

30th Anniversary of SPACE

The need for reliable correctional statistics across Europe

Summary of the First meeting of the
SPACE national correspondents

M.F. Aebi, N. Delgrande, Y. Marguet

Strasbourg, 4-5 November 2013

Table of Contents

Introduction.....	2
Workshop 1	3
Workshop 2	5
Ad-hoc session on the translation-oriented queries.....	6
Workshop 3	6
Current and further challenges	7
General conclusions of the meeting	8

Introduction

The meeting was held in Strasbourg from November 4th to November 5th 2013. This first meeting of national correspondents of SPACE stood as an opportunity to meet persons from the Council of Europe member states, who are part of the collaborative network involved in the SPACE project.

The aim of this two-day work session was to bring light on the main achievements of the annual SPACE surveys in the course of the last ten years as well as on future challenges for all participants in the project.

36 national representatives from 33 Prison Administrations [PA] (out of a total of 52 PA) attended the meeting. 30 countries were represented: Albania, Andorra, Armenia, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, France, Georgia, Germany, Hungary, Iceland, Ireland, Italy, Latvia, Moldova, Norway, Poland, Romania, Slovak Republic, Slovenia, Spain, Switzerland, "The former Yugoslav Republic of Macedonia", Turkey, and the United Kingdom.

Three members from the scientific team of the *School of Criminal Sciences* from the University of Lausanne (Switzerland) ensured the overall management of the main activities during the meeting:

1. Marcelo F. Aebi, Prof. Dr. Criminology, Deputy director of the School of Criminal Sciences of the University of Lausanne;
2. Natalia Delgrande, MA History and Psychology, MA Criminology;
3. Yann Marguet, MA Criminology.

The representatives from the *Criminal Law Division* of the Council of Europe present at this meeting were Mr Carlo Chiaromonte, Head of the Criminal Law Division and Secretary to the CDPC, as well as Ms Iliana Taneva, Secretary to the PC-CP. They were assisted by Ms Christine Coleur. During the first day of the meeting, Mr Mauro Palma, Vice-Chair of the PC-CP, also participated in the work of the group.

The meeting started at 2:00 pm with Mr Carlo Chiaromonte's opening speech of. He encouraged the work of the SPACE network and emphasised the importance of SPACE for the Council of Europe.

The second opening speech, made by Prof. Aebi, related to the usefulness of the international data-bases available in different fields of the criminal justice. He gave the illustrative example of the disappearing Interpol statistics and explained the need for research and constant improvement of the statistics at the national, regional and worldwide levels.

Workshop 1

The goals were to develop a clearer and more comprehensive vision of the role that SPACE plays in the penitentiary field of each country and, more specifically, in a European perspective. SPACE being one of the main European sources of correctional statistics, it stands as a working tool and not as a finality for its users. Therefore, the constant improvement of the quality of the data included in SPACE is the main challenge of the project.

The reliability of the data included in SPACE is directly influenced by the quality of the collaboration between the national correspondents in each Member State of the CoE and the scientific team that produces the annual reports. In order to collate figures and explanations, the following rules are compulsory:

- *Networking* with national authorities,
- Making constant efforts to *understand* the European peculiarities in the field of custody,
- *Helping* the correspondents to present national raw-data that follow the international requirements of a survey,
- *Explaining* the definitions used for the items included in the SPACE questionnaires, and
- *Evaluating* the quality of the items, of the questionnaires and, finally, of the reports.

In order to make the proposed criteria operational, a large number of exercises were proposed to the participants.

The first one concerned the common definition of “inmate/prisoner/detainee” to be produced by 5 groups of national correspondents. The criteria proposed for the definition were the following: *held in prison, pre-trial, sentenced, juvenile offender, under [penal] therapeutic measure, held in private facility, held in open penal institution, detained for administrative reasons, placed under security measure, recalled from probation [without a new conviction], fine-defaulter, serving week-end periods, without a final sentence but serving the sentence in advance, free (execution of the custodial sentence is postponed) but considered as “prisoner”, non-criminally responsible and without a penal sentence, escaped within the last 48 hours, held in custodial psychiatric hospital.*

Every group produced a list of criteria that they believed should be compulsory for inclusion in the definition. Generally, inside each group, the list of *common* criteria for every represented country was relatively short (between 3 and 4 common criteria used). Sometimes, other points were included in the list, but not always corresponding to the definitions used by other countries.

This exercise demonstrated the errors that may occur when the definitions are not wide enough thus limiting the options possibly included in the national categories.

