

Unil

UNIL | Université de Lausanne



High-level Conference on prison overcrowding
Council of Europe, Strasbourg, 24-25 April 2019

Prison and probation: the results of SPACE surveys

| le savoir vivant |

Mélanie M. Tiago & Yuji Z. Hashimoto
University of Lausanne, Switzerland

Plan of the presentation

PART I

- Prison population rate
- Prison density
 - Overcrowding

PART II

- Community sanctions
- The net-widening phenomena

CONCLUSION

Part I – SPACE I

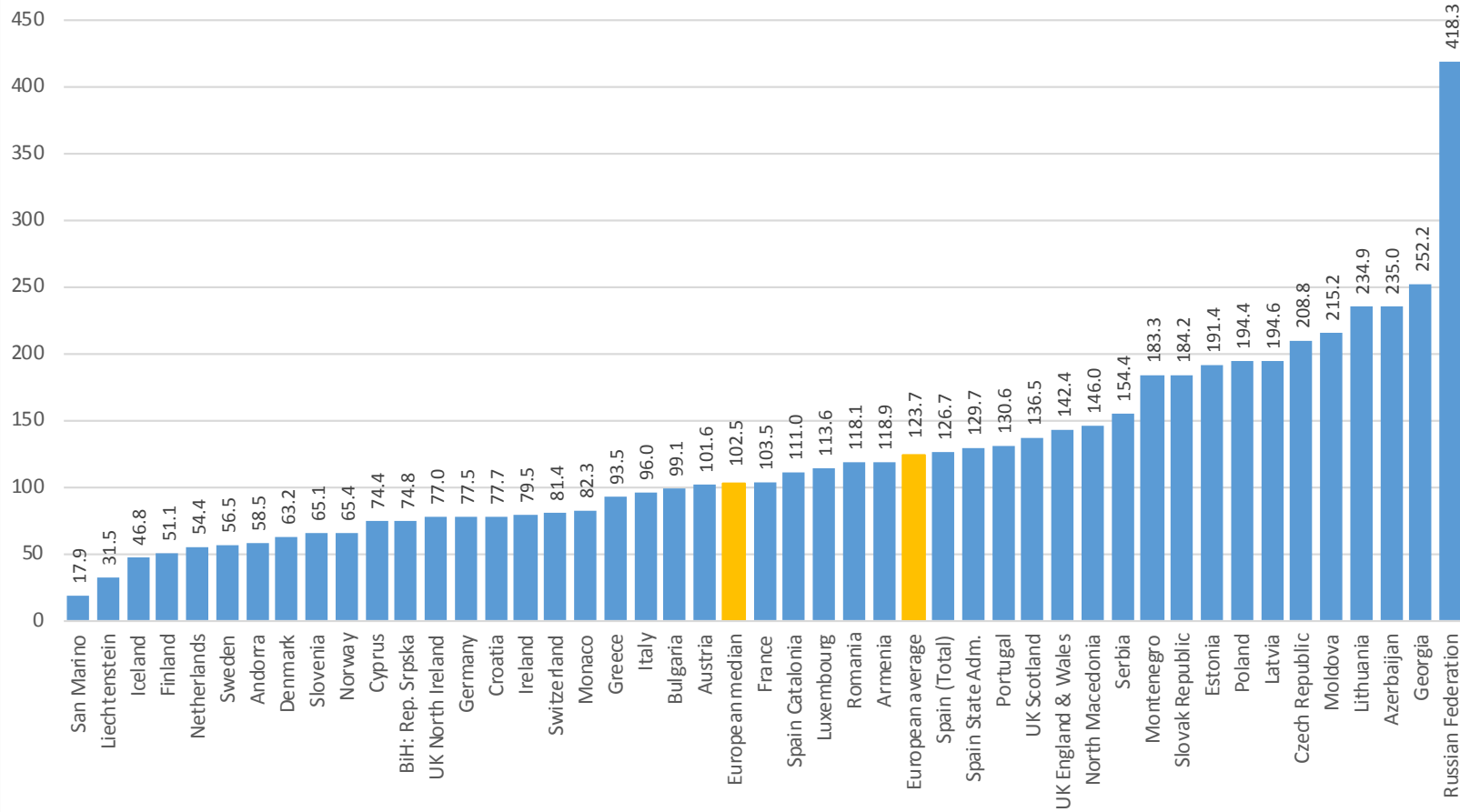
SPACE project website:
www.unil.ch/space

