the interviews. At the start of each conversation, participants were reminded of this and asked to confirm their consent, which was recorded. Given that the topic of expulsion after

release from custody is highly sensitive, precautions were taken to minimise possible harm. Participants were informed, both in writing beforehand and orally at the beginning of each interview, that they could pause or stop the interview at any time. For example, the female FNO became tearful when discussing her younger daughter. After taking a short break to collect herself, she chose to continue the conversation and explain her point of view. This moment underscores the emotionally charged nature of the topic and highlights the importance of conducting such interviews with care and sensitivity.

To minimise possible harm to myself as the interviewer, I ensured thorough preparation for each interview. Before each session, I discussed with the person responsible on site where and to whom I should turn immediately after the interview was over. For interviews conducted with FNOs, standard prison visitor protocols were followed by prison staff. Although I was not involved in the pre-selection of FNOs for the interviews, I assume that offenders posing a risk of violence to others were excluded from participation.

My 14 years of experience in the field of correctional services and my prior work conducting 11 interviews with FNOs for the SCEPP project in late 2023 and early 2024 provided me with the routine and self-confidence needed to conduct the interviews for the present study professionally and with empathy. Guided by the principles of appreciative inquiry, as applied to measure the quality of prison life (Liebling et al. 2012), I sought to acknowledge and celebrate participants' accomplishments. For example, I congratulated the female FNO on achieving a Goethe certificate in German and wished all three FNOs the best for their future at the end of the interviews.

It was important for me to clarify my role as an insider researcher. The information provided to the participants before the interviews made it clear that, while I work for the Swiss Correctional System, I was conducting the interviews in my capacity as a student at the University of Cambridge. Because I do not hold the role of employer nor act as a caseworker, this dual position did not lead to a role conflict. Although the FNOs were informed in writing in advance that their participation in the interview would have no positive or negative impact on them, one of the three FNOs seemed to misunderstand this point. After the interview, the female FNO called me

at my office and asked if I had spoken to her CM at the CA. I clarified that I had not done so and that I would contact her (the interviewee) next year when the study results were complete.

3.7. Limitations

The topic of this study is very broad; it was necessary to narrow the research design by defining a precise research question, choosing a single method, and limiting the sample size and data volume. Although the number of interviews conducted was modest for an exploratory study, the quality of the conversations improved over time. By speaking less and listening more, I was able to guide the interviews more clearly and cautiously, a shift I noticed when reviewing the recordings during the transcription.

Based on my knowledge and experience from the SCEPP project on the same research topic, purposive sampling seemed ideal for conducting an in-depth study of a small sample, as it included both female and male participants and captured the perspectives of four types of CMs: POs, CMs working in a men's prison, CMs working in a women's prison, and CMs based in the CA.

There was certainly a bias in the selection of interview partners by the governors and cantonal authorities, probably resulting in an overrepresentation of compliant participants and a tendency to select more committed or articulate individuals, possibly excluding more critical or resistant voices. However, the inherently contentious nature of the topic – resettlement support provided to FNOs who must leave the country – does not lend itself to binary or oversimplified statements. Both the FNOs and CMs articulated nuanced perspectives, shaped by their different experiences, which most probably minimised the impact of those biases.

4. Findings

4.1. Case Constellations

The factors that facilitate or hinder the provision of resettlement support vary considerably depending on the unique constellation of circumstances surrounding each case. These variations necessitate tailored starting points in case management and require specific needs to be addressed throughout the process. From the perspective of the CMs, the following common components characterise most FNO cases: individual circumstances, the geographical and cultural distance to the home or destination country, the duration of prior residence in Switzerland, the possession or lack of a residence permit, ability or inability to be expelled, varying levels of risk for reoffending, and health-related barriers to deportation.

Individual circumstances

All eight CMs interviewed in this study described how the willingness of FNOs to leave Switzerland varies considerably from person to person. Some FNOs are eager to depart, whereas others resist so strongly that they refuse to even discuss the subject. The CMs observed substantial differences among the FNOs regarding factors such as self-confidence, education, professional experience, and socio-economic status. For example, certain FNOs take the initiative to improve their socio-economic prospects and those of their family in the destination country. Among them, FNOs with a university degree tend to have an easier time submitting an entrepreneurial return project to an external support organisation compared to individuals from rural areas with little formal education, who tend to struggle with writing and ‘selling’ such a project. Another example is FNOs who have served as breadwinners their whole lives, especially those who have engaged in physically demanding work. These FNOs were described as more resilient and better able to persevere in challenging situations compared to those with cognitive limitations or mental health issues.

The CMs also observed substantial differences in the psychological state of FNOs and their ability to regulate emotions, both in the context of detention and regarding their previous experiences during criminal proceedings and throughout their lives. Some male FNOs, for

example, express fear of returning to their home country, telling the CMs that they expect to be violently robbed upon arrival (SWM_2). Some female FNOs express feelings of insecurity about the outside world and describe the women's prison as a 'safe home' (SWF_1), indicating the precarious or dangerous environments they faced in their previous lives.

However, there are also differences at the individual level among the CMs. Three CMs described how factors facilitating or hindering resettlement support vary not only depending on the canton and the standard processes employed by law enforcement and migration authorities, but on the individuals responsible for managing the case. As one CM explains:

There are caseworkers who are more accommodating, and others as hard as nails. The canton is one thing – it's the basic attitude, but then it also depends on how the case is handled. We can sugar-coat it all we like, but it still depends on the person. That makes it even more difficult (SWM_1).

Distance to the destination country

According to all CMs interviewed, resettlement support is far easier to provide when an FNO is being released to a neighbouring country, such as Germany or Italy, compared to a country that is geographically distant. In cases where the CM does not speak the local language, the legal system differs greatly from that in Switzerland, or opportunities in the local labour market are unknown or precarious, the ability of the CM to provide support is more limited. Many FNOs from European countries seek authorisation to live in a Schengen-area country because this improves their chances of finding gainful employment and ensures geographical proximity to family members in Switzerland. In destination countries with mostly agricultural, rural labour markets, project support offered by third-sector organisations was reported to play a significant role in successful labour integration (SWM_2).

FNOs who have been living in Switzerland for an extended period

Cases involving FNOs who have lived in Switzerland for many years but have lost their right of residence due to an offence receive considerable attention. Six out of eight CMs frequently spoke of this group and appeared to make extra efforts to provide them with support. Across these

interviews, the CMs described such situations as particularly challenging because these FNOs must not only serve a criminal sanction but, after release, start a new life in a country they hardly know, far from their family. Feelings of injustice often arise; the six CMs reported reaching their professional and moral limits in such cases. One CM described this challenge as follows:

[There are] complex situations, people who've been in Switzerland for so many years, 25, 30 years, and they commit a crime and have to leave everything behind. It's also very difficult as a social worker to deal with this person [...] because you have no answer when they say: 'What should I do? I don't even speak Arabic.' After that, I try to apply interview techniques, I try to find a way out of the situation, to find something positive. [...] As a human being, you wonder whether you're part of something that's right, because you're essentially condemning the person. I mean, he has a very difficult life, it's very complicated breaking away from all his loved ones. It's hard to say anything about that (PO_2).

Situations like these – where FNOs and their families are torn apart by an expulsion order – cause a lot of suffering and put the CMs in a difficult position:

When you've served the sentence, and then you have to leave the country, that's not only a punishment for the person who's been sentenced, but also for his entire family. When the wife no longer has her husband, or when the son no longer has his father and so on – that's difficult for me (PO_2).

