

Too much or not enough? Overcrowding in European prisons

An analysis based on SPACE statistics

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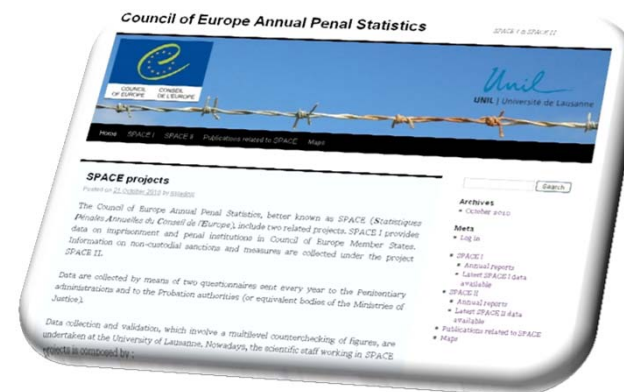
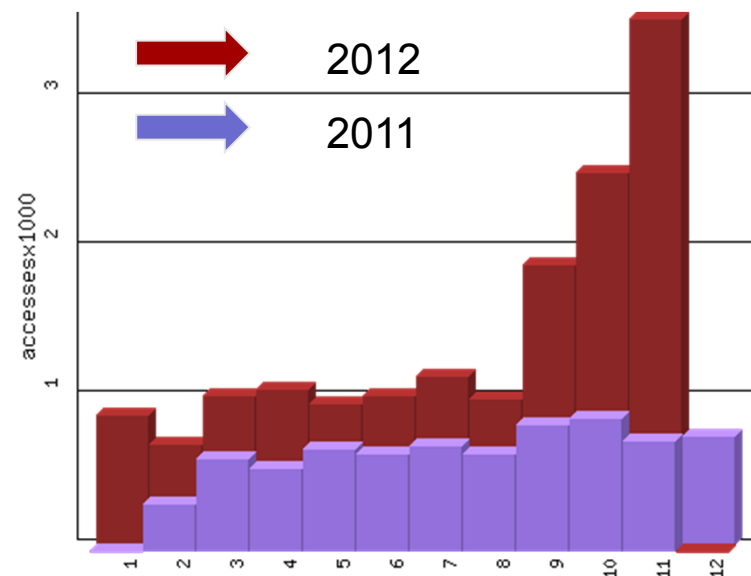
University of Lausanne,
Switzerland



SPACE on Web: www.unil.ch/space

Website created in February 2011:

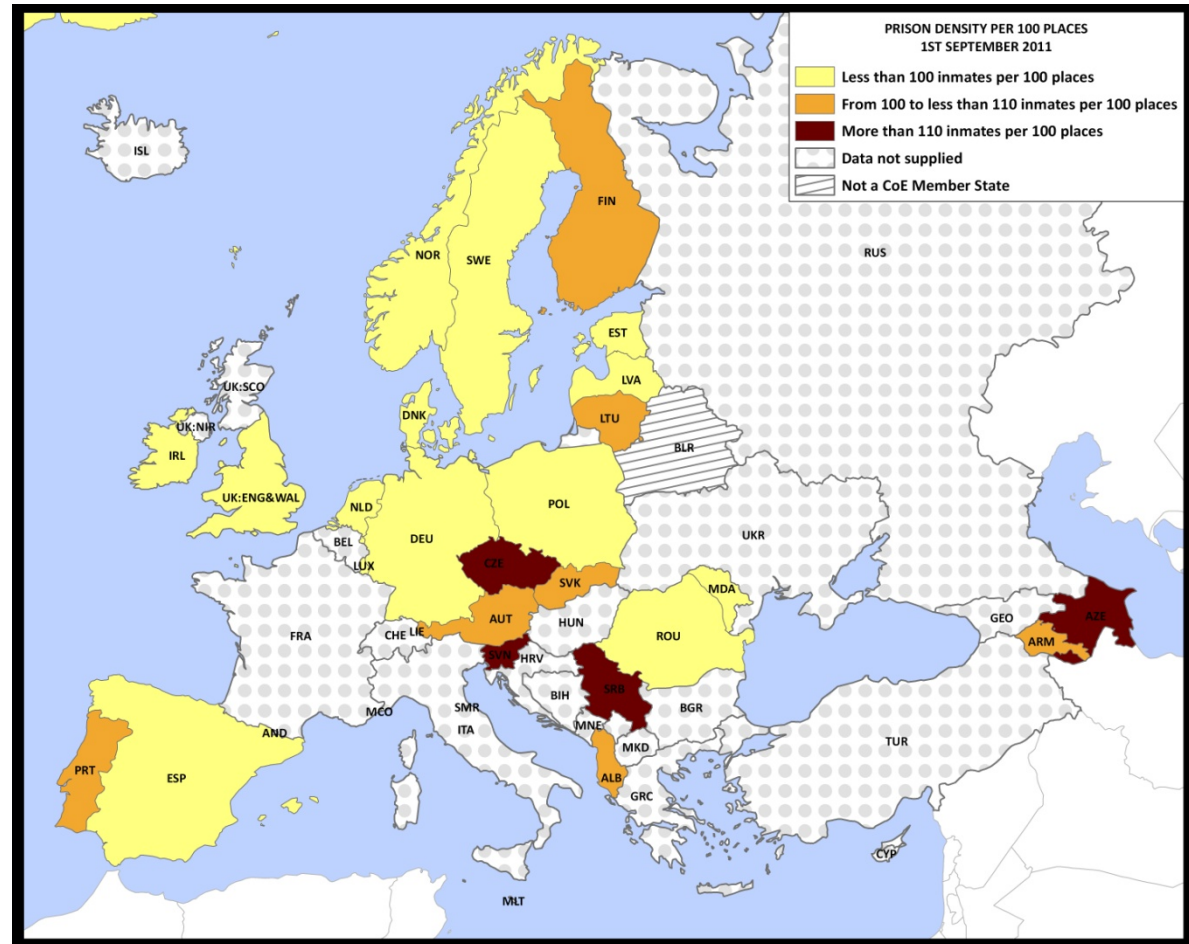
- > Total number of visits = 21,246
- > Recent undergoing improvements:
 1. Compilation of Recidivism Studies
 2. Latest available data (1st January 2012)
 - Stock (prison and probation) and prison capacity
 3. Links to the Websites of all CoE Member States' National Prison and Probation Administrations
- > Network of academics and practitioners
- > **Forthcoming:** Protected Web-working space
 - > Useful information and discussion with national correspondents