Prison population rate: Definition

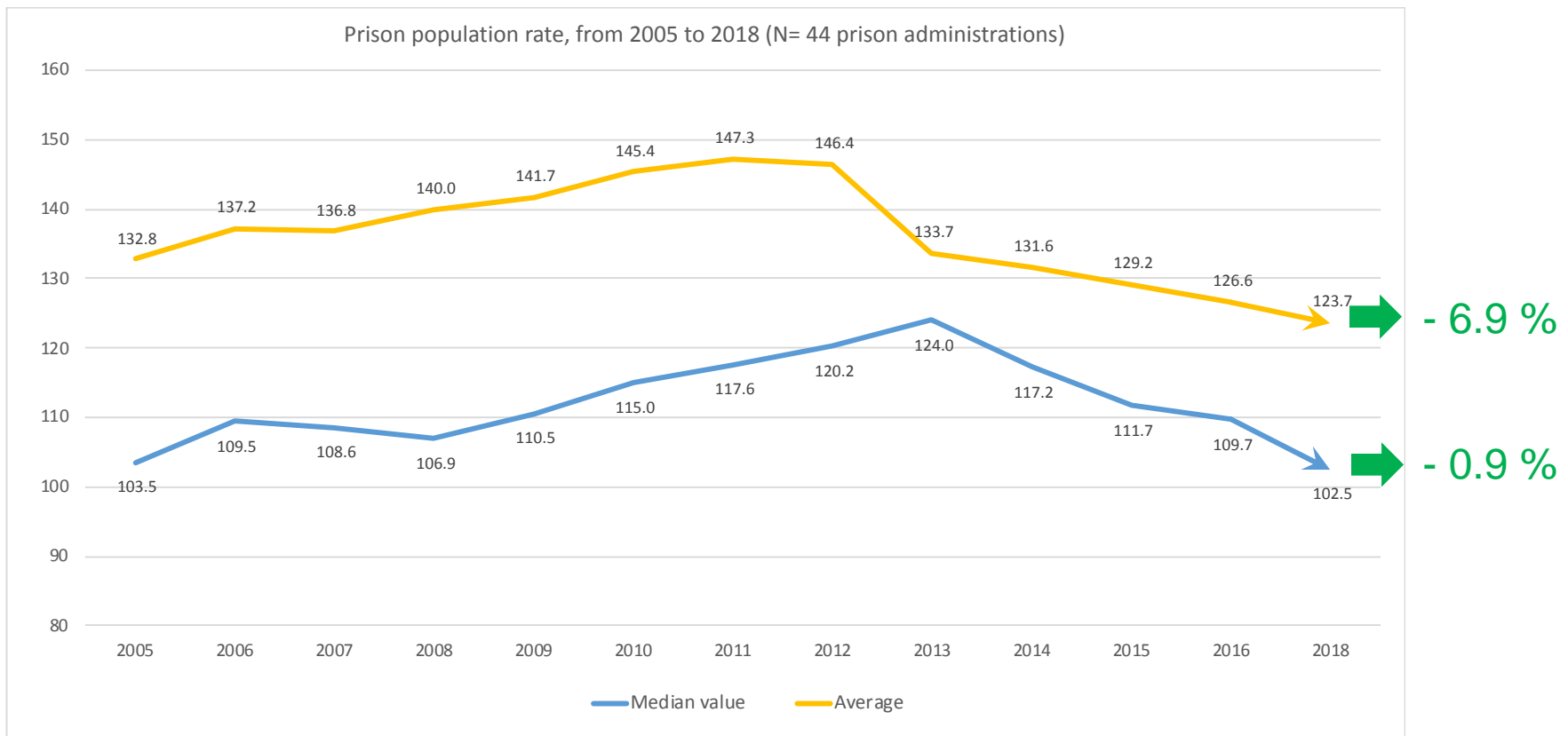
- Prison population rate (PPR): ratio of the number of inmates (including pre-trial detainees) per 100,000 inhabitants

Prison population rate: The situation in 2018

Prison population rates on 31 January 2018 (N= 44 prison administrations)



Prison population rate: The situation since 2005



Prison population rate

Are prison administrations comparable?

- Specific categories of inmates
 - a) Persons held in police stations or other similar types of investigative institutions before trial;
 - b) Persons held in custodial institutions/units for juvenile offenders;
 - c) Persons placed in educational institutions/units for juvenile offenders;
 - d) Persons held in institutions for drug-addicted offenders outside penal institutions;
 - e) ...



It is methodologically inappropriate to compare prison administrations if the figures are not comparable!