In one case, a female CM described how, after a couple with a child were convicted and deported to different countries, she managed, through her extensive efforts, to reunite the family in one of the two countries:

I was responsible for the case of a man from Nigeria. [His partner] was Spanish. Both were in prison here, she with the baby. After their release, he was flown to Nigeria and she was flown to Spain. I then did everything I could to arrange a flight from Nigeria to Spain. They had been involved in illegal drug trafficking together. It is very wrong to deal drugs, but when there are indirect victims, when you break up a family that's been together for 15 years, then something has to be done (PO_1).

Two CMs report cases in which FNOs relapsed after returning to their destination country. One CM describes a particularly serious case she managed involving a major relapse that led to a killing in a neighbouring country:

He was sent back to the destination country, where he had no-one. He was left to the mercy of God and killed a man shortly after we released him. [...] It's just one example of many. He had his parents, his whole family here, and had practically never seen his grandparents in the destination country. He was fragile because of his drug addiction. Although he was in a destination country with its own weaknesses, social services were present; contacts with psychiatrists were established and functioning. But, in the end, he fell through the cracks, precisely because he was uprooted from his home country. I don't think it's right for the judiciary [...] to make decisions without enough consideration for the experience of someone who comes from a different country (N.N.)

According to the CM, this case was associated with a high risk of relapse from the outset. The court had ordered the expulsion of a young person who was unable to cope with his addiction in a new environment. When such relapses occur, the professionalism of the CM is called into question, provoking feelings of powerlessness and frustration. The CM did everything in her power to support the resettlement process. Although she blames the court, this case will remain “a personal sore point” in her memory.

FNOs who have never lived in Switzerland

FNOs who have never lived in Switzerland and did not have a residence permit before committing the offence are generally considered by four CMs to be ‘easier’ to support. In cases involving women transporting drugs from South America, two CMs described these FNOs as having been exploited due to their vulnerable situations. If these FNOs are from countries to which Switzerland can legally deport them, and they are willing to leave, the casework is usually not particularly time-consuming. One female CM described this type of casework as more similar to development assistance than offence-oriented work.

In contrast, three CMs were outspoken about a prevalent ‘difficult’ group of FNOs referred to as ‘revolving door offenders’. Many of these were described as young men unwilling to leave the country despite having little prospect of living a dignified life in Switzerland:

They’re not necessarily absolutely ruthless people [...], but we have a relatively large number of young people from the northern African continent. Quite a few of them have probably been deeply affected by civil-war-like environments, possibly having experienced ISIS or other horrific atrocities. Many are heavily addicted to drugs, whether openly or through medication, combined with all kinds of alcohol. And that’s really difficult because it’s like a mill that keeps turning and turning (CMa_1).

In such cases, motivational work becomes particularly demanding. One CM explained how she counters a common victim narrative in these cases with factual arguments:

Of course, many people say, ‘Oh, you don’t know what it’s like to live there. We have no money, we don’t have this, we don’t have that.’ I say, ‘Yes, but if the whole country thinks that way, it’s still your country.’ It’s a bit like the saying: the dog is biting its own tail, isn’t it? I mean, even in Morocco, for example, entire neighbourhoods are described as poor. And while I don’t doubt that, it’s not an excuse to come here and commit crimes. So they did what they did, but now they have to try to do something different. And it’s right that they have to go home, yes (PO_1).

The CM quoted above expresses a clear and loyal attitude towards the normative framework: the FNO violated local laws, has no right to remain in Switzerland and must return to his home country after serving his sentence. In her conversations with the FNO, the CM strives to strike the right balance: expressing empathy for his difficult situation while clearly communicating the reality of his lack of alternatives to returning.

FNOs who cannot be deported

If the FNO is from a country to which deportation is not possible due to legal or administrative reasons, such as the principle of non-refoulement or the absence of a repatriation agreement with Switzerland, these cases are generally assumed to require additional casework. In some rare

instances, an FNO may change his or her mind during the case management process. One CM described a case in which a seemingly uncooperative FNO eventually complied with deportation:

You just have to hold on to the hope that they'll come around eventually. I recently had a case that was exactly like that: a young North African man who was, one might say, as good as lost. But then suddenly he decided to cooperate and we were able to arrange his deportation (CMa_1).

If an FNO expresses willingness to return to a country where the authorities cannot forcibly expel him or her, the FNO might receive resettlement support, such as assistance in setting up a farm in Iran:

We first checked with the Migration Office and the State Secretariat for Migration to ensure we could help him obtain the necessary documents to leave. Then we contacted the embassy to figure out how the required laissez-passer could be obtained. Plus, we were able to use a return assistance programme to provide him with starting capital for a farm in Iran. And so it was agreed with him that he would make the return journey under these conditions (CMa_2).

The role of the CM in this case is clearly defined: the CM of the Correctional Authority (CA) acts as an enabler. The FNO, having agreed to leave the country with the support of external return assistance, takes the lead in the process:

In the end, it was a huge tug-of-war with the authorities, especially when it became an international issue involving embassies. That is always subject to deadlines. That was also our role: issuing the necessary permits, arranging temporary release from prison so the FNO could go to the embassy in person, and facilitating contacts with the migration authorities. So, from the second row, we simply made sure that all the necessary requirements were met (CMa_2).

FNOs who cannot be deported and are at high risk of reoffending

Some FNOs cannot be deported and are considered at high risk of reoffending upon their release from prison. Due to their non-resident status, they are not allowed to sign mobile phone or rental contracts, are prohibited from working, and only receive emergency aid. FNOs in this category, as noted by three CMs, pose major challenges for case management. In one case, a CM had to push the CA to take swift action. The case required intensive case management and a coordinated effort from multiple agencies on short notice:

We arranged a prison coordination meeting, and I said, 'Hey, [this approach] won't work in this case. Just look at what country [we're dealing with]. It can't be handled this way.' And that prompted a turnaround. That's exactly what happened. The person stayed in Switzerland. They granted him temporary releases, informed him that he would receive social assistance, and allowed him to work. But here's the problem: FNOs in this situation normally can't sign contracts themselves. They can't arrange anything independently – not even a mobile phone contract. I realised we needed to intervene from our side earlier to say, 'Hey, it's not going to work like that in this case.' (SWM_1).

The CM quoted above made an extra effort and succeeded in convincing the FNO to participate in a manualised intervention for domestic violence offenders:

That's when I realised the authorities wanted to set up a learning programme. Should we, as planned, grant conditional release so we can involve the probation service for a longer period of time? During our conversations with the client, we realised he saw this as harassment, but I told him, 'The fact that you come to see me as often as you do and are involved in activities as often as you are, is also beneficial to you – having someone you can get in touch with to ask questions' (SWM_2).

This example illustrates how the lack of residency status for individuals described as 'sans papiers' makes the goal of preventing reoffending nearly impossible. However, due to the initiative of the CM quoted above, the structural and procedural requirements for this case were adapted through exceptional inter-institutional collaboration.

FNOs who cannot be deported due to health reasons

When many of the above-mentioned challenges in an FNO case are compounded by a mental illness that can only be stabilised with a specific medication available only in Switzerland, the case becomes effectively stalled. One CM described a situation involving an asylum seeker with paranoid schizophrenia who committed homicide and was sentenced by the court to inpatient therapy:

Now we're in a situation where he's stable enough in the inpatient setting that he could theoretically be discharged here, as long as he continues taking this medication. But he has a ban from the country, and we'd actually have to enforce it, yet we don't know if we can because he can't get this medication in his home country (CMa_2).

This example describes a deadlocked situation. Despite the involvement of multiple professionals and authorities, no solution is in sight. The CM uses a metaphor, saying he feels “caught between a rock and a hard place”, with no clear way forward.

4.2. Priorities of Resettlement Support

There are several concrete forms of resettlement support that CMs offer to FNOs who must leave Switzerland after release. These include confronting FNOs with likely scenarios, fostering motivation, identifying and contacting relatives, clarifying housing and employment options, offering administrative support, and providing targeted briefings before release from prison.

