

22 November 2013
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**Ambassador Torbjørn FRØYSNES,
Head of the Council of Europe Office to the EU,
Opening speech at the 18th Conference of Directors of Prison
Administration**

(Brussels, 27-29 November 2013)

1. I would like to start by thanking the Belgian Prison Administration and the Ministry of Justice for hosting the Conference over these three days in Brussels.
2. Also, on behalf of Secretary General Thorbjørn Jagland, I welcome all participants to the conference.
3. The Conference has indeed a comprehensive agenda and a broad participation, as prison and probation services face a variety of problems.

Situations of prison overcrowding, is certainly one of the most serious difficulty faced and will indeed be at the centre of our discussions during the conference.

Overcrowding essentially leads to reduced space and reduced time spent outside prison cells as well as to less access to educational, work, treatment and leisure activities by prisoners, also contributing to inter-prisoner violence and poor living conditions;

The latest Council of Europe SPACE report on prison populations, published last April, showed that – on average – there are 99.5 prisoners for every 100 places across Europe. In several countries, this figure is much higher.

The issue of prisoner overcrowding has also regularly been highlighted in reports from the Council of Europe's Committee for the Prevention of Torture, the CPT, most recently with regard to Italy, last week, and Portugal just yesterday, but also concerning our host country, Belgium.

Four other systemic challenges are also faced nowadays by national prison administrations and probation services:

They are linked to

- a. Budgetary constraints: The SPACE report published in April underlined that the average daily cost of imprisonment across Europe in 2010 was 93 euros per inmate, with a total of over 17 billion euros spent annually by European prison administrations.

Against that background, the budgetary constraints lead in particular to fewer resources for training of staff, for refurbishment of prison establishments and of probation services, less means for introducing innovative programmes.

Often the consequences are: a worsened medical treatment and reduction of general treatment programmes considered of lesser importance than the provision of security, food and clothing. The absence of such programmes in the long run contributes to a lack of preparation for release and of chances of social reintegration of prisoners;

- b. Insufficient staffing due to the increased number of prisoners and offenders on probation which is not followed by the corresponding recruitment and training of staff;
- c. Rising numbers of offenders with mental disorders and addiction problems which cause particular problems to everyday management and risk prevention by staff who do not have adequate training allowing them to determine and deal with cases of violence among prisoners, self-harm, hunger strikes, suicide attempts, cases of depression and lack of self-control by prisoners. It is important to invest in the appropriate type of staff training to prevent aggression and violence;
- d. Higher numbers of prisoners sentenced to longer prison sentences and their management poses problems to their preparation for release and reintegration into society.

In addition to these four essential or systemic challenges, I would also point to a worrying trend that is being observed in our prisons, i.e. radicalisation.

This can be observed in particular where there is overcrowding and lack of occupational activity as combined factors. In such circumstances, larger numbers of prisoners are feeling forgotten and vulnerable and are prone to seeking safety and security from stronger prisoners' groups thus entering into organised crime groups and joining fundamentalist ideologies.

About radicalisation, Mr Gilles de Kerchove, the EU Counter-terrorism Coordinator said the following: *“The issue is in many respects a sensitive one. First of all, it is vital to avoid associating terrorism with any religion. Secondly, a number of policies - such as intercultural dialogue - have value in themselves and would forfeit much of that value if they were pursued purely because they help to prevent terrorism. Lastly, some policies remain within the competence of Member States: access to employment, education and housing, and integration in general.”*

4. In order to address these challenges, the CoE and member States work actively together to identify new standards, to apply new practice and to take inspiration from the developing case law of the Court of Human Rights in Strasbourg.
5. There is a growing number of case-law of the ECtHR related to bad prison conditions creating situations of inhumane treatment of prisoners. There are also several pilot judgements of the ECtHR related to the structural problems faced by prison administrations in this respect. These will be discussed in greater detail over the course of this Conference. It is important that the national prison and probation services are informed about these judgements in order to prevent possible similar problems in their own countries.
6. In addition, the Conference will aim at promoting opportunities to share concerns, seek solutions, network and look to the future. It will further contacts and cooperation between the prison and probation services in order to contribute to:
 - Improved comparative professional knowledge (knowing more penitentiary systems, visiting colleagues, exchanging best practices) ;
 - Improved treatment of offenders (training of staff based on contemporary professional ethics, use of working methods with offenders based on respect and confidence and development of positive role models).

- Improved management, especially necessary given the current economic crisis in Europe and the decline in trust in the traditional political parties of some member states;
 - Improved implementation of the Council of Europe standards – agreed by all 47 MS at CM level - and of the relevant judgements of the ECtHR. Many member states have based their penitentiary legislation or by-laws on the European Prison Rules and the CoE Probation Rules or intend to do so in the near future; CoE standards have been incorporated in the training curricula of prison and probation staff; in some countries pilot projects have been initiated to issue certificates of conformity of the individual prisons with the EPR and independent inspection and monitoring mechanisms have been put in place.
7. Modern technologies help improve the supervision and treatment of offenders in the community and help prison staff to dedicate more time to dynamic security, to positive contact and work with prisoners. You have had the chance to visit a modern prison institution this morning. Many thanks to the Belgian prison administration for organising the visit.
 8. It should be underlined that modern technology should facilitate and not replace human contact. In confined places like prisons everyday contact between prison staff and offenders is crucial. The positive influence and personal motivation that results from everyday meaningful contacts can be a decisive factor for future desistance from crime. The same goes for the positive contacts. Probation staff needs to maintain with offenders in the community in order to help them to lead a law-abiding life in the future.
 9. As prison and probation services intervene only at the execution phase of the sanctions and measures, the need for a dialogue with the judiciary in order to find long-lasting solutions to these problems has become increasingly evident. For a second consecutive year, therefore, judges and prosecutors were invited to this Conference and I welcome them warmly.
 10. The CoE assists its MS by providing standards, by helping the national authorities implement them and by monitoring the process. The Committee of Ministers is the decision-taking body which adopts the Council of Europe standard-setting texts and the monitoring bodies of the Organisation, in the first place the ECtHR, the CPT and the HR Commissioner supervise the implementation of these standards. We also have a number of programmes running currently in order to assist our MS.

I would like to mention some of these: the European Programme for Human Rights Education for Legal Professionals (the HELP Programme) which aims at enhancing the legal capacity of judges, lawyers and prosecutors in implementing the ECHR. There are also several country-specific programmes aimed at offering practical assistance to national prison administrations and police services. The most important areas of intervention include prison management, capacity building for staff of penitentiary institutions, treatment of vulnerable and high-risk prisoners, promotion of the use of non-custodial sanctions and the development of independent inspection and monitoring mechanisms.

11. On the Council of Europe standard-setting agenda is the forthcoming adoption of a CM Recommendation on electronic monitoring (expected to be adopted early 2014 by the CM). The next items on the list in the penitentiary area include the analysis of the situation regarding violence in institutions holding juvenile offenders; the analysis of existing practices of sentencing offenders to treatment measures as alternatives to imprisonment; the study of the issue of radicalisation in prisons.
12. I am looking forward to hearing the interesting presentations, fruitful discussions and debates you are going to have and the successful outcome of this Conference.

Thank you for your attention!