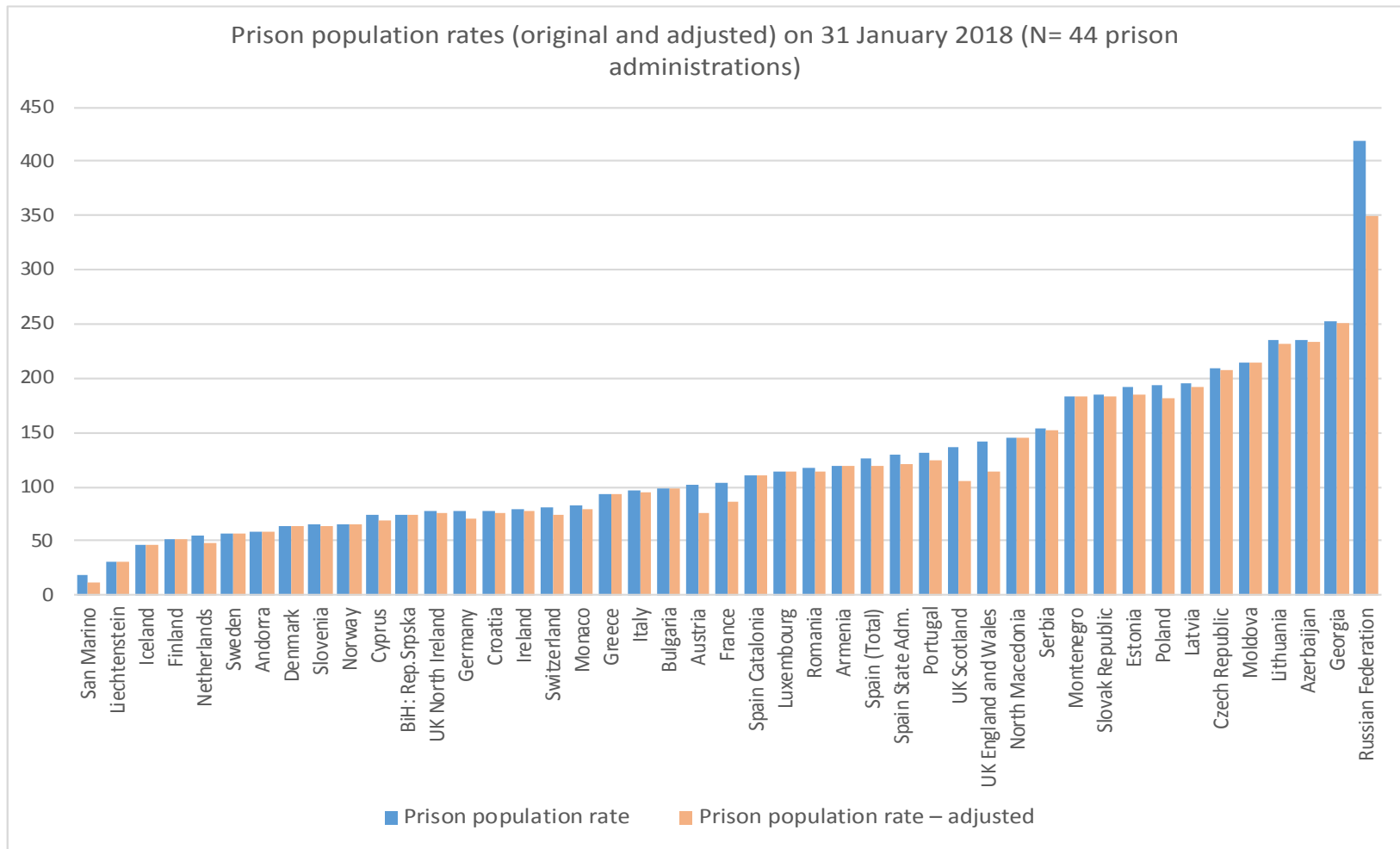
Prison population rate: Are prison administrations comparable? (cont.)

- Examples:
 - Persons held in police stations: Switzerland, Russia, Cyprus;
 - Asylum seekers: Germany, Ireland, Switzerland, England & Wales;
 - Persons held in public-private partnership prisons: Netherlands;
 - Persons under security measures: Austria, Czech Rep. Germany, Italy, Portugal, San Marino, Spain, Switzerland;
 - ...