Number of inmates per 100 places (at 1st September 2011)

Missing answers
to the SPACE I 2011
(20 (38%) out of 52 administrations)

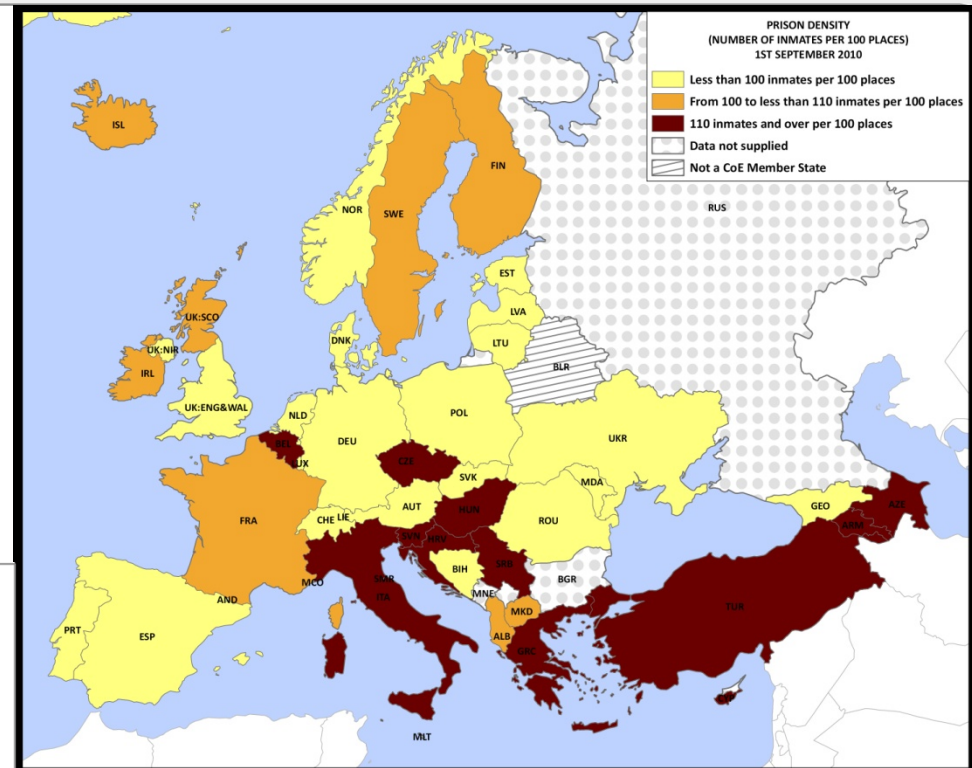
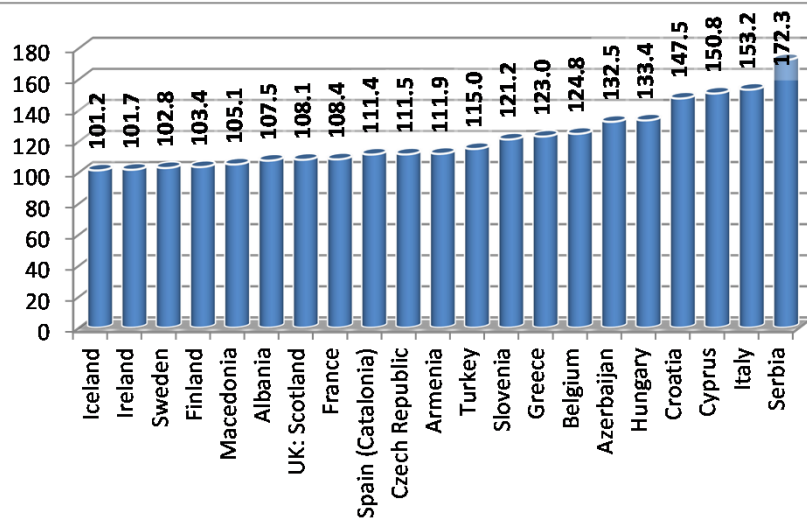
| |
|-------------------------------------|
| Andorra |
| Belgium |
| Bosnia and Herzegovina (Fed. level) |
| Croatia |
| Cyprus |
| France |
| Georgia |
| Greece |
| Hungary |
| Iceland |
| Italy |
| Malta |
| Montenegro |
| Russian Federation |
| Switzerland |
| the FYRO Macedonia |
| Turkey |
| Ukraine |
| UK: Northern Ireland |
| UK: Scotland |



Based on the data from 31 PA
(*Bulgaria* excluded → the figure of the total capacity is not available)

Number of inmates per 100 places (at 1st September 2010)

