

DENMARK

The Danish penal system seems to be exemplary. Already the South-African “Dissel-Report” (Div4) of 1995 is full of praise for the Danish approach to prison administration and the results it produces. Extracts:

- Police, jurisdiction and the prison administration work under the authority of the Ministry of Justice. Such an accumulation could be questionable in an authoritarian state; in Denmark, a truly free and democratic country, this concentration of complementary public functions adds to its efficiency,
- The system has as priorities the prevention of crime and the re-insertion of the delinquent into society,
- Imprisonment, which is always a last resort, lasts on average 6 months,
- Only 3 % of the offences are violent (53% in the USA, 18 % in France). The most frequent offence is the stealing of bicycles (20 %),
- 3600 prisoners and 5000 individuals on probation are supervised by 4000 prison staff, of whom many are women. They are present not only for security reasons; they have also an educational role with the aim of re-socializing the detainee,
- The prisoners keep their civic rights, can freely communicate with the outside world, can see their families once a week and are allowed to go home every third week end. Even detainees in the “closed” system are granted such visits on a regular basis, because “prison must resemble life outside as much as possible”. The punishment for not returning to prison after a weekend outside does not provoke a police hunt; it entails only the transfer to the “closed” regime without increase of the time in prison (it is no doubt for that reason all Scandinavian countries have high rates of “escape” : Sweden 46, Finland 35, Denmark 69, Norway 25 per 10.000 detainees in 2006 - compared with the more “security-minded” countries such as France 2.6, Holland 3.5, England 3.7, Germany 1.5 and Italy 1.6).
- The understanding of the sentence for the offence committed and the acceptance of individual responsibility by the detainee are essential elements for the successful Danish reinsertion policy.
- The rate of incarceration is limited by the availability of places in prison, because the prison staff’s union in their own interest, will not allow overcrowding. Sentenced individuals remain free until the prison administration calls them to start the incarceration; a concept which would give nightmares to the prison administrations in other countries.
- Danish prisoners are obliged by law to work in the maintenance of the prison, in in-house production facilities and/or participate in educational programs, detoxification, anger management, etc. Those who refuse are automatically transferred to a “closed” prison system.
- The detainees vote for their delegates who are in contact with the prison management. The function of an “ Independent Monitoring Board” was deemed unnecessary, because the detainees have free access to the media and the parliamentary Ombudsman.
- Remand prisoners are separated from sentenced inmates. The conditions of remand prisoners (max. 1 year) can be quite severe (in 2002 the “European Committee for the Prevention of Torture” required the Danish Government to change the rules, because Denmark had an unusually high suicide rate (16,8) compared with other Nordic countries (Finland 8,7, Sweden 11,8) the reason for which was thought to be too much isolation of remand prisoners.
- All prisoners are followed by a probation officer for 12 months after leaving prison; 2 to 4 months before the end of incarceration, the individuals are placed in “half-way-houses” (semi-freedom) to re-accustom them to normal life.

In 2003, the BBC (Den1) wanted to know why the English prison system apparently worked so ineffectively compared with Denmark. Some comparisons:

	England -----	Denmark -----
- Rate of incarceration (per 100.000 inhabitants)	139	60
- Re-offending rate	55 %	27 %
- Rate of prison occupancy	112	95
- increase of prison population in the last 10 years	+ 55 %	+ 21 %

Some of the reasons for these differences were apparently:

- 50 % of the prison staff in Denmark are women: attitude less aggressive, more intuitive understanding, motherly touch. The prison staff has predominantly a social role and is not responsible only for security,
- Only 15 % of the detainees remain in detention for more than one year; 50% of the inmates stay in prison for less than 3 months,
- The aim of incarceration is “normalisation”, the protection of an individual from himself (drugs) and not punishment,
- Family visits are frequent and without many formalities,
- “Daily life skill” courses, anger management, conflict resolutions, respectful treatment of the detainee and personal discussions with the proportionately numerous probation staff allow a response to the specific needs of the prisoner in addition to the general offer of education and work,
- In normal prisons, there are no bars on the windows and the prison staff does not normally wear “military” uniforms.