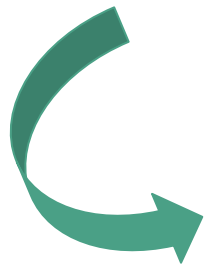
Adjusted prison population rate

Prison population rate: adjusted and non-adjusted figures for 2018



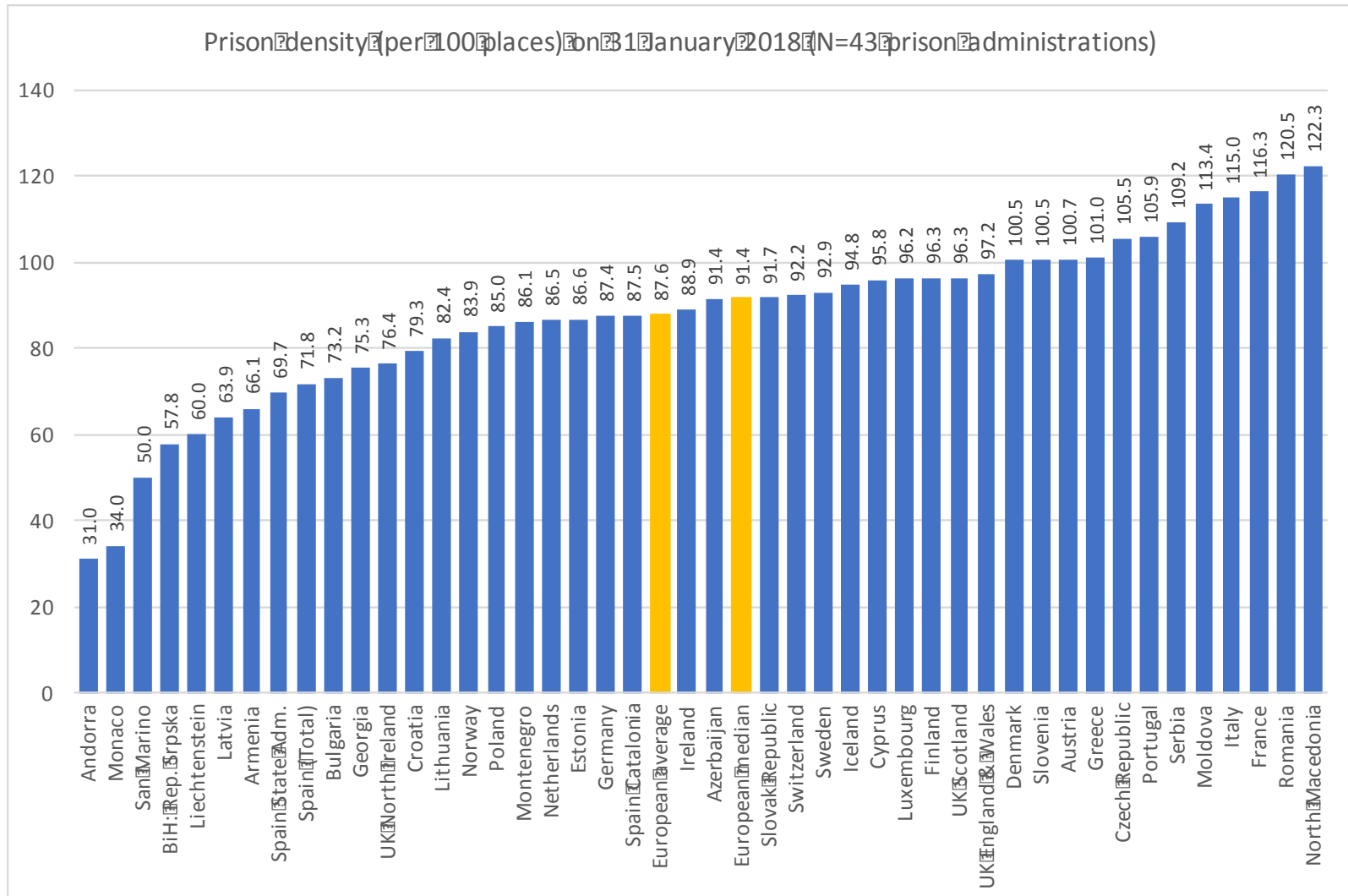
Prison Density: Definition

- **Prison density per 100 places:** ratio between the number of inmates (including pre-trial detainees) and the number of places available in penal institutions. Generally, the indicator of prison density is used for assessment of overcrowding.