Confrontation with the likely scenario

At the beginning of the case management process, four CMs told me they would focus on explaining the judgment and its consequences to the FNOs, particularly the likelihood of deportation. This step is essential for initiating concrete resettlement support because many FNOs do not fully understand their legal situation. After the judgment, there is often no one to clarify what has been decided and what will follow. As one CM explains, this initial conversation is the starting point of her casework:

First of all, it has to be explained well, because there are people who receive the judgment and, once the process is over, the lawyer or the authority is no longer there. That's why the first thing I do is check whether the person understands what's happening to them – in other words, whether the FNO understands the consequences of the expulsion, what it means. Is it an expulsion from the Schengen area or not? Do I have to go home, or do I just have to leave Switzerland? For many people, these are two different things (PO_2).

Some FNOs are not immediately willing to confront this reality, whereas others need time to digest the information. For this reason, the process of addressing the likely scenario must begin early, allowing the FNO enough time to reflect on life after release.

In Ticino, FNOs are confronted with the likely return scenario by the CM already during pre-trial detention. This is possible there because the CMs accompany individuals from the very beginning of detention. Three interviewed CMs emphasised the importance of this approach given that the final judgment often arrives late, leaving little time to prepare. One CM provided insights into how this conversation is structured:

'You do understand that the judgement is coming, right?' That's where I start. Then they say, 'I'm still in pre-trial detention. I'm still half innocent.' [And I reply,] 'But you've been in pre-trial detention for a year. [...] I'm not a judge, but we need to start preparing because the verdict will come, then the sentence, and by then you'll have been in custody for months. If you don't prepare, that's not exactly good for you.' (PO_1).

In other regions, CMs working in prisons do not engage with pre-trial detainees; their casework begins at a later stage. Nevertheless, in many cases, even when the FNO has already been admitted to prison, the verdict has either not been pronounced or is not yet legally binding. In these settings, too, two CMs emphasised that the FNOs should be confronted with the likely scenario as early as possible, ideally during court proceedings, to give them time to digest the information and help them deal better with the limited time available for preparation. However, in some cases, it is not feasible to discuss the consequences of expulsion. As one CM

commented, certain FNOs are not yet mentally prepared before the verdict is pronounced to confront the prospect of returning to their home country.

In their interviews, the two CMs who work for the CA – those who operate ‘in the second row’, as one CM put it – emphasised that confronting the FNOs with reality is a priority, and that a consistent and coherent approach is needed throughout the entire case management process when communicating relevant official decisions. Sugar-coating the situation is neither helpful nor professional. However, both CMs working in the CA told me they only address the issue of expulsion once the judgment is legally binding. One of them believed that it is unwise to paint a scenario prematurely, as the FNO’s residence status can change during the course of criminal proceedings.

Fostering motivation

A central pillar of resettlement support for CMs is motivational work. However, when motivation cannot be cultivated, five CMs noted that the impact of their efforts is limited. One CM explains that she can only *achieve as much as [the FNO] is willing to achieve herself* (SWF_1). Accordingly, the same CM emphasised that although motivational work may not succeed in the first conversation, it must still be addressed early and approached gradually to be effective:

I think motivation works when it’s addressed early on. I often have women who are very dismissive at the beginning: ‘I don’t want to talk about that. If I have to, I’ll just leave.’ But over time, their motivation begins to grow: ‘Yes, ok, I have to leave. Maybe it would be good to have some connections there’ (SWF_1).

From this and other accounts by the CMs, there appears to be a point at which the FNO realises that he or she must make the best of the situation. Until this moment, the CM requires a certain amount of persistence. Two CMs point to the added value of external support. In the women’s prison, the Swiss Red Cross (SRC) offers return counselling and assistance. Two CMs encouraged the FNOs to contact the SRC directly:

I hear a lot of very positive feedback about the return counselling. At first, the FNO tends to be sceptical, ‘It’s no use – I don’t want to deal with that.’ But then later: ‘Oh cool,

she'll sort this and that out for me.' And that's how they slowly come on board. That's why I try to figure out as early as possible if an SRC visit can be arranged for guidance – even if no negotiations have started and no judgement has been handed down yet (SWF_1).

The CMs also motivate the FNOs to participate in vocational training and educational programmes to avoid them having feelings of shame upon returning to their destination country:

Yes, we issue certificates from the school that certify what the person has learned. It proves that they have learned Italian or French, so they also have something on paper and are not left empty-handed, and I think that's very important. By trying to show them the other side of the coin, it makes the return less painful for them (PO_1).

For CMs working in women's prisons, ensuring that FNOs have access to emotional support after release is a priority. They recognise that the emotional attachment that develops between the CM and the FNO is a natural result of the relationship that has evolved between them. Knowing this relationship will end abruptly upon release, the CM encourages the FNO to build connections with supportive contacts outside the institution early on.

In their reflection on their motivational work, six CMs consistently expressed that they were not in control. Rather, they saw themselves as supporters, with the FNO in the 'driver's seat'. This attitude was articulated in different ways. One CM, for example, emphasised that he was not the client's 'secretary':

There are people who say, 'I don't want that', and there are those who say, 'Just do it.' And then there's data protection, so I say, 'That's not possible – You have to start [the process] yourself. I can support you, but I can't do it for you. [Also,] there's no point in me doing it for them if it means that they won't know what needs to be done later (PO_2).

The argument made by this CM is one of sustainability. The FNO must learn how to handle tasks independently in the future and should take the initiative from the outset. From this perspective, if motivation does not develop, the CM will not force it. If the FNO is unwilling to talk about leaving Switzerland, the CM will not insist. In some cases, this refusal to discuss departure may be 'strategic', particularly if the FNO has appealed the judgement or expulsion order. Not all obstacles to motivation are easily categorised. One example:

Often the reality is that they can't register for this kind of course from here. They can research what's available and how much it costs, but – I don't know if it's cultural – they very often say, 'Yes, I'll do this course, but I have to be there in person to sort it out' (SWF_2).

The CM quoted above seemed to express a slight sense of disappointment. The FNO told her that certain actions could only be taken after arrival in the destination country. The CM was uncertain about how to interpret this: Was the FNO's reasoning justified given that it might not have been feasible to register for a course from abroad? Or were there other motives behind this response, such as a genuine lack of interest?

Identification and contact with relatives

The presence of family members in the destination country or in Switzerland, along with questions about future housing, are key concerns for CMs. They described how they prioritise these matters during their first meeting with the FNO, known as the initial assessment. The goal is to understand the FNO's social relationships, as the presence of relatives can translate into an initial place of residence and financial support, offering *stability and security so that the person does not feel left alone* (SWF_1).

If such relatives exist, the CM immediately encourages and facilitates contact with them in the destination country (or in Switzerland, as applicable). If the relationship was never strong or has weakened over time, the CM may urge the FNO to attempt to 'reactivate' it:

If there's family, you have to get them on board. And even if the relationships aren't strong, you can encourage it: 'How about writing or calling sometime?' (PO_1).

CMs working in Ticino must compile the relevant documents for the court's decision on a conditional release, which makes local family contacts particularly important. Family members may be able to send the necessary documents, such as rental agreements from the destination country, to support the resettlement process. In contrast, the interviewed CMs working in prison generally avoid making direct contact with relatives:

It's always a bit difficult to do things like that. I'm not allowed to say anything about criminal cases and dates – that's always a bit delicate. Even if clients say they allow it,

we try to avoid it. If possible, we write something together, or I just make a few notes in his case documentation, or something. We try to avoid it, all of us, because it's a delicate matter (SWM_1).

