



Penological Information Bulletin

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Penological Information Bulletin

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Forecasting the size of prison populations

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Background

The present material was used in connection with Swedish technical assistance to a central European country carried out under the auspices of the Council of Europe¹. The project focused upon the need to improve prison statistics and *inter alia* make forecasts of the future size of prison populations for operational and budgetary purposes.

Subsequently it appeared that this description of forecasting methods might well fill a gap in the existing professional literature and should, for that reason, be made more widely available to the member States of the Council of Europe.

Introduction

The main reason for making forecasts is to become equipped for the future and to make plans for the future. Will more or fewer prison places be needed? Perhaps the number of places needed has increased over recent years, but will this increase continue and, if so, for how long? Forecasts can also provide a useful basis for seeking to influence decision-makers to alter their approach and achieve change. Decision-makers should at least have basic information that shows the likely trend in prison populations with the legislation in force.

Making forecasts can be easy or difficult and any forecast can agree well or less than well with the factual outcome. So, for example, to make a forecast of the future population of inhabitants of a country is usually not very difficult providing, of course, that one has basic information about the numbers living in that country. But it is much more difficult to make forecasts if the phenomena to be dealt with are subject to large and rapid changes, or if the group concerned is small or if little prior statistical information is available. Yet it is often under such circumstances that the need of forecasts is greatest. A forecast can be made in terms that are fairly exact or less than fairly exact, and the amount of necessary prior information may be readily available or not. The important thing is that by making forecasts knowledge about, and preparation for, the future becomes better than that provided by guesswork alone. Moreover, forecasts usually become better after several attempts have been made. Allowance must be made for a certain amount of trial and error.

A forecast is not necessarily a bad forecast if the later outcome is not in agreement with the forecast made. Often a forecast exercises some sort of influence on the future and may thereby tend to make for a quite different outcome than that predicted. This is particularly

likely to be the case if the forecast suggests an undesirable outcome. Thus, for example, legislation may be changed simply because no-one wants to see the trend or outcome suggested by a forecast. For prison populations, quite unforeseeable factors may influence the numbers entering prison and therewith completely alter the whole point of departure for the forecast.

The foregoing is a reason for adjusting forecasts at regular intervals and adding in new facts as they emerge.

The background information needed for prison population forecasts

What does one need to know in order to make a forecast? The following background information needs to be known:

- The average prison population in earlier years;
- The number starting a prison sentence in earlier years;
- The length of time that prisoners can be assumed to stay in the prison system;
- Possible legislative changes likely to affect prison sentences that have been, or will be, made;
- Other factors of likely relevance, for instance, any expected effects of economic changes in society.

The more information that can be used, and the greater its detail, the better. But, in the absence of full information it may be necessary to accept the use of samples, informed guesses, etc.

It is not sufficient for the making of forecasts simply to work on what the average prison population has been or is just now. If the average population has increased, it is not possible to know for how long this will continue or how much it will grow or diminish in the future. An increase can depend on the fact that a larger number of prisoners with short sentences are being received. If this is so, the likelihood is that the average daily population will not continue to grow but will become stable at a new level. But if instead the increase arises because many prisoners with long prison sentences are being received, then the increase will continue for a long time into the future but will not be so obvious initially. It is, therefore, essential to know how many new entrants are received into the prisons and how long they are likely to stay there. In addition, a forecast or at least an informed guess must be made about how the system will be functioning in the coming years.

How much of the prison sentence will prisoners actually serve in prison?

In order to find out how long prisoners actually stay in prison it is necessary to divide up the prisoners *released over a period* by the lengths of their sentences. Then,

1. Norman Bishop translated the original Swedish text into English.

each sentence group is further divided up by the length of time actually spent in prison and in which prisons this time has been served. If all this information is not available, one possibility is to draw a sample of released prisoners and make the necessary analyses for them, or, alternatively, to make some approximate assessments.

Table 1 shows how the background material can appear for groups with varying lengths of sentence. The table is based on 35 prisoners with sentence lengths varying from six months to six years. The divisions made can obviously be more or less detailed depending on the degree of accuracy desired or possible.

Table 1

Court sentence and actual time served in prison for varying lengths of court sentences (in years)

Court sentence	Person	Time on remand per person	Average time on remand per person	Time in prison per person	Average time in prison per person	Time served per person	Total average time served
0.5	1	0	0.1	0.5	0.4	0.5	0.5
	2	0.1		0.3		0.4	
	3	0		0.5		0.5	
	4	0.2		0.3		0.5	
	5	0.2		0.4		0.6	
1	6	0.3	0.5	0.8	0.5	1.1	1.0
	7	0.4		0.5		0.9	
	8	0.5		0.5		1.0	
	9	0.6		0.5		1.1	
	10	0.7		0.2		0.9	
2	11	0.4	0.5	1.5	1.5	1.9	2.0
	12	0.5		1.5		2.0	
	13	0.5		1.6		2.1	
	14	0.5		1.7		2.2	
	15	0.6		1.2		1.8	
3	16	0.3	0.5	2.2	2.0	2.5	2.5
	17	0.3		2.1		2.4	
	18	0.3		2.0		2.3	
	19	0.4		2.2		2.6	
	20	1.2		1.5		2.7	
4	21	0.8	1.0	2.0	2.0	2.8	3.0
	22	0.9		1.8		2.7	
	23	1.0		2.2		3.2	
	24	1.1		2.3		3.4	
	25	1.2		1.7		2.9	
5	26	0.5	1.0	3.0	2.5	3.5	3.5
	27	0.8		2.6		3.4	
	28	1.0		2.3		3.3	
	29	1.2		2.1		3.3	
	30	1.5		2.5		4.0	
6	31	0.5	1.5	3.3	2.5	3.8	4.0
	32	1.0		3.0		4.0	
	33	1.5		2.5		4.0	
	34	2.0		2.0		4.0	
	35	2.5		1.7		4.2	

The reasons why different person serve different times in prison can include deaths, escapes, the effects of disciplinary punishment, and the transfer of imprisonment to or from another country. But obviously differences in the actual time served in prison are most influenced by the early release of prisoners before the full court

sentence has been served. It is, therefore, important to undertake a thorough study of the actual time spent in prison for the different lengths of court sentence.

The following table is a summarised version of Table 1 above.

Table 2

Court sentence and actual time served in prison for varying lengths of court sentences (in years)

Court sentence	Average time on remand	Average time in prison	Total average time served	Percentage of time served in relation to court sentence
0.5	0.1	0.4	0.5	100
1	0.5	0.5	1.0	100
2	0.5	1.5	2.0	100
3	0.5	2.0	2.5	83
4	1.0	2.0	3.0	75
5	1.0	2.5	3.5	70
6	1.5	2.5	4.0	67
Total	0.7	1.6	2.4	77

Data in this form can be used to assess the number of places that a particular sentence group takes up in the prison system and also to make a forecast of future prison place requirements. We return to this aspect later.

Prison place requirements for the entire time spent in prison

In the example below, we show the number of prisoners who start their prison sentence during one year and how long they will actually spend in prison (using the data in Table 2 above). We begin by looking at the prison place demands that each sentence group will make on the prison system for the entire time that they will spend in prison. What is important is partly the number of sentenced prisoners received but also the

lengths of time that they are estimated to actually spend in prison. Note here that one person serving one year in prison or twelve persons serving one month make the same demand for one prison place in the course of the year (assuming that the twelve persons are received one after the other into the prisons). Both cases amount to *one prisoner-year*.

In Table 3 below the number of prisoner-years is calculated by the following formula:

$$T \times R = P$$

where

T = the average time actually spent in prison

R = the number of prisoners received

P = the number of prisoner-years

Table 3

Court sentence length and average time in prison (in years), and number of prisoner-years where the number of prisoners received is the same in each court sentence group

Court sentence	Average time in prison	Number of prisoners received during the year	Number of prisoner-years
0.5	0.4	100	40
1	0.5	100	50
2	1.5	100	150
3	2.0	100	200
4	2.0	100	200
5	2.5	100	250
6	2.5	100	250
Total	1.6	700	1 140

The table shows that for prisoners sentenced to six month's imprisonment the number of prisoner-years amounts to 40 for the entire group, while for those sentenced to one year's imprisonment the number of prisoner-years amounts to 50. The total number of prisoner-years that these 700 new prisoners will serve is 1 140.

In the above example the number of prisoners in each sentence group is the same – 100. Where this is the case, those with the longest sentences and spending, therefore, the longest time actually in prison make the heaviest demands on the prison system for places. The following example, in which the number in the various sentence groups are different is probably more realistic.

Table 4

Court sentence length and average time in prison (in years), and number of prisoner-years where the number of prisoners received is greater in the shorter court sentence groups

Court sentence	Average time in prison	Number of prisoners received during the year	Number of prisoner-years
0.5	0.4	200	80
1	0.5	140	70
2	1.5	120	180
3	2.0	100	200
4	2.0	80	160
5	2.5	40	100
6	2.5	20	50
Total	1.2	700	840

The average length of the time actually spent in prison per sentence category is the same in both examples. The number of prisoners who start their prison sentences is also the same – 700 – but the number in the various sentence groups is different in the two examples. In consequence the number of prisoner-years is different in the two tables. In Table 3 it is the groups sentenced to five and six years who are serving the greatest number of prisoner-years and will therefore make the greatest demands on the prison system for

places. But in Table 4 it is the group sentenced to three years who will make the greatest demand on places.

In the following example (Table 5) we retain the number of prisoners received at 700 but have placed most of them in the long-term prisoner groups. As a result, the number of prisoner-years now goes up to 1 438 and it is the group sentenced to six years that contribute to the greatest number of prisoner-years.

Table 5

Court sentence length and average time in prison (in years), and number of prisoner-years where the number of prisoners received is greater in the longer court sentence groups

Court sentence	Average time in prison	Number of prisoners received during the year	Number of prisoner-years
0,5	0,4	20	8
1	0,5	40	20
2	1,5	80	120
3	2,0	100	200
4	2,0	120	240
5	2,5	140	350
6	2,5	200	500
Total	2,1	700	1 438

In each of the three tables above the number of new prisoners received has been kept at 700, but the number of prisoners years varies between 840 and 1 438.

The conclusion that can be drawn is that if the groups with relatively short sentences increases in number, the demands made on the prison system to provide places is less than if the increase concerns those with long prison sentences.

Of course, it would also be possible to calculate the total length of the stay in prison for each sentence group (that is, with time on remand, early release, etc. included) as was shown in Tables 1 and 2.

Prison place requirements per year

The final purpose is, of course, to be able to make prognoses about the demand for prison places in future years, as a basis for planning operations, estimating budgetary requirements, etc.

Let us repeat. A prisoner who serves twelve years of the sentence in the prison system and twelve persons who serve one year both yield twelve prisoner-years. If it were the case that of the twelve prisoners who stay one year in prison only one enters the prison system each

year, then in both cases only one prison place is needed over the twelve years. In the first case one prisoner uses one place for twelve years. In the second case there is a changeover of the various prisoners who stay one year in the system. But if it were so that all twelve prisoners are received in the same year, then twelve places will be needed for one year and thereafter no places. The single prisoner staying in the prison system for twelve years will, however, need a place for twelve years. This means that the number of prisoner-years must be distributed over time.

The next step in the present exercise is, therefore, to arrive at this distribution over time for the prisoners shown in Tables 3,4 and 5 above. We shall assume that the year of reception was 1998. We will also assume that these prisoners are received into the prison system throughout the year, that is from 1 January to 31 December. This means that, on average, they are received after six months has passed. This means in its turn that a prisoner who will stay in the prison system for two years serves six months in prison during the first year (1998), one year in 1999 and six months in 2000. Those prisoners who will serve less than six months in prison are assumed to do so during the year of reception (1998).

Table 6

Distribution of prisoner-years for the period 1998-2000. Data taken from Table 3.

Court sentence	Average time in prison	Number of prisoners	1998	1999	2000	Prisoner-years
0.5	0.4	100	40			40
1	0.5	100	50			50
2	1.5	100	50	100		150
3	2.0	100	50	100	50	200
4	2.0	100	50	100	50	200
5	2.5	100	50	100	100	250
6	2.5	100	50	100	100	250
Total	1.6	700	340	500	300	1 140

Table 7

Distribution of prisoner-years for the period 1998-2000. Data taken from Table 4.

Court sentence	Average time in prison	Number of prisoners	1998	1999	2000	Prisoner-years
0.5	0.4	200	80			80
1	0.5	140	70			70
2	1.5	120	60	120		180
3	2.0	100	50	100	50	200
4	2.0	80	40	80	40	160
5	2.5	40	20	40	40	100
6	2.5	20	10	20	20	50
Total	1.2	700	330	360	150	840

Table 8

Distribution of prisoner-years for the period 1998-2000. Data taken from Table 5.

Court sentence	Average time in prison	Number of prisoners	1998	1999	2000	Prisoner-years
0.5	0.4	20	8			8
1	0.5	40	20			20
2	1.5	80	40	80		120
3	2.0	100	50	100	50	200
4	2.0	120	60	120	60	240
5	2.5	140	70	140	140	350
6	2.5	200	100	200	200	500
Total	2.1	700	348	640	450	1 438

Tables 6, 7 and 8 show the varying prison place requirements in accordance with the different examples. The maximum number of places needed under the conditions shown in Table 6 is 500, under those of Table 7 it is 360 and under those of Table 8 it is 640.

As is apparent, the place requirements do not differ greatly during the first year (1998). This is because the number of new prisoners received is equal and constant and at the beginning of the period does not exercise much influence on the various lengths of stay. The place requirements in 1999 and 2000 are dramatically different in the three tables. In Table 7 the place requirement increase from 1998 to 1999 is only small, whilst in Tables 6 and 8 there is a markedly greater place requirement in 1999 compared with 1998.

Short prison sentences resulting in short stays in prison make demands on prison places in the short term. The longer stays in prison have no immediately noticeable effects but these prisoners stay in the system for a long

time and, therefore, affect place requirements over a long period. Little can be done to reduce these place requirements unless greater use is made of conditional or early release. Short prison stays are probably the easiest to influence politically and otherwise and, if sufficiently numerous, show effects on prison place requirements fairly quickly.

Prison place requirements over an extended period

In reality, there is, of course, a steady stream of new prisoners entering the prison system year after year. In order to arrive at the total place requirements over an extended period, each year's new receptions must be added in. In the following example we assume that 700 new prisoners enter the prison system each year. Since in this example the longest time served in prison is 2.5 years we need a forecast stretching over three years in order to assess the total volume of places required.

Table 9

Distribution of prison-years 1998-2002 for new prisoners received into the prison system 1998-2000. Data taken from Table 6

Year received	Sentence length	Average time in prison	Number of new prisoners	1998	1999	2000	2001	2002	Prisoner-years
1998	0.5	0.4	100		40	40			
	1	0.5	100		50	50			
	2	1.5	100		50	100	150		
	3	2.0	100		50	100	50		200
	4	2.0	100		50	100	50		200
	5	2.5	100		50	100	100		250
	6	2.5	100		50	100	100		250
	Total	1.6	700		340	500	300		1 140

Table 9 (continued)

Distribution of prison-years 1998-2002 for new prisoners received into the prison system 1998-2000. Data taken from Table 6

Year received	Sentence length	Average time in prison	Number of new prisoners	1998	1999	2000	2001	2002	Prisoner-years
1999	0.5	0.4	100		40				40
	1	0.5	100		50				50
	2	1.5	100		50	100			150
	3	2.0	100		50	100	50		200
	4	2.0	100		50	100	50		200
	5	2.5	100		50	100	100		250
	6	2.5	100		50	100	100		250
	Total	1.6	700		340	500	300		1 140
2000	0.5	0.4	100			40			40
	1	0.5	100			50			50
	2	1.5	100			50	100		150
	3	2.0	100			50	100	50	200
	4	2.0	100			50	100	50	200
	5	2.5	100			50	100	100	250
	6	2.5	100			50	100	100	250
	Total	1.6	700			340	500	300	1 140
Required prison places per				340	840	1 140	800	300	

With the data on newly received prisoners over a period of three years we have, however, only calculated the full prison place requirement for one year – the year 2000. In both 1998 and 1999 there will still be prisoners in the system who entered it at some earlier date. And in the years 2001 and 2002 there will be prisoners in the system who entered it in the year 2000.

But it is always possible to go further and calculate the requirement for each year in the same way as shown above.

If it seemed likely that the new prisoner reception trends would remain constant it would be sufficient to state that the number of places required would be equal to the total number of prisoner-years to be served by the prisoners received during one year, that is 1 140 in the example given in Table 9. In other words, it is possible to be satisfied with saying that in 1998 the prison system received 700 new prisoners with the distribution of prison time shown in Table 9. If the trend in receptions does not alter 1 140 places will be needed in the year 2000 and thereafter. Of course, account must be taken of the prisoners who entered the system prior to 1998, some of whom may still be there in the year 2000. But when they have been released, the place requirement will be 1 140.

But stable reception trends are rarely found. Usually, it is possible to see rising or falling trends in the different sentence groups that result in varying place requirements over time.

Ensuring the quality of forecasts

When a forecast has begun to be used in practice it is obviously necessary to compare it with

the factual outcome. Is the forecast close to reality? If not, this may be because the prisoner reception trends are different from those that were expected or that the forecasting model has weaknesses. In any case, the causes of discrepancies should be investigated.

If the observed outcome differs from the forecast because the prisoner reception trends are different from those that were expected, it is worthwhile to find out where the differences lie. Is it the total numbers of prisoners received or those in some particular sentence group or groups who differ from the forecast? Has there been a change in the law that affects reception trends but has been overlooked in the forecast model? Can the forecast be made better the next time in the light of new knowledge?

The model itself may need adjustment. Perhaps the time on remand or early release practice has changed in some way. In order to check how closely the forecasting model agrees with reality one can make use of the prisoners received in earlier years, calculate the place requirements in accordance with the forecasting model and compare them with the (known) factual outcome. If there are sizeable discrepancies it will be necessary to continue the search for the sources of discrepancies until an acceptable level of accuracy is achieved.

Conjugal visits in the prisons of 30 European countries and in the United States

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Introduction: research to date

In September 1996, the French section of the *Observatoire international des prisons*¹ asked me to carry out a survey of the privacy afforded to prisoners and their families, covering as many countries as possible, in particular in Europe.

Conducted in the course of 1997, the study covers various aspects of prisoner privacy, family life, physical intimacy, protection from physical harm, hygiene and dignity. A forthcoming publication will discuss the findings.

A number of comments are called for regarding method. As a maximum amount of data had to be rapidly collected, the goal was not to produce an in-depth academic study. Using the considerable network of contacts of my friend the demographer Pierre TOURNIER, I decided instead to confine myself to a simple questionnaire², not exceeding one side of a page and composed of easily understandable questions, which could be answered quickly and simply by "yes" or "no", about actual regulations in the prison system of each respondent country.

Drafted in French and in English and consisting of 20 questions on five aspects of privacy, the questionnaire contained three questions relating to visits. Very soon, we received replies from many countries, 28³ in all. In January 1998, Professor Roberta HARDING of the University of Kentucky was so kind as to send me of her own accord material on the situation in the United States as it pertains to the points addressed, for which I am most grateful. By adding the information from France I was able to bring the total of countries studied to 30. I produced a preliminary report in December 1997 in French and in English, which was sent to everyone. The final report was drafted in July 1998; it is now being prepared for publication.

Although it is useful to have information on 30 countries, clearly the simple approach and the number of replies have precluded inclusion of all the nuances of a more detailed study, notably interviews and on-site surveys.

The interpretation was at times difficult: whereas some countries merely replied with "yes" or "no", others

replied to some of the questions in greater depth. Some countries only discussed their written legislation, whereas others also explained practice.

Notwithstanding these limitations, a very considerable amount of data was gathered.

The legal framework

With the sole exception of the United States, all the countries questioned are bound by the European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950 and hence by its Article 8.1, which enshrines protection of private and family life. Article 8.2 allows states to interfere with the exercise of this right, but only for specified well-founded reasons, including public safety and the prevention of disorder. The fact is that, regardless of the country, safety and the prevention of disorder are very often used as arguments in prisons for ignoring most of the rights and freedoms which ordinary citizens enjoy. Provision is made in virtually all the respondent countries for family and conjugal visits, but respect for family privacy is often interpreted in radically different ways. This can be seen not only in terms of principles, but also as regards visiting time.

1. The existence of conjugal visits

The purpose of question 1.1 was to determine under what conditions family visits took place and how much privacy couples had. The question was probably much too broad, because it did not distinguish sufficiently between conjugal and family visits. As a result, replies varied greatly:

- some countries (the least numerous) assumed that the question only concerned conjugal visits during which sexual relations were possible;
- most considered that all visits, regardless of the conditions under which they took place, were conjugal visits.

The reply to the question on whether there was sufficient privacy during visits (question 1.2) did, however, make it possible in most cases to obtain information on the point of interest to us, especially as the very long duration of certain visits showed that the national authorities wish to permit some semblance of "marital life".

Four types of arrangements have emerged. Most countries clearly fit one of these, but some straddle two and hence appear twice.

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2. Appended

3. Albania, Austria, Belgium, Bulgaria, Czech Republic, Denmark, England and Wales, Finland, Germany, Hungary, Iceland, Ireland, Italy, Lithuania, Luxembourg, Netherlands, Northern Ireland, Norway, Poland, Romania, Scotland, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine.

1.1 The conventional model

The first model is relatively old, and I have therefore termed it "conventional". Visits are usually quite short, and the persons concerned are not allowed to be out of the view of others. Supervision is sometimes so strict and pervasive that the couples do not enjoy any form of intimacy.

Actually, some of the countries in this category have a mixed profile: they take liberal measures to protect privacy (which will be specified below in the third category), as well as conventional measures.

That is the case with *Germany*, although in certain prisons rules governing visits are infinitely more relaxed, as will be seen. Germany states that provision is made for visual supervision in all cases, and even acoustic supervision upon special decision where this is necessary for the various reasons common to all prison systems, namely security, the prevention of disorder and treatment.

Lithuania has introduced a distinction between "short visits" and "long visits", applicable according to the prisoner's category (the nature of which was not communicated). "Short visits", which are not really short when compared with general European practice, because they last four hours, take place under supervision.

The *Netherlands* distinguishes between detention centres and prisons. In detention centres, provision is made solely for conventional visits, which take place under supervision by prison staff and within view of the other detainees and visitors. In the case of prisons, the conventional visit co-exists with less strict visits, to which we shall return later.

Likewise, *Ireland* distinguishes between open and closed prisons. In closed prisons, visits take place under supervision.

The *Czech Republic* prohibits unsupervised visits that take place out of the view of others in maximum security prisons. The same would appear to be true in *Switzerland*.

France can also be said to use a mixed model: visits in remand prisons are very short, but in practice relative privacy is often allowed although, in theory, visual and even acoustic supervision is the rule. Visits in other prisons are much longer and, here again, there is visual and acoustic supervision in principle, although this varies in practice, and supervision may be virtually non-existent.

But most countries use the purely conventional model.

For example, *England* and *Wales* make provision for visual supervision and clearly state that they do not allow conjugal visits in the strict sense of the term.

Likewise, *Scotland* allows visits, but does not make any distinction. It provides for visual supervision and, if the prison governor so decides, acoustic supervision and even the video recording of visits.

Hungary reported that it makes no special distinction between family and conjugal visits and that there is always visual supervision.

Italy replied with a very succinct "yes" to question 1.1 and "no" to question 1.2. Presumably this means that couples can meet, but not in conditions which guarantee their privacy vis-à-vis others or prison staff.

Northern Ireland should probably be classified in this category, since visits are short (see below), and no provision is made for conjugal visits. No information was given regarding supervision or privacy, however.

Luxembourg does not have any particular provisions for couples; visits take place in a large common room under staff supervision.

Norway replied "yes" to question 1.1, but noted in response to question 1.2 that a warder may be present and even listen in on the conversation; but if there is no particular danger, there may not be any supervision at all.

Similarly, *Austria* stated that visits may take place unsupervised, unless there is cause for concern; no further details were given.

Romania did not answer the question on privacy during visits. However, it replied "no" to question 1.1 and stated that several laws (including Act No. 23/1969 and the recent law on the serving of sentences) provide that conjugal visits should be possible, but that the material conditions have never existed for them to take place in practice. It is not clear whether this negative reply means that no visits are allowed or whether only conjugal visits and strictly private visits are ruled out.

Turkey makes provision for family and conjugal visits out of other people's view. It has informed us that warders do not supervise directly or continuously, but that one is always nearby for security reasons.

Some of the countries which use the conventional model have reported that **physical separation measures may sometimes be taken**, in particular for security reasons.

This is the case with *Scotland* and *Norway*, as well as with France, where such action may be taken as a disciplinary measure to punish behaviour¹ during the previous visit, as well as for security reasons².

Slovakia, which should probably also be regarded as being in the conventional category, makes provision for a form of physical separation. It distinguishes between remand prisoners, convicted minors and, in the case of convicted adults, according to the criminal category decided on by the court trying the case. It also stated that for both remand prisoners and convicted adult prisoners, visits take place without direct contact, from which the presence of physical separation measures can be inferred.

1. Article D 251-1-4 of the Code of Criminal Procedure (CCP).

2. Article D 405 of the CCP.

Although the *United States* fits the conventional category, it must be treated separately. Today, the American prison system is undergoing a return to severity after years of more liberal experiments, notably in the 1970s, when treatment was one of the objectives of imprisonment, whereas in Europe, despite differences, the trend is towards a steady improvement in detention conditions and prisoners' rights, in particular owing to the influence of the Council of Europe¹.

This has led to the abandonment, with a few rare exceptions, of the private conjugal visits common in the 1970s. Conventional visits by families and friends remain, but not conjugal visits in the strict sense of the term. A distinction should probably be made between two sets of conditions for such visits:

- so-called "non-contact visits" – in general concerning "jails", which are for remand prisoners, and "prisons", which are for convicted prisoners – but then solely under special circumstances: (1) if the prisoner or visitor has violated visiting rules; (2) if the convicted prisoner is in solitary confinement for whatever reason.
- so-called "contact visits", which apply in other cases. Prisoners and their families sit at a table with their hands visible on it and must behave decently – couples are only permitted to exchange a kiss. Cameras are installed in many prisons to make sure that these rules are obeyed.

Above all, for reasons of security or to maintain order, visits, including visits by the spouse, may simply be prohibited for a given period, which may be as long as several months.

It is very fortunate that many European countries have distanced themselves not only from this model, but also from conventional models. These countries constitute the second category, described below.

1.2 Model based on lengthy visits

The second group of countries allows very long visits and seems on the whole to guarantee the privacy of those concerned.

This is the case with *Finland*, which stated that unsupervised family and conjugal visits are allowed for periods of up to several days; we shall revert to this below.

This also appears to be the case with *Iceland*, which replied "yes" to questions 1.1 and 1.2 and which stated

1. For a comparison, cf. R. HARDING, *In the Belly of the Beast: A Comparison of the Evolution and Status of Prisoners' Rights in the United States and Europe*, 27 University of Georgia Journal of International and Comparative Law 1 (Fall 1998).

2. Some of the countries questioned have two types of prisons: closed prisons and open prisons. This distinction is unknown in France, although it does have "prisons" and "semi-custodial centres", which are similar to open prisons. However, in our view it is difficult to speak of prisons in the latter case.

3. Denmark stated that in accordance with the relevant circular, a calm and relaxed atmosphere must be ensured.

that visits may last several hours. *Poland*, *Sweden* and *Ukraine* replied in the same manner. So did the *Czech Republic*, which rules out such visits only in maximum security prisons; otherwise, as will be seen, it is in the fourth category.

Switzerland also replied that private visits were possible, except in closed prisons².

The *Netherlands* makes a distinction too. In detention centres, visits are along conventional lines, whereas in prisons, conventional visits coexist with unsupervised visits held in a closed private room. No information was given on how it is decided which form of visit will apply or what the difference is between the two types of incarceration.

Ireland has open and closed prisons. According to the information received, visits in open prisons are unsupervised.

Slovenia also replied "yes" to questions 1.1 and 1.2. Conjugal and family visits thus apparently take place in conditions that are sufficiently isolated from other visitors and prisoners and prison staff. Slovenia also stated that it planned to introduce arrangements for overnight visits by the end of 1997.

1.3 The private model

A third group of countries stated that it allowed completely private conjugal visits.

This is the case with *Denmark*³, where the principle is to permit unsupervised visits, unless otherwise decided for reasons relating to order or security, and to allow prisoners in open prisons to receive visitors in their own room.

This is also the case with *Spain*, which distinguishes between conjugal visits, family visits and visits from friends and which states that in all these cases it tries to ensure the privacy of those concerned as much as possible. With regard to "intimate" visits, Spain is also known for having set up real private life units which make it possible for couples to have sexual relations.

A number of other countries make such provision for certain prisons or certain prisoners.

