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# Prison Information Bulletin



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# PRISON INFORMATION BULLETIN

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As a consequence of our heavy work load this Bulletin is late.

We apologise for the delay.



# The Demosthenes Programme: a penological challenge

The Demosthenes Programme has been promoted by the Council of Europe to encourage and develop links between the Council and the countries of Central and South-east Europe. As part of this a series of visits by a Council of Europe team with seminars for people working in penal systems was arranged. These took place in Hungary, Czechoslovakia, Poland, Romania and Bulgaria during the period September 1990 to May 1991. The Council of Europe team was M<sup>lle</sup> Marguerite-Sophie Eckert (Council of Europe), Dr. Helmut Gonsa (Austria), William Rentzman (Denmark) and Kenneth Neale (United Kingdom). This issue of the Prison Information Bulletin includes the texts of some of the lectures that were delivered. But, of course, they do not convey the range of subject matter that was discussed or the depth of interest that was shown in these visits by the numerous participants in all of these countries. A general, if brief, note of introduction will, therefore, help to put these visits into the wider perspective and record some of the principal themes which are of relevance and interest to practitioners and others with roles in penal systems. It is pleasing to note that Hungary, Czechoslovakia, Poland and Bulgaria are now members of the Council of Europe and that the other countries have either applied to join or have expressed an intention of doing so.

In each of the countries visited the team had the privilege of meeting and discussing matters of mutual interest with the ministers concerned with criminal justice and penal affairs. They also met the directors of the prison administrations and a large number of other officials at various levels, people with legal or functional roles in criminal justice, politicians, academics, researchers and media representatives. In every country visits were arranged to prison establishments where it was possible to see what progress is being made with ambitious programmes of change and reconstruction and to talk with staff and prisoners.

## The general context

It is important to recognise that these visits were carried out, and the seminars conducted, in the context of an historic and dramatic re-alignment. The social, economic and political structures of the countries concerned have been exposed to fundamental changes and profound philosophical reappraisals which have generated problems and stress as well as opportunity and hope. In the criminal justice systems the penal codes are under revision to make them compatible with democratic criteria and the prison administrations have had to cope with formidable operational difficulties. The selective release, under amnesty, of large numbers of prisoners, the turn over of staff, changes in managerial authority, the growth of a more orthodox criminality in society and the inadequacy of resources that has resulted from past neglect and current priorities have all posed

daunting problems. Ambitious programmes for modernisation and reconstruction impose strain on hard-pressed administrations which are, nevertheless, working with commendable commitment towards the standards envisaged by the European Convention of Human Rights and the European Prison Rules which have already been translated into the domestic languages and promulgated within the prison systems. It is a challenging and demanding situation. Those staff who have been retained face a major re-orientation of their roles and the need to develop new working relationships and novel perceptions of their tasks. For the new staff there are difficult circumstances and social expectations for them to come to terms with. The encouraging aspects were the professionalism and energy with which these problems are being tackled; and the moral imperatives that will inspire the process. As one of those whom we consulted put it, "Communism should be seen as just an episode. The true perspective is of a pan-European tradition to which we are ready and able to return."

## Penological and social themes

Seen in those broad perspectives it is natural that a major theme to emerge from the debates was that concerned with the philosophical concepts of imprisonment. The legal and social status of prisons, staff and prisoners in a democracy was seen as a priority issue by many participants. No-one doubted that re-socialisation was the central and ultimate goal for prison treatment or that prisons generally do, and should reflect the society which they serve. Beyond that the discussions were concerned to define the means and the conditions that should prevail. The European Prison Rules were acknowledged as providing the philosophical framework and the model for the standards by which prison administrations should be guided. The extent to which international oversight of the rules at the Council of Europe was effective and the areas in which the domestic authorities had defined responsibilities emerged as a matter of great interest. The corollary to that was, inevitably, the question of resources but it was observed that the rules comprehend the differences in national circumstances and that, in many basic aspects, the problem is as much one of attitude and practice as of resources. In the same general philosophical area participants showed concern about the nature and effectiveness of political oversight and public control of the prisons, the quality and methodology of complaints and appeal procedures and public information. An extension of this theme with regard to the intrinsic nature of imprisonment and the public responsibility for that provoked questions about the roles of non-governmental organisations and academic research in prisons. The administrative and technical aspects of imprisonment were pursued through discussion about regimes, especially work and educational activities, organisational structures, security and control systems, differentiation and open prisons. A good

deal of interest was also shown in technical innovation and the managerial use of computerised data systems. The implications of personnel policy for all of these topics were conspicuous throughout all of the discussions. Thus the recruitment, educational criteria, conditions of service, the para-military "image" and the use of firearms were all the subject of question and debate. Training and development experience for staff was emphasised as was the need to define their roles and status in terms that ensure their dignity and satisfy their aspirations for positive and relevant roles that are acknowledged by society in general and are professionally valid.

As is always evident on these occasions the essence of the penological challenge in every country and the aspirational goals of the prison administrations are not all that different, however the circumstances may vary. That is the compelling rationale that authenticates the Council of Europe programmes for co-operation and study in the penal field.

## **A brief conclusion**

For myself and my Council of Europe colleagues this series of visits was a positive experience. We all learned a great deal and were pleased to be able to meet so many people working in the penal field in such interesting and challenging circumstances. We were grateful, too, for the courtesy, kindness and hospitality with which we were received in all of these countries. Most of all, we value the personal friendships that we have made and the opportunity to work with these new colleagues in the European interest. An agreeable tribute to this work came from the Director-General who spoke in his concluding remarks of the vision of his country's European home and asserted that the Council of Europe was "our road to Europe".

*Kenneth Neale*  
*Former Director of Regimes and Services*  
*Home Office*

# **The European Prison Rules: context, philosophy and issues<sup>1</sup>**

Every prison system is managed and derives its style and quality from a corpus of domestic rules, regulations and codes of practice. At the international level these disciplines are embodied in the Human Rights Conventions and Rules for the treatment of prisoners promulgated by the United Nations and the Council of Europe. In this lecture, the emphasis will be on the historical background, evolution, influence and probable future development of the European Prison Rules.

## **European and national penologies**

The historical experience of international co-operation has demonstrated the value of sharing knowledge and seeking common standards which liberate thought and reinforce agreed concepts of humanity. It has also shown how difficult it is in reality to achieve and sustain the high ideals that have often inspired the approaches to penal practice and criminal justice. It has been argued, convincingly, that the Council of Europe has been the most successful organisation in the long and often disappointing tradition of international co-operation. Central to its Statutes and defined roles has been the ambition to strengthen the unity and common heritage of its member in the cultural, social, economic and legal spheres. At the heart of its purposes is the protection of fundamental freedoms, civilised standards and human dignity. The European Prison Rules are part of this fabric and have been described as the most important document in international penology. They should be seen in the context of a developing European penalty, much of it inspired by the devastating experience of the European communities during the war of 1939-45, which has been characterised by at

least three major themes. First, that in punishment involving the deprivation of liberty that should be seen as the sole instrument of punishment. Second, that treatment regimes in prisons should be aimed principally at re-education and the re-socialisation of the delinquent. Third, that the administration of prisons must show respect for the fundamental rights of individuals and at all times uphold the values that nourish human dignity. European penal philosophy is now concerned less with the retributive aspects of punishment than with the social and penal prevention of crime and in the social rehabilitation of offenders. This has taken place in parallel with a conspicuous process of socio economic change within which there has been more obvious disruption, violence and crime, problems associated with migrant workers, racial tension, cultural conflict, changing social and political aspirations, the development of new penological themes and, what is very important to the conceptual nature of the European Prison Rules, a growing process of international exchange of ideas and experience — a turbulent but creative and challenging mix!

## **The historical background and evolution of the European Rules**

The preceding paragraphs adumbrate the historical and philosophical context within which successive formulations of the European rules have evolved. In its earliest manifestations international penology was largely inspired by dedicated and passionate individuals. The roots of the European Prison Rules lie

1. Abridged version of a lecture delivered in Hungary, Czechoslovakia and Poland in September/October 1990.

more obviously in the growth of international co-operation in this field and the penal reform movements of the latter part of the nineteenth century and the early years of this. At that time international conferences were convened in the major European capitals and in Washington in which the leading personalities of the more developed prison administrations took part. This initiated a process of international consultation and co-operation that has continued in the administrative and academic spheres to this day. It also led to the establishment of organisations like the International Penal and Penitentiary Commission (now Foundation) which has the distinction of having formulated the first set of prison rules in the period 1929-33. These found formal expression in the League of Nations Standard Minimum Rules for the Treatment of Prisoners of 1935 which were promulgated to its member States. After the war a new version was prepared and issued by the United Nations in 1955. This version, with only limited modifications, was adopted by the Council of Europe and recommended to its members in Resolution (73) 5 of 1973.

Even in 1973 there was a body of opinion in Europe that saw both of the international versions as out of date, inadequate and in some respects incompatible with current and foreseeable trends in penal administration and treatment. As a result of developing opinion in the European Committee on Crime Problems, among the directors of prison administrations and in the Parliamentary Assembly of the Council of Europe and proposals in the reports of Select Committees, it was resolved to produce an entirely new version that would seek to remedy the weaknesses in the existing rules and attract the unanimous support of the member States. This work, much of it centred on the Committee for Co-operation in Prison Affairs, came to fruition in Resolution (87) 3 which embodied the new European Prison Rules and gave them formal status.

### **The European Prison Rules**

It will be helpful briefly to describe the approaches to the new version and the influences that were brought to bear on the issues and to inspire the re-assessment. The broad background was of fundamental social change and massive economic development in Europe in the post war years. That had led to significant shifts in social behaviour and aspirations and a changing pattern of criminality. In the prisons that were increasingly difficult operational problems alongside challenging developments in treatment theory and techniques. Technology was also making its impact on the management of prisons and the capacity of the administrative authorities to measure, control and allocate operational data and resources with profound implications for the requirements of the rules, regulations and management instructions that underpinned their responsibilities.

Overall, the need was to find a relevant and progressive framework to accommodate these changes and in the process to offer new emphases and more positive support to staff and regimes. Within the new creative approaches changes in the presentational

sequence and technical improvements in the texts were proposed. Significantly, for considerable change was envisaged, the drafting of new rules would involve a major departure from the parallel text of the United Nations version to which the existing European rules were closely allied. That had philosophical, political and, in some countries, legislative and practical consequences that would have to be faced.

Thus it was decided to establish the moral status of the rules by devoting Part 1 to six basic principles the immutability and priority of which were stressed in the Explanatory Memorandum. In its words, the rules of basic principle "are intended to endow all the other rules with overriding standards to which all prison administrations that adopt the European Prison Rules will subscribe without reservations." That is explicit. The new Rule 1 which demands humane conditions and respect for human dignity also insists that such conditions should conform with the rules as a whole, which was a significant new discipline. The remaining rules of basic principle, inspired by these emphases, provided for positive treatment and enhanced roles for inspection, international guidance and support. The more logical presentation of the new version meant that the preamble and the rules of basic principle were followed by self-contained sections in which the rules for management, personnel and treatment were grouped to reflect operational priorities and to facilitate the effective application of the rules in practice. The new version contains 100 rules; everyone of the old rules was changed in some respect, some were dropped (or transferred to the Preamble as they were not in fact cast in the form of rules) and some new rules added to strengthen areas in which new emphasis was required. Importantly, the rules were enhanced by the addition of a comprehensive Explanatory Memorandum that sought to elucidate and enlarge the understanding of every rule and a paper on the historical background, philosophy and practice of the rules since their original inception. The new title, the European Prison Rules, was devised to give the new version a more distinct European flavour and a more comprehensive and dynamic conceptual image. Procedurally, the quinquennial reporting system was strengthened and the establishment of the Council of Europe Committee for Co-operation in Prison Affairs provided an important resource to reinforce the national responsibility for encouraging the implementation of the rules in the member States of the Council.

### **Issues: status and influence**

Almost all international agreements, documents or organisations are vulnerable to the criticism that they are deficient or inoperable in some respects. Because, in essence, they are reached by a process of consultation and compromise that is inevitably so. The international prison rules have naturally been subject to that complaint. The United Nations rules, in particular, have been criticised for lack of an underlying and compelling rationale, weaknesses in application and omissions in the rules of general application. The new European rules were devised, as far as possible, to respond to those problems in an emphatic and realistic way. The pivotal emphasis on

humane conditions and human dignity illustrates the point. Throughout the remainder of the rules these potential weaknesses have been confronted. Within the framework of imperatives that is inherent in an international statement that relies on its moral authority, or political obligation, and is not binding in international law the new rules seek to exert and effective influence. They are important in establishing ethical and operational standards, in encouraging conformity and are in consequence reflected in legislation, regulation and penal policy. It is necessary, however, to acknowledge that, except in those cases where they are embodied in domestic law, the rules are not justiciable nor are they normally admissible in complaints procedures. However, this has made them more widely acceptable internationally, more flexible in application and more usefully responsive to particular local circumstances. In so far as the inhibits the full effectiveness of the rules the processes of review through monitoring facilitate the pragmatic and co-operative approach which necessarily characterises any arrangements that seek to impose international standards for the common benefit. The approach has, therefore, been to impose defined obligations on the prison administrations rather than to confer rights on prisoners which depend on the Human Rights conventions for their protection. In the wider international sphere the rules are reflected in the United Nations Covenant on Civil and Political Rights, the Convention on Forced Labour of the International Labour Organisation, the Council of Europe Convention on the Transfer of Prisoners and in national inspection and operational codes. Human Rights are essentially peculiarly sensitive to the situation of prisoners. Although it is not a definitive interpretation the Directorate of Human Rights in Strasbourg has stated (1981) that "whereas the Court and the Commission have no jurisdiction to examine the conditions of detention except in so far as they involve a breach of a right guaranteed by the Convention and that there is no specific provision on the treatment of prisoners in it ... the experience of the Commission is that there is now a corpus of case law on this subject" and the rules are acknowledged as constituting "a virtual code for the treatment of prisoners". The point is that although conditions may fall short of standards required by the rules that does not necessarily constitute inhuman or degrading treatment such as to violate the Human Rights Convention. Nevertheless, the influence of the rules in the fundamental area is evident.

## The future of the European Prison Rules

It is unlikely that there will be a new international version of the rules in the foreseeable future. What is foreseeable, however, is the further extension of the influence and applicability of the European Prison Rules. Already it is clear that the inspectorial functions in contemporary prison administrations have been strengthened by the new rules and the trend may be expected to continue at national and international level. The new rules, seen, most importantly, in context with the explanatory memorandum, itself an innovation in the field of international prison rules, also provide the appropriate moral and logical framework for the introduction and development of enforceable codes of specific standards suitable for the particular circumstances in those States that accept and comply with the European Prison Rules. This is a new development that, in some parts of the world, has already made progress, not without difficulty; it is likely to be one of the most significant new trends in prison administration in the next decade. There will also be a geographical extension of the application of the European Prison Rules of important new dimensions as the membership of the Council of Europe is enlarged to include countries now developing democratic institutions. There is in these countries already a momentum for progressive change and humane standards and they have a potential to make an important contribution to the work of the Council. This is an encouraging and constructive prospect for international penology. In recent years there has been too much emphasis on resources. Important as they are, to treatment regimes and to staff, the inspiration for change and improvement must come from determined management, moral purpose and a creative commitment to clearly defined objectives. The European prison Rules, in the style and content in which I have presented them in this brief statement have a key role in the process. Their success must be in their influence which, on an agreed basis, has been optimised internationally. They should not be seen as an idealised formulation honoured only in rhetoric and not in practice. Applied with conviction and imagination they have the potential to inspire significant progress beyond the basic role of protecting minimum standards, the original rationale of the international rules.

*Kenneth J Neale*

# Cornerstones in a modern treatment philosophy: normalisation, openness and responsibility

## 1. General Introduction

It is a relative innovation for the Council of Europe to hold a seminar of this nature in an East European country. However, the idea of seminars of this type is of long standing. This also appears from the preamble to the European Prison Rules, the

foundation for this seminar. In these rules it is emphasised that "whenever there are difficulties or practical problems to be overcome in the application of the rules, the Council of Europe has the machinery and the expertise available to assist with advice and the fruits of the experience of the various prison administrations".

Over the years, seminars of this nature have been held in many West European countries, and we have always reaped great benefit from the good advice, and the exchange of experience which has taken place on such occasions.

I would like to emphasise that I have not come here to preach "the only truth" about prison systems, since there is no general truth valid for all countries in this area. Just as the European Prison Rules are in no way a "model system" which can simply be copied.

I am here because, as an outsider, I may be able to contribute to certain problems being viewed in a different light, giving your discussions an impetus from outside.

No prison system can be separated from the social reality which surrounds it. Conditions for inmates must more or less reflect conditions for the ordinary citizens of the society. For example, it is natural that a country's economic situation determines the appearance of its prisons. It is just as plain that a country's social, educational and general cultural position will influence the rehabilitation opportunities and facilities offered to prison inmates.

It is usually said that "the treatment of prisoners is one expression among others — of a given country's socio-cultural level". This truth makes it difficult, and in a way also meaningless, to make direct comparisons between different countries' prison regimes.

