

Ladies and Gentlemen, Dear Colleagues,

Thank you for inviting me to speak about this important topic.

First of all, I would like to congratulate our Estonian hosts for the 100th anniversary of the independence of the Republic of Estonia. We Finns know how important this is to the Estonians as we also celebrated our 100th anniversary of independence last year. We can really share the joy of our neighbours. Among many other things, Estonia and Finland also share the same melody in their national anthems. But rest assured, I am not going to sing. Instead, here are our congratulations to our Estonian colleagues:

Nii palju õnne,
kui järvedes vett.
Nii palju rõõmu,
kui kärjes on mett.

The theme of our conference is *Working together effectively: Management and Co-operation Models between Prison and Probation Services*. The most important message is right at the beginning of the title: we have to work together and our work needs to be effective.

A short while ago, Justice Trends published an extensive article about the organisation of the prison and probation systems in different European countries. The article was called *One, Together or Side by Side*. The article described many different models and their pros and cons.

When we talk about the form of an organisation, we should bear in mind that the organisation model is not an end in itself. The organisation is just a means to achieve results in the best possible way. In addition, each country has its own history, which has influenced the division of duties between the different bodies in society. Therefore, it would be strange if all 47 the member states of the Council of Europe would have similar prison and probation organisations.

The fact that these countries have managed to agree on conventions and recommendations, which aim to harmonise our work, is a great accomplishment. In addition to *the European Convention on Human Rights*, I have to mention *the European Prison Rules*, *the Council of Europa Probation Rules* and *the European Rules on community sanctions and measures*. Even though there are over a hundred participants who represent different organisations in this conference, our work has a common goal: promoting more humane and socially effective penal sanctions.

The development of the cooperation between the prison and probation services is an important and close topic to me personally. Therefore, I am pleased that I can share my experiences with you today. In 2001, I was appointed as the Head of Criminal Policy Department of the Ministry of Justice and, in 2005, Director General of the Finnish Criminal Sanctions Agency. The whole period can be characterised by the intensive development of the cooperation between the prison and probation services. It has had a major effect on the content of our work. The prison and probation services operating as one organisation is quite new in Finland. The Prison Service, the Probation Service, and the Criminal Sanctions Agency were united into one office under the name of Criminal Sanctions Agency in 2010.

In my presentation, I will briefly describe the history and relationship of the prison and probation services. After that, I will tell about our experiences of the union.

From the perspective of the management, the history of the prison services is quite simple. The government took over the supervision and development of the operations of prisons about 150 years ago. Since 1917, the operation of prisons has been managed by a department of the Ministry of Justice or an agency operating under the Ministry.

The history of the probation service is more complex. Its origins date back to the 19th century. The Finnish Prison Association, which was established in 1870, started the actual probation work in Finland. The association imitated its international models as it carried out voluntary work. The goal of the association was to help the released prisoners to find work, accommodation and livelihood as well as to promote moral education in the prisons. At first, the association did not have an official status but, little by little, it was tasked with supervising conditionally released prisoners and organizing work camps for released prisoners. In 1975, the organisation and duties of the

probation work were included in law. The Probation Association, which was now governed by public law, was established under the administrative branch of the Ministry of Justice. The association was mainly financed by the State but, still, it was not a public authority. At that time, the association focused on social work with sentenced offenders.

About 30 years ago, the Probation Association was in the centre of a wide discussion about, among other things, the relationship between support and control. As a result of that, the Probation Association was tasked with the implementation of community sanctions. When the first actual community sanction, which was community service, was introduced in Finland in 1991, the Probation Association was responsible for its implementation. At the end of the millennium, the cooperation between the prison and probation services became closer as they drew up basic principles together. According to the basic principles, both organisations were bound by the same common values. Our organisation still follows those same values, which include the respect for human dignity, justness, belief in an individual's potential to change and grow, as well as safety.

In 2001, the Probation Association was abolished and a new authority called the Probation Service was established to manage the implementation of community sanctions. The Prison Service and the Probation Service had separate directors but the rest of their central administration was shared. The next big organisational reform happened in 2010 when the Prison Service, the Probation Service, and the Criminal Sanctions Agency were united into one office under the name of Criminal Sanctions Agency.

What were the critical success factors of the fusion?

We started to prepare the final fusion of the Prison Service and the Probation Service about ten years ago. The success of the project was attributable to the close cooperation I described earlier as well as the status of the Probation Service as a public authority responsible for the implementation of community sanctions.

Another significant factor was the change in the contents of the enforcement of imprisonment. It was clearly visible in the Imprisonment Act that entered into force in 2006. In the new Act, the main objective of the enforcement of imprisonment is to increase the readiness of a prisoner to

lead a life without crime. The used measures include maintaining and improving prisoners' occupational skills and know-how and their working and functioning capacity. Another significant measure is to support a substance-free lifestyle.

In addition to the actual enforcement of sentences, we need to focus more on the effectiveness of our work. It can be accomplished by planning the sentence term well and promoting the prisoners' ability to manage their life. The same principles had been followed in the probation services a long time before the Imprisonment Act entered into force. Planning the sentence term and promoting the clients' functioning capacity are essential parts of the implementation community sanctions, too.

At the same time, the Agency has to ensure the safety of the sentenced people, the staff, and society. We have, in fact, reformed the way prisons think about safety and security. Instead of just traditional prison security, we have shifted our focus more on the safety of society. Of course, the prison order and secure custody are still important but the best way the prisons can promote the safety of society is to reduce recidivism. This can be achieved by placing prisoners in as open conditions as possible and releasing them gradually so that our control decreases and the prisoners' own responsibility increases. At the moment, about 41 per cent of the prisoners serving a sentence are in open prisons. For instance, a fourth of our 200 life sentence prisoners are placed in open prisons. On average, life sentence prisoners are released after they have served about 14 to 15 years of their sentence.