In *Lithuania*, for example, we have seen that a distinction is made between short and long visits. Long visits, which are allowed for certain prisoners, actually involve "living with" the visitor for three days without any supervision.

Similarly, in *Germany*, in certain prisons with persons serving long sentences, convicts who are not allowed prison leave may receive unsupervised visits from their spouses or family for an entire morning or afternoon.

It should also be recalled that *Slovenia* informed us that it planned to complete arrangements for overnight visits by the end of 1997.

1.4 The model based on prison leave

Countries in this fourth category reported that they preferred prison leave to visits, and they apparently

make quite broad use of this arrangement. For such leave, in many European countries a distinction is drawn between minimum, medium and maximum security prisons and between open, semi-open and closed prisons.

Bulgaria clearly stated that it regards prison leave as preferable; prisoners in open and semi-open prisons may be granted leave for up to two days a month, and those in closed prisons for five days a year.

In the *Czech Republic*, in addition to receiving ordinary visits, prisoners in minimum security prisons may spend 48 hours outside prison every two weeks.

Finally, in *France* the Minister of Justice has confirmed that, as an experiment, "family-life units" will be introduced in three prisons to allow families and couples to be together in private and in conditions closer to normal life. But to date, the legal rules governing such an arrangement are unclear, and the three experimental sites have yet to be designated. This makes it all the more difficult to say whether the experiment has a chance of becoming general practice.

To conclude on this point, approximately the same number of countries use a purely conventional model (ten) as use a mixed model (seven) with both conventional and more liberal aspects. Ten countries are in the second category and permit long visits in privacy. Consequently, although only four¹ countries clearly allow conjugal visits permitting, in particular, sexual relations, and although only two do so as a general rule, the private nature of prison visits in countries in the second group suggests that sexual relations are also possible in prisons in these ten other countries. They are also allowed in the seven mixed models in certain circumstances. Thus, it can be concluded that the purely conventional model is no longer the rule in Europe. Worth noting is also the large number of Scandinavian countries² among the more liberal countries (*Finland*, *Iceland* and *Sweden* are in category II and *Denmark* in category III), but also countries of the former eastern bloc (*Poland*, *Ukraine*, the *Czech Republic* and *Slovenia* are in category II and *Lithuania* and *Slovenia* in category III). This suggests that when a country changes its political system and carries out reforms, it more readily adopts a policy that is favourable to individual privacy.

Lastly, two countries (*Bulgaria* apparently in full and the *Czech Republic* in part) give priority to prison leave, which is clearly preferable to visits, no matter how liberal their form. All prisoners ought to be eligible, yet few countries are about to take such a step, least of all with regard to those convicts who still have long sentences to serve.

Time is also an important factor in effectively maintaining family ties; short, occasional private visits are not enough.

1. Of course, the total exceeds 29, because a few countries are in two categories.

2. Also: Switzerland, Ireland, Spain, Germany and the Netherlands.

2. The duration of conjugal visits

All these countries set a minimum visiting time by law, but this may be extended.

2.1 The statutory minimum

Unfortunately, the **statutory minimum** visiting time is usually very short, generally **30 minutes**.

Visit frequency varies, however: every four weeks in *Northern Ireland*, once or twice a month in *Hungary*, four times a month in *Albania*, once a week in *Austria* (but also an additional visit of at least one hour every six weeks), *Denmark* and *Scotland*, and every day in *Luxembourg*.

Slovakia reported that visit frequency depended on the type of prisoner; we will return to this. In ordinary prisons in the *Czech Republic*, the minimum is once every two weeks, but no information was given on visiting time. In *Turkey*, it is once a week; again, no information was provided on duration.

Ireland allows one 30-minute visit per week for convicted prisoners and 15-minute daily visits for other detainees.

In *France*, visiting time is 30 minutes a week for convicted prisoners and three times a week for remand prisoners. *Slovenia* permits a minimum of two 45-minute visits a week.

In other countries, the **minimum is one hour**: once a week in the *Netherlands*, in detention centres, *Norway* and *Iceland* and once a month in *Germany* and *Spain*.

Only a few countries have a **minimum** that is **adequate in terms of duration, although it is not always so in terms of frequency**.

This is the case with *Poland* and *Ukraine*, where minimum visiting time is three to four hours, but visits are allowed only once a month. In *Switzerland*, the minimum duration is four hours, but visits are allowed only once every three months.

A number of countries permit **both longer and more frequent visits**.

In *Finland*, for example, minimum visiting time is two hours, but visits are permitted twice a month. Even better, in *Sweden* visits are allowed once a week for two to three hours. Similarly, in *Iceland* visits are, as a rule, permitted once a week, for one to three hours.

In *Italy*, visits are not very long (one hour), but are very frequent: four to six times monthly.

Lithuania has very generous visiting hours. It distinguishes between "long" visits lasting three days, which constitute in-prison periods of conjugal life, and "short" visits of the more conventional kind, which do however last four hours. Unfortunately, no information was provided as to their frequency, which apparently varies.

In *England and Wales*, there does not seem to be a minimum visiting time; it all depends on local circumstances.

Fortunately, regardless of the statutory minimum, longer visiting times are often allowed.

2.2 Circumstances in which longer visiting time is allowed

Longer visiting time is either provided for by law or made possible in practice in a variety of circumstances, depending on the country:

– *if the location and organisation of a particular type of prison so permit*

This is the case with **Germany**, where the statutory minimum is extended if the material conditions so permit, but also depending on the prison category, as we will see in the next section.

In **Denmark**, minimum visiting time is raised to one hour where this is locally possible.

In **England and Wales**, as a rule the local circumstances determine visiting time.

Similarly, in **Finland** minimum visiting time can be greatly exceeded; visits may even last a full day if prison capacity so permits.

In **Hungary**, this factor probably also explains why it has gradually become customary to exceed the minimum visiting time, the practice now being one to two hours once or twice a month.

In **France**, it has likewise become common in less overcrowded prisons and where the longest sentences are served (detention centres and high security prisons) for visits to last much longer (from two hours to an entire morning or even a morning and an afternoon) and to be more frequent than the statutory minimum (several half-days at the weekend and even on public holidays), whereas minimum visiting time is rarely exceeded in remand prisons. In practice, this creates a distinction between types of prison which is not reflected in any legislation.

– *for certain prison categories*

In **Germany**, prisoners serving long sentences may be allowed longer visits in certain prisons, where, as we have seen, sexual relations with the spouse or partner are permitted during the visit. In such cases, the visit may last a morning or an afternoon.

In **Denmark**, this concerns prisons with the most flexible regulations, but no information was given as to the exact duration. Similarly, in the **Czech Republic**, prisoners in minimum security prisons have leave for 48 hours once every two weeks. But such an arrangement which is classified as a "visit", corresponds in other legal systems, notably in France, to prison leave. The possibility of such frequent visits is to be welcomed.

It has also been seen that, in the **Netherlands**, a distinction is made between detention centres and prisons. The minimum visiting time is one hour a week in detention centres, whereas in prisons the minimum for visits is two hours a week.

– *for certain categories of prisoner*

In **Scotland**, young prisoners are allowed to have two 30-minute visits instead of one, and remand prisoners are permitted to have a 30-minute visit every day except at the weekend, or on both days of the weekend (and then not during the week).

In **Ireland**, minimum visiting time actually only concerns convicts whereas, for others, visits last 15 minutes, which is very short, but they are permitted every day, and this is only a minimum.

Slovakia, too, distinguishes between remand prisoners and convicted prisoners and, in each category, between minors and adults. But it only provided information on the frequency of visits, not on their duration. In the case of remand prisoners, visits take place once every two weeks for minors and once a month for adults. As for convicted prisoners, visits are allowed a minimum of once every two weeks for minors whereas, for adults, a distinction is made depending on their criminal category, which is determined by the court hearing the case. Those classified in the first group are allowed visits once every two weeks, those in the second once a month and those in the third once every six weeks.

– *out of consideration for the visitor*

The person concerned may be the spouse. That is the case with **Albania**: if the prisoner is married, he or she may spend one night a month with his or her spouse or four hours during the day.

The person concerned may be a child. For example, **England and Wales** stated, without providing further details, that children are allowed longer visits.

Austria reported that, in general, longer and more frequent visits are possible for family reasons. No details were provided.

In **Spain**, we have seen that there are three categories of visits, depending on whether the visitor is a spouse/partner, a member of the family or a friend: visits vary in length and frequency depending on the category. Visits by the spouse, partner or family last from one to three hours, but are allowed only once a month; visits by friends last four to five hours, but are permitted only once every three months.

– *if so desired by the prison governor*

This is the case with **Turkey**.

For some countries, the reasons for allowing longer visits were not given. Thus, we know only that:

- in **Luxembourg**, the 30-minute minimum may be exceeded and visits may last as long as four to six hours, but are allowed only once a month: four hours for convicted prisoners and six for remand prisoners;
- in **Norway**, the minimum visiting time may be exceeded;
- in **Ukraine**, the extension may go up to three days a month;

- in the *United States*, given the variety of arrangements, which has to do above all with the country's federal structure, it is impossible to be too specific without being too lengthy. It can, however, be said that in certain cases visits may last most or all of the day.

Conclusion

We concluded that although security was paramount, a number of countries seemed to have struck a balance between this aspect, which is inherent to prisons, and respect for the privacy of the prisoner and his or her family. Ideally, all the approaches which best respect private and family life should be used. If carefully incorporated into the running of prisons, they would not jeopardise order or internal or external security.

Appendix: Questionnaire French and English versions

English version

- 1.1. Are conjugal or family visits possible in your country?
- 1.2. If answer is yes, do these visits guarantee enough intimacy and particularly are couples and families free from other people's sight, including prison authorities and warders?
- 1.3. What are the frequency and length of these visits?

European Conference "The implementation of European standards for imprisonment and community sanctions and measures"

Ad hoc Conference of Directors of Prison Administration (CDAP)

And representatives of services responsible for the implementation of non-custodial sanctions and measures

Berlin, 3-5 May 2000

I. Conclusions

Pierre Victor Tournier
General rapporteur¹

This is not going to be, in the strict sense, a summary of the kind that international meetings compulsorily generate. Adopting a more spontaneous approach, I shall give you my reactions to points I noted in the papers delivered and the observations from the floor during the three days.

1. The first conclusion concerns what I shall call the dialectic of Council of Europe enlargement. An institution whose membership doubles in such a short time² thereby has its moral authority and political legitimacy reinforced. At the same time, though, it is arguably weakened by the increase in differences of history, national culture and economic development among its members. All the delegations were agreed to take the high route to overcoming those differences, expressing a desire for reinforcement and development of European standards, whether the prison rules which the Council of Europe Committee of Ministers adopted on 12 February 1987 or the rules on community sanctions and measures (CSMs) adopted on 19 October 1992. No "largest common divisor" or "smallest common multiple", then, but an innovative scheme within which each must proceed at the pace which suits him best.

2. The European rules, and the conventions and recommendations generally, are not well enough known to judges, staff responsible for enforcement of decisions, politicians, the media, or people generally (public opinion, as we are a little too quick to call it) or to prisoners and their families. Quite soon, every national prison service will undoubtedly have an Internet site. Would it not be a good idea for each site to contain all the international instruments binding on the prison service, together with regularly updated commentaries on the difficulties of complying with them, action to achieve compliance – and its cost. This is not just a question of democratic transparency but necessary for effectiveness. National prison policy based on values and

ideas shared by a whole continent has more chance of carrying conviction. Common policy will also enable us, in particular, to combat all forms of populist politics. Populism – whose spectre was several times raised in the discussions – sees danger everywhere whereas it is itself one of the main dangers to our democracies: it looks at itself in the mirror, sees its unhealthy fears and thinks it is seeing the whole of society.

3. The role of the *European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment* (CPT) in developing the European rules was unanimously acclaimed. The CPT is one of the Council of Europe's flagships and is now, for the first time, chaired by a woman, Ms Silvia Casale, who has succeeded Mr Ivan Zakine. Ms Casale will be looking to all the delegations for help and support. The CPT's resources are of course limited and there is a huge amount of work to be done, both in western and in central and eastern Europe. The CPT needs the co-operation of all – the prison services visited, NGOs, the media. The findings of the CPT's inspections need to be known as widely as possible. The same applies to the solutions which countries adopt to remedy the problems pinpointed as being contrary to the European rules.

4. There was a clear message from the conference that it was necessary for every country's criminal justice system to have a range of measures and sanctions varying in severity from the mere warning to total deprivation of freedom (but no further than that). Within the range, prison must occupy its proper place: not in the centre but towards the extremity, and one day perhaps right on the edge.

5. The range of possibilities must not be merely hypothetical but actually operational and available; the prerequisites for this are numerous. I shall cite only a few, to which one or other of you drew attention:

- a. ensure that CSMs exist in law, and that the legal provisions concerning them are clear and coherent;
- b. repeatedly make it clear that CSMs are primarily court decisions, brought about by criminal offences, and that they are not health or social measures. There must be no confusing – even with the best intentions in the world – the actual objectives of the decisions and the measures accompanying them;
- c. there needs to be general familiarity with the measures and a grasp of how they function. Such measures require participation by numerous agencies, not necessarily judicial ones: they include other

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2. The Council had 21 members in 1982 and now has 41. 34 member states were represented at the Berlin conference, and to those must be added two observer countries (Canada and the United States) and a non-member country, Azerbaijan. There were some hundred participants.

administrative authorities, local authorities, economic players and the voluntary sector. So this requirement is a key one for communicating, acting together and moving in the same direction;

- d. ensure that CSMs are effective – i.e. actually applied. This requires sufficient numbers of competent staff, properly functioning institutions and sizeable budgets;
- e. lastly, avoid any competition between prison and CSMs, or indeed competition amongst the CSMs themselves, in which the winners will of course be those easiest to apply and those assumed – often wrongly – to be cheapest. In action to combat crime, there is nothing more disastrous than short-sighted policies.

6. There is every reason to step up bilateral and multilateral co-operation between Council of Europe member states. International crime is a major issue for our societies (mafia-like organisations, business crime, drug trafficking, prostitution, etc). We need other people's experience and other people's scientific knowledge. The question of enforcement of sentences in the offender's home country, debated at length on Thursday morning, perfectly brought out these needs. What approach should be adopted when the criminal system in the country where the sentence was imposed is very different from the system in the country where the sentence is to be served? This was a splendid opportunity to discuss the basic connections between the different phases of the criminal process. Is it possible to dispense with the prisoner's consent to transfer from one country to another when you claim to be keen to develop a system of penalties which will develop a sense of responsibility in the sentenced person? Conversely, should we agree to all transfer requests from the prisoner and risk thereby encouraging international crime? Several delegations feel it is necessary to rediscuss these questions without delay and want to see international instruments simplified and reduced in number.

7. Before concluding I would like, with all due deference, to offer a personal criticism of the way in which the discussions often developed. We are much too general in our remarks. I am not saying too theoretical or too abstract, but too non-specific.

- a. It is much too general to talk about the **offences or crimes** for which prison sentences or CSMs are imposed. What link exists between theft without violence, supply of "soft" drugs, sexual assault by an adult on a child, insurance fraud, murder of a spouse or partner, or terrorist activity? In this area we lack workable typologies which are simple enough to be used in our exchanges and precise enough to be meaningful. My fellow researchers in all disciplines need to invest more effort in this area. There is nothing more distressing than to still hear talk of "petty" crime, "major" offences, "serious" crimes and so on!
- b. Talk of **penal measures and sanctions** is not specific enough. The frequent dichotomy between prison on the one hand and CSMs on the other is simplistic and dangerous. Is there not a danger of

seeing serious measures (on the one side prison) and gadgets on the other (community measures and sanctions). This is what I call the "Roberval balance model", with its two trays exposed to view: on the one hand custodial measures, on the other the possibly lightweight CSMs. But the two often interlock: custodial measures, for instance, can be converted to early release under supervision. To a large extent, in fact, it is at the interface between the "closed setting" and the "open setting" that the direction which prisoners' lives will take is decided. To the somewhat rough-and-ready metaphor of the balance, I prefer that of the prism, splitting white light into the spectrum of colours.

In this context the Council for Penological Co-operation, under that most able and courteous of Chairmen, Sir Graham Smith, and splendidly assisted by Wolfgang Rau¹, has recently been fruitfully engaged in helping me redefine the bases of the Council of Europe's Annual Penal Statistics (SPACE I and II) of which I am in charge.

- c. We lack precision when we refer to **prison overcrowding and prison population inflation**. I will not labour this, since I spoke about it at length on Wednesday afternoon in my paper on conditional release² and you can refer to Recommendation No. R (99) 22, "Prison overcrowding and prison population inflation", adopted by the Council of Europe Committee of Ministers on 30 September 1999³ on the basis of a study which I conducted with André Kuhn (Lausanne) and Roy Walmsley (London).

8. The Ukraine delegation offered to organise a conference in Kiev. Sir Graham Smith suggested that the Council of Europe next year organise a **workshop on CSMs** at which each type of measure/sanction could be investigated in detail from the standpoint of positive law, practice and difficulty developing them. These proposals can be linked together. I of course endorse them. I suggest that the work be organised around five categories of CSM: compulsory treatment⁴, community service, the various forms of probation, conversion of custodial sentences and lastly technological innovation (in particular electronic tagging).

A few days spent in a reunited Berlin are calculated to instil optimism. The thousands of cranes, the innumerable worksites, the superb new buildings already visible have great symbolic force and reassure us about our

1. Principal Administrative Officer at the Council of Europe, heading the Penology and Criminology Division.

2. Tournier, P.V., *Retour progressif sur le futur. Si la libération anticipée, sous condition, était la norme*, Berlin 2000, 7 pages.

3. Council of Europe, *Prison overcrowding and prison population inflation*, Recommendation No. R (99) 22, adopted by the Committee of Ministers of the Council of Europe on 30 September 1999. Report written with the assistance of A. Kuhn, P. Tournier and R. Walmsley, 169 pages (to be published in French and English).

4. The next congress of the Association française de criminologie (AFC), of which the Société belge de criminologie (SBC) is the joint organiser, is on this subject (University of Lille II, Thursday 10 May and Friday 11 May 2001).

ability to overcome the most complex of problems. Apparently the Berlin subsoil is not very solid, the city having been built on swamp, but no matter – technology is there to provide a solution. The solidity of German democracy is not in doubt and, seen from the new Reichstag, is in fine fettle! You must all have been impressed, strolling through the streets of the new capital, by all the care that has been taken that the stroller does not forget the tragedies of the past. "A nation without a memory is a nation without a future." Germans and Europeans alike, we have a future.

II. Summary of main results

Prison administration directors and representatives of the services responsible for non-custodial sanctions in 39 European countries, Canada and the United States concluded their three-day conference in the *Berliner Rathaus* on 5 May 2000. The conference was organised by the Council of Europe (Strasbourg), the German Federal Ministry of Justice, the Justice Ministry of the Land of Berlin, and the German Association for Social Work, Criminal Law and Crime Policy (DBH).

The conference theme was "The implementation of European standards for imprisonment and community sanctions and measures", and the delegates reached the following conclusions:

1. Custodial sanctions should, in principle, be a last resort, and community sanctions and measures should be preferred in many cases.
2. The prerequisite for implementing European standards for imprisonment and for community sanctions and measures is consistent, co-ordinated crime-policy strategies, covering both criminal law and the enforcement of sentences.
3. Populist pressure for a punitive approach is a threat to European standards, and should be countered by a rational, co-ordinated Europe-wide crime policy.
4. Community alternatives to custodial sentences must be reinforced, particularly through:
 - binding legal regulations;
 - effective organisational arrangements, with NGO involvement;
 - secure funding.
5. For both crime-policy and financial reasons, reducing the prison population is in any country's national interest. This is why measures to avoid custodial sentencing and reduce sentence-length are important aims of a rational crime policy.
6. Existing European conventions and recommendations have:
 - stimulated discussion of crime policy;
 - produced important practical effects;

- exerted a positive influence on developments at national level;
- substantially reinforced human rights protection.

However,

- they are still not as well and as generally known as they should be (in particular, not enough is known about their rationale and development);
- their content is threatened by new social conditions.

It is necessary to:

- make them the subject of ongoing public discussion;
- monitor their practical implementation everywhere;
- update them regularly;
- make them a key element in staff training.

They should also contribute to Europe's sense of its own identity.

7. The importance of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) should be more widely recognised, and its work, which has helped to improve prison systems in the countries it has visited, should receive continued support.

8. European standards should also be observed in transfrontier co-operation, particularly concerning:

- assistance in legal matters;
- deportation and extradition proceedings;
- the transfer of prisoners to their country of origin.

9. Bilateral and multilateral co-operation in Europe should:

- take account of European integration;
- be guided by European standards;
- be effectively directed and monitored by the Council of Europe;
- involve as many European countries as possible;
- leave sufficient scope for individual countries' circumstances and requirements.

To this end:

- qualified specialists from all the member countries should be involved;
- steering committees should direct practical co-operation development projects;
- fact-finding visits should be organised to increase these projects' impact;
- they should be jointly evaluated in a climate of openness and trust.

Council of Europe Annual Penal Statistics

SPACE I: Enquiry 1997: Prison population

In 1996 the Council for Penological Co-operation decided to carry out a survey of prison overcrowding as part of its programme of activities. Three experts were appointed to that end¹. That scientific programme gave the Council for Penological Co-operation an opportunity to work with the three experts on reviewing the questionnaires used in the SPACE enquiry, of which the most recent version dated from June 1992.

This allowed a number of improvements to be made to the SPACE I questionnaire on the population of penal institutions; these improvements primarily concerned definitions (entries to, days spent in, penal institutions). A number of items were also added to describe the people who work in penal institutions: not only management and custodial staff, but also treatment staff (including medical staff, psychologists, social workers, teachers/educators, etc), staff responsible for workshops or vocational training, and administrative staff.

The SPACE I data obtained with the new questionnaire, which are published here, relate to the state of prison populations at 1 September 1997, flow of entries, length of imprisonment, incidents which occurred in 1996 (escapes from closed institutions, other forms of escape (absconding), deaths, suicides) and prison staff numbers at 1 September 1997.

A second questionnaire (SPACE II), covering certain measures and sanctions applied within the community, had been introduced in 1992. This questionnaire was never really satisfactory as it did not properly take account of the diversity of such community sanctions and measures. The Council for Penological Co-operation therefore decided to suspend the part of the SPACE enquiry devoted to community sanctions and measures until all the problems had been looked into and a new draft questionnaire had been prepared with the PC-ER, the Committee of Experts on the Implementation of the European Rules on Community Sanctions and Measures. The new version of the SPACE II questionnaire was approved by the Council for Penological Co-operation at its 36th meeting (October 1998). The SPACE II enquiry will henceforth be carried out separately, and the questionnaire will be sent to the states' representatives on the European Committee on Crime Problems (CDPC). The SPACE I questionnaire will continue to be addressed to the national prison authorities.

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I. Prison populations

I.1 State of prison populations at 1 September 1997

The situation of prison populations at a given date ("stock statistics") is set out in seven tables.

Table 1. Situation of penal institutions

- a. Total number of prisoners (including pre-trial detainees)
- b. Prison population rate (per 100 000 inhabitants): number of prisoners (including pre-trial detainees) present at 1 September 1997 in proportion to the number of inhabitants at the same date
- c. Total prison capacity
- d. Rate of occupancy (per 100 places): number of prisoners (including pre-trial detainees) in relation to the number of places available

The year-on-year rates of increase are as follows:

Less than - 5%: Finland (- 5.2%), Sweden (- 9.5% between 1/10/96 and 1/10/97)

Between - 5% and + 5%: "the Former Yugoslav Republic of Macedonia" (- 4.2%), Slovakia (- 4.2% between 31/12/96 and 31/12/97), Ukraine (- 2.2% between 1/1/97 and 1/1/98), Croatia (- 1.7% between 1/9/96 and 31/12/97), Latvia (- 1.1%), Poland (0.2%), France (0.8%), Norway (1.2%), Romania (1.8% between 1/9/96 and 30/9/97), Italy (1.9%), Scotland (2.2%), Austria (2.5%), Denmark (3% between 31/12/96 and 31/12/97), Czech Republic (3.4% between 31/12/96 and 31/12/97)

Over 5%: Greece (5.1%), Hungary (5.9% between 30/6/96 and 1/9/97), Turkey (8.2%), Bulgaria (8.7%), Belgium (9%), Germany (9.8%), England and Wales (11.5% between 31/8/96 and 31/8/97), Ireland (11.5% between 16/9/96 and 15/8/97), Cyprus (11.9%), Lithuania (12.2%), Slovenia (25.1%)

Data unavailable for either date, or definition problems: Albania, Spain, Estonia, Northern Ireland, Iceland, Netherlands, Russia, Switzerland, Ukraine

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Table 2. Age structure

- Median age of prison population (including pre-trial detainees) at the date of the statistics
- Prisoners under 18 years of age (including pre-trial detainees): number and percentage
- Prisoners between 18 and 21 years of age (including pre-trial detainees): number and percentage
- Prisoners under 21 years of age (including pre-trial detainees): number and percentage

Table 3. Women and foreigners

- Female prisoners (including pre-trial detainees): number and percentage
- Foreign prisoners (including pre-trial detainees): number and percentage

Table 4.1. Legal structure (numbers)

- Untried prisoners (not yet convicted)
- Prisoners convicted but not yet sentenced
- Sentenced prisoners who have appealed or who are within the statutory time-limit for doing so
- Sentenced prisoners (final sentence)
- Other cases

Table 4.2. Legal structure (rates)

We have selected four indicators as a basis for comparing the situations of the various populations:

- Percentage of prisoners not serving a final sentence at 1 September 1997 (often inaccurately referred to as the percentage of unconvicted prisoners): the number of prisoners whose sentence is not final, present at that date, expressed as a percentage of the total number of prisoners at the same date
- Prisoners not serving a final sentence per 100 000 inhabitants at 1 September 1997: the number of prisoners whose sentence is not final, present at that date, in relation to the number of inhabitants at the same date – expressed per 100 000 inhabitants
- Proportion of untried prisoners (not yet convicted) at 1 September 1997: the number of untried prisoners (not yet convicted), present at that date, expressed as a percentage of the total number of prisoners at the same date
- Untried prisoners (not yet convicted) per 100 000 inhabitants: the number of untried prisoners (not yet convicted), present at that date, in relation to the number of inhabitants at the same date – expressed per 100 000 inhabitants

Only prisoners included under the heading "untried prisoners" in the questionnaire are taken into account in calculating the last two rates.

- Where the item "*Sentenced prisoners who have appealed or who are within the statutory time-limit for doing so*" is left blank in the questionnaire for lack of available data – without any further information being provided – it is assumed that prisoners in this situation are included among "*sentenced*

prisoners (final sentence)". In this case, neither rate (a) – *percentage of prisoners not serving a final sentence* – nor rate (b) – *prisoners not serving a final sentence per 100 000 inhabitants* – can be calculated.

This applies to Germany, England and Wales, Austria, Croatia, Scotland, Spain, Finland, Greece, Ireland, Northern Ireland, Norway, the Netherlands, Poland, Portugal, the Czech Republic and Switzerland.

- Where the item "*Prisoners convicted but not yet sentenced*" is left blank in the questionnaire for lack of available data – without any further information being provided – it is assumed that prisoners in this situation are included among "*untried prisoners (not yet convicted)*". In this case, neither rate (c) – *proportion of untried prisoners (not yet convicted), as a percentage* – nor rate (d) – *untried prisoners (not yet convicted) per 100 000 inhabitants* – can be calculated.

This applies to Croatia, Finland, Northern Ireland, Ireland, the Netherlands, Poland, the Czech Republic and Switzerland.

Table 5. Convicted prisoners: breakdown by offence

Offences have been classified under seven headings: homicide, wounding with intent to harm, rape, robbery with violence, other categories of theft, drug-related offences, other cases.

Table 6. Convicted prisoners: breakdown by length of sentence

Table 7. Prisoners sentenced to less than one year: breakdown by length of sentence

1.2 Flow of entries, length of imprisonment, escapes and deaths in 1996

Table 8. Flow of entries

- Total number of entries in 1996
- Rate of entries (per 100 000 inhabitants): the number of entries for 1996 in relation to the average number of inhabitants during the period under review. In view of the information available, the figure actually used was the number of inhabitants at 1 September 1996, as supplied by the authorities.
- Entries before final sentence: number and percentage

The term "entry" refers to all entries into penal institutions, except in the following situations:

- entry following a transfer between penal institutions;
- entry following a prisoner's removal with a view to an appearance before a judicial authority (investigating judge, trial court, etc);

- entry following prison leave or a period of permitted absence;
- entry of an escaped prisoner recaptured by the police.