I therefore do not intend to merely give an account of the outstanding features of the Danish prison system. On the contrary, I will take the European Prison Rules as my starting point. These rules are the common source of inspiration for the European prison systems. Thereafter I will illustrate some of the principles of these rules, with examples from what could be called "The Scandinavian Model".

Irrespective of different countries' different starting points, according to the European Prison Rules it is "incumbent on the prison administrations to promote and seek to encourage support for humane and progressive approaches based on the highest standards that are realistically practicable".

The standard minimum rules for the treatment of prisoners have always had an important place in the spectrum of the Council of Europe work in the penal field. The European Committee On Crime Problems (CDPC) was established in 1957 with overall responsibility for the lead in Council of Europe activity in this field. Current work on increasing knowledge of, and compliance with, the European Prison Rules and on advising member States on specific penal problems, arranging conferences for directors of prison administrations, etc, lies in the hands of the Committee for Co-operation on Prison Affairs, however. This committee amongst other things makes five-year surveys of the implementation of the rules in the member States.

The European Prison Rules are not binding, and their significance lies more in their influence on

raising standards of prison administration. In Europe they have emerged over time as a symbol of, and as a stimulus to, the improvement of general standards and the promotion of humane and progressive penal policies and treatment regimes.

## 2. Treatment

The concept of treatment in relation to inmates has undergone significant changes over the years. In many West European countries the concept of individual treatment of criminals began to appear in the '30s and '40s in many places, reaching a peak in the 1970s. Treatment in this narrow sense, whereby "classification" and more or less individual and therapeutic measures are used to try to dissuade inmates from their criminal activities, are still at the forefront in many countries. In others, however, treatment in this sense is used only for groups with special treatment needs for example, drug addicts, the mentally ill, alcoholics, etc.

How much weight should be attached to treatment in the narrow sense actually depends on one's theoretical starting point.

Do you look on criminals (prisoners) as normal citizens "who have yielded to the pressures and temptations that everyone is subject to", or do you regard criminals as asocial, sick, freaks, or the like? In the *latter* case the answer must be a more detailed diagnosis of the criminal, for instance by means of psychological tests, etc, and subsequent placing in institutions or departments specially designed to treat this very type of deviation or disease. If there should furthermore be anything logical in it, the length of the punishment or treatment should moreover depend on the result of the treatment — more so than on severity of the crime.

If, however, it is the *first* point of view you are adopting — the one which does *not* see the causes of crime in the *individual alone*, but *to an equal degree in more general social mechanisms*, then treatment in the narrow sense is generally a waste of resources and a waste of time. When I emphasise the word generally, it is because it could very well be imagined that a proper, individually adapted treatment may be indicated in certain specific cases, for example in relation to mentally sick persons, alcoholics or drug addicts, but for the great majority — quite ordinary, straightforward criminals — treatment in the narrow sense is a questionable concept.

It is thus our experience in the Scandinavian countries that special institutions are only necessary for inmates with very special needs. The majority of prisoners can very well be incarcerated together, regardless of whether they are "first offenders or habitual offenders, short sentences or long sentences, young persons or adults, and to some extent men or women". This viewpoint is to some degree reflected in the new European Prison Rules (in contrast to the old Standard Minimum Rules), since it is emphasised that the modern penal philosophy no longer demands the rigid separation of the young from the old, of men from women, or the convicted from the unconvicted. The rules have therefore been relaxed to acknowledge that in some circumstances



there may be mutual benefits or at least no adverse results from allowing some contacts between these categories of prisoners.

Consequently, when I speak of "treatment" this is in a very broad sense. I use the concept to comprise everything we do consciously to influence the inmate's ability to refrain from criminal activity in the future. This means that the physical arrangement of prisons is part of the treatment, the way personnel deal with the inmates in daily prison life is part of the treatment, and the entire prison regime is in fact an extremely important element of the treatment.

### **3. The European Prison Rules' principle requirements of treatment**

It is a basic principle of the European Prison Rules that the deprivation of liberty shall be effected in material and moral conditions which ensure respect for human dignity (Rule 1). Furthermore, it is said that the purposes of the treatment of inmates shall be such as to sustain their health and self-respect, to develop their sense of responsibility and to encourage those attitudes and skills that will assist them to return to society with the best chance of leading law abiding and self-supporting lives after their release (Rule 3).

Finally, it is stated that imprisonment, by the very deprivation of liberty, is a punishment in itself. The conditions of imprisonment and the prison regimes shall not therefore unnecessarily aggravate the suffering inherent in this (Rule 64).

The fundamental principles also form the basis for what could be called the Scandinavian approach, and which I will describe in more detail with the key words Normalisation — Openness — Responsibility as my starting point.

But before I do this, I would like to emphasise another important principle which does not appear from the European Prison Rules but from several other international instruments concerning penal policy. This is the principle of "prison as a last resort".

The principle that imprisonment should only be used as a last resort is a generally recognised principle. It signifies that before the courts impose deprivation of liberty, they must consider all other possible sanctions of a less radical nature and should only impose imprisonment if the actual case is of such a nature that less radical penalties are not acceptable. The exercising of this principle in practice is an important prerequisite for reasonable prison conditions to be provided. Prisons are expensive — almost irrespective of whether they are good or bad — which in itself is an argument to limit their number. However, this fact also means that usually there will be a lack of prison capacity if the principle of "prison as a last resort" is not adhered to faithfully. When capacity is small, the consequences will often be overcrowding and/or institutions which are far too large. Both are detrimental to a reasonable and humane prison environment.

Denmark lies in the average group of West European countries in respect of use of imprisonment. We

currently have 68 inmates per 100,000 inhabitants. I would nonetheless claim that Denmark is one of the countries which has best lived up to the principle of using prison only when strictly necessary, due to the fact that while crime in Denmark has doubled during the past twenty years, the prison capacity has not been extended at all. In this respect Denmark differs from most other West European countries.

It has only been possible to create this situation because our legislature has continuously adjusted the maximum and minimum penalties, especially for drunk driving and lesser forms of offences against property, for which in 1982 the penalties were generally lowered by one third. Furthermore, the use of traditional alternatives to imprisonment has been increased, notably conditional sentences, probation, parole and fines, and community service orders have been introduced as a new sanction instead of imprisonment.

This situation has also made it possible for us to maintain the present structure with small, straightforward institutions, accommodating between 100 and 300.

Small, well-administered institutions are another important prerequisite for the best possible treatment work. If it is not possible to operate with such small institutions, a division of large prisons into small autonomous units can be an intermediate solution, of which both we and others have good experience.

The third important prerequisite for an acceptable prison system is the existence of a sufficiently large and sufficiently well-trained personnel. I will return to this prerequisite later.

### **4. Normalisation**

As a predominant chief rule, inmates of Scandinavian prisons preserve their civil rights. As a matter of fact, it is a high-ranking wish on our part that the inmates should only be subjected to such limitations of their rights and behaviour patterns as are a direct consequence of their imprisonment. This means that we must seek as far as possible to approach life in prison to the conditions in the outside world. "Normalisation" is the name of this basic element of the prison philosophy.

Now such a manifesto is not very significant in itself. A number of countries would gladly subscribe to the aforementioned basic element, and yet a study would reveal large differences in practice. The important thing is how this basic element is transformed into practice in everyday life in prison.

The concept of "normalisation" itself is not mentioned in the European Prison Rules but can be induced from many of the provisions of the rules. For example, from Rule 65, which states that the conditions of life in prisons shall be compatible with acceptable standards in the community; Rule 72, which states that the organisation and methods of work in the institutions shall resemble as closely as possible those of similar work in the community; Rule 74, which requires that safety and health precautions for prisoners shall be similar to those that

apply to workers outside; Rule 75, which emphasises that the maximum daily and weekly working hours of prisoners shall be fixed in conformity with local rules or customs in regard to the employment of free workmen; Rule 81 which states that as far as practicable the education shall be integrated with the educational system of the country; or Rule 82, which states that whenever possible the prison library should be organised in co-operation with community library services; or Rule 26, which states that the medical services should be organised in close relation with the general health administration of the community — and so on, and so forth.

In everyday prison life this principle means that comparison should always be made with conditions outside the prison when deciding what is appropriate, otherwise this will be controlled by habit and tradition, or consideration of what is "most practical", that is to say for the system and personnel.

In Denmark normalisation first of all means that the norm is to place a person in an open prison, i.e. a prison without walls and bars. Or in other words, a prison where security is based on faith in the inmate's self discipline, and that inmates know that abuse of this trust can mean transfer to a closed prison. Only if it is concretely judged that there is a real risk of escape, or if the prisoner is considered dangerous, should he be placed in a closed prison from the outset.

Approximately two-thirds of places in State prisons are therefore in open prisons.

Furthermore, a prisoner should primarily be placed in the prison that is closest to his home, to offer him the best possible chance of preserving his contacts to his family or next-of-kin and to pave the way for a gradual release from the prison.

As previously mentioned, the normalisation principle also implies that — apart from the division between open and closed prisons — individual prisoners are not treated differently, unless there are special grounds for this.

Outside prisons, young and old, men and women, experienced and unexperienced, live side by side. This should therefore also be the starting point in prisons. However, only the starting point. It is clear that we are duty-bound to protect weak inmates against exploitation and the bad influence of stronger inmates. This can imply that segregation is necessary. However, this obligation can also be fulfilled by other means, that is to say by openness in the prison system (something I will immediately explain in more detail), by having sufficient well-qualified personnel with understanding and control of what takes place, and by ensuring that inmates are able to make sensible and relevant use of their time. If these conditions cannot be met, segregation is probably the only practicable road to take.

As mentioned "normalisation" also means that as a general rule, inmates retain their civil rights. This implies (1) The right to vote in elections to political bodies on an equal footing with other citizens; (2) The right to both verbal and written self-expression both in

the prison and vis-à-vis the general public; (3) The right to be a member of any association whatsoever; (4) The right to a family life (marriage, divorce, adoption); (5) The right to act over one's property; and (6) The right to practice a religion, etc.

The only ordinary civil right which as a starting point is limited — or of which the inmate may be completely deprived — is freedom of location. This means the right to go wherever one wishes without permission. Imprisonment in itself sets narrow limits to this.

The normalisation principle also implies that to the extent this is practical and possible on grounds of security, inmates may have their own furniture and own articles in their cells — they should in principle be able to wear their own clothes if they wish, that personnel's uniforms are of non-military appearance, and that the tone used between personnel and inmates corresponds to the general tone of communication between citizens outside the prison.

In one way it can be said that the normalisation concept is so broad that this also comprises the other two cornerstones of modern treatment philosophy, which I have called openness and responsibility. However, on the other hand I believe that separation of these concepts facilitates understanding.

## 5. Openness

At first consideration it may appear self-contradictory to describe openness as a fundamental principle of imprisonment. However, experience has shown, particularly in Scandinavia, but to an increasing degree in other Western European countries as well, that this apparent self-contradiction to a significant degree is due to conventional thinking.

It is no secret that imprisonment has a number of negative repercussions reaching beyond the date of release of the inmate — a broken family, loss of work, negative effects from other people's impression of the sentenced person, and on his self-esteem (stigmatisation).

There is nothing new in that. Furthermore, in recent years a number of studies have been made in various parts of the world which show that the influence of imprisonment on the inmate's personality does not give grounds for considering imprisonment as a suitable means of rehabilitation of the inmate. On the contrary, according to these studies imprisonment is more likely to strengthen a negative development of the personality.

These negative effects are largely a consequence of the prison being a total institution. The inmate stays there 24 hours a day, he sleeps there, works there, eats there, spends all his leisure hours there. Life in prison is in most respects formally managed. There are written and unwritten laws for everything, and the daily rhythm is based on fixed hours and minutes for calling, work, breaks, time-off, prison yard exercise, locking up, etc. The inmate always

supervised, or he at least feels that he is supervised. Beyond the supervision which the staff are responsible for — and must be responsible for — some informal rules will arise among the inmates, and there must also be observed.

All these formal and informal rules give a false sense of security. The inmate knows exactly how others will react to this behaviour. Everything becomes predictable and monotonous. The result is often that the inmate overreacts to what to others seem like trifling problems, and this may manifest itself in verbal aggression with prompt retaliation from the surroundings as a consequence.

This is the reason why it is so important to open the prisons to the outside world.

The use of open prisons, as I have already mentioned, is in itself a manifestation of the principle of openness. Fifty years ago not many Danes believed that an inmate would stay in the prison without walls and fences to keep him in. Conditions just after the Second World War made it necessary to use camps as prisons which had been designed for completely different purposes. To many's surprise it emerged that the sense of responsibility of the majority of the prisoners was sufficient to keep them there — or they could at any rate see the advantage in staying in these relatively free surroundings, instead of being transferred to a closed prison.

As a result of these experiences, it has been realised gradually that other areas can also be opened up without any great risk of abuse.

Nowadays the openness principle also implies that inmates may correspond with anyone. Reading of their letters only takes place under special circumstances. Letters to defence counsel and members of Parliament and different appeal bodies may never be read, however. This is a further development of the requirements laid down in Rule 43 of the European Prison Rules, that prisoners should be allowed to communicate with their families and to some extent persons or representatives from outside organisations.

In most countries this right was originally limited so that the inmate was only allowed to write at certain intervals to certain persons and the letters were subject to actual censorship. In most countries we have moved away from this very restrictive arrangement based on the wish, among other things, to normalise life for the inmate as much as humanly possible, and it is considered desirable that the inmate as far as possible preserves the social contact he has. There are probably no countries where the exchange of letters is completely unrestricted, as the actual objective of the imprisonment comes into the picture here, and necessitates certain limitations for the sake of the institution's safety and to prevent planning of new crimes, etc. It has however proved possible to a great extent to omit censorship, so that correspondence is only read through if there is a concrete suspicion of foul play. Finally, it may be necessary to open letters to check that they do not contain drugs or other illegal articles.

In open institutions the inmates have telephone booths in the wards and to a certain extent private phones in their cells, provided they pay for them themselves.

Inmates are entitled to *visits* from next-of-kin and others as often as possible, Rule 43. In Denmark most often it is possible to receive visits 2-3 times a week or even daily — as long as they take place outside inmates' working hours. The visits are predominantly without control of any kind, and they either take place in the inmates' cells — which are solitary cells — or in special visiting rooms designed for the purpose. Prisons naturally make sure as far as possible that the visit is not used to smuggle in narcotics or weapons. Otherwise there is no interference in what purpose the visit is used for. Visiting rooms, etc are furnished so that the inmate and the visitor(s) can be alone together. Sexual intercourse is therefore also possible. In practice this means that conjugal visits are a normal part of prison life. When I mention the possibility of conjugal visits, and indeed the possibility of preserving a fairly reasonable sex life, it is because this means that sexual assaults in Danish prisons must now be said to belong to a past era. In this way, the absence of leave institution, as well as the institution of receiving visits, both contribute to our being able to meet the obligation of protecting the weak inmates, as mentioned earlier.

In the same way as visits from outside are a normal element of everyday prison life, leave of absence are also a normal part of prison life. This is in full accordance with the European Prison Rules (Rule 70) which stipulate that treatment programmes should include provision for prison leave, which should also be granted to the greatest extent possible on medical, educational, occupational, family and other social grounds.

While the general public will often look on the letter exchange arrangement with sympathy, things are more difficult where the inmate's possibility of leaving prison for various kinds of leave is concerned. I think that leave of absence is necessary for the following reasons:

1. It is the only way in which an inmate can preserve his ties to his relatives and acquaintances in a natural way.
2. It is the best way to break the monotony and the false sense of security.
3. The leave of absence contributes to improving the safety of the citizens.

The two first reasons could really be combined, as one might say that leave of absence contributes to facilitating the social integration of the prisoner.

Now it is difficult to prove that the leave of absence the prisoners are given to visit family and friends has a positive influence on the relapse situation. It is true that there are studies showing that inmates who are given leave have a lower relapse incidence than those who are not. But the reason might very well be that leave of absence is only granted to those whom you presume to present a relatively low risk of relapse. I am not acquainted with

studies proving beyond any doubt that leave of absence in itself reduces the incidence of relapse. Nevertheless, I do not doubt that this is so, and that this is an impression gained from experience which is shared by most in the profession.

When I state that leave of absence is also a means of maintaining safety and order inside prisons, they may sound less intelligible on the face of it. Opponents to leave of absence is a threat to order and safety in the prisons, among other things on account of the risk of smuggling, the risk that new crimes are committed during the leave, etc. It is my opinion, however, that the mere prospect of some leniency in the imprisonment counteracts escapes, threats, violence against the staff and co-inmates, to say nothing of the risk of hostage taking in connection with attempts to escape. Perhaps this is due to some kind of carrot effect. The inmate knows that if he manages his leave without any problems, he will be granted more leaves. If he does not, he will be deprived of his right to leave. When the inmate has the chance of a "breather" in the form of an absence of leave, it makes it easier for him to accept the imprisonment, he becomes less aggressive, and there will be a greater feeling of well-being, both among the inmates and with the staff.

When you in this way prevent the prisons from developing into environments pervaded by fear and violence, you also achieve that the inmates are less aggressive, bitter and warped upon their release, and hence less dangerous to society in general and to the individual citizen. It is my impression that the very extensive use of leave of absence in my country is a factor which strongly contributes to the fact that crime with violence constitutes only an insignificant part of the total amount of crime, namely less than 2 per cent.

