

INTRODUCTION

The Association arose from the collective experience of a group of public agencies; some private social and voluntary services within the Sanitary Health Sector and from the Prison and Justice system, in September of 1996. After years of experience in the field and particular observance of the inadequacy of medical service assistance to fully protect the requests of the penitentiary (medicine c.d. prison) for some isolated prisoners, a proposal was initiated to introduce a new manner of understanding and employment of the prisoners' Health Service Assistance Program.

The presupposition of the professional operatives and plans was based upon a concept similar to the WHO (World Health Organization) and other influential international references in that it expresses that "health must be the result of mental, physical, social and cultural well-being in one's daily working relations."

In fact it is believed that a situational conception of this form of discipline inevitably creates hesitation and a false operating environment that places the prisoners far from the initial goal; the adjustment to belonging to family, work, etc.

The adoption of this standard sense of intervention favors the tentative balance of health and social performance in prison to those practiced by non-detained citizens.

For the precise ideal connection to this proposal, the denomination of "The United Prison Territory" assumed principal values.

The Association's trademark was employed before its legal constitution to sustain important initiatives and address expressed opinions on urgent matters.

The final objective of reintegration with society; like those provisions from the Italian Constitution, must encompass all available rehabilitative resources while avoiding the creation of ineffective cultural niches exclusive to prison life which can only add to further detachment from reality. The difficulty of reintegration lies in the necessity to synthesize a "Personalized, Integrated and Multi-modal therapeutic project". Provisions must be made to include re-education in the psychological, sociosanitary, cultural and occupational aspects of daily life.

This experience and criteria was also the promoting point of the work within the Twelfth Commission - Social Affairs of the Members of Congress and contributed through a concrete operating network and supporting cultural practices from member proceedings in professional diversified fields to establish the head of a good parliamentary outcome from Law 419/ 98 (Delegated Law for the reorganization of the penitentiary's medicine) and for the issue of the delegated decrees that are currently imposed for continuous monitoring, improved coordinations and continuous technical support.

Finally, it is necessary to remember that at least four important national congressional bills were present within the promoter-collaborator initiative and the interpretation of a cultural message from the part of the operating members of the United Prison Territory.

The representation of particular moments of importance occur in the following manifestations: "The Toxic Dependent and Prison Politics" - Rome-Rebibbia, February 22, 1997 ; "The Second National Conference on Drugs" - Napoli, March 14-17, 1997 ; "The National Health Services for Prisoner's Health" - Rome, November 8, 1999 ; and "The Transfer of the Assistance to the Prison's Toxic Dependents" - Rome, December 2, 1999.

The Association is constituted by public acts of non-profit social utility.

"National Co-ordination of Operators for the Health in Italian Prisons"

In abbreviated denomination **Co.N.O.S.C.I. - ONLUS.**

Article 1

The Association has complete autonomy from political obligations, institutional unions, religious, racial, and social constraints due to the unique limitations of state laws that regulate the scientific knowledge of the sector and the Assembly's opinion.

The Association pledges to utilize the expression "non-profit organization for social utility" or the acronym "ONLUS" in its denomination and whatever distinguishing signs or communications directed to the public.

Article 2

The Association has its legal office and that of the President's in Rome, via Liberiana 15, 00185 ROMA for unlimited duration.

The Association may also establish secondary offices called "Regional Co-ordinations" and / or "Interregional Co-ordinations" with its own periphery offices in Italy and abroad.

Article 3

The national and international characteristics of the Association does not have any lucrative finality and exclusively pursues the goals of solidarity in the field of socio-sanitary assistance for the prisoners, the interned and operators within the same sector, through the formation and the operating co-ordination of the staff that has various titles working in the prison to protect their health rights; through research and putting into action new forms of organization of distribution of services, always for the prevention and safeguard of health in Italian prisons.

For such aims, the Association:

Participates with active interventions where situations of human suffering is bound to the dysfunction of the specific system of management in the fields of detention and of alternative measures, for the resolution of such situations in relation to any subjects of public and private rights.