The argument is that they are working on behalf of the FNO, and sharing information requires a release from confidentiality. In contrast, the CMs in Ticino appear to have a more flexible approach. As part of a gradual 'fading out' of the casework, a certain amount of contact with the FNOs and the relatives continues even after the case has been closed. For instance, emails may be answered after the FNO has returned to his or her country of origin, and relatives are not left alone with their questions (see PO_1).

Overall, it became apparent in my interviews with CMs that casework is significantly reduced when relatives are present in the destination country and can be relied upon. Conversely, the interviews revealed that the more an FNO lacked family support, the more support they needed from the CM. Whenever possible, the CM contacts social services in the destination country directly. Alternatively, the embassy in Switzerland may be approached by the FNO with the CM's support. If the FNO cannot rely on family members or close friends, the CM considers other options, such as temporary accommodation in the destination country (or in Switzerland for FNOs who are required to leave but whose removal is not enforceable).

Housing and gainful employment

Another priority for CMs is to determine where the FNOs will live and work in the destination countries. Once housing and potential employment are secured, the CMs consider much of their work to be complete. As one CM pointed out:

At a certain point, there are two things that are fundamental for me: having a roof over one's head and, ideally, a job. So you try to confirm with the person whether they have a place to stay in their home country. And if there is a place to stay, then I consider 50% of the work to be done (PO_2).

The same CM justified this focus on social relationships, housing and employment by emphasising the mandate of crime prevention:

Because that's what ultimately matters. I'm talking about having basic pro-social relationships: family, friends, someone to help you, you know? Because, in the end, I don't see much point in deporting someone if it just means that they're probably going to commit another crime – not because they want to, but because they have to survive. Right? (PO_2).

The CM in the women's institution also highlighted the crime-preventing factor of gainful employment in the destination country. She emphasised that paid work gives the FNOs a 'sense of security' (SWF_2) for their future.

Knowing that many FNOs come from modest backgrounds and receive no salary during their imprisonment – only a small 'pay packet' – one CM explained that she tries to encourage the FNOs to save money:

We try to have a kind of savings talk with them so that when they go back, they can return to their family with some money and not arrive empty-handed but have something to show their family (PO_1).

Administrative support

Despite the 'mantra' that the FNO is in the 'driver's seat', all CMs clearly provide a significant amount of administrative support – help with 'little things', as one CM put it. Often, this involves finding contact information and phone numbers for local services in the destination countries, either directly or through embassies. CMs also search online and consult their own networks, including colleagues and work partners. Before an FNO is released, the CM uses a checklist to walk the person through what needs to be done upon arrival in the destination country:

Then we make a plan and tell them: 'Look, this is what you have to do on the first day, this on the second day, etc. This is where you have to register. For example, regarding the contributions for retirement, if the person has worked in Switzerland and paid into a pension. As soon as they have an address, they need to register there immediately (SWM_1).

Based on his local contacts, another CM tells the FNO exactly what to do upon arrival in a specific region. Providing this kind of administrative support feels natural for the CMs. One CM reported that he takes an empathetic approach, comparing the situation of the FNO to his own experience with moving, acknowledging that it is not easy for anyone:

Maybe it's the first time you've been away from home for so many years, and it's not necessarily easy for me either when I move to remember to update my address with the post office, the bank – all those little things. Even if it's just small details, they're easy to overlook.(PO_2).

In a similar example, a CM explains how he supported an FNO with cancer by helping him prepare to reactive his health insurance in Germany:

This person had been travelling for many years and no longer had active health insurance in any country, so we contacted his hometown. It was difficult. We didn't activate the health insurance ourselves, but we prepared everything so that he could activate it immediately upon arrival, because he had a tumour in his larynx and needed medication he couldn't afford without insurance. When you're released from prison, they give you medication for three to four days, but after that, you need to be able to get it yourself (PO_2).

4.3. Forms of Collaboration

Important areas and forms of collaboration identified by CMs in our interviews included establishing their own professional networks, engaging with institutional actors such as return counselling experts, coordinating with migration authorities and specialised police units, and collaborating with social services in destination countries.

The CMs' networks

A central element of the CMs' work in resettlement support for FNOs involves maintaining well-functioning, targeted cooperation with other professionals, organisations and authorities. This

requires each CM to have their own network, which must be built up individually through considerable self-initiative:

In a nutshell, what I've realised in the few years I've been working is the importance of contacts, of creating a network. Even if it's small, it's a network with contacts for arrivals and local contacts you can rely on (PO_2).

One of the most important sources of information when doing so is the FNOs themselves. As the same CM pointed out:

I've now built up quite a bit of knowledge about Albania and Kosovo. Ninety per cent of it comes from the FNOs themselves because they tell you how they feel and what they expect (PO_2).

The CM emphasises that these contacts represent valuable working relationships: *These are real contacts, right? Not just assumptions, but actual contacts [we can count on] (PO_2).* After a few years of experience, some CMs themselves become a resource in these matters and, as is the case with the CM quoted above, are frequently approached by others when questions arise.

Return counselling and assistance

Third-sector organisations, such as the SRC and the International Social Service Switzerland (ISS Switzerland), offer individual return counselling and return assistance in some prisons. This external service is currently offered in the canton of Bern. The CMs in the female prison view the SRC team as a close partner and a valuable resource for the FNOs:

We work closely with them, and they offer the women hope and a good starting point, good opportunities, so they have a helping hand afterwards (SWF_2).

SRC return counsellors visit the prison to conduct return counselling meetings, which the CMs say relieves them of a significant amount of casework. The FNOs can submit a project proposal to the SRC and, if approved, they receive start-up capital to open a small business or attend vocational training in the destination country.

As part of such projects, the FNO receives a WhatsApp contact number upon release, including the option of sending voice messages – an important feature because not every FNO is able to

write an email. Although this may seem minor, one CM described it as an ideal way to build a bridge of communication that supports the FNO from the moment of release through the first few weeks in the destination country. It provides the women with a certain sense of security (SWF_2).

If a return project is successfully implemented, the FNO is assigned a CM of the ISS Switzerland in the destination country – a local contact person who provides support upon the FNO's arrival. When this collaboration was available in Ticino, it allowed CMs there to arrange necessary documents for the conditional release assessment by coordinating with the local contact. Documents sent directly by the FNO, however, are often difficult to verify independently from Switzerland:

I mean, so there's a job offer, and you think, ok, he sent it to me by email. But who is the person making this offer? And so there's always a lingering doubt – you feel like you're investing in this person, but there's something concrete missing between us. [...] We really need someone on the ground to handle these things, like we had with the SRC (PO_1).

Having a reliable contact person on the ground would improve the credibility of the FNOs' projects and strengthen the CMs' accountability to third parties.

Other third-sector organisations are also part of the CMs' network, including those providing emergency accommodation in Switzerland, particularly for FNOs who cannot be deported. However, many organisations exclude individuals with criminal records – a limitation one of the interviewed CMs found regrettable (SWM_1).

Further work partners and resources

When communication with the FNO is difficult, or when the CM lacks knowledge about the destination country or culture, CMs may occasionally call in cultural mediators who, as one CM put it, know *how the country really is* (PO_1).

If an FNO depends on expensive medication for life-threatening chronic illnesses, such as HIV or cardiovascular disease, the prison health service submits an application to the cantonal

migration office, which is then reviewed by the State Secretariat for Migration. One CM commented that *not everyone is aware of this service* (SWM_2).

Social services in the destination country

Direct contact with various authorities is an essential part of the CMs' networks, including connections with social services in neighbouring countries. These relationships are particularly strong where the same language is spoken. For example, CMs in Ticino have strong collaborative arrangements with social services in Italy. In these cases, a single phone call is enough to answer certain questions. A second circle of contacts involves countries that are geographically more distant and where the service systems are less familiar. In such cases, CMs often request local contacts through the relevant embassies.

