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Ending prison overcrowding – European perspectives and solutions

Parallel session 3: Enforcement of sentences and releases from prison: which challenge(s)? and which lasting solution(s)?

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1. History and Background

The small country of Finland resides in northern Europe, neighboring Russia, Norway, Sweden and Estonia. The population of Finland is about 5,6 million. Finland is a republic and a member of the European Union (EU). Finland is a Nordic country with a tradition of lenient criminal policy, aiming for balanced and rehabilitative prison environments. Prison and Probation Service of Finland works to prepare prisoners for a life without crime through its vision of more open penal enforcement. It is worth notice and characteristic of a Nordic country that Finland's national prison service declares releasing prisoners as its core value, instead of declaring the importance of enhancing a secure society or enforcing punishments. The ethos of tolerant criminology is seen as the aim and means to make society and prisons safe and effective.

Prison and Probation Service of Finland is responsible for the enforcement of sentences in Finland. It operates under the direction of the Ministry of Justice and implements the criminal policy defined by the Ministry. The entire system is managed by officials of state and there are no private prisons in Finland. Prison and Probation Service of Finland consists of the national units of Developing and Guidance, Client processes and Administration and Support Service, separate Internal supervision-unit and Administration support-unit and a large Operational Activity Unit (inc. criminal sanctions centers and their prisons).

Prison and Probation Service of Finland has 27 prisons (15 closed and 12 open). Prisoners serve their sentence either in a closed prison or in an open institution. The prison places are divided so that 67% of prisoners are in closed prisons and 33% in open prisons or units (2025 statistics). The number of prisoners has risen in recent years. In 2025, the average number of prisoners was 3 545, which was 200 prisoners more than the year before. The prison population rate of Finland is still one of the lowest in Europe. The sharp rise in the prison population and prison overcrowding is primarily due to changes in criminal policy, longer sentences, and an increase in the number of foreign prisoners. According to experts, this is driven more by the toughening of sentencing practices than by an increase in the volume of crimes committed by Finns. One of the changes that impacted was stricter legislation on sexual offenses that came into force in 2019 and 2023, leading to a clear increase in the number of people convicted of sexual offenses.

2. The idea of Gradual Release

The revolutionary new criminal justice way of thinking in 19th century, which ultimately led to replacing the death penalty in many countries with extended periods of imprisonment, gave way to the 20th century quest to find alternatives to imprisonment. It was a quest to find more suitable ways of punishment and to do justice in a non-institutionalised environment. The new way of thinking was based on the ideas of preventing the negative effects of prison, cutting down the costs of criminal justice and enabling the condemned to have a possibility of change and a path away from the criminal behavior when serving the sentence in open society.

Back in the 1960s, Finland had one of the highest rates of imprisonment in Europe (150-160 prisoners / 100 000 population). Researchers, such as Sampson and Laub (1993), found evidence that imprisonment had little correlation with reducing crime, so a new solution was thought of: the open prison system. Open prisons are minimum-security prisons with lesser security restrictions in, for example prisoners' movement and communication possibilities. Most open prisons do not have separate perimeter security, and prisoners can attend work outside the prison. Approximately one third of prisoners in Finland now serve their time in open prisons. There were approximately 3,900 prisoners in Finnish prisons in September 2026.

Finland has found that it really does work to reduce crime. By gradually re-integrating offenders back into society, their chances of re-offending drop by 20 percent (~the difference between those released from open prisons and those from closed prisons), ending the cycle of prison and re-offending, which is seen in many other countries. Less security personnel also cost taxpayers less, reducing the cost per inmate by a third, from the daily closed prison cost of 243 € to open prison cost of 150 €. The daily cost of one day in probationary liberty under supervision was 55 € (statistics 2025). Thanks to this system, the amount of incarcerations in Finland has dropped by two thirds since the 1960s. According to Tapio Lappi-Seppälä (Finnish Doctor of Laws, professor emeritus, and expert in criminology) other factors, in addition to open prisons and gradual release, that made this possible were; reducing the use of default imprisonment for unpaid fines, restricting the use of preventive detention to high risk serious violent offenders, reducing the number of juvenile-prisoners and at the same time depenalizing minor offences and supporting sanction reforms.

