

30th Council of Europe Conference of Ministers of justice
"prisons in today's Europe"
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SPEECH

Ms Tuija BRAX, Minister of Justice
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Mr/Ms Chairman, Dear colleagues

Firstly I would like to thank our Turkish hosts and the secretariat of Council of Europe for organising this conference.

As stated in the report compiled by the Turkish Ministry of Justice, the imprisonment rate per national population as well as the occupancy level of prisons varies widely among countries. In several countries the occupancy level is over 100 % which causes serious overcrowding.

Mr/Ms Chairman, Dear colleagues

Overcrowding may be tackled with well-planned criminal policy. My own country – Finland – can serve as one example of such a development. During the 1960s and the 1970s, Finland had the highest rate of prisoners in all of Western Europe while our neighbouring countries had a much lower rate. This raised a lot of questions.

We came to the broad political consensus that our high incarceration rate was in itself a social problem and something should be done. We started a long-term legislative program that was designed to reduce the number of prisoners. As a result, already during the early 1990s, Finland had the lowest number of prisoners among all the European Union countries. What is remarkable is that the reduction in imprisonment did not result in increased crime rates or decreased sense of safety.

The legislative program that we put in place involved a broad range of measures, including front door and back door strategies, which reduced the number of prisoners.

The latest reform aims to move towards more open enforcement of sentences. In practise, this means increasing the use of community sanctions and open prisons as well as the implementation of controlled and gradual release.

Mr/Ms Chairman, Dear colleagues

During the years the Council of Europe has done a tremendous job in formulating recommendations and binding norms concerning the criminal sanction system. Impact of these recommendations has in itself been noticeable. For example, Finland has managed to reduce the number of cells without toilets significantly and plans have been made to get rid of them all. In this close circle of friends I can admit that this would have not been possible in this time span without the encouragement of CPT.

Within the Council of Europe there has been a discussion about the possibility to make some recommendations legally binding. Although at first glance it may seem that this would inevitably help to improve the conditions in European prisons, the reality could be drastically different. It might be that the need to reach consensus on binding rules would cause that the rules would be written in less demanding form than in current recommendations. This

would in practice lead to lower standards than now. Therefore I sincerely hope that the question of legally binding prison rules would be openly, carefully and critically evaluated.

Thank you.