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CONTENTS

	<i>Page</i>
Foreword	3
General penal policy and prison staff training	4
General practice and prison staff training	5
Prison staff and training and the trainees	10
 News of the Council of Europe	
Preventing maltreatment in prison — a new Convention	14
Do young adults form a fringe or main group in the education of sentences today	16
 News from the member States	
Statistics concerning prison populations in the member States of the Council of Europe	17
Laws, bills, regulations	24
Bibliography	26
News in brief	30
List of Directors of Prison Administrations of the member States of the Council of Europe	30

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FOREWORD

The seminar on the training of prison staff which was held in the Netherlands under the auspices of the Council of Europe from 19 to 22 June 1988 was so successful that I was very gratified to be invited to introduce to the readers of this bulletin the three main themes discussed at the meeting, namely:

- General penal policy and prison staff training,*
- General practice and prison staff training,*
- Prison staff training and trainees.*

The seminar, which was attended by participants from 15 Council of Europe member States, was in the nature of an international preliminary comparative study of the above themes. In his foreword to the seminar report, the Chairman, Mr C Davids, commented that the tone of the discussions was dominated by concern with financial problems, the reorganisation of government services, the increasing number of people in detention and the resultant accommodation problems faced by virtually all member States. Indeed, doubts have been expressed as to whether the standards prescribed by the European Prison Rules can be maintained in these circumstances.

My address at the opening of the seminar underlined the importance of Rule 51 of the European Prison Rules, which emphasises the crucial role played by prison staff in pursuing the various objectives of the prison system. The enormous changes which have taken place in the organisation of prisons in recent years — both in the Netherlands and, I believe, in other countries — have inevitably had direct implications for the duties and status of prison staff. In

the Netherlands the vast increase in prison capacity, which is only one factor, has necessitated the recruitment of a large number of additional staff. This in turn has resulted in extra demands with regard to staff selection, training and supervision, at a time when funds have remained limited. Nevertheless, in the interests of sound administration, safety and security as well as the quality of prisoner supervision, it is essential that we uphold the high standards which prison staff are required to meet. To this end, the observance of the European Prison Rules concerning staff must be given high priority.

I therefore attach great importance to opportunities like the one provided by the seminar for exchanging ideas between countries, and I hope that the seminar will generate further exchanges of this nature. It did indeed yield a great deal of useful information, thereby highlighting the importance of international contacts in the search for solutions to what are indisputably serious problems.

And we shall continue to face serious problems in the next few years. It is partly for this reason that I would urge that the subject of selecting, training and supervising staff be placed permanently on the agenda of the Conference of Directors of Prison Administrations held every two years within the framework of the Council of Europe.

*V.N.M. Korte-van Hemel
Secretary of State for Justice
of the Netherlands*

General penal policy and prison staff training

The aim of this contribution will be to show the effects of a specific penal policy on staff training. Because of my background I have chosen the Swedish system and the policy pursued in Sweden. My contribution will be divided into three parts. The first deals with penal policy as set out in the 1973 Penal Act as well as the duties of prison officers. The second is a description of a new local institution. And the third is concerned with the effects on training.

The 1973 Penal Act stresses four fundamental principles:

— interference should be minimal: correction should normally take place in freedom or in a non-institutional setting;

— whenever a prison sentence is imposed, it should be combined with non-institutional treatment;

— correctional treatment should take place close to the offender's home unless security reasons require otherwise;

— the Community's social welfare system should be used.

These principles imply frequent recourse to suspended sentences, even for recidivists, and widespread use of conditional release: for sentences of up to 2 months, no conditional release; for those of 2-24 months, half-time conditional release; and for those of over 2 years, half-time or two-thirds conditional release, depending on the risk of recidivism.

Frequent periods of leave should be granted, and visits by dependants and out-of-prison activities allowed. By European standards Swedish prisons are very small, with an average of 40 places: one-third of the places are in open prisons and the sentences are short. 50% of prisoners serve a sentence not exceeding two months, and 10% a sentence of one year or more; these figures are based on the 15 000 or so prison sentences passed each year.

The Act states in its prisons section (No. 4) that correctional care has two main tasks:

— to contribute to prisoners' rehabilitation by means of supportive measures or to their social adjustment by means of occupational rehabilitation, education, social training, treatment of alcohol and drug abuse, and health and medical care;

— to prevent prisoners from committing further offences as far as possible.

As a consequence of this, drug abuse has been widely criminalised and various treatment programmes have been started in prison and probation services.

After this background information, I should like to explain how the system works in practice.

We are fortunate in being able to recruit staff with some formal (ie secondary) education, often combined with some vocational experience or training. Training includes specific legal and penal matters and is geared to social assistance and counselling. The major subjects are the behavioural and social sciences with a problem-orientated slant designed to maintain a link with day-to-day practice. The aim of training is to provide both academic knowledge and vocational skills. Alcohol and drug abuse are also dealt with in detail.

Training also covers a number of other aspects, including the role played by staff policy. In an organisation whose major resource is its staff, training has the same maintenance role as a technical service in activities where machines and tools are the main resources.

Motivation, inspiration and professional development are some key concepts in this respect. It is essential for an organisation to have a first-rate staff, and as we cannot compete with salaries on the labour market, we have to improve working conditions, including opportunities for self-fulfilment and professional development.

I should like to end with a few words about the need to use means other than training when developing either a part or the whole of an organisation. It is essential to concentrate on groups rather than individuals, develop a climate in the organisation that will tolerate or rather promote changes, be clear about objectives, make them explicit and ensure that they are accepted by all concerned.

*Peter Näckå
Head of the Education Department
of the National Prison and Probation
Administration (Sweden)*

General practice and prison staff training

I should like to start with a preliminary remark on the title of the subject itself. It strikes me as being an excellent idea to broaden the theme of this study to the relationship between training and general practice rather than limit it to a simple analysis of the influence of practice on training. For while it appears indisputable that general practice governs the contents and methods of training, it may also be asserted, without much fear of being mistaken, that training contributes very largely to the development not only of practice but also of mentality. There is a permanent interaction between these two concepts, and it is this, in our opinion, that gives a system of training its richness and depth.

To start this study we shall present, by way of a preamble, a very brief historical summary of the penal training system in France. This will demonstrate that awareness of the need to train staff is very long-standing but took a long time to produce any practical results. We shall see that the process has been slow and painful and has probably not yet come to an end.

Before coming to the heart of the matter, we shall first consider what the purpose of training is and who it is intended for. It will be necessary to study the role of prisons in society as well as the methods of recruiting the different categories of staff. We shall discover the difficulties and limits inherent in recruitment, and thus be able to confirm that it is not easy to prepare staff for the different tasks their duties involve.

Then, on the basis of the present structure of the training system we shall examine the relationship between training and practice and the way they influence each other. We shall study, in turn, the training facilities available to the French Prisons and the forms which interaction between training and practice may take. We shall see that the depth and significance of the relationship between training and practice vary considerably, depending on the people involved (prison officers, teaching staff, governors etc) and the type of training (basic or continued) concerned.

A brief history of the prison staff training system in France

The idea of a "school for warders" was first mooted in 1869, when a number of prison governors enlisted the services of teachers to undertake the organisation of such a school. Several schools of this kind were established in various places on the initiative of the more energetic and keen heads of penal establishments.

Then, in 1893, followed the establishment of the School of Advanced Studies and the Elementary Schools for Warders, the former providing additional training for the best students of the Elementary Schools. 1927 saw the foundation of the School for Advanced Studies in Fresnes which, with its courses for senior prison officers, created opportunities for

social advancement. In 1946 a study centre was opened, also at Fresnes, to provide training for staff at management level. It can be claimed without any false modesty that the French Prison Service was ahead of its time at this period, because it was not until 1957 that the Economic and Social Council of the United Nations adopted a resolution recommending that prison staff be trained before taking up their duties.

In 1964 the Prisons Department Training Institute, which provides training for all categories of prison staff, was established in Alsace and later transferred to Fleury-Mérogis. In 1977 its name was changed to "National Training Institute of the Prisons Department".

I. Training for what purpose and for whom?

When the subject of training is being discussed, it is necessary to try to define as clearly as possible what is expected of it. There is surely nothing more dangerous than to devise a purely intellectualised programme which takes no account whatever of the day-a-day realities of the profession and loftily ignores the comments and proposals which would and should emanate from field workers. However, while practical aspects deserve to be considered, they should not obscure the general purpose of the penal institution. As we shall see later, there may be a certain temporary gap between theory and practice whose existence must be acknowledged. It is not always easy for the instructor to come to terms with this fact, and this may put him in an awkward position vis-a-vis his practitioner colleagues, but such acceptance is purely necessary.

As for the question "For whom is training intended?", the answer seems perfectly clear: it is intended for all those who ought to know how the prison service functions. That amounts to saying that the persons concerned are not only the prison staff themselves, who are the main target group of training, but also all who are either casually or regularly concerned with prisons in some way or other.

In order to answer the question "Training for what purpose?", it will be advisable to take as our starting point the functions of the Prisons Department and the tasks which devolve on the staff.

As we know, prisons have a dual function

Firstly, it is in prisons that the decisions of the courts are put into effect and individuals are detained (either on remand or for the serving of a custodial sentence). This, then, is the *traditional custodial function*. To this first function must be added both the duty of ensuring that it is carried out in an orderly and disciplined manner and the obligation of keeping the prisoners in conditions consistent with human dignity (medical care, food, hygiene, cleanliness, etc.).

The second function of the Prisons Department, which is more recent than the first but equally important, is to endeavour to prepare prisoners for *reintegration into society*.

It is with a view to these two functions, which may sometimes appear contradictory, that prison staff must be trained so that they can carry out their duties and responsibilities as efficiently as possible. But neither the formulation of a general training policy nor the existence of a system designed to implement it, however necessary these two conditions may be, are sufficient to ensure the success of the operation.

It is self-evident that before staff can be trained, they must be recruited, and only then can a dynamic training policy be fully implemented. Recruitment and training are, in our opinion, indissociable.

The system of selecting candidates must take into account "the criterion of character as well as the criteria of intelligence and educational level", as recommended by the Committee of Ministers of the Council of Europe in its Resolution of 30 April 1966. But today it is unfortunately clear that the need to staff penal establishments all too often creates a situation which does not always enable us to be sufficiently rigorous in our recruitment of new prison officers. There is sometimes a difficult choice to be made between quantity and quality. But if we do not always succeed in attracting the requisite number of suitable candidates, we should look into the basic reasons for this. In our view, the answer is to be found at three different levels:

1. lack of effective advertising aimed at attracting potential candidates;
2. the "image" of the profession, which public opinion still regards in a somewhat negative light;
3. working conditions and pay levels that are very much inferior to those in similar, yet more gratifying professions (eg the police and the magistrature).

It must also be admitted that it is not enough to recruit first-rate staff and provide first-rate training. And this will remain so if staff do not have complete faith in what they are doing. That is why it is essential to define the roles and objectives of the prison service with the greatest possible clarity for the benefit of prison staff. It is also essential to be very realistic about aims and never to forget that a prison, a place of confinement, is by definition a place of frustration.

Answering the question "Training for what purpose", wondering about the level of recruitment, worrying about the message to be passed on to staff and checking whether they have understood and are following the directives — all this does not obviate the need to plan and organise training programmes adapted to the different categories of staff concerned. The curriculum, as we shall see later, will not be the same at basic and continued training levels, but will need to be geared to the socio-professional category for which it is intended.