It was agreed that it is better:

1. *Not to give specific explanations on the categories to be included for some of the items,*
2. *To let every national administration judge of the usefulness to comment on the categories included/excluded in/from the items of the SPACE questionnaire,*
3. *To make the national peculiarities visible in the final reports,*
4. *To present both raw-data and adjusted figures in the final reports.*

After the exercise, a new presentation was made by M.F. Aebi on the procedure of calculation of the length of imprisonment. The indicator of length of imprisonment is one of the most used indicators for the evaluation of different custodial phenomena (e.g. overcrowding, evolution of the use of custody in time, change of the prison profiles).

Given that the usefulness of this indicator is sometimes underestimated by national authorities, Prof. Aebi made a demonstration of the problems that may arise if this indicator remains uncalculated for long periods of time.

It was agreed that all national PA will pay attention to the quality of the raw data provided for the calculation of this important indicator. Mainly, the data on the number of entries into the penal institutions and the number of days spent in custody should be made as accurate as possible for each category of prison regimes. For example, if pre-trials are included in calculating the number of entries, this category of prison population should also be included when the number of days is calculated.

The second exercise was evaluated by all national representatives as being the one that brought light on the methodological requirements to an acceptable comprehension of the national features for international comparisons. This exercise put the participants in front of three situations where the definitions and the methodological limitations do have a real impact on the quality of European comparisons.

Three indicators were analysed:

1. The capacity of penal institutions (one out of the two main indicators used for the analysis of overcrowding);
2. The entries and releases, and
3. The annual custodial expenses.

This exercise allowed observing:

- On the 1st indicator, *Capacity*: the international rules (i.e. European Prison Rules of the CoE, UNODC standards) are not rigorously applied in *all* of the countries. This means that, in some countries, the calculation of the capacity is still a matter of internal appreciations and denotes the lack of precise *national* rules (e.g. no indications on the individual area in m² per inmate in the cells, lack of the criteria of redistribution of the spaces when there is overcrowding, definition of the individual area versus common space, etc.). By the end of this exercise, it was strongly recommended to the national representatives to take into account the international minimum standards while providing the data on the capacity of penal institutions. It was also highlighted that the type of places included in the calculation of the capacity should be explained. Moreover, national correspondents were invited to pay attention to the definitions of the capacities used for SPACE (cf. *Definitions for SPACE: operational, designed, reduced, or usable capacities*). These definitions are available on the restricted Internetworking area).
- On the indicator of *Entries and Releases*: some of the representatives continue to use national raw-data without taking into account the requirements introduced in the SPACE questionnaires since 2004 regarding the categories to include and/or exclude. In order to ensure comparability across Europe, it was agreed that a series of categories cannot be included in the figures requested in the items of the SPACE questionnaire (e.g. transfers from one penal institution to another inside the same country should be *excluded* from the figure of the entries). On the opposite, several other categories can be included if the appropriate comments are provided together with the main figures (e.g. the transfer of an inmate from the community hospital back to the prison).
- The indicator of *Annual Expenditures* is the newest one, out of this group of three, to have been analysed. The difficulties related to the calculation as well as to the use of this indicator are due to more general differences of calculating the budgets. In this perspective, it was stressed that there is a need to be very specific and clear when the categories included/excluded are reported in the questionnaires. For example, it was noticed that the expenses that are not directly linked to detention (e.g. construction and/or maintenance of the buildings) are likely to artificially create extreme disparities among countries when they are compared on the basis of divergent categories.

As a conclusion to this exercise it was stated that there is a need for regular checks of the raw-data. The evaluation of the quality of national inputs shall be ensured by the national correspondents who are in charge of the data collection. Yet, the scientific team of the SPACE project should provide specific

methodological help: explanations, formulas, sources of definitions in international tools, etc. National correspondents also expressed the need to be provided with specific explanations of the new items introduced in the questionnaire.

During the discussions on the results of this exercise, some national correspondents expressed concerns about the translation of the items included in the SPACE questionnaires into national languages. A special short ad-hoc session on the translation-oriented questions was organised at the end of the first day of the meeting.

Workshop 2

The second part of the meeting started with a speech given by Mr Roy Walmsley, World Prison Brief Director at the International Centre for Prison Studies [ICPS], United Kingdom. Mr Walmsley brought to light the long history of the SPACE project and its importance for scientific communities across Europe and worldwide. The reliability of the SPACE statistics was discussed and it was stated that all figures should be comprehensive and detailed. Therefore, the work on the improvement of the quality of the comments and the methodological rigorousness is essential for international surveys such as SPACE. It was also recalled that figures of good quality influence the policy-makers in their decisions about the future developments of the penal policies across Europe.

Making figures at the European level perfectly comparable is clearly impossible. Yet, we need to point out the variations that we are aware of, and make the best use of the available figures.

