

Speech by Anna-Maja Henriksson, Minister of Justice of Finland
at the 19th Council of Europe Conference of Directors of Prison and Probation Services
(17 June 2014, Helsinki)

Dear participants,

Members of the Council of Europe Committee on Crime Problems (CDPC), Council for Penological Co-operation (PC-CP) and Directors of Prison and Probation services (CDAP),

The Finnish criminal policy is based on the Nordic welfare model. Securing the welfare, education and employment of the population are the cornerstones of a safe society. A consistent and reliable criminal sanction system and equal treatment before the law are essential with regard to both the welfare of citizens and the functioning of society.

The crime rate may be lowered with measures of several different types. Tightening the penal scales is not the most effective method to lower the rate in all types of crime. The focus of the Finnish criminal policy has already for several years lain on the development of crime prevention and contents of the criminal sanctions in order to prevent crime more effectively.

The crime rate in Finland is relatively stable, and the number of offences in relation to the population is low in international comparisons.

In 2013, the number of prisoners in Finland was 58 per 100,000 inhabitants, a total of around 3,150. The number of prisoners is among the lowest in Europe. This trend has also helped to maintain the expenses for the enforcement of penalties at a reasonable level. Recidivism is also on the decline. One of the main reasons for the declining number of prisoners is the use of alternative criminal sanctions. Community sanctions are not only a cost-effective way to affect the number of prisoners but also more effective sanctions than imprisonment when it comes to the social integration of those serving a sentence. However, the number of prisoners is about to increase slightly in the forthcoming years, because the penalties for sex offences

have been tightened. And if the government decides to re-introduce unconditional imprisonment as a conversion sentence for those who repeatedly have failed to pay their fines, this will also increase the number of prisoners.

The uncertain prospects for the global economy are reflected also in the Finnish economy. The tightening economic situation is the most important factor affecting the activities in the Ministry of Justice in near future. This will also affect the activities of the Criminal Sanctions Agency.

When it comes to the enforcement of unconditional imprisonment, the objective is that a prisoner shall not be placed in a more closed facility than what is necessary based on the individual risk assessment. Another objective is that also prisoners placed in closed facilities shall be released gradually in a controlled manner.

Behind this policy is research data showing that unconditional imprisonment has harmful effects on the prisoners and promotes their social exclusion. The reduced use of unconditional imprisonment is sensible also when it comes to cost aspects. The average cost for the enforcement of one sentence of unconditional imprisonment was 71,000 euros last year, whereas the cost for the enforcement of one community sanction was less than 5,000 euros. There are, however, of course situations where sentences of unconditional imprisonment are required, and in those situations we always have to remember that the citizens' trust in the legal system is very important.

Ladies and gentlemen,

Several legislative reforms aiming to promote the social integration of sentenced persons have been prepared at the Ministry of Justice. Next I will briefly go through the most important ones of these reforms.

The Parliament is in the process of handling a government proposal including amendments to the legislation on imprisonment. The most important proposals are new provisions on visits, electronic communication and prisoners' right to appeal.

The number of remand prisoners has increased during the past few years. As a consequence, a project examining alternatives to remand imprisonment in order to decrease the number of remand prisoners has been started at the Ministry of Justice.

A total reform of the legislation on enforcement of community sanctions is also being prepared at the Ministry of Justice. The aim is to gather the provisions on all the community sanctions into one single act. The most important goals for the development of the criminal sanction system are to reduce recidivism and to integrate the offenders into society.

In the long term, both the use and number of community sanctions have increased. The use of community sanctions has not, however, stirred any wider public debate on the functioning or rightness of the sanction system. Based on this, we could draw a conclusion that the community sanction system and its wide-scale use are considered to be a credible part of the Finnish criminal sanction system by the general public.

In order to maintain the credibility of the community sanction system, it is of utmost importance that the sanctions are sufficiently demanding and intensive. People's trust in the offenders' possibilities to mend their ways is one of the reasons behind the popularity of community sanctions. People are willing to give a second chance for those who wish to change.

Let me also say that the Ministry of Justice is at the moment examining possibilities to diminish the currently wide gap between sentences of conditional and unconditional imprisonment. One of the alternatives being examined is a sanction where a conditional sentence would be combined with a shorter period of unconditional imprisonment.

When analysing the international development, it could be stated that a common aim in several countries has been to replace especially short prison sentences of less than one year with community sanctions. In addition, a common trend is that the scope of use of community sanctions has been extended by including more supervisory and rehabilitative elements in the sentences. In these countries, social workers and other local authorities participate more closely in the different stages of the criminal proceedings of young offenders than in Finland. In addition, many countries have introduced sanctions that are based on restorative thinking.

The community sanctions used in Finland may be divided into three categories: The first category consists of community sanctions imposed instead of unconditional imprisonment. These are community service and monitoring sentence.

Community service was established as a part of the Finnish sanction system during the 1990s. Monitoring sentence (electronic monitoring) was introduced 2.5 years ago. The sentence may be imposed instead of a sentence of unconditional imprisonment of at most six months when there is an impediment to the imposition of community service. A monitoring sentence is carried out as electronic monitoring.

The second group consists of sanctions imposed on young offenders, that is, supervision of conditional imprisonment and juvenile penalty. Juvenile penalty may be imposed on an offender who is under 18 years old when committing the offence.

The third group of community sanctions consists of sanctions imposed at the end of unconditional imprisonment, that is, probationary liberty under supervision and supervision of conditionally released.

In the enforcement of criminal sanctions, the so-called principle of normality has been the ideal for several years. This means that the person serving a sentence is entitled to access all

the municipal services secured by law regardless of the fact that he or she is serving a sentence of imprisonment or a community sanction.

Due to the difficult economic situation of municipalities in Finland, this cooperation between the Criminal Sanctions Agency and the municipalities is at the moment seen as a challenge.

The most vulnerable time in this sense is usually the time immediately after the enforcement of a penalty ends. I consider it to be of utmost importance that we invest in the cooperation especially during this vulnerable time.

With these words I wish you a very good conference and fruitful discussions. I also hope that you will have time to enjoy your stay here in Helsinki and have the opportunity to walk around in the city.