Jens Tolstrup, the prison governor of the state prison of Nyborg, gave a presentation in 2002 in South-Africa (Den 2) in which he explained the essence of the “Danish Prison Model” with the main characteristics of “normalisation, openness and responsibility; a humanly dignified and, nevertheless, successful prison system”. A good lesson for those countries in which a combination of frequent and long prison sentences, strict surveillance, generalized boredom, lack of perspective and a repressive prison policy keep producing a permanent climate of aggression in the prisons, and high re-offending rates.

“A Program of Principles for Prison and Probation work in Denmark” (De 3) says clearly what the main purpose of prison and probation work is: reducing criminality. Not much is said about “Prison Visitors”, only that “Visit-friends” and priests (Lutheran Danish State Church) can be made available by prison staff, if the detainee has no family or friends who could visit him. The Danish Red Cross (Rode Kors) has trained volunteers who visit such prisoners. “Guidelines for detainees and remand prisoners” are published by “Kriminalforsorgen” in 17 languages (De4)

The 3 Copenhagen prisons (Koebenhavnsfaengsler) explain their organisation and mission on a very comprehensive website (De5). “Skema Ungeprojektet” (De5) specifies the daily “occupation planning” from Jan to March 2007 for young prisoners.

Kriminalforsorgen presents on the website 3 re-education centres for 15-17 old youths (Brondbyhus, Engelsborg, Lysholmsgard – De 5/6). A study, concluded in 2003 by Kriminalforsorgen on the “Drug situation”, shows not only the usual statistical evidence and evolution, but emphasises the complementarity of professional Public Health Officials with the voluntary aid organisations. The conclusions and actions of his thorough study could apply to most other Western European countries too.

## SWEDEN

“Kriminalvarden” (the Swedish prison and probation service) at Norrköping (Sw1) gives on its website detailed information about the aims of imprisonment, the organisation and the detainees. In 2005, there were

- 5500 prisoners in “normal” prisons (cat. B and E) and in the “open” system (cat. F),
- 313 “ in high security prisons,
- 7300 individuals are on probation for usually 3 years,
- 4930 “ on conditional release,
- 1270 “ in detoxification centres,
- 1180 “ doing community service.

As, according to “Kriminalvarden”, the lack of professional qualifications is the principal reason for criminality and re-offending (Sw2), great emphasis is given to general schooling and the professional training of detainees. As alcohol and drugs are main reasons also for offences and crime, the rehabilitation efforts in these domains are considerable. As everywhere in Scandinavia, special treatment of sex offenders and violent individuals is available in courses for anger management and conflict resolutions. “The aim of incarceration and probation is not storing away people, but to achieve change for a better life after serving their sentence”.

Electronic tagging has been in use since 2001. The average age of the male prisoners is 35 and the females 39. In spite of this “liberal” system, over 50 % of the prison population re-offend and over 50 % of them have consumed drugs before their incarceration. 2967 of the 5500 inmates were foreigners from 107 countries. 20 % of the foreigners have deportation orders as part of the sentence.

All the volunteer organisations mentioned hereafter (Sw3) are approved by “Kriminalvarden” and receive state subsidies for their social work:

- Riksförbundet För Frivilliga Samhällsarbetare – non-confessional, National Association of Voluntary Supervisors,
- Sveriges Kristna Rad – religious organisation,
- Sveriges Muslimers Riksförbund (Swedish Muslim Association),
- Kriminellas revansch i samhället (Criminals return to Society) – KRIS is an organisation of more than 5300 ex prisoners and drug addicts which unites 23 associations in 25 Swedish towns. Funds come from the European Equal program and local social sources. Kris members are working in prevention on all level, go into prisons, offer accommodation with the primary aim: keep people away from drugs and re-offending, (Sw3A),
- LP-stiftelsens ideella riksförening – religious organisation, “listening”, moral support, detoxification,
- Forum för frivilligt socialt arbete (Forum for Voluntary Social Work),
- Riksbryggan – help for incarcerated parents,
- Hela människan – religious association with thousands of volunteers in prevention, drugs, alcohol and re-socialisation,
- Röda korset – The Swedish National Red Cross
- Utlandsbryggan – help for Swedish prisoners abroad.

