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Prison Information Bulletin



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Foreword

The Council of Europe Recommendation and Report on Education in Prison were adopted by the Committee of Ministers in October 1989. As Ireland held the Chairmanship of the Select Committee of Experts which produced these important documents, it is my pleasure to introduce this special edition of the Prison Information Bulletin which is devoted to the theme of education in prison.

The Report on Education in Prison builds on the strong role given to education in the European Prison Rules in 1987 and explores in particular the implications of granting education equal status as a regime activity with work and work training. In Ireland we have been happy, for some considerable time, to grant full equality, in terms of status and remuneration, to education in our prisons.

The Select Committee was given the task of surveying the whole field of education for prisoners and coming up with recommendations. Understandably, as adult educators, they turned to their own profession to find a sense of direction and the report is essentially a working out of an adult education philosophy and approach in the special context of prisons.

But, in taking their bearings from adult education in the community outside, the Select Committee did

not shrink from the particular circumstances and problems that are to be found in prisons. In fact, the report is highly practical, seeking to address the real difficulties that arise, eg the disadvantaged background of so many prisoners, the tensions and misunderstandings that may develop between educators and prison staff, the problems posed for teachers by rapid "turnover" of prisoners, etc. It also tries to be helpful by providing many illustrations of interesting developments in prison education from various European countries.

I would concur, therefore, with the Select Committee that the Report should be read, not just by administrators, but by all educators or others working "on the ground" in any way that relates to prison education. Rightly, the report does not set out to be "the last word" on prison education, but acknowledges the need for ongoing thought and discussion. The production of this edition of the Council of Europe's Prison Information Bulletin is an excellent means of continuing that process.

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Council of Europe Report on Education in Prisons

Introduction

On 13 October 1989 the Committee of Ministers of the Council of Europe adopted and authorised for publication the Recommendation and Report on Education in Prison. This was the culmination of work by a Select Committee established by the CDPC in 1984 and which consisted of "experts" in prison education from Austria, Denmark, France, Ireland, Italy, Luxembourg, Netherlands, Turkey and the United Kingdom. Written reports from eight further countries helped the Committee considerably in the course of its work. The Recommendation R (89) 12, is given in full in the inset below.

The Select Committee hoped, however, that its full report would receive at least as much attention as the recommendations, which are in effect a summary of the key points in the larger text. The report was conceived of as something more than the usual "explanatory memorandum" to the Recommendation. The Select Committee saw its report as an argument for several new developments in both the theory and practice of prison education. Further, it took a conscious decision to provide as many concrete examples of good practice as possible, and also to acknowledge and try to squarely address the main problems that arise in seeking to provide education in a prison setting (including, for example, the reservations many prison officers have about education). In hoping to thereby provide a *useful* text, the Select Committee expressed the hope that its report would receive as wide a circulation as possible, especially among those engaged "on the ground" in the education of prisoners. This article seeks to highlight the main features of that report and thus the thinking that lay behind the Recommendation that has been adopted.

Strengthening prison education

While the report speaks to prison educators, it also addresses the administrators of prison systems, making the case for improving the input of education in prisons, both in terms of quality and quantity. The Committee "felt strongly" that every country has scope for improvement, at least in some aspects of its educational provision for prisoners. The importance of diversity in the range and levels of education offered to prisoners, because the needs and circumstances of different prisoners vary greatly, is emphasised. Many countries will find that attention is also required to aspects such as the status of education within the regimes, the teaching methods employed, the support structures for educators, the facilities available, etc. It is noticeable that, in many countries, education is marginal to the prison system, limited in scope and poorly resourced. Such criticism is applicable where education is mainly confined to evening classes, or to literacy provision supplemented by correspondence courses in other subjects, or where industrial work predominates so that the personal development or more general educational elements are missing. The "creative activities" described in Chapter 10 need to be expanded in many prisons and prison systems. The

reasonable standards suggested in the chapters on libraries and physical education are very adequately met in many places. And, in particular, the crucial qualitative differences between the education of prisoners within prisons and the education of prisoners outside prisons, suggested in Chapter 12, raises serious issues for prison educators and prison administrators alike." (1.7)

The report argues for "substantial, comprehensive and good quality education" for the one-third of a million men and women held in prison in the member States of the Council of Europe. This "immediately begs the question of justifying the finance and other resources needed to make this possible. The Committee felt the provision of substantial resources for the education of prisoners — if necessary beyond what might be available to people outside prison — was appropriate for several reasons. *Firstly*, prison is of its nature abnormal, and destructive of the personality in a number of ways. Education has, among other elements in the prison system, the capacity to render this situation less abnormal, to limit somewhat the damage to men and women of imprisonment. *Secondly*, there is an argument based on justice: a high proportion of prisoners have had very limited and negative past educational experience, so that, on the basis of equality of opportunity, they are now entitled to special support in order that their educational disadvantage can be redressed. A *third* argument that may be put forward is the rehabilitative one: education has the capacity to encourage and help those who try to turn away from crime. Given such a variety of factors, cost-benefit analysis in relation to allocating resources to the education of prisoners is exceedingly complex, but one point is striking: education costs tend to be very low relative to the overall costs of running prisons (and, indeed, relative to the general costs of crime in society). In particular, the costs of most educational activities in prison (in terms of space, finance required, etc) compare well with alternative activities such as work projects".

Equal status and payment for education

Closely linked to, and just as important as, the question of the resources allocated to education is the issue of the standing of education within prison regimes. The European Prison Rules, adopted by the Committee of Ministers in 1987, states (Rule 78): "Education should be regarded as a regime activity that attracts the same status and basic remuneration within the regime as work, provided that it takes place in normal working hours and is part of an authorised individual treatment programme." Recommendation R (89) 12 is less qualified and possibly more affirmative: "Education should have no less a status than work within the prison regime and prisoners should not lose out financially or otherwise by taking part in education." This may be a challenging prescription for some prison systems but the report points out (3.4) that the same payments apply to work and education in prisons in Ireland and Denmark.

The select Committee's terms of reference focused in particular on the question of motivating prisoners to take part in education and the Committee related the question of participation to, among other things, the financial implications for prisoners of their joining in education either on a part-time or full-time basis: "If prisoners receive less financially by opting for education, then, clearly, many potential participants will be lost. It is not valid to apply differentials in income that parallel those that attach to work and education in the community; rather it is a question of assessing the relative usefulness of education and work for prisoners. The Committee believed that matters more important than productivity are involved here and that prisoners involved in education should not be unfairly penalised by loss of pay."

The participants and motivation

Obviously, many other factors come into play in the complex problem of encouraging those held in prison to join in education. The issue is complicated by the fact that "a high percentage of prisoners are severely disadvantaged people, with multiple experience of failure. These prisoners have had little or no work or vocational training in their lives. They have low self-images and they lack participatory skills. They see themselves as having failed at school. Initially they will be convinced education has nothing to offer them. Many will have severe literacy problems and associated sense of stigma." (4.2)

"Motivating such men and women", the report says, "to take part and then to develop in education requires a great deal of resourcefulness and encouragement from teachers. The key issue is to rebuild the student's confidence in his or her potential. This requires educators to move even further away from traditional prison approaches and attitudes — and, indeed, away from many of the traditional aspects of schools." (4.3) The Committee wished to emphasise that what often appears as low motivation among prisoners should be seen not in static but in dynamic terms, as something that is the *result* of past negative experiences in school.

Chapter 4 of the report is devoted to exploring the various factors which may encourage or discourage involvement in education by prisoners of such background. The importance of removing financial disincentives has already been mentioned. A physical and social environment which is fitting as a place of adult education is also important, as is the temporal position of education within the prison day, ie whether it is a 'spare time' activity or part of the 'productive' day.

Where educational qualifications are aimed at, they should be the same as those available in the world outside. Among the special efforts mentioned for recruiting prisoners to educational courses are (at minimum) an easy-to-read leaflet made available to all prisoners. But face-to-face contact between educators and potential students is preferable, especially for those whose confidence in their educational ability is low. One practical idea described is that of the 'education market' which operates in Dutch prisons.

But all the motivating or demotivating factors mentioned so far are of secondary importance compared to the quality factors inherent in the education itself. The Committee felt that good adult education methods were essential: "The more choice and respect the prisoner is given, and the more relevant the courses and activities are to his or her life, the greater will be the numbers seeking to join in. The teaching methods adopted are crucial to stimulating the prisoners, all the more so when high unemployment means that better work prospects are less of an incentive" (4.12) The features of an adult education methodology are sketched below.

An adult education style, however, has particular relevance to the question of motivation. "Given the unpromising background of so many prisoners, it is not surprising that some initially come to education with, at best, 'mixed motives'. Prisoners may first join classes, for example, simply out of curiosity, or because (for men) it offers an opportunity to meet women, or there is a relaxed atmosphere there, or they can talk more freely, or they feel they are treated more as normal people, or they can cook 'home-made' food, etc. These are normal human concerns and should be accepted, at least in the beginning. They enable teachers to make contact with prisoners and a good teacher will take these 'openings', helping the student to see new possibilities and uncover talents they themselves had not recognised before, so that in time they will have more serious goals. Such an approach is not unusual, for many people attending adult education classes in the community for 'mixed' motives also (and especially for social reasons), and those of limited previous education may be quite vague initially about what they want or can gain from joining a class."

A degree of autonomy for the education sector

To speak of choice for students or educators in a prison context raises the issue of what autonomy the Education Sector should have. The Committee felt this related crucially to the question of participation.