Finds its intervention in terms of prevention, diagnosis, therapy and rehabilitation, on the principles expressed by the World Health Organization ("Health for All in 2000), in The

Declaration of the Alma Ata (1978), The Ottawa Document (1986), The Recommendations of Adelaide (1988), The Declaration of Sundsvall (1991), The Declaration of Jakarta (1997) and specific documents adopted from the European Council like Recommendation R(93)6 and R(98)7. The Association, moreover; refers to the universal declarations of human rights from the United Nations and proposes a form of general and permanent protection for the rights of detained citizens, recognizing one of its final objectives in the creation of an active representative of the operators and citizens in front of the central Government, local administration, social and cultural forces of the country, the other member states in the European Union and mass media. Encourages the sharing of experiences, especially those based on the research between the operators of public and private services whether individuals join in associations, but also through informative functions and / or the function of the operating secretary through all forms of written and oral communication; contributing to the improvement of the Quality of Life of the detained or interned person through "good practices" of protection for the health and through processes of improvement of the role of medical assistance with consequent reduction of the resort to hospitalization. Successive qualifying points are: the propagation of screening programs, educational programs on health and the possibility of the resort to non-conventional medicine.

Facilitates the improvement of scientific knowledge, form if epidemical, as fundamental deductions for a precise understanding of the phenomenon. Determinative to the others is the knowledge of the operating conditions in the prison, the capability of therapeutic return of the territorial prison system, its economic convenience (also in monetary terms) through the definition, experimentation and valuation of methods of rationalization of the resources at disposal.

The Association promotes research and scientific studies planned in the field of preventive interventions, diagnostics, therapies and rehabilitations in collaboration with Universities, Bodies of Italian and foreign Research, Ministries, non-Sector and Sector press. It encourages and proposes more conferences, debates and initiatives, always in the field of protection of health in Italian prisons and takes care of the divulgation of conclusive research to the sensitization, information and adjournment of the operators within the sector. These same principles are also sent through the detained, the interned (adult and minors) and their families since the final objective for the fulfillment of the sentence is re-entry into social society.

Places more particular attention to drug-related problems as for the existence of the phenomenon for its tendency in progression and involves more amply spheres of social interest. The person affected by toxic-drug-alcohol dependence and from the illnesses it correlates (AIDS in particular), makes up an area particularly endowed by research and development of methods of sanitary organization species if directed to the strategy of reduction of the damage, to substitutive or drug-free treatments and to the support of the "peer support" in prison.

Recognizes in the Judges and Tribunals of interlocutors Overseeing of importance for the specific function to protect the fundamental rights that must not and cannot be secondary to the action from the Justice, promoting with this a trusting rapport and constructive stimulus.

The Association intervenes with the same principles also in the field of the External Penal Area, where it recognizes the necessity.

Also the Association, recognizing that an adequate contractual level of the operators of the health in the prisons is desirable for a good use of professional human resources and a good result from the interventions and organizations, gives assistance and support as far as the problematic link is concerned.

It's specifically prohibited to the Association, the course of different activity from those listed above. Nevertheless, the Association; with regard to the problematic statement above, may also carry out additional activities and / or for their intrinsic, integrative nature or correlation to this statutory, research, training, information, planning, consultancy, direct management of interventions and sanitary services, valuation, voluntary service, etc... It can also carry out all other activity believed useful for the realization of the institutional goals and they correlate, for example to the information campaign. This activity shall also be possible in forms of sharing with other similar national and international Society Associations, also of the detained within consenting limits from the laws n. 460 from December 4, 1997 and successive modifications and integrations.

Article 4

The Association with deliberation from the Board of Directors may join Bodies or National and International Federations, having the goals and similar ends and more in general, if it takes the initiative of international corporations, mutual support and exchange with other organizations, associations, government and non-government entities, single members.

Article 5

The number of Members is unlimited.

Is explicitly excluded the temporary participation to the associative life.

Can take part of the Association all present members, legal and all the Public and Private Bodies interested in the activities of the Association sharing its social aims.

The associative contributions are non-transmissible and non-revaluated.

Article 6

The admittance of members comes to pass by request from those interested by drawing up written drafts without binding of form, declaring the acceptance of the regulations.

This is subject to acceptance of merits from the Board of Directors, that verifies the full determination of the applicant and the absence of opposing motives.

