

PRISON SYSTEM OVERCROWDING PHENOMENON.

The challenges that we must face in Romania

Prison System Overcrowding

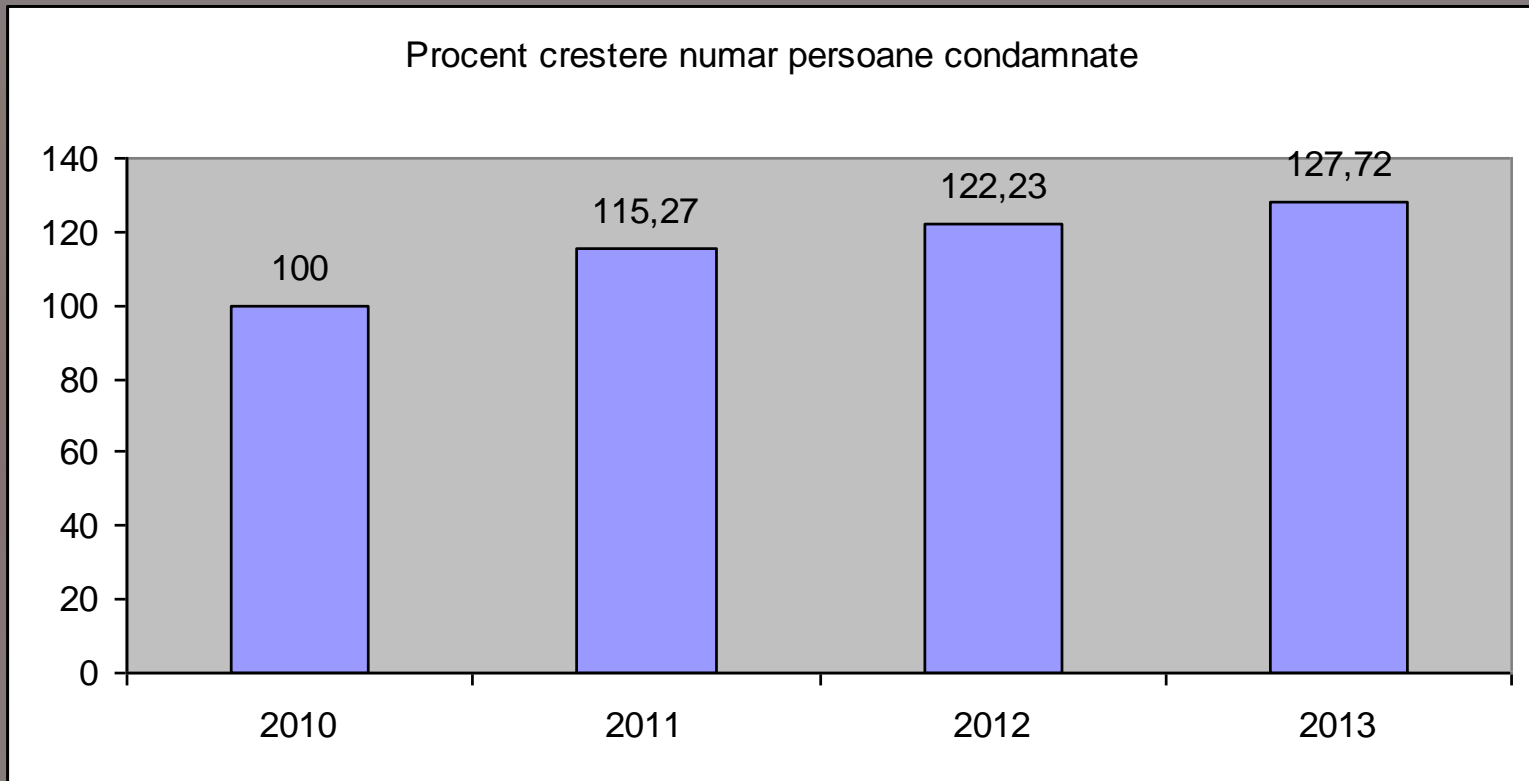
- ❑ Decent living conditions in the detention places are essential to respect the human dignity of the inmate.
- ❑ Prison population in Romania experienced a significant increase in the last years, **over the prison system accommodation capacity.**
- ❑ This phenomenon which has **sociological, economical, juridical and other causes**, deserves to be investigated because it is important.