In addition it will be advisable, in our opinion, not to limit efforts to prison staff in the narrow meaning of

the word but to extend them to other persons concerned with prisons (prison visitors, teachers, etc). This could prove rewarding as well as lead to better mutual understanding and — why not? — the development of mutual esteem.

Having arrived at this stage of our study, and wishing to treat the subject on a "life-size" scale, in other words to take into consideration our stock-in-trade, its critics and the scope for improvement, we should now consider the present training system as it actually functions.

II. The present training system

The system operates at two levels:

- central (the National Training Institute of the Prisons Department);
- regional.

1. The National Training Institute of the Prisons Department

Situated at Fleury-Mérogis (as mentioned in the historical account at the beginning of our talk), the Institute responsible for the basic and continued training of all categories of prison staff. Its present capacity is 350 trainees, which is to be increased progressively to 510, then to 610 as from the first term in 1989, when two new annexes will be opened. This operation has been made necessary by the planned provision of cell accommodation for 15 000 additional inmates (the project).

2. Regional level

France is divided into nine penal regions, each of which is headed by a regional director. In each region there is a training unit in direct contact with the central Prisons Department and the National Training Institute. Each of these regional structures relays the work initiated at the National School through its region. One of its main functions is continued training, in which its social responsibility is to meet local training needs.

How, in concrete terms, can interaction take place between training and practice across these two structures

The first example is furnished by the existence of the programme for 15 000 additional places which are to be put at the disposal of the Prisons Department in the coming years. The decision to mount this large-scale programme for the construction of new penal establishments was taken in response to pressure from the field: there are at present 54 000 prisoners for some 32 000 places, with all the concomitant problems of promiscuity, overcrowding, security and human dignity which such a situation gives rise to.

The repercussions on the general policy for the recruitment and training of prison officers and managerial staff are, of course, far-reaching. To meet the greatly increased need for such staff it has been necessary to develop more rapid and effective recruitment procedures.

It was decided to mount a large-scale advertising campaign to urge young people to apply. It then became necessary to acquire data-processing equipment, requests for which had not so far met with much success. The realisation of how much was at stake and the urgency of the phenomenon have led to decisions being taken in areas where all hope of this ever happening had been given up.

As for the actual training, there too the consequences have been far-reaching as to both volume and depth. Today four or five times as many trainees have to be accommodated and taught as in normal times. The extension of training centres and teaching material has had to be planned and organised at the same time as the indispensable recruitment and training of instructors. In other respects this operation helped to initiate and set the agenda for deliberations on bringing training programmes up-to-date, in the course of which the new situation created by the existence of new establishments equipped with modern facilities was taken into account.

In a much more general way, and quite apart from this rather exceptional scheme for providing a further 15 000 places, it must be realised that training cannot remain static: it is constantly changing. The answers given and the questions asked should be fully consonant with the needs of practitioners and staff, whether or not they are expressed. All these concepts are subject to modification in the light of social and technical developments.

The penal profession is closely involved in this process, and the training system should be such as to furnish all staff members with the professional tools they require to perform their tasks properly. Studies conducted in recent years have brought to light the absolute necessity of reinforcing basic and continued training courses. The development of techniques, whether relating to administration, management or security, and a study of the findings of the social sciences, combined with the new responsibilities which devolve on prison staff, render an ongoing review of the content and methods of basic and continued training indispensable.

A. *Basic training*

The content and duration of the training courses differ considerably, depending on the category of staff for whom they are intended. The impact of training on the professional world is nowadays appreciable, though it is also vulnerable, often being questioned by field workers whenever minor incidents disturb the functioning of prisons.

a. *Managerial staff*

The training of this category of staff is spread over two years. It comprises one year as a student, followed by a year as a trainee during which the future assistant governor practises his profession in the field, spending training periods in the various services (police, probation committees, hospitals, etc). The

first year is devoted to a study of professional, legal and social science subjects, alternating with periods of practical work in the different types of penal establishments, which brings the student into direct contact with the realities of his profession (particularly the period spent in the uniform of a prison officer). At the end of the course the student is required to present a dissertation.

It is only in the last dozen years or so that managerial staff have been given formal training. This denotes a change in the type of person recruited, who is today usually a graduate with a good degree. The new perspectives opened up by high-quality recruitment, allied to specific training and adapted to the duties and responsibilities of managerial staff, have completely changed the working of the French prison service. Today the managerial staff act as stimulators, organisers and almost as business managers, and they no longer have anything in common with the image of the prison governor in the 1970s. Their training, largely oriented towards communication and management, without of course neglecting traditional penal aspects, notably security, has permitted the establishment of radically different relations with both prison staff and prison population. At the same time, this training permits the opening up of the prison world towards the outside world.

Yet it is already proving necessary to think about the future. Projects are in preparation as a result of pressure from assistant prison governors who are being confronted by new difficulties. These young managers are insisting that emphasis be laid on computerisation and that their training should prepare them for using these much more modern methods of management. It must be admitted that in this respect the French Prisons Department has not been particularly dynamic.

Other demands are emerging as a result of incidents occurring repeatedly in penal establishments, where the taking of hostages seems to be becoming a common method of protest among prison populations. Various periods of training in collaboration with the municipal and state police have therefore just been introduced.

It will be evident from these few examples and remarks how much the working of penal establishments can depend on training and how essential it is that those responsible for the training system should pay attention to the needs expressed by these young assistant governors who, as recent graduates, may not yet have much professional experience but who are capable, through their intelligence and "freshness of spirit", of dynamising and optimising the functioning of penal establishments.

b. *Prison officers*

After a period of practical training of eight to ten weeks, the trainee prison officer follows a course of the same duration at the Prisons Department's National Training Institute. The general objectives of the basis training course for prison officers are derived from the principal features of the profession.

The job of prison officer is a profession.

Working in this profession requires the know-how and tact which go hand-in-hand with the acquisition of professional techniques.

The job of prison officer is a legal profession.

It is the law which defines the duties and responsibilities of the prison officer and which organises the practical aspects of his profession. His training must therefore enable him to acquire some legal knowledge.

The job of prison officer is a profession involving personal relations.

Work as a prison officer requires an acute perception of the personal relationship between one individual and another. Training must therefore offer scope for the development of communication skills. Moreover, basic training should be aimed at the prison officer's ability to reflect on the present and future of his profession.

Everyone here today is aware of the importance attached to the training of this category of prison staff. Not only is it by far the biggest category; it also constitutes the geometrical base of the Prisons Department. It is the prison officer who is in direct and permanent contact with the prisoners all day long. Everything passes through him. He is the link, it is through him that incidents may occur and it is he who is the victim of such incidents. His extremely difficult duties are essential but not always fully appreciated.

The training of prison officers has been greatly modified in recent years. The prison officer of today is completely different from the person regarded only a few years ago as a simple turnkey. The level of recruitment has been raised, and the complexity and diversity of a prison officer's duties have increased; nowadays the prison officer is required not only to act as warder but also to participate actively in the work of social rehabilitation.

The prison itself no longer has the same foundations; relations between the prison officer and his superiors, on the one hand, and between him and the prison population, on the other, are quite different today from what they used to be. In addition, prison officers are having to cope with such entirely new problems as drug addiction, AIDS and terrorists, apart from the development of activities in prison as well as the opening up of prisons to outside persons and influences.

The existence of these new phenomena must be taken into account in the basic training programme, and it is undeniable that training has transformed the old prison officer actively involved in prison life. It is in fact largely due to training that this process has taken place in favourable conditions.

Progress has still to be made on various fronts; in particular, there is an absolute necessity of substantially prolonging the duration of training, as well as an urgent need to bring theory into line with

practice. As we know, the main grievance in this context is that the professionals in the field always tend to feel that there is a real and far too big disparity between what is taught at the National Training Institute and what is experienced in day-to-day practice in the penal establishments. Now, even though it is possible to defend the idea that theory should precede practice, that the National Training Institute is by definition the ideal environment for the development of theory and that trainee prison officers are the Institute's natural target audience, it is nonetheless essential that attention be paid to this criticism. That is why we consider it particularly important to place a prison officer alongside a training instructor. This arrangement has many advantages. In the first place, it eases the instructor's task, as this "training assistant" provides support throughout the course, and, secondly, gives the course greater credibility as the prison officer's experience can be drawn on as often as required. He is thus able to explain the divergence between theory and practice. In addition, the field is actively involved, for the prison officer who is thus assigned to assist the instructor for several weeks can report back to his colleagues on what he has seen and often appreciated during this training. The last and by no means least of the advantages is that the officer himself benefits by being able to bring his own knowledge up-to-date. He may even express the wish to become an instructor. Even so, we should not be obsessed by this criticism of the gap between theory and practice. Although, as just demonstrated, we should endeavour to take this criticism into account, we should also be capable of rising above it.

Training should provide a preparation not only for the present but also for the near future. It is apt that initiatives should emanate from this very source and that in this sphere the risk of introducing precursory elements should not be shunned. It is here that we should learn how to anticipate and, within the limits laid down by government instructions, we should not hesitate to accept responsibility for the temporary gap between theory and practice.

c. Teaching staff

The training course for this category takes two years. It is divided into two periods and based on three principles.

Two periods

— The first year is devoted more especially to the acquisition of multidisciplinary theoretical knowledge focusing chiefly on a study of law and the social sciences. Several short periods of practical training, alternating with periods in class, allow the student instructor to familiarise himself with the judicial structure and the different fields of social action.

— The second year concentrates on the acquisition of a body of educational methods and techniques during a series of practical training periods. The trainee is required to write and present a dissertation.

Three principles

- first principle : relations with the law ;
- second principle : the acquisition and analysis of professional techniques ;
- third principle : the adaptation of the prison officer to the development of public service responsibilities.

The duties of teaching staff cover both closed and open prisons. Training has been adjusted to meet the practical difficulties encountered, especially in closed prisons. There is often a tendency to set the socio-educational staff against the prison officers and take the view that the educational sphere is quite distinct from the security sphere. This analysis is a fundamental contradiction of the ultimate purpose of the functioning and duties of penal institutions. It can nowadays be stated that by taking this practical reality into account, training has contributed greatly to accelerating the integration of instructors. This was made possible by increasing the number of contacts between different categories of staff. But the situation is all still very unsatisfactory, because there are too few instructors compared with the needs of prisons. In response to the difficulties encountered in day-to-day practice, training could also — indeed, should — play a role in clarifying the duties and status of social workers.

d. Clerical and technical staff

These categories of staff are today the most disadvantaged as regards training. All they receive by way of training is some help in adapting to the work situation; this consists of a general survey of the prison service and some information on their future jobs. Efforts have been made recently to bring about improvements in this sector, but we are still very wide of the mark as regards the place of these staff members in the day-to-day functioning of penal institutions.

After a considerable number of requests from these staff members as well as from their superiors, various attempts were made in the past to give greater substance to their training. Unhappily, most of them came to nothing. We must have the clear-sightedness and honesty to admit failure and concede that, in this sector, training has not come up to expectations. This is found to cause some distress in view of the financial and administrative responsibilities borne by this category of staff in the field.

Another question we must have the courage to ask is: what are the reasons for this failure? It is, however, very difficult to find the right answer today. The lack of funds can always be advanced as an argument, but it does not explain everything; perhaps the answer lies in the absence of any genuine political concern.