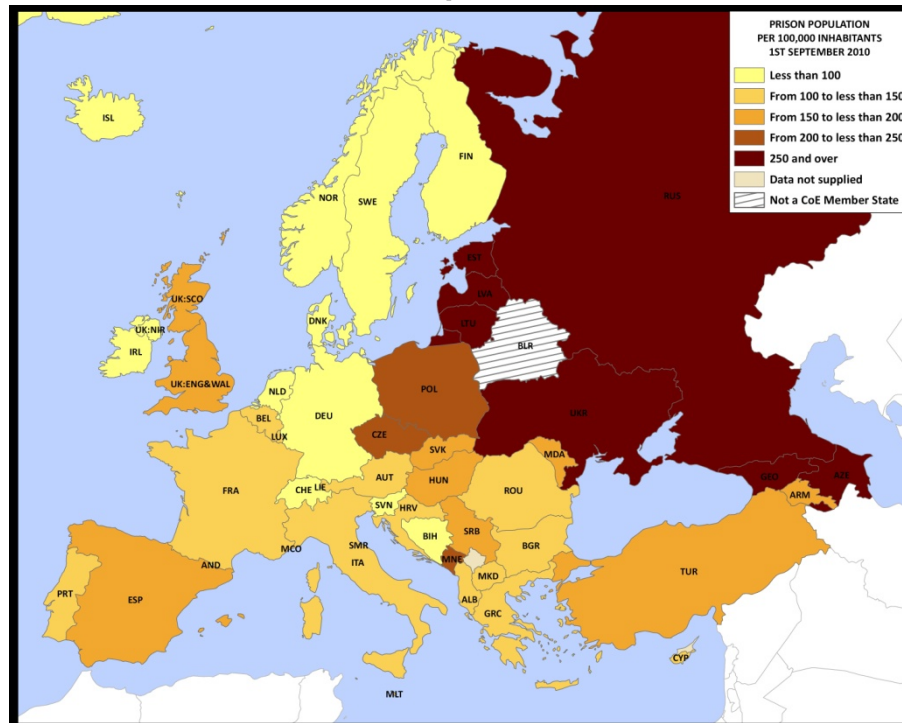
- > 21 countries experience overcrowding
- > 12 of them registered overcrowding constantly between 2006 and 2010:
Albania, Belgium, Croatia, Cyprus, Finland, France, Greece, Hungary, Macedonia, Serbia, Slovenia, UK: Scotland.
- > 14 out of the 46 analysed entities (30%), have more than 110 prisoners per 100 places
- > *Overcrowding affects mainly Southern and Central European countries;*



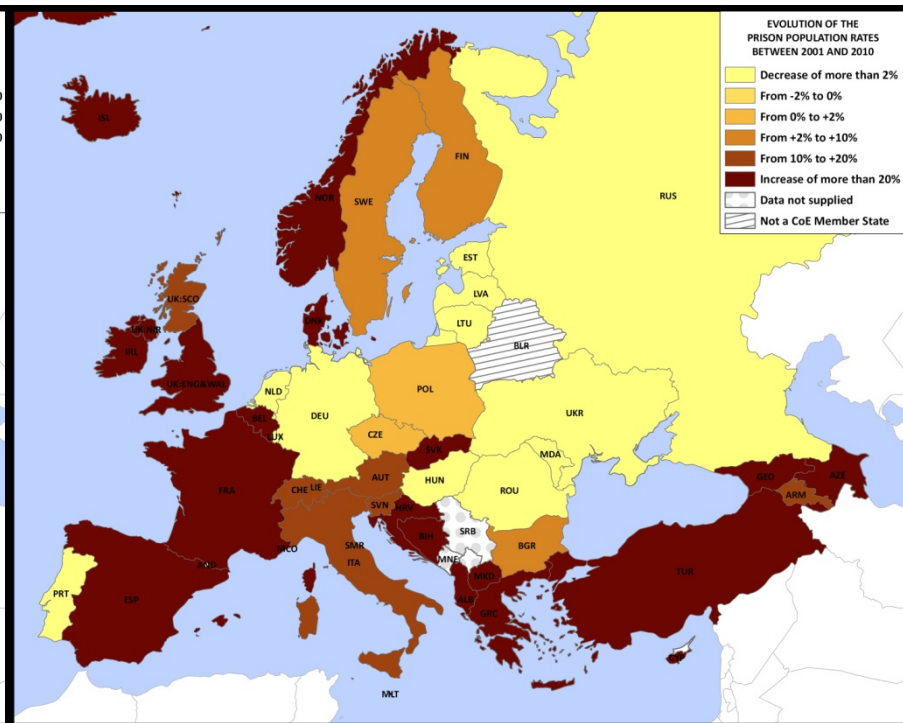
- > European Median (46 entities) = 98.2
- > Median (excl. countries with less than 1mio inhabitants: 39 entities) =
99.7 inmates/100 places
 - Highest: Serbia (172.3)
 - Lowest: Moldova (74.8)

Prison population rates (2010) [map 1] versus Evolution (in %) of prison population rates (2001-2010) [map 2]

Map 1



Map 2



Evolution between 2001 and 2010:

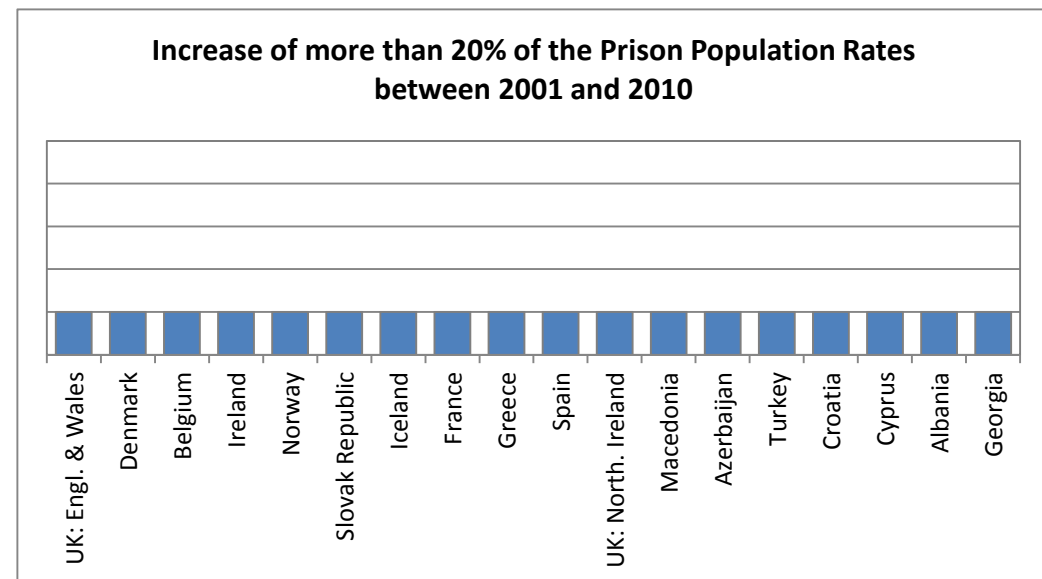
- Most important **increases** (of more than 20%): \approx **half** of the countries.
- Most important **decreases** (of more than 20%): Estonia (-26.1), Moldova (-38.7) and Romania (-41.5).