The figures do not relate to the number of individuals but to the number of events (entries). The same individual may be committed to prison several times in the same year for the same case. This applies, for instance, to an individual who is placed in pre-trial detention during year *n* (first entry), released by the investigating judge at the pre-trial investigation stage, tried without being re-detained, convicted and sentenced to a term of imprisonment exceeding the period of pre-trial detention, and re-imprisoned during year *n* to serve the remainder of the sentence (second entry). A fortiori, the same individual may be committed to prison several times in the same year for different cases.

Only entries of untried prisoners (not yet convicted), prisoners convicted but not yet sentenced, or sentenced prisoners who have appealed or who are within the statutory time-limit for doing so are recorded under (c). This figure therefore corresponds to part of the entries recorded under (a). These of course include entries for pre-trial detention.

Table 9. Indicator of average length of imprisonment

- Total number of days spent in penal institutions in 1996
- Average number of prisoners in 1996: $(b) = (a)/365$
- Indicator of average length of imprisonment (D): quotient of the average number of prisoners in 1996 (P) divided by the flow of entries during that period (E): $D = 12 \times P/E$ – length expressed in months

Figure (a) corresponds to the total number of days spent in penal institutions by all persons placed in detention for at least one day during the reference year (1996). This may be time spent in pre-trial detention or time spent serving a prison sentence, or may even correspond to other circumstances (detention for failure to pay a fine, for instance). No distinction is made here.

Data of this type are usually prepared by the departments responsible for prison budgets. They are used by the authorities to calculate an average daily cost of imprisonment.

In our case, this indicator yields the best possible estimate of the average number of inmates in a given year, by dividing the number of days spent in penal institutions by 365 (or 366 for a leap year). The resulting figure is what demographers call the number of "prisoners/year" (b). We use this indicator to work out various other figures (for instance the suicide rate and the ratio of inmates to custodial staff).

Table 10. Escapes

This only corresponds to escapes by convicted prisoners or pre-trial detainees (in the custody of the prison

authorities) from closed penal institutions or during administrative transfers (for example, to or from a court, another penal institution, or a hospital). In the event of a group break-out, the number of escapes is equal to the number of inmates involved.

- Number of escapes in 1996
- Number of prisoners/year in 1996 (see table 9)
- Escape rate per 10 000 prisoners: $10\,000 \times (a)/(b)$

Table 11. Other forms of escape (absconding or running off)

Examples are escapes from open institutions (such as work farms) or from semi-detention, and escapes during authorised short-term absence (or leave) from all kinds of institutions (including closed institutions).

- Number of escapes in 1996
- Number of prisoners/year in 1996 (see table 9)
- Escape rate per 10 000 prisoners: $10\,000 \times (a)/(b)$

We have not worked out the rate here, as that would amount to calculating the ratio of escapes (other forms) to the average number of prisoners, without taking account of the proportion of inmates in "open institutions".

Table 12. Deaths in penal institutions

- Number of deaths in penal institutions in 1996
- Number of prisoners/year in 1996 (see table 9)
- Mortality rate per 10 000 prisoners: $10\,000 \times (a)/(b)$

Deaths of convicted prisoners and pre-trial detainees while in hospital are included.

Table 13. Suicides in penal institutions

- Number of suicides in 1996
- Number of prisoners/year in 1996 (see table 9)
- Suicide rate per 10 000 prisoners: $10\,000 \times a/b$

Deaths of convicted prisoners and pre-trial detainees while in hospital are included.

Table 14. Deaths in penal institutions – other than suicides

- Number of deaths in penal institutions, other than suicides, in 1996
- Number of prisoners/year in 1996 (see table 9)
- Non-suicide mortality rate per 10 000 prisoners: $10\,000 \times a/b$

Deaths of convicted prisoners and pre-trial detainees while in hospital are included.

II. Staff of penal institutions

Table 15. Staff working full time in penal institutions

Table 16. Staff working part time in penal institutions: on the basis of full-time equivalents

Table 17. Staff working full or part time in penal institutions: on the basis of full-time equivalents

Situation at 1 September 1997:

- a. Management staff
- b. Custodial staff, excluding staff already included in (a)
- c. Treatment staff (including medical staff, psychologists, social workers, teachers/educators, etc), excluding staff already included in (a) or (b)
- d. Staff responsible for workshops or vocational training, excluding staff already included in (a), (b) or (c)
- e. Administration staff, excluding staff already included in (a), (b), (c) or (d)

1. The objective here is to count all staff working in penal institutions who are employed by the prison authorities. Respondents were asked to exclude persons working in penal institutions but not employed by the prison authorities (in some countries this applies to doctors, teachers or perimeter guards). Such staff are included in table 18. They were also asked to exclude staff who do not work in penal institutions but in the central prison administration offices or regional offices, or in storage depots (facilities for storage of food and miscellaneous equipment). Such staff are also included in table 18.

2. Respondents were asked to calculate the number of staff working part time on the basis of "full-time equivalents". This means that where two people each work half the standard number of hours, they count for one "full-time equivalent". One half-time worker should count for 0.5 of a full-time equivalent.

Table 18. Other categories of staff

Situation at 1 September 1997:

- a. Staff working in central prison administration offices
- b. Staff working in regional offices
- c. Staff working in storage depots (facilities for storage of food and miscellaneous equipment)
- d. Staff working in penal institutions but not employed by the prison authorities

In some countries category (d) does not exist. In others, doctors, teachers and perimeter guards may sometimes be employed by bodies not under the control of the prison authorities (for instance health authorities, the ministry of education, departments of the ministry of the interior or the ministry of justice)²⁰.

Table 19. Supervision of prisoners

- a. Total number of prisoners at 1 September 1997: see Table 1
- b. Total number of custodial staff at 1 September 1997: see table 17
- c. Rate of supervision of prisoners: (b)/(a)

N.B.: In all the tables, three dots (...) are used to indicate that the data are not available or that the information provided could not be used for reasons of consistency. Where the authorities **expressly** informed us that a question was "not applicable", we have used three asterisks (***)

1. We wish to thank Roy Walmsley of Home Office for his assistance in drawing up the section of the new SPACE.I questionnaire dealing with prison staff.

I.1 Population of penal institutions

Population of Penal Institutions on 1 September 1997

Table 1. Population of penal institutions on 1 September 1997

Reference: Council of Europe, SPACE 97.1

	Total number of prisoners (inc. pre-trial detainees)	Prison population- rate per 100 000 inhabitants	Capacity of penal institutions	Prison density per 100 places
Albania	1 123	37	2 015	56
Austria (1)	6 946	86	7 900	88
Belgium	8 342	82	7 673	109
Bulgaria	11 847	142	7 510	158
Croatia (1)	2 119	47	3 343	63
Cyprus	263	40	240	109
Czech Republic (1)	21 560	209	18 907	114
Denmark	3 299	62	3 735	88
Estonia (1)	4 745	300	2 692	176
Finland	2 798	56	3 859	72
France (1)	54 442	90	49 841	109
Germany	74 317	90	72 118	103
Greece	5 577	54	4 332	129
Hungary	13 687	136	10 947	125
Iceland	118	43	138	86
Ireland (1)	2 433	68	2 357	103
Italy	49 477	86	38 853	127
Latvia	10 052	407	9 760	103
Lithuania	13 205	356	13 619	97
Luxembourg	...	...	...	...
Malta	...	...	...	...
Moldova	...	...	...	...
Netherlands (1)	13 618	87	14 310	95
Norway (1)	2 318	53	2 885	80
Poland	57 424	148	64 841	89
Portugal	14 634	145	10 763	134
Romania (1)	44 398	197	31 636	140
Russia (1)	1 047 997	713	962 503	109
Slovakia (1)	7 409	138	9 201	80
Slovenia	768	39	1 061	72
Spain	42 827	113	38 083	112
Sweden (1)	5 221	59	5 676	92
Switzerland (1)	6 259	88	6 730	93
"the former Yugoslav Republic of Macedonia"	965	49	2 463	39
Turkey	59 275	94	76 836	77
Ukraine (1)	211 568	415	198 321	107
<i>United Kingdom</i>				
England and Wales (1)	61 940	120	57 042	109
Northern Ireland	1 595	95	2 016	79
Scotland (1)	6 084	119	5 958	102

(1) See remarks

Table 2. Population of penal institutions on 1 September 1997: age

Reference: Council of Europe, SPACE 97.2

	Median age	Prisoners under 18 years of age		Prisoners 18 to less than 21 years		Prisoners under 21 years	
		Number	%	Number	%	Number	%
Albania	28	...	...	...	...	...	...
Austria	29	64	0.9	193	2.8	257	3.7
Belgium	32	18	0.2	446	5.3	464	5.6
Bulgaria	...	156	1.3	...	...	...	...
Croatia	37	111	5.2	7	0.3	118	5.6
Cyprus	37	0	0.0	24	9.1	24	9.1
Czech Republic	30	420	1.9	2 163	10.0	2 583	12.0
Denmark	...	19	0.6	...	...	...	...
Estonia (1)	29	79	2.5	406	12.9	485	15.5
Finland	...	6	0.2	95	3.4	101	3.6
France	31	705	1.3	4 314	7.9	5 019	9.2
Germany	...	...	...	...	...	...	...
Greece	...	359	6.4	...	...	...	...
Hungary	33	143	1.0	1 304	9.5	1 447	16.6
Iceland	32	2	1.7	9	7.6	11	9.3
Ireland	24	152	6.2	437	18.0	589	24.2
Italy	35	315	0.6	2 752	5.6	3 067	6.2
Latvia	34	415	4.1	...	...	...	...
Lithuania	31	511	3.9	1 065	8.0	1 576	11.9
Luxembourg	...	...	...	...	...	...	...
Malta	...	...	...	...	...	...	...
Moldova	...	...	...	...	...	...	...
Netherlands	32	45	0.4	816	7.0	861	7.4
Norway	31	9	0.4	130	5.6	139	6.0
Poland	32	1 241	2.2	5 950	10.4	7 191	12.5
Portugal	33	219	1.5	577	3.9	796	5.4
Romania	30	2 480	5.6	5 673	12.8	8 153	18.4
Russia	...	...	...	...	...	21 587	2.1
Slovakia	32	164	2.2	854	11.5	1 018	13.7
Slovenia	32	15	2.0	55	7.2	70	9.1
Spain	33	143	0.3	2 577	6.0	2 720	6.4
Sweden (1)	34	19	0.5	144	3.5	163	4.0
Switzerland (1)	32	44	1.1	114	2.8	158	3.9
"the former Yugoslav Republic of Macedonia"	31	21	2.2	183	19.0	204	21.1
Turkey	49	2 067	3.5	8 257	13.9	10 324	17.4
Ukraine	32	5 134	2.4	...	...	...	...
<i>United Kingdom</i>							
England and Wales (1)	27	2 416	3.9	8 462	13.7	10 878	17.6
Northern Ireland	24	30	1.9	185	11.6	215	13.5
Scotland	27	265	4.4	803	13.2	1 068	17.6

(1) See remarks

Table 3. Population of penal institutions on 1 September 1997: female prisoners, foreign prisoners (numbers and %)

Reference: Council of Europe, SPACE 97.3

	Female prisoners		Foreign prisoners	
	Number	%	Number	%
Albania	26	2.3	0	0.0
Austria	413	5.9	1 869	26.9
Belgium	360	4.3	3 185	38.2
Bulgaria	410	3.5	...	...
Croatia	86	4.1	302	14.3
Cyprus	8	3.0	93	35.4
Czech Republic	800	3.7	3 324	15.4
Denmark	160	4.8	450	13.6
Estonia (1)	135	2.8	32	1.0
Finland	134	4.8	127	4.5
France	2 166	4.0	14 178	26.0
Germany (1)	3 212	4.3	25 000	33.6
Greece	209	3.7	2 151	38.6
Hungary	794	5.8	607	4.4
Iceland	5	4.2	4	3.4
Ireland (1)	55	2.3	203	8.3
Italy	2 034	4.1	10 926	22.1
Latvia	...	...	...	...
Lithuania	634	4.8	90	0.7
Luxembourg	...	...	...	...
Malta	...	...	...	...
Moldova	...	...	...	...
Netherlands	491	4.2	3 709	31.9
Norway	126	5.4	339	14.6
Poland	1 462	2.5	1 326	2.3
Portugal	1 470	10.0	1 602	11.1
Romania	1 775	4.0	416	0.9
Russia	58 511	5.6	217	0.0
Slovakia	285	3.8	133	1.8
Slovenia	30	3.9	110	14.3
Spain	4 002	9.3	7 640	17.8
Sweden (1)	297	5.7	1 063	26.1
Switzerland (1)	386	6.2	3 772	60.3
"the former Yugoslav Republic of Macedonia"	30	3.1	64	6.6
Turkey	2 293	3.9	828	1.4
Ukraine	13 761	6.5	3 026	1.4
<i>United Kingdom</i>				
England and Wales (1)	2 770	4.5	4 805	7.8
Northern Ireland	30	1.9	...	...
Scotland (1)	193	3.2	11	0.2

(1) See remarks

Table 4.1 Population of penal institutions on 1 September 1997: legal status (numbers)

- (a) Untried prisoners (ie no court decision yet reached)
 (b) Convicted prisoners, but not yet sentenced
 (c) Sentenced prisoners who have appealed or who are within the statutory limit to do so
 (d) Sentenced prisoners (final sentence)
 (e) Other cases

Reference: Council of Europe, SPACE 97.41

	(a)	(b)	(c)	(d)	(e)
Albania	...	...	...	...	...
Austria (1)	1 720	***	...	4 677	549
Belgium (1)	1 643	***	533	5 090	1 076
Bulgaria (1)	...	...	...	...	...
Croatia	725	...	...	1 394	0
Cyprus	42	***	26	195	***
Czech Republic (1)	7 736	...	...	13 824	0
Denmark (1)	684	195	...	2 393	27
Estonia	371	691	336	3 136	211
Finland	313	...	...	2 485	***
France (1)	19 872	***	2 102	32 171	297
Germany	19 989	***	...	50 950	3 378
Greece	1 705	***	...	3 872	...
Hungary (1)	3 136	683	***	9 544	324
Iceland	0	11	0	107	0
Ireland	232	...	...	2 201	...
Italy	12 492	***	8 090	28 895	***
Latvia	2 281	137	786	6 848	0
Lithuania	1 832	867	144	10 362	0
Luxembourg	...	...	...	...	...
Malta	...	...	...	...	...
Moldova	...	...	...	...	...
Netherlands (1)	4 040	...	...	6 073	1 518
Norway (1)	566	***	...	1 652	100
Poland	14 103	...	...	42 535	786
Portugal	4 328	***	...	10 033	273
Romania (1)	467	10 225	6 853	26 596	257
Russia	...	...	...	...	...
Slovakia	1 659	...	...	5 750	...
Slovenia (1)	115	54	72	468	59
Spain	11 058	***	...	31 769	***
Sweden (1)	...	1 113	...	4 066	42
Switzerland	2 226	...	...	4 033	...
"the former Yugoslav Republic of Macedonia"	87	112	7	759	0
Turkey	24 554	1 349	977	32 395	0
Ukraine	20 433	12 389	4 911	173 835	***
<i>United Kingdom</i>					
England and Wales (1)	8 717	3 660	...	48 981	582
Northern Ireland (1)	392	...	...	1 174	29
Scotland (1)	810	101	...	5 161	12

(1) See remarks

***: not applicable

Table 4.2 Population of penal institutions on 1 September 1997: legal status (rates)

(a) Percentage of prisoners without final sentence

(b) Rate of prisoners without final sentence per 100 000 inhabitants

(c) Percentage of untried prisoners (i.e. no court decision yet reached)

(d) Rate of untried prisoners (i.e. no court decision yet reached) per 100 000 inhabitants

Reference: Council of Europe, SPACE 97.42

	(a)	(b)	(c)	(d)
Albania	...	...	...	...
Austria	...	...	24.8	21.3
Belgium	39.0	32.0	19.7	16.2
Bulgaria	...	...	...	...
Croatia	...	...	...	...
Cyprus	25.9	10.3	16.0	6.4
Czech Republic	...	...	...	...
Denmark	27.5	17.2	20.7	13.0
Estonia	33.9	101.7	7.8	23.5
Finland	...	...	...	...
France	40.9	36.9	36.5	33.0
Germany	...	...	26.9	24.2
Greece	...	...	30.6	16.5
Hungary	30.3	41.2	22.9	31.2
Iceland	9.3	4.0	9.3	4.0
Ireland	...	...	...	...
Italy	41.6	35.8	25.2	21.7
Latvia	31.9	129.7	22.7	92.3
Lithuania	21.5	76.6	13.9	49.4
Luxembourg	...	...	...	...
Malta	...	...	...	...
Moldova	...	...	...	...
Netherlands	47.8	35.5	...	...
Norway	...	...	24.4	12.9
Poland	...	...	...	...
Portugal	...	...	29.6	42.9
Romania	40.1	79.0	1.1	2.1
Russia	...	...	...	...
Slovakia	...	...	...	...
Slovenia	39.1	15.1	15.0	5.8
Spain	...	...	25.8	29.1
Sweden	22.1	13.1	...	...
Switzerland	...	...	...	...
"the former Yugoslav Republic of Macedonia"	21.3	10.6	9.0	4.5
Turkey	45.3	42.6	41.4	38.9
Ukraine	17.8	74.0	9.7	40.1
<i>United Kingdom</i>				
England and Wales	...	...	14.1	16.9
Northern Ireland	...	...	...	...
Scotland	...	...	13.3	15.8

(1) See remarks

Table 5.1. Breakdown of sentenced prisoners (final sentence) by the main offence on 1 September 1997 (numbers)

Reference: Council of Europe, SPACE 97.51

	Homicide including attempts	Assault	Rape	Robbery	Other types of theft	Drug offences	Other cases
Albania	81	0	19	27	8	0	6
Austria	...	...	...	...	...	...	...
Belgium	633	867	271	1 576	453	523	767
Bulgaria (1)	...	...	...	...	...	...	...
Croatia	486	67	98	395	49	285	14
Cyprus	...	...	...	...	...	...	...
Czech Republic (1)	...	...	...	...	...	...	...
Denmark	...	...	...	...	...	...	...
Estonia	537	275	129	332	1 386	3	474
Finland (1)	564	351	50	277	692	362	380
France (1)	2 997	2 361	5 240	3 638	5 877	5 971	6 087
Germany (1)	3 839	3 159	1 787	7164	12 914	6 870	15 909
Greece	...	...	...	...	...	...	...
Hungary	1 424	698	228	2 066	3 057	63	2 008
Iceland	7	15	5	4	24	17	35
Ireland (1)	133	173	101	289	422	95	739
Italy	...	...	...	...	...	...	...
Latvia	757	858	233	887	2 965	150	998
Lithuania	1 401	296	574	1 602	5 061	180	1 248
Luxembourg	...	...	...	...	...	...	...
Malta	...	...	...	...	...	...	...
Moldova	...	...	...	...	...	...	...
Netherlands (1)		1 943			1 701	911	1 518
Norway (1)	139	198	29	72	367	541	306
Poland (1)	3 223	9 081	1 448	14 230	4 963	...	10 033
Portugal	880	119	278	1 445	2 538	3 653	1 120
Romania	5 515	427	1 496	2 898	13 630	45	2 585
Russia	83 271	83 375	42 090	60 052	281 819	19 011	221 502
Slovakia	...	...	...	...	...	...	...
Slovenia	95	18	42	65	104	34	110
Spain	1 993	710	1 616	14 434	726	9 659	2 631
Sweden	269	204	121	339	724	772	1 637
Switzerland (1)	...	...	...	...	...	...	...
"the former Yugoslav Republic of Macedonia"	126	23	33	38	292	77	170
Turkey (1)	7 537	1 350	2 436	3 028	5 700	1 391	10 953
Ukraine	18 906	14 650	7 852	12 439	64 339	11 923	43 726
<i>United Kingdom</i>							
England and Wales (1)	4 349	520	2 083	6 438	13 565	7 174	14 676
Northern Ireland (1)	307	85	48	98	141	90	405
Scotland	730	857	116	711	517	701	1 529

(1) See remarks

Table 5.2 Breakdown of sentenced prisoners (final sentence) by the main offence on 1 September 1997 (%)

Reference: Council of Europe, SPACE 97.52

	Homicide including attempts	Assault	Rape	Robbery	Other types of theft	Drug offences	Other cases
Albania	57.4	0.0	13.5	19.1	5.7	0.0	4.3
Austria	...	...	...	...	...	...	...
Belgium	12.4	17.0	5.3	31.0	8.9	10.3	15.1
Bulgaria	...	...	...	...	...	...	...
Croatia	35.0	4.8	7.0	28.3	3.5	20.4	1.0
Cyprus	...	...	...	...	...	...	...
Czech Republic	...	...	...	...	...	...	...
Denmark	...	...	...	...	...	...	...
Estonia	17.1	8.8	4.1	10.6	44.3	0.0	15.1
Finland	21.1	13.1	1.9	10.4	25.8	13.5	14.2
France	9.3	7.3	16.3	11.3	18.3	18.6	18.9
Germany	7.4	6.1	3.5	13.9	25.0	13.3	30.8
Greece	...	...	...	...	...	...	...
Hungary	14.9	7.3	2.4	21.6	32.1	0.7	21.0
Iceland	6.5	14.0	4.7	3.7	22.4	15.9	32.8
Ireland	6.8	8.9	5.2	14.8	21.6	4.9	37.8
Italy	...	...	...	...	...	...	...
Latvia	11.1	12.5	3.4	13.0	43.2	2.2	14.6
Lithuania	13.5	2.9	5.5	15.5	48.9	1.7	12.0
Luxembourg	...	...	...	...	...	...	...
Malta	...	...	...	...	...	...	...
Moldova	...	...	...	...	...	...	...
Netherlands		32.0			28.0	15.0	25.0
Norway	8.4	12.0	1.8	4.4	22.2	32.7	18.5
Poland	7.5	21.1	3.4	33.1	11.5	...	23.3
Portugal	8.8	1.2	2.8	14.4	25.3	36.3	11.2
Romania	20.7	1.6	5.6	10.9	51.3	0.2	9.7
Russia	10.5	10.5	5.3	7.6	35.7	2.4	28.0
Slovakia	...	...	...	...	...	...	...
Slovenia	20.3	3.8	9.0	13.9	22.2	7.3	23.5
Spain	6.3	2.2	5.1	45.4	2.3	30.4	8.3
Sweden	6.6	5.0	3.0	8.3	17.8	19.0	40.3
Switzerland	...	...	...	...	...	...	...
"the former Yugoslav Republic of Macedonia"	16.6	3.0	4.3	5.0	38.6	10.1	22.4
Turkey	23.3	4.2	7.5	9.3	17.6	4.3	33.8
Ukraine	10.9	8.4	4.5	7.2	36.9	6.9	25.2
United Kingdom							
England and Wales	8.9	1.1	4.3	13.2	27.8	14.7	30.0
Northern Ireland	26.1	7.2	4.1	8.3	12.0	7.7	34.6
Scotland	14.1	16.6	2.2	13.8	10.0	13.6	29.7

(1) See remarks

Table 6.1 Breakdown of sentenced prisoners (final sentence) by length of the sentence on 1 September 1997 (numbers)

Reference: Council of Europe, SPACE 97.61

	Less than 1 year	1 year to less than 3 years	3 years to less than 5 years	5 years to less than 10 years	10 years and and over	Life imprison- ment	Death sentenced prisoners
Albania	0	0	15	42	80	2	0
Austria (1)	1 349	1 800	701	598	410	147	***
Belgium (1)	430	1 219	1 466	1 611		281	13
Bulgaria (1)	483	1 994	1 639	1 300	1 344	...	...
Croatia	276	360	218	396	144	0	0
Cyprus	...	...	...	...	...	...	...
Czech Republic	4 657	4 881	1 727	1 755	790	14	***
Denmark	...	...	...	...	...	...	...
Estonia	151	856	664	1 167	278	11	9
Finland	748	785	420	490	180	55	...
France	9 323	7 455	4 008	5 612	5 283	490	***
Germany (1)	21 567	23 173		4 315	973	1 378	***
Greece (1)	282	232	636	992	1 265	391	6
Hungary	1 225	3 098	1 801	2 287	945	188	0
Iceland	49	33	16	3	6	0	***
Ireland	365	720	311	368	118	70	***
Italy (1)	4 055	6 894	5 023	6 833	5 592	588	***
Latvia (1)	42	1 456	2 133	2 301	369	4	2
Lithuania	342	3 117	3 464	2 842	555	34	8
Luxembourg	...	...	...	...	...	...	...
Malta	...	...	...	...	...	...	...
Moldova	...	...	...	...	...	...	...
Netherlands	2 235	1 839	919	1 074		6	***
Norway (1)	981	258	156	185	72	***	***
Poland (1)	10 135	18 314	7 528	4 551	2 443	7	***
Portugal (1)	463	3 055		6 454		***	***
Romania	2 028	5 652	10 499	3 965	4 412	40	0
Russia (1)	...	...	...	...	...	...	...
Slovakia	1 413	1 962	819	1 061	484	11	***
Slovenia (1)	85	160	107	80	36	0	0
Spain (1)	...	...	...	...	...	...	...
Sweden	1 459	1 132	518	649	231	77	***
Switzerland (1)	...	...	...	...	...	...	...
"the former Yugoslav Republic of Macedonia"	127	269	151	130	82	0	0
Turkey (1)	4 411	6 683	4 441	4 245	9 915	1 399	0
Ukraine (1)	4 345	41 529	53 834	53 443	14 069	***	277
United Kingdom							
England and Wales (1)	...	...	...	...	...	...	...
Northern Ireland	142	170	156	163	313	230	***
Scotland	1 356	975	761	1 229	290	550	***

(1) See remarks

***: not applicable

Table 6.2 Breakdown of sentenced prisoners (final sentence) by length of the sentence on 1 September 1997 (%)

Reference: Council of Europe, SPACE 97.62

	Less than 1 year	1 year to less than 3 years	3 years to less than 5 years	5 years to less than 10 years	10 years and and over	Life imprison- ment	Death sentenced prisoners
Albania	0.0	0.0	10.8	30.2	57.6	1.4	0.0
Austria	27.0	36.0	14.0	11.9	8.2	2.9	***
Belgium	8.4	23.9	28.8	31.7		5.5	0.3
Bulgaria	7.1	29.6	24.2	19.2	19.9	...	...
Croatia	19.8	25.8	15.6	28.5	10.3	0.0	0.0
Cyprus	...	...	...	...	...	...	...
Czech Republic	33.7	35.3	12.5	12.7	5.7	0.1	***
Denmark	...	...	...	...	...	...	...
Estonia	4.8	27.3	21.2	37.2	8.9	0.3	0.3
Finland	28.0	29.3	15.7	18.3	6.7	2.0	...
France	29.0	23.2	12.5	17.4	16.4	1.5	***
Germany	42.0	45.0		8.4	1.9	2.7	***
Greece	7.4	6.1	16.7	26.1	33.2	10.3	0.2
Hungary	12.8	32.4	18.9	24.0	9.9	2.0	0.0
Iceland	45.8	30.8	15.0	2.8	5.6	0.0	***
Ireland	18.7	36.9	15.9	18.9	6.0	3.6	***
Italy	14.0	23.8	17.3	23.6	19.3	2.0	***
Latvia	0.6	23.0	33.8	36.6	5.8	0.2	0.0
Lithuania	3.3	30.1	33.5	27.4	5.3	0.3	0.1
Luxembourg	...	...	...	...	...	...	...
Malta	...	...	...	...	...	...	...
Moldova	...	...	...	...	...	...	...
Netherlands	36.8	30.3	15.1	17.7		0.1	***
Norway	59.4	15.6	9.4	11.2	4.4	***	***
Poland	23.6	42.6	17.5	10.6	5.7	0.0	***
Portugal	4.6	30.4		64.4		***	***
Romania	7.6	21.3	39.4	14.9	16.6	0.2	0.0
Russia	...	...	...	...	...	...	...
Slovakia	24.6	34.1	14.2	18.5	8.4	0.2	***
Slovenia	18.2	34.1	22.9	17.1	7.7	0.0	0.0
Spain	...	...	...	...	...	...	...
Sweden	35.9	27.8	12.7	16.0	5.7	1.9	***
Switzerland	...	...	...	...	...	...	...
"the former Yugoslav Republic of Macedonia"	16.7	35.5	19.9	17.1	10.8	0.0	0.0
Turkey	14.2	21.5	14.3	13.7	31.8	4.5	0.0
Ukraine	2.6	24.8	32.1	31.9	8.4	***	0.2
<i>United Kingdom</i>							
England and Wales	...	...	...	...	...	...	...
Northern Ireland	12.1	14.5	13.3	13.9	26.6	19.6	***
Scotland	26.3	18.9	14.7	23.8	5.6	10.7	***

***: not applicable

Table 6.3 Breakdown of sentenced prisoners (final sentence) by length of the sentence on 1 September 1997
(cumulative %)