Briefings before removal

Once the date of expulsion has been set, usually after two-thirds of the detention period has elapsed, the cantonal migration authority takes the lead, and a specialised unit of the police is involved. The cantonal migration authority checks the FNO's identification documents, a process that generally requires bringing the FNO to the consulate, and then verifies whether the person is permitted entry into the destination country.

The CMs working in the CA explained that international cooperation in this phase is *hierarchical* (CMA_1), managed through ministries, and *subject to deadlines* (CMA_2), which makes the process lengthy. In this final phase of case management, CMs provide support by issuing the necessary permits and arranging funding for specific leaves to ensure that all procedural requirements are met (CMA_2).

The exact procedure for leaving Switzerland is explained to FNOs before they are released. One female CM emphasised that, after a long period of detention, being released without any previous prison leave can cause psychological distress. To help alleviate this, she sometimes walks the FNO through each step of the journey in minute detail so that they are mentally prepared for the travel experience. She sometimes also organises preparatory meetings involving herself, the police, and the FNO shortly before release:

Occasionally, we have [these meetings] so that people understand this isn't a 'bad' police force. They explain to the FNO that they'll be taking them to Zurich, and this helps reassure them (PO_1).

This quote highlights the importance of good interprofessional cooperation in preparing for an FNO's release and deportation, which is usually coordinated by the cantonal migration authority. Here, the CM tries to dispel negative stereotypes and alleviate fears of the police.

4.4. Perceived Need for Action

The perceived need for action, as identified through the interviews, differed fundamentally according to the CM's gender. Nevertheless, all the CMs identified the importance of achieving tangible optimisations, expanding return counselling and orientation services, and strengthening inter-institutional cooperation to improve resettlement support for FNOs

Need for action

When asked whether there is a need for further improvement of resettlement support, the four male CMs identified a limited need for further action, with two noting that any improvements would require additional resources. As one CM put it, *You can always improve. But improvements always require more resources (SWM_2)*. One male CM emphasised the importance of delivering high-quality support within existing obligations: *Basically, doing what you are supposed to do is enough (CMa_1)*. One CM shared an example of past changes in casework, recalling that when the risk assessment system was introduced a few years ago, it was initially stated that this would not alter case management practices – an assumption that later turned out to be wrong. He expressed the need for caution about new initiatives, which may seem good on paper but require careful, long-term planning to be truly efficient and beneficial:

I think it's a pity when something is done just for the sake of it. It also has to make sense; you have to plan it in the long term. Otherwise, it's a shame for the effort, for my time, but also for the FNO (SWM_2).

The four female CMs were aware that their resources were limited, and that they already had a heavy workload. Nevertheless, all four emphasised that there was a considerable need for improvement. In their view, the status quo appeared to conflict with some of their professional ethics. As one CM put it:

Can we, for example, really turn a blind eye if someone who has committed crimes goes back to another country from Switzerland without any resettlement measures in place? (SWM_1).

The female CM quoted above believed it was unacceptable for people to be denied resettlement support simply because they had to leave Switzerland after completing their prison sentence, describing this as an approach incompatible with the legal mandate of resettlement:

It is also a legal mandate, not only as a social worker but as an institution, to prevent further crimes from being committed [...]. That is the main objective. (SWM_1).

At the same time, the female CMs do not see themselves as change-makers in this context. As one female CM described it, the responsibility lies with policymakers: *That's a difficult topic, it's very political. It would be very desirable [to extend resettlement support]* (N.N.). In her critical view, “the authorities” explicitly refuse to offer resettlement support to FNOs who are leaving the country: *The authorities are always clear about it: ‘Oh, we’re not going to bother with that – the person will be deported anyway’* (N.N.).

Tangible optimisations

The list of tangible optimisations is, nevertheless, long. One female CM emphasised the need for early preparation to support the resettlement of FNOs in their destination countries (SWF_1). According to her, confronting the FNOs with the reality of their departure should happen as early as possible, ideally already during the court proceedings. More broadly, the female CMs supporting female FNOs believed that more attention should be paid to the FNOs’ mental and emotional well-being. They emphasised the importance of addressing the ‘moment of farewell’ – the process of saying goodbye to those close to the FNO in prison, as well as to family members who will remain in Switzerland.

Two CMs criticised the limited availability of temporary release for FNOs. They argued that it is unfair that FNOs with young children are allowed temporary release to spend time with their families, while other FNOs are not granted similar opportunities to prepare mentally for their departure. According to five CMs, there is no risk of FNOs absconding in such cases, as FNOs who already have housing, financial resources and other support in the destination country would not want to put these arrangements at risk. This was said by three CMs to be particularly true of FNOs who have lived in Switzerland for a long time before their expulsion and need a temporary release to prepare for their departure (SWF_1, SWF_2, PO_2).

One CM suggested that FNOs' access to external contacts should be expanded. While Swiss nationals and those who do not have to leave Switzerland are regularly visited by relatives at the prison, FNOs are only allowed to communicate with their loved ones via Skype once a month. Video calls, the CM noted, should be offered more frequently, and the cost of phone calls to more distant regions, such as South America, should be drastically reduced (SWF_1).

Expansion of return counselling

In the women's prison, where third-sector organisations provide return counselling and assistance, there is a desire for these services to be significantly expanded. Ideally, counsellors would have a more frequent presence in the prison and be able to dedicate more time to each FNO. Individual return counselling was highly valued by all CMs, who lack the necessary expertise to offer this support themselves. In Ticino, where return counselling services were discontinued in previous years due to budget cuts, this decision was deeply regretted. According to one CM, the return assistance portfolio could be expanded to include options beyond entrepreneurial support (SWF_2). One potential area of expansion involves transnational job coaching: support with developing CVs, filling in applications, and other job-seeking activities would be of great benefit to FNOs, according to two CMs. To increase the credibility of the employment projects abroad, one CM expressed a desire to have an independent expert on site (PO_1).

Although several non-profit organisations offer return assistance, many offenders are excluded from it – a limitation that one CM found regrettable (SWM_1). There was a recognised need for

a wider variety of service providers with complementary offerings. According to one CM, these services should ideally include quality management and impact assessment to ensure effectiveness (SWM_1).

Need to strengthen inter-institutional collaboration

All eight CMs expressed a desire for better inter-institutional, intercantonal and international cooperation. They noted that current practices can lead to unsatisfactory situations during FNO release preparations, in which delays in the deportation process can result in an FNO being unexpectedly held in custody longer than necessary. One CM described a common scenario:

It happens quite often that a person is scheduled for release on day X, and at the last minute, we request readmission to Italy. It then takes a few weeks for them to reply, so we order preventive detention because they cannot be kept in prison longer than necessary. Finally, the authorisation arrives, and it must be acted upon immediately. The man's relatives have to meet him at the border, but he can't call them because he has no phone. In short, it's a rush in these situations to get everything done [...]. Sometimes everything falls into place at the last minute, but it's not right that success depends on luck (PO_2).

Another CM expressed a similar view, adding that each canton, each migration office and each institution has its own procedures, and that the whole system would benefit from more standardisation (SWM_1).

There are difficulties in international communication. In Ticino, there is an established system of cooperation with Italy, while in one of the Swiss German cantons, all official communication with Italian authorities must go through a translation agency. International cooperation is further complicated by reliance on personal contacts. If a CM has established communication with a specific social worker in a particular destination country and that person is temporarily unavailable (e.g., on holiday), the CM in Switzerland must wait for him or her to return to resolve pressing matters.

Lastly, CMs face challenges in addressing certain fears articulated by FNOs, such as concerns about safety upon re-entry to a given country. To ensure a safe return, it would be necessary to

clarify, through international channels, whether these concerns are justified. If so, they would have to be addressed and resolved within the framework of international relations (SWM_2).