It is obvious that leave of absence in concrete cases should not be granted if there is a risk of abuse, but if we disregard these situations it is my opinion that leave should be a natural element of a stay in prison.

To illustrate these viewpoints I can briefly describe the situation in Denmark.

In open prisons the inmates are normally granted weekend leave from Friday afternoon to Sunday evening every third weekend. It is also possible for inmates in closed prisons to obtain weekend leave when they have served approximately 1/4 of their sentence and it is considered that there is only limited risk of abuse. At any given time approximately 1/3 of the inmates of closed prisons are granted leave regularly.

Furthermore, there is the possibility of leave for special purposes, for example weddings, birthdays on which a round number is reached, funerals, etc., and short leaves in connection with preparations for release, for example to obtain a job or housing. Finally, a number of inmates leave the prison every day to work or attend educational courses at an ordinary civilian workplace or educational institution.

The inmates have access to *radio*, *television* and *newspapers* in their cells as well as in community

areas. They are also free to participate in free debate in the press. However, out of consideration of the victims, limits can be set to participation in TV programmes, particularly those concerning actual crimes.

Openness can also take many other forms. For example, in many prisons *sports events* or other activities are arranged with citizens from the surrounding area, *open day* events can be arranged, where ordinary citizens can visit their local prison to see what conditions actually are — and to talk to both prisoners and personnel. Furthermore, *study visits* are arranged for national and international groups, and so on and so forth.

Some may wish to ask what element of *punishment* remains in these conditions.

The most important answer to this question is provided by the European Prison Rules themselves. I have already mentioned this, but will repeat it, because it is extremely important to always bear this fundamental principle in mind: *Imprisonment is by the deprivation of liberty a punishment in itself*. The prison services — we who work in this field — must not add additional suffering to the deprivation of liberty. The restrictions we impose on the inmates' everyday lives — the deviations we make from ordinary civil rights — must be necessary to maintain the deprivation of liberty or to keep discipline. All other limitations will be in conflict with one of the key principles of the European Prison Rules.

It can be very difficult, at all times to ensure that everyday work in a prison adheres to this standard, but it is an efficient remedy against habitual thinking.

## 6. Responsibility

Endeavouring to strengthen inmates' sense of responsibility, self-respect and self-reliance according to the European Prison Rules is one of the basic principles for the treatment of prisoners (Rules 3 and 69). However, this is a principle which can easily come into conflict with other treatment principles and other attempts to ensure reasonable conditions for the inmates.

Traditionally, prison systems are very paternalistic. We who have experience, or who are experts in our own areas, know best what is needed to reduce the risk of reversion to crime. But we may not have paid sufficient attention to the fact that the many well-meaning rules which we have laid down in reality help to deprive the inmates of control of their own affairs, and perhaps even contribute to further social disablement — which was never the intention.

For example, prisons traditionally have a large number of "hotel" services. We wake inmates in the morning, serve their breakfast, take them to work, serve their lunch, do their cleaning, wash their clothes and ensure that they are repaired, give them soap and toothbrushes and other hygiene articles and finally ensure that they get to bed early. Naturally, there are good reasons for doing this, in particular preserving order and discipline in the prison, and inmates have probably generally been satisfied with being looked after in this way.

However, in the light of the fact that most inmates have to take care of these things themselves after their release, these "hotel" services can hardly be said to have contributed to strengthening inmates' opportunities to lead self-supporting lives after their release, as stated in Rule 3.

Unfortunately, it can be said that the European Prison Rules are still to a certain extent a demonstration of a paternalistic philosophy, for example the rules concerning personal hygiene, clothing and food (Rules 20, 22 and 26).

It is possible that this paternalistic attitude is a necessary development stage for a prison system to reach a reasonable level. However, I am not so sure of this.

At any rate, our experience is — and with which I believe most Western European prison experts agree — that the time is ripe to limit the "hotel" service functions as far as possible, and to give inmates back the responsibility for their own everyday lives. This principle could perhaps be called self-administration, to use a better word.

An important element of this is the inmate's duty to *buy and cook his own food* and this means that he is paid a fixed daily amount for food and is then personally responsible for buying it in the prison shop and for preparing it. The necessary instruction and training is provided by the prison. This self-catering scheme is currently being introduced in all Danish prisons, where shops are being established, run by external retailers, and with kitchens in each section providing the necessary facilities.

Inmates are also made responsible for their own *personal hygiene* and for *washing and repairing* their own clothes, etc. This naturally assumes that the prison provides inmates with the necessary financial means and practical amenities.

For this reason amongst others the wage system in Danish prisons has been reorganised, providing inmates with a fixed daily amount for board and hygiene, etc, in addition to payment for work performed. The inmate himself is responsible for use of the money for the right purposes. If he spends the money on fast food and (Kd), in the final analysis this is his own responsibility. On the other hand, the personnel's duty, including the doctor's, is to instruct the inmate in the consequences of incorrect nutrition and poor hygiene.

Just as the inmate must take more responsibility for his own everyday life, he should also to a greater extent accept *the responsibility for his own treatment* in the narrow sense. This is in direct accordance with the European Prison Rules, which stipulate in Rule 69, sub-Article 2 that efforts should be made to develop, sub-Article 2 that efforts should be made to develop methods of encouraging co-operation with, and the participation of, the prisoners in their treatment. In connection with an extensive amendment of personnel structures and work roles in prisons in

Denmark — a reorganisation which I will describe in more detail in another lecture — , we have introduced another inmate rehabilitation strategy. The principle idea is that the personnel attempt to motivate inmates themselves to undertake as many elements as possible of the rehabilitation work. Instead of personnel contacting the social services authorities concerning the inmate's situation, they guide the inmate in how he can himself contact the right authority. Instead of personnel getting work and housing for the inmate, he is guided in how he can do these things for himself. Naturally, throughout the process, the personnel are available to the inmate with advice and guidelines.

An old Chinese proverb says something like this: "Give a man a fish — and you will feed him for one day. Teach him to fish — and you will feed him for the rest of his life". This is a very good expression of the philosophy behind the cornerstone of our treatment philosophy, which we call responsibility, or self-administration.

All these attempts to involve the inmate more actively in the activities which he will have to perform for himself once he is released have a *supplementary effect* which is not without significance. In most prison systems it is extremely difficult to make positive meaningful use of leisure time in a prison. This means that inmates' thoughts and interests are easily led in the wrong direction, ie opportunities to get hold of drugs, or to commit the perfect crime. The fact that a considerable proportion of leisure time is now spent on everyday activities on which we in ordinary society spend a lot of our time, implies fewer vacant hours, and in itself leads to considerably more constructive use of leisure time than was previously the case.

## 7. Conclusion

As mentioned in the beginning I would find it understandable if some of the elements I have mentioned may sound a little strange and exotic and far away from your way of thinking. I can assure you that many of your colleagues in Western European countries would share that feeling.

But I would like in conclusion to repeat that what has been said about the Scandinavian approach is not the final truth. Every country has to find its position within the framework of the European Prison Rules and other international instruments concerned with human rights.

So far I have refrained from giving any advice. But before I finalise my remarks I will give you only one advice — the best cure against habitual thinking for any prison administration in the world "When considering changes in prison systems do not ask *why* — ask *why not?*"

William Rentzmann  
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# The organisation of imprisonment, the treatment of prisoners and the preparation of prisoners for release

## I. The organisation of imprisonment

In our societies, according to prevailing social values, criminal law seems to be indispensable and criminal sanctions are regarded as socially necessary.

When a criminal offence is committed, the official reaction of the State is to inflict a sanction.

The catalogue of possible sanctions for criminal offences in national legal systems nowadays ranges far beyond mere imprisonment. In addition to well known alternatives, such as diversion, conflict-regulations, financial sanctions and suspended sentences, there are various court orders, disqualifications, part-time detention and other forms of alternative sanctions.

It is an unchallenged basic principle of crime policy in the Council of Europe that imprisonment is inflicted only where no non-custodial measure can be justified. The sanction imposed on an individual offender and to reducing the risk of his/her committing further offences, while at the same time affording adequate protection for society.

The purposes of imprisonment are determined by the law of each State.

The purpose of imprisonment, as they are prescribed by law or generally acknowledged in many States, are, on the one hand, the protection of society and general deterrence and, on the other hand, social re-integration to enable the offender in future to lead a socially responsible life without committing criminal offences.

Whenever the purposes of imprisonment are discussed, there arises the inevitable conflict between the purpose of treatment with its aim of the social re-integration of the offender and the objective of the protection of society. The possibility of any resocialisation within a closed penal institution is often entirely denied, or at least it is emphasised that any imprisonment in a closed institution is damaging rather than conducive to socialisation. One must be aware of what it really means to claim that imprisonment shall socialise; its natural effect is the very opposite.

Since we have sentences of imprisonment, we must have prisons; resocialisation is a generally recognised aim of prison sentences, but there is also the need to protect society; it is essential that a State based on the rules of law should extend humanity to all, but it is also necessary to preserve law and order.

Our law enforcement must meet all these demands.

This can only be done if the following basic rules are observed:

The effectiveness of any execution of sentences that intends to meet the requirements of treatment as well as those of the protection of society and security

and good order, depends primarily on a good *differentiation* of the penal institutions, on the creation of appropriate prison *regimes* and on a valid *classification* of offenders sentenced to imprisonment.

Let me explain these three measures.

The basic idea of differentiation is fairly simple:

From all the persons in custody we should separate the really dangerous prisoners who require special security measures, as well as the mentally disabled and psychopathic prisoners who need special medical, psychiatric or psychological treatment. On the other hand, juvenile and young offenders, first offenders and all other prisoners suitable for open, semi-open or other mitigated forms of detention should also be separated from prisoners requiring standard treatment.

If the separation of different groups of prisoners is to be of any practical use, architectural and organisational measures are necessary.

A security prison that would not aim to give any form of treatment could be organised in such a way as to ensure that, with a small number of staff, as many prisoners as possible are guarded, cared for, supervised, kept occupied and well sealed off from the outside world. The typical style of a traditional custodial institution is the big pentagon-shaped penitentiary.

Detention including treatment, on the other hand, calls often for only a limited degree of outward security; the crux of the matter lies in internal organisation, manageable groups, adequate trained specialist staff and the greatest possible degree of flexibility to meet the varying requirements of treatment.

Hand in hand with the necessity for a sufficient differentiation of penal institutions goes the creation of appropriate prison regimes. When choosing the appropriate prison regime in a differentiated system, the key problem is always how far treatment facilities can be given precedence over security aspects or vice versa. The choice of regime is therefore intimately related to the question of which aim is dominant in the institution concerned:

The different regimes vary from open, semi-open and other mitigated regimes to standard regimes and to security and high security regimes. Special regimes exist also for mentally disabled and psychopathic offenders, for alcohol and drug addicts and for dangerous recidivists. For juvenile and young offenders as well as first offenders and traffic offenders, special regimes are common. In several penal systems imprisonment in stages is introduced and all systems know pre-release regimes. There is, indeed, a great variety of possible regimes.

Any differentiation of penal institutions and the creation of appropriate prison regimes require, as a logical consequence, a reasonable distribution of

offenders sentenced to imprisonment best by means of classification.

The organisational problem of distributing sentenced offenders to the penal institutions can be solved in different ways. The criteria for the distribution can be formal and laid down in advance by law, decree, regulation or order. On the other hand, in particular when longer terms of imprisonment are concerned, the decision, where and under which regime the sentenced offender should be placed, can be made in every individual case by classification. It is necessary for the classification procedure to work promptly, without undue complication and effectively. The dividing up of prisoners will therefore generally be solved in accordance with formal criteria such as sex, age, proximity to home, social ties, criminal record and accomplices. The classification must, however, also satisfy special treatment needs (eg the necessity for high security measures, special medical care or psychiatric treatment, vocational training, work, etc).

The fact of imprisonment means that, to varying degrees according to the regime, the prisoner is kept in an artificial, regimented environment that contrasts with his/her normal state of liberty. Imprisonment should therefore consist of deprivation of liberty alone, without any further aggravating circumstances. A resolute effort must be made, especially in closed prisons, to counter any excessively pronounced "prison sub-culture", which impedes social rehabilitation, and to reduce all the negative consequences of long term imprisonment such as emotional disturbances, disturbances in comprehension and ability to think, obsessional ideas, infantile and regressive behaviour and social contact troubles.

Well trained prison officers, who have a human understanding of the prisoners in their care and are willing to listen and talk to them, can perform miracles in creating a good prison atmosphere. And such an atmosphere is always a first-class security measure in itself also.

It is true that in recent years the idea that imprisonment should be entirely therapeutic has been given up, for it has been realised that not all prisoners can be rehabilitated and that treatment depends on the individual's willingness and ability to co-operate. Today, therefore, the guiding principle is no longer compulsory treatment but fair opportunities for treatment for all those who are willing and fit to take advantage of them.

## **II. The treatment of prisoners and the preparation of prisoners for release**

The notion of "treatment" is sometimes controversial. There are feelings that, used in the context of prisons "treatment" implies exclusively something comparable to a mere medical or even to a psychiatric approach. There is a certain feeling that a different term, such as "management" or "education" or "assistance" should be used instead, but there is not unanimity about this either. It was therefore generally agreed in the Council of Europe that "treatment"

would be understood in a broad sense, including all measures needed to maintain or to recover the physical and mental health of prisoners, as well as a whole range of activities to encourage and advance social rehabilitation and to give prisoners opportunities to acquire competence to live socially responsible lives and to disengage from criminality. "Treatment" therefore is to be understood as including social training, schooling, general education, vocational training, work, reasonable leisure-time activities, physical exercise, visits, correspondence, newspapers, magazines, books, radio, television, social-work support, pastoral care, then, of course, psychological and medical (including psychiatric) treatment.

In the context of treatment, conditional early release (parole) is an indispensable means. The hope of an early release can, particularly in cases of longer terms of imprisonment, create the motivation and endurance to undergo treatment and to "deserve" earlier liberty. Early release can be a positive instrument to adapt the duration of imprisonment to the social development of the offender. It must therefore be seen as a part of the organisation of imprisonment. As any conditional early release is often accompanied by instructions, orders, probation or other forms of after-care assistance, it can facilitate the offender's transition from imprisonment to liberty and assist his/her efforts towards social rehabilitation. Besides this, early release is an important instrument of crime-policy. It helps to mitigate the detrimental effects of long-term imprisonment, it may help to correct too rigid sentencing, it is a means to decrease the numbers of inmates and, particularly in connection with probation, it takes into account the various difficulties of social rehabilitation.

One can discuss the conditions and the organisation of early release or parole, but one cannot give up parole without causing a serious loss for the administration of justice.

All treatment strategies must necessarily be seen in the context of the preparation of prisoners for their release, whatsoever the prognosis for social rehabilitation may be.

It has often been stated that the preparation of prisoners for release should start immediately after their reception in the institutions. This might seem to be a little theoretical, nevertheless there is much sense in it. Although most prison administrations are largely dominated by issues such as the effective running of the institutions, security and control, overcrowding, manpower, the condition of prison buildings and budgetary problems, it is still a generally acknowledged purpose of imprisonment to rehabilitate offenders. It is in the interests both of individual prisoners and the society at large that inmates are offered opportunities for a proper treatment with the aim of their positive readjustment to life outside prison. Different inmates have different needs and problems according to their personal circumstances. Many inmates face difficulties in relation to homelessness, unemployment, social isolation or the existence of deviant social bonds solely, lack of proper education, lack of marketable skills, health problems or

drug or alcohol addiction. These inmates need assistance, advice and training. The inmates mainly want direct practical help with their particular problems and this as soon as possible. Apart from specific arrangements for the individual assistance of prisoners, including expert guidance and advice, general programmes of education and training are necessary. All treatment efforts seem to aim at *three main goals*:

*First, the cultivation of the habit of work*, including proper vocational training in marketable skills, as a positive treatment means in order to rehabilitate inmates, to prevent a deterioration of their human personality and to enable them after their release to earn their living in a socially responsible way.

*Second, the acquisition of appropriate life and social skills* by social education and training in order to readjust inmates to life outside prison and sustain social bonds.

*Third, specific assistance and expert guidance* in order to meet individual needs and to solve personal problems of inmates.

All prison administrators know well enough how many obstacles and constraints must be overcome in practice if preparation for release arrangements are to receive the satisfactory standard they observe. Budgetary restrictions and the problem of manpower are likely to be a major difficulty. Existing staffing levels in penal institutions generally cannot be exceeded. New tasks can only be introduced by rearranging the existing tasks. There is often no easy way of introducing new preparation for release arrangements which make further demands on prison staff or require additional specially trained personnel.

Other constraints that limit the efforts or the effectiveness of treatment are often security and control demands. In security units usually security and control must be given precedence over more liberal treatment strategies. A further burden on the administration is the large number of offenders passing through the penal system. It is also a fact that prisoners are often not co-operative with staff. On the other hand, we must never forget that, despite all attempts to humanise and normalise penal institutions, they remain essentially abnormal and stressful environments within which it is often hard to preserve a positive approach to life after the release. Finally, the variable and often unpredictable response of the public and particularly the mass media towards criminal offenders and prisoners in general are often not just conducive to efforts designed to rehabilitate prisoners and divert them from crime. When faced with these difficulties, there is a strong temptation to respond by concentrating on the efficient running of penal institutions, on security and control and good order. But clearly this is not enough. Sentenced offenders are still members of our respective society and humanity is indivisible. Prisoners must be given the opportunity to use their time in custody positively if they are to learn from their mistakes and to avoid some of the pitfalls that inevitably await them on their return to the community. Without promoting the prisoners' readjustment to outside life there is almost no

chance to avoid their recidivism. A good preparation of prisoners for release is self-evidently in the interests of both the prisoners and the community at large. After all, prison staff can find their work more satisfying and challenging when they are involved in treatment tasks and caring for prisoners as well as controlling them.