"One of the most difficult and complex matters that educators must work out is how they stand in relation to the prison system as a whole and in relation to prisoners. Clearly, educational work must be carried out within the constraints set by prison authorities on the basis of security and the overall objectives of the prison system. However, many prisoners are likely to be suspicious of education, to see it as a device to manipulate them, if it is identified too closely with the overall prison system. If they feel that taking part in education requires them to capitulate psychologically to the prison system, then they are likely to reject it. Some degree of autonomy for the Education Sector is therefore appropriate. Moreover, the adult education orientation the Committee recommended also requires that some leeway or discretion be given to those involved in prison education in the way the approach their work. Clearly, crime cannot be condoned and the futility of a criminal life may well be raised as an issue in class, but there are aspects of the prisoners' culture which the adult educator must respect, or at least

accept. These aspects may include a critical view of authority, anger at social injustice, solidarity with one another in the face of adversity, etc. As in any field of adult education, respect and acceptance of the students and potential students are crucial to motivation and participation. The high degree of professionalism required of the adult educator working in prison is indicated by the requirement that he or she gives such respect and acceptance (an acceptance of the person but not of the crime) to the students while, at the same time, working within the boundaries set by the prison authorities and avoiding being manipulated by prisoners. Where this respect and acceptance are given, any prisoner can feel able to take part in education." (4.9)

An adult education approach

The central theme of the Recommendation and report is that "the education of prisoners must, in its philosophy, methods and content, be brought as close as possible to the best adult education in the society outside." (1.5) The aims "should be essentially the same as those in adult education" (2.1) and both the declaration of the 4th International UNESCO Conference on Adult Education and the Council of Europe Recommendation on Adult Education Policy, R (81) 17, are quoted to illustrate what is envisaged.

For the most part, teachers in prisons are expected to see their students just as they would in an adult education class on the outside: "It is essential that all engaged in providing education in prisons should be encouraged to see those in their classes as adults involved in normal adult education activities. The students should be approached as responsible people who have choices available to them. In other words, the prison context should be minimised and the past criminal behaviour of the students should be kept to the background, so that the normal atmosphere, interactions and processes of adult education can flourish as they would in the outside community. Fundamental to such an approach is that the educational programme should be based on the individual needs of those taking part." (4.1)

Whereas, fundamentally, the methods by which an adult educator plans, conducts and modifies courses and activities are the same as on the outside, the prison situation will, of course, have to be recognised in many ways. Some of the problems encountered may be different from those on the outside, and the disadvantaged nature of the prison population, referred to already, and their problems in coping with incarceration will be reflected in many aspects of the education.

Yet, the special features associated with adult education on the outside should be present also within. It appears to me now in retrospect, as Chairman of the Select Committee and an author of the report, that we should, perhaps, have set out more formally and more fully what we, as adult educators, saw as the main characteristics of this form of education. However, the style of learning we envisaged is

interspersed through the report and also summarised as follows:

"Adult education has some special features. In particular, it involves a high degree of participation by the student in deciding the content and ways of studying and in assessing the learning being achieved. Often it is possible for prisoners to take over the entire organisation of events and this particularly applies to sports activities and cultural events. Adult education also connects much more than school education with the life experiences of the students concerned. As one group of prison teachers stated, 'the adult learner has infinitely more knowledge of the world than even the most advantaged child'. Side by side with the stress on participation is an emphasis on active ways of learning which are more appropriate than traditional, more passive, ways of learning. The Committee sensed that the style of education it envisaged for prisoners is very close to the community education described in a report of the Council of Europe's Council for Cultural Co-operation: Learning is ... based on motivation, goal-orientated and linked to solving problems. It is not fostered by the traditional teacher-student relationship nor does it fit in to the traditional classroom learning. Community education is about taking part and experiencing, rather than listening in a passive way to the voice of the teacher." (5.2)

The extract from the report which described Danish 'project work' for inmates, given in the adjacent inset, is one illustration of the kind of learning the Select Committee had in mind.

A change in emphasis

Of all the issues the Select Committee grappled with, the question of what the primary aims of prison education should be was by far the most absorbing. From where should prison educators take their main sense of direction? Initially, the straightforward approach seemed to be to consider the goals of the wider prison system, more appropriately the treatment objectives reflected in the European Prison Rules, and then to view the purposes of prison education as a subsidiary component of that wider system. After much discussion we choose to take a different line, taking our own professional field, that of adult educators, as the starting point and working out from there. Simply put, we clarified for ourselves that we and our colleagues were, first and foremost, adult educators and we explored what this meant outside a prison situation. Then we applied this to the prison context, asking what qualifications, what adaptations, needed to be made. But the essence of the work remains adult education. The logic of taking this approach may be seen by considering the medical profession. A doctor's treatment of a patient is essentially no different inside or outside prison: the same values, purposes and practices are brought to bear generally. Some peripheral circumstances may change, and there may be practical problems and constraints, but basically what guides a doctor in

treating a patient in prison is his or her own professional orientation. The Select Committee felt it should be likewise for the educator. And we sensed that the CDPC, in framing our terms of reference and giving us pointers towards the field of adult education, was going at least half way with us on this journey.

The report emphasises that, while the adult education orientation is independent from wider penal perspectives, it can in fact be complementary to a general 'treatment' approach. Moreover, the Select Committee felt that by going its own way, as it were, prison education could thereby best serve the prison system, offering a more authentic 'product' and bringing into the prisons a fresher spirit. In seeking to establish good adult education in prisons, rather than focusing so much on rehabilitation or resocialisation, educators may, paradoxically, create more fertile conditions in which prisoners, as they discover positive potential within themselves, choose to redirect their lives. There may be a case here of 'by indirections find direction out'.

What the report contains, then, is not so much a change of direction as a change in emphasis. The recommendation and report may be seen as a development of the outlook contained in the European Prison Rules, not a departure from it. The adult education emphasis should have several benefits. Firstly, it is hoped that it will give a clearer sense of purpose and direction to educators working within prisons, by relating what they are doing more firmly to the efforts of their professional colleagues outside. Secondly, as stated above, if what prisoners are offered is closer to the kind of good adult education they might hope to receive outside, then they will have far fewer reservations about taking part. Thirdly, a prison education programme which keeps rehabilitation or resocialisation too much to the forefront may be too narrow, restricting itself too much to tackling what are seen as the prisoner's inadequacies that led to crime or addressing the prisoner's future employment prospects.

Drawing on the earlier Council of Europe policy on adult education, the newly adopted Recommendation on Education in Prison states: "Education in prison shall aim to develop the whole person bearing in mind his or her social, economic and cultural context". Seeking to develop the whole person should prove more effective in the long-run. It opens the door, for example, to comprehensive library services for prisoners (chapter 8 of the report), to an emphasis on developmental physical education (chapter 9), to far more creative activities within prisons (chapter 10), to a social education that respects the learner (chapter 11).

The following is the text in chapter 2, wherein the Select Committee sought to relate the values of adult education to the prison context:

"The key task of educators working with prisoners is to strive to make education within prisons be like ... adult education outside prison. In other words, education in prison is of value in itself, independent of the purposes of the prison

system. This approach is appropriate to every prison system in the Council of Europe.

However, recognition must also be given to the prison context in which this adult education should take place. Deprivation of freedom causes suffering and a deterioration of personality, and education can play an important part in limiting this damage. In fact, the harmful effects of imprisonment — depersonalisation, institutionalisation, desocialisation — are such as to justify extra resources and efforts being made to provide education within prisons, compared to society outside prison. Genuine adult education can help to normalise, in some measure, the abnormal situation of imprisonment.

Education in prison is sometimes also seen as a means towards socialisation or resocialisation. This can be a valid objective, provided it is not taken to mean imposing behaviour on people. Genuine education must respect the integrity and freedom of choice of the student. However, education can awaken positive potential in students and make them aware of new possibilities and, to that extent, can facilitate them in *choosing for themselves* to turn away from crime.

While it is appropriate that educators must take their primary objectives from within their own profession .. it is important to recognise that there need be no fundamental contradiction between educational objectives and those of the prison system as a whole. They should, in fact, be complementary, as are the treatment objectives of regimes adopted in the revised European Prison Rules

Adult educators in any situation must come to terms with the context in which they are working and pay attention to special needs therein, and this adaptation has particular significance in the prison setting. Much of this report will illustrate and explore matters particular to prison education. However, professional integrity requires teachers and other educators working in prisons, like those in other professions, to take their primary aims, their underlying orientation, from within their own professional field. Hence the emphasis throughout this report on accepted adult education goals and approaches. Drawing a rationale from their own field of adult education, prison educators seek to afford opportunities to prisoners to increase self-improvement, self-esteem and self-reliance ...