1st step towards overcrowding...

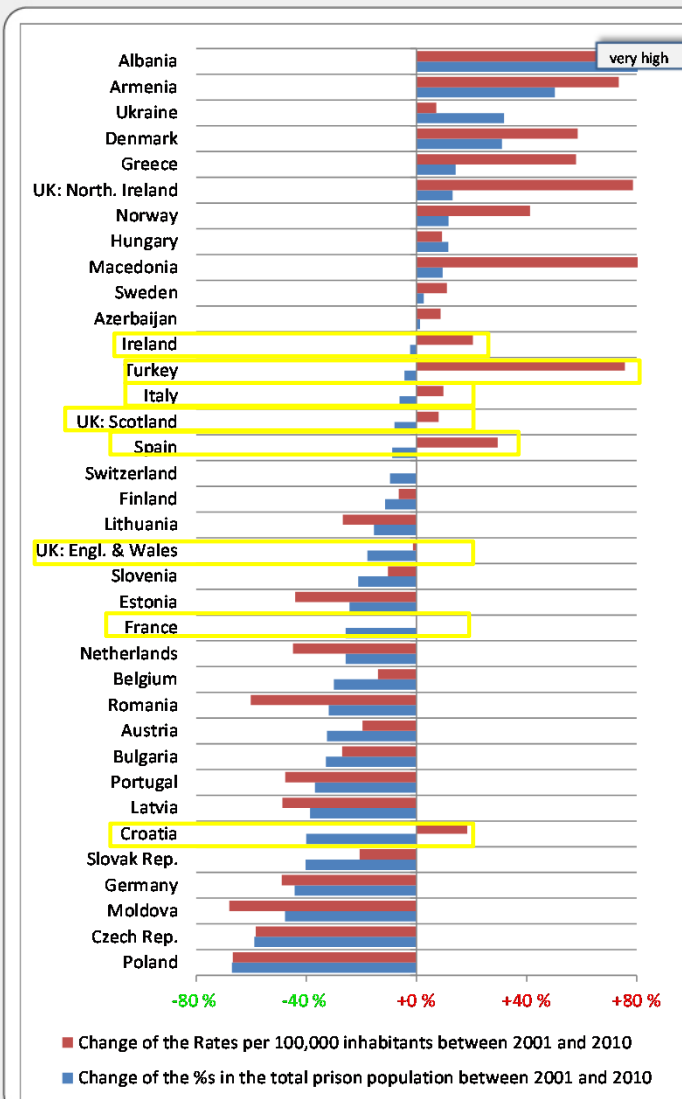
> Increase in the Prison Population Rate (PPR)

> From 2001 to 2010: 18 (42%) out of the 43 analysed entities experienced an increase of >20% in their PPR

- 12 (67%) out of the 18 entities faced overcrowding in 2010;
- 5 countries had between 95-100 inmates per 100 places;
- **Only 2** entities affected by overcrowding in 2010 have **reduced or kept stable** their PPR between 2001 and 2010.



Imprisonment before final sentence



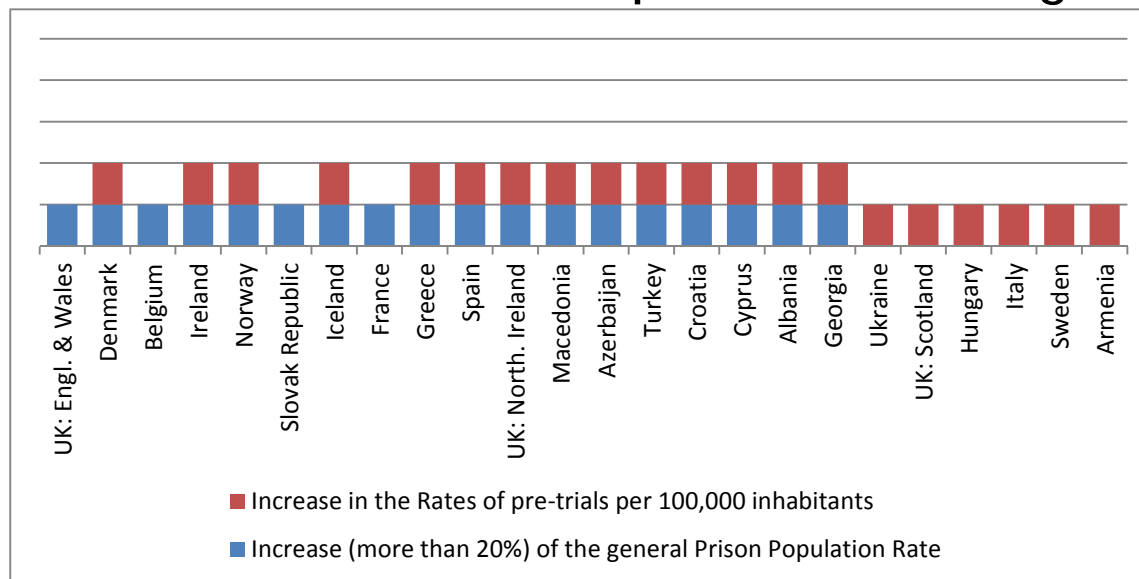
1. The proportion of persons without a final sentence in the total prison population decreased by **-13%** (median) across Europe (36 analysed entities)
2. In terms of rates per 100,000 inhabitants, the change is... **0% [!]** (for the same 36 entities)

Why?

- > Lack or *misuse* of alternatives
- > Acceleration of judicial proceedings
- > Increase of punitiveness

2nd step towards overcrowding...