4.5. The Perspective of the FNOs

This section shifts focus to the perspectives of the three FNOs interviewed, providing information on their experiences. The relevant themes that emerged were temporary release, the importance of relatives, working in prison, further training and external project support, gratitude, acceptance, reactions to the expulsion order, and experiences of pre-trial detention.

Temporary release

Two of the three FNOs had been granted temporary releases in the months prior to their interviews. The female FNO was permitted one accompanied temporary release, during which she met with her four children for a few hours in a small town near the prison. Together, they had some cappuccinos and enjoyed a picnic in the fields. Her CM (from the CA) had approved the request, allowing one accompanied leave per month. Due to limited staff capacity, the outings did not occur as frequently as approved.

The effect of this first temporary release after six and a half years in prison was extremely positive. The FNO expressed gratitude and appreciation for the CM who approved the leave, describing her as *a nice woman, a serious person, a very good person, very humane*” (FNO_1). She accepted that the CMs in prison had limited resources, as other women also had to be accompanied on their outings. In her new application for unaccompanied temporary releases with overnight stays, the FNO expressed her intention to demonstrate good behaviour and take responsibility. Although her tone conveyed a certain scepticism as to whether this would ever come to fruition, she appeared motivated to apply for a transfer to an external residential unit of the prison, where she could join an outdoor living group and seek employment, as she had previously worked in a nursing home.

One male FNO, who has a brother and a daughter in Switzerland, was extremely grateful for being granted regular temporary releases. These outings, spent with his brother, daughter and

other family members, gave him hope that he might be allowed to enter Switzerland in the future to visit his family, after his removal.

The two FNOs with family in Switzerland expressed deep appreciation for the opportunity to have temporary releases and progress to more open regimes. The female FNO was overwhelmed by the experience: *Until then, my life had been stopped, and now it's like a clock that has started ticking again* (FNO_1). She was suddenly highly motivated, with many plans and a renewed zest for life: *It's like walking along a street full of flowers, where there's a lot of joy* (FNO_1).

Both FNOs were granted temporary release shortly before this interview and had been interviewed by me six months earlier as part of a project for my employer. Both looked better than in the first interviews in terms of appearance and demeanour.

The family: the most important support

For the three FNOs, family appeared to be the most important source of support. The presence of children, grandchildren, parents, brothers and sisters was of utmost importance, with relationships maintained as intensely as possible given the constraints. The female FNO was speaking with her youngest daughter, who had a severe mental illness, every day by phone, checking in to see how she was and what she had eaten. The male FNO with family in Italy also talked to his relatives daily. The female FNO expressed frustration over the high phone costs in prison. When her daughter was struggling, the phone expenses quickly added up. One male FNO received family visits from his home country and was grateful that they were allowed to visit him for two consecutive days.

Working in prison

In the Swiss prison system, work is compulsory, and the remuneration is set at approximately CHF 300 per month (the equivalent of £266). Although this amount is far from a living wage, the work is rewarded with appreciation from staff. The female FNO shared that the head chef recently praised her as an exemplary worker. The 68-year-old male FNO expressed a certain satisfaction with his own work experience in custody, noting that he had never previously cleaned bathrooms or worked in a laundry. He mentioned that he was now assigned to a coffee

bar role because the staff knew that he *was not there to judge others* (FNO_3), suggesting that he had earned a good reputation among the prison staff.

For both FNOs, work helped structure their daily routines, creating a good working atmosphere and enabling good relations with staff. Although the financial situations of the three FNOs did not appear to be strained, they mentioned certain expenses that had accumulated as a result of the conviction: court costs, lawyer's fees, healthcare expenses, and the previously mentioned costs of staying in touch with family. The female FNO noted that, after these expenses, little money remained, with part of her earnings placed in a blocked account. As a result, her quality of life was limited, and she made do with the cheapest shampoos and other personal care products that she could purchase.

Further training

The two male FNOs interviewed did not mention any interest in further or continuing education while in prison. The female FNO, however, was highly focused on her employability after release. She was determined to resume her role as the family breadwinner, especially to support her ailing daughter. Recently, she had received formal recognition of her German language skills. She had also rented a computer, which she uses to work on writing a book. Eager to expand her knowledge, she dedicated her time to self-education by reading, listening to podcasts, and more. At the time of the last interview, she was receiving help with writing her CV.

External project support

None of the three FNOs expressed an interest in return assistance. When I asked one of the male FNOs, who had been living in Switzerland for many years, about this, he responded tersely that he would sort it out himself when deciding whether he would start a business in his home country. The female FNO had already had a meeting with a return counsellor, but she was informed that it was too early to plan such a project. Additionally, she told me that if she needed to leave Switzerland, she would prefer to go to Germany, where one of her brothers lives.

This is not to say that return assistance is not important. In these three cases, it was not needed: The female FNO said she would like to stay as close as possible to her youngest daughter, one

male FNO assumed that he had sufficient financial resources in Serbia, and the 68-year-old male FNO, who had never lived in Switzerland, was a wealthy person going back to his well-established family in Italy.

Gratitude and acceptance

All three FNOs expressed appreciation and gratitude to the prison staff. The female FNO emphasised the importance of the psychologist who supported her, noting that with her assistance, she had been able to overcome her depression, had learned a great deal and felt safe. The older male FNO reflected that relationships can be good or bad anywhere in the world, including prison. He said that he had experienced both during his incarceration and had learned whom he could trust in this environment. The female FNO expressed gratitude for the services provided by the women's prison. The 68-year-old male FNO frequently expressed goodwill towards the prison system, saying, for example, *I accept what they decide. I'm writing a book now* (FNO_3). He even saw the positive side of his incarceration, noting, *I've also learned something*. Nevertheless, he emphasised that once he was released, he wanted to leave this chapter of his life behind. The other male FNO, who was returning to Serbia, appeared to accept the prison setting, knowing that his release was imminent. He said that he prioritises his health, prays every day and anticipates that the police will escort him to the border.

Reactions to the expulsion order

The three FNOs differed substantially in how they interpreted and dealt with the expulsion order. The female FNO interviewed perceived the expulsion order as a severe second punishment, one that posed significant challenges and caused considerable stress for her and her children. She emphasised that despite having lived in Switzerland for 33 years, she was not treated as a human being during the criminal proceedings or by the court that imposed the custodial sentence and the expulsion. She arrived in Switzerland at the age of 23, maintained steady employment, and raised her children. Despite being well integrated, she insisted that she was not given a fair chance, and she has no opportunity to stay. During the interview, she read aloud parts of the court ruling, including a passage indicating how her history had not been considered in the sentencing. She described the court as a misogynistic institution dominated by men.

In contrast, the male FNO who came to Switzerland as a teenager and has a 16-year-old daughter did not express resentment toward the expulsion order. He repeatedly stated that he accepts the verdict: *I'm just not interested in that* (FNO_2). Behind this statement, which he repeated several times, may lie a personal decision to avoid confronting himself with the humiliation caused by the court ruling and the order to leave the country. He presented himself as a reformed man, claiming he had resolved not to commit any more crimes. His attitude of 'I don't care' may therefore be genuine, reflecting a desire to avoid looking back and to focus his energy on building a future in his home country. The male FNO who never lived in Switzerland before was laconic regarding the impact of the removal order on him.

5. Concluding Reflections

5.1. Findings in Light of Existing Research

The focus of the research question in this study was on the ‘how’: *How do personal, professional and institutional factors facilitate or hinder the provision of resettlement support for FNOs who do not have the right to remain in Switzerland?* A tension between the resettlement mandate and the expulsion order, leading to conflicting goals, was described from the outset as a given. The research question was examined in three of Switzerland’s 26 cantons, each of which has its own resettlement model. The heterogeneity and high number of FNOs dispersed across the country’s 88 prisons served as an important starting point for the analysis.