B. Continued training

This is the indispensable corollary of basic training, which has no real meaning unless it is followed up by a system of in-service training. Taking what has

been done during basic training as a foundation, it is of prime importance to give all categories of staff the opportunity of increasing their knowledge during their careers. It is probably in the area of continued training that practice and training can really interact.

Whereas basic training prepares future prison officers for coping with the various problems they will encounter in their new profession, continued training is aimed at staff who have already been in employment for several years. They will, of course, already have received basic training, but now they feel the need to bring their knowledge up-to-date from time to time. Continued training programmes will naturally be based on their needs, criticisms and suggestions. But what should also be taken into account are the results registered in the field; these should be sifted, evaluated and checked to determine where any gaps exist between central government's wishes and aims and what has actually been achieved. There are two main types of continued training.

a. Continued training at central level

Organised by the National Training Institute of the Prison Department, this training is intended for all categories of staff. Its principal aim is to bring their knowledge up to a level consistent with current realities and objectives. Continued training should be regarded as a conveyor belt between central government and staff already employed in penal establishments. It is during sessions of continued training that the central authorities can gather a wide range of information for the purpose of verifying the functioning of penal institutions. The sessions are of inestimable value, enabling information to pass back and forth between the field and the centre in ideal conditions free from hierarchical constraints. Finally, under pressure from the professionals, emphasis has been laid in recent years on the training of middle-management staff.

b. Continued training at regional level

Though this decentralised training is also directed at all categories of staff, in practice it caters chiefly for prison officers. The system enables officers belonging to the same or neighbouring establishments to meet at regional level. It also provides an opportunity for exchanges between senior staff and the lower ranks, which promotes smoother relations and, at the same time, makes it possible to assess and hence to modify the operation of establishments.

Thus, in general, the creation of this system of confined training has helped to improve the control of attitudes and behaviour in different situations, making the Prisons Department more efficient. It has likewise promoted communication within penal institutions and reinforced solidarity between the different workers in the penal team. It has also helped to further understanding of the phenomena of criminality and detention and their effects on the personality of prisoners. Lastly, the system has contributed towards the development of opportunities for social and professional advancement.

Conclusion

I have tried to cover everything that can link training and practice. I doubt whether I have in fact succeeded, but I hope I have at least managed to demonstrate how essential training is to the success of the objectives set by the Prison Department.

It must be admitted that the idea of training for training's sake does not make sense: training is only meaningful insofar as it relates to day-to-day professional practice or to the events and incidents which mark prison life. That is why it is essential that those who are responsible for training do not confine themselves in an ivory tower but accept the need to co-operate with professionals in the field as well as trade unions and do not hesitate to enter into dialogues with the representatives of the mass media.

At the same time it is essential that all prison staff should feel involved in training and should not regard it solely as a matter for specialists. It should also be accepted that training is not the answer to everything and cannot by itself solve all the problems facing the authorities. It is important to be patient and realistic; although training can actually have a positive influence in the short term in certain areas, notably the most technical ones, in most cases it must be seen as a medium- or long-term investment. In this respect it would undoubtedly be a good thing to be even more exacting in the procedures and methods of evaluating training courses. For it is on the basis of such evaluation that teaching programmes can be corrected and adapted.

We now come to the last aspect which concerns those who provide the training, the instructors themselves. In France we have adopted a mixed system, for external staff work side-by-side with instructors from the area of penal practice. To be satisfactory, this system requires the training of penal instructors, for an excellent professional is not necessarily a good teacher. To enhance the credibility of these "teachers", it would be highly desirable if the status of instructor were defined.

I should like to conclude by referring to the criticism that is often levelled against prisons. This criticism is for the most part expressed by those who are least familiar with the penal milieu and who judge it through their own prejudices. It has been said that prison is a necessary evil; our role as instructors is to make the *evil* less *evil* and the *necessary* more *necessary*.

We must also remember to leave out the sensational aspect when talking about prisons, that is to say without any reference to police reports (mutiny, riots, incidents, escapes, etc). It is desirable to try to get across the idea that even if the penal institution is not perfect, it is far from being as questionable as some people suggest. I consider it the responsibility of us all to reveal without fear what happens in prisons and at the same time to accept criticism and to work together constantly in order to improve the system.

D. Philipou
National School
of the French Prison Administration

Prison staff training and the trainees

Three questions are concerned:

— Who becomes a prison officer in the Netherlands?

— What do we try to achieve by training?

— What other factors are relevant to the prison officer training relationship?

Let us consider first of all some important characteristics of new prison officers.

Prison officers are on the average better educated than they were 10 or 15 years ago, which is not surprising, for the educational level of the Dutch as a whole population has risen. Yet prison officers are of lower or middle-class origin. They are skilled or semi-skilled workers or even manual workers. They come from the lower stratum of the labour market. A statistic may be given to show the educational level of

modern prison officers. In 1970, 70% had only attended primary school; in 1980 the proportion was 25%. Completing one's education at the lowest level means receiving three or four years of education after primary school (which ends at the age of 12).

Many prison officers now have higher personal skills than their educational levels suggests. But many of them were also academic failures: either they did not pass their examinations or they dropped out of school early.

Their memories of their schooling are not very favourable. They are anxious to resume their education but are afraid of failing again.

The small group of people whose vocational education goes beyond the minimum level often have strange employment histories or personal handicaps which prevented them from succeeding in a job or reaching the expected level.

In Dutch society the job of prison officer is not one chosen because it is preferred to other professions.

A five year-old child may want to be a carpenter or an architect or a pilot, but not a prison officer.

No, becoming a prison officer is the last step envisaged or at least a second-choice profession.

The reasons for becoming a prison officer have nothing to do with the job itself, but more with people's circumstances: they may have lost their job or there were few other possibilities; they may want to work in governmental service or their original profession lost its challenge or attractiveness.

The reasons also seem to differ from one part of the country to another. When people have finished their selection process (which is done locally apart from the psychological examination), they do not have a clear picture of what the future will bring. What we often hear is that "starting to work in prison is stepping into a dark world". Any ideas people had were based on prejudice or ignorance.

The social status of a prison officer's job is rather low, though it is becoming somewhat better. A prison officer lacks a positive professional identity, unlike a nurse or a police officer. Such an identity would give him a strong position vis-a-vis prisoners as well as people outside prison who regard modern prisons as luxury hotels and so on.

It is also a profession comparable to a trap: once you are in, you are caught; it is very difficult to find a job in another sector of society.

Let us now turn to the question of age.

The average age of the new prison officer is 31.5 years. It has changed greatly since 1984. Up to then the majority of prison officers started their prison-service careers with a job as security officer at a much younger age (20 or 21).

In order to get promotion, they had to find work as junior prison officers. In 1984 this became possible, and so the age of prison officers started to rise.

Since 1980 we have been selecting women prison officers for men's prisons too. Although, to begin with, there were the usual problems of a minority in a male-dominated world, integration may now, I think, be considered to have been achieved. Last year 25% of the prison officers were women, and in recently opened prisons we find the same ratio: this is the target our State Secretary had set. The age of female prison officers is often higher than the average of their male colleagues. In the training institute, women who have brought up children, run a household and then entered the prison service are often successful in their work and enjoy a good reputation.

We have not been very successful up to now in selecting prison officer from the ethnic minorities (Surinamese, Turkish and Moroccan). In general, the rising average age of starting prison officers is to be welcomed. Younger people are often more involved in conflicts and have a higher rate of absenteeism because of illness.

The following factors are important criteria for planning a training programme:

— people with motives who apply for the job with a wide variety of reasons;

— people with different kinds of life experience and a certain maturity;

— people constituting a broad cross-section in terms of educational experience and level;

— people who are not very self-confident and do not have much self-esteem.

Before talking about our training, let me dwell for a moment on the job of a prison officer.

From my point of view, the requirements for the job have become very high compared with the capacities of a prison officer. A few years ago the staff of the Training Institute made a thorough analysis of the job, the tasks involved and the requisite knowledge, understanding, skills and attitudes. Problems seem to concentrate around the prison, the organisation and the total environment as well as around the permanent role conflict.

Two years ago the State Secretary for Justice participated in a conference of prison governors on the prison officer "profile". She concluded that the profiles sketched by the governors seemed just as valid for state secretaries, and she warned us that what we were searching for was a four-leaf clover. And in fact the warning proved justified in 1986, when an investigation into sick leave resulted in a report entitled "Prison officers under pressure". This showed 50% of prison officers sometimes felt nervous and under stress and that 30% of sick leave cases were due, according to the prison officers themselves, to stress of the work place.

People who feel overworked, who suffer from friction between different departments of the prison system, who do not feel supported by the governor, who are uncertain about their future and who experience role conflicts have two to three times higher rates of absenteeism than people who do not experience these things.

A more thorough investigation into stress among prison staff in Sweden showed clearly that about one-third of the staff of all grades in about one-third of the prisons studied experienced job satisfaction and professional pride and did not seem to be under any particular stress. Their institutions were characterised by comprehensive, honest and direct communication between all categories of staff. They were rightly proud of an institutional ideology which attached importance to identifying and analysing problems with a view to finding solutions to them. Since the institutions also had a climate conducive to change, new solutions could more easily be tested. Senior management, especially the governor, had an important function in promoting and maintaining this ideology.

At another third of the prisons studied the conditions appeared to be precisely the opposite. There was little sense of professional pride or job satisfaction. Staff often felt isolated and unsupported, and no-one seemed to take responsibility for anything. Communication and the transmission of information functioned badly. Many of the prisons had a difficult work situation because of a high proportion of drug abusers among the inmates. However, staff were less keen to try to deal with the drug problem, at these prisons than at those where drug abuse was less widespread. There was also less confidence in senior management, and many references were made to stress.

What I conclude from this investigation is that although there are great differences between the positions of prison officers in Sweden — with regard, for instance, to the educational level of prison officers and the sizes of establishments — there are some factors that are the same: the prison climate and the role of the governor seem of utmost importance.

The first question to be asked is: What is wrong with the job? It is no doubt the fact that job satisfaction is highly dependent on the support received from the governor.

But, of course, the real problem lies in the job itself and in the function of prison in society; the job needs to be legitimated by an ideology. It is not therefore possible to consider what is wrong with a prison officer's job without considering what is wrong with the prisons. Let me bring some modern marketing criteria into the discussion; viz who is our customer and what is our output? Our primary customer is society (not the prisoner), as it is society that pays for our activities. Our main product is the safety of society, or at least an illusion of safety, a sense of relief for the citizen that all dangerous people are locked up and being treated, that prisoners are being punished for what they have done. And, of course, prison officers are aware of this. In their thinking and the way they experience their job this underlying theme is present, more and less explicitly.

It is one of the justifications for prisons, like the others we shall be considering.

A prison officer justifies the existence of a prison by the way he does his job.

The Swedish investigation suggested that a higher social status and a better general education for prison officers are not enough for this purpose, with the result that prison officers may not always succeed in convincing themselves of such a justification. For example, they may be inclined to make a clear distinction between private life and work. Fortunately, however, there are also prison officers who do succeed.

Culture may be regarded as an answer to the challenges inherent in the social structure.

Prison officers who feel that they can only learn their profession in practice show a preference for learning from other people's examples. An attempt is

made to incorporate this cultural factor in the training provided, which is thus aimed at explaining part of the behaviour of prison officers in terms that can help them to find their own way to live in and with the prison system.

However, during the training period prison officers sometimes fail to find ways for themselves.