- > Increase in the Rate of inmates without final sentence per 100,000 inhabitants (17 (47%) out of 36 entities)
- > In 2010: ¼ of the total prison population was not serving a final sentence
- > Generally, in remand facilities the overcrowding is *higher* than in facilities for persons serving custodial sentences

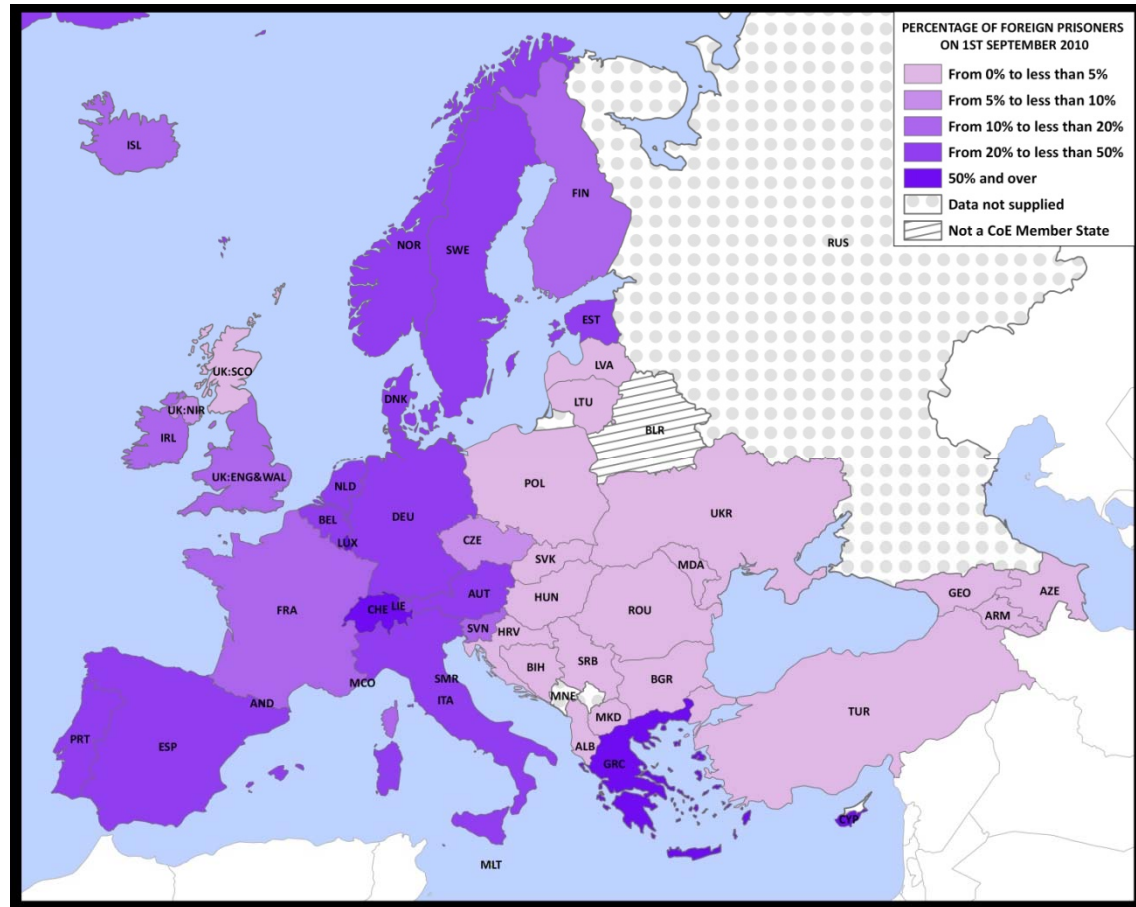
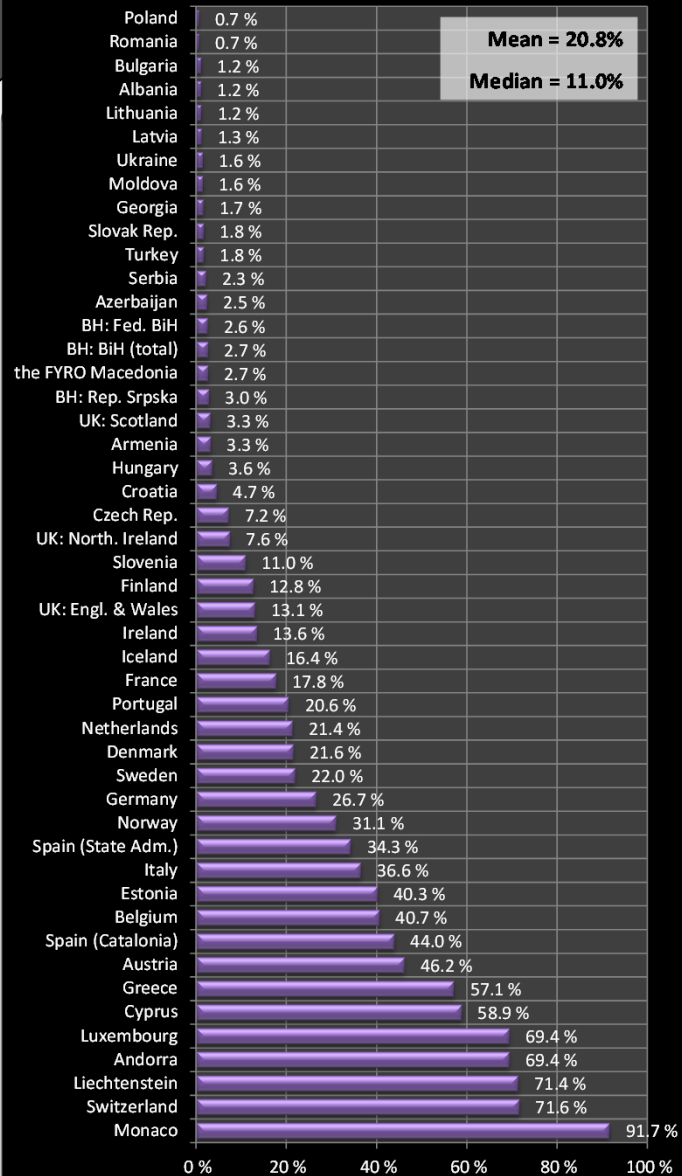