Reference: Council of Europe, SPACE 97.63

	Time sentence	1 year and over	3 years and over	5 years and over	10 years and over	Life imprisonment	Death sentenced prisoners
Albania	98.6	98.6	98.6	87.8	57.6	1.4	0.0
Austria	97.1	70.1	34.1	20.1	8.2	2.9	***
Belgium	92.8	84.4	60.5	31.7	...	5.5	0.3
Bulgaria	100.0	92.9	63.3	39.1	19.9	...	...
Croatia	100.0	80.2	54.4	38.8	10.3	0.0	0.0
Cyprus	...	...	...	...	...	...	...
Czech Republic	99.9	66.2	30.9	18.4	5.7	0.1	***
Denmark	...	...	...	...	...	...	...
Estonia	99.4	94.6	67.3	46.1	8.9	0.3	0.3
Finland	98.0	70.0	40.7	25.0	6.7	2.0	***
France	98.5	69.5	46.3	33.8	16.4	1.5	***
Germany	97.3	55.3	...	10.3	1.9	2.7	***
Greece	89.5	82.1	76.0	59.3	33.2	10.3	0.2
Hungary	98.0	85.2	52.8	33.9	9.9	2.0	0.0
Iceland	100.0	54.2	23.4	8.4	5.6	0.0	***
Ireland	100.0	81.3	44.4	28.5	9.6	3.6	***
Italy	98.0	84.0	60.2	42.9	19.3	2.0	***
Latvia	99.8	99.2	76.2	42.4	5.8	0.2	0.0
Lithuania	99.6	96.3	66.2	32.7	5.3	0.3	0.1
Luxembourg	...	...	...	...	...	...	...
Malta	...	...	...	...	...	...	...
Moldova	...	...	...	...	...	...	...
Netherlands	99.9	63.1	32.8	17.7	...	0.1	***
Norway	100.0	40.6	25.0	15.6	4.4	***	***
Poland	100.0	76.4	33.8	16.3	5.7	0.0	***
Portugal	...	...	...	...	...	...	...
Romania	99.8	92.2	70.9	31.5	16.6	0.2	0.0
Russia	...	...	...	...	...	...	...
Slovakia	99.8	75.2	41.1	26.9	8.4	0.2	***
Slovenia	100.0	81.8	47.7	24.8	7.7	0.0	0.0
Spain	...	...	...	...	...	...	...
Sweden	98.1	62.2	34.4	21.7	5.7	1.9	***
Switzerland	...	...	...	...	...	...	***
"the former Yugoslav Republic of Macedonia"	100.0	83.3	47.8	27.9	10.8	0.0	0.0
Turkey	95.5	81.3	59.8	45.5	31.8	4.5	0.0
Ukraine	99.8	97.2	72.4	40.3	8.4	***	0.2
United Kingdom							
England and Wales	...	...	...	...	...	...	...
Northern Ireland	80.4	68.3	53.8	40.5	26.6	19.6	***
Scotland	89.3	63.1	44.2	29.4	5.6	10.7	***

***: not applicable

Table 7.1 Breakdown of sentenced prisoners (final sentence) by length of the sentence on 1 September 1997: less than one year (numbers)

Reference: Council of Europe, SPACE 97.71

	Less than 1 month	1 month to less than 3 months	3 months to less than 6 months	6 months to less than 1 year	Total less than 1 year
Albania	0	0	0	0	0
Austria		295	423	631	1 349
Belgium	23	48	109	250	430
Bulgaria	...	...	...	...	...
Croatia	50	69	106	51	276
Cyprus	...	...	...	...	...
Czech Republic (1)	***	155	885	3 617	4 657
Denmark	...	...	...	...	...
Estonia		28		123	151
Finland	69	105	247	327	748
France		4 551		4 772	9 323
Germany	713	4 067	6 596	10 191	21 567
Greece (1)	***	***	101	181	282
Hungary	4	29	206	986	1 225
Iceland	41	7	16	25	49
Ireland		31	53	281	365
Italy	123	214	943	2 775	4 055
Latvia	0	0	0	42	42
Lithuania	0	0	93	249	342
Luxembourg	...	...	...	...	...
Malta	...	...	...	...	...
Moldova	...	...	...	...	...
Netherlands	203	464	652	916	2 235
Norway	200	355	196	230	981
Poland		1 187	1 186	7 762	10 135
Portugal		262		201	463
Romania	...	...	...	...	2 028
Russia	...	...	...	...	...
Slovakia		656		1 057	1 413
Slovenia	1	7	29	48	85
Spain	...	...	...	...	...
Sweden	6	325	418	710	1 459
Switzerland	...	...	...	...	...
"the former Yugoslav Republic of Macedonia"	0	18	39	70	127
Turkey		2 024		2 387	4 411
Ukraine	***	***	***	4 345	4 345
United Kingdom					
England and Wales	...	...	...	...	...
Northern Ireland	4	11	51	76	142
Scotland	140	101	504	611	1 356

***: not applicable

Table 7.2 Breakdown of sentenced prisoners (final sentence) by length of the sentence on 1 September 1997: less than one year (%)

Reference: Council of Europe, SPACE 97.72

	Less than 1 month	1 month to less than 3 months	3 months to less than 6 months	6 months to less than 1 year	Total less than 1 year
Albania	0.0	0.0	0.0	0.0	...
Austria	21.9		31.4	46.8	100.0
Belgium	5.3	11.2	25.3	58.2	100.0
Bulgaria	...	...	...	...	...
Croatia	18.1	25.0	38.4	18.5	100.0
Cyprus	...	...	...	...	...
Czech Republic	***	3.3	19.0	77.7	100.0
Denmark	...	...	...	...	...
Estonia		18.5		81.5	100.0
Finland	9.2	14.0	33.0	43.8	100.0
France		48.8		51.2	100.0
Germany	3.3	18.9	30.6	47.2	100.0
Greece	***	***	35.8	64.2	100.0
Hungary	0.3	2.4	16.8	80.5	100.0
Iceland	2.0	14.3	32.7	51.0	100.0
Ireland	8.5		14.5	77.0	365
Italy	3.0	5.3	23.3	68.4	100.0
Latvia	0.0	0.0	0.0	100.0	100.0
Lithuania	0.0	0.0	27.2	72.8	100.0
Luxembourg	...	...	...	...	...
Malta	...	...	...	...	...
Moldova	...	...	...	...	...
Netherlands	9.1	20.6	29.2	41.1	100.0
Norway	20.4	36.2	20.0	23.4	100.0
Poland	11.7		11.7	76.6	100.0
Portugal		56.6		43.4	100.0
Romania	...	...	...	...	...
Russia	...	...	...	...	...
Slovakia		25.2		74.8	100.0
Slovenia	1.1	8.2	34.1	56.6	100.0
Spain	...	...	...	...	...
Sweden	0.4	22.3	28.6	48.7	100.0
Switzerland	...	...	...	...	...
"the former Yugoslav Republic of Macedonia"	0.0	14.2	30.7	55.1	100.0
Turkey		45.9		54.1	100.0
Ukraine	***	***	***	100.0	100.0
United Kingdom					...
England and Wales	...	...	...	...	...
Northern Ireland	2.8	7.7	35.9	53.6	100.0
Scotland	10.3	7.4	37.2	45.1	100.0

***: not applicable

I.2 Populations of penal institutions

Flow of entries to penal institutions, indicator of average length of imprisonment, escapes and deaths in 1996

Table 8. Flow of entries to penal institutions (1996)

Reference: Council of Europe, SPACE 97.8

	Entries to penal institutions	Rate of entries to penal institutions per 100 000 inhabitants	Entries before final sentence	
			Number	%
Albania	5 055	168	3 593	71.1
Austria	...	...	9 306	...
Belgium	16 028	158	10 679	66.6
Bulgaria	6 550	75.9	4 905	74.9
Croatia	4 246	89	...	...
Cyprus	892	133	299	33.5
Czech Republic (1)	...	...	...	...
Denmark (1)	...	...	...	...
Estonia (1)	2 508	159	955	38.1
Finland	4 201	82	2 393	57.0
France	83 214	138	63 533	76.3
Germany	277 365	338	...	...
Greece	...	...	...	...
Hungary	18 357	183	6 182	33.6
Iceland (1)	321	119	114	35.5
Ireland (1)	10 598	302	...	...
Italy	92 411	162	59 982	64.9
Latvia	21 304	849	13 830	35.1
Lithuania	...	...	...	...
Luxembourg	...	...	...	...
Malta	...	...	...	...
Moldova	...	...	...	...
Netherlands	29 232	190	...	...
Norway	10 697	245	3 317	31.0
Poland	82 917	215	62 127	74.9
Portugal (1)	8 478	84	6 988	82.4
Romania	43 160	192	...	...
Russia (1)	571 492	389	...	...
Slovakia (1)	9 111	170	3 018	33.1
Slovenia	2 333	118	534	22.9
Spain (1)	52 728	139	36 663	69.5
Sweden	20 779	234	8 656	41.7
Switzerland (1)	...	...	...	...
"the former Yugoslav Republic of Macedonia"	3 497	174	571	16.3
Turkey	81 026	129	...	...
Ukraine	...	...	...	...
United Kingdom				
England and Wales (1)	120 625	232	58 888	48.8
Northern Ireland	5 498	327	2 292	41.7
Scotland	37 132	634	14 977	40.3

(1) See remarks

Table 9. Indicator of average length of imprisonment (1996)

Reference: Council of Europe, SPACE 97.9

	Total number of days spent in penal institutions	Average number of prisoners in year	Indicator of average length of imprisonment (in months)
Albania (1)	...	1 123	2.7
Austria	2 479 062	6 773	...
Belgium	2 904 212	7 935	5.9
Bulgaria (1)	...	10 903	20
Croatia	840 336	2 302	6.5
Cyprus	93 622	256	3.4
Czech Republic	...	20 860	...
Denmark	1 211 789	3 311	...
Estonia (1)	...	4 745	23
Finland	1 166 905	3 188	9.1
France	20 658 391	56 444	8.1
Germany	25 816 914	70 538	3.1
Greece	...	...	...
Hungary	3 711 615	10 141	6.6
Iceland	45 603	125	4.7
Ireland	801 905	2 191	2.5
Italy	17 712 720	48 395	6.3
Latvia (1)	...	10 161	5.7
Lithuania (1)	...	11 980	...
Luxembourg	...	...	...
Malta	...	...	...
Moldova	...	...	...
Netherlands	4 016 484	10 974	4.5
Norway (1)	912 071	2 492	2.8
Poland (1)	...	57 320	8.3
Portugal	...	14 177	20
Romania (1)	...	43 609	12
Russia (1)	...	1 047 997	22
Slovakia	2 976 940	8 134	11
Slovenia	236 186	645	3.3
Spain	16 173 880	44 312	10.1
Sweden	1 893 000	5 172	3.0
Switzerland (1)	2 163 891	5 912	...
"the former Yugoslav Republic of Macedonia"	810 954	2 216	7.6
Turkey (1)	...	54 801	8.1
Ukraine	...	...	...
<i>United Kingdom</i>			
England and Wales	20 233 000	55 281	5.5
Northern Ireland (1)	...	1 595	3.5
Scotland	2 150 000	5 874	1.9

(1) See remarks

Table 10. Number of escapes (by convicted prisoners or pre-trial detainees under the supervision of the prison administration) from a closed penal institution or during administrative transfer (1996)

Reference: Council of Europe, SPACE 97.10

	Number of escapes in the year	Average number of prisoners in the year	Escapes per 10 000 prisoners
Albania	48	1 123	427
Austria	24	6 773	35
Belgium	18	7 935	23
Bulgaria (1)	2	10 903	1.8
Croatia	26	2 302	113
Cyprus	...	...	...
Czech Republic (1)	7	20 860	3.4
Denmark (1)	115	3 311	347
Estonia (1)	7	4 745	15
Finland	48	3 188	1.5
France	35	56 444	6.2
Germany	129	70 538	18
Greece (1)	6	5 304	11
Hungary	9	10 141	8.9
Iceland	2	125	n.s.
Ireland	6	2 191	27
Italy	19	48 395	3.9
Latvia	0	10 161	0.0
Lithuania (1)	1	11 980	0.8
Luxembourg	...	...	...
Malta	...	...	...
Moldova	...	...	...
Netherlands	17	10 974	16
Norway	16	2 492	64
Poland (1)	24	57 320	4.2
Portugal (1)	91	14 177	64
Romania	20	43 609	4.6
Russia (1)	72	1 047 997	0.7
Slovakia	2	8 134	2.4
Slovenia	12	645	186
Spain	10	44 312	2.3
Sweden	62	5 172	120
Switzerland (1)	...	5 912	...
"the former Yugoslav Republic of Macedonia"	2	2 216	9.0
Turkey (1)	1	54 801	0.2
Ukraine (1)	13	216 248	0.6
<i>United Kingdom</i>			
England and Wales	136	55 281	25
Northern Ireland (1)	2	1 595	12
Scotland	11	5 874	19

(1) See remarks

n.s. non significatif

Table 11. Other forms of escape in 1996 (absconding or running off)

Reference: Council of Europe, SPACE 97.11

	Number of escapes in the year	Average number of prisoners in the year (for indication)
Albania	0	1 123
Austria	240	6 773
Belgium	174	7 935
Bulgaria	34	10 903
Croatia	136	2 303
Cyprus	...	...
Czech Republic	11	20 860
Denmark (1)	1 201	3 311
Estonia	0	4 745
Finland	89	3 188
France (1)	...	56 444
Germany	1 111	70 538
Greece	9	5 304
Hungary	7	10 141
Iceland	0	125
Ireland	265	2 191
Italy	...	48 395
Latvia	3	10 161
Lithuania	3	11 980
Luxembourg	...	...
Malta	...	...
Moldova	...	...
Netherlands	1 001	10 974
Norway (1)	...	2 492
Poland	182	57 320
Portugal	76	14 177
Romania	10	43 609
Russia	...	...
Slovakia	29	8 134
Slovenia	57	645
Spain	64	44 312
Sweden	708	5 172
Switzerland	...	5 912
"the former Yugoslav Republic of Macedonia"	127	2 216
Turkey (1)	314	54 801
Ukraine	126	216 248
<i>United Kingdom</i>		
England and Wales	1 134	55 281
Northern Ireland	1	1 595
Scotland	119	5 874

(1) See remarks

Table 12. Deaths in penal institutions (1996)

Reference: Council of Europe, SPACE 97.12

	Number of deaths in penal institutions in the year	Average number of prisoners in the year	Deaths per 10 000 prisoners
Albania	1	1 123	9
Austria	37	6 773	55
Belgium	23	7 935	29
Bulgaria (1)	36	10 903	33
Croatia	1	2 302	4.3
Cyprus	...	...	...
Czech Republic (1)	19	20 860	9.1
Denmark	14	3 311	42
Estonia (1)	12	4 745	25
Finland	9	3 188	28
France	279	56 444	49
Germany	151	70 538	21
Greece (1)	31	5 304	58
Hungary	28	10 141	28
Iceland	0	125	n.s.
Ireland	9	2 191	41
Italy	78	48 395	16
Latvia (1)	58	10 161	57
Lithuania	38	11 980	32
Luxembourg	...	...	...
Malta	...	...	...
Moldova	...	...	...
Netherlands	25	10 974	23
Norway	7	2 492	28
Poland (1)	84	57 320	15
Portugal (1)	136	14 177	96
Romania	91	43 609	21
Russia	...	...	...
Slovakia	14	8 134	17
Slovenia	7	645	108
Spain	76	44 312	17
Sweden	14	5 172	27
Switzerland	17	5 912	29
"the former Yugoslav Republic of Macedonia"	3	2 216	13
Turkey (1)	48	54 801	8.8
Ukraine (1)	2 264	216 248	105
<i>United Kingdom</i>			
England and Wales	...	55 281	...
Northern Ireland (1)	5	1 595	31
Scotland	26	5 874	44

(1) See remarks

n.s. non significatif

Table 13. Suicides in penal institutions (1996)

Reference: Council of Europe, SPACE 97.13

	Number of suicides in the year	Average number of prisoners in the year	Suicides per 10 000 prisoners
Albania	...	...	...
Austria	16	6 773	24
Belgium	18	7 935	23
Bulgaria (1)	5	10 903	4.6
Croatia	1	2 302	4.3
Cyprus	...	...	...
Czech Republic (1)	13	20 860	6.2
Denmark	8	3 311	24
Estonia	0	4 745	0.0
Finland	4	3 188	12
France	138	56 444	24
Germany	75	70 538	11
Greece (1)	4	5 304	7.5
Hungary	4	10 141	8.9
Iceland	0	125	n.s.
Ireland	5	2 191	23
Italy	45	48 395	9.3
Latvia (1)	6	10 161	5.9
Lithuania (1)	10	11 980	8.3
Luxembourg	...	...	...
Malta	...	...	...
Moldova	...	...	...
Netherlands	16	10 974	15
Norway	4	2 492	16
Poland (1)	21	57 320	3.6
Portugal (1)	10	14 177	7.1
Romania (1)	4	43 609	0.9
Russia (1)	105	1 047 997	1.0
Slovakia	5	8 134	6.1
Slovenia	4	645	62
Spain	29	44 312	6.5
Sweden	6	5 172	12
Switzerland	9	5 912	15
"the former Yugoslav Republic of Macedonia"	1	2 216	4.5
Turkey (1)	13	54 801	2.4
Ukraine (1)	85	216 248	3.9
<i>United Kingdom</i>			
England and Wales (1)	64	55 281	12
Northern Ireland (1)	2	1 595	12
Scotland	16	5 874	27

(1) See remarks

n.s. non significatif

Table 14. Deaths in Penal Institutions – other than suicides (1996)

Reference: Council of Europe, SPACE 97.14

	Number of deaths in penal institutions in the year (other than suicides)	Average number of prisoners in the year	Deaths per 10 000 prisoners (other than suicides)
Albania	...	...	...
Austria	21	6 773	31
Belgium	5	7 935	6.3
Bulgaria (1)	31	10 903	28
Croatia	0	2 302	0.0
Cyprus	...	...	...
Czech Republic (1)	6	20 860	2.9
Denmark	6	3 311	18
Estonia (1)	12	4 745	25
Finland	5	3 188	16
France	141	56 444	25
Germany	76	70 538	11
Greece (1)	27	5 304	51
Hungary	24	10 141	24
Iceland	0	125	n.s.
Ireland	4	2 191	18
Italy	33	48 395	6.8
Latvia (1)	52	10 161	51
Lithuania (1)	28	11 980	23
Luxembourg	...	...	...
Malta	...	...	...
Moldova	...	...	...
Netherlands	9	10 974	8.2
Norway	3	2 492	12
Poland (1)	63	57 320	11
Portugal (1)	126	14 177	89
Romania (1)	87	43 609	20
Russia	...	...	...
Slovakia	9	8 134	11
Slovenia	3	645	46
Spain	47	44 312	11
Sweden	8	5 172	15
Switzerland	8	5 912	14
"the former Yugoslav Republic of Macedonia"	2	2 216	9.0
Turkey (1)	35	54 801	6.4
Ukraine (1)	2 179	216 248	101
<i>United Kingdom</i>			
England and Wales	...	55 281	...
Northern Ireland (1)	3	1 595	19
Scotland	10	5 874	17

(1) See remarks

n.s. non significatif

II. Prison staff

Table 15. Full-time staff working in penal institutions on 1 September 1997

Reference: Council of Europe, SPACE 97.15

	Management	Custodial	Treatment	Workshops	Administration	Total
Albania	50	641	40	23	102	856
Austria	23	3 055	300	69	88	3 535
Belgium (1)	97	4 764	599	123	433	6 041
Bulgaria	78	1 773	524	275	263	2 913
Croatia (1)	94	1 173	228	11	121	3 250
Cyprus (1)	...	...	...	...	...	...
Czech Republic	399	5 380	541	1 509	1 493	9 322
Denmark	...	...	...	...	...	...
Estonia	25	2 009	286	763	164	3 247
Finland	72	1 523	295	487	210	2 587
France	205	18 719	1 429	553	1 544	22 450
Germany (1)	...	...	...	...	...	36 148
Greece	22	1 723	122	40	219	2 126
Hungary	285	2 983	2 194	633	650	6 745
Iceland	6	82	1	14	2	105
Ireland	45	2 156	30	94	94	2 419
Italy (1)	353	41 197	2 143	299	2 458	46 689
Latvia	68	1 417	472	25	314	2 296
Lithuania	67	2 075	604	348	608	3 702
Luxembourg	...	...	...	...	...	...
Malta	...	...	...	...	...	...
Moldova	...	...	...	...	...	...
Netherlands	281	7 697	550	1 220	1 389	11 137
Norway	...	...	...	...	...	...
Poland (1)	326	12 708	3 260	2 351	2 912	21 557
Portugal (1)	87	3 508	247	...	517	4 803
Romania	119	5 674	947	123	1 864	8 727
Russia	...	...	...	...	...	...
Slovakia (1)	390	2 438	514	195	726	4 263
Slovenia	61	413	93	162	102	831
Spain (1)	84	12 554	3 403	2 050	1 557	19 775
Sweden (1)	62	3 943	344	487	400	5 607
Switzerland (1)	...	...	...	...	...	2 863
"the former Yugoslav Republic of Macedonia"	23	248	40	39	74	424
Turkey	2 791	24 404	1 190	821	1 970	31 176
Ukraine (1)	707	15 097	6 824	9 703	5 891	38 222
United Kingdom						
England and Wales	...	...	...	...	...	...
Northern Ireland (1)	454	2 296	20	15	96	2 963
Scotland	740	2 857	148	321	228	4 294

(1) See remarks

Table 16. *Part-time* staff working in penal institutions on 1 September 1997

Reference: Council of Europe, SPACE 97.16

	Management	Custodial	Treatment	Workshops	Administration	Total
Albania	0	0	0	0	0	0
Austria	18	...	187	...	...	...
Belgium	0	194	56	2	57	309
Bulgaria	0	0	9	0	0	9
Croatia	0	0	10	8	0	18
Cyprus	...	...	...	...	...	...
Czech Republic	0	0	224	13	4	241
Denmark	...	...	...	...	...	...
Estonia	0	0	0	28	1	29
Finland	0	0	3	0	0	3
France	4	86	70	4	113	277
Germany	...	...	...	...	...	...
Greece	0	0	0	0	0	0
Hungary	0	1	76	0	62	139
Iceland	0	0	2	0	0	2
Ireland	0	8	0	0	0	8
Italy	0	0	9	0	5	14
Latvia	0	0	20	0	1	21
Lithuania	0	1	56	20	9	35
Luxembourg	...	...	...	...	...	...
Malta	...	...	...	...	...	...
Moldova	...	...	...	...	...	...
Netherlands	32	632	422	326	375	1 787
Norway	...	...	...	...	...	...
Poland	0	0	1 389	0	10	1 399
Portugal	0	0	0	0	0	0
Romania	0	0	4	0	0	4
Russia	...	...	...	...	...	...
Slovakia	0	0	0	0	0	0
Slovenia	0	0	0	0	0	0
Spain	0	0	99	144	0	243
Sweden (1)	0	251	49	21	41	476
Switzerland (1)	...	...	...	...	...	...
"the former Yugoslav Republic of Macedonia"	0	0	2	0	0	2
Turkey	0	0	0	0	0	0
Ukraine	0	0	0	0	0	0
<i>United Kingdom</i>						
England and Wales	...	...	...	...	...	...
Northern Ireland	2	0	7	0	3	12
Scotland (1)	4	4	28	0	12	48

(1) See remarks

Table 17.1 Full-time staff and part-time staff working in penal institutions on 1 September 1997 – on the basis of "full-time equivalents" (numbers)

Reference: Council of Europe, SPACE 97.17

	Management	Custodial	Treatment	Workshops	Administration	Total
Albania	50	641	40	23	102	856
Austria	41	3 055	487	69	88	3 740
Belgium	97	4 983	655	125	490	6 350
Bulgaria	78	1 773	533	275	263	2 922
Croatia	94	1 173	238	19	121	3 268
Cyprus	...	...	...	...	...	...
Czech Republic	399	5 380	765	1 522	1 497	9 563
Denmark	139	2 435	260	284	233	3 351
Estonia	25	2 009	286	791	165	3 276
Finland	72	1 523	298	487	210	2 590
France	209	18 805	1 499	557	1 657	22 727
Germany	...	...	...	...	...	...
Greece	22	1 723	122	40	219	2 126
Hungary	285	2 984	2 270	633	712	6 884
Iceland	6	82	3	14	2	107
Ireland	45	2 164	30	94	94	2 427
Italy (1)	353	41 197	2 152	299	2 463	46 703
Latvia	68	1 417	492	25	315	2 317
Lithuania	67	2 076	660	368	617	3 788
Luxembourg	...	...	...	...	...	...
Malta	...	...	...	...	...	...
Moldova	...	...	...	...	...	...
Netherlands	313	8 329	972	1 546	1 764	12 924
Norway (1)	121	1 855	53	462	200	2 691
Poland	326	12 708	4 649	2 351	2 922	22 956
Portugal	87	3 508	247	...	517	4 803
Romania	119	5 674	951	123	1 864	8 731
Russia	...	...	...	...	...	...
Slovakia	390	2 438	514	195	726	4 263
Slovenia	61	413	93	162	102	831
Spain (1)	84	12 554	3 502	2 194	1 557	20 018
Sweden (1)	62	4 194	393	508	441	6 083
Switzerland (1)	...	...	...	...	...	3 374
"the former Yugoslav Republic of Macedonia"	23	248	42	39	74	426
Turkey (1)	2 791	24 404	1 190	821	1 970	31 176
Ukraine	707	15 097	6 824	9 703	5 891	38 222
<i>United Kingdom</i>						
England and Wales (1)	1 415	27 604	1 519	2 868	4 794	38 287
Northern Ireland	456	2 296	27	15	99	2 975
Scotland	744	2 861	176	321	240	4 342

(1) See remarks

Table 17.2 Full-time staff and part-time staff working in penal institutions on 1 September 1997 – on the basis of "full-time" equivalents (%)

Reference: Council of Europe, SPACE 97.17

	Management	Custodial	Treatment	Workshops	Administration	Total
Albania	5.8	74.9	4.7	2.7	11.9	100.0
Austria	1.1	81.7	13.0	1.8	2.4	100.0
Belgium	1.5	78.1	10.3	2.0	7.7	100.0
Bulgaria	2.7	60.7	18.2	9.4	9.0	100.0
Croatia	2.9	35.9	7.3	0.6	3.7	100.0
Cyprus	...	...	...	...	...	...
Czech Rep.	4.2	56.2	8.0	15.9	15.7	100.0
Denmark	4.1	72.6	7.8	8.5	7.0	100.0
Estonia	0.8	61.4	8.7	24.1	5.0	100.0
Finland	2.8	58.8	11.5	18.8	8.1	100.0
France	0.9	82.7	6.6	2.5	7.3	100.0
Germany	...	...	...	...	...	...
Greece	1.0	81.1	5.7	1.9	10.3	100.0
Hungary	4.1	43.3	33.1	9.2	10.3	100.0
Iceland	5.6	76.6	2.8	13.1	1.9	100.0
Ireland	1.9	89.1	1.2	3.9	3.9	100.0
Italy (1)	0.8	88.2	4.6	0.6	5.3	100.0
Latvia	2.9	61.2	21.2	1.1	13.6	100.0
Lithuania	1.8	54.8	17.4	9.7	16.3	100.0
Luxembourg	...	...	...	...	...	...
Malta	...	...	...	...	...	...
Moldova	...	...	...	...	...	...
Netherlands	2.4	64.5	7.5	12.0	13.6	100.0
Norway	4.5	68.9	2.0	17.2	7.4	100.0
Poland	1.4	55.4	20.3	10.2	12.7	100.0
Portugal	1.8	73.0	5.1	...	10.8	100.0
"the former Yugoslav Republic of Macedonia"	5.4	58.1	9.9	9.2	17.4	100.0
Romania	1.4	64.9	11.0	1.4	21.3	100.0
Russia	...	...	...	...	...	...
Scotland	17.1	65.9	4.1	7.4	5.5	100.0
Slovakia	9.1	57.2	12.1	4.6	17.0	100.0
Slovenia	7.3	49.7	11.2	19.5	12.3	100.0
Spain (1)	0.4	62.7	17.5	11.0	7.8	100.0
Sweden (1)	1.0	68.9	6.5	8.4	7.2	100.0
Switzerland	...	...	...	...	...	...
Turkey	9.0	78.3	3.8	2.6	6.3	100.0
Ukraine	1.8	39.5	17.9	25.4	15.4	100.0
<i>United Kingdom</i>						
England and Wales (1)	3.7	72.1	4.0	7.5	12.5	100.0
Northern Ireland (1)	15.3	77.2	0.9	0.5	3.3	100.0

(1) See remarks

Table 18. Other categories of staff, on 1 September 1997

Reference: Council of Europe, SPACE 97.18

	National prison administration	Regional prison administration office	Other staff working in storage depots	Staff working in penal institutions, but not employed by the prison administration
Albania	68	0	0	32
Austria (1)	40	97	...	103
Belgium (1)	164	2	0	201
Bulgaria (1)	101	0	0	107
Croatia	20	0	0	0
Cyprus	...	...	...	...
Czech Republic	152	0	649	0
Denmark	139	0	0	...
Estonia	...	...	...	...
Finland (1)	94	0	0	...
France	365	660	13	...
Germany	...	...	...	...
Greece	20	...	45	0
Hungary	183	0	121	0
Iceland	0	0	0	0
Ireland (1)	56	0	0	165
Italy (1)	437	413	37	5 705
Latvia	74	0	0	0
Lithuania (1)	91	0	0	67
Luxembourg	...	...	...	...
Malta	...	...	...	...
Moldova	...	...	...	...
Netherlands (1)	1 142	...	...	...
Norway (1)	74	0	0	301
Poland	179	256	432	0
Portugal (1)	337	0	0	...
Romania	203	0	0	0
Russia	...	...	...	...
Slovakia	126	0	...	...
Slovenia	13	...	...	0
Spain (1)	471	0	0	2 595
Sweden	245	168	0	...
Switzerland	...	...	...	...
"the former Yugoslav Republic of Macedonia"	5	0	0	0
Turkey	198	0	0	0
Ukraine	212	1 263	2 102	0
<i>United Kingdom</i>				
England and Wales	1 669	...	...	...
Northern Ireland	263	...	...	65
Scotland	277	...	14	...