There are a few *basic principles* which should underlie all preparation for release arrangements:

*First, all categories and types of inmates should be offered preparation for release arrangements.* (Even in cases of short-term imprisonment or where obstacles prevail, at least a minimum level of assistance should be given with the aim of identifying and solving practical problems of the individual inmate.)

*Second, preparation for release should begin as soon as possible after the reception of the prisoner in the institution.* (In the majority of cases, inmates are in custody for relatively short periods and assistance and advice is therefore necessary promptly after their reception in the institution. In these cases, the main effort should be directed to ensuring that the individual prisoner does not lose his/her accommodation, job and social bonds and that sufficient time is given to apply for jobs and vocational training courses to learn skills the prisoner will need after the release.)

*Third, preparation for release arrangements should be an essential part of the treatment programme (sentence planning).* (In cases of long term imprisonment or indeterminate sentences it would be inappropriate to raise questions about release immediately after the reception in the institution. In these cases a carefully planned treatment programme — including work and vocational training, social education and training and individual assistance and advice — is of real importance.)

*Fourth, preparation for release arrangements should last throughout the prisoners' stay in custody.*

*Fifth, during the last months in custody — when in most cases pre release regimes are admitted — particular attention should be given to promoting the inmates' re-adjustment to life outside.*

*Six, in preparation for release arrangements the prison administration should seek the co-operation and help of a wide range of organisations and expert people working in different spheres.* (Prison officers have a major contribution to make; but social workers, probation officers, teachers, educators, psychologists, chaplains, outside organisations and individuals and experts in various fields have important complementary roles to play.)

*Seven, preparation for release arrangements should be regular and systematically monitored and evaluated and, as far as necessary, refined and improved.*

### **Pre-release treatment**

"Pre-release treatment" is not kept apart in all penal systems from the wide range of preparation for release arrangements and there are often no distinct definitions. This causes no harm in practice as long as efforts are made to assist prisoners in their personal



needs, teach them the necessary skills and readjust them to life outside prison. Nevertheless, in several penal systems, pre-release treatment is understood as a relaxed regime during the last period of the sentence when the prisoner has already served the biggest part of his/her term of imprisonment and is facing release within several months. This pre-release treatment is the last stage of all preparation for release arrangements. Sometimes, however, preparation for release is understood as that assistance and advice given to the individual prisoner shortly before his/her actual release. In any case, all efforts serving the preparation for release are linked together and can be regarded as a continuum. That is, after all, valid for all treatment measures which aim at social resettlement.

In those penal systems where pre-release treatment is explicitly prescribed, the following measures of preparation for the forthcoming release are common:

The *transfer* to a pre-release regime is an open, semi-open or otherwise relaxed institution or unit wherever feasible.

*Work release* (regular work outside the prison without supervision).

Daily *short leave* or at least, leave under escort or group leave.

*Special prison leave* in order to settle personal matters (eg job, accommodation documents, financial affairs).

More frequent and longer *visits* without supervision.

*Legal advice* and *expert advice* in various personal, financial and social affairs including the naming of authorities or agencies competent for social benefits.

*Medical examination and advice.*

*Release grant* where the prisoner's own funds are not sufficient, the institution shall give him/her an amount of money for travel and subsistence expenses during the first period after the release and provide proper *clothing*.

### **Long-term imprisonment**

In all cases of long-term imprisonment, the treatment programme and its permanent review have special importance. A term of five, ten or more years of imprisonment cannot reasonably be planned from the outset only as a transition to future life in freedom. There must also be arrangements for more immediate aims the prisoner can achieve, involving some adjustment to the inevitable conditions of prison life and a meaningful use of the prisoner's abilities. The respective treatment programme must be based on a realistic assessment of aims and possibilities. Any other attitude would lead to disappointments. Especially in the case of long termers, any treatment strategy requires a thorough examination of the prisoner's personality at the beginning of the enforcement of the sentence. Wherever possible, the long-term prisoner should be encouraged to co-operate and to display a

sense of co responsibility for his/her own development. In particular long termers need a programme of activities which will help them use their long time in prison constructively and so finally prepare them for release. Nevertheless, a warning must be given against any over-optimism concerning the results of treatment. Considering the means available to the prison administrations, a chance in the prisoner's personal structure cannot generally be expected. The treatment given to a prisoner can, however, modify the prisoner's capacity to adapt and develop himself.

Psychiatric explorations and psychological examinations have shown that, after a period of about five years of imprisonment, a so-called functional psycho-syndrome may be expected which is essentially a separation syndrome and reversible. The main characteristics of long-term prisoners suffering from this syndrome are emotional disturbances, disturbances in comprehension and ability to think, infantile regressive changes in the mode of life, difficulty in making social contacts, a considerable loss of reality, some decline in reaction mechanisms, a higher degree of neuroticism, a significant increase of hostility and of aggression against the self, and a decline in self evaluations. It must, however, be stressed that the deprivation of liberty is experienced in quite different ways by individual prisoners and that isolation does not cause the same effects in every case.

Everything that was said in relation to preparation for release arrangements and pre-release treatment is of particular importance for long-term prisoners.

In the case of long-term prisoners suffering from serious personality disturbances, the therapeutic character of treatment will have to be stressed.

For all other long termers the most important thing is to be assigned to suitable work as soon as possible. The kind of work and vocational training should be marketable so that it may enable the prisoner to earn his/her living after the release. Work is thus a part of the adjustment to the normal conditions of life in freedom.

In order to counteract the separation syndrome in cases of long deprivation of liberty, attempts should be made to uphold connections to the outside world and to create situations similar to those outside. This can be done in workshops, classrooms and leisure time areas, as well as by the use of radio, television, newspapers and periodicals, visits and correspondence, and wherever possible, the different forms of prison leave.

In particular long-term prisoners need an intensive pre-release treatment which can help them, after long years of imprisonment, to be prepared to meet the many difficulties and pitfalls of life in the outside world. As the loss of employment and income are an almost logical consequence of long term imprisonment, often accompanied by homelessness and the lack of social bonds, individual assistance and expert advice are extremely necessary. Pre release treatment for long termers should also include courses for life and social skills.

Long-term imprisonment can go hand in hand with being held in security regimes and sometimes in high security units. Fortunately, the number of dangerous prisoners is generally below 5% of the total prison population, and those prisoners who must be regarded as dangerous in the highest degree and create custodially a high risk so that they require maximum security measures, are usually not more than one out of one thousand. The required level of security and control over that really dangerous and custodially high risk prisoner minority is attained principally by segregating them from the majority of prisoners and by greater control of smaller groups. It stands to reason that security measures and control prevail in high security units. Sophisticated technological equipment and considerably increased prison staff are available. Nevertheless, technology should never be allowed to become a substitute for the human factor in any aspect of prison operations. Staff can contribute significantly to a good "internal climate" if interface between them and prisoners is characterised by humanity and understanding. The stricter precautions of security regimes and the segregation from other prisoners are, the more they impede treatment efforts. This, however, should not lead to the conclusion that treatment aiming at the social rehabilitation of dangerous prisoners is impossible. The ultimate purpose of any treatment strategy is to preserve the prisoner's personality and afford opportunities for personal development, so that a level of insight and competence may be reached which enables the offender to lead a socially responsible life in the free community.

### **Short-term imprisonment**

The imposition of short-term prison sentences should be avoided as far as possible. Short-term imprisonment is educationally ineffective and in terms of crime policy often regarded as detrimental. On the one hand, the period of a few weeks or months in prison is not sufficient to go ahead with treatment strategies, and often it is not even possible to provide suitable work to the short termers, let alone vocational training or social education. On the other hand, few weeks or months of imprisonment can be decisive for losing job and accommodation or becoming alienated from family and friends. In spite of many efforts made in the member States of the Council of Europe to restrict the passing of short-term prison sentences, our penal institutions still contain a large number of inmates serving short-term sentences of up to six months.

For all these reasons, preparation for release arrangements or pre-release treatment for short termers should mainly concentrate on identifying and solving practical problems of the individual inmate by assistance and expert advice in legal, financial, personal and social matters.

### **Work**

Work in penal institutions is closely linked up with the preparation of prisoners for life in society outside prisons. The history of work in penal institutions

is its progress from an essential punitive element in penal regimes, through a role of mere occupation, to an important means of positive contribution to the rehabilitation of offenders. At one time work, in the form of "hard labour", was seen as an effective additional punishment to the deprivation of liberty. It had no purpose other than deterrence. Three hundred years ago, puritans saw work as good in itself. Later on, work was seen as conferring personal and social virtue on those who performed it. Afterwards, work has long been accepted as beneficial and a major element in penal regimes. Today, work is regarded as a matter-of-course necessity, a normal condition of life, and, as far as merit is to be conceded for work as a human activity, it lies in its satisfactions or its usefulness to the individual and to society as a whole. Outside prison, people who do not work do not enjoy the esteem which employment in socially acceptable work normally brings. Even workers on the lowest labouring levels are respected and can be seen as "honest workmen". Whatever the degree of social esteem may be, the implied acknowledgement of the usefulness of the work for earning the living for oneself or a family is an important element of self-respect. There is also the socialising influence of work, as far as it offers social relationships outside the family and the neighbourhood. These social relationships are beneficial to the development of human personality and essential to the quality of life. For most people it is difficult to contemplate life without such relationships.

In prisons too, work is an element in the make-up of the institutional society. In a penal institution where a variety of work opportunities are offered, it is reasonable to assume that the kind of occupation affects the status of the individual inmate in some way. Very often prisoners are socially inadequate, absent of social norms and not used to regular work. It is therefore vital for their rehabilitation to develop a positive attitude toward work and its fulfilling character. It is also important for those inmates to be trained to perform work as a habit, as well as to appreciate the quality of work and the rewards that flow from it in terms of pay, self-respect, and status. There are the socialising influences, too, of work in association. Prisoners, like any other people, value the part they play with their fellows in achieving the objectives of a work task. They benefit too from the interplay of personalities that results from working within a team and the experience of being managed for defined purposes. The contribution they make to the production of a workshop, the construction of a prison building or the cultivation of crops is measured in terms of personal achievement, usefulness and self respect. In all these ways work is important for the development of social personality and readjustment for life outside penal institutions.

### **Social rehabilitation**

Human being is both, social person as well as individual personality. From birth until old age the individual undergoes a permanent process of socialisation by getting integrated in social groups and, through those groups, into a certain society and

culture. The individual learns various socially demanded attitudes, accepts social values, and learns social behaviour. Thus the individual becomes qualified for interacting socially in groups and social institutions by using accepted social behaviour patterns and learns to live socially adjusted in the respective society and culture. Besides that, human being is an individual personality also, with the liberty to make decisions, to take responsibility, and even to keep a critical distance to social demands. The various social demands of a society, including ethics, morals, religious beliefs, ideologies, create the social value system of the respective society. These social demands of the social value system are embedded in social norms equipped with sanctions, so that socially demanded behaviour can be enforced and socially deviant behaviour be sanctioned. The system of social norms on its part is acknowledged by the legal system of any functioning State. Thus, those kinds of socially deviant behaviour that are considered as serious enough to be punishable in the courts are defined by criminal law.

If the process of socialising fails, so that social attitudes, values, and behaviour is not accepted, socially deviant behaviour is the consequence. In the case that socially deviant groups accomplish the process of integrating individuals, so that attitudes, values, and behaviour are accepted which are conform with the deviant groups but socially deviant in relation to the main group, the same negative result occurs. If socially deviant behaviour is strongly refused by the respective society, marginal personalities and marginal groups are the consequence. They are often regarded as social outcasts. One main group of those, we have to deal with, are criminals.

Social rehabilitation of prisoners and their re-adjustment to life outside prison means therefore — besides all practical advice and assistance and besides training in marketable skills — that the individual prisoner must be let to develop new social attitudes, to accept social values — often different from the former ones — and to learn how to behave and interact in free society in a socially adjusted and responsible way. All the various treatment techniques may help to reach that goal. One fact, however, must never be forgotten: All efforts of prison administrations inside penal institutions are useless if society does not give the released prisoner a fair chance to become integrated in community life again.

### **Prison leave**

In the member States of the Council of Europe prison leave exists in one form or another in varying degrees. The reason for granting prison leave are various and consequently different types of prison leave exist. First of all, humanitarian reasons were procured to justify prison leave. For long years, prisoners have been allowed to leave prison for a short space of time to visit their families when special circumstances so required, in particular in cases of serious illness or death of a close relative. Humanitarian reasons are still valid for the justification of

prison leave. The second point deserving to be mentioned is closely related to the humanitarian view. There has been a recognisable trend towards humanising prisons and making them less of an ordeal by diminishing the various negative effects of imprisonment. The regimes for most categories of prisoners have been liberalised, open and semi-open regimes created and outside contacts widened. Prison leave is a logical consequence of these efforts. In this context, prison leave is to be seen as particularly important for prisoners who have to serve a longer term of imprisonment. The leave system allows them to get away from the artificial and protected environment of prison, even if only for a short period of time, and to immerse themselves in the realities of the outside world. Maintaining social bonds with their family, friends, employers and workmates, or establishing such links where they do not exist, is of vital importance for any effort of social rehabilitation. Another important point of preparation for release arrangements and pre-release treatment is to provide prisoners with an opportunity to receive education, vocational training and work, whenever feasible and justifiable, outside of prisons. Work release, leave for vocational training, leave to attend courses or general education, and even leave to attend lectures in higher schools or universities are of high value in order to provide marketable skills and thus to give prisoners a chance to find back in the demanding life of the free community. Last but not least, prison leave is necessary when individual needs and problems must be met. The possibility of prison leave should therefore not be excluded for medical treatment, special legal or financial advice, job applying, finding accommodation, etc.

Prison leave is sometimes assessed critically by the public, particularly in cases of misuse. It is therefore necessary to inform the general public as fully and effectively as possible of the aims, working and results of the system.

### **III. Final remarks**

It is generally acknowledged in the Council of Europe that the sentence of imprisonment has a punitive character in itself, it is however, also acknowledged that the time of imprisonment should be well used to offer and give treatment wherever possible and feasible.

According to the European Prison Rules, the purposes of the treatment of persons in custody shall be such as to sustain their health and self-respect and, as far as the length of sentence permits, to develop their sense of responsibility and encourage those attitudes and skills that will assist them to return to society with a good chance of leading a law abiding and self-supporting lives after their release (rule 3).

Every effort shall be made to ensure that the conditions of life are compatible with human dignity and acceptable standards in the community in order to minimise the detrimental effects of imprisonment, to provide opportunities for prisoners to develop skills and aptitudes that will improve their prospects of

successful resettlement after release, and to sustain and strengthen the social links with family, relatives and the outside community (rule 65). To these ends all remedial, educational, moral, spiritual and other appropriate resources should be made available (rule 66). All treatment efforts lead after all to the preparation of prisoners for release and aim at showing them that they are not excluded from the community but are still part of it. All categories of prisoners should have the benefit of preparation for release arrangements designed to assist them in returning to society, family life, home and employment. Prison administrations should involve prison staff in the numerous treatment arrangements as well as sufficient specialists such as social workers, probation officers, teachers, education and sports instructors, group counsellors, chaplains, psychologists, doctors and psychiatrists. Prison administrations should also work closely with the social services and agencies and all appropriate experts to meet the many individual needs of prisoners when they are returning to the outside world.

In practice it can be said that in the member States of the Council of Europe the European Prison

Rules are to a large extent transformed into national law and applied in practice. Of course, in some countries exist higher standards than in others, still a lot has been achieved. This, however, must not give cause for complacency.

During the 40 years of its existence, the Council of Europe has dealt with a lot of aspects and problems of prison administration. The existing conventions, recommendations and reports are good evidence. In recent years, the main topics were long-term and short-term prisoners, dangerous prisoners, prison management and regimes, work in prisons, prison leave, foreigners in prison, the transfer of foreign prisoners to their home countries, custody under remand, probation and after care, the construction of prisons, contagious diseases in prison, in particular AIDS, the treatment of drug and alcohol addicted inmates and alternatives to imprisonment.

*Helmut Gonsa  
Director General  
of the Austrian Prison Administration*

## Recruitment, training and use of staff

### 1. Introduction

The staff is the most important asset in any prison system. The staff takes up the largest part of the budget in the form of salaries and wages etc, and the staff is of fundamental importance for the proper management of the institutions and the pursuit of their organisational and treatment objectives. And that is why the European Prison Rules order the prison administrations to give high priority to the fulfilment of the rules concerning personnel (Rule 51).