Let me give an example which shows how vulnerable a prison officer can be.

During a discussion on this very subject a prison officer said to me: "The governor has no confidence in us. A week ago he entered the canteen and said to me: 'You are reading the *Volkskrant*; that's more than I expected'". I asked her: "How did you take this remark?" She answered: "Terribly. I felt deeply hurt". "Did you tell him?" "No, you can't", "You can try", I rejoined, and so on. "What will the next encounter be like if you don't try to express your feelings?"

"There will be no other communication except on a purely formal level".

The vulnerability of many prison officers is an important point.

I can give examples of how sensitive and vulnerable a prison officer is.

In the course of our training in understanding the behaviour of ethnic minorities, we have repeatedly observed this.

When they heard a Surinamese who lives in Holland saying that discrimination and racism were part of everybody's behaviour, prison officers went out of their minds. They behaved exactly like the people whose position is most threatened by the arrival of people belonging to ethnic minorities.

We now try in our training to explore cultural differences.

During training, prison officers are asked to consider their own working methods and determine their strong and weak points.

Part of the training involves supervision. This concept may be confusing. It is a discussion method used in social casework, where a supervisor helps a trainee to analyse how to behave in his professional activities and how he can use his personal capacities as well as possible.

All these forms of training are compulsory and are conducted during working hours. Attendance is essential for promotion.

In 1988 a second training course was opened. It is a short course in basic functions, and trainees may register at a socio-vocational training academy, where after three years' part-time study (one day a week) they may be awarded the officially recognised state certificate of "Institutional worker".

This certificate is needed in order to apply for jobs in mental health and care for physically handicapped people.

The training groups include people from other kinds of "institutional work".

Offering people opportunities to work in different prisons has proved to be an excellent form of training.

Job rotation within the prison service is a good way of motivating prison officers and giving them a clearer idea of their work.

Lastly, let me stress once more the discrepancy between the high expectations we have of prison

officers and what happens in reality. To eliminate this discrepancy, it is necessary to raise prison officers' status, educational level and age and improve their personal capacity, training and working environment. Of these factors, age, personal capacity and working environment are the most important.

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NEWS OF THE COUNCIL OF EUROPE

Preventing maltreatment in prison — A new Convention

The image of the Council of Europe is inseparably linked with its achievements in protecting human rights. In 1987, it was further enhanced by the adoption of a new Convention aimed at improving the protection of human rights in respect of conditions of detention: the control system set up to monitor compliance by Contracting States with the provision of the European Convention on Human Rights has been complemented by a new anti-torture treaty: in contrast to the 1950 Convention, which affords 'reactive' protection by providing remedies against violations of its provisions — including its Article 3 which prohibits torture and inhuman or degrading treatment or punishment, the new European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment has a 'proactive' purpose; it is designed to prevent torture and maltreatment by providing for impromptu inspection of places of detention.

When the UN Anti-Torture Convention¹ was being negotiated within the Commission on Human Rights, Costa Rica had submitted a draft optional protocol which would have provided for a system of unannounced visits by an independent committee of experts to places of detention or imprisonment within the jurisdiction of States party to the Convention². As there was no consensus on the Costa Rican proposal, the Convention follows the established system of international human rights treaties: it provides for a 'Committee against Torture' to entertain inter-State and individual applications alleging violations of the Convention, subject to the State concerned having recognised the committee's competence to receive and consider such communications. In addition, the committee may, on its own motion, carry out an inquiry if it receives reliable information that torture is being systematically practised in a State party to the Convention (Article 20). Each contracting state may declare, however, that it does not recognise the committee's competence under Article 20. States such as the Socialist countries which regard such an investigation as an interference in their domestic affairs and a violation of their sovereignty³ have, therefore, the possibility of opting out, and they did so when they ratified the Convention. In its Resolution 1986/56, the Commission on Human Rights recommended that interested regions where a consensus existed should consider the possibility of preparing conventions along the lines of the Costa Rican proposal.

The member States of the Council of Europe are the first to have done so; they concluded the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment which was opened for signature on 26 November 1987⁴.

According to its preamble, the Convention seeks to strengthen the protection of persons deprived of their liberty against torture by non-judicial means of a preventive character. To that end, it provides for a system of visits to places of detention to be effected by a newly created 'European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment'. This system is based upon the experience of the International Committee of the Red Cross (ICRC) which has carried out visits to prisons over many years under the Geneva Conventions and on the basis of voluntary agreements with the countries concerned. The novelty of the European Convention is that it places the visits for which it provides on a treaty basis and that it extends them to all places of detention: the new committee shall, by means of visits, examine the treatment of persons deprived of their liberty (Article 1), and States which are party to the convention shall permit such visits to any place within their jurisdiction where persons are deprived of their liberty by a public authority (Article 2) including, for instance, places where persons are held in custody, imprisoned as a result of conviction for an offence or interned for medical reasons⁵. This obligation is complemented by the provision that the committee and the competent national authorities shall co-operate with each other (Article 3); the reference to co-operation is intended to emphasise the non-judicial character of the committee's functions⁶.

The purpose of these visits is to protect detained persons from torture and from inhuman or degrading treatment or punishment. Unlike the UN Convention, the new European treaty does not define 'torture' or 'inhuman or degrading treatment or punishment'. These terms are to be understood within the meaning given to them by other international instruments prohibiting torture and maltreatment such as Article 3 of the European Convention on Human Rights⁷.

The committee to which the application of the convention is entrusted shall consist of a number of members equal to that of the parties. Members should

1. The Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly on 10 December 1984 (by Resolution 39/46), entered into force on 26 June 1987 upon ratification by 20 member states.

2. Doc. E/CN.4/1409 of 10 April 1980.

3. See, for instance, the declaration of the Soviet delegate to the Commission on Human Rights: Doc. E/CN.4/1984/SR33 of 5 March 1984, p.5.

4. European Treaty Series No. 126. The Convention entered into force on 1 February 1989. 15 States (Austria, Cyprus, Denmark, France, Ireland, Italy, Luxembourg, Malta, Netherlands, Norway, Spain, Sweden, Switzerland, Turkey, United Kingdom) have already ratified it (at 1 July 1989).

5. Explanatory report (not yet published), para. 30.

6. *Ibid* para. 33.

7. *Cf* *ibid* para. 26.

have competence in the field of human rights or professional experience in the areas covered by the convention. They serve in their individual capacity and must be independent and impartial (Article 4). They are elected for a period of four years by the Committee of Ministers from a list of names drawn up by the Bureau of the Parliamentary Assembly (Article 5). The committee's meetings are held in camera (Article 6(1)), and the information it gathers in relation to a visit, its report and its consultations with the party concerned are confidential (Article 11(1)). The committee will be serviced by the Secretary General of the Council of Europe (Article 6(3)). All these provisions correspond closely to those governing the composition, the election of members and the procedure of the European Commission of Human Rights⁸.

The committee enjoys full discretion in organising visits to places of detention. These may be made on a regular or on an ad hoc basis, in the latter case whenever circumstances so require. As a general rule, visits shall be carried out by at least two members of the committee (Article 7). Visits are unannounced in that the committee's discretion extends to determining the time of a particular visit. It must, however, notify the government concerned of its intention to carry out a visit (Article 8(1)). The convention does not specify the period of time which should elapse between notification and visit but, in view of the principle of co-operation laid down in Article 3, the committee is expected to give the government concerned reasonable time to take the necessary measures to make the visit as effective as possible⁹ and to provide the committee with the facilities it is required to grant under article 8(2), i.e. access to its territory and the right to travel without restriction, full information on the places where persons deprived of their liberty are being held and unlimited access to such places. The committee may interview the persons concerned in private (using, where necessary, its own interpreters), and it may communicate freely with any other person whom it believes can supply relevant information (Article 8(3) and (4)).

The Convention recognises that, notwithstanding the obligation to permit visits, certain exceptional circumstances may justify a postponement of a visit or some limitation on the right of access to a particular place of detention. The grounds which may be invoked to justify these exceptions are exhaustively listed in Article 9(1): national defence, public safety, serious disorder in places of detention, the medical condition of a person or an urgent interrogation relating to a serious crime being in progress. If a Party makes representations on any of these grounds, it must immediately enter into consultations with the committee in order to seek agreement on alternative arrangements which would enable the committee to exercise its functions expeditiously (Article 9(2)).

After each visit, the committee draws up a report on the facts found during the visit, which it submits to the Party concerned with any recommendations it considers necessary. Should the Party fail to cooperate or refuse to improve the situation in the light

of these recommendations, the committee may decide, after having given the Party an opportunity to express its views, to make a public statement on the matter; this decision requires a majority of two-thirds of the committee's members (Article 10). Except for this public statement, the committee's activities are governed by the principle of confidentiality. Only if requested by the Party concerned, may the committee publish its report, but personal data must not be published without the express consent of the person concerned (Article 11). The committee submits an annual activity report to the Committee of Ministers, which is also transmitted to the Parliamentary Assembly and made public (Article 12). This is a general report on the Committee's activities; it follows from the rule of confidentiality in Article 11 that it does not make reference to particular visits nor does it mention the States visited¹⁰. The obligation to observe confidentiality extends beyond the term of office of members of the committee and applies also to experts and other persons assisting the committee in the discharge of its functions (Article 13).

To facilitate the practical application of the convention, each Party must inform the committee of the authority which is competent to receive notifications and of any liaison officer which it may appoint to facilitate the task of the committee during its visits (Article 15).

Apart from political opposition raised during the negotiation of the treaty (based on the argument that in Western European democracies there was no real need for an instrument on the prevention of torture), it was also feared that the functions of the new committee might overlap with those assigned to the control organs of the European Convention on Human Rights. This concern is addressed in Article 17(2) which provides that nothing in the new anti-torture convention shall be construed as limiting or derogating from the competence of the human rights organs or from the obligations arising from the Human Rights Convention. Three consequences follow from this clarification: first, the committee may not deal with matters raised in proceedings pending before the human rights organs. Secondly, the committee must not formulate interpretations of the provisions of the European Convention on Human Rights. Thirdly, the committee's investigation is not 'another procedure of international investigation or settlement' within the meaning of Article 27(1)(b) of the Human Rights Convention, with the result that it cannot be opposed to an applicant who lodges an individual application under Article 25 of that convention¹¹).

As the Convention applies both in time of peace and in time of war, it was necessary also to deal with the committee's functions in relation to those of the International Committee of the Red Cross under the 1949 Geneva Conventions and their 1977 Protocols. Article 17(3) provides that the committee shall not visit

8. See Arts 20-23 and 33-37 of the European Convention on Human Rights.

9. Explanatory report, para. 56.

10. Ibid para. 79.

11. Ibid paras. 91-92

places which representatives or delegates of Protecting Powers or the International Committee of the Red Cross effectively visit on a regular basis by virtue of the Geneva Conventions and the Additional Protocols. Priority is therefore given to the application of the Geneva Conventions. However, as the provision is confined to the ICRC's visits under these conventions, it does not apply to its visits carried out in time of peace by virtue of bilateral agreements with

the countries concerned. In such cases, the committee must decide what attitude to adopt; its decision whether to make a visit will largely depend on the situation and status of the persons who might be the subject of a visit.

Hans-Jürgen Bartsch

Do young adults form a fringe or main group in the execution of sentences today?