Has the fusion advanced the seamless implementation of prison sentences and community sanctions?

We have to remember that there is a major difference between the implementation of prison sentences and community sanctions. Prison sentences are served in institutions, community sanctions in freedom. However, I do not consider the division to be the key factor in the implementation of sentences. For example, all sentences include control but only different levels of it. The difference in the level of control can be much bigger between a closed prison and an open prison than between an open prison and a monitoring sentence. In an open prison, a reliable prisoner may work or study outside the prison daily, get a permission of leave to go home at

weekends, and keep contact with the outside world rather freely. Nevertheless, the prisoner is serving a prison sentence, which means the loss or restriction of liberty according to our Imprisonment Act.

We cannot deny the fact that the philosophies behind prison sentences and community sanctions have traditionally been quite different from each other. One focuses on security, the other on social work. However, I think that when we focus on the similarities and common goals, we can work together despite the differences. All it requires is willpower and constant communication.

The line between prison sentences and community sanctions has also become blurred in our legislation. A prisoner who has complied with the sentence plan can be placed in probationary liberty under electronic supervision outside the prison before the actual conditional release. It means that the prisoner can live at home just like those serving community sanctions. A person placed in probationary liberty is still considered a prisoner and, if the person breaches the conditions, the prison director can decide to send the person back to prison. In comparison, a conditionally released prisoner can be sent back to prison only by the court.

Most community sanction clients never commit an offence that would lead to an unconditional prison sentence, whereas quite many prisoners have also served a community sanction. Naturally, all conditionally released prisoners supervised by a community sanctions office have served a prison sentence. Therefore, the community sanctions offices and the prisons have a somewhat common clientele. Good knowledge of the clients and a complete client data help us to plan the contents of the sentence term. As an example, knowledge of measures that have been used during a community service benefits the prison when it plans the rehabilitating activities for a prisoner. A client's history forms a whole, it is not just a series of individual sentences.

In Finland, the risk of recidivism is the highest in the first months after the release. This may apply to other countries, too. Adequate support measures are needed during that critical time. Therefore, the preparation of a release plan and its successful implementation are crucially important. A supportive network is needed to break the prison cycle. The cooperation between the staff of the prison, the community sanctions office and, for instance, the social services of the prisoner's home town has to function well. That is the best way to ensure that, for instance, a

substance rehabilitation started in prison still continues after the prisoner is released and the costs of the rehabilitation are transferred from the prison services to the prisoner's home town. In such situations, the fact that the prison and probation services are part of the same organisation has been considered beneficial.

Has the fusion increased the effectiveness of our work?

By effectiveness, I mean first and foremost how we support the sentenced people to live without crime and reduce recidivism.

You cannot really argue with me when I say that the prisoners are the most socially excluded part of the population everywhere. Even though the community sanction clients have a better social status, they also have significant social and health problems. The implementation of community sanctions includes various supportive measures. The community sanction clients can use the public services of society. For decades, we have talked about the principle of normality as one of the most important principles in the prison services.

The prisoners have different roles in society. They are sentenced offenders but, at the same time, they are citizens, who are entitled to the services provided by society. Our goal is that the services offered in the prisons are provided by the same operators that produce the services in society. It is also more cost-effective. The health care services for prisoners are provided by the Prisoners' Health Care Unit of the Ministry of Social Affairs and Health, the substance rehabilitation services are offered by third sector operators, and the education is arranged by educational institutions operating under the Ministry of Education and Culture. If the prison itself does not have activities for the prisoners, the prison has to ensure that the required activities and services are, however, available. The prison guides the prisoners to the right activities and services.

In order to introduce this kind of operation model, the Criminal Sanctions Agency has developed a so-called framework for effectiveness, which focuses on the prisoners and their needs. Based on the framework, each prison has to draw up a description of their activities and services this year. The framework for effectiveness is divided into the following sectors:

- Substance abuse and addictions
- Health and well-being
- Values, attitudes and actions
- Children, parenting and social relations
- Everyday life skills
- Education and professional skills
- Integration into society and living without crime

The sectors consist of a vast variety of activities and services. With the help of the activities and services, we are able to improve the prisoners' readiness to live without crime and carry out as effective work as possible. Each prison will draw up their own service offering charts, which are used as a basis for further development. Similar service offering charts will be applied to the organisation of the work of the community sanctions offices.

Did the fusion contribute to the development of management and know-how?

The combined organisation has enabled us to use new models of management. They include, among others, combined management of prisons and community sanctions offices, shared use of staff, and job rotation possibilities to increase the competence of the staff. Members of our staff will tell you more about their own experiences in the workshops. From my viewpoint, it is clear that the new organisation has brought new possibilities for the management and the development of the competence of the staff. On the other hand, a new kind of organisation calls for wider competence from both the management and the whole staff. The professional strengths of the management come to the surface better, as does the needs for development. In some cases, the geographical distances in Finland have also created everyday challenges for the management of the units. At the same time, I think the situation has forced the whole staff to take more responsibility.

Ladies and Gentlemen, Dear Colleagues,

I have now told you about the developments that lead us to combine the prison and probation services into a single organisation in Finland. We still have a lot to do to make our work more seamless but I believe that we are on the right path. To be honest, the Finnish model and experiences are not applicable to other countries as such. This was our way and, naturally, each country develops its penal system from its own starting point. Nevertheless, I believe that a seamless cooperation between the prison and probation services is necessary in all situations in order to increase the consistency and effectiveness of the penal system. In the end, the clients and the prisoners are the ones who benefit from a functional system, which also motivates the staff in their work. So, at its best, all parties benefit. That will continue to be our future goal.

Thank you for your attention.