

Distinguished Director General Mr Yordanov, distinguished President of CPT Mr. Mitchell, distinguished colleagues,

Good morning everybody,

As chair of the Council for Penological Cooperation of the Council of Europe, I would like first to thank the Ministry of Justice of Bulgaria and specifically the Prison Service for the fantastic organization of this event at this spectacular venue. Special thanks to Nadya Radkovska, for her generosity, hospitality, and professionalism.

According to the list of participants, 30 countries and 10 international organizations have been represented at this event and in total over 150 persons have participated. This has been a successful conference, so congratulations to the Bulgarian administration and also to the Council of Europe staff (thanks Iliana Taneva and Christine Coleur for making this happen). Also, I would like to thank my colleagues from the PC-CP WG: Kim, Nick, Paulina, Danijela, Jorge, Frederick and Carla who have been moderating the workshops and collecting information from the presentations. Also thanks to Jana Spero from CEP and Gustav Tallving from Europris for collaborating with us and thanks to the fantastic speakers. At this moment I also want to remember Maria Lindström, vice-chair of this committee who was not able to join us this time. We miss her and we know that we will be able to work with her again very soon.

Throughout these days we have talked, discussed and analyzed different topics.

In relation to workshop number 1: **Combatting organised crime groups**, presentations from three different geographically and legally organized countries (Italy, Sweden and the Netherlands) showed that the persons combatting organized crime groups in prison are working in the intelligence units. According to the experts:

- a) The prison intelligence unit alone cannot combat organized crime groups, but need to do this in a joint team with other agencies like the police, migration, customs services and prosecutors. Incorporating information and intelligence sharing between these agencies is a key element for the success of actions and follow-up, which often lasts for several years.
- b) The penal response alone is not efficient, but a joint strategy and actions are needed to obtain success in this area, including but not only legislative changes and change in practices.
- c) Organized crime groups and networks tend to hybridize and morph in prison and therefore the counteractions need to be constantly readapted to these fluctuations, to be successful.

The second workshop was about the **autonomy of prisoners**. Here we learned that the concept of “autonomy” is very diverse, and can be approached from different perspectives.

We had very interesting presentations from local initiatives in Belgium, Croatia and Bulgaria. Belgium and Bulgaria presented on the so-called small-scale detention. These are houses where a limited number of offenders serve part or all of the prison sentence. Prisoners need to meet specific requirements to be eligible for these houses and one common approach is the promotion of their autonomy. They participate in activities inside and outside the houses and learn relevant skills as preparation for their reintegration. In Belgium, prisoners are allowed to use mobile phones both in Detention and Transitional Houses and they can also use their own money. When there are conflicts, they use mediation, dialogue and active listening as opposed to a disciplinary approach. The purpose is to create an atmosphere similar to the one in wider society and thereby reduce the negative impact and pains of imprisonment.

In Bulgaria, these half-way houses are part of the new framework for the rehabilitation of prisoners that the country is setting up. Mentorship, The Life Project and Intervention programs for addictions are the other 3 key elements of this new model. Penal Reform International has contributed to this work, especially to the Life Project which is a specific program for vulnerable target groups within the prison. Prisoners learn how to identify their needs and work towards meeting their personal goals, from a Good Lives Model perspective.

In Croatia, the autonomy of prisoners has been promoted by the use of phone calls inside the prison cells and the possibility of using videocalls with family members. This has helped in improving prisoners’ wellbeing and reinforcing security within the prisons.

During the Workshop number 3, on **Net-widening in Probation**, it was concluded that according to data, prison growth has expanded as well as probation growth. This means that probation is not diverting, is not really contributing to reducing prison numbers. On the contrary, there is an increasing number of people in our formal control systems, this means that the net of social control is widening. Why is this happening? Some part of the problem is that probation is considered something ‘good’ and there is a failure to recognise and restrain probation supervision as punishment. We need to recast this and go back to the principle of proportionality. And for this we can use some measures such as diversion, target better, reduce the burden of conditions and promote early discharge, where appropriate.

Workshop number 4 dealt with **Managing returnees and their families**. During the discussion these were some of the ideas shared:

- there are at least five categories of terrorist fighters and returnees but no clear paths on how to deal with each of them
- and very importantly: we must deal with the returnees and reintegrate them, otherwise we may have soon a next catastrophe coming if they are not reintegrated.
- we also need to take into consideration the next generations, and how children, who live in forgotten camps may become radicalised in turn

- Managing returnees is therefore not just about the past but about the future and about growing stable societies, in Europe and elsewhere
- The Belgium experience was presented after the terrorist attack in 2016. Now they support victims of 17 terrorist attacks. Victims may want to know who is behind the terrorist acts to be able to understand “who did this to me?”, but other victims don’t want to know and this must be respected too.
- Collaboration between all stakeholders in the long run is a must and we must join forces to be effective.