The Select Committee on Prison Education emphasised an orientation or outlook for prison education that is drawn from the world of education outside and that may be distinct from penal perspectives, but it also asserted that such an approach is perhaps the greatest contribution education can make to the overall well-being of prisoners and prison regimes. Where prisoners see that the education offered is of high quality, that it respects them and allows them choice and scope, and is not seeking to manipulate them, then their participation will be wholehearted and they are likely to grow as people." (2.5 to 2.10)

Learning opportunities

If education is to meet the needs of 'the whole person' and also respond to the different circumstances of different prisoners, then a very wide and flexible programme of activities and courses must be envisaged. The way this programme is shaped and developed results from a dynamic which keep an eye on successful initiatives outside the prison and an eye on the changing awareness of the students within the prison: "In deciding the content of prison education, two factors are of importance. Firstly, what do the prisoners need and want? Secondly, what does the best adult education practice in society offer? Good adult education tunes in to the wishes of its clients and this principle should also be applied to prisoners. Initially, their limited awareness of what is possible may in turn limit their choices, and so education must seek to identify and stimulate their latent wants and respond flexibly as interests emerge. Courses should not be limited to conventional subjects; it is the potential student's right to learn what is paramount, and some learning needs may not be met by traditional academic classification." (6.1)

Most of the second half of the report looks in some detail at particular segments of education that represent learning opportunities which, in different ways and in different combinations, helps meet the needs of prisoners. Separate chapters of the report are given to Vocational Education, Library Services, Physical Education, Creative Activities and Social Education. Prior to this discussion, however, the report considers the large numbers of those in prison who have serious reading or writing problems and the adult education methodology appropriate to their needs is explored. The point is also made that those with literacy problems should be encouraged to take part in these wider learning opportunities, as well as having their basic education needs addressed.

As space does not permit detailed summaries of what the report says of each of these learning opportunities, attention in much of the remainder of this article will rest on Creative Activities and Social Education, as these are perhaps the least developed segments in most European prison systems. However, it also seems important to at least mention here that those chapters dealing with other 'learning opportunities' focus particularly on the need for higher standards, eg:

"Vocational education should be related to the employment market. Too often in prisons the skills taught are traditional ones for which there is very limited demand in the employment market. As the range of employment opportunities changes so frequently, it is vital that vocational education is flexible enough to adapt to such changes. Moreover, it is essential that the quality of vocational education in prisons is high, both because the employment market is very sensitive to quality and because other factors limiting the work prospects of ex-prisoners need to be counteracted. Vocational education in prisons

can perhaps best achieve good standards if it is provided by, or in close liaison with, those agencies in society (Local Authority, Government agencies, professional bodies, etc) which are providing the highest quality of vocational education." (7.3)

"To work properly, the prison library must be managed in conjunction with a professional librarian who will seek to achieve the same standards as in good libraries in society. It will depend on the number of prisons and prisoners to be served whether this person is involved in the prison library on a day-to-day basis; what matters is that there be sufficient professional input and supervision in the running of prison libraries. Such a person can ensure that proper library procedures are followed, but will also stimulate outreach projects (magazines, readings, exhibitions, etc), extend the concept of the library beyond books to other media and promote greater use of these facilities. Generally, the choice of books and other media should be left to the professional judgment of the librarian, as would be the case in outside libraries, but a good librarian will include a large amount of stock requested by the library customers. Prisoners should therefore have at least the same access to books, etc, and the same access to catalogues and request systems as they would in a public library." (8.4)

"Ensuring that prisoners have sufficient and regular access to the library can often be a problem. But it must be stressed that, however good a library's stock may be, its value will be greatly reduced unless all prisoners can go to the library on a regular basis and at least once a week. In addition, the prisoner must have sufficient time to look at and choose material. Attending the library is an activity requiring its own place in the prison programme — too often the library has a lowly or marginal status. Moreover, given their disadvantaged backgrounds, many prisoners will be unfamiliar with books and hesitant to use the facility. It is important that special efforts be made to attract such prisoners to the library and to make them feel at ease within it. Concern about damage to books should not be allowed to dominate operational practice; even public libraries have to accept a certain level of book damage and loss in order to encourage involvement by people. A fully 'secure' library is one never used!" (8.6)

"Instructors must be properly qualified, ie they must have been adequately trained to teach physical education, to coach sports and to work with prisoners. The Committee believed that the full benefits of physical activity in prisons are not reaped when insufficient attention is paid to educational aspects and adequate standards are not applied. Moreover, safe and truly educational PE programmes require teachers whose qualifications are at least on a par with teachers of other subjects in prison and with PE teachers in the community outside." (9.5)

Creative activities

It was noticeable that, with a few exceptions, the arts (or what the Select Committee termed 'creative activities') did not appear to have a substantial role in the prison education services of many member states that were represented on the committee or that submitted reports to it. What we had in mind were projects where prisoners are actively involved such as art, drama, writing, music, dance, photography or video-production. This lack represents missed opportunities both for prisoners, prison administrations and adult education. The Select Committee believed there is a "wealth of underdeveloped talent and creativity to be found in those in prison. The special task of the adult educator is primarily to help the prisoner-students to recognise and then to develop these untapped resources within themselves. It is vital that learning opportunities in the arts be offered to all, even if some of them reject the offer initially. However, the Committee did feel optimistic about the attractiveness of creative activities to prisoners and recognised the potential therein for development, but much depends on the attitudes and quality of the artists and teachers involved." (10.4)

It is interesting to speculate as to whether the underdevelopment of the arts in prisons results from a too-narrow curriculum suggested by 'treatment' or 'rehabilitative' models of what prison education should be doing. Certainly, the arts do not spring to the forefront when merely functional objectives are set for education. But an adult education model — or at least one that aims "to develop the whole person" — must give a significant place to creative activities. And again, paradoxically, a powerful spin-off of prisoners channelling their creative energy into the arts can be rehabilitation. For, "there are some grounds for seeing much criminal behaviour as creative energy 'gone wrong', powerful individuality that has not been able to avail of more constructive outlets. Thus, Jimmy Boyle, who had previously been a violent criminal in Scotland, wrote of his discovery of sculpture within prison:

'I began to pour all my energies into this new means of expression and was knocked out by the depth of feeling when I completed a piece of sculpture. The only thing I could compare it to was when I won a victory when fighting in the past or beating the system in some way. The difference was that I was using the energy, knowing I was just as aggressive, but creating an object that was a physical symbol, yet perfectly acceptable to society. I worked at a prolific rate with most of the work based on the expressions of my soul with pain/anger/hate/love/despair and fears embodied in it. This was very important for me as a person because it allowed me to retain all these very deep emotional feelings but to channel them in another way — sculpture.'

The case of Jimmy Boyle is, of course, exceptional in both the extent of his past criminality and the quality of his later art-work and writing. But the essentials of the point that he makes can be true for all who

are in prison even if in less dramatic fashion. Although for many the change will be less sudden it will be none the less significant. Many will take to the arts in the first instance simply as a source of solace, to relieve boredom or just to do something rather than be passive, but the impulse can in time lead to very positive change. Other benefits can also be identified: creative or artistic activity can greatly help in people's emotional development, allowing a means of expressing and exploring feelings in an acceptable and non-threatening way. They are also a means by which individuals learn self-discipline and how to interact socially, learning to work together in a team." (10.5-10.6)

Social education

The following extracts perhaps best convey what the Select Committee wished to say in the chapter on this 'learning opportunity':

"Social education was not specifically mentioned in the terms of reference of the Committee, but it was seen, nevertheless, as an area of major importance. This term is used to describe any education geared towards helping people live in the community. It is of particular importance for those who are marginalised or powerless in society, as are many prisoners even before committal. Inevitably, their very removal from society and the experience of imprisonment generally will worsen their sense of alienation from, and their difficulty in coping with, society at large. As with creativity, it is true of social education that it is present to some degree in all education. However, there is a certain area of education which specifically offers to empower students with attitudes, skills and information which will enable them to live more fully and constructively within the community and this is the concern of this chapter."

"The term 'social education' is preferred to alternatives such as 'social and life skills' or 'social training' because it focuses on the general education or development of the whole person and avoids the image of 'behaviour modification' which is hinted at in the other phrases. Some teaching approaches can stress inadequacy too much and not acknowledge enough the positive potential and creativity in the students. The objective of this kind of education should be personal development, enabling the student to take greater control over some aspects of life. Often, when people take greater control or responsibility over one aspect (eg diet, sexuality, fitness, understanding of children) this can have a positive spill-over into other areas of life, as self-esteem and confidence are boosted. What should be avoided is an over-emphasis on negative issues (eg drink or drug problems, lack of social 'skills') as this may merely reinforce the student's sense of inadequacy — unless there are specific requests from prisoners to deal with these." (11.1-11.2)

"At its most basic, social education should ensure that information which prisoners might need upon their re-emergence into society is available to those who want it. The information required will vary

greatly with individuals, but might include knowledge about employment and unemployment; housing; transport; welfare, health and educational services outside; managing money, etc. Libraries, in particular, should be reservoirs where such information is available in easily accessible form."

"Even with topics such as those just mentioned, needs will seldom relate solely to obtaining information. Often prisoners will need to explore the emotional dimension to an issue, to sort out their attitudes on the matter. For example, experiences of employment or unemployment may need to be analysed, the sense of depression often associated with being out of work may require attention. Such emotional dimensions are all the greater in another set of issues, in which relationships and questions of identity are very much to the fore, although straightforward information may also be required: family, sexuality, childcare, violence and assertiveness, coping with stress, etc. The exact issues to be covered must be a matter for the prisoners themselves to choose and participation in any course covering these areas must be wholly voluntary. Prisoner-students may often become aware of a need for specific skills as a result of exploring such areas and make requests accordingly, eg in being able to stand up for themselves and put their point of view without becoming aggressive, in applying for jobs or welfare benefits, or in coping with a drink or drugs problem. Skills of another kind that may be required are ones to do with managing at home — living independently, cooking, home repairs, etc — but here also attitudinal issues relating to such matters as sex roles or loneliness do arise." (11.4-11.5).