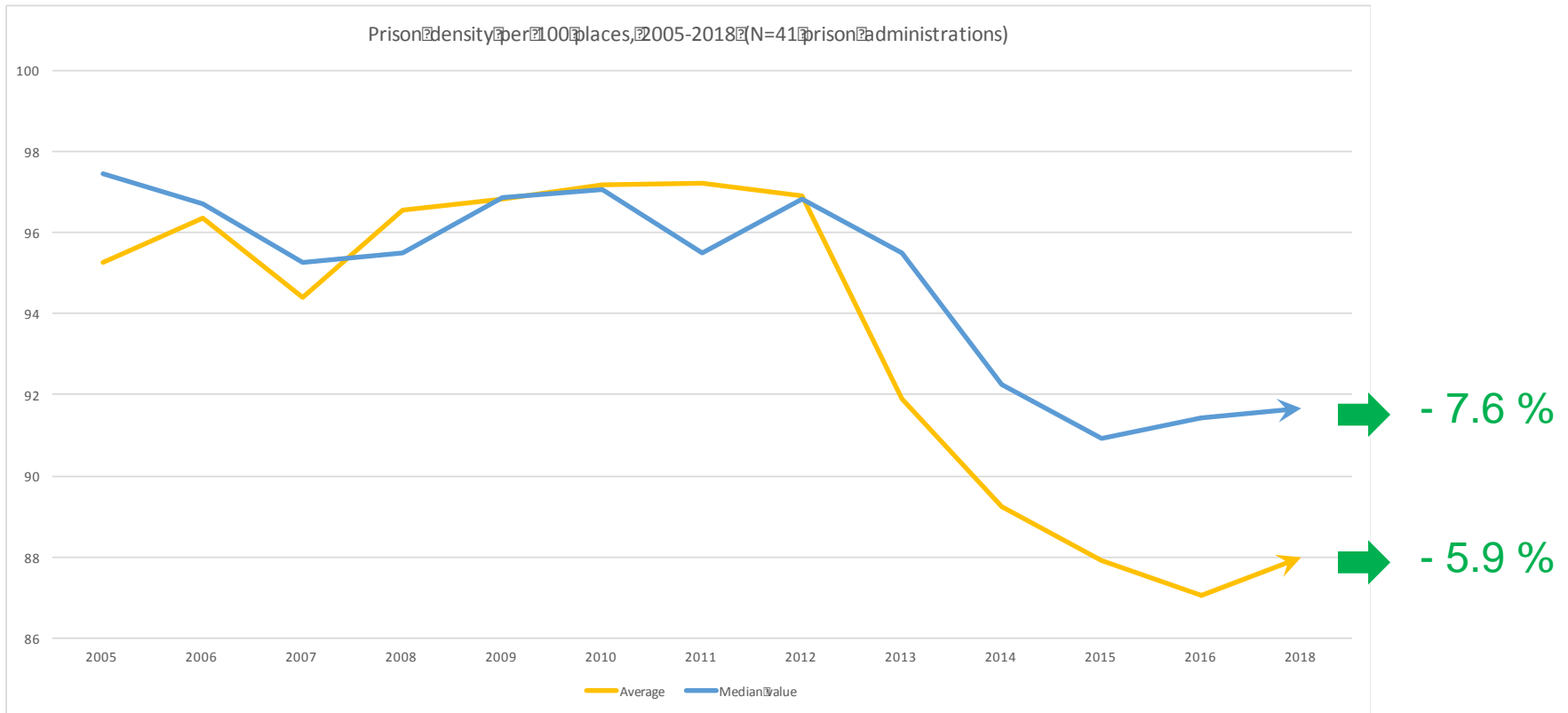


Based on the capacity

Prison Density: The situation in 2018



Prison Density: The situation since 2005



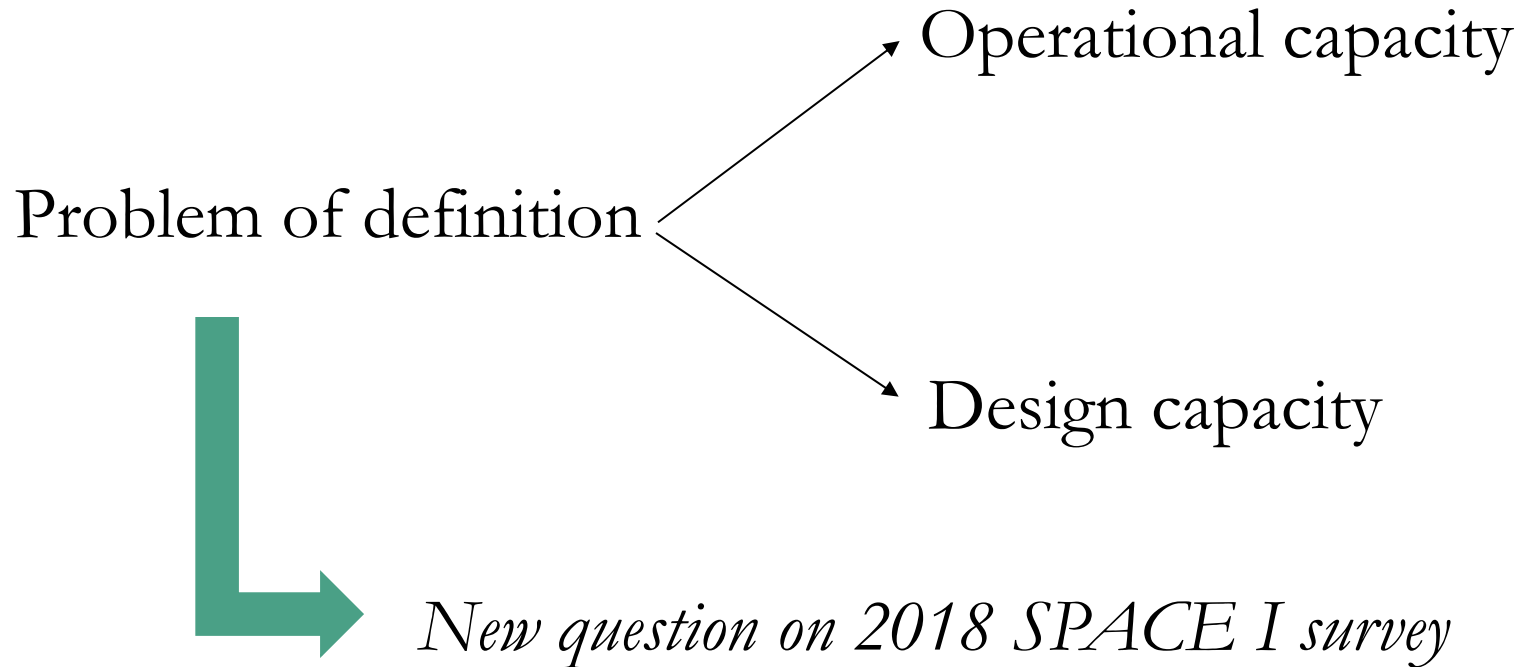
Prison density and overcrowding

Prison density → overcrowding

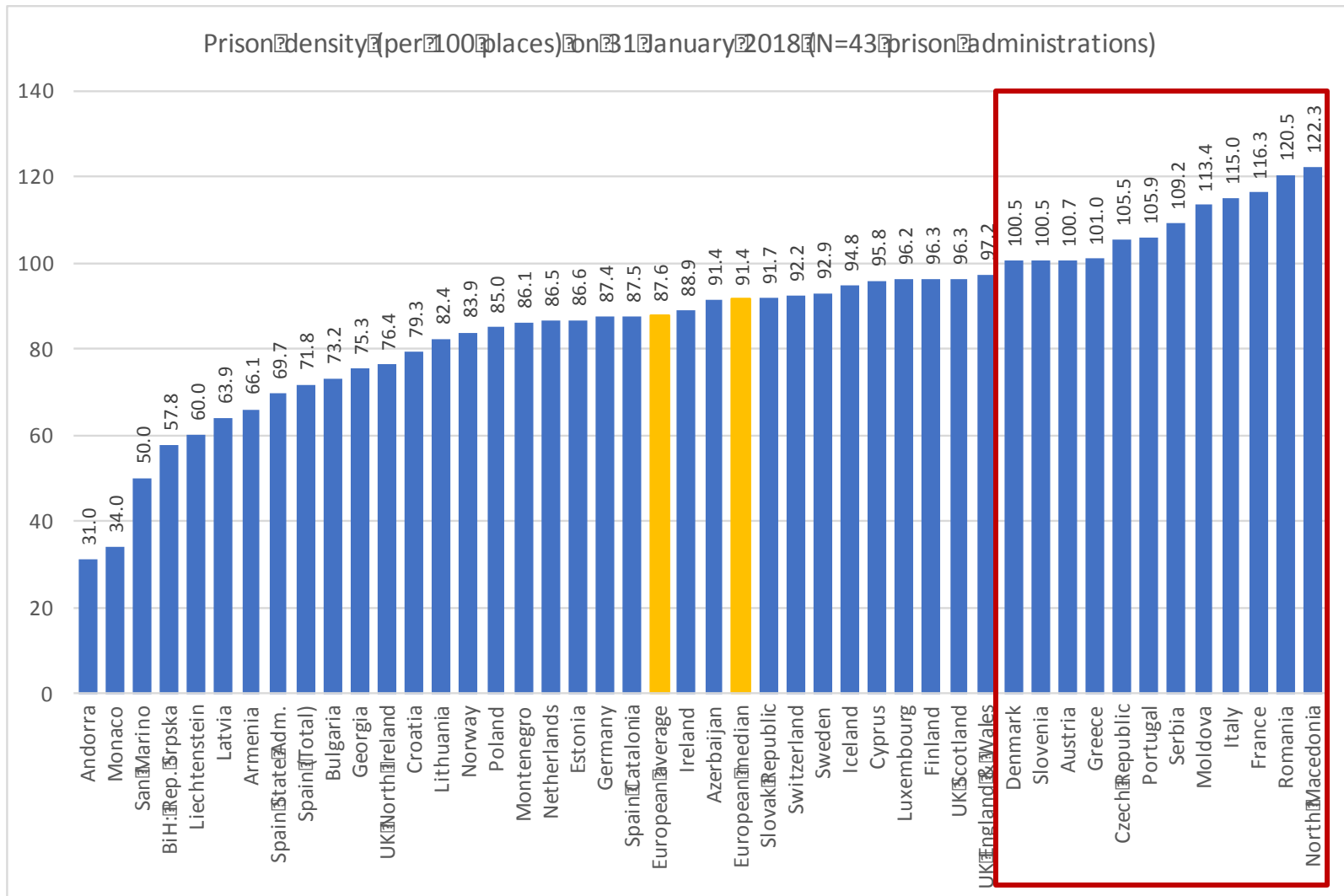