Article 7

The Members are divided into the following categories:

a) Founding

Those that are the promoters and signatories of the Constitutive Act.

b) Standard

Those that share the objectives of the Association and have requested to be accepted as such by the Board of Directors at its discretionary and unquestionable judgement. Participating in the activities of the Association and at the Assembly with voting rights and for election to the social positions provided that the payment of the annual associative dues are in order.

c) Group

Those institutional bodies and other public and private organizations that request acceptance from the Board of Directors at its discretionary and unquestionable judgement. Participating in the Association's activities and at the Assembly with voting rights provided that the annual associative dues are in order.

d) Honorary

All those present or bodies endowed with determining moral and professional requirements that wish to place at their disposition, their knowledge, ability and experience for reaching the social goals of the Association. They are exempt from the payment of the annual associative share but may lavish non-recurrent donations to the Association. The subdivision within social categories does not involve differences of treatment in regard to rights and duties around the Association.

To the members, in regard to their effectiveness, is guaranteed in all forms the full participation to associative life with full active and passive legitimation to the social position as well as rights of vote for the statutory modifications and the rules, besides the appointment of the social bodies.

Article 8

The Members have the precise obligation to observe and respect the present Statutes and whichever is decided and deliberated from the Board of Directors; they are obliged to keep a proper ethical behavior in social relations; being in order with the payment of the associative share.

Article 9

The qualification of Member is lost for the following reasons:

- by resignation through written communication
- because of death
- through loss of qualifications of admittance
- for non-observance of the Statutes and its fundamental rules and unworthy and blameworthy behavior and moral ethic by default.

The defaulting member shall be invited to the Board of Directors, by means of registered letter, to settle his position; in case of failure to respond within fifteen days shall be applied the exclusion from member qualification.

Article 10

The estate of the Association is set up:

- through the initial estate paid by the promoting Members
- through movable property and immovable property from the Association, turned into such by whatever title
- through eventual distributions, donations, bequests.
- through annual associative shares
- from income derived from the carrying out of activities, services, initiatives and projects by the Association
- from economic interventions from eventual sponsors that come to the Association for a better pursuance of social aims.

Article 11

The annual business year is from January 1st to December 31st. Within four months from the closure of the financial year from the successive year the Board of Directors presents to the approval of the Assembly the balance and final relative statement from the preceding year and within the 31st of December the budget respective to the successive year.

The balance must be deposited with the office of the Association in fifteen days preceding the Assembly's call for their approval, available to all those that have motivated interests in their reading.

Article 12

The Association cannot distribute, directly or indirectly, interest or unpaid profit brought forward from management, reserve or capital however denominated, during the life of the same Association, except when the destination or the distribution is taxed for law or may be carried out to the favor of other non-profit Associations (O.N.L.U.S.), those for law, for Statutes or Regulations made in part for the same and unitary structure.

The Association also has the obligation to use the unpaid profit for the realization of the institutional activities and for those joined directly.

Article 13

Are Bodies of the Association:

- The General Assembly
- The Board of Directors
- The President
- The Vice President
- The Secretary
- The Treasurer
- The College of the Auditor of Accounts

On this ground by the demands or emerging needs will be activated other bodies.

Article 14

The General Assembly of Members:

The associates forming the Assembly, sovereign organ and deliberative of the Association.

The assembly of the Associates may be ordinary and exceptional and lets you participate with the right to vote for all the members.

The convocation of the Assembly, whether Ordinary or exceptional, occurs by means of billposting carried out in the vicinity of the registered office, at least fifteen days before those arrange for the meeting.

The Board of Directors is likely to establish, if the subject-matter was placed on the agenda one requested, to its unquestionable judgement; further forms of publicity for meetings.

The summoning must indicate the day, the place and the hour arranged for the first and second meeting, as well as the agenda with the subject-matter to discuss and in case it is not possible to make up one's mind for lack of quorum, the hour, the day and the place of the session in second convocation, shall be carried out no less than 24 hours after those arrange for the first.

The meeting can be held near the registered office or other premises by indicating everytime in the summons.

Every legal person, organization or board has the right to a vote in conformity to Article 2532 Civil Code, second clause.

Every associate can be represented by another associate by proxy writing yet no associate may represent more than two other associates.

For the validity of the Assembly and its deliberations is necessary, in first summons, when there may be present or representing at least more than one half of the Associates and the bylaw shall take the majority of the votes signified by roll-call, ballot or handraising, chosen by the President.