Between 2001 and 2010

14 countries increased both:

- General prison population rate, and
- Rate of pre-trial detainees per 100,000 inhabitants

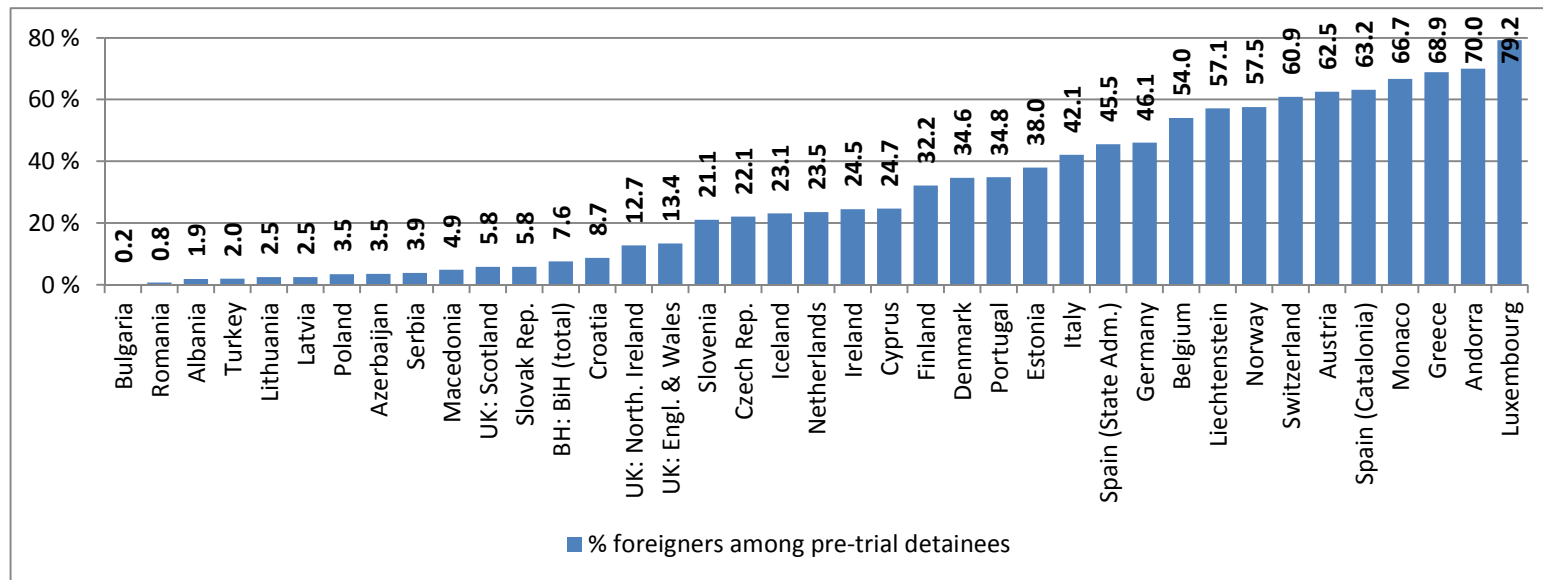
% of foreign prisoners in the total number of prisoners (including pre-trial detainees), 2010



Attention to the special categories (e.g. administrative detention, permanent residents...)!

Pre-trial foreigners and EU citizens

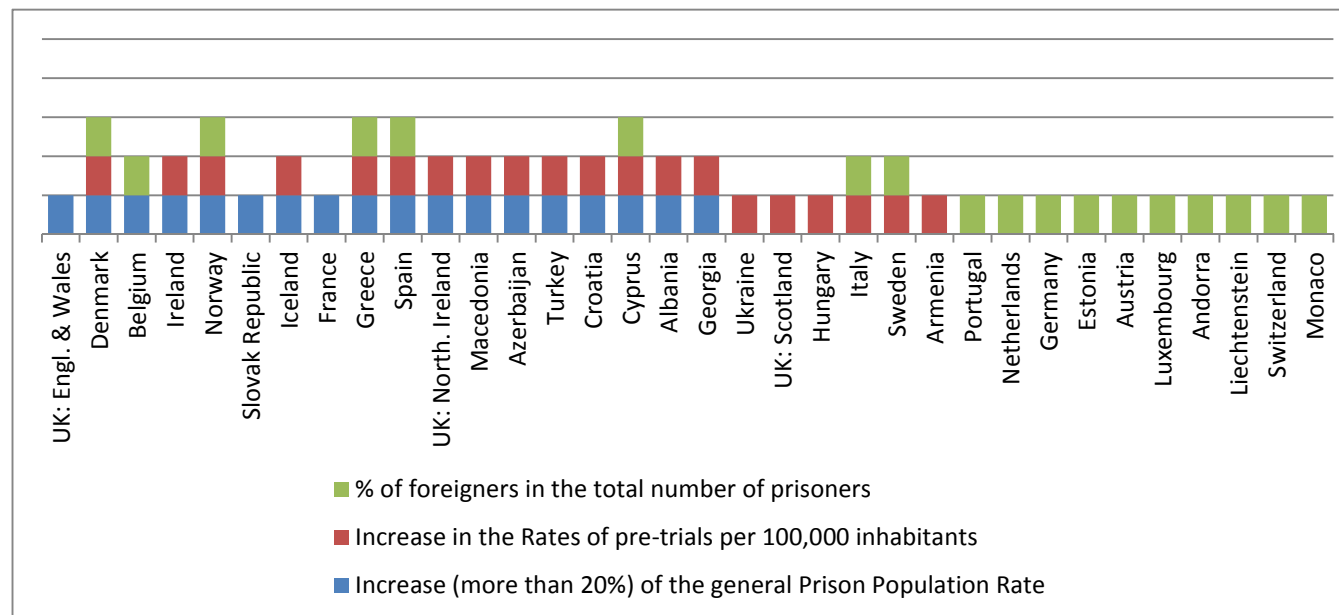
- > In 23 (59%) out of the 39 analysed entities, foreign inmates represent more than 20% of the pre-trial detainees.
- > In 10 countries, more than ½ of the pre-trials detainees are foreigners