Overcrowding: Definition

- No universally or internationally agreed precise definition;
- Occurs when the demand for space in prisons exceeds the overall capacity of prison places.

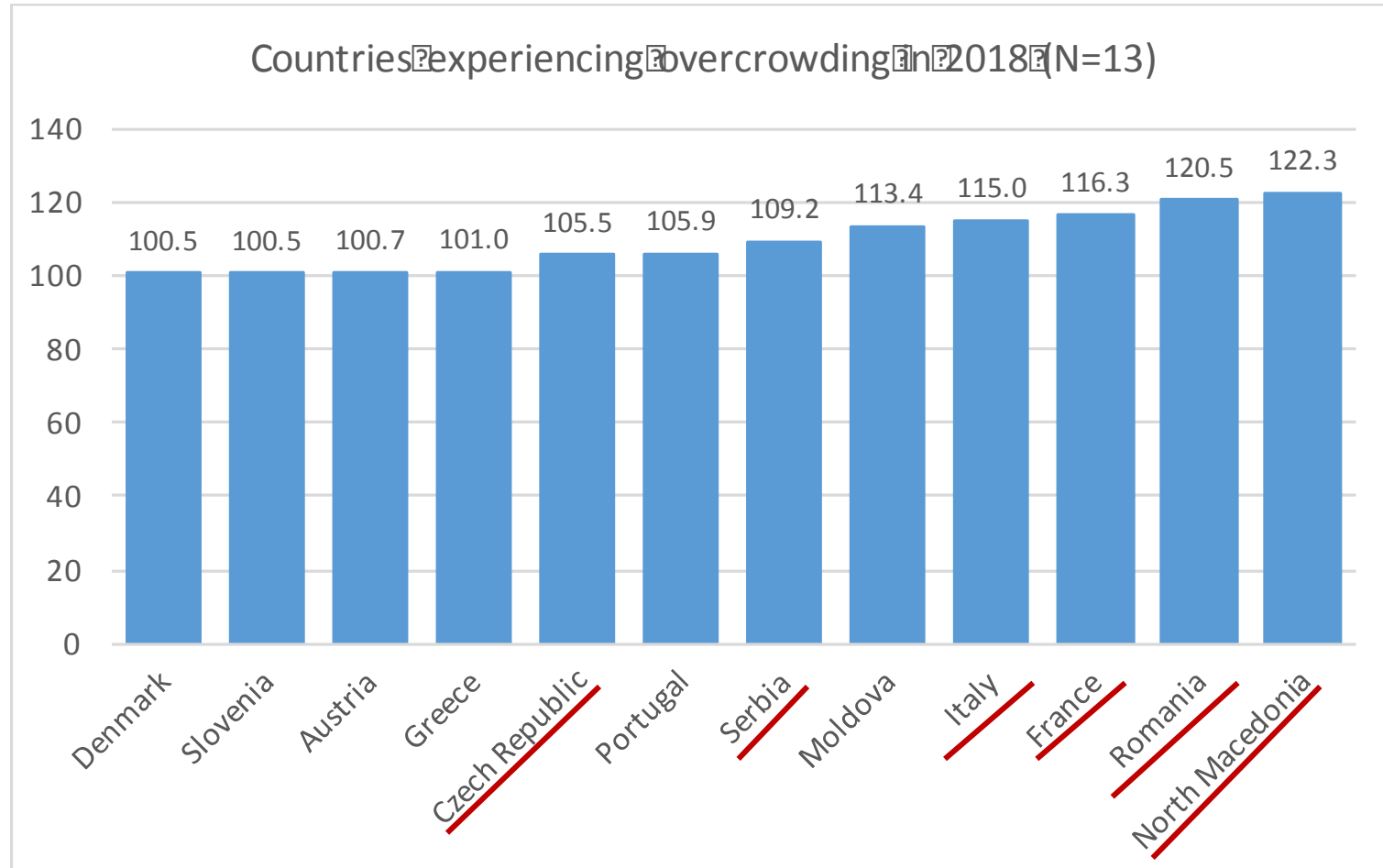
Overcrowding and capacity



Prison Density & Overcrowding (2018)