A seminar on the prison sentences imposed on young adults was held at Spiez from 17 to 21 October 1988. It was organised by the Swiss Training Centre for Prison Staff and the Federal Office of Justice, under the auspices of the Council of Europe. It brought together 25 experts on the execution of sentences and measures from Canada and 14 Council of Europe member States.

At the beginning of the seminar, it was stated that age was a factor of prime importance as regards both the origins of criminal behaviour and the resocialisation of offenders. That is why in the legal systems of European countries a special criminal law for minors, or, at least, a number of special provisions applicable to juvenile delinquents exist alongside adult criminal law. That is also why prison sentences imposed on minors are usually executed in special institutions.

Nevertheless social conditions today make it *difficult* to divide offenders into juvenile and adult offenders on the basis of age in years. Becoming an adult is a process which is not automatically linked to biological age and it is more protracted than it was in the past as vocational training takes longer. In theory, young adults (ie persons aged from about 18 to 25 or 30) are subject to criminal law, criminal proceedings and the law on the execution of adult sentences. Is this appropriate from the point of view of criminal policy and policy on the execution of sentences?

This question is legitimate in that the age group of young adults is of dual significance in the eyes of those responsible for crime policy. On the one hand, the rate of delinquency among young adults is particularly high but, on the other, as their personality is still developing, they stand a better chance of being *re-integrated* in society.

The central issue discussed at Spiez was whether young adults who had been sentenced to prison had to be held in *special prisons* or, whether they ought to be sent to *prisons for adults* and, if so, on what conditions.

Switzerland had plenty of material on this subject which served as a basis of discussion. Although in our country young adults are generally held in adult prisons, the court may place those who can and need to receive treatment in specialised prisons concentrating on the 18 to 25 age group. Experiments carried out in these special institutions offering social therapy or social pedagogy may be regarded as successful, but it is hard to apply these models in general, as the choice of suitable candidates must be all the more selective when there is greater differentiation in the programmes of such institutions.

At the seminar, experiments in Switzerland were naturally compared with those in other *European countries*. A written survey sent to participants before the seminar helped with this. The survey in question showed that there was no consensus on the above-mentioned central issue. In some countries, convicts tended to be treated differently according to their age, while in others such differentiation was giving way to a greater number of sentences being served in the offender's own region. Nevertheless, over and above these variations, there was a general agreement that both legislator and executive organs had to pay *special attention* to the specific needs of young adults.

In conclusion, a last irreverent question was raised at the seminar. Why, in view of the fact that young adults accounted for the largest group as far as the execution of sentences and measures was concerned did we not draw the obvious conclusion, ie that criminal law and the execution of sentences had to be centered on this age group and that special prisons ought to be set up and special provisions made for older offenders, who were the exception?

Andrea Baechtold

NEWS FROM THE MEMBER STATES

Statistics on prison populations in the member states of the Council of Europe

Situation at 1.9.1988 and committals in 1987 Structural analysis based on criminal categories

The information which follows, assembled by means of the statistical records system introduced by the Committee for Co-operation in Prison Affairs, deals with the situation of prison populations at 1 September 1988¹ as well as flows for the year 1987.

In addition, as was announced in Bulletin No. 11, we included in the September survey questionnaire an item on the legal composition of the sub-population of prisoners who have not received a final sentence ("unconvicted prisoners"). An analysis of the results obtained is set forth in this report.

Situation at 1 September 1988

The following indicators (Table 1) have been calculated on the basis of unprocessed information collected from the prison administrations:

- a. Total prison population;
- b. Rate of detention per 100 000: total prison population at 1.9.1988 as a proportion of all inhabitants on that date (Figure 1);
- c. Percentage of unconvicted prisoners: number of prisoners not finally sentenced as a percentage of the total prison population;
- d. Rate of detention on remand per 100 000: number of unconvicted prisoners as a proportion of all inhabitants at 1.9.1988 (Figure 2);
- e. Percentage of women prisoners;
- f. Percentage of young prisoners;
- g. Percentage of foreign prisoners.

At 1 September 1988, the average rate of detention was 64.7 per 100 000 inhabitants² compared with the following figures for the last 5 years (data at 1 September): 1983 = 57.1, 1984 = 59.4, 1985 = 61.8, 1986 = 63.1, 1987 = 62.1.

Prison population trends over the last 12 months

Over the last 12 months, 8 out of 19 prison populations have increased substantially: Malta (351.0%), Iceland (30.9%), Netherlands (16.5%), Sweden (12.3%), Denmark (8.7%), Spain (7.8%), Greece (7.5%) and Norway (5.8%).

Seven states have remained relatively stable: Portugal (-1.1%), Italy (-0.5%), Federal Republic of Germany (0.3%), Ireland (0.9%), Cyprus (1.9%), United Kingdom (2.0%), and Turkey (2.9%).

Lastly, 4 countries have seen a marked drop in their prison populations: Austria (-21%), Luxembourg (-8.8%), France (-8.3%) and Belgium (-3.9%).

Committal flow in 1987

As in previous surveys, the following indicators were calculated (Table 2):

- a. Number of committals in 1987.
- b. Rate of committals per 100,00 in 1987: number of committals during 1987 as a proportion of the mean number of inhabitants over that period. Taking into account the available data, we in fact used the number of inhabitants at 1.9.1987 as reported by administrations.
- c. Percentage of unconvicted prisoners committed: number of committals of unconvicted prisoners as a percentage of the year's total committals.
- d. Indicator of the average period of detention (D): quotient obtained by dividing the average 1987 population (P) by the committal flow over the same period (E): $D = 12 \times P/E$ (duration in months).

In the light of the available data, P was taken to be the population at 1.9.1987.

It should be remembered that the figures obtained must be considered as indicators and not as measured results.

It is clear from the data published previously that the length of the average period of detention has been increasing over the past five years in most member states.

This increase is particularly marked in Belgium, France, Greece, Ireland, Italy and Luxembourg.

1. As in the past, data concerning Finland and Canada are appended.

2. These calculations do not take account of the position in Turkey and Switzerland, countries for which no data are available for the entire period.

Figure 1
**Breakdown of Council of Europe member states
 by rate of detention per 100 000 inhabitants**