(1) See remarks

Table 19. Supervision of prisoners by custodial staff on 1 September 1997

Reference: Council of Europe, SPACE 97.19

	Total number of prisoners	Total number of custodial staff	Rate of supervision of prisoners by custodial staff
	a	b	a / b
Albania	1 123	641	1.7
Austria (1)	6 946	3 055	2.3
Belgium	8 342	4 983	1.7
Bulgaria	11 847	1 773	6.7
Croatia	2 119	1 173	1.8
Cyprus	...	...	...
Czech Republic	21 560	5 380	4.0
Denmark	3 299	3 351	0.98
Estonia	4 745	2 009	2.4
Finland	2 798	1 523	1.8
France	54 442	18 805	2.9
Germany	...	...	...
Greece	5 577	1 723	3.2
Hungary	13 687	2 984	4.6
Iceland	118	82	1.4
Ireland	2 433	2 164	1.1
Italy	49 477	41 197	1.2
Latvia	10 052	1 417	7.1
Lithuania	13 205	2 076	6.4
Luxembourg	...	...	...
Malta	...	...	...
Moldova	...	...	...
Netherlands	13 618	8 329	1.6
Norway	2 318	1 855	1.2
Poland	57 424	12 708	4.5
Portugal	14 634	3 508	4.2
Romania	44 398	5 674	7.8
Russia			
Slovakia	7 409	2 438	3.0
Slovenia	768	413	1.9
Spain	42 827	12 554	3.4
Sweden	5 221	4 194	1.2
Switzerland	...	...	...
"the former Yugoslav Republic of Macedonia"	965	248	3.9
Turkey	59 275	24 404	2.4
Ukraine	211 568	15 097	14
<i>United Kingdom</i>			
England and Wales	61 940	27 604	2.2
Northern Ireland	1 595	2 296	0.7
Scotland	6 084	2 861	2.1

(1) See remarks

Notes – Table 1

Austria:

- Annual collective pardon at Christmas.
- Prison capacity fluctuates constantly as a result of building and rebuilding work.

Croatia: Situation at 31 December 1997.

Estonia: Situation at 1 July 1997.

France: Collective pardon decreed on 11 July 1997.

Ireland: The data relate to the situation at 15 August 1997.

Norway: Prisoners transferred to outside establishments for treatment are not included in the "total number of prisoners". The same applies to those granted a suspension of sentence.

Netherlands: The data on the number of prisoners and prison capacity include the figures for the "TBS clinics" (805 people 835 places) and the institutions catering for juvenile delinquents (1 182 young people for 1 251 places). These two categories are excluded from the data shown in the following tables, which therefore relate to a total of 11 631 prisoners.

Portugal: Situation at 31 December 1997. The total number of prisoners includes 165 persons who have been subjected to a measure of security (admission to a psychiatric hospital outside the prison system). The density has been calculated on this basis.

Czech Republic: Situation at 31 December 1997.

Romania: Situation at 30 September 1997.

- The authorities give two figures for prison capacity: the official capacity (31 636) and the number of "installed places" (45 437).
- The rate of occupancy has been calculated using the official capacity.
- A law granting a collective pardon was passed in 1997 (Law No. 137/1997).

Russia: Situation at 1 September 1996.

Slovak Republic: Situation at 31 December 1997.

Sweden: The number of prisoners shown corresponds to the number recorded at 1 October 1997. It includes persons serving sentences outside prison in institutions for the treatment of drug addicts, hospitalised prisoners and escapees.

Switzerland: The data for unconvicted prisoners relate to the situation at 12 March 1997, the only figures available for 1997. They include people being held in police custody or in pre-trial detention or being detained pending deportation or extradition. Unconvicted prisoners at 12 March 1997 = 2,226. Persons serving a prison sentence at 1 September 1997 = 4,033. Total = 6,259

Ukraine: The data relate to the situation at 1 January 1998.

United Kingdom

England and Wales: The data relate to the situation at 31 August 1997.

- The prison population rate is calculated in relation to the Office for National Statistics' estimate of the general population in mid-1997 (51 500 000).
- The capacity indicated reflects the notion of Certified Normal Accommodation (CAN), defined to avoid overcrowding of prison premises. Places in new establishments which cannot yet be used are not included.

Scotland: The prison population rate is calculated in relation to the estimated number of inhabitants in mid-1997 (5 122 500).

Notes – Table 2

Estonia: The data only concern prisoners whose sentence is final (3 136 in all).

Sweden: The median age and the data concerning prisoners under 18 years old and between 18 and 21 years old relate to convicted and sentenced prisoners only (4 066 in all).

Switzerland: The median age and the data concerning prisoners under 18 years old and between 18 and 21 years old solely relate to people serving a sentence.

United Kingdom

England and Wales:

- The number of prisoners between 18 and 21 years of age includes those aged 21 who began serving their sentence while under 21 years of age and who have remained in institutions for young offenders. It does not include "non-criminal prisoners".
- The number of foreign prisoners has been estimated. It includes all those who do not hold British nationality (including all prisoners whose nationality was not recorded but whose country of birth was recorded as being outside the United Kingdom).

Notes – Table 3

Germany: The number of foreign prisoners is an estimate (the data relate to 15 Länder out of 16).

Estonia: The data on foreigners only relate to prisoners whose sentence is final (3 136 in all).

Ireland: The number of foreigners is based on the place of birth. All prisoners born outside the Republic of Ireland are regarded as foreigners.

Sweden: The number of foreigners relates solely to convicted and sentenced prisoners (4 066 in all).

Switzerland:

- The data for unconvicted female prisoners relate to the situation at 12 March 1997, the only figures available for 1997. They include women being held in police custody or in pre-trial detention or women

being detained pending deportation or extradition. Unconvicted female prisoners at 12 March 1997 = 153. Women serving a prison sentence at 1 September 1997 = 233. Total = 386. In view of the calculation method, the percentage of female prisoners must be regarded as an estimate.

- The data for unconvicted foreign prisoners relate to the situation at 12 March 1997, the only figures available for 1997. They include foreigners being held in police custody or in pre-trial detention or foreigners being detained pending deportation or extradition. Unconvicted foreign prisoners at 12 March 1997 = 1,623. Foreigners serving a prison sentence at 1 September 1997 = 2,149. Total = 3,772. In view of the calculation method, the percentage of foreign prisoners must be regarded as an estimate.

United Kingdom

England and Wales: The number of foreign prisoners is an estimate. It includes all those who do not hold British nationality (including all prisoners whose nationality was not recorded but whose country of birth was recorded as being outside the United Kingdom).

Scotland: The number of foreign prisoners is estimated on the basis of remand prisoners and convicted persons awaiting expulsion.

Notes – Table 4.1

Albania: The data is inconsistent.

Austria: (e) = Mentally ill detainees who cannot be convicted and sentenced; persons detained for failure to pay administrative fines.

Belgium: (e) = Internees (Social Defence Law) (923); foreigners subject to an administrative measure (116); vagrants (26); minors under 18 years of age in provisional custody (9); and repeat or habitual offenders detained at the government's pleasure (2).

Bulgaria: Data incomplete.

Denmark: (e) = Persons detained under immigration law.

France: (e) = Civil imprisonment and prisoners awaiting extradition.

Hungary: (e) = 153 persons detained in order to undergo psychiatric treatment and 171 persons detained under administrative measures.

Netherlands: (a) also includes prisoners who have appealed; (e) "detention" = 285; persons detained under immigration law = 819; persons awaiting admission to a TBS clinic = 241; persons whose status is unknown = 173.

Norway: (e) = 66 persons imprisoned as a restrictive measure, 33 imprisoned for failure to pay fines and 1 person whose status is unknown.

Portugal: (e) = People with psychiatric problems detained as a security measure.

Romania: "Other cases" = sanctions for administrative/regulatory offences.

Russia: The data are inconsistent; the sum of the figures in each category does not correspond to the total number of prisoners (930,765 compared with 1 047 997).

Slovenia: "Other cases": the prison authorities are also responsible for persons sentenced under court procedure pertaining to juveniles having committed minor offences and serving their sentence in an education centre or correctional home. The young people detained in these institutions are between 16 and 21 years old, although some may be as old as 23. The sentence is not final, and the detainees in question are therefore not included in sentenced prisoners (final sentence).

Sweden: "Other cases" relates to certain prisoners who are drug addicts, special detention of juveniles, illegal immigrants awaiting deportation, persons due to be placed in psychiatric establishments, and persons who have breached probation terms.

United Kingdom

England and Wales:

- (c) and (d) are counted together. Sentenced prisoners who have appealed or who are within the statutory time-limit for doing so do not have special status and are therefore not counted separately. They are included in sentenced prisoners (final sentence).
- (e) relates to "non-criminal prisoners", i.e. persons imprisoned for failure to pay fines and "civil prisoners".

Scotland: (e) = relates to "civil prisoners" and prisoners awaiting expulsion.

Northern Ireland: (e) = relates to "civil prisoners", persons detained under immigration law and awaiting expulsion.

Notes – Table 4.2

Reminder

- Where the item "*Sentenced prisoners who have appealed or who are within the statutory time-limit for doing so*" is left blank in the questionnaire for lack of available data – without any further information being provided – it is assumed that prisoners in this situation are included among "*sentenced prisoners (final sentence)*". In this case, neither rate (a) – *percentage of prisoners not serving a final sentence* – nor rate (b) – *prisoners not serving a final sentence per 100 000 inhabitants* – can be calculated.

This applies to Germany, England and Wales, Austria, Croatia, Scotland, Spain, Finland, Greece, Ireland, Northern Ireland, Norway, Poland, Portugal, the Czech Republic and Switzerland.

- Where the item "*Prisoners convicted but not yet sentenced*" is left blank in the questionnaire for lack

of available data – without any further information being provided – it is assumed that prisoners in this situation are included among “*untried prisoners (not yet convicted)*”. In this case, neither rate (c) – *proportion of untried prisoners (not yet convicted), as a percentage* – nor rate (d) – *untried prisoners (not yet convicted) per 100 000 inhabitants* – can be calculated.

This applies to Croatia, Czech Republic, Finland, Northern Ireland, Ireland, the Netherlands, Poland, and Switzerland.

Notes – Table 5.1

Bulgaria: Data incomplete.

Czech Republic: The figures by type of offence are inconsistent; the sum of the figures in each category is higher than the total number of convicted prisoners (25 611 compared with 13 824).

Finland: The data relate to the situation at 1 May 1997 (total number of convicted prisoners = 2 676).

France: “Rape” includes rape and indecent assault.

Germany: Data at 31 March 1997. Total number of convicted prisoners = 51 642.

Ireland: Data at 1 January 1994 (total number of convicted prisoners = 1 952).

Netherlands: The figures are estimated. Violent offences = 1 943; offences against property = 1 701.

Norway: The number of homicides includes 9 cases of involuntary homicide.

Poland: The data relate to the situation at 31 December 1997 (total number of convicted prisoners = 42 978).

Switzerland: No definition of a “main offence” applies. The same act may therefore qualify as more than one offence.

Turkey: “Rape” includes all sexual assaults.

United Kingdom

England and Wales: Data at 30 June 1997. The number of homicides includes attempted murder. Other theft includes housebreaking, handling stolen goods, fraud and forgery.

Northern Ireland: Rape includes attempted rape. Robbery with violence does not include hijacking. Other theft includes housebreaking and hijacking. “Other cases” includes other forms of assault, other sexual offences, fraud and forgery.

Notes – Table 6.1

Austria: The data concern the situation at 30 November 1996 (5 005 convicted prisoners).

Belgium: The table does not include persons imprisoned as a subsidiary penalty (for failure to pay fines), of which there are 70, or 1.4% of the total population.

Bulgaria: The data relate to the situation at 1 January 1997 (6 760 convicted prisoners).

Germany: Data at 31 March 1997. Total prison population 51 406. Sentences of 10 years and over are in fact 10 to 15-year terms.

Greece: The breakdown concerns a total population of 3 804.

Ireland: Data at 1 January 1994 (1 952 convicted prisoners).

Italy: Data at 16 July 1997 (total 28 985).

Latvia: The data relates to a total of 6 307. The 541 “missing” persons are mainly patients of the central psychiatric hospital of the prison administration.

Norway: Figures estimated on the basis of the data for February 1998.

Poland: The data relate to the situation at 31 December 1997 (42 978 convicted prisoners).

Portugal: Three years to less than six years = 3 351; six years to less than nine years = 1 577; nine years to less than twelve years: 637; 12 years and over = 889. The table does not include indefinite sentences (48 or 0.5% of the total) and semi-detention (13 or 0.1%).

Spain: The data provided have been broken down according to different time brackets:

- Prisoners sentenced under the old Criminal Code (1973): less than one month: 480; one month to less than six months: 2 620; six months to less than six years: 13 572; six years to less than twelve years: 5 617; twelve years to less than twenty years: 2 199; 20 years and over: 1 295.
- Prisoners sentenced under the new Criminal Code (1995): six months to less than three years: 2 982; three years to less than eight years: 2 139; eight years to less than fifteen years: 616; fifteen to twenty years: 249.

Russia: The data are inconsistent; the sum of the figures in each category does not correspond to the total number of prisoners (811 120 compared with 791 120).

Slovenia: The minimum term is fifteen days and the maximum fifteen years. A twenty-year sentence may be ordered for the most serious crimes (“first degree” murder, genocide, war crimes), but this is exceptional. The Criminal Code does not provide for terms of more than twenty years or for life sentences.

Switzerland: Data at 1 September 1996 only. The data were not used since they were incomplete: the term ordered in the judgment was not always specified (this applied to 1 131 prisoners out of 4 018).

Turkey: The data are inconsistent; the sum of the figures in each category (31 094) does not correspond to the total number of convicted prisoners (32 395). The authorities maintain that the death penalty has not been abolished, but there has been no execution since 1983.

Ukraine: Prison terms of less than six months cannot be ordered. Life sentences do not exist either. The data shown here only relate to penal settlements (167 497).

United Kingdom

England and Wales: The data provided have been broken down according to different time brackets.

- Male prisoners at 30 June 1997: three months or less: 1 448; more than three months to six months: 3 287; more than six months to less than twelve months: 2 309; twelve months: 1 817; over twelve months to eighteen months: 3 639; over 18 months to three years: 11 180; over three but less than four years: 2 329; four years: 3 371; over four years to five years: 4 156; over five years to ten years: 7 735; over ten years: 1 884; "life": 3 584.
- Female prisoners at 30 June 1997: three months or less: 117; more than three months to six months: 208; more than six months to less than twelve months: 166; twelve months: 96; over twelve months to eighteen months: 186; over 18 months to three years: 476; over three but less than four years: 73; four years: 135; over four years to five years: 146; over five years to ten years: 279; over ten years: 47; "life": 137.

Notes – Table 7.1

Czech Republic: Sentences of less than one month are not enforceable.

Greece: Sentences of less than three months are not enforceable.

Notes – Table 8

Czech Republic: The data are inconsistent; the total number of entries (12 405) is lower than the number of entries before final sentence (12 570).

Denmark: The data on entries supplied by the Prison Administration was not included as it also contains transfers of prisoners between penal institutions.

Estonia: The rate of entries has been calculated on the basis of the number of inmates and the prison population rate at 1 July 1997, for lack of data relating to 1995.

Iceland: The rate of entries has been calculated on the basis of the number of inmates and the prison population rate at 1 September 1997, for lack of data relating to 1996.

Ireland: The total number of entries is an estimate.

Portugal: The rate of entries has been calculated on the basis of the number of inmates and the prison population rate at 31 December 1996.

Russia: The flow of entries relates to 1995. The rate of entries has been calculated on the basis of the number of inmates and the prison population rate at 1 September 1996, for lack of data relating to 1995.

Slovak Republic: The rate of entries has been calculated on the basis of the number of inmates and the prison population rate at 31 December 1996.

Spain: The rate of entries has been calculated on the basis of the number of inmates and the prison population rate at 1 September 1997, for lack of data relating to 1996.

Switzerland: The data on entries provided only relate to entries for the "beginning of a new sentence".

United Kingdom

England and Wales:

- Only the first entry in 1996 for a given offence is counted, which means that a person initially remanded to prison in 1996 before conviction and subsequently admitted after sentence in 1996, for the same offence, is counted only once.
- Entries before final sentence only relates to "untried prisoners".

Northern Ireland: The rate of entries has been calculated on the basis of the number of inmates and the prison population rate at 1 September 1997, for lack of data relating to 1996.

Notes – Table 9

Albania: The total number of days spent in penal institutions is not consistent with the total number of prisoners at 1 September 1997: 5 879 319, i.e. an average number of prisoners per year of 16 107 as compared to 1 123 at 1 September. For this reason the indicator of average length of imprisonment has been calculated on the basis of the total number of prisoners at 1 September 1997.

Bulgaria: For lack of other data, the indicator of average length of imprisonment has been calculated on the basis of the number of prisoners at 1 September 1996.

Estonia: For lack of 1996 data, the indicator of average length of imprisonment has been calculated on the basis of the number of prisoners at 1 July 1997.

Latvia: For lack of other data, the indicator of average length of imprisonment has been calculated on the basis of the number of prisoners at 1 September 1996.

Lithuania: For lack of other data, the indicator of average length of imprisonment has been calculated on the basis of the number of prisoners at 1 September 1996.

Norway: The number of days spent in prison includes short-term absences and leave.

Poland: For lack of other data, the indicator of average length of imprisonment has been calculated on the basis of the number of prisoners at 1 September 1996.

Portugal: For lack of other data, the indicator of average length of imprisonment has been calculated on the basis of the number of prisoners at 31 December 1996.

Romania: For lack of other data, the indicator of average length of imprisonment has been calculated on the basis of the number of prisoners at 1 September 1996.

Russia: For lack of other data, the indicator of average length of imprisonment for 1995 has been calculated on the basis of the number of prisoners at 1 September 1996.

Switzerland: People held in police custody or in pre-trial detention and people detained with a view to deportation or extradition accounted for a total of 646 865 days spent in prison, and prisoners serving a sentence for 1 517 026 days.

Turkey: For lack of other data, the indicator of average length of imprisonment has been calculated on the basis of the number of prisoners at 1 September 1996.

United Kingdom

England and Wales: The number of days spent in prison is calculated by multiplying the average number of prisoners in 1996 (55 281) by 366, giving a result of 20 233 million.

Northern Ireland: For lack of other data, the indicator of average length of imprisonment has been calculated on the basis of the number of prisoners at 1 September 1997.

Notes – Table 10

Bulgaria: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Czech Republic: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 31 December 1996.

Denmark: 36 escapes from an institution; 79 during transfer.

Estonia: For lack of data relating to 1996, the escape rate has been calculated on the basis of the number of prisoners at 1 July 1997.

Greece: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Lithuania: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Poland: 2 escapes from a closed institution; 22 during transfer. The number of prisoners at 1 September 1996 was used to calculate the escape rate instead of the number of prisoners/year, which was not available.

Portugal: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 31 December 1996.

Romania: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Russia: Escapes in 1995. The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Switzerland: Total number of escapes, without distinction as to category = 2 641.

Turkey: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Ukraine: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1997.

United Kingdom

Northern Ireland: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1997.

Notes – Table 11

Denmark: 398 escapes from open institutions, 803 during leave.

France: 2 escapes from open institutions, 200 during leave; the figure for escapes from semi-detention is not available.

Norway: 111 escapes from open institutions.

United Kingdom

Scotland: The data are available only for the fiscal year: 1/4/95 to 31/3/96: 115; 1/4/96 to 31/3/97: 123. The two figures have been averaged.

Notes – Table 12

Bulgaria: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Czech Republic: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 31 December 1996.

Estonia: For lack of data relating to 1996, the mortality rate has been calculated on the basis of the number of prisoners at 1 July 1997.

Greece: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Latvia: For lack of other data, the mortality rate has been calculated on the basis of the number of prisoners at 1 September 1996.

Lithuania: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Poland: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Portugal: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 31 December 1996.

Romania: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Turkey: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Ukraine: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1997.

United Kingdom

Northern Ireland: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1997. The number of deaths includes a prisoner who died at home while on temporary release.

Notes – Table 13

Bulgaria: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Czech Republic: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 31 December 1996.

Greece: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Latvia: For lack of other data, the suicide rate has been calculated on the basis of the number of prisoners at 1 September 1996.

Lithuania: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Poland: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Portugal: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 31 December 1996.

Romania: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Russia: Suicide figures for 1995. The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Turkey: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Ukraine: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1997.

United Kingdom

England and Wales: Only suicides while in detention.

Northern Ireland: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1997. The number of suicides includes a prisoner who committed suicide at home while on temporary release. Only suicides confirmed by the coroner are reported.

Notes – Table 14

Bulgaria: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Czech Republic: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 31 December 1996.

Estonia: For lack of data relating to 1996, the non-suicide mortality rate has been calculated on the basis of the number of prisoners at 1 July 1997.

Greece: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Latvia: For lack of other data, the non-suicide mortality rate has been calculated on the basis of the number of prisoners at 1 September 1996.

Lithuania: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Poland: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Portugal: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 31 December 1996.

Romania: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Turkey: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1996.

Ukraine: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1997.

United Kingdom

Northern Ireland: The number of prisoners/year, which was not available, has been replaced by the number of prisoners at 1 September 1997.

Notes – Table 15

Belgium: The data on staff only relates to staff employed by the Ministry of Justice. The staff of the institutions in Tournai and Mons (Social Defense Institutions) have not been taken into account.

Croatia: The total includes 1,623 employees working in prison workshops without any involvement in the treatment of prisoners.

Cyprus: Data inconsistent, the total is 206 and the sum of the different categories is 238.

Germany: Total number of staff at 1 January 1998.

Italy: The total includes 239 persons falling into other categories (i.e. 0.6% of total).

Poland: Data at 30 September 1997.

Portugal: Treatment staff: 107 higher-level rehabilitation specialists, 36 educational guidance specialists, 35 doctors, 55 nurses, 14 religious assistants. The total of 4 803 also includes 306 workmen, 110 specialised technicians and 28 persons falling into other categories.

Slovak Republic: The figures include staff working at the central prison administration office (126) and in regional offices.

Spain: The total includes 127 teachers (i.e. 0.5% of total).

Sweden: The total includes 371 members of staff (6.6%) who do not belong to the categories specified (cooks, cleaning staff, storekeepers, etc). Most custodial staff participate in treatment programmes.

Switzerland: Staff in district prisons cannot be broken down by category.

Ukraine: Total number of staff at 1 January 1998.

United Kingdom

Northern Ireland: The total includes 82 members of staff (2.8%) who do not belong to the categories specified (industrial staff, etc).

Notes – Table 16

Sweden: The total includes 114 members of staff (23.9%) who do not belong to the categories specified.

Switzerland: Staff in district prisons cannot be broken down by category.

United Kingdom

Scotland: Chaplains are included in treatment staff.

Notes – Table 17.1

Italy: The total includes 239 members of staff whose category is not specified (0.5% of the total).

Norway: Management staff includes 89 "principal officers", who are local prison governors and are therefore not included in custodial staff.

Spain: The total includes 127 teachers (i.e. 0.5% of the total).

Sweden: The total includes 485 members of staff (8%) who do not belong to the categories specified.

Switzerland: Staff in district prisons cannot be broken down by category.

United Kingdom

England and Wales: The total includes 87 members of staff (0.2%) who do not belong to the categories specified.

Northern Ireland: The total includes 82 members of staff (2.8%) who do not belong to the categories specified (industrial staff, etc).

Notes – Table 17.2

Italy: The total includes 239 members of staff whose category is not specified (0.5% of the total).

Spain: The total includes 127 teachers (i.e. 0.5% of the total).

Sweden: The total includes 485 members of staff (8%) who do not belong to the categories specified.

United Kingdom

England and Wales: The total includes 87 members of staff (0.2%) who do not belong to the categories specified.

Northern Ireland: The total includes 82 members of staff (2.8%) who do not belong to the categories specified (industrial staff, etc).

Notes – Table 18

Austria: Staff not employed by the prison authorities: 28 chaplains, 15 teachers, 60 doctors.

Belgium: Staff not employed by the prison authorities = medical staff.

Bulgaria: Staff not employed by the prison authorities include 75 teachers.

Finland: Most members of teaching staff working in penal institutions are employees of local schools or municipal bodies. There are no statistics for such staff. Unemployed people are given work in the prison administration offices, for which they are paid by the Employment Service Agency. They numbered 133 at 1 September 1997. They work for six months at most.

Ireland: Staff not employed by the prison authorities: 144 teachers, 21 doctors.

Italy: Staff not employed by the prison authorities: 648 psychologists or consultant criminologists, 218 chaplains, 1 985 consultant doctors, 162 doctors employed on a temporary basis, 1 362 nurses, 1 210 doctors on call, 120 paramedicals.

Lithuania: Staff not employed by the prison authorities = teachers.

Norway: Staff not employed by the prison authorities: 201 teachers (142 full time, 153 part-time), 90 doctors or other therapists, 10 librarians.

Netherlands: Prison administration department: 111 full-time and 34 part-time members of staff; national prison services directorate (DLD): 714 full-time and 283 part-time members of staff.

Portugal: The figure for staff working in the central prison administration offices includes 23 members of staff working in the prisons training centre.

Spain: Staff not employed by the prison authorities = "social volunteers".

**United Kingdom
England and Wales:**

- The figure for staff working in the central prison administration offices includes staff of the regional offices and other staff not working inside a penal institution.
- There are no centralised statistics for persons working in penal institutions but not employed by the prison authorities.

Notes – Table 19

Austria: The number of custodial staff used to calculate the rate of supervision of prisoners does not include part-time custodial staff. The authorities have stated that there are very few part-timers.

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Council of Europe Annual Penal Statistics

SPACE I: enquiry 1998: prison population

by Pierre Victor Tournier¹

The SPACE I data published below were obtained by means of the new questionnaire devised for the 1997 survey. They relate to the situation of the prison population at **1 September 1998**, prison entry flows, lengths of imprisonment, and incidents in **1997** (escapes, prisoners absconding, deaths and suicides) and prison staff numbers at 1 September 1998.

I. Prison populations

I.1 State of prison populations at 1 September 1998

The situation of prison populations at a given date ("stock statistics") is set out in seven tables.

Table 1. Situation of penal institutions

- Total number of prisoners (including pre-trial detainees)
- Prison population rate (per 100,000 inhabitants): number of prisoners (including pre-trial detainees) present at 1 September 1998 in proportion to the number of inhabitants at the same date
- Total prison capacity
- Rate of occupancy (per 100 places): number of prisoners (including pre-trial detainees) in relation to the number of places available

The year-on-year rates of increase are as follows:

Less than -5%: Cyprus (-14%), Iceland (-13%), Slovakia (-10.5% between 31/12/1997 and 31/12/1998), Finland (-8.2%), Latvia (-5.3% between 1/9/1997 and 1/10/1998).

Between -5% and +5%: Northern Ireland (-4%), Estonia (-2.1% since 1/7/1997), Netherlands (-2.1%), France (-1.5%), Bulgaria (-0.6%), Belgium (-0.9%), Portugal (-0.2% between 31/12/1997 and 31/12/1998), Italy (-0.1%), Scotland (0.0%), Austria (0.2%), Sweden (1.3% between 1/10/1997 and 1/10/1998), Czech Republic (2.4% between 31/12/1997 and 31/12/1998), Slovenia (3.3%), Denmark (3.5%), Hungary (3.9%), Spain (4.5%), Lithuania (4.6%).