Overcrowding: comparing 2016 to 2018



Part II – SPACE II

Community sanctions and measures (CSM)

- “The expression ‘*community sanctions and measures*’ means sanctions and measures which maintain suspects or offenders in the community and involve some restrictions on their liberty through the imposition of conditions and/or obligations. The term designates any sanction imposed by a judicial or administrative authority, and any measure taken before or instead of a decision on a sanction, as well as ways of enforcing a sentence of imprisonment outside a prison establishment”. (Recommendation CM/Rec(2017)3 on the European Rules on community sanctions and measures)

The net-widening phenomenon

- “The processes whereby attempts to prevent crime and develop community-based corrections act to expand the criminal justice system and draw more subjects into its remit.” (Muncie, 2001)
- Distinction between *front-end* programs and *back-end* programs (Tonry & Lynch, 1996).

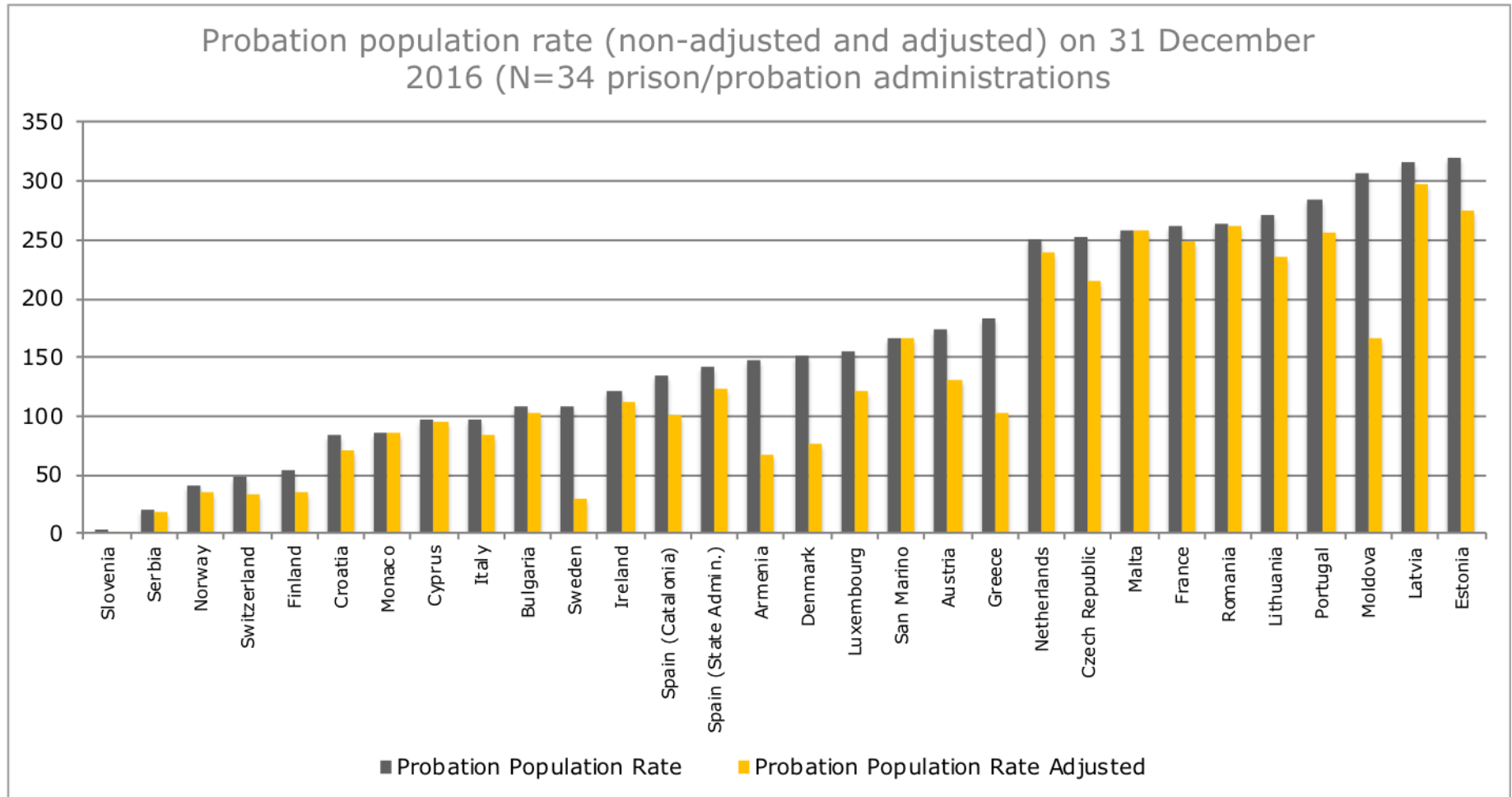
Front-end and back-end programs (Aebi, Delgrande, & Marguet, 2015)

- *Front-end* programs: “designed to avoid sending an offender to prison”.
 - Actual alternative to imprisonment.
- *Back-end* programs: “[concern] offenders released early or diverted to the programme by correction officials after serving a part of their sentence in prison”.