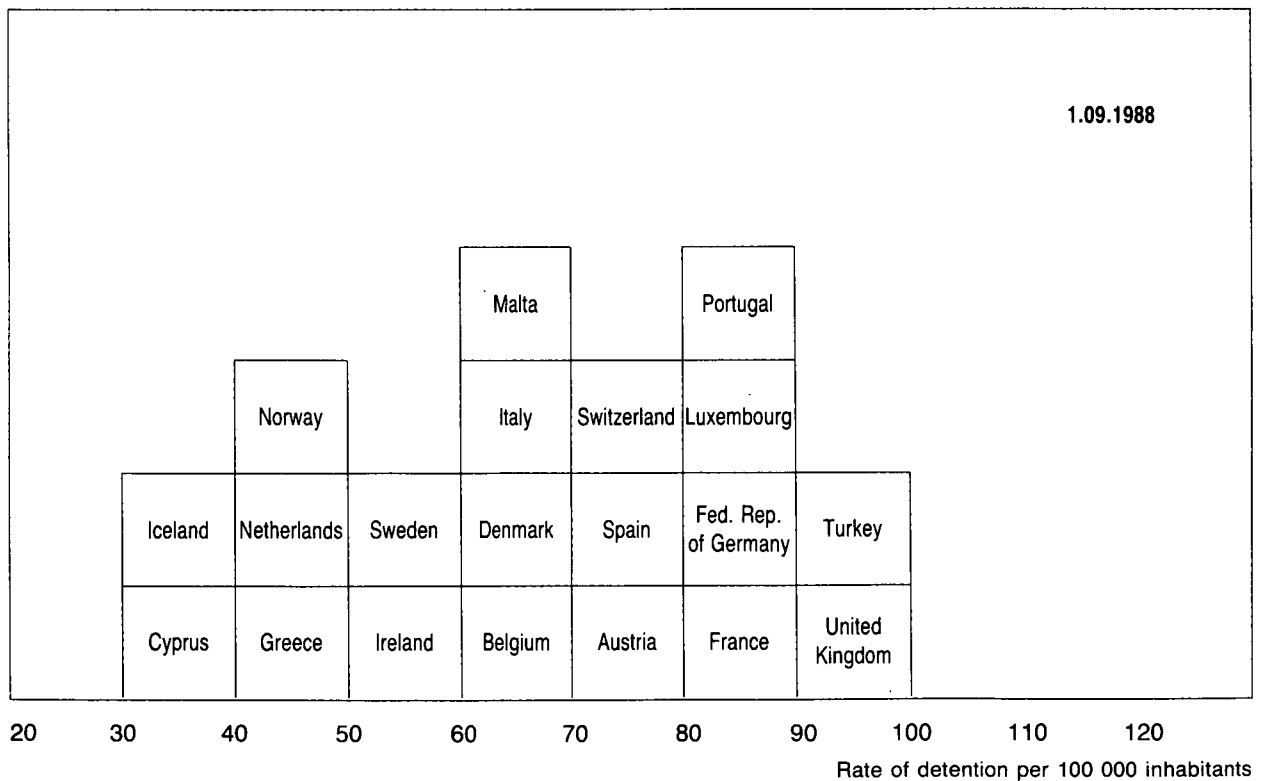
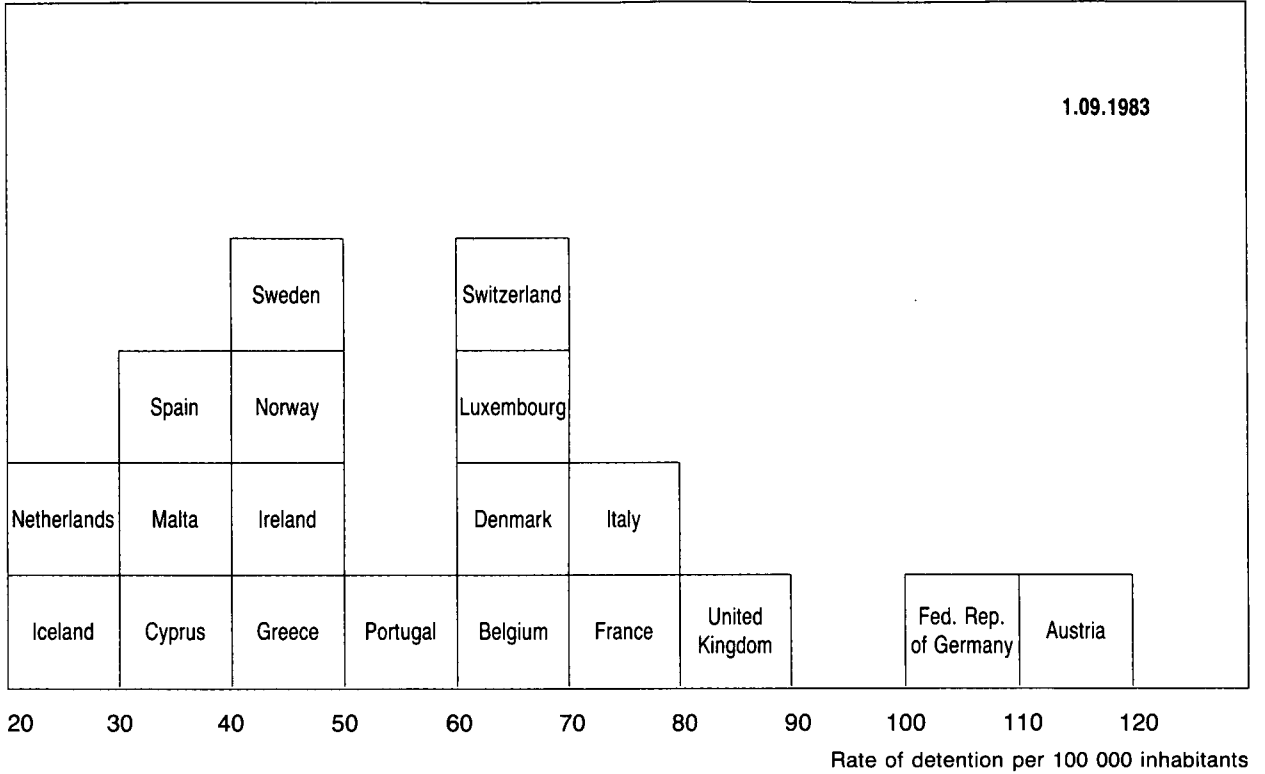
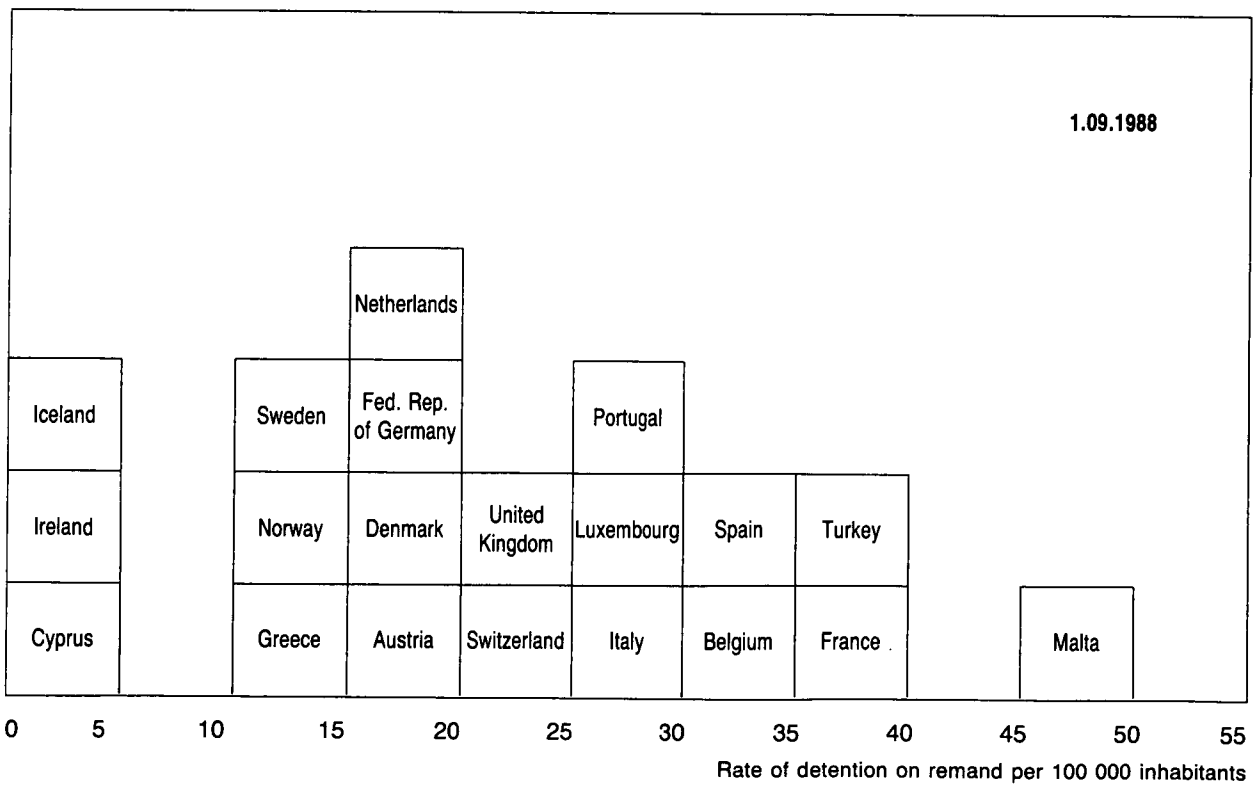
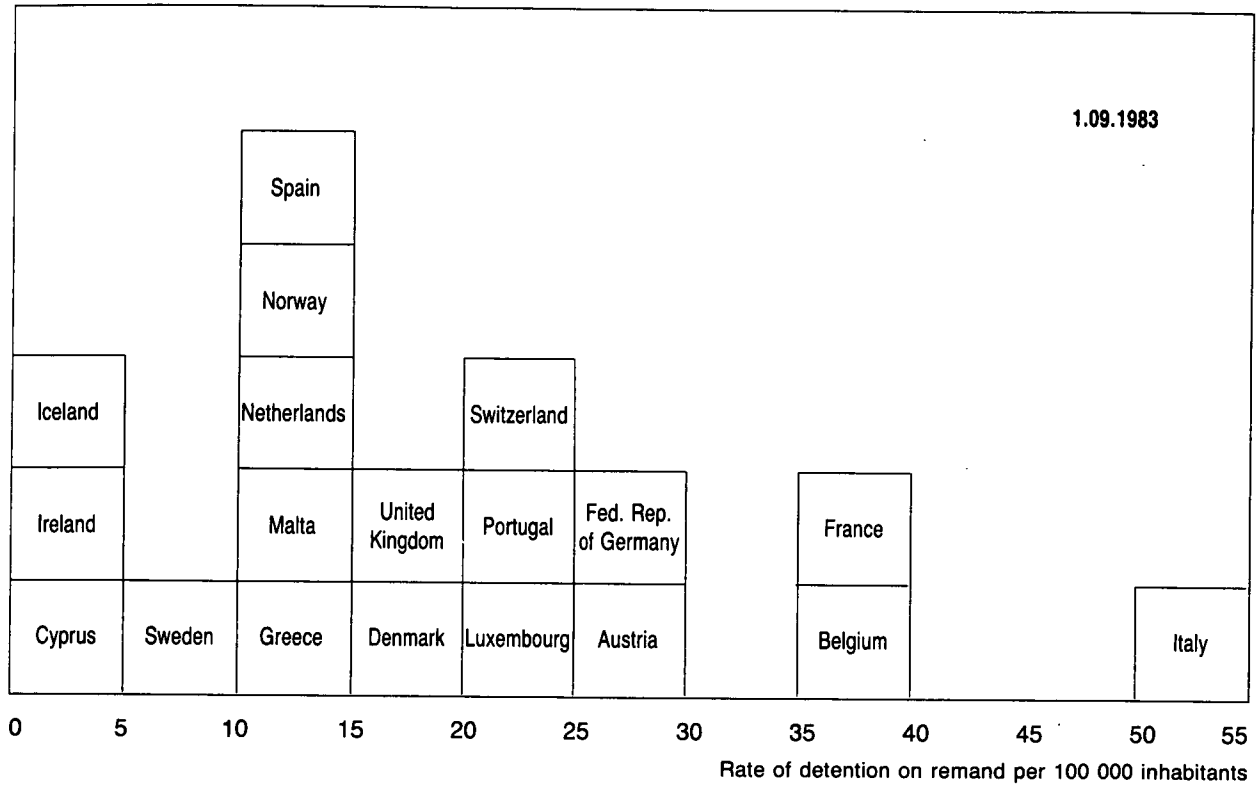


Figure 2

**Breakdown of Council of Europe member states
by rate of detention on remand per 100 000 inhabitants**



Indicator of the average detention period in months¹

	1982	1983	1984	1985	1986	1987
Belgium	3.0	3.5	3.7	3.8	3.7	4.3
Cyprus	6.6	4.9	4.5	3.5	4.1	4.5
France	5.8	5.2	5.5	5.7	6.3	6.5
Fed. Rep. of Germany	6.2	6.4	6.7	6.8	6.9	7.0
Greece	5.9	6.4	—	—	—	12.1
Ireland	2.4	2.8	3.0	—	3.0	3.2
Iceland	6.5	2.9	3.0	3.2	2.8	2.5
Italy	3.4	4.8	5.0	5.7	5.5	5.9
Luxembourg	3.2	2.4	3.7	5.2	7.2	6.7
Malta	4.4	4.7	5.0	3.9	5.3	2.1
Norway	2.1	2.2	—	2.1	0.8	1.1
Portugal	8.0	5.3	8.5	10.5	9.0	10.2
Turkey	5.2	5.5	7.4	7.2	5.3	4.7
United Kingdom	—	3.2	3.0	3.1	3.3	3.3

3. We have included only those countries for which information was available for 1987.

Structure of the category of “unconvicted prisoners”

As in the past, we have presented in Table 1 the “percentage of unconvicted prisoners” — calculated on the basis of 100 prisoners — and the “rate of detention on remand” — calculated on the basis of 100 000 inhabitants.

In a previous report, we had stressed the fact that the calculation of these two indicators is based on a definition of the term “unconvicted prisoner” which raises certain problems. In these statistics, the “unconvicted prisoner” is defined negatively: “a prisoner who has not been finally sentenced”. This definition, which is unambiguous in theory, has the same drawbacks as all other negative definitions. Thus, the prisoners included under this heading may belong to a wide variety of different legal categories, and this obviously makes international comparisons difficult in respect of detention before judgement.

Accordingly, we asked each administration to specify the composition, at *1 September 1988* of this category of “unconvicted prisoners”.

In view of the criminal procedures peculiar to each state as well as the specific features of each statistical system, the question was worded in broad terms (no proposed nomenclature).

Eleven of the member states did not supply the information requested: Austria, Cyprus, Denmark, Spain, Greece, Ireland, Italy, Malta, Norway, Federal Republic of Germany and Turkey. This was also the case for Finland and Canada.

Without proposing a breakdown of the category of “unconvicted prisoners”, Portugal and Sweden provide qualitative details of the persons included in this category.

Portugal: “Prisoners awaiting a first judgment or awaiting examination of their mental faculties and convicted persons who have appealed”;

Sweden: “Pre-trial detained”.

As was to be expected, the statistics collected from the seven remaining states vary considerably, in terms of the way in which they are presented, from one country to another. As a result, it has not been possible to set forth the results in the form of a consolidated statistical table.

Belgium:	Numbers	%
Total prison population	6 450	100.0
Unconvicted prisoners	3 272	50.7
Remand prisoners (persons ordered to appear before a judge or court, accused persons, detained and convicted persons awaiting final judgment)	1 840	28.5
Minors in provisional custody	23	0.4
Minors placed at the Government’s disposal	12	0.2
Persons detained under the Social Protection Act)	743	11.5
Vagrants	491	7.6
Others	163	2.5

France	Numbers	%
Total prison population	46 423	100.0
Unconvicted prisoners	20 570	44.3
Prisoners due to appear immediately before a judge or court	588	1.3
Investigation in progress	14 350	30.8
Prisoners waiting to appear before a judge or court	2 681	5.8
Convicted persons who have appealed	2 951	6.4

Note: As details of the breakdown by criminal category were not known until 1.7.1988, the structure at that date was applied to the known number of unconvicted prisoners at 1.9.1988.