The findings of the study indicate that, at the **individual and professional** levels, resettlement support for FNOs can be successful due to the initiative and professionalism of the CMs.

Through their effective use of the discretion available to them, the CMs offer a wide range of transnational social work support services. The interviews indicate that, guided by a virtuous ethical framework, the CMs are committed to doing good work for the right reasons, striking a delicate balance between care and control in their interactions with FNOs. They approach their tasks with openness, creativity and a problem-solving mindset, inspiring trust in their clients. As such, the CMs demonstrate proficiency in the core correctional skills essential for effective resettlement (Durnescu 2020).

Addressing the **special needs** of FNOs and their relatives, as stipulated by international soft law, appears to be fulfilled only to a limited extent. At the start of case management, CMs conduct an individual assessment of the circumstances of each case. In this context, the interviews revealed that three case constellations in particular are especially challenging: FNOs who have lived in Switzerland for an extended period and are separated from their families upon deportation; FNOs who leave Switzerland and are at high risk of reoffending due to unmet criminogenic needs; and FNOs who cannot be deported after serving their prison sentence and remain in Switzerland without a right of residence. Additional complicating factors include health-related issues, as confirmed by Kamdem (2023) and Dreifuss (2023), language barriers, differing legal systems in the destination country, and differing practices and attitudes across cantons, authorities and

individual CMs. The combination of a custodial sentence and a court-ordered removal order can, in certain cases, hinder CMs from fulfilling their professional and ethical mandates. The interviews suggest that their trust in the system is particularly strained when they perceive decisions as illegitimate – for example, when families are torn apart, resulting in indirect victims, or the resettlement support offered is incongruent with the core purpose of their work: relapse prevention.

At the **relational level**, the CMs strive to build a trusting working relationship with the FNOs, characterised by respect and authenticity. The CMs play an important role as ‘translators’ of the often complex legal situations faced by the FNOs. Their motivational work has a reciprocal effect: the gratitude expressed by the FNOs for specific support services provides the CMs with a sense of professional validation. For example, two FNOs expressed deep gratitude for the opportunity of temporary release, which allowed them to spend time with family members and significantly boosted their confidence in transitioning to life outside prison. Recognising the pivotal role of lived relationships with relatives for successful resettlement (Dyer 2005, Bouregba 2016), the CMs in the interviews made it a priority to involve them in case management as early as possible.

From a **procedural perspective**, research and international soft law emphasise that resettlement support should begin early and continue for as long as possible. It should involve other institutional actors, particularly those anchored in the community. However, none of the three models in which the interviewed CMs are embedded fully meets these criteria. Although continuous care is guaranteed in Ticino, transnational social work in the destination country is currently only implemented in Bern, along with a few other cantons outside the scope of this study.

At the **institutional level**, where resettlement support takes place, the prison environment plays a central role in ensuring effective outcomes. The interviewed FNOs spoke positively about the social climate in their respective prisons, pointing to the structured daily routines, meaningful activities, and respectful relationships with professionals such as psychologists or work instructors. These experiences stand in stark contrast to their experience during pre-trial detention, where the conditions were described as adverse. Much of the professional work

devoted to the FNOs and the time the FNOs spent in prison was devoted to helping them heal from these earlier, profoundly humiliating experiences and to regain a sense of dignity.

At all levels, the findings of this study indicate that there is a **gender-specific approach** to resettlement support. In the women's prison, CMs motivate FNOs to build relationships with people who can provide them with ongoing emotional support after release. In contrast, these aspects were not highlighted by the CMs working with male offenders. A gender difference also emerged in the narratives of the FNOs: the female FNO openly expressed frustration, sadness and, at times, feelings of happiness, whereas the two male FNOs expressed few emotions during their interviews (possibly explained by socialised expectations of gender and expectations that offenders should present themselves as reformed). The experience of trauma, which is prevalent among many female offenders (Baranyi et al. 2018) offers another explanation for the differences. In this context, the approach observed in the women's prison, in which such issues are addressed with care, appears appropriate and exemplary.

5.2. Further Research and Practice Development

Entering the field through the lens of this specific topic proved highly fruitful. In German-speaking Switzerland, FNOs who leave the country after imprisonment have no contact with the probation service because POs only support offenders who remain in Switzerland on parole. I thus conducted interviews with social workers working in the prison system. This area of professional practice has been largely overlooked in research. It is usually assumed that social workers in prisons focus on issues related to life in prison, whereas probation services handle resettlement into society (Richter & Emprechtinger 2024:378). My findings indicate that this division does not hold true for FNOs who are required to leave the country. Despite limited cross-border expertise and networks, prison-based social workers take on the full range of resettlement responsibilities, essentially bridging a gap in support services. Like the CMs in Ticino, where resettlement support is coordinated by a single organisational unit for both in-prison and post-release contexts, these professionals address demanding resettlement needs, drawing upon their qualifications, experience as social workers, professional networks, and correctional skills.

Resettlement support for FNOs requires an approach that covers several stages. This study, however, focused on a single stage: the situation before release. An important research gap that remains is the need to analyse the entire ‘return journey’, reconstructed retrospectively from the perspective of the FNOs and all institutional actors involved. The findings of such studies could improve our understanding of the effectiveness and challenges of resettlement processes while leading to greater recognition of the professionals’ efforts and improving their low sense of self-efficacy (Burman et al. 2023). The decision to consider the perspectives of both the CMs and the FNOs to minimise the risk of misrepresentation led to common findings such as the central importance of the FNOs’ strong identity as family members. This aspect was consistently prioritised by the CMs in their work. In light of the concept of procedural justice, resettlement support emerges in the interview data as a relational process that is better understood when both perspectives are integrated. However, a method such as participant observation would have provided a broader and deeper account of the interaction between the ‘powerholder’ (the CM) and the ‘audience’ (the FNO).

What would constitute an optimal resettlement model for FNOs who are required to leave the country? Findings from this study provide some valuable suggestions. For example, in Ticino, resettlement support starts early and is provided continuously, allowing great flexibility and reach. In Bern, collaboration with third-sector organisations significantly alleviates the workload of CMs. However, while these examples highlight key elements of effective resettlement practices, they are not sufficient to infer an ideal model. A resettlement support system for FNOs that begins at the earliest possible stage, avoids causing further harm to the FNOs and their relatives, ensures professional accountability, and incorporates local social support structures – as called for by the Council of Europe (2012) – would certainly be consistent with the preferences, priorities and concerns expressed by the practitioners interviewed in this study.

An ideal model for resettlement support for FNOs would undoubtedly require a multi-agency approach, integrating collaboration between criminal justice, migration, and social assistance authorities. A current project in the canton of Zurich is testing such a model (Kanton Zürich, 2024). For transnational resettlement work, partnerships with third-sector organisations, such as those already established in some Swiss cantons, would be indispensable (SRC 2024 & ISSS 2024).

If net migration continues to rise in Switzerland and other European countries, the need for improved transnational resettlement frameworks will become increasingly urgent. Achieving equal access to justice, as called for by UNODC (2009), while addressing growing caseloads for CMs and alleviating prison overcrowding, will require systemic reforms.

According to the literature, the need for reform should be addressed on two levels: At the macro level, a reflection on a contemporary rehabilitation model is required. Should the question of membership and citizenship in criminal law not be fundamentally reconsidered, as called for by O’Nions (2020) and Franko (2023)? This is particularly important given that, as my findings suggest, the current practice of deporting foreign nationals who have lived in a country for a long time often tears families apart. Furthermore, in certain cases, when the FNO has to leave the country where he or she has lived for a long time, the risk of reoffending increases. The risk is exported; in these cases, the expulsion jeopardises the preventive goals of case management. At the micro level, resettlement support for FNOs should be expanded to match the level of service provided to other groups of offenders. An important first step would be to reassess the blanket assumption that all FNOs without a right of residence pose a high risk of absconding. My findings suggest that, in many cases, open regimes, temporary releases, and community sanctions could serve as viable alternatives. Such measures could have cascading benefits, leading not only to greater procedural fairness (perceived and actual), but also to more effective and sustainable resettlement outcomes.