"Generally, in relation to the preparation of prisoners for release, two concepts must be advanced: the need for the *whole regime* to be concerned (a pre-release, outward-looking, forward-looking ethos) and the need for *specific courses*. Both these components are complementary and vital. If preparation for release consists solely of a course, and none of the expenditure of time by prisoners or resources by the Education Sector are supported by a regime contributing to this outlook, then such a course may be mere tokenism and ineffective. The overall culture and climate of prisons have to be orientated towards preparation for release if any courses are going to be effective. Similarly, if a prison tries to develop the preparation for release ethos and does not provide special courses, many prisoners will have problems which will not have been addressed. Both developments are necessary if effectiveness and efficiency are to be achieved. The pre-release needs of long-term and short-term prisoners will, of course, be quite different in many ways. With the long-terminer the task is to help towards a great re-adjustment. With the short-terminer efforts should be directed towards preserving as many as possible of the supports that are outside for that person." (11.7).

Interaction with the community

If adult education perspectives represent the main recurring theme of the report, an important second theme is that "the education should be a

constant seeking of ways to *link prisoners with the community outside* and to enable both groups to interact with each other as fully and as constructively as possible." (1.5). Given that prisoners are often deeply alienated from society at large, as was mentioned above, the fostering of links with outside groups takes on an added importance. Where inmates are not allowed out of prison to attend education, some degree of 'normalisation' can still be introduced by the very fact of the educational agencies which operate within prison being the same providers as on the outside.

But, in addition to that, there can be many more opportunities for 'interaction with the community' a recurring subheading through the report. Volunteers, artists, theatre people, performers, sports teams, people involved in industry, visiting speakers, etc, can all keep prisoners in touch with the world outside, as well as providing other stimulation by their contact. Often, links made in this way can provide important supports for prisoners upon release. The gains, of course, are not all one-way, as the visitors can achieve a greater understanding of those in prison and of prison circumstances.

The Select Committee pointed out that the very best way of developing constructive links with the community outside is for prisoners to actually go outside, for example to take part in education, although many prison systems are not sufficiently open to make this a common feature. A Danish study found that prisoners released to outside education not only were less likely to relapse into crime but were also more likely to continue in education after release.

The Select Committee was specifically asked in its terms of reference to suggest "arrangements for encouraging prisoners ... to continue their education after release" (1.1). The Committee recognised many problems in ensuring such continuity, and focused especially on the vital need for structured post-release support: "Much depends on the availability of education in the society outside and, in particular, in the area where the released prisoner goes to live. A referral network, which can give educational advice and counselling to those being released, is also important. More importantly, experience shows (particularly in some British studies) that those released from prison realistically need a good deal of personal support if they are to successfully make the jump from education within to education outside. This support is crucial for several reasons: many prisoners have negative experiences and low attainment from past educational attendance and there are, in any case, often many other pressures impinging on the ex-prisoner in the period following release. Differences can arise as to whether it is the responsibility of the prison or education authorities to give this vital support, but the point must be made that, though expensive, structured support to help ex-prisoners integrate into education in the community can be very effective. There is much to suggest that, without structured support, continuity in education upon final release will not be very likely." (12.5).

Conclusion

It is something of a cliche among educators to speak of the "process" being as important as the "product". But, for those who took part in the Select Committee, this work was indeed satisfying, enabling us to engage in international dialogue relevant to our specialist field of work on a level that had not taken place in Europe before. We noted in our report that, while there are considerable differences in culture, education systems and prison systems between different countries, those working in prison education have a great deal in common with each other across national boundaries: "Indeed, prison educators from different countries can often share more with each other than with educators in other fields from their own countries. Such sharing can apply as much to the identification and addressing of common problems as to the sharing of more positive experiences. Because of this common ground, the Committee felt that vehicles for the exchange of ideas and information between prison educators from different countries, for both administrators and practitioners, were very important." (1.10).

A number of suggestions were made in the report to keep the momentum of international dialogue going and to extend it more widely through the

field, eg a conference to follow-up the Recommendation and report, a journal, a European association of prison educators. Many Europeans who attended the International Prison Education Conference held in Oxford in September 1989, noted the mutual support and professional development opportunities available to North American colleagues through the Correctional Education Association, a body now in its 45th year. This, in part at least, gave an impetus to Europeans at Oxford to set about the establishment of a European Prison Education Association (EPEA) to promote prison education in accordance with the European Prison Rules and Recommendation and report on Prison Education. Such a vehicle for continuing European dialogue on prison education will be important, for, as the Select Committee pointed out, we did not see our report in any sense as the "last word" or a complete guide to prison education. We hoped, rather, that the report could contribute in some ways to further thought and discussion in this special area of work.

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NEWS FROM THE MEMBER STATES

Statistics on prison population in the member states of the Council of Europe

The information which follows, assembled from the twice-yearly survey on prison populations in member States of the Council of Europe, deals with the situation of prison populations at 1 February 1989 and 1 September 1989 as well as flows for the year 1988¹.

Situation at 1 February and 1 September 1989

The following indicators (Tables 1 and 2) have been calculated on the basis of unprocessed information collected from the prison administrations:

a. Total prison population;

1. As in the past, data concerning Canada are appended. It should also be noted that Malta has not replied to either the February or the September 1989 questionnaire.

b. Rate of detention per 100,000: total prison population at 1 September 1989 as a proportion of all inhabitants on those dates (Figure 1);

c. Percentage of unconvicted prisoners: number of prisoners not finally sentenced as a percentage of the total prison population;

d. Rate of detention on remand per 100,000: number of unconvicted prisoners as a proportion of all inhabitants at 1 September 1989 (Figure 2):

e. Percentage of women prisoners;

f. Percentage of young prisoners;

g. Percentage of foreign prisoners.

Figure 1
Breakdown of Council of Europe member states
by rate of detention per 100 000 inhabitants

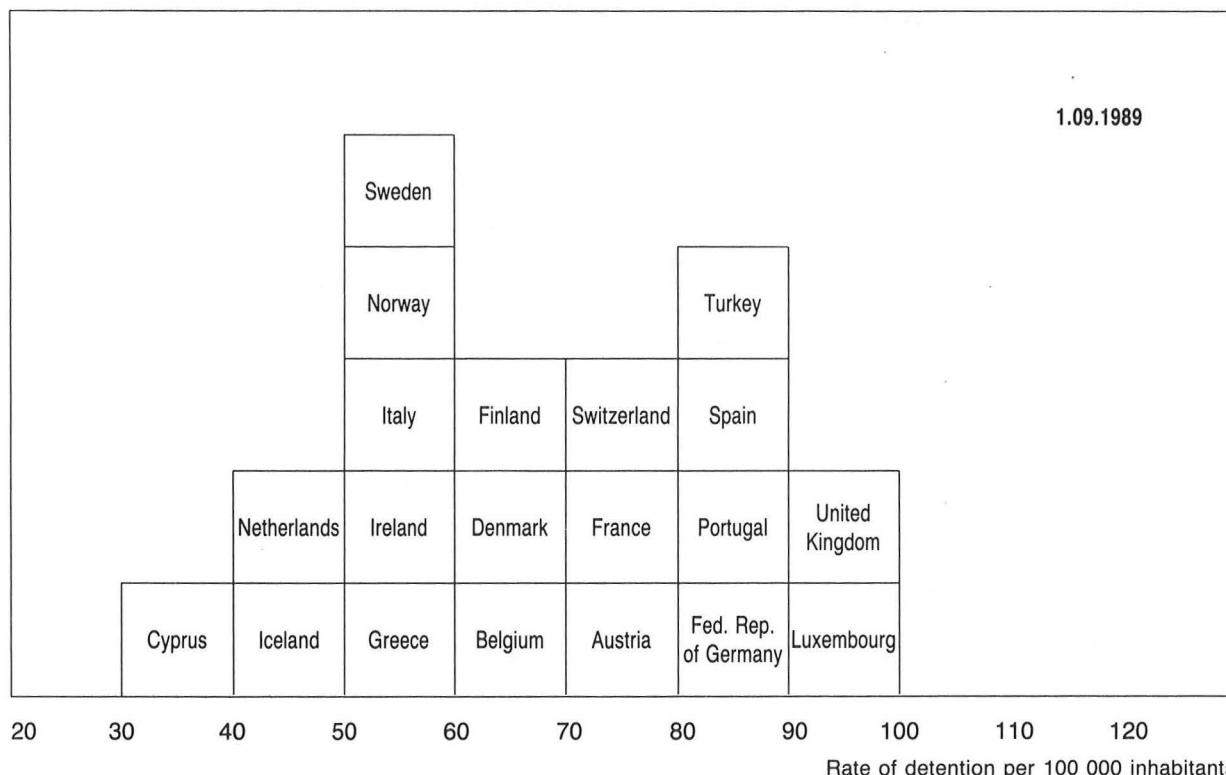
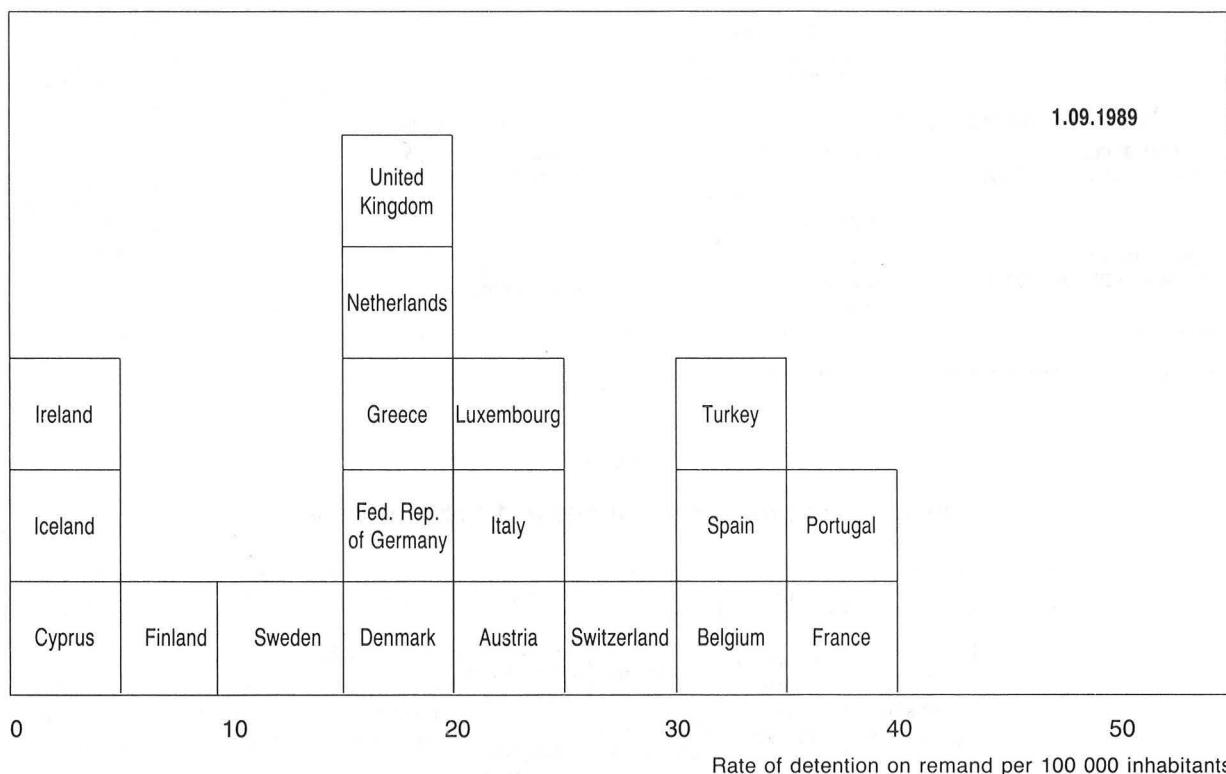