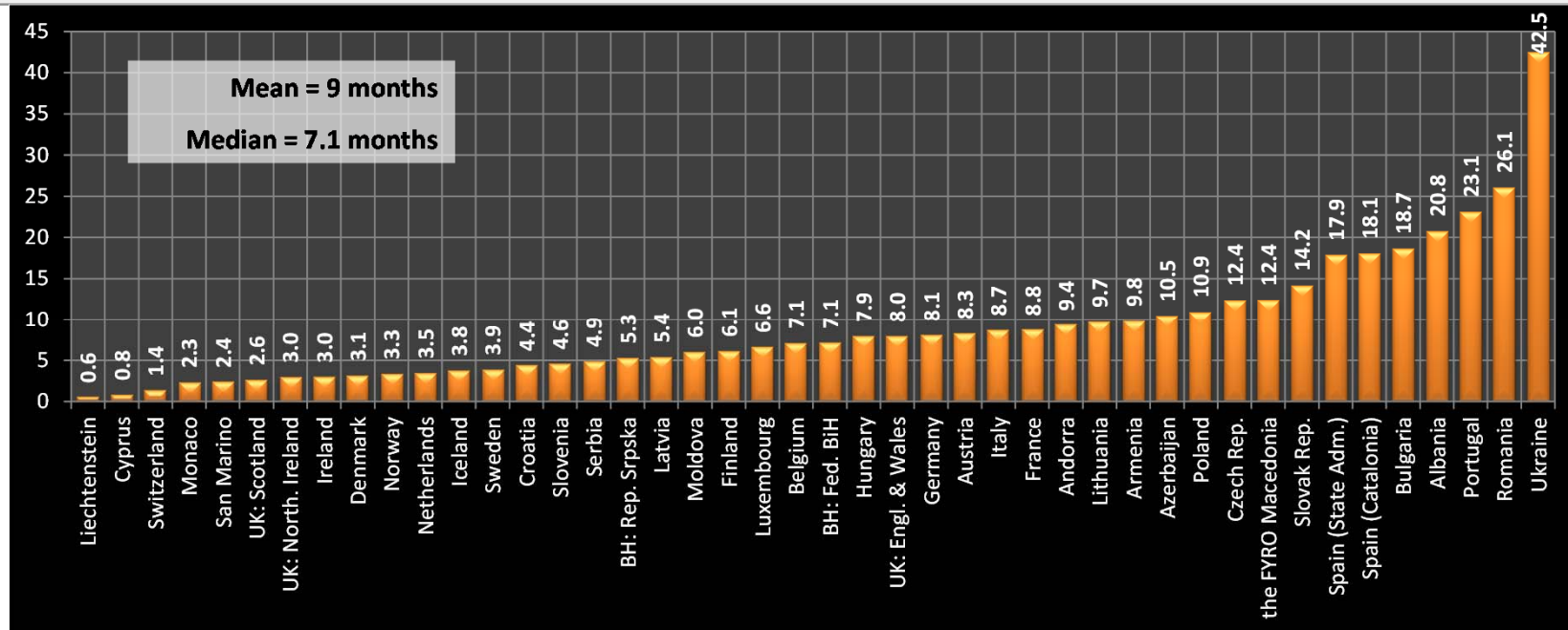
- > How many EU citizens among foreign inmates? →
 - > More than 40% of all foreigners in Liechtenstein (100%), Luxembourg (98%), Andorra (88%), Greece (87%), Iceland (85%), Monaco (82%), Ireland (67%), Finland (61%), Czech Rep. (47%), Slovak Rep. (46%), Poland (42%), and Norway (42%).

3rd step towards overcrowding...

- > High number of foreign inmates in the total prison population (→ lack of alternatives)
- > Between 2002 and 2010, in 18 out of the 40 analysed entities the part of the foreigners among all prisoners increased by more than 20%
 - > e.g. Finland (+50%), Portugal (+72%), Norway (+107%), UK: Scotland (+173%).