Over 5%: Croatia (5.1% since 31/12/1997), Germany (5.7%), England and Wales (6.2%), Norway (8.7%), Ireland (8.8% between 15/8/1997 and 15/9/1998), Turkey (9.5%), "the former Yugoslav Republic of Macedonia" (14.5%), Romania (15.8% between 30/9/1997 and 30/9/1998), Greece (27.8%), Albania (160%).

Data unavailable for either date or difficult to ascertain: Andorra, Malta, Moldova, Russia.

Table 2. Age structure

- Median age of prison population (including pre-trial detainees) at the date of the statistics
- Prisoners under 18 years of age (including pre-trial detainees): number and percentage
- Prisoners between 18 and 21 years of age (including pre-trial detainees): number and percentage
- Prisoners under 21 years of age (including pre-trial detainees): number and percentage

Table 3. Women and foreigners

- Female prisoners (including pre-trial detainees): number and percentage
- Foreign prisoners (including pre-trial detainees): number and percentage

Table 4.1. Legal structure (numbers)

- Untried prisoners (not yet convicted)
- Prisoners convicted but not yet sentenced
- Sentenced prisoners who have appealed or who are within the statutory time-limit for doing so
- Sentenced prisoners (final sentence)
- Other cases

Table 4.2. Legal structure (rates)

We have selected four indicators as a basis for comparing the situations of the various populations:

- Percentage of prisoners not serving a final sentence at 1 September 1998 (often inaccurately referred to as the percentage of unconvicted prisoners): the number of prisoners whose sentence is not final, present at that date, expressed as a percentage of the total number of prisoners at the same date
- Prisoners not serving a final sentence per 100,000 inhabitants at 1 September 1998: the number of prisoners whose sentence is not final, present at that date, in relation to the number of inhabitants at the same date – expressed per 100,000 inhabitants
- Proportion of untried prisoners (not yet convicted) at 1 September 1998: the number of untried prisoners (not yet convicted), present at that date, expressed as a percentage of the total number of prisoners at the same date
- Untried prisoners (not yet convicted) per 100,000 inhabitants: the number of untried prisoners (not yet convicted), present at that date, in relation to

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the number of inhabitants at the same date – expressed per 100,000 inhabitants

Only prisoners included under the heading “untried prisoners” in the questionnaire are taken into account in calculating the last two rates.

- Where the item “*Sentenced prisoners who have appealed or who are within the statutory time-limit for doing so*” is left blank in the questionnaire for lack of available data – without any further information being provided – it is assumed that prisoners in this situation are included among “*sentenced prisoners (final sentence)*”. In this case, neither rate (a) – *percentage of prisoners not serving a final sentence* – nor rate (b) – *prisoners not serving a final sentence per 100,000 inhabitants* – can be calculated.
- Where the item “*Prisoners convicted but not yet sentenced*” is left blank in the questionnaire for lack of available data – without any further information being provided – it is assumed that prisoners in this situation are included among “*untried prisoners (not yet convicted)*”. In this case, neither rate (c) – *proportion of untried prisoners (not yet convicted), as a percentage* – nor rate (d) – *untried prisoners (not yet convicted) per 100,000 inhabitants* – can be calculated.

Table 5. Convicted prisoners: breakdown by offence

Offences have been classified under seven headings: homicide, wounding with intent to harm, rape, robbery with violence, other categories of theft, drug-related offences, other cases.

Table 6. Convicted prisoners: breakdown by length of sentence

Table 7. Prisoners sentenced to less than one year: breakdown by length of sentence

1.2 Flow of entries, length of imprisonment, escapes and deaths in 1997

Table 8. Flow of entries

- a. Total number of entries in 1997
- b. Rate of entries (per 100,000 inhabitants): the number of entries for 1997 in relation to the average number of inhabitants during the period under review. In view of the information available, the figure actually used was the number of inhabitants at 1 September 1997, as supplied by the authorities.
- c. Entries before final sentence: number and percentage

The term “entry” refers to all entries into penal institutions, except in the following situations:

- entry following a transfer between penal institutions;

- entry following a prisoner’s removal with a view to an appearance before a judicial authority (investigating judge, trial court, etc);
- entry following prison leave or a period of permitted absence;
- entry of an escaped prisoner recaptured by the police.

The figures do not relate to the number of individuals but to the number of events (entries). The same individual may be committed to prison several times in the same year for the same case. This applies, for instance, to an individual who is placed in pre-trial detention during year n (first entry), released by the investigating judge at the pre-trial investigation stage, tried without being re-detained, convicted and sentenced to a term of imprisonment exceeding the period of pre-trial detention, and re-imprisoned during year n to serve the remainder of the sentence (second entry). A fortiori, the same individual may be committed to prison several times in the same year for different cases.

Only entries of untried prisoners (not yet convicted), prisoners convicted but not yet sentenced, or sentenced prisoners who have appealed or who are within the statutory time-limit for doing so are recorded under (c). This figure therefore corresponds to part of the entries recorded under (a). These of course include entries for pre-trial detention.

Table 9. Indicator of average length of imprisonment

- a. Total number of days spent in penal institutions in 1997
- b. Average number of prisoners in 1997: (b) = (a)/365
- c. Indicator of average length of imprisonment (D): quotient of the average number of prisoners in 1997 (P) divided by the flow of entries during that period (E): $D = 12 \times P/E$ – length expressed in months

Figure (a) corresponds to the total number of days spent in penal institutions by all persons placed in detention for at least one day during the reference year (1997). This may be time spent in pre-trial detention or time spent serving a prison sentence, or may even correspond to other circumstances (detention for failure to pay a fine, for instance). No distinction is made here.

Data of this type are usually prepared by the departments responsible for prison budgets. They are used by the authorities to calculate an average daily cost of imprisonment.

In our case, this indicator yields the best possible estimate of the average number of inmates in a given year, by dividing the number of days spent in penal institutions by 365 (or 366 for a leap year). The resulting figure is what demographers call the number of “prisoners/year” (b). We use this indicator to work out various other figures (for instance the suicide rate and the ratio of inmates to custodial staff).

Table 10. Escapes

This only corresponds to escapes by convicted prisoners or pre-trial detainees (in the custody of the prison authorities) from closed penal institutions or during administrative transfers (for example, to or from a court, another penal institution, or a hospital). In the event of a group break-out, the number of escapes is equal to the number of inmates involved.

- a. Number of escapes in 1997
- b. Number of prisoners/year in 1997 (see table 9)
- c. Escape rate per 10,000 prisoners: $10,000 \times (a)/(b)$

Table 11. Other forms of escape (absconding or running off)

Examples are escapes from open institutions (such as work farms) or from semi-detention, and escapes during authorised short-term absence (or leave) from all kinds of institutions (including closed institutions).

- a. Number of escapes in 1997
- b. Number of prisoners/year in 1997 (see table 9)
- c. Escape rate per 10,000 prisoners: $10,000 \times (a)/(b)$

We have not worked out the rate here, as that would amount to calculating the ratio of escapes (other forms) to the average number of prisoners, without taking account of the proportion of inmates in "open institutions".

Table 12. Deaths in penal institutions

- a. Number of deaths in penal institutions in 1997
- b. Number of prisoners/year in 1997 (see table 9)
- c. Mortality rate per 10,000 prisoners: $10,000 \times (a)/(b)$

Deaths of convicted prisoners and pre-trial detainees while in hospital are included.

Table 13. Suicides in penal institutions

- a. Number of suicides in 1997
- b. Number of prisoners/year in 1997 (see table 9)
- c. Suicide rate per 10,000 prisoners: $10,000 \times a/b$

Deaths of convicted prisoners and pre-trial detainees while in hospital are included.

Table 14. Deaths in penal institutions – other than suicides

- a. Number of deaths in penal institutions, other than suicides, in 1997
- b. Number of prisoners/year in 1997 (see table 9)
- c. Non-suicide mortality rate per 10,000 prisoners: $10,000 \times a/b$

Deaths of convicted prisoners and pre-trial detainees while in hospital are included.

II. Prison staff

Table 15. Staff working full time in penal institutions

Table 16. Staff working part time in penal institutions: on the basis of full-time equivalents

Table 17. Staff working full or part time in penal institutions: on the basis of full-time equivalents

Situation at 1 September 1998:

- a. Management staff
- b. Custodial staff, excluding staff already included in (a)
- c. Treatment staff (including medical staff, psychologists, social workers, teachers/educators, etc.), excluding staff already included in (a) or (b)
- d. Staff responsible for workshops or vocational training, excluding staff already included in (a), (b) or (c)
- e. Administration staff, excluding staff already included in (a), (b), (c) or (d)

1. The objective here is to count all staff working in penal institutions who are employed by the prison authorities. Respondents were asked to exclude persons working in penal institutions but not employed by the prison authorities (in some countries this applies to doctors, teachers or perimeter guards). Such staff are included in table 18. They were also asked to exclude staff who do not work in penal institutions but in the central prison administration offices or regional offices, or in storage depots (facilities for storage of food and miscellaneous equipment). Such staff are also included in table 18.

2. Respondents were asked to calculate the number of staff working part time on the basis of "full-time equivalents". This means that where two people each work half the standard number of hours, they count for one "full-time equivalent". One half-time worker should count for 0.5 of a full-time equivalent.

Table 18. Other categories of staff

Situation at 1 September 1998:

- a. Staff working in central prison administration offices
- b. Staff working in regional offices
- c. Staff working in storage depots (facilities for storage of food and miscellaneous equipment)
- d. Staff working in penal institutions but not employed by the prison authorities

In some countries category (d) does not exist. In others, doctors, teachers and perimeter guards may sometimes be employed by bodies not under the control of the prison authorities (for instance health authorities, the ministry of education, departments of the ministry of the interior or the ministry of justice)¹.

1. We wish to thank Roy Walmsley of the Home Office for his assistance in drawing up the section of the new SPACE I questionnaire dealing with prison staff.

Table 19. Supervision of prisoners

- a. Total number of prisoners at 1 September 1998: see table 1
- b. Total number of custodial staff at 1 September 1998: see table 17
- c. Rate of supervision of prisoners: (b)/(a)

N.B.: In all the tables, three dots (...) are used to indicate that the data are not available or that the information provided could not be used for reasons of consistency. Where the authorities expressly informed us that a question was "not applicable", we have used three asterisks (***)

I.1 Prison populations

Population of Penal Institutions on 1 September 1998

Table 1. Population of penal institutions on 1 September 1998

Reference: Council of Europe, SPACE 98.1

	Total number of prisoners (inc. pre-trial detainees)	Prison population- rate per 100 000 inhabitants	Capacity of penal institutions	Prison density per 100 places
Albania	2 922	34	1 770	165
Andorra	34	...	80	42
Austria	6 962	86	7 900	88
Belgium	8 271	81	7 670	107,8
Bulgaria	11 773	138	5 970	197
Croatia	2 227	49	3 475	64
Cyprus	226	34	240	94
Czech Republic	22 067	214	19 283	114
Denmark	3 413	64	3 699	92
Estonia	4 647	332	2 692	173
Finland	2 569	54	3 536	73
France	53 607	88	49 628	108
Germany	78 584	96	72 734	108
Greece	7 129	75	4 540	157
Hungary	14 218	142	10 217	139
Iceland	103	37	...	...
Ireland	2 648	71	2 385	111
Italy	49 050	85	42 609	115
Latvia	9 520	389	9 760	97
Lithuania	13 813	373	13 747	100
Luxembourg	...	...	...	...
Malta	260	72	270	96
Moldova	10 250	275	12 310	83
Netherlands	13 333	85	15 048	89
Norway	2 519	57	2 893	87
Poland	...	...	...	...
Portugal	14 598	147	11 065	132
Romania	51 418	233	33 410	154
Russia	998 627	679	797 550	125
Slovakia	6 628	123	9 061	73
Slovenia	793	40	1 061	75
Spain	44 763	112	41 314	108
Sweden	5 290	60	5 357	99
Switzerland	6 041	85	6 750	89
"the former Yugoslav Republic of Macedonia"	1 121	57,6	2 463	46
Turkey	64 907	98	73 357	88
Ukraine	...	...	...	...
<i>United Kingdom</i>				
England and Wales	65 771	126	61 253	107
Northern Ireland	1 531	91	2 016	76
Scotland	6 082	119	5 843	104

See remarks

Table 2. Population of penal institutions on 1 September 1998: age

Reference: Council of Europe, SPACE 98.2

	Median age	Prisoners under 18 years of age		Prisoners 18 to less than 21 years		Prisoners under 21 years	
		Number	%	Number	%	Number	%
Albania	34	356	12.2	708	24.2	1 064	36.4
Andorra	...	6	17.6	6	17.6	12	35.3
Austria	...	199	2.9	...	...	...	...
Belgium	31	187	2.3	714	8.6	901	10.9
Bulgaria	...	143	1.2	...	...	...	...
Croatia	38	31	2.8	78	5.8	109	8.2
Cyprus	25	0	0.0	21	9.3	21	9.3
Czech Republic	31	342	1.5	1 816	8.2	2 158	9.8
Denmark	...	15	0.4	...	...	...	...
Estonia	29	183	3.9	498	10.7	681	14.7
Finland	34	7	0.3	79	3.1	86	3.3
France	32	822	1.5	4 378	8.2	5 200	9.7
Germany	...	...	...	...	...	...	...
Greece	...	...	...	...	...	558	7.9
Hungary	32	148	1.0	1 556	10.9	1 704	12.0
Iceland	37	0	0.0	7	6.8	7	6.8
Ireland	24	126	4.8	477	18.0	603	22.8
Italy	34	...	...	1 396	2.8	1 396	2.8
Latvia	34	394	4.1	...	...	...	...
Lithuania	31	441	3.4	1 434	10.4	1 875	13.6
Luxembourg	...	...	...	...	...	...	...
Malta	...	5	1.9	10	3.8	15	5.8
Moldova	31	225	2.2	1 070	10.4	1 295	12.6
Netherlands	30	59	0.5	783	7.1	842	7.6
Norway	35	12	0.5	126	5.0	138	5.5
Poland	...	...	...	...	...	...	...
Portugal	33	243	1.7	499	3.4	742	5.1
Romania	...	2 327	4.5	6 671	13.0	8 998	17.5
Russia	...	20 252	2.0	...	...	...	...
Slovakia	34	90	1.4	450	6.8	540	8.1
Slovenia	32	15	1.9	70	8.8	85	10.7
Spain	32	163	0.4	2 380	5.3	2 543	5.7
Sweden	34	10	0.2	...	...	...	...
Switzerland	33	...	...	...	...	...	...
"the former Yugoslav Republic of Macedonia"	33	33	2.9	242	21.6	275	24.5
Turkey	54	2 188	3.4	8 716	13.4	10 904	16.8
Ukraine	...	...	...	...	...	...	...
<i>United Kingdom</i>							
England and Wales	28	2 353	3.6	8 054	12.2	10 407	15.8
Northern Ireland	27	41	2.7	207	13.5	248	16.2
Scotland	28	215	3.5	745	12.2	960	15.8

See remarks

Table 3. Population of penal institutions on 1 September 1998: female prisoners, foreign prisoners

Reference: Council of Europe, SPACE 98.3

	Female prisoners		Foreign prisoners	
	Number	%	Number	%
Albania	55	1.9	9	0.3
Andorra	4	11.8	28	82.4
Austria	388	5.6	1 960	28.2
Belgium	359	4.3	3 005	36.3
Bulgaria	347	2.9	67	0.6
Croatia	90	4.0	182	8.2
Cyprus	3	1.3	61	27.0
Czech Republic	865	3.9	3 046	13.8
Denmark	181	5.3	502	14.7
Estonia	156	3.4	59	1.3
Finland	126	4.9	122	4.7
France	2 142	4.0	13 843	25.8
Germany	3 431	4.4	26 778	34.1
Greece	280	3.9	3 221	45.2
Hungary	838	5.9	641	4.5
Iceland	7	6.8	4	3.9
Ireland	73	2.8	199	7.5
Italy	1 851	3.8	11 861	24.2
Latvia	448	4.7	...	...
Lithuania	719	5.2	124	0.9
Luxembourg	...	...	...	...
Malta	12	4.6	68	26.2
Moldova	448	4.4	176	1.7
Netherlands	554	5.0	3 625	32.7
Norway	171	6.8	315	12.5
Poland	...	...	...	...
Portugal	1 410	9.7	1 560	10.7
Romania	2 101	4.1	314	0.6
Russia	40 045	4.0	12 073	1.2
Slovakia	244	3.7	148	2.2
Slovenia	25	3.2	125	15.8
Spain	4 083	9.1	7 958	17.8
Sweden	280	5.3	1 090	26.6
Switzerland	384	6.4	3 704	61.3
"the former Yugoslav Republic of Macedonia"	27	2.4	67	6.0
Turkey	2 917	4.5	867	1.3
Ukraine	...	...	...	...
<i>United Kingdom</i>				
England and Wales	2 770	4.2	5 133	7.8
Northern Ireland	31	2.0	29	1.9
Scotland	203	3.3	73	1.2

See remarks

Table 4.1 Population of penal institutions on 1 September 1998: legal status (numbers)

- (a) Untried prisoners (ie no court decision yet reached)
 (b) Convicted prisoners, but not yet sentenced
 (c) Sentenced prisoners who have appealed or who are within the statutory limit to do so
 (d) Sentenced prisoners (final sentence)
 (e) Other cases

Reference: Council of Europe, SPACE 98.41

	(a)	(b)	(c)	(d)	(e)
Albania	...	...	...	...	...
Andorra	...	...	...	...	...
Austria	1 720	***	...	4 692	550
Belgium	1 471	***	446	5 246	1 108
Bulgaria	964	1 849	...	8 960	0
Croatia	890	...	...	1 337	0
Cyprus	32	***	38	156	0
Czech Republic	7 125	...	...	14 942	...
Denmark	749	208	...	2 424	32
Estonia	400	239	0	3 150	858
Finland	280	...	...	2 234	55
France	18 153	***	2 013	33 142	299
Germany	19 303	...	...	57 365	1 916
Greece	2 506	...	...	4 623	...
Hungary	3 113	775	***	9 983	347
Iceland	0	8	0	95	0
Ireland	388	...	...	2 260	...
Italy	13 491	***	8 650	26 909	***
Latvia	2 203	202	634	6 481	0
Lithuania	1 497	743	226	11 347	0
Luxembourg	...	...	...	...	...
Malta	92	...	...	168	...
Moldova	895	714	1 295	6 909	437
Netherlands	4 108	...	...	5 453	1 536
Norway	597	***	...	1 922	0
Poland	...	...	...	...	...
Portugal	4 250	***	...	10 348	0
Romania	6 322	0	7 886	36 226	984
Russia	...	...	...	...	...
Slovakia	1 630	...	...	4 998	...
Slovenia	55	94	109	486	49
Spain	10 929	***	...	33 834	***
Sweden	...	1 170	...	4 093	27
Switzerland	1 941	...	...	4 100	...
"the former Yugoslav Republic of Macedonia"	80	46	70	925	0
Turkey	23 411	1 436	1 013	39 047	0
Ukraine	...	...	...	...	...
<i>United Kingdom</i>	...	...	...	...	...
England and Wales	8 198	4 517	...	52 497	559
Northern Ireland	382	...	...	1 112	37
Scotland	855	105	...	5 114	8

See remarks

***: not applicable

Table 4.2 Population of penal institutions on 1 September 1998: legal status (rates)

(a) Percentage of prisoners without final sentence

(b) Rate of prisoners without final sentence per 100 000 inhabitants

(c) Percentage of untried prisoners (i.e. no court decision yet reached)

(d) Rate of untried prisoners (i.e. no court decision yet reached) per 100 000 inhabitants

Reference: Council of Europe, SPACE 98.42

	(a)	(b)	(c)	(d)
Albania	...	...	...	...
Andorra	...	...	...	...
Austria	...	...	24.7	21.2
Belgium	36.6	29.6	17.8	14.4
Bulgaria	...	...	8.2	11.3
Croatia	...	...	...	...
Cyprus	31.0	10.5	14.2	4.8
Czech Republic	...	...	...	...
Denmark	29.0	18.5	21.9	14.0
Estonia	32.2	107	8.6	28.6
Finland	...	...	...	...
France	38.2	33.8	33.9	30.0
Germany	...	...	...	...
Greece	...	...	...	...
Hungary	29.8	42.3	21.9	31.1
Iceland	7.8	2.9	7.8	2.9
Ireland	...	...	...	...
Italy	45.1	38.4	27.5	23.4
Latvia	31.9	124	23.1	90.0
Lithuania	17.9	66.6	10.8	40.4
Luxembourg	...	...	...	...
Malta	...	...	...	...
Moldova	32.6	89.6	8.7	24.0
Netherlands	...	...	...	...
Norway	...	...	23.7	13.5
Poland	...	...	...	...
Portugal	...	...	29.1	42.8
Romania	29.5	68.8	12.3	28.6
Russia	...	...	...	...
Slovakia	...	...	...	...
Slovenia	38.7	15.5	6.9	2.8
Spain	...	...	24.4	27.3
Sweden	...	...	...	...
Switzerland	...	...	...	...
"the former Yugoslav Republic of Macedonia"	17.5	10.1	7.1	4.1
Turkey	39.8	38.9	36.1	35.2
Ukraine	...	...	...	...
United Kingdom	...	...	...	...
England and Wales	...	...	12.5	15.7
Northern Ireland	...	...	...	...
Scotland	...	...	14.1	16.7

See remarks

Table 5.1. Breakdown of sentenced prisoners (final sentence) by the main offence on 1 September 1998 (numbers)

Reference: Council of Europe, SPACE 98.51

	Homicide including attempts	Assault	Rape	Robbery	Other types of theft	Drug offences	Other cases
Albania	255	10	24	82	26	...	30
Andorra	...	...	...	...	...	...	...
Austria	...	...	...	...	...	...	...
Belgium	656	852	324	1 579	321	532	982
Bulgaria	...	...	...	...	...	...	...
Croatia	423	31	78	103	239	91	372
Cyprus	10	8	8	15	15	32	106
Czech Republic	...	...	...	...	...	...	...
Denmark	...	...	...	...	...	...	...
Estonia	599	251	126	300	1 294	17	563
Finland	539	328	43	244	581	388	366
France	3 446	2 546	6 814	4 245	4 817	5 754	5 520
Germany	...	...	...	...	...	...	...
Greece	...	...	...	...	...	...	...
Hungary	1 487	757	443	2 263	3 099	68	1 866
Iceland	8	8	5	4	13	23	34
Ireland	...	...	...	...	...	...	...
Italy	...	...	...	...	...	...	...
Latvia	801	832	238	910	2 708	...	992
Lithuania	1 481	308	531	1 880	5 325	149	1 673
Luxembourg	...	...	...	...	...	...	...
Malta	20	2	5	47	76	18	...
Moldova	1 434	549	453	2 189	1 418	165	701
Netherlands		1 636			1 527	927	1 363
Norway	187	253	49	105	***	733	595
Poland	...	...	...	...	...	...	...
Portugal	954	122	328	1 474	2 559	3 902	1 009
Romania	6 353	539	1 501	3 127	21 348	73	3 285
Russia	...	...	...	...	...	...	...
Slovakia	...	...	...	...	...	...	...
Slovenia	96	21	41	77	81	33	137
Spain	1 987	810	1 634	14 710	1 426	10 515	2 752
Sweden	264	206	134	344	698	806	1 641
Switzerland	...	...	...	...	...	...	...
"the former Yugoslav Republic of Macedonia"	124	29	34	102	318	95	223
Turkey	8 504	1 501	2 420	3 600	7 356	1 676	13 990
Ukraine	...	...	...	...	...	...	...
<i>United Kingdom</i>							
England and Wales	4 582	6 362	2 373	6 626	14 347	7 893	7 847
Northern Ireland	290	89	50	101	100	72	410
Scotland	755	842	126	695	508	735	1 453

See remarks

Table 5.2 Breakdown of sentenced prisoners (final sentence) by the main offence on 1 September 1998 (%)

Reference: Council of Europe, SPACE 98.52

	Homicide including attempts	Assault	Rape	Robbery	Other types of theft	Drug offences	Other cases
Albania	59.7	2.3	5.6	19.2	6.1	...	7.0
Andorra	...	...	...	...	...	...	...
Austria	...	...	...	...	...	...	...
Belgium	12.5	16.2	6.2	30.2	6.1	10.1	18.7
Bulgaria	...	...	...	...	...	...	...
Croatia	31.7	2.3	5.8	7.7	17.9	6.8	27.8
Cyprus	5.2	4.1	4.1	7.7	7.7	16.5	54.7
Czech Republic	...	...	...	...	...	...	...
Denmark	...	...	...	...	...	...	...
Estonia	19.0	8.0	4.0	9.5	41.1	0.5	17.9
Finland	21.7	13.2	1.7	9.8	23.3	15.6	14.7
France	10.4	7.7	20.6	12.8	14.5	17.4	16.6
Germany	...	...	...	...	...	...	...
Greece	...	...	...	...	...	...	...
Hungary	14.9	7.6	4.4	22.7	31.0	0.7	18.7
Iceland	8.4	8.4	5.3	4.2	13.7	24.2	35.8
Ireland	...	...	...	...	...	...	...
Italy	...	...	...	...	...	...	...
Latvia	12.4	12.8	3.7	14.0	41.8	...	15.3
Lithuania	13.1	2.7	4.7	16.6	46.9	1.3	14.7
Luxembourg	...	...	...	...	...	...	...
Malta	11.9	1.2	3.0	28.0	45.2	10.7	...
Moldova	20.8	7.9	6.6	31.7	20.5	2.4	10.1
Netherlands		30.0			28.0	17.0	25.0
Norway	9.7	13.2	2.5	5.5	***	38.1	31.0
Poland	...	...	...	...	...	...	...
Portugal	9.2	1.2	3.2	14.2	24.7	37.7	9.8
Romania	17.5	1.5	4.1	8.6	59.0	0.2	9.1
Russia	...	...	...	...	...	...	...
Slovakia	...	...	...	...	...	...	...
Slovenia	19.8	4.3	8.4	15.8	16.7	6.8	28.2
Spain	5.9	2.4	4.8	43.5	4.2	31.1	8.1
Sweden	6.5	5.0	3.3	8.4	17.1	19.7	40.0
Switzerland	...	...	...	...	...	...	...
"the former Yugoslav Republic of Macedonia"	13.4	3.1	3.7	11.0	34.4	10.3	24.1
Turkey	21.8	3.8	6.2	9.2	18.8	4.3	35.9
Ukraine	...	...	...	...	...	...	...
United Kingdom							
England and Wales	9.2	12.7	4.7	13.2	28.7	15.8	15.7
Northern Ireland	26.1	8.0	4.5	9.1	9.0	6.5	36.8
Scotland	14.8	16.5	2.5	13.6	9.9	14.4	28.3

See remarks

Table 6.1 Breakdown of sentenced prisoners (final sentence) by length of the sentence on 1 September 1998 (numbers)

Reference: Council of Europe, SPACE 98.61

	Less than 1 year	1 year to less than 3 years	3 years to less than 5 years	5 years to less than 10 years	10 years and over	Life imprison- ment	Death sentenced prisoners
Albania	0	53	58	105	218	3	0
Andorra	...	...	...	...	...	...	...
Austria	1 505	1 733	748	577	405	148	***
Belgium	...	...	...	...	...	...	...
Bulgaria	3 433	2 081	1 561	637	825	7	...
Croatia	174	407	207	339	210	0	0
Cyprus	...	...	...	...	...	...	...
Czech Republic	4 755	5 401	1 947	1 918	907	14	***
Denmark	...	...	...	...	...	...	...
Estonia	122	827	666	1 232	283	20	0
Finland	622	786	367	437	191	54	***
France	9 524	7 277	4 042	6 442	5 332	525	***
Germany	...	...	...	...	...	...	...
Greece	...	...	...	...	...	...	...
Hungary	1 270	3 361	1 855	2 306	1 002	189	0
Iceland	37	25	20	6	7	0	***
Ireland	...	...	...	...	...	...	...
Italy	2 591	5 682	5 238	6 538	6 050	810	***
Latvia	58	1 481	2 135	2 383	413	6	5
Lithuania	336	3 158	3 803	3 266	736	40	8
Luxembourg	...	...	...	...	...	...	...
Malta	166	39	48	4	3	...	...
Moldova	103	880	2 023	2 719	1 162	22	***
Netherlands	2 252	1 486	742	967	6	...	***
Norway	...	...	...	...	...	...	...
Poland	...	...	...	...	...	...	...
Portugal	301	1 764	3 690	2 543	1 982	0	***
Romania	3 456	5 918	16 529	5 280	4 986	57	0
Russia	...	...	...	...	...	...	...
Slovakia	1 195	1 580	720	1 010	482	11	***
Slovenia	101	157	93	86	49	***	***
Spain	...	...	...	...	...	...	...
Sweden	1 435	1 239	517	587	234	81	***
Switzerland	...	...	...	...	...	...	...
"the former Yugoslav Republic of Macedonia"	341	234	134	130	85	1	0
Turkey	4 433	7 262	5 100	5 833	14 583	1 713	123
Ukraine	...	...	...	...	...	...	...
<i>United Kingdom</i>							
England and Wales	7 720	18 292	11 448	8 724	2 151	3 934	***
Northern Ireland	127	144	169	165	285	222	***
Scotland	1 331	892	723	1 300	293	575	***