The **Role of Victims in the Rehabilitation Process** was discussed during Workshop 5. It started with a very interesting question, Why do we need the victim approach in a conference like this? The EU estimates that 15% of EU citizens fall victim of serious crime every year. However, only a tiny fraction of victims see their offender go to prison.

Criminal justice institutions have certain obligations regarding victims that we should not forget, such as the right to obtain compensation and the right to be notified when the offender is released or has escaped.

However, these measures are not considered or implemented everywhere.

On the other hand, we have to remember that prior victimization processes such as adverse childhood experiences are also connected with crime. A large percentage of prisoners and probationers have also been victims at some point in their lives. If we are able to intervene at an early stage we might be able to prevent new crimes in the future.

And what about victimization processes inside the prisons? Are there official numbers on the crimes committed inside prison? Does the prison population have access to support systems in this regard?

These questions lead to the idea that there is no such a clear line between offenders and victims, and the victim approach should be in place in the work that we do in the correctional settings.

Restorative justice practices were also discussed as a means to reduce reoffending and contribute towards desistance. However, we need to be careful and not using victims instrumentally to help offenders in their rehabilitation process, nor using offenders to contribute to victims healing. All parties have to consent and restorative practices need to be carefully planned and implemented accordingly.

Belgium is working hard on giving the place that the victim deserves through the entire criminal justice process. It is important to listen to victims’ needs, and giving them the opportunity to express themselves. And support them through the process including protection, access to justice and compensation and restoration, and reducing the possibility of secondary victimisation.

Workshop number 6 was about the **Evolution of high-risk prison regimes**. The number of high security prisoners has increased across Europe even if it remains a relatively small number compared to the medium level security category, that represents the largest part of the prison population.

According to Europris, high security prisoners are not limited to organised crime offenders but they also include vulnerable groups like juveniles and prisoners in need of protection .

Is it possible to make a balance between the respect of Human rights and security needs? How can the rule of law and application of Human rights respond to this challenge?

Across Europe there is a tendency to separate high risk prisoners from the rest of the population. Finland has recently introduced the “intensified supervision wards” that are different from the high security wards. The first are units where the sentence plans are concentrated in preparation for release programs, including motivational interviews and supportive measures to help prisoners in their rehabilitation process.

The CPT provides inputs that are useful guidance for the member states in regards to high security units, such as avoid oppressive environment; improve Staff qualifications (proper training , and improve the recruitment procedures); base allocation to regimes on individual risk assessment and have multidisciplinary teams as one of the main elements when working with this type of prisoners.

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Deciding on the title of an event like this is usually a difficult decision, although it may not seem like it. For sure, the title “Human Rights, Democracy and the Rule of Law at the heart of Prisons and Probation”, is not an arbitrary one.

In these turbulent times in Europe and the rest of the world, where war and extreme politics are violating the most essential rights of thousands of people, at the PC-CP we want to highlight the importance of promoting and defending human rights in our penal systems, at the same time we comply with the law and we ensure that the fundamental elements that define democratic societies and democratic penal systems are maintained in place.

It is frequently stated that “prisons are a reflection of wider society.” However, on this occasion, I hope that we as prison and Probation services are regarded as an example of seriousness, professionalism and democratic balance for the rest of the society. Precisely when times are difficult is when international rules and standards, such as the Council of Europe Recommendations are especially relevant. We should not lose perspective of what our goals are and what measures we need to take in order to achieve them.

At the PC-CP, we are currently working on the development of standards on two fundamental topics: on the one hand, the mental health of prisoners and probationers. We know that, after the pandemic, the suicide rate and mental health problems have increased not only in prison and Probation settings, but also in the society as a whole. Public attention has finally begun to focus on the importance of mental health and what resources we need to improve it. It is time to remind ourselves as institutions of the importance of not only learning how to

manage offenders with mental health problems, but also committing to trying to promote and protect the mental health of the overall prison and probation population as well as of staff.

On the other hand, we are updating the 1989 recommendation on education in prisons. Society has changed a lot in 35 years, but education remains crucial in the rehabilitation of prisoners. People without basic education and without adequate professional skills continue to be over-represented in our systems. The text we are working on aims to promote a broad concept of education, including different elements that we can provide from prison systems to holistically improve prisoners' lives. The text will also pay special attention to those with specific learning difficulties and challenges.

We continue working on specific recommendations that regulate and standardize basic aspects of our penitentiary and probation systems. Our commitment is that these rules and standards are practical and useful for member states, and that policy makers use them as guidance when they decide on their national policies and regulations. For these, we need that member states make an effort to adopt and translate the rules to their national languages, so that they are disseminated among staff at all levels.

From PC-CP we hope that conferences like this are opportunities for sharing and developing mutual knowledge, to set up bridges between countries, for effective international cooperation.

And let us not forget that, at the end of the day, our main purpose is to promote safer societies, avoid new victims and provide offenders with tools that allow them to build a new vital narrative and a new identity as human beings.

Thank you very much,