



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Opening speech

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Minister, Ladies and Gentlemen,

Allow me first to express my gratitude, and that of the Council of Europe, to the Italian authorities for the excellent organisation of this event. I would particularly like to mention Ms Paola Severino, Minister of Justice and Mr Giovanni Tamburino, President of the Italian Penitentiary Administration. My sincere gratitude also goes to Mr Gianni Alemanno, Mayor of Rome for the city's hospitality for this opening session.

This is not the first time that the Conference of Directors of Prison Administration is convened here in Rome. Some of you may remember the 2004 conference, which marked the first gathering of Directors of Probation Services.

At the time, to be honest, dialogue between prison and probation directors got off to a rather timid start. But it was an important first step.

Last year, during the 16th Conference in Strasbourg "Working together to promote the social reintegration of prisoners", we were very pleasantly surprised by the intensive level of contacts and networking between the prison and probation directors. I am sure this will be the case at this conference too.

These positive developments show that times have changed. They show that prison and probation services have understood the need to work together closely.

It is a source of great satisfaction for me that the Council of Europe has contributed to this process of co-operation. But this is not a moment to pat ourselves on the back and stop here – we need to deepen this co-operation even further.

The theme of this Conference is “Foreign Prisoners.”

It has two aims: to present to you the added-value of the new Council of Europe recommendation adopted on 10 October this year concerning foreign prisoners (CM/Rec (2012)12) and to find ways of reducing overcrowding in prisons.

[If you look out of the windows of this palace, you will catch a glimpse of the magnificent Coliseum where, in its prime, foreign prisoners were forced to fight each other. Often to their death.

We have come a long way since then. Our societies have evolved. Justice has evolved.]

This new recommendation does not replace the European Prison Rules, but rather complements them with additional rules concerning, more particularly, specific aspects of imprisonment such as conditions of hygiene, clothing, nutrition, legal advice and assistance.

The recommendation benefits from both the case-law of the European Court of Human Rights and the standards developed by the European Committee for the Prevention of Torture (CPT). Mr Guido Raimondi, Vice-President of the European Court of Human Rights and Mr Latif Hüseyinov, President of the CPT will give you a complete overview of their work in these fields.

Many of the prison administrations present here today have high numbers of foreign prisoners with diverse cultural, linguistic and religious backgrounds.

Some of your prison administrations need guidance on how to deal with foreign prisoners in full respect of their dignity, humanely and efficiently.

Others need assistance dealing with their own nationals who are transferred from foreign prisons to serve the remainder of their prison sentences in their home country.

What does dealing with foreign prisoners mean in practice?

- It means organising prison regimes.
- It means communicating successfully with foreign prisoners.
- It means preparing them for release or transfer.
- It also means helping prisoners establish contact with their children, families and legal advisors.

This is not an easy task. Dealing with foreign prisoners can be very demanding and also costly for prison services, but it is important that we don't cut any corners. Foreign prisoners should be guaranteed the same rights as other prisoners.

Even when they are in conflict with the law. Even if they have committed crimes away from their home countries.

Our newly adopted Recommendation offers answers to these pressing challenges. Bear in mind, however, that these answers now need to be incorporated into your own national systems. The Recommendation gives you guidance on what has been agreed on at a European level as a valid standard of treatment of foreign prisoners. It is now up to you to find the best way of translating this guidance into practice.

But you are not alone.

Good practices should be shared. I encourage you to use the next three days to talk to your colleagues: share your own experience, establish contacts, invite each other to see with your own eyes how things are done elsewhere.

This brings me to the second aim of the conference – finding ways of reducing prison overcrowding.

We all know that crime cannot be dealt with efficiently by prison and probation services alone.

The role of the judiciary in this respect is extremely important.

The Council of Europe has repeatedly underlined the fact that prisons are at the receiving end: they can neither influence the number of prisoners they have to deal with, nor the length of their sentences.

On the other hand, probation services need to engage in a dialogue with the judiciary and public opinion to promote more effectively their work with offenders. They must also demonstrate the effectiveness of community sanctions in order to convince the courts to send fewer people to prison. The Council of Europe has, on many occasions, stressed that prison should be used as a last resort.

Dear colleagues,

The important question we need to ask ourselves is: are we putting these principles into practice?

Overcrowding in many European prisons suggests that this might not always be the case. Therefore, dialogue with the judiciary is indispensable.

Two years ago, the Council of Europe Conference of Ministers of Justice in Istanbul called on us, in a resolution, to consider ways of involving judges, prosecutors, as well as prison and probation services in a joint discussion concerning imprisonment.

The conference also highlighted the need for establishing community sanctions with a view to avoiding prison overcrowding and improving social reintegration of offenders whilst protecting public safety.

It is precisely for this reason that you are going to meet with representatives of European judges and prosecutors on Saturday: to establish a dialogue between judges, prosecutors and prison and probation services.

National penal policies need to be carefully planned and implemented as they may have long-lasting effects on society and on individual lives. Throughout this process, the co-operation of all competent authorities – first and foremost the judiciary as well as prison and probation services – is therefore indispensable.

The Council of Europe is ready, and willing, to help member states find appropriate solutions to the problem of overcrowding and other pressing issues.

I wish you every success in your work and I am looking forward to the outcome of this conference!

Thank you.