Traditionally most prison systems have operated with a relatively large, poorly trained and badly paid basic staff with a low esteem in the general population. Focus throughout the fifties, sixties and seventies on individual treatment of criminals has to a varying extent led to the hiring of a number of experts for carrying out the actual treatment. They first of all included psychiatrists, psychologists, social advisers and teachers. There has even been a tendency to regard prison systems with the largest number of experts as the most progressive ones.

And there can be no doubt that the presence of these experts has contributed strongly to the liberalisation of the prison regimes, as we have been witnessing it during the past 20 to 30 years.

In some places the presence of these civilian experts, who have more or less had a monopoly on the treatment in the narrow sense of the word, has led to a certain polarisation of the staff. The large group of uniformed staff has felt that it had been pressurised into — or at least had not had much chance of leaving — the role as key-brandishers, where only the security

duties remained. This limited role has in turn rubbed off on their attitude towards the prisoners. The prison officers risk becoming (or remaining) estranged in relation to the prisoners. You might say that a "de-personification process" is going on that may pave the way to a more inhuman conduct.

The European Prison Rules' section about personnel is an expression that we have realised that the more liberal regimes in modern prison systems, which allow prisoners more association out of their cells, have implications for the staff. Better teamwork is required — as it is said in the explanatory memorandum — and basic staff need to develop a closer understanding of the treatment objectives and their special roles in that respect. This will require changes in attitudes and functions, it is underlined.

There can be little doubt about that. The requirements made by the European Prison Rules to treatment in the narrow sense of the word as well as to the prison regimes in general make it illusory to continue basing the contents of our activities on experts and specialists, and exclusively using the basic staff for surveillance and similar duties pertaining to the security. Everyone must be involved in and take an active part in the treatment of the inmates, in the broad sense of the word.

This means that the basic staff must be placed in a far more central position than has hitherto been the case in most places. That this is the right path to tread was also underlined at the first joint meeting for heads of national prison administrations from Eastern and Western Europe held in Messina and Rome in 1989.

In the so-called Rome Declaration it was among other things recommended "to develop managerial arrangements and training programmes to establish and maintain the centrality of the role of prison officers, thereby contributing to the enhancement of their professional identity and status, and to consider how the status and public image of prison officers might be enhanced through the introduction of a new title which more accurately reflects their expanded role."

Thus, there seems to be general agreement about the objective of the staff policy. The next problem will of course be how this objective is reached.

Here, like in all other issues pertaining to the prison systems, each country must find its own way and its own speed.

There are however certain guidelines in the European Prison Rules which I shall revert to now and again. But except for these, we are referred to our own inventiveness — or to receiving inspiration elsewhere. These Council of Europe seminars are, as it has been emphasised several times, one of the proven methods of exchanging experience and of obtaining new inspiration. It is only in rare cases that what is being said about conditions in other countries can be copied directly. But it may often be used as a vitamin injection. And that is supposed to be good for you — in moderation!

## 2. Unit management

It is an eternal truth that if you give a person a responsibility, then he will feel responsible. He rises to the occasion, as the saying goes.

A necessary condition for getting a responsible and engaged staff is therefore that you give them something to be responsible for and engaged in. In other words, you must be prepared for a high degree of decentralisation. The central management must delegate responsibility to the individual prisons. And the individual prisons must delegate responsibility to the individual members of the staff. The latter may for instance be accomplished by means of the so-called unit management.

Unit management is a decentralised approach to inmate management. It uses smaller, more manageable units and emphasises extensive interaction with inmates.

In operational terms, the unit management systems divides an institution into smaller units centred on an inmate housing unit.

In short: unit management entails that all decisions concerning the inmate's everyday life — his treatment in the broad sense of the word — are made locally and by officers who know the inmate and are in touch with him every day. A decision may for example be made at a weekly meeting for the staff of the ward in which the prisoner is residing. The group making the decision may for instance consist of a couple of prison officers, the foreman of the workshop where the inmate is employed, the teacher giving the inmate tuition, the social adviser attached to the ward, and a representative of the prison administration. It is the duty of the representative of the administration to

ensure partly that the decisions are legal, partly that they are within the compass of the crime policy in force at any time, and finally that the decision does not constitute a security risk.

When the system has been completely built up, it will mean that each and every member of the basic staff will be responsible for two to three prisoners — also responsible that their cases are prepared properly for the unit meetings.

In accordance with the earlier mentioned Rome Declaration, we have introduced a new title in Denmark for the prison officers who are working in this way: we call them unit officers.

In co-operation with the specialists, these unit officers handle all aspects of the prison work, ie both duties with relation to treatment, such as social work, employment and recreational activities, and the traditional security functions.

Unit management has gradually been introduced in the Danish prisons during the past 20 years or so, and in a very few years this work will have been completed. It is hardly a system that can be introduced overnight.

But it is on the other hand a system which is now being introduced in many places — also outside of Scandinavia. In Canada, for example, they are now busy introducing it — whether the reason is that a Dane is the director-general of the prison administration over there, I shall refrain from saying. And they are also well on their way in Australia and New Zealand (Persons with a special interest in this subject may order a number of Canadian publications on unit management that give a detailed description of this kind of management).

It is hardly necessary to say more about unit management here. Elements of it will be touched on later. But let me underline two things, for the sake of good order. Unit management is not a magic formula which can be implemented to solve all outstanding problems for prisoners or staff. Prisons are total institutions with complicated relationships between these two groups, mainly because the officers have the dual task to control and at the same time to support. Unit management can help officers overcome the contradiction between these two elements, because it brings the officers and the inmates closer to each other. There will in a manner of speaking be a personification of the members of the opposite group.

The other thing is that unit management is no necessary prerequisite for a modern staff policy as the one I shall now tell you about. Other methods can be used. Not least during the transitional stage.

I will now turn to the question of recruitment of prison staff.

## 3. Recruitment

The European Prison Rules tells us that prison staff shall have a civil service status (Rule 54. subsection 2). In my opinion it is also obvious that the regimes that are a necessary condition for prisoner treatment in accordance with the European Prison

Rules can only with difficulty be reconciled with a system where the prison staff are attached to the military or to para-military organisations. Prisons should be a job for the civilian administration.

I wish to underline that when I mention selection or recruitment in what follows, I am exclusively referring to the basic staff, although the Prison Rules' demand for careful selection covers all staff categories. Because there is no getting round it that it is the large group of employees — the prison officers — who are of particular interest in this connection.

It goes without saying that the demands made to applicants for basic staff positions must be adapted to the duties to be performed by this staff. The more duties delegated to the basic staff — the more competence they are given in their daily work — the greater demands must be made.

The pursuit of the organisational and treatment objectives set up in the European Prison Rules in itself involves great demands. And that is why it has been established in the Prison Rules governing the chosen applicants that special emphasis shall be given to their integrity, humanity, professional capacity and personal suitability for the work (Rule 54).

I could imagine that some of you are already now thinking that such demands are all very well — but that is not possible to attract very many persons with these admirable qualifications with today's conditions of tenure, and not least salaries. I shall return to the necessary relationship between demands and salaries at a later point.

But as mentioned, the European Prison Rules makes certain basic demands which it might be difficult enough to meet. If you decide in favour of a model based on unit management or a similar model, it is even more important to make demands to the applicants' human qualities, because in a prison system like this they will have a decisive influence on the continued fate of the individual prisoner. In the Danish prison administration we consequently demand directly that the applicants must possess a number of human qualifications that are needed for the work. In short it can be said about these qualifications that the applicants must be able to find out what others think and believe, they must be interested in their surroundings and appear as persons who are attentive and capable of establishing contacts. They must be tolerant, but at the same time mentally robust, and it is imperative that they are able to create respect for themselves in a quiet and sober-minded manner. They must be able to keep their heads cool and in control of things when they are under pressure, and responsible for the jobs assigned to them, and they should not be too touchy. It is moreover very important that they are eager to learn, as there are a lot of things they have to familiarise themselves with in connection with their training. Finally, the applicant must be in good health and in fine physical shape.

Add to this that a proper unit officer, who is also responsible for the employment of the inmates,

should have some kind of vocational or technical training. We are now demanding this of all newly appointed unit officers in the Danish prison system.

A very important thing in connection with the recruitment of basic staff is that you make it quite clear to the applicants beforehand what their future duties will be, and the demands that will be made on them. If you deal lightly with this part of the employment procedure, you may get hold of wrong persons for the job, persons who cannot adjust to the system because it is not the way they thought it was.

What we do is this: we give the applicants a brochure with a brief description of what is demanded of them and of the working conditions we can offer them, and we arrange local recruitment meetings where experienced prison officers and institution leaders tell them what it is like to be employed at a prison. These two elementary precautions have spared both us and the applicants a lot of vexation.

If after the introductory information meeting a person would like to apply for a job as prison officer, he must complete an application form which will be evaluated at the Staff Training Centre. Already at this point, more persons are weeded out who evidently do not satisfy the demands made. The others are invited to take part in a written examination where the applicants' way of thinking is tested, among other things. Applicants who pass this test will be interviewed for about an hour by a special instruction officer who will prepare a written evaluation of the applicants' suitability. Finally, the applicant must take part in a short interview with an employment committee where the central administration as well as the Staff Training Centre and the Prison Officers' Union is represented. This committee will decide whether the applicant can become employed.

The importance of a careful selection can hardly be exaggerated. Once you get hold of the right persons, the probability that they can manage the training and cope with the work is great. If you instead get hold of the wrong persons, then an education — no matter how good it is — will often turn out to be wasted.

In Denmark, and also in the other Scandinavian countries, we have for number of years placed great emphasis on the recruitment of a large number of female officers. It is partly an expression of the fundamental treatment principle, the gist of which is to approximate the conditions in our prisons as much as possible to the outside conditions (normalisation). It is also our experience that the presence of female staff in prisons with a preponderance of male inmates has contributed strongly to limiting the conflicts in the institutions and to improving the language used in the prisons. The situation in Denmark is now that about 20% of all prison officers are women, and it is expected that this figure will rise further as it is now a fact that almost equally many women and men are recruited. On top of that there are the civilian groups where there are probably already just as many women as men.

This policy is completely in accordance with the European Prison Rules where it is stipulated in Rule 62 that we must encourage the appointment of staff of the opposite sex in institutions or parts of institutions housing prisoners.

#### 4. Training

The European Prison Rules only make very general demands to the training staff. It is said that on recruitment or after an appropriate period of practical experience the personnel shall be given a course of training in their general and specific duties and be required to pass theoretical and practical tests. At a later stage of the career this training should then be followed up by appropriate refresher courses (Rule 55).

It is underlined in the explanatory memorandum that these demands have already been met in most prison systems. Our attention is therefore drawn to the fact that we should not be content with meeting these basic demands, but try to develop these programmes further through new thinking and creativity.

The primary condition for an effective training system for prison staff is allocation of the necessary resources and facilities for the purpose. Training of staff should be considered as an investment in the prison system of the future, and the top management of the prison system should therefore take active and continuous part in the design of the training courses, and try to ensure that the necessary funds will be included in the budget. In Denmark we have appointed a permanent training council where staff organisations are also represented, and where the director-general is the chairman. Agreement has been reached in this council to earmark about 5% of the Department of Prisons and Probation's total budget each year for staff training (in other words, 50 million out of 1 billion Danish kroner).

In a modern prison system which has to live up to the European Prison Rules, the training should focus on the students' knowledge and skills as well as on their attitudes. The more independent the staff is to appear, the greater responsibility they are given, the more important it is that their attitudes are in accordance with the crime policy in force at any time — and hence with the basic principles contained in the European Prison Rules.

The training should be of a certain duration, and it should contain theoretical elements as well as periods with practical work. How long the training is to be must of course depend on the practical and economic possibilities in each country. In Denmark the training lasts three years, seven months of which distributed on five courses take place at the Staff Training Centre, while the remaining time is used for periods with practical work at different types of institutions.

If one of the objectives of the training is to support the students' personal and human development and to create what should preferably be a life-long involvement in the treatment of criminals, then it is important that the theoretical part of the training does not become too narrow and too focused on

prisons. The students will without a doubt learn all the prison routines during their periods with practical work.

A modern prison-theoretical training should contain elements of general social science, criminal law, social laws and regulations, psychology, pedagogics, conflict solution, administration, co-operation, prison regimes and of course surveillance and security tasks, including self-defence. The aim is to provide the students with concrete and directly relevant knowledge, and to give them some general knowledge of society and people that will enable them to understand criminological and crime-political problems, and also to understand and take a position on human — including deviant human — behaviour.

As it appears from the European Prison Rules, it should be ensured by means of examinations and tests that the students have really acquired the right skills and are able to use them.

That it is not only the basic staff, but also the civilian specialists and groups of leaders that need training — and not least supplementary training — is obvious. A modern prison system should invest a lot of time and effort in the development of relevant leadership training that will enable the leaders to control the decentralised organisations and to continuously develop and adapt the organisations.

I will now return to the last part of my contribution:

#### 5. Use of staff

This should not take too long, as I have on several occasions mentioned the chief points of view on which a modern staff policy should be based.

The main thing is to give the basic staff a central role to play in the prison's everyday life. This does not mean that the specialists and experts no longer have a role to play. It simply means that their function too must be adapted to the needs of modern crime policy. In practice this means that the specialists will have two main functions. One of them is to handle the difficult cases within their area of competence, ie cases where specialist knowledge is required. The other is to act as supervisors, sources of inspiration and promoters towards the basic staff. Together these tasks will mean that there will not be a reduced need for specialists in the prisons of the future. In many prison systems a large number of specialists should no doubt be added, if the prisons are to function at a reasonable level.

But the biggest task — and the most important one — is to qualify the basic staff to take on those commonplace functions within all spheres of the prison that occur every day. They are the traditional security functions as well as jobs having to do with treatment. Only if we are successful in this can we derive the full benefits of the human resources found in the basic staff. And this is a necessity, not least in times where our economy sets strict limits to our prospects of increasing the staff.

It is however also a necessity, if the basic staff is to be given a more qualified purpose in life.

And that in turn is a necessity, if a reasonable atmosphere is to be created in the prisons and a reasonable basis is to be established, so that the inmates can get something useful out of their stay in prison.

## 6. Conclusion

I mentioned at the beginning that there is a necessary connection between a wider range of duties and increased responsibility on one hand, and the salaries and working conditions on the other hand. And it is underlined in the European Prison Rules (Rule 54) that "salaries shall be adequate to attract and retain suitable men and women; employment benefits and conditions of service shall be favourable in view of the exacting nature of the work". I do not know what the conditions are like in Eastern Europe, but in Western Europe there can be little doubt that salaries are of decisive importance for the persons you can recruit and retain as prison staff. It costs a lot of money to raise the salaries for the large groups of people that are typically involved, but it is necessary to lay your hands on it, if you wish to obtain an effective prison system. In Denmark we have just raised the salaries for unit officers quite considerably, and this was made possible by means of rationalisations and reductions of the staff, so that the savings were used for raising the salaries for those who stayed on. This is one way of doing it, though not necessarily always the best or most expedient way.

It is our definite experience in Denmark that in prisons where unit management has been introduced and where the basic staff has been given new and more extensive duties there has been a considerable improvement of the atmosphere and of the tone between staff and inmates. And there can be no doubt either that the closer relations between staff and inmates contribute to a change of attitude in both groups.

Now that I am approaching the end, I should like to quote something from the new Guidelines for work ethics prepared by the Scandinavian Prison Officers' Union. These rules have been worked out by the basic staff itself and were adopted by the respective unions in 1989.

It is stated in the introduction to these guidelines that one of the reasons why the Prison Officers' Union prepared them is that "in our daily work we communicate with people who are in a very special position,

facing imprisonment, the strongest reaction of society.

Prisoners are not a uniform group (it goes on), however they all share one common feature which is that they have the same fundamental need to be respected as human beings regardless of what their crime is.

The fact that many prisoners have committed serious crimes makes it important that our members can show the same kind of conduct towards all of them — a conduct based on an occupational role allowing a joint basic ethical attitude.

One of the fundamental ethical issues is respect for the human being".

The main provisions governing the prison officers' relations to the inmates go like this:

"A member must not through his conduct or the performance of his duties unnecessarily offend an inmate or the inmate's relatives.

Members shall respect an inmate's religious and social opinions and his cultural and social background regardless of skin, colour and nationality. When communicating with the inmates, members shall set a good example with regard to language and manners and secure the legitimate rights of the inmates, encouraging them to behave in a socially acceptable manner, to increase their understanding of their situation".

These guidelines show better than many theoretical arguments that the rank and file prison staff have accepted the attitudes on which eg the European Prison Rules and the European Human Rights Convention are based. I believe that this is among other things due to the recruitment procedure and training they have been through, and not least the way the basic staff is used in the so-called unit management organisation.

I take these guidelines as an expression that it pays to focus on proper selection and training of basic staff, and to offer them good working conditions. This is of course a protracted on going process. But a necessary one. On objective, however excellent, and no rules, however well-meant — like the European Prison Rules — are worth a thing, unless the staff shares the attitudes on which they are based.

*William Rentzmann*



## NEWS FROM THE MEMBER STATES

# Statistics on prison populations in member states of the Council of Europe (1990 surveys)

The following information, drawn from the six-monthly survey on prison populations introduced in 1983 by the Council for Penological Co-operation, concerns the situation of prison populations at 1 February 1990 and 1 September 1990, as well as the flows for 1989.