Figure 2

**Breakdown of Council of Europe member states
based on rate of detention on remand per 100 000 inhabitants**



At 1 September 1989, the average rate of detention was 66.8 per 100,000 inhabitants compared with 66.5 in 1985, 65.6 in 1986, 64.9 in 1987 and 66.9 in 1988 (data at 1 September).

Prison population trends over the last twelve months (1.9.1988-1.9.1989)

Over the last twelve months, 8 out of 20 prison populations have increased substantially: Iceland (+27%), Netherlands (+10.9%), Luxembourg (+7.1%), Greece (+6.4%), Norway (+6.4%), Spain (+6.1%), Belgium (+4.8%), Portugal (+3.4%). Eight states have remained relatively stable: Sweden (+1.7%), Ireland (+1.4%), Switzerland (+0.7%), FRG (-0.7%), United Kingdom (-0.7%), Austria (-1.6%), Denmark (-2.6%), France (-2.8%).

Lastly, 4 countries have seen a marked drop in their prison populations: Turkey (-6.6%), Italy (-11.8%), Cyprus (-12.8%), Finland (-13.8%).

Committal flow in 1988

As in previous surveys, the following indicators were calculated (Table 3):

- Number of committals in 1988
- Rate of committals per 100,000 in 1988: number of committals during 1988 as a proportion of the mean number of inhabitants over that period. Taking into

account the available data, we in fact used the number of inhabitants at 1.9.1988 as reported by administrations.

c. Percentage of unconvicted prisoners committed: number of committals of unconvicted prisoners as a percentage of the year's total committals.

d. Indicator of the average period of detention (D): quotient obtained by dividing the average 1987 population (P) by the committal flow over the same period (E): $D = 12 \times P/E$ (duration in months).

In the light of the available data, P was taken to be the population at 1.9.1988.

It should be borne in mind that the figures obtained must be considered as indicators and not as measured results.

Using Figure 3, it is possible to compare simultaneously the rates of detention at 1.9.1988¹, the committal rates for 1988 and the indicators of the average detention period, and to classify countries by means of these three indicators into six groups.

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1. Prison Information bulletin No 12 December 1988, page 22.

Figure 3
**Breakdown of Council of Europe member states by rate of detention (1.9.1988)
rate of committal (1988) and indicator of the average detention period**

	Detention period less than 5 months	more than 5 months		Detention period less than 5 months	more than 5 months
<i>Detention rate less than 70 per 100,000</i>					
Committal rate less than 200 per 100,000	Belgium Cyprus Iceland Netherlands	Greece (1987) Italy		Committal rate less than 200 per 100,000	Finland
Committal rate more than 200 per 100,000	Ireland Norway (1987)			Committal rate more than 200 per 100,000	Austria Turkey U.K.

Data not available: Denmark, Malta, Sweden, Switzerland

Table 1
Situation of prison populations at 1 February 1989

	(a)	(b)	(c)	(d)	(e)	(f)	(g)
	Total prison population	Detention rate per 100,000 inhabitants	Percentage of unconvicted prisoners	Rate of unconvicted prisoners per 100,000 inhabitants	Percentage of women prisoners	Percentage of young prisoners	Percentage of foreign prisoners
Austria	6 084	80.0	23.4	18.7	4.2	19 a: 2.1	7.5
Belgium ¹	6 437	65.3	52.0	39.9	5.0		0.3
Cyprus	201	35.9	3.0	1.1	4.0	21 a: 17.9	31.3
Denmark	3 668	73.0	27.0	19.7	—	—	11.8
Finland	3 813	77.0	9.8	7.6	3.1	21 a: 5.5	0.3
France ¹	47 633	83.1	43.6	36.2	4.5	21 a: 10.8	27.4
Fed. Rep. of Germany ¹	53 224	86.8	22.6	19.7	4.1	—	14.5
Greece ¹	4 381	45.0	26.6	12.0	3.6	21 a: 5.1	22.4
Iceland	100	39.7	9.0	3.6	5.0	21 a: 8.0	1.0
Ireland ¹	2 027	57.0	6.4	3.6	2.4	22 a: 26.2	1.3
Italy	34 366	59.8	44.5	26.6	5.2	18 a: 1.6	8.2
Luxembourg	388	104.3	35.6	37.1	5.9	21 a: 6.7	42.3
Malta	—	—	—	—	—	—	—
Netherlands	6 205	42.7	35.4	15.1	3.6	23 a: 15.9	22.5
Norway ¹	2 135	50.6	28.3	14.3	3.3	21 a: 8.1	12.5
Portugal	8 232	84.0	33.0	27.7	5.5	21 a: 9.8	8.9
Spain ¹	28 917	74.7	41.9	31.3	6.9	21 a: 7.7	15.9
Sweden ¹	5 143	61.0	20.3	12.4	4.9	21 a: 3.8	20.4
Switzerland ¹	4 984	75.5	36.6	27.6	5.4	18 a: 4.5	36.9
Turkey	47 971	86.3	37.2	32.1	2.6	18 a: 0.9	0.7
United Kingdom	56 183	98.7	21.5	21.3	3.5	21 a: 22.1	1.3
England, and Wales ¹	49 149	97.8	22.4	21.9	3.6	21 a: 21.9	1.4
Scotland	5 267	103.4	15.6	16.2	3.2	21 a: 23.3	0.2
Northern Ireland	1 767	112.0	15.4	17.3	1.5	21 a: 23.1	1.6

1. See notes next page

Notes — Table 1

Belgium: Calculation of indicators (c) and (d)

1. Total prison population	6,437
2. Prisoners having received a final sentence ..	3,091
3. Prisoners awaiting sentence	3,346
Heading 3, used to calculate indicators (c) and (d), is broken down as follows:	
3.A Remand prisoners (persons ordered to appear before a judge or court, accused persons, detained and convicted persons awaiting final sentence)	1,950
3.B a. minors in provisional custody	18
b. minors placed at the government's disposal	0
c. persons detained under the Social Protection Act	721
d. vagrants	525
e. others	132
— Indicator (f) concerns minors in provisional custody	

France: The data concern all persons imprisoned in metropolitan France and the overseas departments (metropolitan France = 46,074, overseas departments = 1,559).

For metropolitan France, indicator (b) is 82.2 per 100,000 inhabitants.

Indicators (e), (f) and (g) are calculated with reference to the situation at 1.1.1989.

Federal Republic of Germany: Indicator (e) concerns the entire prison population with the exception of "civil law" prisoners and persons imprisoned pending expulsion (n = 1,262).

It is impossible to calculate indicator (f) on the basis of the total population. Unconvicted prisoners (n = 12,053): proportion of persons under 21 = 12.2%. Convicted prisoners (n = 39,909): proportion of convicted prisoners held in prisons for young persons 11.6%; most are between 14 and 25 years of age.

Indicator (g) is an estimate.

Greece: Detention rate at 1.2.1989 not available: the figure was calculated with reference to the number of inhabitants at 1.9.1988.

Ireland: 27 foreigners, not including 33 prisoners from Northern Ireland.

Norway: Detention rate at 1.2.1989 not available: the figure was with reference to the number of inhabitants at 1.9.1988.