Prison System Overcrowding

Net increase in prison population:

- ❑ **Increase of crime** – especially of criminal offences against property – theft, committed with violence – murder and robbery, therefore – **increase in the number of convictions**;
- ❑ **Expanding sentence scale** – **increase in the length of prison sentences** given by the Courts.

Prison System overcrowding



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Consequences of the overcrowding:

- Less human resources allocated for each inmate reinsertion;
- Difficulty to grant a special treatment, adequate to the special and vulnerable categories of inmates;
- Low standards in assuring the hygiene and adequate cleaning conditions;
- Difficulty in granting the medical care;
- Difficulty in escorting the inmates (maximum security and closed regime), from the cell to the walking yards and sport fields which decreases the available time for outdoor exercise;
- Negative effects over personnel – increased stress, high number of sickness, difficulties in performing the duties;
- High tension between the inmates expressed by violent behaviour and high risk of self-aggression.

Prison System Overcrowding

Strands set out through the *Strategy of the prison administration system, 2010 – 2013 și 2013 - 2016*:

- ❑ **Developing** the infrastructure and superstructure of the prison system, in accordance with the legal provisions and European norms on detention;
- ❑ **Profiling the detention units** subordinated to the National Administration of Penitentiaries, in order to comply with legal requirements regarding the differentiated application of the prison regimes.

Prison System Overcrowding

The findings of the representatives of the Committee Against Torture on the occasion of visits paid in 2006 and September 2010 highlighted **the necessity of the prison units profiling.**

Subordinated to the National Administration of Penitentiaries are **46** units:

- ❑ **17** prisons with maximum security, closed and pre-trial regime,
- ❑ **16** prisons with semi open and open regime,
- ❑ **4** prisons for minors and youngsters,
- ❑ **6** hospital prisons,
- ❑ **2** re-education centres,
- ❑ **1** prison for women (inside the prisons there are also **6** sections for women).

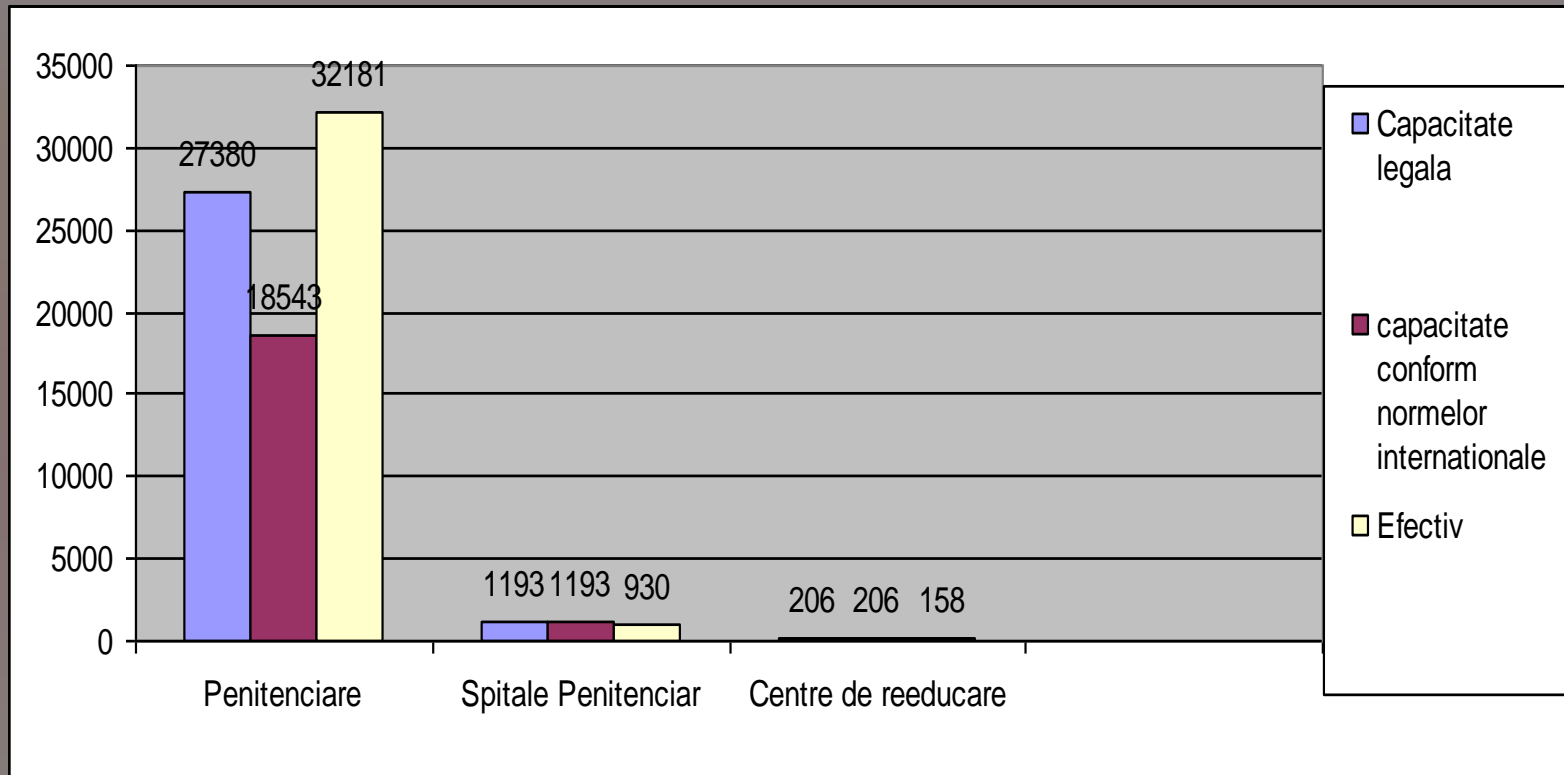
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Order of the Minister of Justice no. 433/C/2010 –