For the second time, we are having to publish the results of both surveys for one year (February and September 1990) — with a considerable delay — in the same issue of the Prison Information Bulletin. This situation, which detracts from the value of the statistics, is principally due to the extension of member States' deadlines for submitting replies, as well as to the fact that our increasing proportion of the Council Secretariat's activity is being devoted to aid for the countries of Eastern Europe, without the provision of any additional staff.

The survey for 1 September 1990 was launched at the end of January 1991. Six months later, we had received 17 replies. After reminders, the last questionnaire to be received reached us in mid-December 1991. We have therefore decided not to wait for the missing replies to compile the statistics<sup>1</sup>.

In order to reduce these deadlines, the Council for Penological Co-operation decided at its 22nd meeting (5-7 November 1991), to carry out only one survey for 1991, covering the situation at 1 September 1991 and the flow for 1990. It is currently working on a new questionnaire which would be sent out **once a year** and would consist of two sections:

— the first section would concern prison populations and would mainly be a replica of the questionnaire currently used for the September survey. Some details would be added to "problem" items, such as criminal category and definition of the "imprisonment" unit of account;

— the second section would cover certain non-custodial sanctions and measures imposed in the course of the year.

This question will be examined by the European Committee on Crime Problems (CDPC) at its 41st plenary session, in June 1992.<sup>2</sup>

### Situation at 1 February and 1 September 1990

On the basis of the raw data collected from administrations, it has been possible to calculate the following indicators (Tables 1 and 2);

a. Total prison population;

b. Detention rate per 100,000: total prison population at the date of the statistics compared with the number of inhabitants at the same date (Figure 1);

c. Proportion of "unconvicted prisoners" (%): total number of prisoners who have not received a final sentence compared with the total prison population;

It should be recalled that the "unconvicted prisoners" category is necessarily a heterogeneous one in juridical terms (see the example of Belgium, which gives a detailed breakdown of this category). This fact should not be forgotten when reference is being made to these data. The matter will be taken up again in the new questionnaire now being drawn up<sup>3</sup>.

d. Pre-trial detention rates per 100,000: total number of "unconvicted prisoners" at the date of the statistics compared with the number of inhabitants (Figure 2);

The above remark on the proportion of "unconvicted prisoners" naturally applies to this index as well.

e. Proportion of women (%);

f. Proportion of "minors and young adults" (%);

g. Proportion of foreigners (%).

1. February 1990 survey: Questionnaires not received by 31.12.91: Czechoslovakia, Hungary, Malta, Norway, Switzerland and Turkey. September 1990 Survey: Questionnaires not received by 31.12.91: Czechoslovakia, Greece, Ireland, Malta and Scotland.

2. Draft "Council of Europe Annual Penal Statistics (SPACE)", 19th meeting of the Committee for Co-operation in Prison Affairs, Council of Europe, Strasbourg, 1990, Ref. PC-R-CP (90) 5.

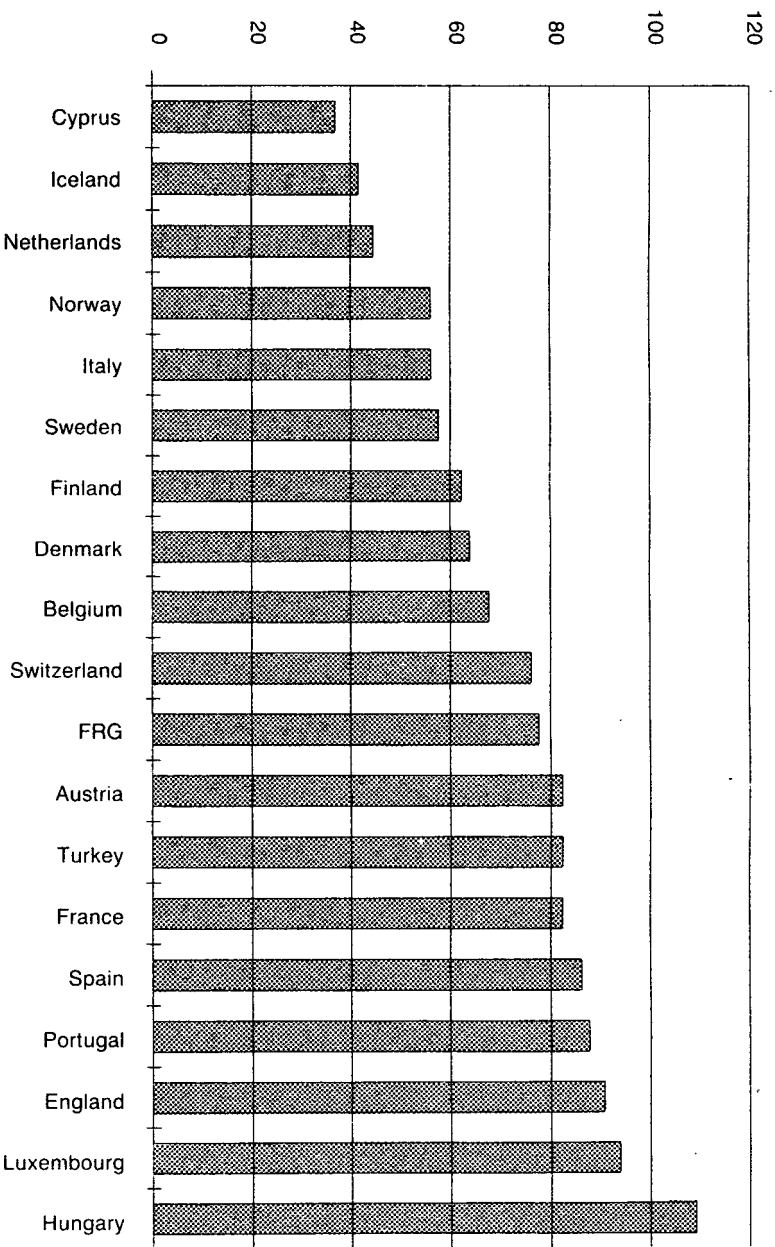
Draft SPACE, 39th Plenary session of the European Committee on Crime Problems, Council of Europe, Strasbourg, 1990: — Inquiry into non-custodial sanctions and measures in the member States, Ref. PC-R-CP (90) 8. — Inquiry concerning prison populations in member States, Ref. PC-R-CP (90) 9.

Draft SPACE: Analysis of notes presented by the member States, 22nd meeting of the Committee for Co-operation in Prison Affairs, Council of Europe, Strasbourg, Ref. PC-R-CP (91) 9 1991.

Draft SPACE: Review of the test stage and proposals for guidelines, 22nd meeting of the Committee for Co-operation in Prison Affairs, Council of Europe, Strasbourg, 1991.

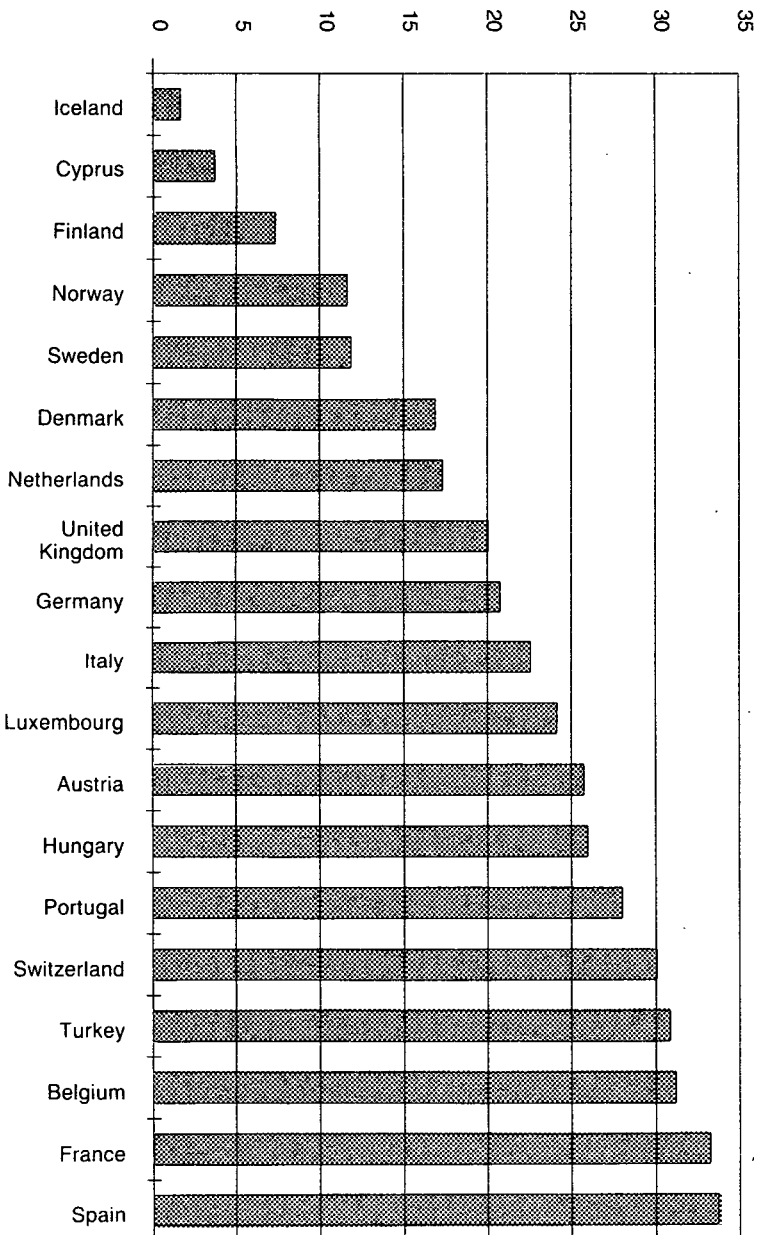
3. See also TOURNIER (P), BARRE (M-D), "Survey of Prison Systems in the Member States of the Council of Europe; Comparative Prison Demography", special issue of the Prison Information Bulletin, No. 15, 1990.

Figure 1  
 Detention rate at 1.9.1990 (per 100,000)



Source : Council of Europe

Figure 2  
 Pre-trial detention rate at 1.9.1990 (per 100,000)



Source : Council of Europe

### Variations in numbers between 1.9.89 and 1.9.90 : upward trend 2/3 of the States

Out of the 18 populations on which we have data as of 1.9.89 and 1.9.90, 12 have experienced an upward trend over the period, with considerable variations in the size of the increase :

Cyprus	+ 14.1%	France	+ 5.2%
Austria	+ 8.0%	Norway	+ 4.1%
Switzerland	+ 7.6%	Netherlands	+ 3.1%
Portugal	+ 7.1%	Sweden	+ 2.1%
Italy	+ 6.5%	Luxembourg	+ 2.0%
Spain	+ 5.7%	Finland	+ 0.1%

On the other hand, six States have experienced a significant decrease in their number of prisoners :

Belgium	- 3.5%	FRG	- 5.7%
Denmark	- 4.0%	England	- 5.8%
Turkey	- 4.2%	Iceland	- 8.0%

Referring to the data collected — at 1 September — since 1983, we can see that **Belgium** reached its maximum detention rate in 1989 (68.5 per 100,000). The decrease is therefore recent and slight (66.1 per 100,000 in 1990).

For **Denmark**, the downward trend dates from 1988, the rate standing at 68 per 100,000 in 1988, 66 in 1989 and 63 in 1990.

The detention rate in **Turkey** has fallen continuously since the compilation of the Council of Europe statistics began, standing at 193 per 100,000 in 1934, 102 in 1986, 96 in 1988 and 83 in 1990.

The same goes for the **Federal Republic of Germany**, where the rate stood at 78 per 100,000 in 1990 against 100 in 1983. There was a levelling-off between 1987 and 1989 at around 84 per 100,000 followed by a further fall in the rate.

For **England and Wales** the decrease is a recent one, with 90 per 100,000 in 1990 against 96 in 1989.

Lastly, the variations in the prison population of **Iceland** have little significance in view of the low numbers involved (approximately 100 prisoners).

### Flow of imprisonments in 1989

As for the previous surveys, it has been possible to calculate the following indicators (Table 3) :

- Number of entries in 1989
- Rate of imprisonments per 100,000 in 1989: number of imprisonments in 1989 in relation to the average number of inhabitants over the period under review. Having regard to the data available, we have, in practice, used the total population figure 1.9.89 as provided by Administration (Figure 3).
- Rate of "unconvicted" prisoners (%): number of entries of "unconvicted prisoners" compared with the total number of entries for the year.
- Indicator of the average duration of imprisonment (D): quotient of the average 1989 prison population (P) divided by the flow of entries for that period (E):  $D = 12 \times P/E$  (period expressed in months).

Having regard to the data available, P was taken to be the population at 1.9.1989. It should be recalled that the numbers obtained should be regarded as indicators, not as the result of a measurement process (Figure 4).

Paris, 9 January 1992

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*(Ministère de la Justice/CNRS)*

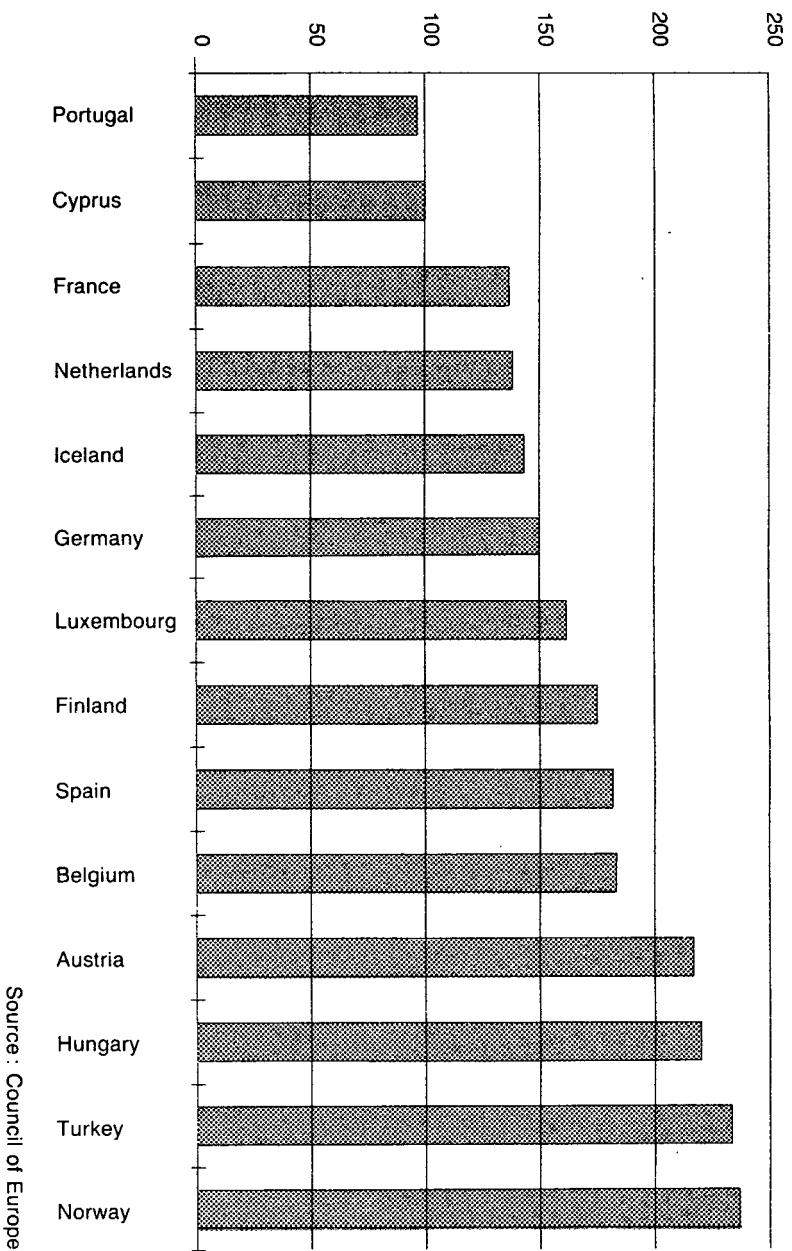


Figure 3  
Committal rate in 1989 (per 100,000)

