

EARLY RELEASE UNDER SUPERVISION

Good afternoon. My name is Kaisa Tammi-Moilanen. I am the director of Vanaja Open Prison and Häme Community Sanctions Office in Finland. In this presentation, I will tell you about early release under supervision – Finnish early release model.

Early release under supervision, which is used as part of unconditional imprisonment, has been in the Finnish legislation since 2006 so we have 12 years of experience of implementing it.

I would like to introduce this release tool to you for several reasons: An efficient use of early release under supervision can reduce the number of prisoners in the prisons, lower the costs caused to society, and be a highly functional and effective rehabilitative measure in the final phase of release. In Finland, early release (probationary liberty) under supervision is generally considered one of the best and most significant reforms in the prison services.

In Finland the prison population is around 3000. Last year, 2018, the daily number for prisoners in early release under supervision was about 200. About 10 per cent of early release under supervision plans are made in closed prisons. Majority, 90 per cent, of early release under supervision starts from open prison. Vanaja open prison has been using this measure more than any other prison in Finland. Our share of early release under supervision prisoners has been 16-32 per cent even though our prison population is 100 and it forms about 4 per cent of the whole Finnish prison population. !

Here is a brief description of the Finnish early release under supervision:

According to the legislation, the purpose of early release under supervision is to maintain and promote the prisoner's social adjustment by means of gradual and systematic release.

It is part of the final phase of imprisonment before conditional release. It enables the prisoner to live outside the prison and practice everyday life without drugs, alcohol and crime.

It is always included in the sentence plan. The plan for early release under supervision has to promote the goals of the sentence plan.

Early release can last at most six months.

It is planned in cooperation with the prisoner, the prison staff, and other possible parties.

The decision on early release under supervision is made by the prison director.

The requirements include the prisoner's consent and an assessment of the prisoner's abilities to comply with the conditions. The prisoner has to want to be placed in early release under supervision; therefore, it is important that the prisoner is well informed of the possibility. In

addition, the prisoner needs motivation for early release under supervision throughout the enforcement process.

The plan and conditions of early release under supervision are always drawn up in writing in an enforcement plan. The plan includes regulations on, among other things, the accommodation, which has to be suitable for the purpose, and activities, which can be work, education or rehabilitation. The prisoner has to commit himself or herself to absolute abstinence from drugs and alcohol. In addition, the plan dictates the period of time, when the prisoner has to remain home, which is usually from 9 p.m. to 6 a.m. The prisoner has to agree to electronic monitoring, support and control visits, as well as unannounced substance use tests.

The supervision includes electronic monitoring and tracking, regular contact with the prison staff, possible meetings in prison, and visits by the supervision patrol at home or in an activity place. The supervision patrol can also take substance use tests. The role of the supervision patrol is very important. Their work is supposed to be as much control as support as well. All the patrols belong to the community sanctions offices. In Finland there are 12 patrols looking after the prisoners in early release under supervision. The staff, 36 people, in supervision patrol comes as much from community sanctions offices as from prison service. If the prisoners will be placed under supervision after his or her actual release, the future supervisor working in a community sanctions office will be involved in the supervision and support already during the early release.

Early release under supervision is possible for all prisoners irrespective of the type of offence. For instance, life sentence prisoners, who are conditionally released by the Helsinki Court of Appeal, are often placed in early release under supervision before their actual release. The ability and willingness to commit to the conditions of early release under supervision are more relevant than the criminal background.

If the prisoner violates the conditions of early release under supervision:

1. the violation is investigated (the prisoner may be ordered to return to prison for the duration of the investigation)
2. he or she may be given an oral or written warning
3. the early release may be withdrawn for a fixed term or in full
4. a warrant of apprehension may be issued to the police if the prisoner cannot be contacted.

What is the success and effect of early release under supervision?

In Finland, the average rate of successfully completed early releases under supervision is 80–85 per cent. I would like to point out that an unfinished or withdrawn early release under supervision is not always a total failure. Even a failed early release under supervision often enables the prisoner to get to know (and, in the best-case scenario, connect with) beneficial parties, such as a workplace, substance abuse rehabilitation or social services, and those contacts can still help the prisoner after his or her conditional release. The prisoner can still learn a lot of his or her own readiness to live in society even though he or she would have to return to prison before the actual release.

Early release under supervision is much cheaper than serving an unconditional prison sentence in prison. In 2018, the daily cost of a prisoner in Finland was 214 euros in a closed prison and 149 euros in an open prison, whereas in early release under supervision, the daily cost was only 37 euros. In other words, when the daily average number of prisoners in early release under supervision was slightly over 200 in 2018, the Finnish tax payers saved approximately 12.9 million euros by placing those prisoners in early release under supervision instead of a closed prison. Even when comparing with the cost of placing in an open prison, the saving was over 8 million euros.

The statistics show that the prisoners released through early release under supervision usually reoffend considerably less often than those released straight from prison. Within a five-year follow-up period, approximately 53 per cent of prisoners, who were released straight from prison, committed a new offence that resulted in an unconditional prison sentence, monitoring sentence, or community service. In the case of those prisoners, who were released through early release under supervision, the corresponding figure was 33 per cent. Many has argued that these numbers may be due to the fact that prisoners do get selected to early release under supervision. However, a research on recidivism, which is about to be published by the Institute of Criminology and Legal Policy of the University of Helsinki, showed that when all other factors were standardised, early release under supervision seemed to lower the risk of recidivism from level 1 to level 0.66. Researcher Sasu Tyni confirmed that, according to the research, early release under supervision really influences the prisoners' risk of recidivism and, thus, the statistics are not based on only the selection of the prisoner group.

...

I find the early release under supervision to be very beneficial to all parties involved. It lessens the harms of the imprisonment and lowers the costs of the imprisonment. In my view, early release under supervision is a fair chance provided by a fair society to a citizen released from prison and striving towards a better life.