See remarks

***: not applicable

Table 6.2 Breakdown of sentenced prisoners (final sentence) by length of the sentence on 1 September 1998 (%)

Reference: Council of Europe, SPACE 98.62

	Less than 1 year	1 year to less than 3 years	3 years to less than 5 years	5 years to less than 10 years	10 years and and over	Life imprison- ment	Death sentenced prisoners
Albania	0.0	12.1	13.3	24.0	49.9	0.7	0.0
Andorra	...	...	...	...	...	...	...
Austria	29.4	33.9	14.6	11.3	7.9	2.9	***
Belgium	...	...	...	...	...	...	...
Bulgaria	40.1	24.3	18.3	7.5	9.7	0.1	...
Croatia	13.0	30.4	15.5	25.4	15.7	0.0	0.0
Cyprus	...	...	...	...	...	...	...
Czech Republic	31.8	36.2	13.0	12.8	6.1	0.1	***
Denmark	...	...	...	...	...	...	...
Estonia	3.9	26.3	21.1	39.1	9.0	0.6	0.0
Finland	25.3	32.0	14.9	17.8	7.8	2.2	***
France	28.7	22.0	12.2	19.4	16.1	1.6	***
Germany	...	...	...	...	...	...	***
Greece	...	...	...	...	...	...	...
Hungary	12.7	33.7	18.6	23.1	10.0	1.9	0.0
Iceland	39.0	26.3	21.0	6.3	7.4	0.0	***
Ireland	...	...	...	...	...	...	...
Italy	9.6	21.1	19.5	24.3	22.5	3.0	***
Latvia	0.9	22.9	32.9	36.8	6.4	0.1	0.0
Lithuania	3.0	27.8	33.5	28.8	6.5	0.4	0.0
Luxembourg	...	...	...	...	...	...	...
Malta	63.8	15.0	18.5	1.5	1.2	...	...
Moldova	1.5	12.7	29.3	39.4	16.8	0.3	***
Netherlands	41.3	27.3	13.6	17.7	...	0.1	***
Norway	...	...	...	...	...	...	...
Poland	...	...	...	...	...	...	...
Portugal	2.9	17.0	35.7	24.6	19.2	0.0	***
Romania	9.5	16.3	45.6	14.6	13.8	0.2	0.0
Russia	...	...	...	...	...	...	...
Slovakia	23.9	31.6	14.4	20.3	9.6	0.2	***
Slovenia	20.8	32.3	19.1	17.7	10.1	***	***
Spain	...	...	...	...	...	...	...
Sweden	35.1	30.3	12.6	14.3	5.7	2.0	***
Switzerland	...	...	...	...	...	...	...
"the former Yugoslav Republic of Macedonia"	36.8	25.3	14.5	14.1	9.2	0.1	0.0
Turkey	11.4	18.6	13.1	14.9	37.3	4.4	0.3
Ukraine	...	...	...	...	...	...	...
<i>United Kingdom</i>							
England and Wales	14.8	35.0	21.9	16.7	4.1	7.5	***
Northern Ireland	11.4	12.9	15.2	14.8	25.7	20.0	***
Scotland	26.1	17.4	14.1	25.5	5.7	11.2	***

See remarks

***: not applicable

Table 6.3 Breakdown of sentenced prisoners (final sentence) by length of the sentence on 1 September 1998
(cumulative %)

Reference: Council of Europe, SPACE 98.63

	Time sentence	1 year and over	3 years and over	5 years and over	10 years and over	Life imprisonment	Death sentenced prisoners
Albania	99.3	99.3	87.2	73.9	49.9	0.7	0.0
Andorra	...	...	...	...	...	...	...
Austria	97.1	67.7	33.8	19.2	7.9	2.9	***
Belgium	...	...	...	...	...	...	...
Bulgaria	99.9	59.8	35.5	17.2	9.7	0.1	...
Croatia	100.0	87.0	56.6	41.1	15.7	0.0	0.0
Cyprus	...	...	...	...	...	...	...
Czech Republic	99.9	68.1	31.9	18.9	6.1	0.1	***
Denmark	...	...	...	...	...	...	...
Estonia	99.4	95.5	69.2	48.1	9.0	0.6	0.0
Finland	97.8	72.5	40.5	25.6	7.8	2.2	***
France	98.4	69.7	47.7	35.5	16.1	1.6	***
Germany	...	...	...	...	...	...	...
Greece	...	...	...	...	...	...	...
Hungary	98.1	85.4	51.7	33.1	10.0	1.9	0.0
Iceland	100.0	61.0	34.7	13.7	7.4	0.0	***
Ireland	...	...	...	...	...	...	...
Italy	97.0	87.4	66.3	46.8	22.5	3.0	***
Latvia	99.9	99.0	76.1	43.2	6.4	0.1	0.0
Lithuania	99.6	96.6	68.8	35.3	6.5	0.4	0.0
Luxembourg	...	...	...	...	...	...	...
Malta	98.8	36.2	21.2	...	1.5	1.2	...
Moldova	99.7	98.2	85.5	56.2	16.8	0.3	***
Netherlands	99.9	58.7	31.5	17.8	...	0.1	***
Norway	...	...	...	...	...	...	...
Poland	...	...	...	...	...	...	...
Portugal	99.4	96.5	79.5	43.8	19.2	0.0	***
Romania	99.8	90.3	74.0	28.4	13.8	0.2	0.0
Russia	...	...	...	...	...	...	...
Slovakia	99.8	75.9	44.3	29.9	9.6	0.2	***
Slovenia	100.0	79.2	46.9	27.8	10.1	***	***
Spain	...	...	...	...	...	...	...
Sweden	98.0	62.9	32.6	20.0	5.7	2.0	***
Switzerland	...	...	...	...	...	...	...
"the former Yugoslav Republic of Macedonia"	99.9	63.1	37.8	23.3	9.2	0.1	0.0
Turkey	95.3	83.9	65.3	52.2	37.3	4.4	0.3
Ukraine	...	...	...	...	...	...	...
United Kingdom							
England and Wales	100.0	85.2	50.2	28.3	11.6	7.5	***
Northern Ireland	80.0	68.6	55.7	40.5	25.7	20.0	***
Scotland	88.8	62.7	45.3	31.2	5.7	11.2	***

*** : not applicable

Table 7.1 Breakdown of sentenced prisoners (final sentence) by length of the sentence on 1 September 1998: less than one year (numbers)

Reference: Council of Europe, SPACE 98.71

	Less than 1 month	1 month to less than 3 months	3 months to less than 6 months	6 months to less than 1 year	Total less than 1 year
Albania	0	0	0	0	0
Andorra	...	...	...	...	...
Austria	373		464	668	1 505
Belgium	...	...	...	...	...
Bulgaria	***	***	703	2 730	3 433
Croatia	0	0	61	113	174
Cyprus	...	...	...	...	...
Czech Republic	***	164	843	3 748	4 755
Denmark	...	...	...	...	...
Estonia	0	0	31	91	122
Finland	8	90	211	313	622
France		4 611		4 913	9 524
Germany	...	...	...	...	...
Greece	...	...	...	...	...
Hungary	6	47	180	1 037	1 270
Iceland	3	11	6	17	37
Ireland	...	...	...	...	...
Italy	114	198	673	1 606	2 591
Latvia	0	0	0	58	58
Lithuania	0	0	88	248	336
Luxembourg	...	...	...	...	...
Malta	32	52	34	48	166
Moldova	***	***	***	103	103
Netherlands	273	477	646	856	2 252
Norway	...	...	...	...	...
Poland	...	...	...	...	...
Portugal		154		147	301
Romania	0	0	0	0	3 456
Russia	...	...	...	...	...
Slovakia		294		901	1 195
Slovenia	0	9	32	60	101
Spain	...	...	...	...	...
Sweden	4	291	385	755	1 435
Switzerland	...	...	...	...	...
"the former Yugoslav Republic of Macedonia"	9	69	130	133	341
Turkey		2 055		2 378	4 433
Ukraine	...	...	...	...	...
United Kingdom					
England and Wales	1 604		3 605	2 511	7 720
Northern Ireland	3	10	50	64	127
Scotland	98	112	527	594	1 331

***: not applicable

Table 7.2 Breakdown of sentenced prisoners (final sentence) by length of the sentence on 1 September 1998: less than one year (%)

Reference: Council of Europe, SPACE 98.72

	Less than 1 month	1 month to less than 3 months	3 months to less than 6 months	6 months to less than 1 year	Total less than 1 year
Albania	...	...	...	...	...
Andorra	...	...	...	...	...
Austria	24.8		30.8	44.4	100.0
Belgium	...	...	...	...	...
Bulgaria	***	***	20.5	79.5	100.0
Croatia	0.0	0.0	35.1	64.9	100.0
Cyprus	...	...	...	...	...
Czech Republic	***	3.4	17.7	78.8	100.0
Denmark	...	...	...	...	...
Estonia	0.0	0.0	25.4	74.6	100.0
Finland	1.3	14.5	33.9	50.3	100.0
France		48.4		51.6	100.0
Germany	...	...	...	...	...
Greece	...	...	...	...	...
Hungary	0.5	3.7	14.2	81.6	100.0
Iceland	8.1	29.7	16.2	46.0	100.0
Ireland	...	...	...	...	...
Italy	4.4	7.6	26.0	62.0	100.0
Latvia	0.0	0.0	0.0	100.0	100.0
Lithuania	0.0	0.0	26.2	73.8	100.0
Luxembourg	...	...	...	...	...
Malta	19.3	31.3	20.5	28.9	100.0
Moldova	***	***	***	100.0	100.0
Netherlands	12.1	21.2	28.7	38.0	100.0
Norway	...	...	...	...	...
Poland	...	...	...	...	...
Portugal		51.2		48.8	100.0
Romania	...	...	...	...	...
Russia	...	...	...	...	...
Slovakia		24.6		75.4	100.0
Slovenia	0.0	8.9	31.7	59.4	100.0
Spain	...	...	...	...	...
Sweden	0.3	20.3	26.8	52.6	100.0
Switzerland	...	...	...	...	...
"the former Yugoslav Republic of Macedonia"	2.6	20.2	38.1	39.1	100.0
Turkey		46.4		53.6	100.0
Ukraine	...	...	...	...	...
United Kingdom					
England and Wales		20.8	46.7	32.5	100.0
Northern Ireland	2.4	7.9	39.4	50.3	100.0
Scotland	7.4	8.4	39.6	44.6	100.0

***: not applicable

1.2 Populations of penal institutions

Flow of entries to penal institutions, indicator of average length of imprisonment, escapes and deaths in 1997

Table 8. Flow of entries to penal institutions (1997)

Reference: Council of Europe, SPACE 98.8

	Entries to penal institutions	Rate of entries to penal institutions per 100 000 inhabitants	Entries before final sentence	
			Number	%
Albania	1 880	61.9	1 522	81.0
Andorra	174	...	132	75.9
Austria	...	...	9 168	...
Belgium	13 919	137	8 993	64.6
Bulgaria	7 016	84.1	...	...
Croatia	4 398	97.5	...	...
Cyprus	750	114	303	40.4
Czech Republic	13 230	128	6 998	52.9
Denmark	...	...	...	...
Estonia	6 681	422	1 564	23.4
Finland	6 201	124	1 593	25.7
France	79 334	131	59 462	75.0
Germany	...	...	...	...
Greece	...	...	...	...
Hungary	24 168	240	493	2.0
Iceland	257	93.7	89	34.6
Ireland	...	...	...	...
Italy	88 024	153	76 772	87.2
Latvia	19 401	786	15 107	77.9
Lithuania	8 994	242	4 986	55.4
Luxembourg	...	...	...	...
Malta	646	178	430	66.6
Moldova	15 536	417	1 556	10.0
Netherlands	29 333	187	13 042	44.5
Norway	11 170	255	3 605	32.3
Poland	...	...	...	...
Portugal	7 782	77.1	6 098	78.4
Romania	...	...	...	...
Russia	...	...	...	...
Slovakia	24 376	454	3 023	12.4
Slovenia	2 448	124	813	33.2
Spain	55 840	147	34 981	62.6
Sweden	...	...	...	...
Switzerland	27 559	387	20 052	72.8
"the former Yugoslav Republic of Macedonia"	2 712	138	614	22.6
Turkey	60 606	96	...	...
Ukraine	...	...	...	...
<i>United Kingdom</i>				
England and Wales	125 400	240	75 700	60.4
Northern Ireland	5 502	328	2 188	39.8
Scotland	38 028	744	14 826	39.0

See remarks

Table 9. Indicator of average length of imprisonment (1997)

Reference: Council of Europe, SPACE 97.9

	Total number of days spent in penal institutions	Average number of prisoners in year	Indicator of average length of imprisonment (in months)
Albania	...	1 123	7.2
Andorra	9 997	27	1.9
Austria	2 540 188	6 959	...
Belgium	3 106 148	8 510	7.3
Bulgaria	...	11 847	18
Croatia	...	2 119	5.8
Cyprus	93 622	256	4.1
Czech Republic	...	21 560	19
Denmark	1 249 030	3 422	...
Estonia	...	4 745	8.5
Finland	1 085 510	2 974	5.8
France	20 225 404	55 412	8.4
Germany	28 290 240	77 507	...
Greece	...	5 577	...
Hungary	3 080 140	8 439	4.2
Iceland	40 747	112	5.2
Ireland	...	2 433	...
Italy	21 692 010	59 430	8.1
Latvia	...	10 052	6.2
Lithuania	...	13 205	17.6
Luxembourg	...	...	...
Malta	90 460	248	4.6
Moldova	...	10 250	7.9
Netherlands	4 260 682	11 673	4.8
Norway	964 426	2 642	2.8
Poland	...	...	...
Portugal	...	14 634	22.6
Romania	...	44 398	...
Russia	...	998 627	...
Slovakia	2 820 720	7 727	3.8
Slovenia	249 277	683	3.3
Spain	15 657 809	42 898	9.2
Sweden	1 772 360	4 856	...
Switzerland	2 070 238	5 672	2.5
"the former Yugoslav Republic of Macedonia"	...	965	4.3
Turkey	23 432 100	64 198	12.7
Ukraine	...	...	...
<i>United Kingdom</i>			
England and Wales	22 306 610	125 400	5.8
Northern Ireland	...	1 595	3.5
Scotland	2 200 000	6 027	1.9

See remarks

Table 10. Number of escapes (by convicted prisoners or pre-trial detainees under the supervision of the prison administration) from a closed penal institution or during administrative transfer (1997)

Reference: Council of Europe, SPACE 98.10

	Number of escapes in the year	Average number of prisoners in the year	Escapes per 10 000 prisoners
Albania	...	1 123	...
Andorra	0	27	n.s.
Austria	6	6 959	8.6
Belgium	16	8 510	19
Bulgaria	1	11 847	0.84
Croatia	23	2 119	109
Cyprus	0	256	0.0
Czech Republic	0	21 560	0.0
Denmark	97	3422	283
Estonia	3	4 745	6.3
Finland	43	2 974	145
France	31	55 412	5.6
Germany	144	77 507	19
Greece	...	5 577	...
Hungary	5	8 439	5.9
Iceland	0	112	n.s.
Ireland	7	2 433	29
Italy	31	59 430	5.2
Latvia	1	10 052	0.99
Lithuania	1	13 205	0.76
Luxembourg	...	...	...
Malta	2	248	81
Moldova	27	10 250	26
Netherlands	13	11 673	11
Norway	...	2 642	...
Poland	...	...	...
Portugal	...	14 634	...
Romania	22	44 398	5.0
Russia	827	998 627	8.3
Slovakia	0	7 727	0.0
Slovenia	47	683	688
Spain	12	42 898	2.8
Sweden	73	4 856	150
Switzerland	...	5 672	...
"the former Yugoslav Republic of Macedonia"	39	965	404
Turkey	63	64 198	9.8
Ukraine	...	...	...
<i>United Kingdom</i>			
England and Wales	104	61 114	17
Northern Ireland	2	1 595	13
Scotland	1	6 027	1.7

See remarks

n.s. non significatif

Table 11. Other forms of escape in 1997 (absconding or running off)

Reference: Council of Europe, SPACE 98.11

	Number of escapes in the year	Average number of prisoners in the year (for indication)
Albania	0	1 123
Andorra	0	27
Austria	276	6 959
Belgium	198	8 510
Bulgaria	48	11 847
Croatia	99	2 119
Cyprus	0	256
Czech Republic	41	21 560
Denmark	1 127	3 422
Estonia	8	4 745
Finland	108	2 974
France	208	55 412
Germany	874	77 507
Greece	70	5 577
Hungary	12	8 439
Iceland	0	112
Ireland	1 266	2 433
Italy	189	59 430
Latvia	8	10 052
Lithuania	0	13 205
Luxembourg	...	...
Malta	0	248
Moldova	12	10 250
Netherlands	984	11 673
Norway	...	2 642
Poland	...	...
Portugal	...	14 634
Romania	6	44 398
Russia	520	998 627
Slovakia	12	7 727
Slovenia	88	683
Spain	55	42 898
Sweden	674	4 856
Switzerland	...	5 672
"the former Yugoslav Republic of Macedonia"	89	965
Turkey	377	64 198
Ukraine	...	...
<i>United Kingdom</i>		
England and Wales	1 100	61 114
Northern Ireland	98	1 595
Scotland	58	6 027

See remarks

Table 12. Deaths in penal institutions (1977)

Reference: Council of Europe, SPACE 98.12

	Number of deaths in penal institutions in the year	Average number of prisoners in the year	Deaths per 10 000 prisoners
Albania	1	1 123	8.9
Andorra	0	27	n.s.
Austria	...	...	...
Belgium	50	8 510	59
Bulgaria	55	11 847	46
Croatia	2	2 119	9.4
Cyprus	0	256	0.0
Czech Republic	18	21 560	8.3
Denmark	19	3 422	56
Estonia	11	4 745	23
Finland	12	2 974	40
France	203	55 412	37
Germany	153	77 507	20
Greece	2	5 577	3.6
Hungary	26	8 439	31
Iceland	0	112	n.s.
Ireland	7	2 433	29
Italy	67	59 430	11
Latvia	59	10 052	59
Lithuania	26	13 205	20
Luxembourg	...	...	...
Malta	0	248	n.s.
Moldova	67	10 250	65
Netherlands	19	11 673	16
Norway	...	2 642	...
Poland	...	...	...
Portugal	155	14 634	106
Romania	112	44 398	25
Russia	7 760	998 627	78
Slovakia	15	7 727	19
Slovenia	2	683	29
Spain	76	42 898	18
Sweden	11	4 856	23
Switzerland	9	5 672	16
"the former Yugoslav Republic of Macedonia"	3	965	31
Turkey	79	64 198	12
Ukraine	...	...	...
<i>United Kingdom</i>			
England and Wales	121	61 114	20
Northern Ireland	3	1 595	19
Scotland	19	6 027	32

See remarks

n.s. non significatif

Table 13. Suicides in penal institutions (1997)

Reference: Council of Europe, SPACE 98.13

	Number of suicides in the year	Average number of prisoners in the year	Suicides per 10 000 prisoners
Albania	0	1 123	0.0
Andorra	0	27	n.s.
Austria	12	6 959	17
Belgium	28	8 510	33
Bulgaria	4	11 847	3.4
Croatia	2	2 119	9.4
Cyprus	0	256	0.0
Czech Republic	16	21 560	7.4
Denmark	8	3 422	23
Estonia	0	4745	0.0
Finland	9	2 974	30
France	125	55 412	23
Germany	99	77 507	13
Greece	1	5 577	1.8
Hungary	5	8 439	5.9
Iceland	0	112	n.s.
Ireland	2	2 433	8.2
Italy	55	59 430	9.3
Latvia	8	10 052	8.0
Lithuania	10	13 205	7.6
Luxembourg	...	...	...
Malta	0	248	n.s.
Moldova	7	10 250	6.8
Netherlands	10	11 673	8.6
Norway	...	2 642	...
Poland	...	...	...
Portugal	12	14 634	8.2
Romania	8	44 398	1.8
Russia	...	998 627	...
Slovakia	4	7 727	5.2
Slovenia	2	683	29
Spain	30	42 898	7.0
Sweden	5	4 856	10
Switzerland	...	5 672	...
"the former Yugoslav Republic of Macedonia"	0	965	0.0
Turkey	18	64 198	2.8
Ukraine	...	...	...
<i>United Kingdom</i>			
England and Wales	68	61 114	11
Northern Ireland	2	1 595	13
Scotland	14	6 027	23

See remarks

n.s. non significatif

Table 14. Deaths in Penal Institutions – other than suicides (1997)

Reference: Council of Europe, SPACE 98.14

	Number of deaths in penal institutions in the year (other than suicides)	Average number of prisoners in the year	Deaths per 10 000 prisoners (other than suicides)
Albania	1	1 123	8.9
Andorra	0	27	n.s.
Austria	...	...	...
Belgium	22	8 510	26
Bulgaria	51	11 847	43
Croatia	0	2 119	0.0
Cyprus	0	256	0.0
Czech Republic	2	21 560	0.93
Denmark	11	3 422	32
Estonia	11	4 745	23
Finland	3	2 974	10
France	78	55 412	14
Germany	54	77 507	7.0
Greece	1	5 577	1.8
Hungary	21	8 439	25
Iceland	0	112	n.s.
Ireland	5	2 433	21
Italy	12	59 430	2.0
Latvia	51	10 052	51
Lithuania	16	13 205	12
Luxembourg	...	...	...
Malta	0	248	n.s.
Moldova	60	10 250	58
Netherlands	9	11 673	7.7
Norway	...	2 642	...
Poland	...	...	...
Portugal	143	14 634	98
Romania	104	44 398	23
Russia	...	998 627	...
Slovakia	11	7 727	14
Slovenia	0	683	0.0
Spain	46	42 898	11
Sweden	6	4 856	12
Switzerland	...	5 672	...
"the former Yugoslav Republic of Macedonia"	3	965	31
Turkey	61	64 198	9.5
Ukraine	...	...	...
<i>United Kingdom</i>			
England and Wales	53	61 114	8.7
Northern Ireland	1	1595	6.3
Scotland	5	6 027	8.3

See remarks

n.s. non significatif

II. Prison staff

Table 15. *Full-time* staff working in penal institutions on 1 September 1998

Reference: Council of Europe, SPACE 98.15

	Management	Custodial	Treatment	Workshops	Administration	Total
Albania	37	788	35	0	24	884
Andorra	...	...	...	...	...	...
Austria	...	...	...	...	...	...
Belgium	101	4 585	584	43	481	5 794
Bulgaria	79	1 959	294	215	493	3 040
Croatia	87	1 251	234	50	136	3 222
Cyprus	10	163	4	15	15	207
Czech Republic	414	5 049	1 348		1406	9 529
Denmark	...	...	...	...	...	...
Estonia	137	1 164	188	29	3	2 140
Finland	98	1 514	307	434	217	2 570
France	...	...	...	...	...	...
Germany	447	26 576	2 393	2 778	3 958	36 150
Greece	47	1 328	96	0	202	1 739
Hungary	266	2 916	2 111	752	622	6 667
Iceland	7	79	1	15	3	105
Ireland	41	2 581	39	95	106	
Italy	272	40 956	1 795	0	2 825	45 848
Latvia	69	1 450	321	20	389	2 249
Lithuania	67	2 196	684	404	697	4 048
Luxembourg	...	...	...	...	...	...
Malta	...	...	...	...	...	...
Moldova	931	1 257	261	28	265	2 810
Netherlands	273	7 968	563	1 293	1 413	11 510
Norway	...	...	...	...	...	...
Poland	...	...	...	...	...	...
Portugal	81	3 791	257	...	561	5 166
Romania	349	5 834	978	138	2 036	9 335
Russia	82 537	134 201	0	0	0	216 738
Slovakia	385	2 422	511	195	706	4 219
Slovenia	48	412	89	137	144	830
Spain	83	13 298	3 447	2 376	2032	21 236
Sweden	218	3 912	239	422	427	5 546
Switzerland	...	...	...	...	...	2 734
"the former Yugoslav Republic of Macedonia"	23	246	40	39	74	422
Turkey	970	21 637	545	764	2 135	26 051
Ukraine	...	...	...	...	...	...
<i>United Kingdom</i>						
England and Wales	...	...	...	...	...	...
Ireland du N.	392	2 260	78	44	79	2 885
Scotland	684	2 743	148	315	255	4 145

See remarks

Table 16. *Part-time* staff working in penal institutions on 1 September 1998 – on the basis of full-time equivalentsReference: Council of Europe, *SPACE 97/16*

	Management	Custodial	Treatment	Workshops	Administration	Total
Albania	0	0	0	0	0	0
Andorra	0	0	0	0	0	0
Austria	...	...	...	...	...	...
Belgium	0	211	43	2	80	336
Bulgaria	0	0	3	0	0	3
Croatia	0	0	10	8	0	18
Cyprus	0	0	0	0	0	0
Czech Republic	0	0	39		11	54
Denmark	...	...	...	...	...	...
Estonia	28	487	108	23	0	882
Finland	0	0	2	0	0	2
France	...	...	...	...	...	...
Germany	...	...	...	...	...	...
Greece	0	0	0	0	0	0
Hungary	0	0	26	0	81	107
Iceland	0	0	0	0	0	0
Ireland	0	0	25	0	0	25
Italy	0	0	60	0	27	87
Latvia	0	0	18	0	0	18
Lithuania	0	0	79	23	31	133
Luxembourg	...	...	...	...	...	...
Malta	...	...	...	...	...	...
Moldova	0	0	5	20	0	25
Netherlands	31	736	457	351	410	1 985
Norway	...	...	...	...	...	...
Poland	...	...	...	...	...	...
Portugal	...	...	...	...	...	...
Romania	0	0	0	0	0	0
Russia	0	0	0	0	0	0
Slovakia	0	0	0	0	0	0
Slovenia	0	0	0	0	0	0
Spain	0	0	166	94	0	260
Sweden	2	246	48	22	32	459
Switzerland	...	...	...	...	...	616
"the former Yugoslav Republic of Macedonia"	0	0	2	0	0	2
Turkey	0	0	0	0	0	0
Ukraine	...	...	...	...	...	...
United Kingdom						
England and Wales	...	...	...	...	...	...
Northern Ireland	2	...	...	...	1	18
Scotland	4	2	17	0	3	26

See remarks

Table 17.1 Full-time staff and part-time staff working in penal institutions on 1 September 1998 – on the basis of full-time equivalents (numbers)

Reference: Council of Europe, SPACE 98.17

	Management	Custodial	Treatment	Workshops	Administration	Total
Albania	37	788	35	0	24	884
Andorra	...	...	...	...	...	...
Austria	29	3 101	300	75	70	3 575
Belgium	101	4 796	627	45	561	6 130
Bulgaria	79	1 959	297	215	493	3 043
Croatia	87	1 251	244	58	136	3 240
Cyprus	10	163	4	15	15	207
Czech Republic	414	5 049	1 387		1417	9 583
Denmark	53	2 384	285	266	269	3 257
Estonia	165	1 651	296	52	3	3 022
Finland	98	1 514	309	434	217	2 572
France	330	19 863	1 840	640	2 115	24 788
Germany	447	26 576	2 393	2 778	3 958	36 150
Greece	47	1 328	96	0	202	1 739
Hungary	266	2 916	2 137	752	703	6 774
Iceland	7	79	1	15	3	105
Ireland	41	2 581	64	95	106	2 887
Italy	272	40 956	1 855	0	2 852	45 935
Latvia	69	1 450	339	20	389	2 267
Lithuania	67	2 196	763	427	728	4 181
Luxembourg	...	...	...	...	...	...
Malta	8	150	12	6	11	201
Moldova	931	1 257	266	48	265	2 835
Netherlands	304	8 704	1 020	1 644	1 823	13 495
Norway	...	...	...	...	...	2 743
Poland	...	...	...	...	...	...
Portugal	81	3 791	257	...	561	5 166
Romania	349	5 834	978	138	2 036	9 335
Russia	82 537	134 201	0	0	0	216 738
Slovakia	385	2 422	511	195	706	4 219
Slovenia	48	412	89	137	144	830
Spain	83	13 298	3 613	2 470	2032	21 496
Sweden	220	4 158	287	444	459	6 005
Switzerland	...	...	...	...	...	3 350
"the former Yugoslav Republic of Macedonia"	23	246	42	39	74	424
Turkey	970	21 637	545	764	2 135	26 051
Ukraine	...	...	...	...	...	...
<i>United Kingdom</i>						
England and Wales	782	23 731	273	3 406	12 015	40 207
Northern Ireland	394	2 260	78	44	80	2 903
Scotland	688	2 745	165	315	258	4 171