Spain: Detention rate at 1.2.1989 not available: the figure was calculated with reference to the number of inhabitants at 1.9.1988.

Sweden: Indicators (e), (f) and (g) were calculated with reference to the convicted prison population.

Switzerland : Estimated number of prisoners and structure by penal category at 1.2.1989:

• Sentenced (1.2.1989)	3,500
— serving sentence	3,162
— convicted, awaiting sentence	338
• Unconvicted prisoners (special survey 17.3.1989)	1,484
— remand prisoners	1,332
— others (police arrest, detention pending expulsion or extradition, others)	152
• Total	4,984

The detention rate reported by the Swiss administration (65 per 100,000) cannot be directly compared with those of other countries: the number of prisoners resident in Switzerland (3,609) was calculated with reference to the total resident population aged 15 years and over.

The rate has therefore been recalculated: total prison population with reference to the total number of inhabitants (6.6 millions), ie 75.5 per 100,000.

Indicators (c) and (d) were calculated to include persons convicted awaiting sentence (338) and unconvicted prisoners (1,484).

Indicators (e) and (f) were calculated with reference to the convicted population (including persons convicted awaiting sentence).

United Kingdom:

England and Wales: (a) including 311 persons in police custody.

Indicators (e) and (f) concern the total prison population with the exception of "civil law" prisoners (n = 220).

Indicator (g) is an estimate: prisoners considered as foreigners are those born outside the Commonwealth, Ireland and Pakistan.

Notes - Table 2

Belgium: Calculation of indicators (c) and (d)

1. Total prison population	6,761
2. Prisoners having received a final sentence ..	3,541
3. Prisoners awaiting sentence	3,220
Heading 3, used to calculate indicators (c) and (d), is broken down as follows:	
3.A Remand prisoners (persons ordered to appear before a judge or court, accused persons, detained and convicted persons awaiting final sentence)	1,806

3.B a. minors in provisional custody	14
b. minors placed at the government's disposal	0
c. persons detained under the Social Protection Act	761
d. vagrants	447
e. others	192
— Indicator (f) concerns minors in provisional custody	

France: The data concern all persons imprisoned in metropolitan France and the overseas departments (metropolitan France = 43,555, overseas departments = 1,547).

For metropolitan France, indicator (b) is 77.6 per 100,000 inhabitants.

Indicators (e), (f) and (g) are calculated with reference to the situation at 1.7.1989.

Federal Republic of Germany: Indicator (e) concerns the entire prison population with the exception of "civil law" prisoners and persons imprisoned pending expulsion (n = 1,168).

It is impossible to calculate indicator (f) on the basis of the total population. Unconvicted prisoners (n = 38,385): proportion of convicted prisoners held in prisons for young persons 10.8%, most are between 14 and 25 years of age.

Indicator (g) is an estimate.

Ireland: 21 foreigners, not including 29 prisoners from Northern Ireland.

Sweden: Indicators (e), (f) and (g) were calculated with reference to the convicted prison population.

Switzerland : Estimated number of prisoners and structure by penal category at 1.9.1989 :

• Sentenced (1.9.1989)	3,249
— serving sentence	2,998
— convicted, awaiting sentence	251
• Unconvicted prisoners (special survey 17.3.1989)	1,465
— remand prisoners	1,321
— others (police arrest, detention pending expulsion or extradition, others)	144
• Total	4,714

The detention rate reported by the Swiss administration (66 per 100,000) cannot be directly compared with those of other countries : the number of prisoners resident in Switzerland (3,584) was calculated with reference to the total resident population aged 15 years and over.

The rate has therefore been recalculated : total prison population with reference to the total number of inhabitants (6.6 millions), ie 71.4 per 100,000.

Indicators (c) and (d) were calculated to include persons convicted awaiting sentence (251) and unconvicted prisoners (1,465).

Indicators (e) and (f) were calculated with reference to the convicted population (including persons convicted awaiting sentence).

United Kingdom :

England and Wales : (a) including 20 persons in police custody.

Indicators (e) and (f) concern the total prison population with the exception of "civil law" prisoners (n = 232).

Indicator (g) is an estimate : prisoners considered as foreigners are those born outside the Commonwealth, Ireland and Pakistan.

Northern Ireland : The "unconvicted prisoners" category does not include sentenced persons who have appealed or whose time limit for appeal has not expired. Such persons are included in the total of those sentenced, since the figures do not provide a breakdown.

Table 2
Situation of prison populations at 1 September 1989

	(a)	(b)	(c)	(d)	(e)	(f)	(g)
	Total prison population	Detention rate per 100,000 inhabitants	Percentage of unconvicted prisoners	Rate of unconvicted prisoners per 100,000 inhabitants	Percentage of women prisoners	Percentage of young prisoners	Percentage of foreign prisoners
Austria	5 771	76.0	28.5	21.7	4.1	19 a: 2.6	14.2
Belgium ¹	6 761	68.5	47.6	32.6	5.1	: 0.2	31.1
Cyprus	191	34.1	14.1	4.8	2.6	21 a: 19.1	32.5
Denmark	3 378	66.0	29.0	19.1	4.8	—	14.1
Finland	3 103	62.3	11.1	6.9	3.2	21 a: 6.6	0.3
France ¹	45 102	78.5	45.3	35.6	4.5	21 a: 10.8	27.8
Fed. Rep. of Germany ¹	51 729	83.8	23.5	19.7	4.2	—	14.5
Greece	4 564	50.0	33.4	16.7	3.7	21 a: 5.3	26.6
Iceland	113	44.6	9.7	4.3	7.1	21 a: 8.0	1.8
Ireland ¹	1 980	56.0	5.7	3.2	1.9	22 a: 26.2	1.1
Italy	30 594	54.0	45.2	24.4	—	—	8.6
Luxembourg	345	92.7	21.7	20.2	5.8	21 a: 7.2	41.2
Malta	—	—	—	—	—	—	—
Netherlands	6 461	44.6	39.4	17.6	3.6	23 a: 13.0	24.2
Norway	2 171	54.3	—	—	3.4	21 a: 7.9	—
Portugal	8 458	82.0	43.4	35.6	5.6	21 a: 9.1	7.6
Spain	31 137	80.0	41.3	33.0	7.6	21 a: 6.7	15.2
Sweden ¹	4 796	57.0	19.1	10.9	4.9	21 a: 4.0	21.6
Switzerland ¹	4 714	71.4	36.4	26.0	4.6	18 a: 6.1	41.2
Turkey	48 413	83.5	40.1	33.5	2.6	18 a: 0.9	0.7
United Kingdom	55 047	96.5	21.4	19.1	3.6	21 a: 21.3	1.3
England, and Wales ¹	48 481	96.2	22.1	21.3	3.7	21 a: 21.6	1.4
Scotland	4 786	94.0	15.0	14.1	2.9	21 a: 21.1	0.3
Northern Ireland ¹	1 780	112.8	19.4	21.9	1.3	21 a: 13.8	1.7

1. See notes previous page and above

Table 3
Committal flow in 1988

	(a)	(b)	(c)	(d)
	Number of committals in 1988	Rate of committals per 100,000 inhabitants in 1988	Rate of unconvicted prisoners committed in 1988	Indicator of mean detention period in month (1988)
Austria	15 575	204.6	44.4	4.5
Belgium	17 308	175.5	80.4	4.5
Cyprus	591	106.1	24.2	4.4
Denmark	—	—	—	—
Finland	9 379	190.3	26.3	4.6
France ¹	83 517	149.3	77.6	6.5
Fed. Rep. of Germany	91 723	149.5	—	6.8
Greece ¹	—	—	—	—
Iceland	323	129.2	28.5	3.3
Ireland	7 255	204.3	44.3	3.2
Italy	67 993	118.4	95.4	6.1
Luxembourg	610	163.9	71.6	6.3
Malta	—	—	—	—
Netherlands	19 965	137.1	50.9	3.5
Norway	—	—	—	—
Portugal	9 941	100.9	80.2	9.9
Spain	67 843	175.2	—	5.2
Sweden ¹	—	—	—	—
Switzerland ¹	—	—	—	—
Turkey	142 377	262.7	64.7	4.4
United Kingdom	188 059	330.3	43.7	3.5
England and Wales ¹	147 093	292.7	44.3	4.0
Scotland ¹	35 540	695.3	42.2	1.7
Northern Ireland	5 426	346.9	34.2	3.9

1. See notes.

Notes — Table 3

France: The data are for metropolitan France only.

Greece: Committals for 1988: convicted 6,921

Sweden: Committals for 1988: convicted 16,098

Switzerland: Committals for 1988: convicted 11,256

United Kingdom

England and Wales: The number of committals was obtained by adding together the number of committals of convicted persons and the number of committals of unconvicted

persons. The United Kingdom administration provided an estimate of the number of persons committed (without double entries): 115,242.

This figure was used as a basis for obtaining a committal rate of 229.3 per 100,000 and an indicator of the mean detention period of 5.1 months.

Scotland: Data provided by Scotland on the prison population census:

The information provided by Scotland on the prison population is based on a definition which differs from that used by other countries.

Scottish data on the number and rate of committals are based on the notion of "reception". "A sentenced reception" is counted each time one or more orders to appear are issued for the same individual, in the same court and on the same day. Thus "receptions" are not the equivalent of committals of convicted persons who have been at liberty before committal. A recent survey shows that there are approximately 4 "sentenced receptions" for 3 committals on conviction (including non-payment of fines). In this comparison, a "sentenced reception" is counted separately in view of the fact that the prisoner has previously been detained on remand.

