

Responses to Prison Overcrowding

Pre-trial phase: Reducing the influx – shared responsibility



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Influx to detention centers and prisons

- More than 10 million people in the world in detention centers or in prison
- An increase with 20 % since 2000 (population growth is 18 %)
- In Sweden an increase with 12 % between 2017 and 2018 in pre-trial detention centers



Why does prison overcrowding occur?

- Legislation and sentencing practices
- Result of criminal politics, the efficiency of the judicial systems and its priorities
- Responsibility can be placed both upon political decision makers and law makers and us – the actors of the criminal justice system



Special challenges in Sweden

- Complex justice system causes long detentions
- Often combined with restrictions. These categories are:
 - 1. contact with individuals outside the detention centre
 - 2. spending time with other inmates



- 3. sitting together with another inmate
- 4. the opportunity to follow events in the outside world (TV, newspaper etc)



Long-term strategies

- Two legal proposals:
- One aimed at reducing the use of pre-trial detention and restrictions
- The other is about new rules for evidence in crimetrialis that will have effect of the use of detentions and restrictions



Legal proposal aimed at reducing the use of pre-trial detention and restrictions

- Proposing new form of coercive measures under criminal law as alternatives to detention
- Proposing time limits for the use of detention and restrictions
- Identifying and proposing measures to limit the use of detention and restrictions for children and other young offenders



Legal proposal – new rules for evidence in criminal trials

- Proposing to increase the possibilities to use written statements from witnesses, suspects and victims
- Proposing to increase the possibility to give oral statement in court early during the investigation before the actual trial begins



Short-term strategies - Shared responsibility

- High Level meeting including all judicial authorities held 1 March – starting a dialogue
- Task force meeting 6 March
- Purpose to find acute solutions to ease the overcrowding in pre-trial detention institutions



Task force conclusions

- Being allowed by the prosecutor to sit together with another inmate (restriction category 2 and 3) means from now on two detainees at each cell
- More generous attitude from courts to allow detention hearing via video, less resources to transportation



- If the Prison and Probation Service can't find a place in a remand prison within 24 hours after an arrest warrant the police will call the prosecutor and ask if the detainee should be released or not



Thank you!