Iceland :	Numbers	%
Total prison population	89	100.0
Unconvicted prisoners	7	7.9
Investigation in progress	4	4.5
Convicted but have appealed	3	3.4

Luxembourg :	Numbers	%
Total prison population	322	100.0
Unconvicted prisoners	106	32.9
Prisoners awaiting a first judgment	82	25.5
Convicted persons who have appealed or whose time limit for appeal has not expired	22	6.8
Minors	2	0.6

Netherlands :	Numbers	%
Total prison population	5 827	100.0
Unconvicted prisoners	2 309	39.6
Accused persons	2 184	37.5
Foreigners placed at disposal of Government	124	2.1
Persons held in custody to give evidence	1	0.0

Switzerland :	Numbers	%
Total prison population ¹	4 679	100.0
Unconvicted prisoners	1 521	32.5
Detention by order of the police	25	0.5
Detention on remand or preventive detention	1 342	28.7
Detention pending extradition or expulsion	60	1.3
Deprivation of liberty for purposes of social assistance	46	1.0
Others	48	1.0

United Kingdom

<i>England and Wales :</i>	Numbers	%
Total prison population	48 595	100.0
Unconvicted prisoners	10 258	21.1
Awaiting trial	8 697	17.9
Convicted awaiting sentence	1 561	3.2

<i>Scotland :</i>	Numbers	%
Total prison population	5 076	100.0
Unconvicted prisoners	847	16.7
Untried prisoners	714	14.1
Convicted prisoners awaiting sentence	133	2.6

Northern Ireland :	Numbers	%
Total prison population	1 786	100.0
Unconvicted prisoners ²	290	16.2
Remand prisoners ³	135	7.6
Prisoners awaiting trial ⁴	153	8.5
Aliens ⁵	2	0.1

In their answers to the questionnaire, respondents were asked to provide details, as far as possible, of the following three categories:

1. Unconvicted prisoners awaiting a first judgment;

2. Convicted prisoners who have appealed or whose time limit for doing so has not expired (not finally sentenced);

3. Other cases.

Details concerning category (2) are provided by the following countries: Belgium, France, Iceland and Luxembourg; however, Belgium does not provide separate data for categories (1) and (2).

Northern Ireland specifies that category (2) prisoners are not included among "unconvicted prisoners", as they cannot be distinguished from those who have received a final sentence.

The same seems to be true of Switzerland, England and Scotland.

With regard to the heading "Others", it may include, in particular, certain categories of minors (Belgium, Luxembourg), as well as aliens imprisoned pending expulsion or extradition (Netherlands, Switzerland, Northern Ireland).

This first attempt to obtain more precise data on the criminal structure of prison populations has proved very disappointing. Indeed, the information collected is still far from sufficient to permit calculation of genuinely comparable rates of detention before judgment. This question should be taken up again in future surveys.

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1. Estimate: the data on unconvicted prisoners refer to the situation at 17.3.1988.

2. The category of "unconvicted prisoners" does not include convicted persons who have appealed or for whom the legal time limit for doing so has not expired. Such prisoners are included among convicted persons, as it is not possible to identify them separately in the statistics.

3. Persons detained after having been charged, before their trial or before the judge's decision as to whether they should stand trial.

4. Detainees in respect of whom a judge has decided that they should stand trial.

5. Aliens suspected of unlawful residence.

Table 1
Situation of prison populations at 1.09.1988

	(a)	(b)	(c)	(d)	(e)	(f)	(g)
	Total prison population	Detention rate per 100 000 inhabitants	Percentage of unconvicted prisoners	Rate of unconvicted prisoners per 100 000 inhabitants	Percentage of women prisoners	Percentage of young prisoners	Percentage of foreign prisoners
Austria	5 862	77.0	23.5	18.1	4.0	18 a : 1.6	10.9
Belgium*	6 450	65.4	50.7	33.2	5.3	18 a : 0.5	31.2
Cyprus	219	39.3	7.8	3.1	5.0	21 a : 18.3	38.4
Denmark	3 469	68.0	25.2	17.1	—	—	—
France*	46 423	81.1	44.3	35.9	4.5	21 a : 12.2	25.8
Fed. Rep. of Germany*	52 076	84.9	22.4	19.0	4.1	—	14.5
Greece	4 288	44.0	27.5	12.1	4.4	21 a : 6.0	22.9
Ireland*	1 953	55.0	5.3	2.9	2.6	21 a : 29.3	0.9
Iceland	89	35.6	7.9	2.8	3.4	22 a : 12.4	1.1
Italy	34 675	60.4	49.3	29.8	5.0	18 a : 1.4	8.9
Luxembourg	322	86.5	32.9	28.5	5.0	21 a : 5.3	41.3
Malta	221	67.0	68.8	46.1	0.5	18 a : 2.7	20.4
Netherlands	5 827	40.0	39.6	15.9	3.6	23 a : 15.3	21.2
Norway	2 041	48.4	23.0	11.1	—	21 a : 6.5	11.0
Portugal	8 181	83.0	33.5	27.8	6.5	21 a : 9.6	8.8
Spain	29 344	75.8	43.7	33.2	6.8	21 a : 7.7	15.1
Sweden*	4 716	56.0	19.9	11.2	4.6	21 a : 3.5	22.3
Switzerland*	4 679	73.1	32.5	23.8	5.6	18 a : 3.8	36.0
Turkey	51 810	95.6	38.1	36.4	2.8	18 a : 1.4	0.5
United Kingdom	55 457	97.4	20.5	20.0	3.4	21 a : 23.7	1.3
England							
Wales*	48 595	96.7	21.1	20.4	3.5	21 a : 23.8	1.4
Scotland	5 076	99.3	16.7	16.6	3.4	21 a : 23.2	0.2
Northern Ireland	1 786	114.2	16.2	18.5	1.5	21 a : 23.0	1.6

* See notes

Notes — Table 1

Belgium :

Indicator (f) concerns only minors in provisional custody and minors placed at the Government's disposal (maximum age 25 years).

France :

The data concern all persons imprisoned in metropolitan France and the overseas departments (metropolitan France = 44,912; overseas departments = 1,511).

For metropolitan France, indicator (b) is 80.3 per 100 000.

Indicators (e), (f) and (g) were calculated with reference to the situation at 1.7.1988.

Federal Republic of Germany :

Indicator (e) concerns the entire prison population with the exception of "civil law" prisoners and persons imprisoned pending expulsion (n = 1,271).

It is impossible to calculate indicator (f) on the basis of the total population. Unconvicted prisoners (n = 11,639): proportion of persons under 21 = 12.8%. Convicted prisoners (n = 39,166): proportion of convicted prisoners held in prisons for young persons = 11.5%; most are between 14 and 25 years of age.

Indicator (g) is an estimate.

Ireland :

18 foreigners, not including 41 prisoners from Northern Ireland.

Sweden :

Indicators (e), (f) and (g) were calculated with reference to the convicted prisoner population.

Switzerland :

Indicators (e), (f) and (g) were calculated with reference to the convicted prisoner population.

United Kingdom

England and Wales:

The figure given in column (a) does not include 1,511 persons in police custody (for the most part unsentenced: men aged under 21 = 312, men aged 21 and over = 1,106, women = 93).

Indicators (e) and (f) concern the total prison population with the exception of "civil law" prisoners (n = 189).

Indicator (g) is an estimate; prisoners considered as foreigners are those born outside the Commonwealth, Ireland and Pakistan.

Notes — Table 2

France:

The data are for metropolitan France only.

Sweden:

Committals for 1987: convicted = 14,980.

Switzerland:

Committals for 1987: convicted = 10,580.

England and Wales:

The number of committals was obtained by adding together the number of committals of convicted persons and the number of committals of unconvicted persons. The United Kingdom administration provided an estimate of the number of persons committed (without double entries): 119,681.

This figure was used as a basis for obtaining a committal rate of 239.1 per 100 000 and an indicator of the mean detention period of 4.7 months. However, these indicators cannot be directly compared with those of other countries, where the system of calculation is based on the idea of committal rather than that of persons committed.

Table 2
Committal flow in 1987

	(a)	(b)	(c)	(d)
	Number of committals in 1987	Rate of committals per 100 000 inhabitants in 1987	Rate of unconvicted prisoners convicted in 1987	Indicator of mean detention period in month (1985)
Austria	—	—	—	—
Belgium	18 437	185.1	77.2	4.3
Cyprus	574	104.1	26.5	4.5
Denmark	—	—	—	—
France*	90 697	163.0	71.9	6.5
Fed. Rep. of Germany	89 220	145.9	—	7.0
Greece	3 966	40.7	26.3	12.1
Ireland	7 275	206.3	43.4	3.2
Iceland	326	133.8	32.5	2.5
Italy	70 479	123.0	93.3	5.9
Luxembourg	629	170.2	79.2	6.7
Malta	278	84.0	70.1	2.1
Netherlands	—	—	—	—
Norway	21 394	510.2	51.4	1.1
Portugal	9 716	98.7	80.7	10.2
Spain	—	—	—	—
Sweden*	—	—	—	—
Switzerland*	—	—	—	—
Turkey	129 613	255.9	65.7	4.7
United Kingdom	199 068	350.7	43.5	3.3
England				
Wales*	153 708	307.1	43.8	3.7
Scotland	39 297	767.7	43.5	1.7
Northern Ireland	6 063	388.6	35.3	3.7

*. See notes below.

Appendix 1: Finland

1. Situation at 1.9.1988

a. Total prison population	3 598
b. Rate of detention per 100 000 inhabitants	73.0
c. Percentage of unconvicted prisoners	12.2
d. Rate of detention on remand per 100 000	8.9
e. Percentage of women prisoners	3.2
f. Percentage of young prisoners (21 years)	5.9
g. Percentage of foreign prisoners	0.3

2. Changes in population

Increase/decrease in the number of prisoners over the period 1 September 1987 — 1 September 1988: — 5.9%

3. Committal flow in 1987

a. Number of committals	9 467
b. Rate of committals per 100 000	212.9
c. Percentage of unconvicted prisoners committed	27.9
d. Indicator of the mean detention period in months	4.8

Appendix 2: Canada

The last data on Canada published in the Prison Information Bulletin (No. 11, June 1988) concerned the financial year 1986-1987 (1 April 1986 — 31 March 1987).

1. Average situation for the financial year 1987-1988

a. Total prison population	28 046
b. Rate of detention per 100 000 inhabitants	109.4
c. Percentage of unconvicted prisoners	14.3
d. Rate of detention on remand per 100 000	15.6

2. Changes in average populations

Increase in the number of prisoners over the period 1986-1987: 0.3%.

Note: The total population figure relates to correctional institutions for adults (provincial and federal institutions): age limit of 16, 17 or 18 years according to the province concerned.

Laws, bills, regulations

The titles of laws which have come into force in the past year, bills and regulations relating to prison affairs which are likely to be of particular interest to the prison administrations of other member States will be given in this section. In certain cases, the titles are followed by a brief summary.

Belgium

As part of reform of the constitution the two Communities (French-speaking and Dutch-speaking) have been given responsibilities for prisoner welfare. Enforcement of judicial measures and decisions remains a central-government responsibility.

Provisional release pending pardon for prisoners serving short sentences (of up to one year) has again been used to combat overcrowding. A ministerial circular of 29 September 1988 gave instructions, operating from 3 October 1988 to 31 December 1988, for rapid provisional release, pending pardon, of prisoners serving one or more final sentences of given length (no account being taken of previous sentences), viz.:

— prisoners serving a main or subsidiary sentence of more than 15 days and not less than four months (to be released after 15 days from the latest admission to prison);

— prisoners serving a main or subsidiary sentence of more than four months and up to seven months (to be released after two months' actual imprisonment reckoned from the date of the latest admission to prison);

— prisoners serving a main or subsidiary sentence of over seven months and up to nine months (to be released after three months from the date of the latest admission to prison);

— prisoners serving a main or subsidiary sentence of over nine months and up to one year (to be released after four months from the date of the latest admission to prison).