In Sweden, as in other Nordic countries, professional probation offices work frequently together with volunteers (5000 altogether for 13300 people under probation in 2005 ! ) and foster families accept frequently petty delinquents in their own home and as part of the family. The protestant culture is open to such civic action at relatively small expense for the state.

From the Council of Europe's project on "Foreign Prisoners in European Penitentiary Institutions", the National Report on Sweden by Agneta K. Johnson (Sw4) gives an excellent insight into the Swedish sentencing practice from simple fines and minimum 15 day's incarceration; to life-long prison verdicts; the preconditions for "conditional releases" and the reinforced probation for the young and the re-offender. The 22-page report goes into the policy of Kriminalvarden to achieve their goal which is "treating the detainees with respect, making prison a safer place in order to induce offenders to become law-abiding citizens". There are details such as that only 30 % of a total of 1 Million crimes are elucidated (for that reason the Police force has been increased by 10 % in the last 3 years), remand prisoners can be held in custody only if a prison sentence of more than one year is to follow and that prisoners are generally released on condition after 2/3 of their sentence has been served. Out of the 58600 sanctions 38% were fines, 26 % imprisonments, 15 % conditional verdicts and 10 % had a probation sentence. The daily cost of a probationer/parolee is Euro 16,-, whereas it varies between Euro 200 and 622,- according to the security conditions and kind of treatment the detainees receive. Most prisoners have single room of 6 m2 (!) and they are locked up generally between 8 pm and 8 am. 60 % of them had a documented drug addition on arrival in prison and 46 % of them participated subsequently in drug rehabilitation programs.

In Sweden too, the need for more prison places is apparent, because of more and longer prison sentences for violent, sexual and drug-related crimes. It is interesting that "foreign offenders" include in Sweden second-generation migrants too. This explains why 61 % of all young detainees have a "foreign background" which means that integration is as big a problem as in England, Germany or France and that the prisons are swamped disproportionately with "migrant-type" people. This report has detailed information on the Swedish prison system and, in particular, on the position of the foreign detainees.

SKANSKA, a private company, has already built 7 prisons for the Administration (Sw5). The company has received a so-called "total response" order for an additional prison at Sollentuna, which probably means construction, financing, administration for 25 years.

"The Cognitive Skills Program and Offenders Recidivism in Swedish Probation", (Sw6) by Andreas Svensson/Anne Berman, describes the principles of sentencing practice and the usually following probation time, the evolution of rehabilitation programs since the 60s in different countries and the 6 presently accredited programs of which the "Cognitive Skills program" (method "that works") is the most frequently used in Sweden. It consists basically of a 72-hour course carried out by trained personnel within 3 months with groups of 6 to 8 participants (education, group discussions, role play). A previous report of 2006 covering and 4 countries, said that crime recidivism was 14 % lower for "Cognitive Skills" participants. The present study states, however, that the CS program seems to have made some difference only in the case of violent offenders, but virtually none when all participants were taken into account. In other words, the CS program does not work in Sweden in the way it is taught at present.

## NORWAY –

Katinka Steenstrup, criminologist and adviser to the Norwegian Red Cross, not only describes on 3 pages (NO 1) the main features of prison visiting in Norway, but also analyses the essence of it which is very close to how the French ANVP and the English NAOPV understand it. Extract:

- Since 1952 the Norwegian Red Cross has been active in prison visiting. Today there are 500 volunteers working in 33 prisons. A volunteer must be min. 25 years of age, go through a screening process and follow a basic 12 hour training course. He must attend additional meetings and has access to professionals for guidance. All contacts must cease after the inmate is released from prison. Multilingual prison visitors are of great help as 29 % of all prisoners are foreigners.
- She says that the current prison philosophy is based on a punitive perspective. Whether prison has any rehabilitative potential at all is an issue of controversy. However, there is a large political consensus on the Scandinavian model of imprisonment which is based on humanitarian ethics.
- Being visited by someone who does not represent the penitentiary system, has a very different and positive effect on the prisoner. For him, there is a clear difference between the “unequal relationship” before a professional (lawyer, therapist, guard, social worker, everyone with an authority) on one hand, and the encounter with a volunteer on the other, because the prison visitor’s role is totally different: it is meant to alleviate the prisoner’s loneliness, contribute to the rebuilding his social skills and self-respect, act as a trustworthy friend and maybe adviser. The regular visits of that non-judgemental person from outside are important for a lonely and isolated prisoner in a quite hostile environment.
- As in England, Norwegian volunteers may meet prisoners in their cells. Voluntary prison visitors circulating freely among the prisoners in their confined environment is a visible proof of civil society in their lives. But prison volunteers usually meet their prisoners during family visits and in the presence of other people.
  - The prison visitor believes that his friendly relationship with the prisoner can make a difference for people who suffer from the moral stigma of crime, the physical isolation from the normal world of family and friends who often reject and abandon them during incarceration.