Source : Council of Europe

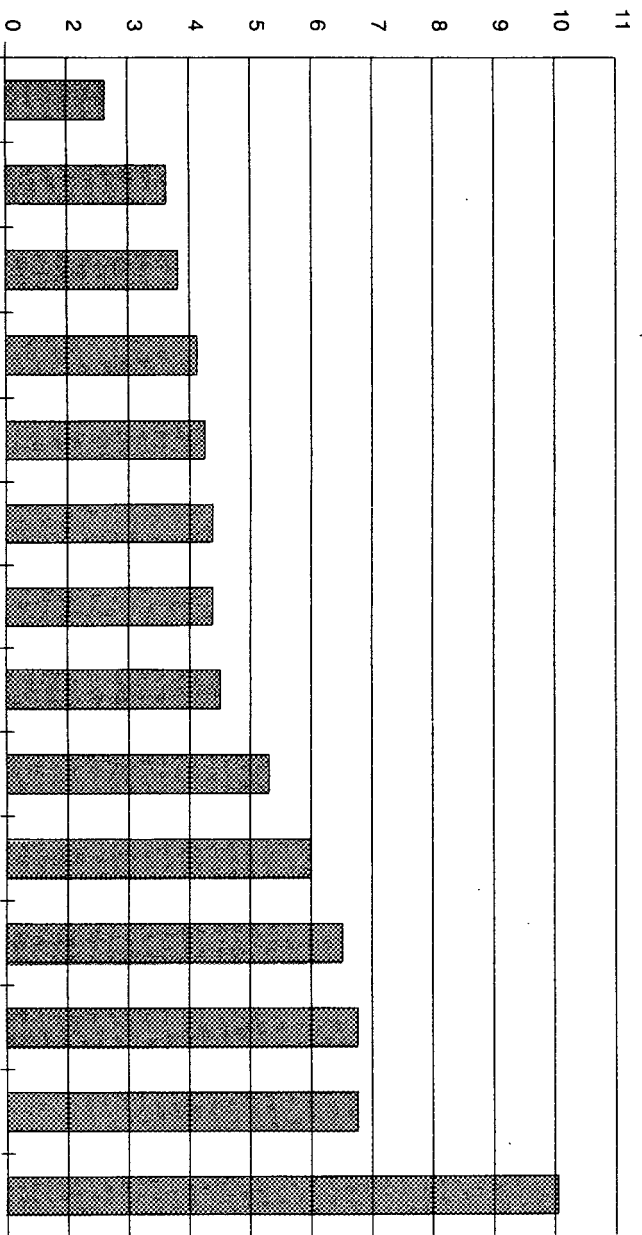


Figure 4  
Average length of imprisonment in months (1989)

Source : Council of Europe

Table 1  
**Situation of prison populations at 1 February 1990**

	(a)	(b)	(c)	(d)	(e)	(f)	(g)
	Total prison population	Detention rate per 100,000 inhabitants	Percentage of unconvicted prisoners	Pre-trial detention rate per 100,000 prisoners	Percentage of women prisoners	Percentage of minors and young adults prisoners	Percentage of foreign prisoners
Austria	6,294	83.0	29.8	24.7	4.8	19a: 2.3	13.0
Belgium	7,001	71.0	51.6	36.7	5.0	— : 0.3	31.5
Cyprus	225	40.2	2.2	0.9	2.2	21a:16.0	37.3
Czechoslovakia	...	...	...	...	...	...	...
Denmark	3,551	61.0	29.9	18.3	4.7	—	10.8
Finland	3,537	71.7	10.6	7.5	3.1	21a: 6.7	0.3
France*	46,798	81.2	45.3	36.8	4.4	21a:11.1	29.0
FRG*	51,972	83.8	23.9	20.0	4.3	—	14.5
Greece	4,747	48.7	32.0	15.6	4.3	— : 1.0	20.9
Hungary	...	...	...	...	...	...	...
Iceland	101	39.8	3.0	1.2	6.9	21a: 5.9	1.0
Ireland*	2,104	56.0	6.8	3.8	1.7	21a:27.0	2.8
Italy*	31,234	55.1	36.9	20.3	—	—	—
Luxembourg	347	92.6	26.2	24.3	6.3	21a: 0.6	41.2
Malta	...	...	...	...	...	...	...
Netherlands	6,405	44.2	38.0	16.8	3.6	23a:14.5	24.8
Norway	...	...	...	...	...	...	...
Portugal	8,730	85.0	31.0	26.3	5.7	21a: 8.7	8.4
Spain	31,711	80.0	41.6	33.3	7.6	21a: 8.5	15.7
Sweden*	5,046	60.0	20.9	12.5	4.4	21a: 4.2	16.9
Switzerland	...	...	...	...	...	...	...
Turkey	...	...	...	...	...	...	...
United Kingdom							
England	53,182	93.3	21.4	20.0	3.4	21a:20.7	1.4
Wales	46,628	92.5	21.9	20.2	3.6	21a:20.6	1.5
Scotland	4,777	94.8	17.3	16.4	2.3	21a:21.0	0.1
Northern Ireland	1,777	112.3	20.4	22.9	1.3	21a:21.1	2.0

\* See notes

**Notes — Table 1**

**Belgium:** Calculation of indicators (c) and (d)

1. Total prison population	7,001
2. Sentenced prisoners (final judgement)	3,386
3. Unsented prisoners	3,615

Finally sentenced prisoners are those sentenced to criminal, correctional or police sentences and those sentenced to subsidiary imprisonment, where their situation is final

The contents of item 3 used to calculate indicators (c) and (d) are as follows:

3.A Prisoners on remand (warrant, remand prisoners, accused, defendants, internees and persons not finally sentenced)	2,153
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3.B a. minors in provisional custody	19
b. minors placed at the disposal of the Government	0
c. permanent internees (Social Defence Law)	768
d. vagrants	480
e. miscellaneous	195
— Indicator (f) concerns minors in provisional custody.	

**France:** The data relate to all persons imprisoned in metropolitan France and the Overseas "Départements" (DOMs), the total number in metropolitan France being 45,077, and in the DOMs, 1,721.

For metropolitan France, index (b) is 80.0 per 100,000.

Indices (e), (f) and (g) have been calculated with reference to the situation at 1.1.1990.

**Federal Republic of Germany** : Index (e) relates to the total prison population with the exception of "civil" prisoners and persons imprisoned pending expulsion, numbering 1,306.

— Index (f) cannot be calculated in relation to the population as a whole. Unconvicted prisoners : total number 12,404, 11.7% of whom are under the age of 21. Convicted prisoners : total number 38,262. Proportion of convicted prisoners detained in prisons for young persons : 10.5%, mostly between the ages of 14 and 25.

— Index (g) is an estimate.

**Ireland** : 58 foreign prisoners, 33 of whom are from Northern Ireland.

**Italy** : The detention rate at 1.12.1990 was not provided by the Italian Administration but has been calculated from the number of inhabitants at 1.9.1989.

**Sweden** : Indices (e) and (f) have been calculated from the population of convicted prisoners.

#### United Kingdom

**England and Wales** : Indices (e) and (f) refer to the total prison population with the exception of "civil prisoners, number 179.

— Index (g) is an estimate. Prisoners born outside the Commonwealth, Ireland and Pakistan are regarded as foreigners.

**Scotland** : Index (g) refers to foreigners facing extradition.

Table 2  
Situation of prison populations at 1 September 1990

	(a)	(b)	(c)	(d)	(e)	(f)	(g)
	Total prison population	Detention rate per 100,000 inhabitants	Percentage of unconvicted prisoners	Pre-trial detention rate per 100,000 prisoners	Percentage of women prisoners	Percentage of minors and young adults prisoners	Percentage of foreign prisoners
Austria	6,231	82.0	31.5	25.8	4.6	19a: 3.2	17.7
Belgium	6,525	66.1	46.8	30.9	5.2	— : 0.1	32.1
Cyprus	218	38.0	10.1	3.8	3.7	21a:18.8	38.0
Czechoslovakia	...	...	...	...	...	...	...
Denmark	3,243	63.0	26.5	16.7	4.8	—	11.7
Finland	3,106	62.2	11.6	7.2	3.0	21a: 6.7	0.6
France*	47,449	82.2	40.7	33.4	4.2	21a:10.8	28.7
FRG*	48,792	77.8	26.4	20.6	4.3	—	14.5
Greece	...	...	...	...	...	...	...
Hungary	11,497	110.0	23.6	25.9	4.6	— : 6.2	1.1
Iceland	104	40.6	3.8	1.6	6.7	21a: 4.8	0.0
Ireland*	...	...	...	...	...	...	...
Italy*	32,588	56.6	40.6	23.0	5.2	— : 1.0	11.6
Luxembourg	352	94.0	26.1	24.6	5.4	21a: 5.7	41.2
Malta	...	...	...	...	...	...	...
Netherlands	6,662	44.4	38.8	17.2	3.9	23a:27.7	25.2
Norway	2,260	56.5	20.5	11.6	—	21a: 6.0	12.8
Portugal	9,059	87.0	32.2	28.1	5.4	21a: 7.8	7.9
Spain	32,902	85.5	39.5	33.8	7.6	21a: 5.6	16.4
Sweden*	4,895	58.0	20.2	11.7	4.4	21a: 5.0	18.4
Switzerland	5,074	76.9	38.9	29.9	5.3	18a: 0.1	26.9
Turkey	46,357	82.1	37.4	30.7	2.6	18a: 2.8	0.6
United Kingdom							
England	...	...	...	...	...	...	...
Wales	45,659	90.3	22.1	20.0	3.5	21a:20.7	1.5
Scotland	...	...	...	...	...	...	...
Northern Ireland	1,733	109.5	22.9	25.1	1.7	21a:13.1	2.2

\* See notes

**Notes — Table 2**

**Belgium:** Calculation of indicators (c) and (d)

1. Total prison population	6,525
2. Sentenced prisoners (final sentence)	3,474
3. Unsented prisoners	3,051

Those finally sentenced = those sentenced to criminal, correctional or police sentences and those sentenced to subsidiary imprisonment, where their situation is final.

The contents of item 3 used to calculate indicators (c) and (d) are as follows:

3.A Detained on remand (warrant, remand prisoners, defendants accused, internees and persons not finally sentenced)	1,644
3.B a. minors placed at the disposal of the Government	9
b. minors placed at the disposal of the Government	0
c. permanent internees (Social Defence Law)	760
d. vagrants	414
e. miscellaneous	224

— Indicator (f) refers to minors in provisional custody.

**France:** The data relate to all persons imprisoned in metropolitan France and its Overseas "Departments" (DOMs), the total number in metropolitan France being 45,660 and in the DOMs, 1,789.

— For metropolitan France, index (b) is 81.0 per 100,000.

— Indices (e), (f) and (g) have been calculated with reference to the situation at 1.7.90.

**Federal Republic of Germany:** Index (e) refers to the total prison population with the exception of "civil" prisoners and persons imprisoned pending expulsion, numbering 1,334.

— Index (f) cannot be calculated for the population as a whole. Unconvicted prisoners: 12,901, 11.7% of whom are under the age of 21. Convicted prisoners: 34,557. Proportion of convicted prisoners detained in prisons for young persons: 10.4%, most of whom are aged between 14 and 25.

— Index (g) is an estimate.

**Italy:** Index (f) refers to prisoners under the jurisdiction of the Young Persons' Justice Bureau.

**Norway:** The detention rate at 1.9.90 was not provided by the Norwegian Administration but has been calculated from the number of inhabitants at 1.9.89.

— Index (f) has been calculated from the population of convicted prisoners.

**Sweden:** Indices (e) and (f) have been calculated from the population of convicted prisoners.

**Switzerland:** Estimate of the number of prisoners and the structure according to criminal category at 1.9.90:

• Convicted prisoners (1.9.90)	3,404
— serving a sentence	3,098
— in advance enforcement of sentence	306
• "Unconvicted prisoners" (special survey 17.3.90)	1,670
— on remand	1,452
— other	218
• Total	5,074

— The detention rate indicated by the Swiss Administration is not directly comparable with the others as it represents the number of prisoners compared with the total resident population aged 15 years and over.

The rate has been recalculated in terms of the total number of prisoners compared with the total number of inhabitants (6.6 million), ie 76.9 per 100,000.

— Indices (c) and (d) have been calculated taking into account convicted prisoners in advance enforcement sentence (306) and "unconvicted prisoners" (1,670).

— Indices (e) and (f) have been calculated from the population of convicted prisoners (including those in advance enforcement of sentence).

**United Kingdom**

**England, Wales:** or (a) the total number includes 1,184 persons detained in police cells.

— Indices (e) and (f) refer to the prison population as a whole with the exception of "civil" prisoners, numbering 220.

— Index (g) is an estimate. Prisoners born outside the Commonwealth, Ireland and Pakistan are regarded as foreigners.

**Table 3**  
**Committal flow in 1989**

	(a)	(b)	(c)	(d)
	Number of imprisonments	Rate of imprisonments per 100,000 inhabitants	Rate of unconvicted prisoners at entry %	Indicator of the average duration of detention (months)
Austria	16,534	217.7	48.2	4.2
Belgium	18,202	184.4	75.6	4.5
Cyprus	558	99.6	27.2	4.1
Czechoslovakia	...	...	...	...
Denmark	...	...	...	...
Finland	8,684	174.4	19.5	4.3
France*	78,043	135.8	84.2	6.9
RFA	92,370	149.6	—	6.7
Greece	...	...	...	...
Hungary	23,074	220.8	26.7	6.0
Iceland	363	143.3	27.8	3.7
Ireland	...	...	...	...
Italy	...	...	...	...
Luxembourg	599	160.9	65.6	6.9
Malta	...	...	...	...
Netherlands	19,965	137.8	50.9	3.9
Norway*	9,478	237.1	31.2	2.7
Portugal	10,081	97.7	78.7	10.1
Spain	70,993	182.4	—	5.3
Sweden*	...	...	...	...
Switzerland*	...	...	...	...
Turkey	135,342	233.4	66.8	4.3
United Kingdom				
England	...	...	...	...
Wales	...	...	...	...
Scotland	...	...	...	...
Northern Ireland	4,961	314.4	36.2	4.3

\* See notes

### Notes — Table 3

**France:** In previous surveys, the flow data related only to metropolitan France. The 1989 data refer to all imprisonments in metropolitan France and the Overseas "Departments", numbering 75,940 and 2,103 respectively.

Indices for metropolitan France: (b) = 135.3 per 100,000; (c) = 84.3%; (d) = 6.9 months.

**Hungary:** Owing to a lack of data at 1.9.89, indices (b) and (d) have been calculated using the data available at 1.9.90.

**Norway:** (a) "new imprisonments".

**Sweden:** Entries for 1989, convicted prisoners: 16,098.

**Switzerland:** imprisonments

- 11,311 convicted persons (1)
- 422 persons in advance enforcement of sentences (1)
- 20,425 persons on remand (2)
- 14,552 persons for other reasons (2)

(1) imprisonments without transfers (Swiss prison statistics)  
(2) results of the survey on remand prisoners; transfers between prisons are included in these figures.

**United Kingdom**

**England and Wales:**

Data provided:

- entries of convicted prisoners ..... 76,430
- entries of non convicted prisoners ..... 67,002

The English Administration specifies that the total number of entries ("receptions") cannot be obtained by adding together these two quantities because of a problem of double counting. It evaluates the number of imprisoned persons (without double counting) at 114,251. This number produces a rate of imprisonment of 226.7 per 100,000 and an indicator of the average duration of detention of 5.1 months.

However, these indices are not directly comparable with those of other countries whose calculations are based on the concept of imprisonment (with the possibility of multiple counting) rather than on that of the person imprisoned (without double counting).

### Appendix: Canada

Reply to the survey relating to the situation at 1 February 1990:

Data concerning solely offenders under the jurisdiction of federal institutions:

Number of prisoners .....	13,105
Convicted prisoners (final sentence) .....	12,844
Non convicted prisoners .....	261
Proportion of women .....	1.4%
Proportion of foreigners .....	2.9%
Canadian correctional services for adults (1988 89):	
Detention rate .....	106 per 100,000

## 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 are given in this section. In certain cases, the titles are followed by a brief summary.*

### Belgium

*Act of 3 April 1990 on the termination of pregnancy.*

This Act also applies to prisoners who wish to terminate their pregnancy in circumstances specified by the law.

*Ministerial circular of 3 April 1990 (1555/VII) on defense rights, and inspection of the case file by the defendant and his/her counsel during investigations.*

*Ministerial circular of 19 March 1990 on changes to the career structure of prison warders introducing promotion from civil service level 4 to level 3, subject to the passing of an examination.*

*Act of 23 May 1990*

The legislature has adopted the provisions needed to make the Convention on the Transfer of Sentenced Persons part of Belgian law.

*Act of 20 July 1990 on remand in custody.* This new Act repeals previous legislation on the subject. For an arrest warrant to be issued, the offence must entail a prison sentence of at least one year, instead of 3 months, as was previously the case.

The new act no longer draws any distinction between Belgian defendants and those of foreign nationality.

Defence rights are strengthened.

### Denmark

*Cirkulære nr. 75 af 29. marts 1990 om lægeundersøgelse mv. ved indsættelse i kriminalforsorgens anstalter og arresthusene* (Circular on medical examinations, etc on reception in penal institutions and local prisons under the Prison and Probation Administration).

*Lov nr. 396 af 13. juni 1990 om ændring af straffeloven og retsplejeloven* (Amendment to the Danish Criminal Code and The Administration of Justice Act).

### France

*Act No. 90-589, of 6 July 1990, amending the Code of Criminal Procedure and the Insurance Code and relating to victims of offences.*



This Act introduced Article 728-1 of the Code of Criminal Procedure, which enshrines the principles applying to prisoners' personal accounts and financial assets in legislation.

Personal accounts are divided into three parts:

— a first part on which only parties claiming damages and persons entitled to maintenance may assert their claims;

— a second part which is set aside and handed to the prisoner on release and which may not form the subject of any enforcement procedure;

— a third part which is at the prisoner's free disposal of prisoners.

Sums of money to cover damages are paid to claimants directly by the prison at the request of the Public Prosecutor's Department.