Mandatory minimum rules on the accommodation conditions of inmates:

- spaces intended for accommodation of inmates must respect human dignity and meet the minimum health and hygiene standards;
- living space:
 - at least **4 square meters** (sq.m) – maximum security closed regime, for minors, young people, persons on remand, individuals for whom the prison regime has not been decided yet;
 - at least **6 cubic meters** (m³) of air – half-open and open prison regime.
- air volume, lighting, heating and ventilation sources.

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The National Administration of Penitentiaries **continues its efforts for the dilution of the overcrowding conditions:**

- ❑ Improvement of the conditions in the detention rooms, organising more daily activities, training courses and education programmes, preventing the spreading of HIV and TBC;
- ❑ Intensifying the actions towards using to activities of a higher number of inmates (implementation of the Credit System for the inmates participation in activities);
- ❑ Elaboration, in 2013, of the Guide concerning the supervision and control of the pests in prison units;
- ❑ Creating the legal framework for the development inside the prison of volunteer activities, by the representatives of the society.

Prison System Overcrowding

- ❑ approving the *Incidents Management Manual* and the *Negotiator's manual*, followed by professional training activities for the staff involved in such events.
- ❑ introducing restraint and disruption radio-communication systems in prisons in order for NAP to develop capacities to fight against crime that has its origins in the prison environment, as well as a means to diminish prison subcultures.

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Action perspectives to diminish the overcrowding:

- ❑ **Hearing by videoconference** will contribute to the prison population stabilisation, thus the programmes and activities developed in the prison reach their goals;
- ❑ **Remote electronic supervision systems** will allow the efficient monitoring of the movement freedom restrictions imposed to the inmates, when they participate in productive activities, educative and of psychosocial intervention, outside the detention place or when they were granted the permission to leave the prison;
- ❑ **House arrest** will lead to the decrease of the number of pre-trialled from the prisons, the detention spaces for them could be used for the accommodation of the other sentenced persons.

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Opportunities to reduce overcrowding and its effects:

- ❑ **Adapting the national legislation** to the new trends of enforcing sentences and non-custodial measures;
- ❑ Attracting development potential of **the private, national and foreign sector**;
- ❑ **Opening lines of European funding** or accessing the existing ones.

„Say never «impossible», but start with «we will see»!”

(Mihai Eminescu)

**Thank you for your
attention!**