Closing remarks by Hugh Chetwynd, Executive Secretary of the CPT and Head of the "Deprivation of Liberty" Department

Let me offer a few concluding remarks on behalf of the CPT.

The discussions today have been rich, and many ideas have emerged. What I find particularly valuable is hearing how different countries approach these challenges. It is clear that prison overcrowding is a complex problem. It cannot be solved by prison services alone, or by the judiciary alone. It requires a genuine whole-of-government approach.

Overcrowding has profoundly damaging consequences for the prison system. It affects people in prison and the staff who work with them; it contributes to violence, puts pressure on infrastructure and can lead to a loss of control. It also undermines the purpose of imprisonment and may impact security – both internal and external. It impacts the whole criminal justice system. The costs are felt throughout society, including when people return to the community and the wider system is left to respond to the consequences of failing prisons. Detention carries significant financial and social costs; and often costs far more than alternatives measures. National authorities should therefore review how public funds are allocated, identifying where alternatives in the community are both more effective and less costly than imprisonment.

Today's discussions also underscored the importance of taking a comprehensive approach to release from prison. When people leave prison without stable housing, employment or other support, successful reintegration becomes much more difficult, and the risk of returning to the criminal justice system will likely increase. Release planning should therefore be part of a comprehensive strategy that provides practical support for people returning to the community.

Judges have an important role in addressing these issues. They should be part of the wider effort, particularly when it comes to sentencing, building confidence in alternatives to imprisonment and ensuring that those alternatives are effective. In many countries, judges also have a significant role in supervising prisons. Judges should play an active role in monitoring prison populations and ensuring that detention is used appropriately.

We have heard about the idea of a *numerus clausus*: setting a maximum capacity for each prison and not admitting further people once that limit has been reached. The CPT has long supported this approach. No one should have to sleep on a mattress on the floor in a crowded cell. The CPT regularly visits prisons where we find up to four persons being held in a space of just six square metres – that is the size of q parking space -, with two of the persons sleeping on the floor beneath a bunk bed. It is difficult to imagine what that means for people locked in such a cramped space for 20 or more hours a day.

A capacity limit will not, by itself, resolve overcrowding. But it can put immediate pressure on authorities to find solutions. Some emergency measures may include early release (but they should always be well-prepared); the longer-term task is to establish a sustainable prison population.

Today's conference highlighted the need for a long-term strategy. Prison policy is too often shaped by short-term reactions to political debate and assumptions about public opinion; assumptions that may be amplified by social and other media. Turning a prison system around takes time. A plan looking 10 or 15 years ahead is essential. We have seen that systems in difficulty have made progress through sustained, long-term planning. Short-term

measures may help for two or three years, but without a lasting strategy overcrowding returns. This is particularly relevant to the use of amnesties. In several European countries, the release of large numbers of prisoners annually or periodically was viewed as a means of regulating the crowding in prisons. This practice has become rarer. The CPT has generally been opposed to using amnesties as a means of managing prison populations as it undermines the criminal justice system and the good management of the prison system.

Political leaders must make bold choices and explain them clearly to the public – the costs of building prisons and of running them effectively and humanely is enormous. Alternatives to imprisonment and sentencing reviews can modulate prison populations. Having a well-functioning prison system which holds people in a safe environment and prepares them for reintegration into the community is the professional approach as it upholds the dignity of those who live and work in prisons and it also helps build a safer society.

This vision is also reflected in judgments of the European Court of Human Rights, which often come years after the underlying problems first emerged. Today's conference calls for the CPT, and for those working on the execution of judgments and cooperation programmes, to do more where possible to work with authorities and encourage effective action.

European institutions should continue to play an active role in addressing prison overcrowding, offering guidance and, where necessary, applying pressure. The Committee of Ministers has a particularly important role: it sets common standards and recommendations, including on prison matters, and supervises the execution of judgments of the European Court of Human Rights, ensuring that states take the measures needed to address identified shortcomings. As today's discussions have shown, this work can also support efforts to reduce prison populations. Bulgaria is one notable example.

Above all, we must act urgently to ensure that every person in prison is treated with dignity and kept safe. Overcrowding and poor conditions have devastating consequences, including suicide and violence. Preventing these tragedies is not optional: it is a shared responsibility that calls for decisive, sustained action. Let us leave this conference committed to turning that responsibility into meaningful changes.

In closing, let me thank all of you for taking time out of your busy schedules to come to Strasbourg to share your expertise and diverse experiences on how to address this nefarious challenge – prison overcrowding. The CPT will continue to work with governments and prison administrations to seek sustainable solutions to this phenomenon as a foundation stone for ensuring prisons fulfil their primary task of holding persons safely and securely and preparing them for reintegration to the community.

I would also like to thank the Monaco Presidency of the Committee of Ministers of the Council of Europe, and especially Secretary of State for Justice Samuel Vuelta Simon, for recognising the need for finding European solutions to prison overcrowding and for sponsoring this conference.