*Act No. 90.9, of 2 January 1990, amending Article 720 of the Code of Criminal Procedure.*

### **Germany**

By dint of the *Act on the Treaty of 31 August 1990 between the Federal Republic of Germany and the German Democratic Republic on the Establishment of German Unity — Unification Treaty Act — (Gesetz zu dem Vertrag vom 31. August 1990 zwischen der Bundesrepublik Deutschland und der Deutschen Demokratischen Republik über die Herstellung der Einheit Deutschlands — Einigungsvertragsgesetz) and on the Agreement of 18 September 1990 (Federal Law Gazette, Part II, page 885), the Prison Act (Strafvollzugsgesetz) of 16 March 1976 has now also entered into force in the territory of the former GDR.*

### **Greece**

The new Prison Code, entitled "Code of Basic Rules for the Treatment of Prisoners" (Act 1851 of 16 May 1989) came into force on 1 January 1990.

This new code was prompted by the fundamental principles contained in (1) the European Convention on Human Rights, (2) the Greek Constitution of 1975, and (3) the Standard Minimum Prison Rules for the Treatment of Prisoners and the European Prison Rules of the Council of Europe (Resolution (73) 5 and Recommendation No. R (87) 3).

The adoption of a new national prison code proved necessary as the treatment of prisoners and the organisation of prisons has altered considerably in recent decades.

The new prison rules reflect a shift of priorities and aims and have been designed to meet the standards and philosophy of a modern civilised society.

The new legislation deals with the rights and obligations of prisoners and the State's duties towards them. It lays particular stress on the prisoner's reintegration in society and the individualisation of treatment, which must conform with the principles of lawfulness.

Some of these basic principles are:

1. Disciplinary offences must be listed exhaustively;
2. A meticulous examination must be made of the prisoner's personality in order to determine the reasons for his or her criminal or anti social behaviour, so that effective treatment can be provided;
3. Respect for prisoners' individual rights, especially the lawfulness of the execution of the sentence must be ensured through supervision by the courts;
4. The rules concerning the aims of the treatment of prisoners and the system used must cover all the measures which need to be taken (work, distribution and classification of prisoners, vocational training, physical education, preparation for release, etc) to preserve the physical and mental health of prisoners, facilitate their reintegration in society and improve their general conditions of detention.

Furthermore, under the code, all prisoners must be able to engage in productive work likely to maintain or enhance their ability to earn their living after they have left prison. It also permits work on farms.

The new code likewise introduces "alternatives to imprisonment".

Particular note should be taken of the following:

1. Prison leave (ordinary, special and educational leave). The leave system enables prisoners to leave prison for a short time. It helps them to return to society and maintain family and occupational ties;
2. The semi-custodial system, where the prisoner is entitled to work or study outside the prison;
3. The system of community service or of serving part of the sentence in social welfare or charitable institutions.

The above mentioned new arrangements will come into force on 1 January 1991.

A bill amending the provisions of the Code of Criminal Procedure has been tabled in the Greek Parliament.

### **Italy**

*Order of 10 March 1990* increasing the maximum limit of earnings available to convicted prisoners, internees and prisoners on remand.

This measure, approved by Presidential Order No. 431 of 29 April 1976 and subsequently amended by Order No. 248 of 18 May 1989, resets the limits, which had not been changed since Order No. 431 of 29 April 1976, so as to bring them into line with the requirements of the prison population and the higher cost of living and higher wages now earned by convicted prisoners and internees working inside and outside prisons, as well as to make treatment more humane.

### **Netherlands**

#### *Urine testing*

*As from 1 December 1988 (Circular No. 221 DJ 88), it is permissible under certain conditions to oblige prisoners to undergo urine testing for drugs.*

This was made possible by an order of 14 November 1988 (Bulletin of Acts, Orders and Decrees, 1988, 525), introducing a new article 28a of the Prison Rules. This order makes it possible to oblige prisoners to co-operate in any examination of their urine for the presence of drugs.

Urine testing was already permissible on a voluntary basis. The introduction of the new article makes possible the implementation of one of the recommendations in the report "Drugsvrije Detentie" ("Drugfree Imprisonment"), aimed at intensifying the Prison Service's drugs control policy.

#### *Day detention*

On 1 May 1989, an experiment was started in Rotterdam involving a new means of carrying out the final phase of long-term custodial sentences. The one year experiment was announced on 19 April 1989 (Circular No. 183 DJ 89) and started on 1 May 1989.

This new method of completing sentences is a response to the need for types of custody capable of mitigating the social isolation of long term imprisonment.

The main feature of daily custody is that the prisoners involved live at home and on weekdays travel to prison, where they follow intensive training designed to develop and enhance their ability to function in society. They spend their evenings, nights and weekends at home.

This type of custody does not exist in a vacuum, however, it is designed to fill the final stage of longer terms of imprisonment and is part of a transition process from closed to more open forms of custody. The experiment involves both male and female prisoners.

#### *The right to vote*

Circular No. 306 DJ 89 (24 May 1989) makes it possible for foreign prisoners to vote in elections. Since the 1986 changes in the Franchise Act and a number of other laws, most people whom the law has deprived of their freedom are allowed to vote in elections. However, the right of enfranchised foreign prisoners to vote is limited. They may not vote in all elections.

The circular provides advice for enfranchised foreign prisoners who actively wish to make use of their right to vote.

#### *Offenders detained under hospital orders*

On 1 September 1988, the Act of 19 November 1986 (Bulletin of Acts, Orders and Decrees 587), as amended by the Act of 7 July 1988 (Bulletin of Acts, Orders and Decrees 321), came into force.

This Act revises some provisions of the Criminal Code, the Code of Criminal Procedure, the Prisons Act, and a number of other acts concerned with the detention of offenders under hospital orders and certain other aspects of the trial and sentencing of mentally disturbed offenders.

The order of 6 June 1988 (Bulletin of Acts, Orders and Decrees 282) also came into force on 1 September 1988. This contains rules of procedure for the execution of hospital orders, particularly those affecting the placement and transfer of persons placed under hospital orders, the prolongation of hospital orders, leave, probationary release, conditional termination of treatment, and final termination of treatment. The order also contains rules affecting private institutions treating hospital order detainees, rehabilitation and hospital order detainees not subject to treatment.

The order of 29 January 1987 (Bulletin of Acts, Orders and Decrees 55) came into force on 1 September 1988 too. Its purpose is the temporary regulation of the legal status of hospital order detainees and it governs the legal status of those being treated in a judicial institution for the treatment of hospital order detainees.

Ordinary prisoners are already permitted to lodge complaints and appeals against certain decisions. Complaints are dealt with by the complaints committee of each institution's Supervisory Board, and appeals by the appeals committee of the Central Advisory Council on Criminal Sentencing. The new order gives persons detained under hospital orders the same rights, appeals being heard by the hospital order detainees section of the Central Advisory Council.

#### *Designation of high security blocks (Circular no. 1267 DJ 90)*

High security blocks are intended for the internment of inmates with a high escape risk or who pose a threat to prison order. These blocks will be designated either as remand centres or as prisons for male offenders serving long-term sentences and will have a maximum capacity of six persons. They will be located in newly built institutions in Arnhem, Hoogeveen, Leeuwarden, Rotterdam and Sittard. A regime of restricted association will be maintained, and, in principle inmates will be detained a maximum period of six months. If an inmate's detention period is extended (for a further six months), he will be transferred to another high security block.

#### *Memorandum proposing a review of the segregation system in prisons*

On 4 July 1990, the State Secretary for Justice, Mr A. Kosto, sent this memorandum to both Houses of the Netherlands Parliament. The memorandum contained a number of proposals aimed at updating the segregation system in prisons. Two main factors underlie the proposals: the realisation that the present legal framework no longer leaves any room for the development of new policy, and the fact that the number of cells has doubled in the last ten years. The memorandum proposes a review of the system whereby remand centres and prisons are designated for specific categories of inmates.

This would include:

— abolition of the strict segregation of male and female inmates;

— abolition of the distinction between younger and older inmates;

— redefinition of the concept of a "short term inmate" from someone serving a maximum of six months to someone serving a maximum of twelve months.

#### **Norway**

There has been a *minor alteration in the Prison Act, which now allows for convicted inmates to serve the last part of their sentence in halfway houses administered by the Probation — and Aftercare Authorities.* Such transfers are subjected to rigid security evaluations. Prior to this alteration the Prison Act allowed for transfers to treatment centres only.

Additionally, *community service in lieu of sentences to imprisonment has been formally embodied in the Legal Code after several years of trial practice.*

#### **Portugal**

*Circular No. 32/90, of 28 May 1990, of the Directorate General for Prisoner Services.* Widens the conditions for placement in open prisons.

#### **Sweden**

Inmates who have been sentenced to more than two years imprisonment for specially serious crimes

will have less visits in prison. This means that the "hardest" criminals in Swedish prisons should have less favours. This is the only regulation relating to prison affairs which has occurred in the last months.

#### **Switzerland**

*Publication of the message concerning the Federal Act on Assistance to Victims of Offences.*

Order 3 on the revised Penal Code, introducing community service as an alternative to short prison sentences of up to 30 days, came into force on 1 May 1990.

#### **Northern Ireland**

"Treatment of Offenders (NI) Order 1989" which provided a remand facility at Young Offenders Centres;

"Prevention of Terrorism (Temporary Provisions) Act 1989" Sections 22 and 23 revised remission arrangements for certain convicted prisoners in Northern Ireland.

#### **Scotland**

All the primary legislation relating to prison matters in Scotland, which were previously scattered over a number of statutes, have recently been consolidated into a single Act, the Prisons (Scotland) Act 1989. This came into effect on 16 February 1990.

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## Norway

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A note of interest might be the "Kriminalpolitisk handlingsplan", which is a document prepared by the Ministry of Justice and Police on strategy and planning in regard to penal and criminological policies.

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GUSTAVSSON Jan: Kriminalvård och behandling — vistelser enligt 348 — Loc om kriminalvård: anstalt. Research Report No. 1991:3. English summary entitled "Sojourns away from the prison" on page 48.

Prisoners in Sweden may be authorised to live away from the prison in order to participate in some special activity which will improve adjustment in society after release. These prisoners are generally dependent on drugs and the main purpose of a sojourn is therefore to facilitate a drug free life. The sojourns are intended to continue after the prisoner has been conditionally released.

The main purpose of the present research is to describe and investigate how sojourns are prepared, the frequency of interruption and their consequences and to discuss how to improve this measure.

Further copies of the report may be requested from Swedish Prison and Probation Administration, Research Group, S 601 80 Norrköping, Sweden.

POST-PRISON AND POST-PROBATION RECIDIVISM. Research Paper No. 2. The report contains shortened versions of two Swedish studies, which have been published in 1990 and 1991 respectively by the Research Group of the Swedish Prison and Probation Administration.

Further copies of the report may be requested from Swedish Prison and Probation Administration, Research Group, S 601 80 Norrköping, Sweden.

There has been a debate or leaves in general. Some having claimed that too many prisoners fail to come back to prison after leave, that they commit new crimes etc. Therefore the Planning and Co-ordination Division has published a paper on leaves granted both on a regular basis and for short periods. "Since the middle of the 1980s there have been about 42,000 leaves every year. At present the regular leaves are about one fourth of all leaves. The degree of misconduct at short time leaves has been about 2%, which are rather low. The degree of misconduct at regular leaves are higher, about 14%."

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### Northern Ireland

The "Principles of Conduct" which identify the standard to which staff are expected to aspire. They are distinct from the Code of Discipline. Northern Ireland Prison Service.

The new strategy document for the Prison Service — "Serving the Community" which charts a course for the service through the 1990s. Northern Ireland Prison Service.

### Scotland

Opportunity and responsibility: developing new approaches to the management of the long term prison system in Scotland. Scottish Prison Service, 1990.

## News in brief

### Belgium

To counter *overpopulation* in prisons, instructions are regularly issued to speed up early release procedures and to try to limit prison sentences served in lieu of payment of a fine.

### Sweden

In Sweden changes will be introduced in the prison and probation system. The central authority will be reduced and there will be 7 regions with a high degree of independence. These regions will include local prisons and probation offices. The principle for future work will be goal governing.

### England and Wales

On 1 April 1990 a riot broke out in the chapel of Manchester prison. It quickly spread to other parts of the prison with a number of prisoners climbing onto the roof. Parts of the prison were destroyed by fire and accommodation was lost in the whole of the main prison. The inmates were transferred to other establishments. A small nucleus of demonstrators remained on the roof until 25 March.

In addition to the Manchester incident there were over the same period serious incidents at 7 other establishments and less serious ones at a further 6.

These disturbances are now the subject of an inquiry being undertaken by Lord Justice Woolf. Following his investigations into the major disorders Lord Justices Woolf has begun a wide ranging inquiry into their wider causes. It is expected that his report will be published at the end of the year.

### Northern Ireland

There are various developments within the Northern Ireland Prison Service which might be of interest to prison administrations. Details of these are given below:

a. *Progress has continued within the establishments:*

*Belfast:* The local prison with a high commitment to service the courts and with its development role of assessing prisoners to enable informed decisions to be made with regard to their location, after conviction and sentence.

*Magilligan:* A successful integrated working prison for those with shorter sentences.

*Maghaberry*: For long term prisoners who seem to see their future in a life away from paramilitary indoctrination and control. A new development there will be the Long Term Prisoner Unit.

*Maze*: The establishment for those who, by their adherence to paramilitary groups pose the greatest threat to security. However, release policies, home leave schemes, regime improvements, etc continue to have a major impact on prisoners, even at Maze, to the detriment of the hard line paramilitary leaders.

*YOC*: Here young offenders can learn that there is more to life than the fruitless cycle of crime and punishment. Recently a group of 6 boys and 2 staff went to Romania under the auspices of a church group to assist in reconstruction work.

*b. Prison Population*

The prison population at 31 May 1990 was 1793. Northern Ireland has a large number of life sentence prisoners due to the political situation here.

*c. Prison Staff*

The present total of Northern Ireland prison officers is 3174. There is a high prisoner/staff ration mainly because of the nature of the prison population. In the 1989/1990 year this was 1:1.8.

*d. Security Measures*

Prison Department operates a range of security measures eg assisted home removal or protective measures at homes to assist staff under threat of attack from paramilitary groups.

Recent initiatives in the Northern Ireland Prison Service are:

*a. Interface with the Public*

In September 1989 arrangements for prisoners' weekly visits were improved as part of the Interface with the Public initiative. The visit when each prisoner may receive up to 3 adults at a time, may if circumstances permit be extended beyond the minimum 30 minutes up to the end of the visiting period. In addition the waiting areas are now more comfortable and toys and games are provided to help keep young children amused and occupied.

*b. Christmas and Summer Home Leave Schemes*

The special significance of Christmas in a prisoners' family life has been acknowledged by the grant of a short period of home leave to a certain class of prisoners. During 1989 a scheme for summer home leave was introduced which allowed 143 prisoners serving indeterminate sentences who had either a

release date, or whose cases were at the consultation stage or who served 13 years in custody, to spend a long weekend outside the prison at the end of August. The privilege is being continued this year granting 4 consequent days to be taken in July or August.

*c. Life Sentence Prisoners*

Details of the Northern Ireland Prison Service's Life Sentence Policy is given in chapter 13 of the Annual Report. The booklet "Life Sentence Prisoners in Northern Ireland" which gives a fuller explanation of this policy.

*d. Changes in Management Structure*

More effective management structures in prison establishments were introduced in February 1989. The new structures provide clearer lines of responsibility and accountability and amalgamated a number of the former management levels. This had resulted in new Governor Grades IV and V incorporating the previous Governor IV, Chief Officer and Assistant Governor grades.

*e. The Way Forward*

During 1989 proposals of improvements to pay, conditions of service and working practices known as the "The Way Forward" package was accepted by prison staff. The Way Forward provides improved pensionable pay and conditions of service in return for more efficient working practices, linked to substantial reductions in overtime working. The new working practices centre on a system of group working with more predictable shift patterns and limits on the level of overtime worked by individual officers. The new arrangements were introduced in all prisons on 4 September 1989.

*f. Principles of Conduct*

For some time it was recognised that members of the Northern Ireland Prison Service could benefit from some inspirational guidelines for their personal behaviour and attitudes which are inherent in the Service's published "Aims and Objectives". Accordingly a representative working group was set up in 1988 and as a result the Principles of Conduct booklet was issued on 6 June 1990.

*g. Refurbishment of Belfast Prison*

A working party has completed a study of the likely accommodation needs of Belfast Prison (our oldest establishment) to the end of the century. Their report, known as "Belfast 2000" envisages a substantial upgrading of inmate and staff facilities including the provision of integral sanitation within the cellular accommodation.

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

**Austria:** Mr Paul Mann, Director General of the Prison Administration, Ministry of Justice, Museumstrasse, 7, A-1016 Vienna

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**Bulgaria:** Mr Zdravko D. Traikov, Directeur de l'Administration Pénitentiaire, Ministère de la Justice, 21, Bd. Stolétov, 1309-Sofia

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**Czechoslovakia:** Dr. Zdenek Karabec, Director General, Ministry of Justice, Taborski 988, CS-14067 Prague 4

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**Sweden:** Mr Björn Weibo, Director General, National Prison and Probation Administration, Slottsgatan, 78, S-60180 Norrköping

**Switzerland:** Mrs Priska Schurmann, Chef de Section Exécution des Peines et Mesures, Office Fédéral de la Justice, Département Fédéral de Justice et Police, CH-3003 Berne

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## **United Kingdom:**

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