The total number of committals is obtained by adding together the number of "sentenced receptions" and the number of "receptions" of unconvicted prisoners. An "unconvicted reception" is counted for each committal. Thus a person detained on remand for a short period who is released and then committed again (awaiting judgment or conviction) is counted as 2 "receptions".

Appendix: Canada

Canada did not reply to the questionnaire in February 1989. The data provided for the September 1989 survey were very partial, relating only to the convicted population:

number of those convicted: 13,356
percentage of women prisoners: 2.1
percentage of foreign prisoners: 4.9

It will be recalled that the data compiled from the September 1988 survey (Prison Information Bulletin No. 12 - December 1988) were:

Average situation for the financial year 1987-1988

- a. Total prison population 28,046
- b. Rate of detention per 100,000 inhabitants 109.4
- c. Percentage of unconvicted prisoners ... 14.3
- d. Rate of detention on remand per 100,000 15.6

The total population figure in (a) related to correctional institutions for adults (provincial and federal institutions).

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ERRATA

Prison Information Bulletin No. 12 - December 1988: Statistics on prison populations

page 22 - England and Wales: number %
Total prison population 48,595 100.0
Unconvicted prisoners 10,258 21.1

	number	%
Awaiting trial	8,697	17.9
Convicted awaiting sentence	1,561	3.2

page 23 - Appendix 1: Finland [no change in English text]

Law, bills, regulations

The titles of laws which have come into force in the past year, bills and regulations relating to prison affairs which are likely to be of particular interest to the prison administrations of other member States will be given in this section. In certain cases, the titles are followed by a brief summary.

Belgium

1. *The Executives of the Communities, which have jurisdiction over measures for placing minors at the disposal of the government, have decided that minors will no longer be held in prison.*

2. *Ministerial circulars (MC):*

— MC 1531/I of 8 November 1988: *making an information booklet written by the Netherlands Embassy available to prisoners of Netherlands nationality.*

— 1536/IX of 18 January 1989: *method of calculating the qualifying date for conditional release of sentenced prisoners given a further sentence for offences on the occasion of or during an escape or while on prison leave.*

The following instructions supplement Circular 1231/IX of 28 July 1975.

If a prison sentence is recommended subsequent to the date on which imprisonment commenced and if, at the time this recommendation was made, the prisoner had reached the qualifying date in respect of the sentence(s) being served, the qualifying date must be re-calculated in whichever of the following two ways is appropriate:

1. If the offence for which the latest sentence has been passed predates the current term of imprisonment, the qualifying date for conditional release is calculated from the date on which such imprisonment began.

2. If the offence was committed during the current period of imprisonment, prison leave or an escape, one-third or, in the case of a repeated offence, two-thirds of the latest sentence must be served, being calculated from the date on which execution of the latest sentence began.

In the case of a person imprisoned pursuant solely to an arrest warrant issued for the new offence, the period spent in detention on remand is taken into account.

— MC 1537/XI of 23 February 1989 *increasing the maximum daily rate for prisoners' food by 5 Belgian francs (110 Belgian francs per person per day for both able-bodied and sick prisoners).*

— MC 1538/VI of 23 February 1989: *objects remaining in prisoners' possession (risks-liability).*

As from 1 March 1989 each prisoner will, upon incarceration, be given a declaration to sign whereby he accepts that, in respect of such property as he keeps in his cell, the state shall incur no liability as depositary. This declaration will be valid not only

during detention in a prison but also on the occasion of transfers or in other circumstances.

If the prisoner refuses to sign the declaration, all his property shall be deemed to be "valuables" or "prohibited objects", and any object brought from outside the prison shall be refused.

If a prisoner is deprived of his property by a disciplinary measure, it shall be (provisionally) deemed to consist of prohibited objects.

— MC 1539/XIV of 23 February 1989: *prisoners' luggage (standardisation of containers loaded into transfer vehicles).*

Since 1 March 1989, the luggage which a prisoner may take with him upon transfer has been limited to the volume of one standard container.

A prisoner's other possessions are transported separately and are generally available within a period ranging from a few days to one week.

The containers, sealed with the adhesive tape provided, are always loaded by prison staff into the luggage compartments of prison vans and must remain out of the prisoners' reach.

Only if a foreign prisoner is to be handed over without delay at the border, in which case he needs to have all his possessions, may permission be granted, if necessary, for his luggage to be transported in the passenger compartment of the prison van.

Prisoners' use of the telephone (Ministerial circular of 10 October 1989 — 1546/VII)

For the past few years one or more public telephones have been made available on an experimental basis to prisoners in several institutions. After this trial period of a few years, the experiment has been found generally worthwhile.

Provision for this kind of contact has a beneficial effect on the prison atmosphere. Maintaining family ties is regarded as a major factor in resettlement.

It has therefore been decided to allow prisoners to use the telephone in all Belgian prisons.

Regulations

1. Apart from remand prisoners forbidden to communicate with the outside world, all categories of prisoners can be allowed to use the telephone.

2. Use of the telephone is subject to the regulations on visiting. The following persons may therefore receive telephone calls from prisoners:

- a. their lawyers;
- b. their country's consular and diplomatic authorities;
- c. their parents and immediate relatives, guardian, spouse or cohabitee, brothers, sisters, uncles and aunts.

As in the case of visits, telephone conversations with other persons are subject to the authorisation of the prison director, who considers whether they are justified. International telephone calls are subject to the same conditions.

3. Note must be taken of the prisoner's name, the correspondent's name and telephone number and the date of the telephone call.

It is advisable to check whether the telephone number requested is actually that of the stated correspondent. While this is impossible to do systematically because there are so many requests for use of the telephone, it is important to make daily spot-checks. Prisoners making unauthorised use of this facility can be temporarily or permanently deprived of the opportunity to use the telephone.

AIDS Prevention — Condoms (Ministerial circular of 27 December 1989 — 1548/XII)

In accordance with AIDS prevention policy and Council of Europe Recommendation No. 1080 (1988), it has been decided to make condoms available to prisoners.

Condoms will therefore be on sale in the canteen. The prison will be able to purchase them from a local chemist.

Jewish religious practices (Ministerial circular of 29 December 1989 — 1550/VIII)

1. The usual liturgical objects are prayer books in Hebrew or in Hebrew and French, a prayer shawl and phylacteries. If a Jewish prisoner leaves these objects behind on departure from the prison, the staff emptying the cell should retrieve them and, as they are sacred objects, place them at the disposal of the Jewish chaplain.

2. Article 87 of the General Prison Instructions lays down the conditions under which Jewish prisoners may receive ritually prepared meals from outside.

The prison administration's financial contribution to the provision of meals by the local Jewish community may not exceed the maximum daily price fixed for prisoners' food.

With the agreement of the religious authorities concerned, the following steps have been taken and will apply immediately:

— breakfast consisting of bread, margarine, jam, coffee and sugar will normally continue to be served by the prison kitchen;

— the two other meals will be provided by the local Jewish community, which will try to supply them to the prisons in easily stored and heated containers;

— these meals will be served to Jewish prisoners practising strict observance, on request and at the request of authorised rabbis.

In addition, during Passover (8 days on variable dates in March/April), these prisoners are required to eat unleavened bread (instead of ordinary bread) and drink grape juice while saying the appropriate prayers.

These particular types of food will be provided by the chaplains for the Passover period.

Denmark

Cirkulaere om ændring af cirkulaere om anbringelse af personer, der er idømt frihedsstraf eller forvaring, og om overførsel af indsatte mellem kriminalforsorgens institutioner. Cirkulaere nr. 26 af 28. februar 1989.

(Circular to amend the circular of accommodation of persons sentenced to imprisonment or custody, and of transfer of prisoners between the various institutions of The Prison and Probation Administration. Circular No 26 of 28 February 1989).

Forslag til joy om ændring af retsplejeloven (isolation). Lovforslag nr. L 225 fremsat den 4 april 1989. (Amendment of the administration of Justice Act (isolation). Bill No L 225 moved on 4 April 1989).

Federal Republic of Germany

Provisions on health care in the prison service which were amended by Article 51 of the Act concerning Structural Reform in the Health Sector (Health Reform Act = Gesundheits-Reform-gesetz) of 20 December 1988 (Federal Law Gazette I p. 2477) entered into force on 1 January 1989. The particular effect is to bring legislation into line with the Health Reform Act in force as of the same date concerning the treatment facilities available as regard health check-ups, medical treatment of a prophylactic nature, the care of the sick, and the provision of AIDS.

As a result of the new provision made in Section 62 of the Prison Act (Strafvollzugsgesetz), by which the prisoner's claims to benefits shall be suspended for as long as he is subject to health insurance on the basis of free employment (Section 39, sub-section 1 of the Prison Act), a prisoner can also enjoy the benefits conferred by such health insurance whilst in prison.

Luxembourg

Grand-ducal regulation of 24 March 1989 concerning the administration and internal ordering of prisons (Mémorial A — No 17 of 3 April 1989).

New prison rules, which came into force on 6 April 1989.

Norway

The Ministry of Justice may postpone the serving of a sentence if the convicted person applies for pardon

Previously a stay was automatically granted if an application for pardon was submitted.

The reason for this change in the code is to prevent convicted criminals from delaying serving by filing applications for pardon.

The regulations regarding inmate behaviour and privileges have recently been revised to tighter security in the penal system.

