

Iuliana CARBUNARU

As I represent the NPD on this panel I will focus more on net-widening and less on overcrowding as my colleagues from the Prison Service are attending this event as well so they are more entitled to explain the details.

The prison population and probation population are very much related to the penal policy, practice of the judiciary, conditions of the early release, crime control measures, community, public attitude, and the health of the correctional service, including viable alternatives to incarceration. When I have joined the service, more than 20 years ago, we had 50.000 inmates in prisons and 0 people on probation, as we inherited the provisions of the old criminal code adopted during the communist regime where convicted people could get either a custodial sanction or a suspended sanction without any measure to support the rehabilitation. As we speak we have 25.000 inmates and 70.000 people on probation. That means we decreased the prison population in our country with 50% in 20 years. This is not a random result. It was planned, strategic and hard work. But as you noticed in only 20 years the probation service grew from 0 to 70.000 cases. That is why it is obvious to reflect if all these people should be in our attention at the level of the probation service, as 50% of these people are convicted for road traffic offenses and their risk level is assessed as low. Our estimation is that we have sufficient reasons to believe that we are experiencing net widening.

According to the last SPACE I Report – released in July 2025 comprising the data from January 2024^[1], Romania is included in the Red zone for prison density. But in only one year my colleagues from the prison administration made significant efforts to improve the prison conditions. And only this year, in the last 3 months 800 detention places at the European standards have been finalised by a joint effort, investing Norway grants and the national funds. I must say that the situation in our country is closely monitored by the ECtHR due to the pilot decision on prison conditions and all these achievements reflect a strong commitment to continue to modernize the penitentiary system and ensuring respect for the fundamental rights of inmates and in the same to support probation service as a viable alternative to detention.

1.per 100 places—is observed in Slovenia (134%), France (124%), Italy (118%), Romania (116%), and Belgium (113%). These countries exceed the threshold by a significant margin and report some of the most pressing

^[1] Mapping overcrowding across Europe

Overcrowding can be classified into three levels of severity. Severe overcrowding—defined as over 110 inmates per 100 places—is observed in Slovenia (134%), France (124%), Italy (118%), Romania (116%), and Belgium (113%). These countries exceed the threshold by a significant margin and report some of the most pressing conditions in the region.

A second group falls into the category of moderate overcrowding (100–110%), including Croatia (110%), Ireland (105%), Sweden (105%), Hungary (104%), Azerbaijan (103%), Finland (103%), Türkiye (102%) and North Macedonia (101%). Though less acute, these levels still pose considerable challenges to daily prison management and service provision.

Finally, several jurisdictions operate at or near full capacity, such as Scotland (100.3%), England and Wales (98.3%), and Serbia (97.9%), where minor fluctuations in admissions can tip systems into overcrowding.

As for the prison side, in the context of So, the main conclusion is that we are better in prison than we used to be.

conditions in the region. A second group falls into the category of moderate overcrowding (100–110%), including Croatia (110%), Ireland (105%), Sweden (105%), Hungary (104%), Azerbaijan (103%), Finland (103%), Türkiye (102%) and North Macedonia (101%). Though less acute, these levels still pose considerable challenges to daily prison management and service provision. Finally, several jurisdictions operate at or near full capacity, such as Scotland (100.3%), England and Wales (98.3%), and Serbia (97.9%), where minor fluctuations in admissions can tip systems into overcrowding.

Iuliana and Dariusz (5 min each): As the Head of a prison and/or probation service, what can you do to speak up and prevent the overuse of penal sanctions, ultimately leading to overcrowding and net widening? How to extend the discussion outside your own administration?

I must say that this is not an easy process and as this is not only in the hands of prison and probation leaders. But as we have super men and super women in these positions, they have super powers as well. One of these superpowers are: being open and transparent (so communication) that the people we will know when we have struggles, another one is have reliable data to count on in order to explain the trends (like our own domestic space I and II), 3rd superpower could be building alliances with the policy makers and be at the table when penal policies are initiated or propose change of penal policies where the case could be, alliances with the judiciary, as sometimes we can have challenges in implementation, building bridges with other colleagues from other jurisdictions – what we do at the CEP, Europris and what CoE is doing with the projects and multilateral meeting. We need to be mindful that maybe other people have the same struggles or strengths, and we can identify, here in our network the answers. Evidently we cannot copy paste, but we can inspire and like in the process of transplanting a plant from a Mediterranean region to our jurisdictions we need to be mindful about the soli, the air, the sub or the rain or the landscape where we will plant the plant.