Indicator of average length of imprisonment (in months) in 2009

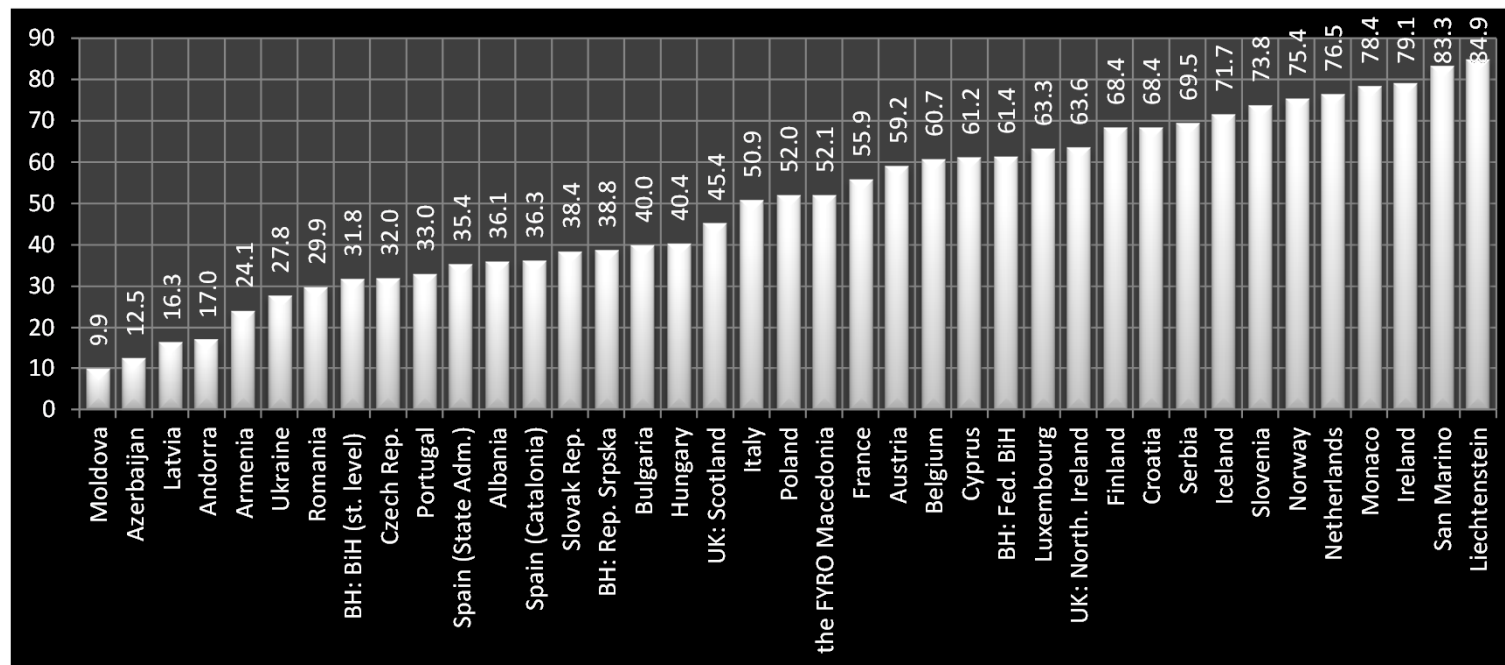


- Between 1983 and 2009, the length of stay in prison increased in the majority of the countries
 - Highest increases: Spain +412% [4 → 18], Portugal +337% [5 → 23], Denmark +214% [1 → 3], Belgium +102% [4 → 7] and Italy +82% [5 → 9]).
- However, between 2000 and 2009 the duration increased significantly only in some countries (in most of them it remained stable)
 - Examples: Hungary (1 → 8 months), Germany (1 → 8), Croatia (2 → 4), Slovenia (3 → 5), Macedonia (4 → 12), Slovak Rep. (5 → 14).

Turnover Ratio of inmates in 2009

Turnover Ratio in 2009 = Releases / (stock + entries) * 100

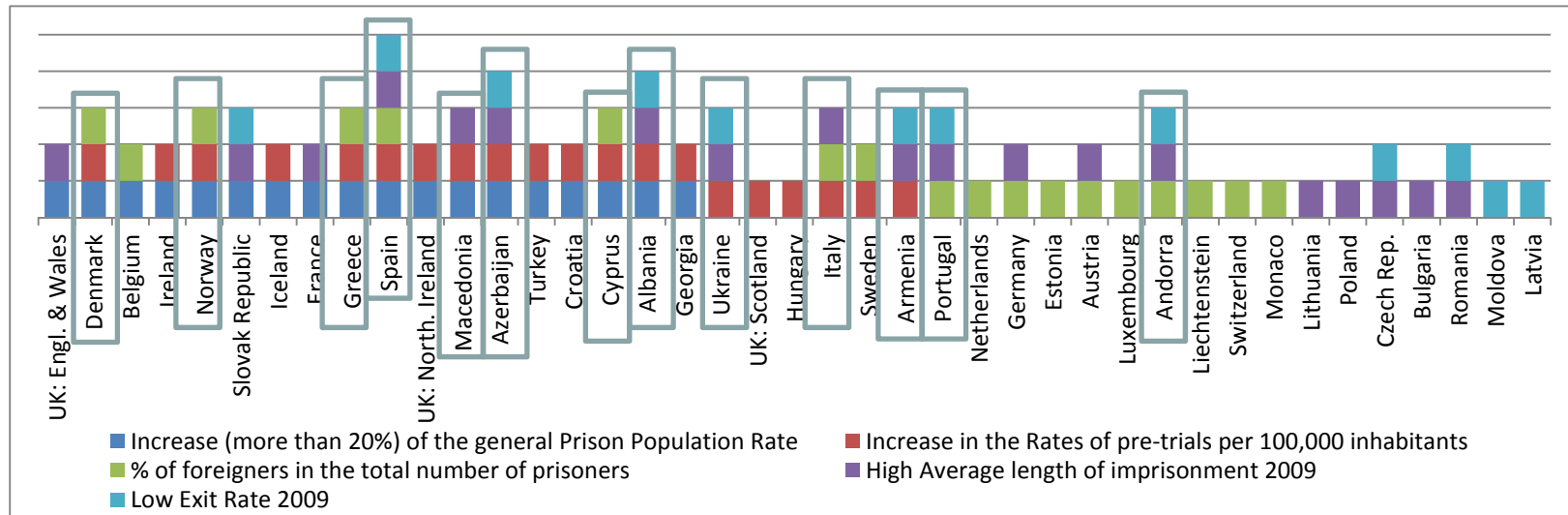
> Mean = 50.1; Median = 52.0



- A high Exit Rate (ER) implies a faster clearing of the stock of prisoners
- *Generally, an ER lower than 1/3 of the total number of inmates in the stock is likely to produce overcrowding in the future.*

4th step towards overcrowding...

> Average length (more than 8 months) and Turnover ratio (lower than 40%)



✓ 13 countries (of which 11 are experiencing overcrowding) show at least three “risk factors”

Methodological limitations

- > Definition of prison capacity (designed, operational, effective capacity...)
- > Lack of specific information on:
 - > Capacity of remand institutions
 - > Length of imprisonment (Estonia, Georgia, Greece, Turkey)
 - > Exit Rate (Denmark, Estonia, Georgia, Germany, Greece, Lithuania, Sweden, Switzerland, Turkey)
- > “Special categories” of inmates (e.g. administrative detention, permanent residents)
- > Regional “invisible” differences (e.g. canton Vaud vs Switzerland)
- > Punitiveness (operationalization of the concept)

Conclusions

1. **46%** of the entities experienced overcrowding in 2010.
2. **59%** had more than 20% of foreign inmates among pre-trial detainees.
3. **45%** had a duration of imprisonment longer than 8 months;
4. **At least 32%** (for some countries, the information is missing) showed 3 or more “risk factors” of overcrowding
5. 2001-2010: increase number of inmates → more entries rather than longer stays.

Thank you for your attention!



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