The next activity proposed was a solution-oriented brainstorming. A graph that contained methodological and conceptual errors was presented (a comparison between police and prison statistics about foreigners). The example was anonymised and any identification of the country was made impossible. All of the participants were requested to ask questions in order to detect the errors and to propose solutions for such inconsistent comparisons. Thus, the participants were requested to formulate their questions according to their national practices and to a more general methodological approach.

This exercise allowed to highlight the need of very precise comments on the particular categories that each country may include in a reply to items and that later will be compared between countries (e.g. if the foreigners held for administrative reasons are included or not in the total prison population).

The main source of errors in European surveys is due to the lack of detailed explanations of what exactly is supposed to be found inside each item. When the strict limitations in the definitions cannot be used (e.g. in the SPACE questionnaire it is not always possible to impose restrictions on what should be included and what should be excluded), one should pay attention to make use of national peculiarities and to interpret them in an appropriate way.

At the end of the first working day, the participants were asked to rank a list of diverse topics proposed for the future annual modules in SPACE I.

The result of the voting provided the following ranking-list:

1. Detention before final sentence (10 votes);
2. Foreign prisoners (8 votes);
3. Good practices in the assessment of offenders (7 votes);
4. Expenditures (5 votes);
5. Recidivism (3 votes), and
6. Personal proposals (2 topics proposed).

In SPACE I 2012, the annual module was related to the topic of staff. This proposal was made during a meeting held in Prague in October 2012 organised by the Prison Service of the Czech Republic. Given the results of the

voting, it is very likely that the annual module that will be included in the SPACE I 2013 questionnaire will deal with the *questions related to detention before final sentence*. All the participants were asked to provide specific questions about the topic chosen for the next annual module. Moreover, any other personal topics are welcome and will be submitted for approval by the PC-CP.

Ad-hoc session on the translation-oriented queries

Six representatives were present during this ad-hoc session. The need for this round-table was expressed by the national correspondents that do the translation of the SPACE questionnaires.

It was stated that two-fold problems in the translation may rise. For example, it was mentioned that the translation into national languages may take time and somehow change the original meaning of the items. On the other hand, while national responses are translated into English or French it may occur that some legal, structural or functional peculiarities are not fully transposable into the requested SPACE categories.

It was agreed that, in the future SPACE I surveys, any new item will be made visible separately to the translators in order to prevent them from translating items that were already translated in the past. When a translation is requested by the national authorities, the translators are kindly requested to ask the scientific team of SPACE for non-locked versions of the questionnaires (practice already applied with many countries).

Moreover, a very important methodological point rose during the discussion: when translators have to adjust the definitions and make them as understandable as possible for the authorities in charge of the data collection, it was decided that the translators will get in touch with the scientific team from Lausanne and ask for additional explanations in order to formulate the most reliable replies about the figures used for the questionnaires.

Workshop 3

The second day of the meeting started with the presentation of several problems encountered during the data collection and the preparation of the SPACE II reports. *The difficulty of harmonizing the definitions of the different sanctions and measures, the importance of the totals in the different items of the questionnaire, the way of writing useful and pertinent comments, the issues caused by the multiplicity of the actors involved in the process and the role of the national correspondents* have been discussed in details.

By the end of the session, a general debate was open and the national correspondents had the opportunity to express their expectations. Some structural changes have been suggested by the participants in order to handle the frequent issues of counting units. Some countries being unable to provide the number of persons serving community sanctions and measures (because of the national statistical counting rules) usually send the number of files/cases that they have access to. A proposal was made (*Germany*) to include a column "files" next to the usual column "persons", in order to clarify the process and the figures provided in the SPACE II report. This point will be discussed with external scientific reviewers.

Regarding the workload related to the different questionnaires sent by diverse national and international organisations each year to the correspondents, it has been mentioned that the authorities are annually overwhelmed with 40 to 60 questionnaires comparable to SPACE (*Czech Rep.*), which makes it difficult to be deeply involved in every one of these questionnaires.

About the necessity or the will to have access to the final SPACE reports, the *Estonian* representative has demanded that the final reports are not only published on the web site but also be sent to the national administrations once available.

Regarding the way of writing comments, the *Italian* representative highlighted the fact that certain comments, seen by the Lausanne team were too detailed, were sometimes written by specialists of certain disciplines, such as jurists or other experts, and that it was hard to comment differently. Accordingly, the *Belgian* representative distinguished between 2 types of comments: the comments made by statisticians about the evolution of the numbers, and the comments made by researchers or lawyers about the methodology in law. In that case, these two groups have to complete each other's work, which makes it hard to control the coherence of the comments. The *Spanish* representative brought the same issue by comparing the persons who prepare the data and the ones who interpret/comment them. The *German* representative insisted on the importance of long, detailed comments that allow the team from Lausanne to sort out what is important and what is not by editing them. Another proposal from Germany was to prepare the grid for comments in separate sections that would allow different types of comments (legal, statistical, general methodological etc.) for the same items in the questionnaire.