In second summons the bylaw is valid whatever the number of Members present and always with the majority of the votes.

The minutes are underwritten by the President and the Secretary, they are only available to the associates in fifteen days following the date of the meeting, by means of billposting near the premises of the registered office.

Article 15

The General Assembly of Members may be summoned when the President or a fourth of the Associates has made a regular request.

It is the Concern of the General Assembly:

- to discuss and approve the final balance and the budget;
- to elect the members of the Board of Directors in the meeting of accession.
- to nominate the College of the Auditor of Accounts

- to discuss and deliberate on all other subject-matter not referring to the authority of other Bodies of Association and not explicitly reserved to the Special Assembly.

Article 16

The Special Assembly:

- discusses and deliberates the modification to the present Statute
- discusses and resolves the dissolution of the Association
- discusses and decides what to do on issues of particular importance and seriousness for the life and the running of the Association.

For the modifications of the Statute and the dissolution of the Association it is required the decision from a 2/3 majority ruling by the Special Assembly.

Article 17

The administration of the Association is entrusted to the Board of Directors which is made up of a number of members varying from five to ten elected from the Members choice between subjects proved competent and experiences in reference to social aims.

The Board of Directors serves a three year term and its members can be re-elected

It is not possible to be called to cover social positions those found to be entitled to rights by Article 2382 in Civil Code.

Article 18

The Board of Directors within ten days from the appointment elects to its office the President, the Vice President, the Secretary and the Treasurer.

The Board of Directors is summoned by the President, by means of written communication (priority mail, fax or e-mail) containing the subject-matter from the items on the agenda, at least seven days before the meeting.

In the event of an emergency the summoning may be made through sending a telegram at least two days before the date of the meeting.

The Board is ordinarily summoned at least every six months and extraordinarily every time the President considers it appropriate or the request in writing from the majority of the Advisers.

Article 19

The meetings of the Board are valid if there is present the majority of its members.

The meetings are presided by the President and in his absence by the Vice President; in absence of both are presided by the Adviser with the most seniority of the members and in subordination, with a registered elder.

Article 20

The Board of Directors is given all the ordinary powers and special administration regarding the management of the Association, except those that the law or Statute reserves for the Assembly.

The Board regulates and organizes the activities of the Association that will be written as regulations subject to the Assembly for its approval.

In particular the Board of Directors has the following attributes:

- Draws up and coordinates the programs of all the activities of the Association
- Attends to the formality and the execution of the deliberations from the Assembly
- Determines the cost of the annual associative shares
- Compiles the balance and the accounts
- Approves new centers and offices of representation for the Association
- Appoints the administrative consultants, fiscal and legal advisers
- Stipulates documents from all articles linked to the activity of the Association
- Resolves the refusal from the request of admission, the appointment, the reception, the expulsion and the disciplinary measures regarding the Members
- Draws up the internal regulations subject to the approval of the Assembly

In general the Board of Directors deliberates to its end, on the articles of general administration, ascertains the more suitable measure for the regular operation of the Association and strives to protect the material and moral interests.

In order to reach its goals the Board can take advantage of the collaboration from outside expert consultants within sectors of competency in the Association.

Article 21

The Board of Directors comes to a decision with absolute majority of its members and the votes are bound by absentees and dissidents.

An equal vote is prevalent to the vote of the President of the Board of Directors.

The voting occurs, at the President's choice, through hand-raising, roll-call or ballots if requested by the majority of those present.

The Advisers have the precise duty to maintain reserve in regards to opinions, discussions and deliberations expressed during the meeting of the Board before their officialization.

In case of resignation or decline by one or more members of the Board of Directors replacement is in order of the first non-elected member.

Equal votes are prevailed by the eldest senior associate. It is cause for loss of social positions, the unjustified absence at two consecutive meetings of the Board proved in the minutes.

Article 22

The President has duties and delegate powers from the Board of Directors inmost of which is elected according to requirements of moral importance and experience in the article sector of the Association in how it represents the image.

He has the legal delegation of the Association in front of a third party and in judgement; it is authorized to open current postal and bank accounts, to collect and give a receipt with the proper signature.