The instructions also allowed release, on the same conditions as just set out, of prisoners serving one or more subsidiary sentences only.

The Aliens Office had to be consulted before any foreign prisoners without residence permission could be released.

The provisional release instructions did not apply to convicted prisoners whose extradition had been applied for or who were being held at the Government's disposal for recidivism.

Denmark

Cirkulaerskrivelse af 6. juni 1988 vedrørende kriminalforsorgens deltagelse i SSP-samarbejdet (Circular of 6 June 1988, Directives for the Prisons and Probation Participation in SSP-Co-operation). Criminal-prevention collaboration between the Administration of Social Services, the School and Leisure — Time Administration and the local police.

Cirkulaerskrivelse af 17. juni 1988 om indberetning om udlaendinge, der skal udvises (Circular of 17 June 1988, on the reporting of foreigners to be expelled from the country).

Bekendtgørelse om offentlig retshjælp ved advokater. Bekendtgørelse nr. 458 af 28. juli 1988 (Government Order concerning Public Legal Aid by Lawyers).

Lov om fri proces og retshjælp. Lovforslag nr. L 25. Vedtaget den 28. juni 1988 (Act on Free Legal Aid and Advice).

Lovforslag om aedring af retsplejeloven (Dørlukning og advokatbistand til den forurettede). Lovforslag nr. L 11 fremsat den 11. oktober 1988 af Justitsministeren (Bill of Amendment to the Administration of Justice Act In camera and Legal Aid to the Injured Party).

Lovforslag om frihedsberøvelse og anden tvang i psykiatrien. Lovforslag nr. L 76 fremsat den 26. oktober 1988 af Justitsministeren (Bill on Detention and offer duress in psychiatry).

Forslag til lov om ændring af retsplejeloven (legemsindgreb). Lovforslag nr. L 81 fremsat den 3. november 1988 af Justitsministeren (Bill of Amendment to the Administration of Justice Act) (Surgical intervention).

Greece

Under Act 1805/1988 (OEK 199/31-8-88, Vol. A), provisions governing computer offences were inserted in the Criminal Code.

Under the same Act, the same provisions of the Code of Criminal Procedure concerning criminal records were amended.

Italy

Law No. 117 of 13 April 1988 on compensation for damage occasioned during a period in which a member of the state legal service holds judicial office and his civil liability (published in Official Journal No. 88 of 15 April 1988).

This law makes it possible to bring an action against the State in order to obtain compensation for (pecuniary and non-pecuniary) damage arising from deprivation of liberty. The said damage must have been occasioned by behaviour, an act or judgment involving willful misconduct or gross negligence on the part of a member of the state legal service while holding judicial office.

Law No. 330 of 5 August 1988 on the new rules regarding measures involving restriction of liberty during criminal proceedings (published in the supplement to Official Journal No. 187 of 10 August 1988).

This law, comprising 73 sections, amends some rules of the Code of Criminal Procedure in anticipation of the application of the new code. It amends the general conditions governing the issue of arrest warrants. Obligatory arrest has been abolished in respect of some crimes. In future, an arrest warrant may be issued solely when it is essential to safeguard certain evidence (i.e. in the event or likelihood of

abscondance), the person concerned is dangerous and it is necessary to protect the community. The law extends the possibility of replacing imprisonment by house arrest (at the person's own home, at another private place of residence or in a public care and welfare institution). Furthermore, instead of issuing an arrest warrant, the court may order the application of one of the following measures:

1. Bail
2. Obligation to report periodically to a police station
3. Ban on remaining or obligation to remain in a specified place.

Luxembourg

Act of 1 September 1988 on the civil liability of the state and public authorities (Gazette A No. 51 of 26 September 1988).

This Act introduces, among other things, state liability in consequence of the application of liberal methods of treatment in prison. It lays down that the state is accountable for the damage which individuals may suffer as a result of the escape or home leave of an adult or juvenile prisoner. It also introduces state liability for the damage caused by convicted persons carrying out community service in accordance with the terms and conditions established by the Attorney General.

Norway

Law No. 70 of 8 July 1988 amending the penal law concerning involuntary manslaughter committed whilst driving a motor vehicle.

Sweden

On 1st January 1988 a sanction was introduced involving probation with a special stipulation to undergo treatment according to a plan approved by the person sentenced and determined by the court, so-called contract care. It is intended for persons who would have been sentenced to an institution and where there is a link between criminality and the conditions which form a basis for the need for treatment, usually drug and/or alcohol abuse. When bad behaviour is reported, the treatment supervision can be withdrawn and a sentence to an institution passed in its place. The Prison and Probation Administration is responsible for costs during the "planned" sentence period and the local authority pays for any period remaining.

The number of persons sentenced to this sanction during the first half of 1988 was 185, whereof 178 received an alternative sentence to an institution when judgment was passed. The dominant form of treatment has been in treatment homes. Of the first 100 sentenced to contract care, 34 were alcoholics, 31 drug addicts and 24 drug and alcohol abusers. Most of them had a long and difficult record of abuse behind them.

On 1st January 1988 changes in the Code of Procedure were introduced concerning persons held and on remand. The changes involve a shortening of detention time. The petition for decision on pre-trial detention shall be made on the same day that a decision to detain has been announced or one day after

at the latest. Where there are particular reasons the petition can be made at the latest three days after the decision to detain. This has led to the creation of weekend and holiday duty courts.

Changes in chapters 29 and 30 of the Penal Code concerning rules as to determination of the amount of punishment and choice of sanction will come into effect as from 1st January 1989. The starting point for determination of the amount of punishment is the punishment value a crime has. The punishment value should be worked out taking into consideration the damage, danger or violation which the deed has involved, what the attitude of the perpetrator was and what intentions or motives he had. As for choice of sanction, the law points out that sentence to an institution is the most severe sanction and shall be used in the last resort. In choice of sanction, the court shall pay special attention to circumstances which speak for a milder sanction than a sentence to an institution.

In the future the courts will not be imposed upon to attach independent importance to general or personal preventive elements in an individual case. Instead, the starting point for determination of punishment or sanction shall be how reprehensible a deed is judged to be. One can then facilitate the adjustment to society of the person sentenced through help and support within the framework of sanctions imposed.

England and Wales

Circular Instruction 55/1988 set out guidance for governors on the amalgamation of the detention centre order and youth custody sentence into the new single sentence of detention in a young offender institution (Section 123 of the Criminal Justice Act, 1988).

Northern Ireland

The Prevention of Terrorism Bill proposes amendments to the rules concerning remission for those convicted of scheduled offences. Clause 22 reduces from one-half to one-third remission for persons convicted of scheduled offences under the Northern Ireland (Emergency Provisions) Act 1978 and given a custodial sentence of 5 years or more.

Clause 23 provides for the mandatory return to prison or a young offenders centre of persons convicted in Northern Ireland of a scheduled offence under the Northern Ireland (Emergency Provision) Act 1978 committed during a period of remission in respect of a previous custodial sentence. In such a case, the person is to be returned to custody for the period until the previous sentence or term for the scheduled offence.

Scotland

The Criminal Justice Act 1988 received Royal Assent in July 1988 and will be brought into effect in several stages during 1988 and 1989. The main effect for the Scottish Prison Service has been the provision, since 1 November, of a single custodial sentence for young offenders. This was achieved by abolishing the sentence of detention in a detention centre but leaving unchanged the sentence of detention in a young offenders institution.

Bibliography

Titles of recently published books on specific aspects of penology which might be of use to all those concerned with prison affairs will be given in this section. In certain cases the titles are followed by a brief summary.

Denmark

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Dam Albert: Bort fra faengselsstraffene (Away from Imprisonment). Nansensgade Antikvariat København 1988. ISBN 87-88211-15.

Gabrielsen G., Gottlieb P. og Kramp P.: The Increase in Homicide in Copenhagen 1959 — 1983. Statistical analysis. 1987 (og samme: Homicide in Copenhagen 1959 — 1983. Some further Statistical Analyses 1987).

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Tournier P.: Réflexion méthodologique sur l'évaluation de la récidive (Methodological considerations regarding the assessment of recidivism). Paris CESDIP, 1988.

Faugeron C., Le Boulaire J. M.: La création du service social des prisons et l'évolution de la réforme pénitentiaire en France de 1945 à 1958 (Establishment of the prison social service and developments in prison reform in France from 1945 to 1958). Paris CESDIP, 1988.

Federal Republic of Germany

European Prison Rules. European version of the Standard Minimum Rules for the Treatment of Offenders. Joint translation by the Federal Republic of Germany, Austria and Switzerland. 1988. 99 pages, Stiff cover. 18 DM. C F Müller Juristischer Verlag GmbH, Heidelberg ISBN 3-8114-8088-X.

The European Prison Rules laid down in Recommendation No R (87) 3 of the Committee of Ministers of the Council of Europe reflect a common approach, stretching across frontiers, to the establishment of a prison system, without actually establishing prisoners' subjective rights and obligations. In this edition, the original English and French versions are set out together with the German translation for ease of consultation by professionals and the interested public. The translation has been produced by the relevant German, Austrian and Swiss authorities.

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News in brief

Greece

As a result of Decision 30714/1988 (ØEK 168/24-3-88, Vol. B) of the Ministry of Labour, a job creation scheme will be set up for released prisoners aged 18 to 25 (on the one

hand) and 25 to 60 (on the other) and a job creation scheme will be instituted for young people aged 15 to 21 who have left a reformatory or detention centre.

List of directors of prison administrations of the member states of the Council of Europe

Austria: Dr. Helmut Gonsa, Director General of the Prison Administration, Ministry of Justice, Museumstrasse, 7, A-1016 Vienna

Belgium: Monsieur Julien de Ridder, Directeur Général de l'Administration Pénitentiaire, Ministère de la Justice, Avenue de la Toison d'Or, 55, B-1060 Bruxelles

Cyprus: Mr. I. Iacovides, Director of the Prison Department, Nicosia

Denmark: Mr. A. Trolborg, Direktor for Kriminalforsorgen, Justitsministeriet, Klareboderne, 1, DK-1115 Copenhagen K

France: Monsieur Jean-Pierre Dintilhac, Directeur de l'Administration Pénitentiaire, Ministère de la Justice, 13, Place Vendôme, F-75042 Paris Cedex 1

Federal Republic of Germany: Dr. Klaus Meyer, Ministerialrat, Bundesministerium der Justiz, Heinemannstrasse, 6, Postfach 200650, D-5300 Bonn 2

Greece: Madame Marie Farmakis, Directeur de l'Exécution des Peines, Ministère de la Justice, Section des Relations Internationales, 2 rue Zinonos, GR-Athènes

Iceland: Mr. Thorsteinn A. Jonsson, Head of the Division of Corrections, Ministry of Justice, IS-101 Reykjavik

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Luxembourg: Monsieur Pierre Schmit, Avocat Général, Délégué du Procureur Général d'Etat pour la Direction Générale des Etablissements Pénitentiaires et Maisons d'Education, Parquet Général, Côte d'Eich, 12, L-Luxembourg/Gd-Duché

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