At the end of this discussion, M.F. Aebi talked about the working meetings of the PC-CP where the annual SPACE reports are finally validated. These meetings take place every March (or February) in Strasbourg.

It was decided that an email will be sent to the national correspondents before these meetings (by the SPACE team or by the PC-CP Secretariat) to invite all correspondents to validate the final draft of the report before its publication.

The next activity was concentrated around a SWOT matrix (*Strengths, Weaknesses, Opportunities and Threats*). The representatives were asked to analyse -with the same groups they worked during the meeting the diverse assumptions about SPACE and place them into the four categories of the SWOT. During the break and in a more relaxed environment, every participant had to go by every four SWOTs and place green and pink post-its depending if he or she agreed or disagreed with the different assumptions. The SWOTs have been photographed (cf. *Appendices to the Meeting*, available on the restricted Internetworking area).

Current and further challenges

The most recent developments of the SPACE project were presented and the difficulties of using national data in international surveys were discussed. The main challenges that the scientific team experiences today are:

1. Improving further the quality of the data collected for the SPACE reports:
 - In that sense, it was agreed that the collaboration between the Lausanne team and all national correspondents should remain a priority during the periods of data-collection:
 - i. All national correspondents were reminded that, when they stop collaborating on the SPACE survey (retirement, maternity leave, etc.), it is essential to inform the SPACE team about the changes (name of the new correspondent, new e-mail addresses, etc.)
2. Amending and/or adjusting the time-series of the data that already exist in the SPACE databases:
 - The time-series included in the database are extremely valuable for the research and for the long-term assessment of the custodial policies.
 - In order to make series correspond to the latest available improvements in the definitions and methodological requirements, it was decided that all national correspondents will:
 - i. receive a list of some historical indicators,
 - ii. choose the indicators that they would be able to adjust, and
 - iii. send back the corrected series to the SPACE team in order to be entered in the general databases.
3. All national correspondents agreed on the use of the SPACE figures for research purposes. Yet, many representatives expressed their concerns about the late publications of the SPACE reports and the lack

of interest for practical needs. In this sense, it was reminded that the SPACE team has started to collect the most recent available figures. Since 2012, on the website of the SPACE project, the main indicators are published as soon as they are received from the national correspondents.

- Several national correspondents were not aware of the existence of these figures. Therefore, it was agreed to include the web-links to the latest figures in the request e-mails.
- The SPACE website (www.unil.ch/space) will be made more visible in the electronic exchanges with national authorities.

General conclusions of the meeting

The first meeting of the SPACE national correspondents was highly appreciated by the participants and the organisers of this event.

1. The audience acclaimed the initiative and insisted on holding such meetings regularly. In this sense, the next possible opportunity for holding such a meeting is September 2014, in Prague. The Czech Prison Administration already organised a first regional meeting in 2012 and the Czech representative (Ms Iva Prudlova) reiterated the support of the Czech administration to repeat the event.
2. At the end of the meeting, it was decided to provide all the participants with the materials used during the meeting. Moreover, it was explicitly stated that all national correspondents would like to have a collaborative platform for exchanging the most recent information, making specific requests, etc. At the University of Lausanne, the scientific team made a demand to create a restricted collaborative area for all national correspondents of the SPACE project. The information on this platform will be communicated to the national administrations as soon as an agreement is reached between the University of Lausanne and the PC-CP of the CoE.
3. The restricted access to the raw-data (national questionnaires that still have not been validated) was discussed in Prague in 2012 and mentioned during this meeting as well. The final decision was to close the access to this kind of information, as there is no guarantee of the quality of the data provided. Moreover, since the latest main figures (prison population rates and total capacities) are available on the SPACE website (www.unil.ch/space), the use of the invalidated figures from the questionnaires has to be avoided. Given the possible opportunity of cooperation mentioned under conclusion nr. 2, the dialog between correspondents, rather than the use of provisional figures, will be facilitated.
4. During the whole meeting, the need for collaboration and better understanding of each national correspondent's needs was regularly evocated. For these reasons, activities such as the work on the common definitions (foreseen and expressly requested), special annual modules and particular collaborations in case of changes and adjustments of the questionnaire were largely discussed during the days of the meeting.

MFA, ND, YM: Lausanne, 8 December 2013