The vision of the year 2025 was preparing for a life without crime - safely towards a more open enforcement. This vision was implemented through the prisoners´ controlled and graduated release path from a closed prison straight to probationary liberty under supervision or to an open prison and from an open prison to probationary liberty under supervision and from probationary liberty under supervision to be released in parole (either with or without supervision).

3. Probationary Liberty under Supervision (PLUS)

Finland reformed its Prison Law on the 1st of October in 2006 when the New Prison Law was introduced. In the 2006 reform, legislation concerning prisoners was updated to match the demands of the constitutional and human rights agreements, such as Finland`s constitutional law and international human rights policy, European Unions, United Nations and Council of Europe's international human right policies. The change, as within other Nordic countries, reflected an emphasis on practicality, tolerant penal practices and finding substitutes for unconditional imprisonment. It brought new ideas for the aims of imprisonment in Finland to increase orderliness, predictability and individual execution of the imprisonment.

To support this, in 2006, Finland introduced a new way of serving a sentence. This was Probationary Liberty under Supervision (PLUS), an example of a back-door model in a prison system. PLUS was seen as a way to support the idea of gradual release, enabling prisoners to serve a part of their prison sentence in the community, as such being better suited to fulfilling the individual needs of prisoners. The defining act, the Act on Probationary Liberty under Supervision and Government Decree on Probationary Liberty under Supervision took years to be constructed (PLUS was a comprehensive change and that made the legislation process difficult and slow) and it came into full force on the 1st of January in 2014. It is worth adding that the introduction of PLUS was met with apprehension, yet it has withstood the criticism and fears coming from the outside.

PLUS means that a sentenced person can be released under supervision as an experiment up to six months before his or her regular conditional release. A prisoner in PLUS remains under the jurisdiction of the prison for the whole duration of PLUS. This period of supervision occurs prior to the normal period of supervision on probation that operates post PLUS. The contents of each individual probationary liberty under supervision varies and is

based on the individual´s needs, risks and sentence plan. When PLUS first emerged to practice, it was intended especially for long term prisoners, for them to be given a fair chance to adapt into the society with support and control, at the end of their sentence. After the first years of practice, PLUS gradually evolved into an idea, that the target of PLUS could be any prisoner serving a sentence of over two months in prison. The current status of PLUS originated straight from the principle of equality, which states that every prisoner going to be released on parole has an equal right to apply to PLUS.

The most immediate aims and benefits from PLUS is to the prisoner placed in probationary liberty under supervision because he/she is allowed to live in his or her own home and work, study or go to rehabilitation. Besides activities, maintaining contact with family and friends, practicing a life without crime and the cessation of the use of intoxicating substances are also important in probationary liberty under supervision. Social network and

increased capability to control one's own life both have an important role in integration and avoiding marginalization. PLUS provided a controlled framework for practicing daily life outside of a prison without intoxicants and crime. PLUS may help a person to return to "normal society" by offering a way to leave the prison without experiencing the euphoria of freedom and by reducing the gap between life inside and outside of a prison.

A person placed in PLUS agrees to comply with the obligations and orders included in the enforcement plan (which includes information on, for example the housing and livelihood of the released offender and the obligation to participate in an activity) as well as with the predetermined weekly schedule. The weekly schedule is constructed separately every week in co-operation with the prisoner and the person managing the enforcement of PLUS in prison. Officials of prisons and community sanctions offices meet and supervise the person placed in PLUS regularly and electronic monitoring is also used. Another essential feature of PLUS is that the person complies with the obligation to abstain from intoxicating substances for the whole duration of PLUS and it will be controlled, for instance, with the help of substance use tests. There are four types of support and control elements in PLUS, these being technical supervision, physical supervision, intoxicating substance supervision and medical supervision.

The reasons for implementing PLUS-type practices can range from the idea of integration back to society, motivating to execute the prison sentence plan, battling against social exclusion or trying to control and reduce the prison population. According to the statistics with a follow-up time of five years, prisoners who were released straight from prison and now returning to prison was 59,2 percent (in the year 2024 it was 61,5 %). Prisoners who were released by means of PLUS, the percentage was 42,8 percent (in the year 2024 it was 43,9 %). In 2025, there was a daily average of 238 prisoners on PLUS, slightly more than the year before (224). A total of 803 new periods of PLUS began. The average duration of PLUS was 112 days. Twenty-one percent (21 %) of the periods ended in revocation, primarily due to a breach of obligations.