Main revisions are:

- tighter control on visiting procedures;
- less leave of absence as a result of stricter terms for leave of absence;
- less use of telephones from penal institution to outside and every conversation is listened in on by security personnel;
- stricter control of inmate correspondence.

Portugal

Legislative Decree No. 3/9/88 of 23 September 1988 on the establishment of the Centro de Formacao Penitenciária (Prison Staff Training Centre).

Circular No. 29/89 of 20 December 1989 recommending the pursuit of educational schemes on AIDS and the provision of condoms to prisoners.

Spain

Ley Organica 3/1988, of 25 May, amending the Penal Code. Regulations on conditional release for persons convicted of terrorism.

Real Decreto 148/1989 of 10 February, partly altering the administrative structure of the Ministry of Justice (re-organisation of the Directorate General for Prisons).

Sweden

Act on community service

Community service is an alternative to prison for young offenders.

The probation service has got the responsibility for an experiment activity with community service. The idea is that the sentenced, besides probation, shall devote certain hours of his leisure time in a idealistic organisation or some other social activity. The experiment activity shall go on for three years and take part in five places.

Switzerland

Entry into force on 1 January 1990 of the revision of the special part of the Criminal Code concerning offences against life and physical integrity and against the family; specifically, entry into force of Article 66bis of the Criminal Code, which enables further prosecution of the offence to be dropped or the penalty imposed on the offender to be lifted where he/she has

been directly affected by the consequences of his/her act to the extent that a penalty would be inappropriate.

England and Wales

Two Standing Orders have been revised and issued to all prison service establishments.

These Orders are No. 6 — work and pay — and No. 3D — offences, adjudications and punishments.

Northern Ireland

The Prevention of Terrorism (Temporary Provisions) Act 1989. Sections 22 and 23 of this Act provide for the reduction of remission from one-half to one-third in certain cases and for the mandatory return to prison of persons convicted of a scheduled offence committed during a period of remission in respect of a previous custodial sentence.

The Treatment of Offenders (Northern Ireland) Order 1989 came into effect on 2 October 1989. Article 7 increases the maximum period of detention in a Young Offenders Centre from three to four years. Article 13 enables the Young Offenders Centre, Hydebank, to be used as a remand facility for a limited number of persons aged 17 to 21.

Article 49 of the Police and Criminal Evidence (NI) Order 1989, which came into effect on 1 January 1990, amends Section 26(2) of the Treatment of Offenders (NI) Act 1968 to allow time spent in police custody prior to remand by the courts to be credited towards sentence.

Canada

The Correctional Service of Canada has recently amended the *Penitentiary Service Regulations* with respect to the disciplinary process to be followed when an inmate is charged with committing a disciplinary offence. The purpose of the amendments is to set out in the regulatory guidelines, fundamental procedural rights that are guaranteed to all inmates.

Bibliography

Titles of recently published books on specific aspects of penology which might be of use to all those concerned with prison affairs will be given in this section. In certain cases the titles are followed by a brief summary.

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Introduction

Two kinds of statistics concerning drug misusers are kept. The first has been in use since 1966 and consists of a census of all known drug misusers in prison, on probation or on parole *on a given day*. The census is taken on the 1st April of each year and the results are published in the Annual Report of the Swedish Prison and Probation Administration. Such a census, however, gives inadequate information about the numbers of drug misusers who are received into prison during the course of a year.

A second set of statistics concerns therefore the number of drug misusers among sentenced prisoners *received into prison each year*. These statistics date from 1983 and it is those from the financial year 1987/88 which form the subject of the present summary.

Methods and definitions

Every sentenced prisoner serving a sentence longer than two months or serving a short prison sentence¹ to

1. The sanction of combined probation and imprisonment permits imprisonment to be imposed for a period of up to three months.

probation must, by law, be the subject of a treatment plan prepared by a local treatment board. Approximately 55% of each year's intake of sentenced prisoners is covered by this definition.

The plan must be prepared within three weeks from date of reception. The treatment boards are required to give special attention to the question of drug dependency when preparing this plan. For this purpose use can be made of the social enquiry report, other court documents, previous prison records, the prisoner's own statements to the board, the results of any urine test made on reception and any observed injection punctures.

All prisoners considered by the treatment board are classified in one of three categories — 2, 1 and 0. The classifications, together with the prisoner's personal identification number are sent at regular intervals to the Research and Development Group.

A classification of 2 means that in the two months immediately preceding the present deprivation of liberty, the prisoner has injected a narcotic drug one or more times or has in some other way used drugs daily or as good as daily. This is called *serious drug misuse*.

A classification of 1 means that in the two months immediately preceding the present deprivation of liberty the prisoner has used drugs but not injected or used them with the degree of intensity which warrants classification as *serious drug misuse*. The 1 classification is called *drug misuse*.

A classification of 0 means that there is no evidence of drug misuses during the two months immediately preceding the present deprivation of liberty. The classification is called *non-use*.

Obviously there can be mistakes in classification in the individual case. It seems likely that any such errors tend to be ones of failing to identify drug misusing prisoners. In general, however, the classifications are considered to be correct. Mistakes in classification together with the practical impossibility of classifying those with very short prison sentences (ie 2 months or less) means that the present estimates to drug misuse are almost certainly under-estimates.

Main findings

Of a total of 8051 prisoners classified, 53% were assessed as non-users, 16% were assessed as being drug misusers and 31% as serious drug misusers. Thus, 47% of classified prisoners were misusers of drugs on entry into prison. The following table shows this finding analysed by type of prison.

Table 1: Sentenced prisoners received during financial year 1987/88 assessed 1987/88 assessed as serious drug misusers (2), drug misusers (1) or non-users (0) by type of prison.

	2	1	0	TOTAL	2 %	1 %	0 %
National prisons							
— closed	651	275	677	1,603	41	17	42
— open	52	83	453	588	9	14	77
TOTAL	703	358	1,130	2,191	32	16	52
Neighbourhood prisons							
— closed	1,454	649	1,512	3,615	40	18	42
— open	320	313	1,612	2,245	14	14	72
TOTAL	1,774	962	3,124	5,860	30	16	53
Total all prisons	2,477	1,320	4,254	8,051	31	16	53

It should perhaps be explained that national prisons receive in principle those sentenced to more than one year. Neighbourhood prisons, which have only 40-60 places, are sited near to the neighbourhoods from which prisoners come and take, in principle, those sentenced to up to one year.

The original Swedish report analyses the above findings in greater detail, eg by regions and individual prisons.

The original report also analyses the changes which have taken place since the present statistics were introduced in the calendar year 1983. The total number of prisoners who were assessed as in some way using drugs immediately prior to entry into prison was relatively constant for 1983, 1984/85 and 1985/86.

The total number of classified prisoners varied somewhat during this period. The *percentage proportions* of drug misusers therefore also varied.

For the financial years 1986/87 and 1987/88 there has been some increase in the total number of those assessed as in some way using drugs prior to entry into prison.

The following table shows these findings in greater detail.

Table 2: Comparison of drug misusers among sentenced prisoners received during the calendar year 1983 and the financial years 1984/85, 1985/86 and 1987/88

Period	Total number assessed	Misusers (2 + 1)	%	Non-users (0)	%
1983	7,799	2,836	36	4,963	64
1984/85	7,118	2,815	39	4,303	61
1985/86	6,795	2,886	42	4,909	58
1986/87	7,509	3,375	45	4,134	55
1987/88	8,051	3,797	47	4,254	53

A further finding concerning trends is that in 1983 the group of prisoners assessed as serious drug misusers (2) was 42% of all prisoners classified as in some way using drugs immediately prior to entry into prison (2 + 1). By 1987/88 this proportion had risen to 65%. At the same time the absolute number of serious drug misusers has steadily increased. There were twice as many serious drug misusers in 1987/88 as there were in 1983. The table below shows these findings in greater detail.

Table 3: Comparison of the total drug misuser group for the calendar year 1983 and financial years 1984/85, 1985/86, 1986/87 and 1987/88

Period	Drug misusers (1)	%	Serious drug Misusers (2)	%	Total
1983	1,634	58	1,202	42	2,836
1984/85	1,229	44	1,586	56	2,815
1985/86	1,207	42	1,679	58	2,886
1986/87	1,298	38	2,077	62	3,375
1987/88	1,320	35	2,477	65	3,797

Summary by Norman Bishop

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Canada

Attention may be drawn to a magazine-type publication recently initiated by the Correctional Service of Canada and entitled *FORUM ON CORRECTIONS RESEARCH*. *FORUM* is published quarterly both in English and in French. The new publication reviews recent management studies and applied research related to corrections and features original articles contributed by members of the Correctional Service of Canada and other correctional researchers and practitioners.

NEWS IN BRIEF

Belgium

The measures provisionally suspending the execution of subsidiary prison sentences lapsed in December 1988. Since the start of 1989 the prison population has risen by approximately 200.

To reduce overcrowding in prisons, provisions are in force until 30 April 1990 for the purpose of:

1. increasing the number of prisoners on provisional release with a view to pardon before completion of their sentences;
2. dropping the enforcement of subsidiary terms of imprisonment.

England and Wales

The Home Secretary announced in January that the Prison Service in England and Wales would be reorganised. The main consequences will be that the regional structure will be abolished and that area managers who will assume responsibility for groups of establishments. Wherever possible inmates casework and personnel matters will be devolved from Headquarters and regional offices to establishments. The reorganisation is expected to take effect in September 1990.