Probation population rate (adjusted/ non-adjusted)

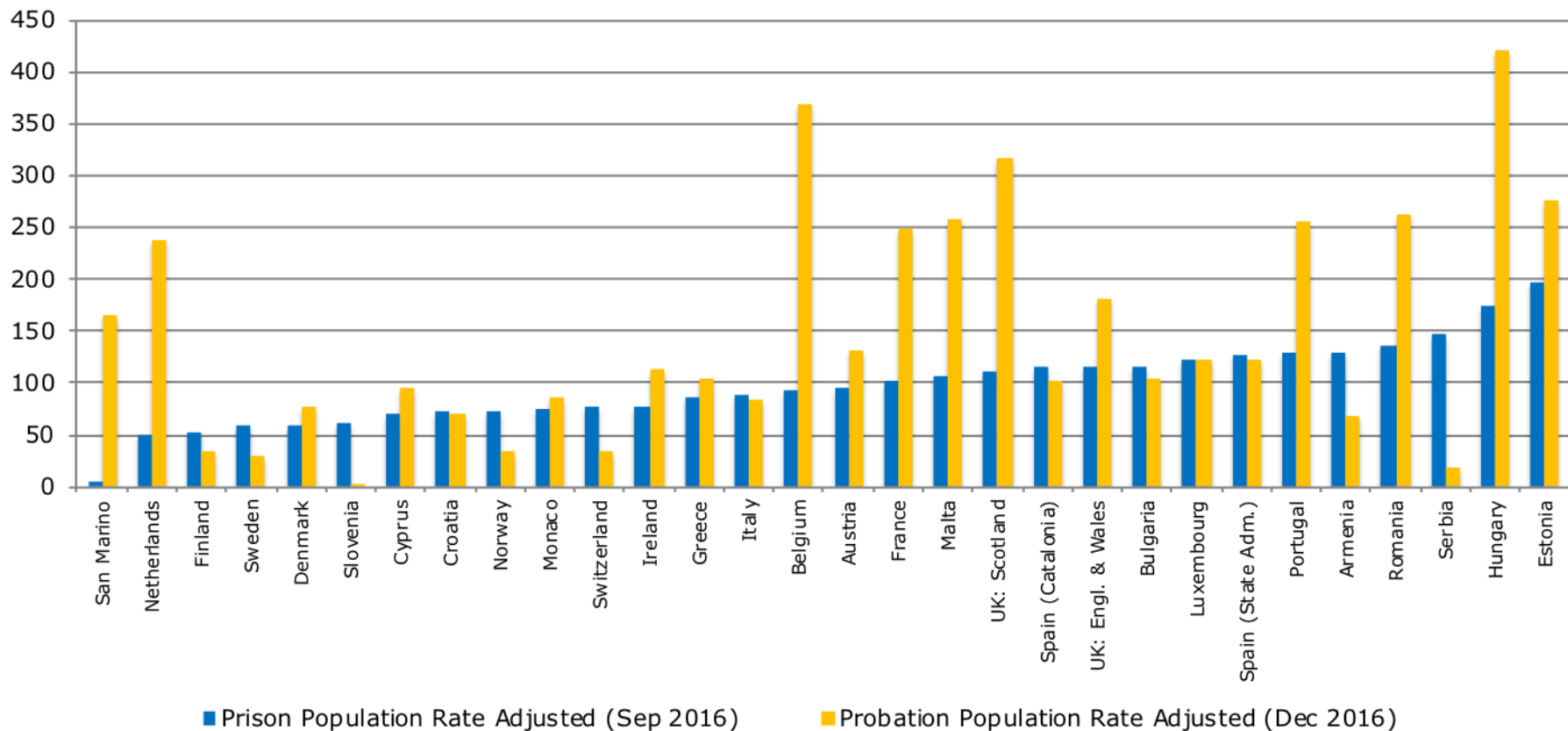
- **Probation population rate:** number of persons (probationers) placed under the supervision of a CSM implementing authority (in the majority of countries a probation agency) per 100,000 inhabitants.
- **Probation population rate (adjusted):** probation population rate adjusted to exclude persons under the categories: semi-liberty; conditional release/parole with probation; other measures or sanctions.

Probation population rates (non-adjusted and adjusted) on 31 December 2016



Prison population rates (adjusted) and Probation population rates (adjusted) in 2016

Prison population rate (adjusted) on 1 September 2016 and Probation population rate (adjusted) on 31 December 2016 (N=37 prison/probation administrations)



Conclusion

- **Decrease** of the prison population rate
- **Decrease** of the prison density
 - 12 countries experienced overcrowding in 2018
- **Mixed results** for net-widening
 - Several administrations with relatively high probation population rates also have relatively high prison population rates

Thank you for your attention

Marcelo.Aebi@unil.ch

Melanie.Tiago@unil.ch (SPACE I)

Yuji.Hashimoto@uni.ch (SPACE II)