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Appendices

Appendix I CM data table

Age	Gender	Role	Profession	Employer	Canton	Interview language	Reference
32	Female	Social Worker	Social Work	Hindelbank Prison	Bern	Swiss German	SWF_1
36	Female	Social Worker	Social Work	Hindelbank Prison	Bern	Swiss German	SWF_2
42	Female	Probation Officer	Social Work	Probation Service	Ticino	Italian	PO_1
29	Male	Probation Officer	Social Work	Probation Service	Ticino	Italian	PO_2
40	Female	Social Worker	Social Work	Lenzburg Prison	Aargau	Swiss German	SWM_1
53	Male	Social Worker	Social Work	Lenzburg Prison	Aargau	Swiss German	SWM_2
42	Male	Case Manager	Solicitor	Correctional Authority	Bern	German	CMa_1
33	Male	Case Manager	Solicitor	Correctional Authority	Aargau	Swiss German	CMa_2

Appendix II FNO data table

Age	Gender	Nationality	Profession	Prison	Interview language	Tariff	Months until release	Ref.
54	Female	Kosovo	Nurse	Hindelbank Prison, Bern	German	14 years	2 years and 10 months	FNO_1
46	Male	Serbia	Unknown	Lenzburg Prison, Aargau	German	2 years and 6 months	7 months	FNO_2
68	Male	Italy and Ethiopia	Businessman	La Stampa Prison, Ticino	English	3 years and 6 months	8 months	FNO_3

Appendix III – Information Sheet for FNOs

For my master's thesis at the University of Cambridge, I am conducting interviews. My research question is as follows: What support is offered to convicted persons in custody in Switzerland if they must leave the country after serving their sentence? What are the opportunities and the obstacles or challenges?

In English, the term used for reintegration is *resettlement*. Foreign offenders are referred to as *foreign national offenders*. My work involves identifying how social workers understand the term resettlement, as set out in Article 75 of the Swiss Criminal Code, when they support individuals who are required to leave Switzerland after their release from prison.

The goal of the interviews with the convicted persons is to better understand how they experience the situation themselves: What are their plans, and how do they see their futures? How do they prepare to ensure a 'return' under good conditions? What are their resources, what obstacles do they report, and what are their needs?

The interviews are recorded; the content of the conversations is treated confidentially. I guarantee the anonymity of what is said.

I work at the Swiss Centre of Expertise in Prison and Probation (SCEPP). I am conducting this research independently of the SCEPP, but the foundation is generously supporting me financially. The SCEPP is running a project on the topic, with its own website (see www.info-retour.ch).

Your participation in the interview is voluntary. The aim is to improve the support offered to detainees who cannot remain in Switzerland after their stay in prison, or at least to raise awareness of relevant practice in this regard.

Thank you in advance for your participation.

Laura von Mandach

Appendix IV– Interview Schedule for FNOs

Questions: Personal situation, professional background (approx. 10 min)

1) Age, 2) Married and/or in a partnership/with or without children, 3) Nationality or nationalities, 4) How many years in Switzerland? How many of these in prison? How long have you been in this prison? Since the beginning of the sentence? / Have you transferred between institutions?, 5) Are you at the start, middle or end of your sentence? 6) What is your residence status in Switzerland? 7) Occupation / Profession 8) Do you have external contacts? If so, with whom? Have you kept in touch with your family, friends, network (including work) in your home country?

Questions: Support for the return (approx. 20 min.)

1) How are you preparing for your planned return? When did you start these preparations? What do you know about your future after the sentence? What have you been told, when and how? What do you know about your future upon return? Can you imagine living in your home country after your return?
2) What do prison staff/authorities offer to support your plans?
3) What do you need in order to implement your plans (e.g., information, support, accompaniment, network, vocational training, health, finances, housing)?
4) Are there people or institutions outside prison who are supporting you in your plans for return? If so, who?
5) Is this support sufficient? What could be improved or changed? What support are you not receiving?

Questions: Motivation and attitude (approx. 20 min).

1) What is your opinion of your situation? How do you feel when you realise that you cannot stay in Switzerland after your sentence? Are you okay with that?
2) Are you confident that your return will be successful? What would it take to boost your confidence? What support do you and people in your situation need?
3) Does the fact that you cannot stay in Switzerland change the way you experience your stay in detention?
4) When you think of others in your situation, what are they worried about? What aspects are difficult, and which are less difficult with regard to leaving the country?
5) Do you have any questions? Would you like to add anything?

Appendix V – Information Sheet for CMs

Interview research project ‘The importance and meaning of resettlement to foreign national offenders in Swiss prisons’ presentation research project

For my master’s thesis at the University of Cambridge, I am conducting interviews in three cantons. My research question is as follows: What individual, professional and institutional support do convicted persons in prison in Switzerland receive when they must leave the country after serving their sentence? What are the opportunities and the obstacles or challenges? In English, reintegration is referred to as *resettlement*. Foreign offenders are *foreign national offenders*. My work involves identifying what case managers understand by resettlement, as set out in Article 75 of the Swiss Criminal Code, when they accompany individuals who are required to leave Switzerland after their prison term. What leeway do they have when planning the execution of the sentence and preparing for the return? What does the institution offer? What support is offered by other authorities or organisations?

I have already conducted three interviews with detainees (Hindelsbank prison, Lenzburg prison, and La Stampa prison). The aim of these interviews was to gain a better understanding of how these individuals experience the situation themselves: What plans do they have, and how do they see their future? How do they prepare to ensure a ‘return’ under good conditions? What are their resources, what obstacles do they report, and what are their needs?

The interviews with the case managers working in prisons and/or the Correctional Authorities will each take an hour. The interviews will be recorded; the content of the discussions will be treated confidentially. I guarantee the anonymity of what is said.

I work at the Swiss Centre of Expertise in Prison and Probation (SCEPP), where I head the Analysis and Practice Development department and am also a member of the management board. I am conducting this research independently of the SCEPP, but the foundation generously supports me financially. The SCEPP is conducting a project on the topic, with its own website, see www.info-retour.ch.

All interviews are voluntary. The aim is to improve support for offenders who cannot remain in Switzerland after their stay in prison, or at least to raise awareness of relevant practice.

Thank you in advance for your participation, Laura von Mandach

Appendix VI – Interview Schedule for CMs

Questions Curriculum vitae, personal situation (5 min)

Age, occupation, education, function

Questions: Support for the return (approx. 20 min)

1. How do the individuals affected by a return prepare for the return?
2. How are you able to support an individual's preparation for return?
3. What kind of support does the institution or authority offer to help convicted persons with their return?
4. Are there people or organisations, including those outside the prison, that support the return plans/return efforts? If so, which ones?
5. Is the support sufficient? What could be improved or changed? What support do the persons concerned not receive?
6. What do the convicted persons need to be able to better implement their return plans?

Questions: Motivation and attitude/ideas in view of the prospect of return (20 min)

1. What is your opinion of the situation of the persons concerned?
2. What impact does the knowledge of mandatory expulsion after their sentence have on the individuals affected? How do the individuals perceive or adjust to this situation?
3. Are they confident that their return will be successful? What would be needed to boost their confidence? What support do these individuals need in this situation?
4. Does the fact that the convicted persons cannot remain in Switzerland change the way they experience their stay in prison?

Open questions, further remarks

Possible topics: health, preparation for release, papers, legal framework, release options, release planning, equal treatment, room for manoeuvre, work integration, solidarity

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