Additional activities of the Norwegian Red Cross in prison are detailed in document (No2), in particular the networking for former drug addicts in which 180 volunteers are involved.

The “International Prison Fellowship” is represented in Norway too (NO 3).

In 2003, the “Western Australian Attorney General” undertook a trip through Western Europe. His report on “Reducing re-offending focusing on re-entry to the community”, reflected his astonishment about the liberal prison serving practices in Denmark and Norway where effective imprisonment depends on availability of prison places, that all detainees with no risk to the community benefited from a 18 days per year home leave and that alternatives to imprisonment produced such good results. The rate of imprisonment was at the time around 65 in Scandinavia and 196 in Australia.

## FINLAND

According to the “Contextual Report” on the 108 Prison Rules (Div 2), Finland is a good example of how in a national consensus, successive governments of different political colour, the press and the public can change the penitentiary conditions in a lasting way. Whereas Finland had an incarceration rate of 187 before 1960, it fell to 55 in 2000, increased to over 100 in 2006 and lowered to 68 in 2007. Contrary to England, France and Germany, the penitentiary policy has never been a hot electoral item and the media have not dramatized the situation in an unfair and disproportionate way. Key points of that national consensus are (Fin1)

- Penitentiary policy is inseparable from general policy and the economical and social development of a society,
- To heal the consequences of crime, an equitable redistribution of its cost must be sought between the offender, society and the victim.
- Although imprisonment should not be eliminated as a means of deterrent, there are more subtle and efficient ways of combating criminality.

Not everything is rosy in Finland. In 2000 the CPT advised strongly against locking up prisoners up to 23 hours without occupation, whatever the circumstances.

In Finland, the “prison sanctions agency” is called “Rikosseuraamusvirasto” and the Prison Services “Vankeinhoitolaitos”. In their “goals, values and principles” (Fin2), they indicate as their main aim the protection of the population and only then the reduction of re-offending.

Apart from the Lutheran State Church, chaplains and volunteers of the Orthodox, Pentecostal and Adventist Churches are present in Finnish prisons as well as the Salvation Army. The Catholic Church and a Muslim organisation deal mainly with foreigners (Fin3)

100 “Official Prison Visitors” of the Finnish Red Cross visit inmates and give them moral support (Fin4).

There is also a Christian anti-alcohol Organisation called “Siniauhaliitto – Blue Ribbon”. Alcoholics and Narcotics Anonymous are present too.

“Rikosseuraamusvirasto” (Fin 5) has carried out a study on 100.000 convictions involving 30.000 prisoners between 1993 and 2001. Some results are:

- 59 % returned to prison within 5 years,
- 85/95 % of the under 18 re-offended at least once during that time,
- men re-offend more often (59 %) than women (45 %),
- only 18 % of those incarcerated for homicide and sexual offences committed another offence (including a simple fine),
- 35 % of the first-time prisoners re-offended, but only 10 % of them ended up in Prison,
- Recidivism increased by 1 % annually.

The 2006 Prison Reform (Fin 6) resulted in more centralisation of the 22 prisons and a reduction of the prison population by more than 10%. 14.000 “clients” served a community sentence.

The Criminal Sanctions Agency is not only part of the CEP, but of the IRCE (International Roundtable for Correctional Excellence) too. The problem of mentally ill prisoners was discussed in their last meeting in 11/2007 (Fin7).