The President is concerned with the ordinary administration of the Association:

- He summons and presides over the Assembly of Members and the Board of Directors;
- He attends to the execution of the adviser's deliberations;
- He sees to a good proceeding of the administration of the Association too;
- He verifies the observation of the Statute and contingent regulations in force;
- He minds the predisposition of the budget and the final balance subject to the approval by the Board of Directors and hence the Assembly, encloses the seasonal report;
- He summons the Assembly for the election of new social positions a month before the term ends;

In exceptional cases the President may also carry out acts of special administration but, immediately following, must be summoned at once the Board of Directors for the relative confirmation.

In case of difficulty or resignation before the mandatory term the Presidency is assumed, till the maturity of the social year, by Vice President or subordinate to a senior Adviser with reference to the Association's registration.

The Vice President assists the President with his functions and he takes his place in all duties in case of absence or difficulty.

He is elected by the members of the Board of Directors.

Article 24

The Secretary:

- He collaborates with the President and in his absence with the Vice President;
- He attends to the execution of the deliberations from the Board of Directors and from the Assembly;
- He reports and keeps the minutes from the meetings of the Assembly and from the Board of Directors;
- He keeps and updates the registry of the followers;
- He has the responsibility of observing the provisions of the present Statute with respect to whomever or whatever title, having relations with the Association.

Article 25

The Treasurer is elected by the Board of Directors.

He has the tasks of:

- He keeps the usual book-keeping of the Association;
- He arranges the collection of the associative share and of all the other revenue;
- He predisposes the order for payment;
- He fulfills the fiscal formalities and the taxation obligations by law;

- He is responsible for the conservation of all book-keeping documents from the Association and from books provided by law;
- He updates the books of the associates in which are reported the registered members, their particulars and residence, their fiscal code and date of registration, resignation, exclusion, readmission.

Article 26

The College of the Auditor of Accounts is elected by the general Assembly of Members, if they consider it necessary, and if it consists of three active members of which one has the social position of President elected in the course of the first meeting of the Board. The Auditor serves a four year term.

The College of the Auditor of Accounts has duties of controlling the correctness of administrative management and finances from the Association preparing an annual report in occasion of the approval of the final balance.

The Auditor of Accounts also:

- He shall take care of the book-keeping from the Auditor's meeting;
- He shall participate directly at the meeting of the General Assembly and Board of Directors but without the right to vote;
- He shall verify the regular book-keeping from the Association's accounts and from relative books and where is noticed administrative irregularity the College has the duty to communicate in writing to the Board of Directors for the necessary actions;

After the appointment of the Board of Directors can be set forth the Ordinary general Assembly its eventual comments regarding the annual balance presented by the Board of Directors.

Article 27

The Association may establish some Regional Sections where exists an adequate representative number of members or if the Board of Directors deems it necessary.

The regional sections, if established, shall be disciplined by the internal regulations of the Association.

Article 28

For a better scientific and cultural valorization of Members and its interventions for they operate, elaborate or propose, are identified the Scientific-Cultural Area (or Departments) subdivided for specific themes, subjects of interest by the Association.

The Scientific-Cultural Areas, if established, shall be disciplined by the internal regulations of the Association.

Article 29

The Scientific Committee supervises by the expression of a motivated judgement in activities from diverse Scientific-Cultural Areas and Commissions.

The Scientific Committee if established, shall be disciplined by the internal regulations of the Association.

Article 30

All the positions of the Members of the Association, elected and non-elected, must explicitly understand free shares except the reimbursement of sustained living expenses brought about by the specific tasks conferred by the Board of Directors and anyhow after presentation of qualified justifications in order with the fiscal regulations in force.

Article 31

Besides prescribed books for law, the Association keeps the minutes from the meetings and deliberations of the Assembly, the Board of Directors and the Auditor of Accounts as well as the books adherent to the Association.

The books of the Association are at the disposition of whomever makes justified requests; the copy request is made to the Association at the cost of the applicant.

Article 32

In the event of the dissolution of the Association, for whatever cause and in accordance with the formality of which Article 27 Civil Code, the property shall be transferred to other non-profit organizations of social benefit or to the purpose of public benefit, subject to Article 3, clause 190 from law 23, December 23, 1996 n. 662, except for various purposes imposed by regulation laws at the moment of the dissolution.

Article 33

For all not provided by the present Statute refer to the Civil Codes and to the laws in subject.