See remarks

Table 17.2 Full-time staff and part-time staff working in penal institutions on 1 September 1998 – on the basis of full-time equivalents (%)

Reference: Council of Europe, SPACE 98.17

	Management	Custodial	Treatment	Workshops	Administration	Total
Albania	4.2	89.1	4.0	0.0	2.7	100.0
Andorra	...	...	...	...	...	...
Austria	0.8	86.7	8.4	2.1	2.0	100.0
Belgium	1.6	78.3	10.2	0.7	9.2	100.0
Bulgaria	2.6	64.3	9.8	7.1	16.2	100.0
Croatia	2.7	38.6	7.5	1.8	4.2	100.0
Cyprus	4.8	78.7	1.9	7.3	7.3	100.0
Czech Republic	4.3	52.7	14.5		14.8	100.0
Denmark	1.6	73.1	8.8	8.2	8.3	100.0
Estonia	5.5	54.6	9.8	1.7	0.0	100.0
Finland	3.8	58.9	12.0	16.9	8.4	100.0
France	1.3	80.2	7.4	2.6	8.5	100.0
Germany	1.2	73.6	6.6	7.7	10.9	100.0
Greece	2.7	76.4	5.5	0.0	11.6	100.0
Hungary	3.9	43.1	31.5	11.1	10.4	100.0
Iceland	6.7	75.1	1.0	14.3	2.9	100.0
Ireland	1.4	89.4	2.2	3.3	3.7	100.0
Italy	0.6	89.2	4.0	0.0	6.2	100.0
Latvia	3.1	64.4	14.3	0.9	17.3	100.0
Lithuania	1.6	52.6	18.2	10.2	17.4	100.0
Luxembourg	...	...	...	...	...	...
Malta	4.0	74.6	6.0	3.0	5.5	100.0
Moldova	32.8	44.3	9.4	1.7	9.3	100.0
Netherlands	2.3	64.4	7.6	12.2	13.5	100.0
Norway	...	...	...	...	...	...
Poland	...	...	...	...	...	...
Portugal	1.6	73.4	5.0	...	10.9	100.0
Romania	3.7	62.5	10.5	1.5	21.8	100.0
Russia	38.1	61.9	0.0	0.0	0.0	100.0
Slovakia	9.1	57.5	12.1	4.6	16.7	100.0
Slovenia	5.8	49.7	10.7	16.5	17.3	100.0
Spain	0.4	61.9	16.8	11.5	9.5	100.0
Sweden	3.7	69.2	4.8	7.4	7.6	100.0
Switzerland	...	...	...	...	...	100.0
"the former Yugoslav Republic of Macedonia"	5.4	58.0	9.9	9.2	17.5	100.0
Turkey	3.7	83.1	2.1	2.9	8.2	100.0
Ukraine	...	...	...	...	...	...
<i>United Kingdom</i>						
England and Wales	1.9	59.0	0.7	8.5	29.9	100.0
Northern Ireland	13.6	77.9	2.7	1.5	2.8	100.0
Scotland	16.5	65.7	4.0	7.6	6.2	100.0

See remarks

Table 18. Other categories of staff, on 1 September 1998

Reference: Council of Europe, SPACE 98.18

	National prison administration	Regional prison administration office	Other staff working in storage depots	Staff working in penal institutions, but not employed by the prison administration
Albania	68	0	0	0
Andorra	0	0	0	5
Austria	45	0	16	82
Belgium	174	2	0	0
Bulgaria	77	0	0	79
Croatia	22	0	0	0
Cyprus	0	0	0	5
Czech Republic	0	0	0	0
Denmark	142	0	0	0
Estonia	68	108	14	79
Finland	99	0	0	...
France	249	892	0	312
Germany	0	0	0	0
Greece	23	0	50	911
Hungary	183	0	118	0
Iceland	11	0	0	10
Ireland	53	0	24	172
Italy	562	274	41	6 465
Latvia	74	0	0	0
Lithuania	91	0	0	124
Luxembourg	...	...	...	...
Malta	...	...	...	13
Moldova	0	0	0	0
Netherlands	153	1 157		...
Norway	74	...	...	13
Poland	...	...	...	...
Portugal	310	0	19	381
Romania	0	0	0	612
Russia	0	0	0	0
Slovakia	121	0	0	0
Slovenia	14	0	0	0
Spain	509	0	0	3 000
Sweden	250	115	0	...
Switzerland	...	...	...	...
"the former Yugoslav Republic of Macedonia"	4	0	0	0
Turkey	201	0	0	0
Ukraine	...	...	...	...
<i>United Kingdom</i>				
England and Wales	1 535	...	...	...
Northern Ireland	289	...	...	12
Scotland	320	0	6	110

See remarks

Table 19. Supervision of prisoners by custodial staff on 1 September 1998

Reference: Council of Europe, SPACE 98.19

	Total number of prisoners	Total number of custodial staff	Rate of supervision of prisoners by custodial staff
	a	b	a / b
Albania	2 922	788	3.7
Andorra	34	...	...
Austria	6 962	3 575	1.9
Belgium	8 271	4 796	1.7
Bulgaria	11 773	1 959	6.0
Croatia	2 227	1 251	1.8
Cyprus	226	163	1.4
Czech Republic	22 067	5 049	4.4
Denmark	3 413	2 384	1.4
Estonia	4 647	1 651	2.8
Finland	2 569	1 514	1.7
France	53 607	19 863	2.7
Germany	78 584	26 576	3.0
Greece	7 129	1 328	5.4
Hungary	14 218	2 916	4.9
Iceland	103	79	1.3
Ireland	2 648	2 581	1.0
Italy	49 050	40 956	1.2
Latvia	9 520	1 450	6.6
Lithuania	13 813	2 196	6.3
Luxembourg	...	...	...
Malta	260	150	1.7
Moldova	10 250	1 257	8.2
Netherlands	13 333	8 704	1.5
Norway	2 519	...	...
Poland	...	...	...
Portugal	14 598	3 791	3.9
Romania	51 418	5 834	8.8
Russia	998 627	134 201	7.4
Slovakia	6 682	2 422	2.8
Slovenia	793	412	1.9
Spain	44 763	13 298	3.4
Sweden	5 290	4 158	1.3
Switzerland	6 041	...	...
"the former Yugoslav Republic of Macedonia"	1 105	246	4.5
Turkey	64 907	21 637	3.0
Ukraine	...	...	...
<i>United Kingdom</i>			
England and Wales	65 771	23 731	2.8
Northern Ireland	1 531	2 260	0.68
Scotland	6 082	2 745	2.2

See remarks

Notes – Table 1

Austria: Collective pardon every year at Christmas.

Croatia: Situation at 31 December 1998.

Czech Republic: Situation at 31 December 1998.

Ireland: The data relate to the situation at 15 September 1998.

Latvia: Situation at 1 October 1998.

Netherlands: The data on the number of prisoners and prison capacity include the figures for TBS clinics and institutions catering for juvenile delinquents. The following tables do not include these two categories and so relate to a total of 11 097 prisoners.

Portugal: Situation at 31 December 1998.

Romania: Situation at 30 September 1998.

Slovakia: Situation at 31 December 1998.

Sweden: The number of prisoners shown is the number recorded at 1 October 1998. It includes persons serving sentences outside prison in institutions for the treatment of drug addicts, hospitalised prisoners and escapees.

Switzerland: Number of unconvicted prisoners at 12 March 1998. These are the only figures available for 1998. They cover people in police custody, remanded pending trial, or detained pending deportation or extradition. Unconvicted prisoners at 12 March 1998 = 1 941. Sentenced prisoners at 1 September 1997 = 4 100. Total = 6 041.

Notes – Table 2

Croatia: Data relate solely to prisoners whose sentences are final (1 337 in all).

Sweden: The median age figure relates only to convicted prisoners (4 093).

Notes – Table 3

Bulgaria: The data on women and foreigners relate to the situation at 1 January 1999. The percentage figures given for 1 September 1998 are therefore estimates.

Ireland: The number of foreigners is based on place of birth. All prisoners born outside the Republic of Ireland are regarded as foreigners.

Sweden: The number of foreigners relates solely to convicted prisoners (4 093).

United Kingdom

Northern Ireland: These are illegal immigrants.

Notes – Table 4.1

Albania: (e) = Inconsistent data.

Austria: (e) = Mentally ill detainees who cannot be convicted and sentenced; persons detained for failing to pay administrative fines.

Belgium: (e) = Internees (Social Protection Law); foreigners subject to administrative measures; vagrants; minors under 18 years of age in provisional custody; recidivists or habitual offenders detained at the government's pleasure.

Denmark: (e) = Persons detained under immigration law.

Finland: (e) = Persons detained for failing to pay administrative fines.

France: (e) = Civil imprisonment and prisoners awaiting extradition.

Hungary: (e) = 201 persons detained for psychiatric treatment and 146 persons detained for failing to pay administrative fines.

Netherlands: (e) "detention" = 267; persons detained under immigration law = 831; persons awaiting admission to a TBS clinic = 222; persons of unknown status = 216.

Portugal: 461 people with psychiatric problems detained as a security measure.

Romania: "Other cases" = sanctions for administrative or summary offences.

Russia: The data are inconsistent; the figures given for each category do not add up to the total number of prisoners.

Slovenia: "Other cases": the prison authorities are also responsible for persons sentenced for minor offences in juvenile courts and serving their sentences in education centres or correctional homes. The young people detained in these institutions are between 16 and 21 years of age, although some may be as old as 23. These sentences are not final – which is why this figure is not included in the figure for convicted prisoners whose sentences are final.

Sweden: "Other cases" relates to certain prisoners who are drug addicts, juveniles kept in special detention, illegal immigrants awaiting deportation, persons awaiting placement in psychiatric institutions, and persons who have broken probation rules.

United Kingdom

Northern Ireland: (e) = refers to "civil prisoners", persons detained for failing to pay fines.

Scotland: (e) = persons detained for failing to pay fines = 8.

Notes – Table 4.2

Reminder

- Where the item *“Sentenced prisoners who have appealed or who are within the statutory time-limit for doing so”* is left blank in the questionnaire for lack of available data – without any further information being provided – it is assumed that prisoners in this situation are included among *“sentenced prisoners (final sentence)”*. In this case, neither rate (a) – *percentage of prisoners not serving a final sentence* – nor rate (b) – *prisoners not serving a final sentence per 100,000 inhabitants* – can be calculated.

This applies to Austria, Bulgaria, Croatia, Czech Republic, Finland, Greece, Ireland, Malta, Netherlands, Norway, Portugal, Slovakia, Spain, Sweden, Switzerland, Northern Ireland, Scotland.

- Where the item *“Prisoners convicted but not yet sentenced”* is left blank in the questionnaire for lack of available data – without any further information being provided – it is assumed that prisoners in this situation are included among *“untried prisoners (not yet convicted)”*. In this case, neither rate (c) – *proportion of untried prisoners (not yet convicted), as a percentage* – nor rate (d) – *untried prisoners (not yet convicted) per 100,000 inhabitants* – can be calculated.

This applies to: Croatia, Czech Republic, Finland, Greece, Ireland, Malta, Netherlands, Slovakia, Sweden, Switzerland, Northern Ireland.

Notes – Table 5.1

Andorra: Data inconsistent.

Bulgaria: Data incomplete.

Cyprus: These figures refer both to sentenced prisoners (whose sentence is final) (156) and sentenced prisoners (whose sentence is not final) (38), i.e. a total of 194.

Czech Republic: The figures by type of offence are inconsistent; the sum of the figures in each category is higher than the total number of convicted prisoners (27 563 compared with 14 942).

Finland: The data relate to the situation at 1 May 1998 (total number of convicted prisoners = 2 489).

France: “Rape” includes rape and indecent assault.

Greece: Data incomplete.

Netherlands: The figures are estimates. Violent offences = 1 636; offences against property = 1 527.

Switzerland: The figures are not available by main type of offence.

Turkey: “Rape” includes all sexual assaults.

United Kingdom

Northern Ireland: Rape includes attempted rape.

Notes – Table 6.1

Albania: The total is 437, as opposed to 427 for Table 5.1. No explanation was given for this difference.

Andorra: Inconsistent data.

Austria: The data relate to the situation at 30 November 1997 (5 116 convicted prisoners).

Belgium: The data provided do not relate to the total number of convicted prisoners. Figures by length of sentence are not available for convicted persons who have been sentenced to terms of imprisonment (336), prisoners sentenced only to imprisonment in default (57) and prisoners on parole who have been temporarily recalled (6).

Bulgaria: The data seem to relate to the situation at 1 January 1999 (8 544 convicted prisoners).

Finland: The data relate to the situation at 1 May 1998 (total convicted prisoners = 2 457). The disparity (36 persons) with the number in Table 5.1 is explained by the presence of 36 convicted prisoners currently subject to proceedings concerning joinder of cases, in respect of whom the length of the resultant sentence is not yet known.

Germany: The data are not consistent with those in Table 4.1. This Table gives the number of convicted prisoners as 57 365. The breakdown of sentenced prisoners (final sentence) by length of sentence for the same date mentions only 49 008 convicted prisoners.

Greece: The data are not consistent with those in Table 4.1. This Table gives the number of convicted prisoners as 4 623. The breakdown of sentenced prisoners (final sentence) by length of sentence for the same date mentions only 4 533.

Malta: The data relate to the situation at 31 December 1998 (260 convicted prisoners).

Portugal: The table does not include indefinite sentences (54 or 0.5% of the total) and semi-detention (14 or 0.1%).

Slovenia: The minimum term is fifteen days and the maximum fifteen years. A twenty-year sentence may be ordered only for the most serious crimes (first-degree murder, genocide, war crimes), but this is exceptional. The Criminal Code does not provide for terms of more than twenty years or for life sentences.

Spain: The data provided have been broken down according to different time brackets:

- Prisoners sentenced under the old Criminal Code (1973): less than one month (493); one month to less than six months (2 951); six months to less than six years (9 925); six years to less than twelve years (4 876); twelve years to less than twenty years (1 840); 20 years and over (507).
- Prisoners sentenced under the new Criminal Code (1995): six months to less than three years (6 606); three years to less than eight years (4 261); eight years to less than fifteen years (1 849); fifteen to twenty years (526).

Switzerland: The data are inconsistent with those in Table 4.1. Table 5.1 gives the number of convicted prisoners (final sentence) as 4100 on 1 September 1998. The breakdown of convicted prisoners (final sentence) by length of sentence on 1 September 1997 refers to only 2 776 persons. It is difficult to justify such a disparity by the difference in dates, for which no explanation is given.

Notes – Table 7.1

Czech Republic: Sentences of less than one month are not enforceable.

Notes – Table 8

Czech Republic: The rate of entries has been calculated on the basis of the number of inmates and the prison population at 1 December 1997.

Estonia: The rate of entries has been calculated on the basis of the number of inmates and the prison population at 1 July 1997.

Malta: The rate of entries has been calculated on the basis of the number of inmates and the prison population at 1 September 1998.

Moldova: The rate of entries has been calculated on the basis of the number of inmates and the prison population at 1 September 1998.

Slovakia: The rate of entries has been calculated on the basis of the number of inmates and the prison population at 31 December 1997.

Notes – Table 9

Albania: The indicator of average length of imprisonment has been calculated on the basis of the total number of prisoners at 1 September 1997 (1 123).

Bulgaria: The indicator of average length of imprisonment has been calculated on the basis of the number of prisoners at 1 September 1997 (11 847).

Croatia: The indicator of average length of imprisonment has been calculated on the basis of the number of prisoners at 31 December 1997.

Czech Republic: The indicator of average length of imprisonment has been calculated on the basis of the number of prisoners at 31 December 1997.

Estonia: The indicator of average length of imprisonment has been calculated on the basis of the number of prisoners at 1 July 1997.

Hungary: The total number of days spent in prison seems very low. It suggests that the average number of prisoners is 8439, although the number of prisoners is 13 687 on 1 September 1997 and 14 218 on 1 September 1998. No explanation has been given for this situation.

Latvia: The indicator of average length of imprisonment has been calculated on the basis of the number of prisoners at 1 September 1997.

Lithuania: The indicator of average length of imprisonment has been calculated on the basis of the number of prisoners at 1 September 1997.

Moldova: The indicator of average length of imprisonment has been calculated on the basis of the number of prisoners at 1 September 1998.

Portugal: The indicator of average length of imprisonment has been calculated on the basis of the number of prisoners at 31 December 1997.

"The former Yugoslav Republic of Macedonia": The indicator of average length of imprisonment has been calculated on the basis of the number of prisoners at 1 September 1997.

United Kingdom

Northern Ireland: The indicator of average length of imprisonment has been calculated on the basis of the number of prisoners at 1 September 1997.

Notes – Table 10

Bulgaria: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1997.

Croatia: The number of prisoners/year has been replaced by the number of prisoners at 31 December 1997.

Czech Republic: The number of prisoners/year has been replaced by the number of prisoners at 31 December 1997.

Denmark: 45 escapes from institutions; 52 during transfer.

Estonia: The number of prisoners/year has been replaced by the number of prisoners at 1 July 1997.

Ireland: The number of prisoners/year has been replaced by the number of prisoners at 15 August 1997.

Latvia: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1997.

Lithuania: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1997.

Moldova: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1998.

Romania: The number of prisoners/year has been replaced by the number of prisoners at 30 September 1997.

Russia: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1998.

Switzerland: Total number of escapes, without distinction as to category = 2 774.

"The former Yugoslav Republic of Macedonia":

The number of prisoners/year has been replaced by the number of prisoners at 1 September 1997.

United Kingdom

Northern Ireland: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1997.

Notes – Table 11

Denmark: 382 escapes from open institutions, 745 during leave.

France: 6 escapes from open institutions, 202 during leave; no figure available for escapes from semi-detention.

Notes – Table 12

Albania: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1997.

Bulgaria: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1997.

Croatia: The number of prisoners/year has been replaced by the number of prisoners at 31 December 1997.

Czech Republic: The number of prisoners/year has been replaced by the number of prisoners at 31 December 1997.

Estonia: The number of prisoners/year has been replaced by the number of prisoners at 1 July 1997.

Greece: The number of prisoners/year has been replaced by the number of prisoners at 1 July 1997.

Ireland: The number of prisoners/year has been replaced by the number of prisoners at 15 August 1997.

Latvia: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1997.

Lithuania: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1997.

Moldova: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1998.

Portugal: The number of prisoners/year has been replaced by the number of prisoners at 31 December 1997.

Romania: The number of prisoners/year has been replaced by the number of prisoners at 30 September 1997.

Russia: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1998.

"The former Yugoslav Republic of Macedonia":

The number of prisoners/year has been replaced by the number of prisoners at 1 September 1997.

United Kingdom

Northern Ireland: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1997.

Notes – Table 13

Albania: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1997.

Bulgaria: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1997.

Croatia: The number of prisoners/year has been replaced by the number of prisoners at 31 December 1997.

Czech Republic: The number of prisoners/year has been replaced by the number of prisoners at 31 December 1997.

Ireland: The number of prisoners/year has been replaced by the number of prisoners at 15 August 1997.

Latvia: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1997.

Lithuania: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1997.

Moldova: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1998.

Portugal: The number of prisoners/year has been replaced by the number of prisoners at 31 December 1997.

"The former Yugoslav Republic of Macedonia": The number of prisoners/year has been replaced by the number of prisoners at 1 September 1997.

United Kingdom

Northern Ireland: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1997.

Notes – Table 14

Bulgaria: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1997.

Croatia: The number of prisoners/year has been replaced by the number of prisoners at 31 December 1997.

Czech Republic: The number of prisoners/year has been replaced by the number of prisoners at 31 December 1997.

Estonia: The number of prisoners/year has been replaced by the number of prisoners at 1 July 1997.

Ireland: The number of prisoners/year has been replaced by the number of prisoners at 15 August 1997.

Latvia: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1997.

Lithuania: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1997.

Moldova: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1998.

Portugal: The number of prisoners/year has been replaced by the number of prisoners at 31 December 1997.

Romania: The number of prisoners/year has been replaced by the number of prisoners at 30 September 1997.

"The former Yugoslav Republic of Macedonia": The number of prisoners/year has been replaced by the number of prisoners at 1 September 1997.

United Kingdom

Northern Ireland: The number of prisoners/year has been replaced by the number of prisoners at 1 September 1997.

Notes – Table 15

Andorra: Inconsistent data.

Croatia: The data relate to the situation at 31 December 1998. The total includes 1,464 employees working in prison workshops.

Czech Republic: The total includes 1,312 persons for whom the category is not specified.

Estonia: The total also includes 619 persons belonging to other categories (teaching staff, perimeter guards and doctors).

Greece: The total includes 66 persons for whom the category is not specified.

Italy: The number of custodial staff also includes 1,176 persons who work in the national prison administration in Rome, at the Ministry of Justice and in other prison administration bodies which are based in Rome (eg, the Criminological Museum), and the 503 custodial staff who work in training colleges or storage depots. Persons working in regional prison administration offices and probation services are also included.

Moldova: The total includes 68 persons for whom the category is not specified (i.e. 2.4% of the total).

Portugal: The total includes 476 persons from other categories.

Sweden: The total includes 328 persons from other categories (kitchen and cleaning staff, storekeepers, etc).

Switzerland: Staff in district prisons cannot be broken down by category.

United Kingdom

Northern Ireland: The total includes 32 persons who do not belong to the categories specified (industrial staff, etc).

Notes – Table 16

Estonia: The total includes 236 persons belonging to other categories (teaching staff, perimeter guards and doctors).

Sweden: The total includes 109 persons from other categories (kitchen and cleaning staff, storekeepers, etc).

Switzerland: Staff in district prisons cannot be broken down by category.

United Kingdom

Northern Ireland: The total includes 15 persons who do not belong to the categories specified (industrial staff, etc).

Scotland: Chaplains are included under "treatment staff".

Notes – Table 17.1

Austria: Data relate to the situation at 30 November 1997.

Croatia: Data relate to the situation at 31 December 1998. The total includes 1,464 employees working in prison workshops.

Czech Republic: The total includes 1,316 persons for whom the category is not specified.

Estonia: The total includes 855 persons belonging to other categories (teachers, perimeter guards and doctors).

Greece: The total includes 66 persons for whom the category is not specified.

Malta: The total includes 14 persons for whom the category is not specified.

Portugal: The total includes 476 persons from other categories.

Sweden: The total includes 437 persons in other categories (kitchen and cleaning staff, storekeepers, etc).

Switzerland: Staff in district prisons cannot be broken down by category.

United Kingdom

Northern Ireland: The total includes 47 persons who do not belong to the categories specified (industrial staff, etc).

Notes – Table 17.2

Croatia: Data relate to the situation at 31 December 1998. The total includes 1,464 employees working in prison workshops, i.e. 45.2% of the total.

Estonia: The total includes 855 persons belonging to other categories (teaching staff, perimeter guards and doctors), i.e. 28.4%.

Greece: The total includes 66 persons for whom the category is not specified, i.e. 3.8%.

Malta: The total includes 14 persons for whom the category is not specified (i.e. 7% of the total).

Moldova: The total includes 68 persons for whom the category is not specified (i.e. 2.5% of the total).

Sweden: The total includes 437 persons of various categories (kitchen and cleaning staff, storekeepers, etc), i.e. 7.3%.

United Kingdom

Northern Ireland: The total includes 47 persons who do not belong to the categories specified (industrial staff, etc).

Notes – Table 18

Austria: Staff not employed by the prison authorities: 29 chaplains, 3 teachers, 9 doctors, 21 dentists, 12 psychologists and 8 others.

Belgium: Staff not employed by the prison authorities = medical staff.

Bulgaria: Staff not employed by the prison authorities include 79 teachers.

Finland: Most of the teaching staff working in prisons are employees of local schools or municipal bodies. There are no statistics for these staff. Unemployed people are given work in the prison administration offices, for which they are paid by the Employment Service Agency. They numbered 109 at 1 September 1998. They work for six months at most.

France: Doctors are employed by the Ministry of Health. There are 283 primary school teachers and 29 secondary school teachers.

Greece: Staff not employed by the prison authorities: 6 teachers and 905 perimeter guards.

Italy:

- National prison administration: includes 92 persons assigned to the Staff Training College and 16 to the Higher Institute of Prison Studies. The 1176 custodial staff should be added to this number (see Table 17 and note).
- Regional prison administration: does not include custodial staff working in the regional prison administration offices (see Table 17 and note).
- Staff not employed by the prison authorities: 1 198 duty doctors, 2013 specialist doctors, 131 temporary doctors, 1 359 nurses, 222 assistant doctors, 122 paramedical staff, 586 psychologists, 162 consultant criminologists, 228 chaplains, and 316 perimeter guards.

Lithuania: Staff not employed by the prison authorities = teachers.

Netherlands: Prison administration department: 122 full-time and 31 part-time staff; national prison services directorate (DLD): 858 full-time and 299 part-time staff.

Romania: Staff not employed by the prison authorities = voluntary workers from various organisations.

Spain: Staff not employed by the prison authorities = 3 000 voluntary social workers.

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Annual penal statistics of the Council of Europe

SPACE II: Community sanctions and measures (CSM) ordered in 1997

prepared by
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In 1996 the Council for Penological Co-operation decided to place on its programme the conduct of a survey on overcrowding of prisons. Three experts were appointed for that purpose¹. This scientific programme gave the Council for Penological Co-operation occasion to revise in consultation with the three experts the SPACE survey questionnaires, the latest version of which dated back to June 1992.

As a result, the SPACE I questionnaire on prison populations underwent a number of improvements principally relating to definitions.

In 1992 a second questionnaire (SPACE II) was introduced, dealing with specific "community sanctions and measures" (CSMs). This questionnaire was never really satisfactory because it failed to register the diversity of situations properly. The Council for Penological Co-operation therefore decided to suspend the CSM component of SPACE until such time as the problems could be cleared up and a new draft prepared in consultation with the PC-ER committee of experts on the implementation of the European Rules on Community Sanctions and Measures. A new version of the SPACE II questionnaire was submitted to the Council for Penological Co-operation at its 36th meeting (October 1998), and accepted.

The new version of SPACE II was first used for CSMs ordered in 1997. SPACE II covers only those measures and sanctions applied in the community, as defined by the Council of Europe. According to Recommendation No. R (92) 16, CSMs are to be understood as "sanctions and measures which maintain the offender in the community and involve some restriction of his/her liberty through the imposition of conditions and/or obligations, and which are implemented by bodies designated in law for that purpose." The term, furthermore, "designates any sanction imposed by a court or a judge, and any measure taken before or instead of a decision or a sanction as well as ways of enforcing a sentence of imprisonment outside a prison establishment".

Arrangements for their implementation must entail some form of assistance and supervision in the community (fines or suspended sentences without supervision are therefore not CSMs). SPACE II is not designed to cover all CSMs. It does not cover the sanctions and measures provided for in juvenile criminal law. It only

concerns measures taken subsequent to the passing of a sentence. In some countries the prosecuting authorities can choose to impose certain measures which are "taken before or instead of a decision on a sanction". Such measures are not covered by SPACE II.

Specific comments

- The CSMs must have been ordered as principal and not supplementary penalties.
- SPACE II concerns statistics for the CSMs ordered in year n, irrespective of the date of enforcement (year n, subsequent year or not enforced at all).
- SPACE II does not cover measures taken in favour of a prisoner prior to release from a penal institution (semi-liberty for example, unless such measures were ordered *ab initio*).
- SPACE II does not cover post-prison supervisory or probation measures applied to offenders in the community once they have served their sentence.

Sanctions and measures registered

1. Conditional deferral of a sentence: postponement of the passing of a sentence for a given period in order to assess the convicted person's conduct over that period.
2. Treatment ordered *ab initio* for: a. drug-dependent offenders, b. alcoholics, c. offenders with mental disorders, d. persons convicted of a sexual offence.
3. Compensation ordered *ab initio* by a criminal court (money payable by the offender to the victim in damages).
4. Community service: a. a sanction in its own right after an offender has been found guilty, b. a sanction in cases where a fully suspended prison sentence has been passed, c. a sanction imposed in the case of non-payment of a fine.
5. Probation: a. a sentence in its own right after an offender has been found guilty (without the passing of a sentence of imprisonment), b. a fully suspended prison sentence is passed, c. a partially suspended prison sentence is passed. It is recalled that these sentences must entail assistance and supervision in the community.
6. Enforcement, in the community, of a sentence involving deprivation of liberty under an electronic monitoring scheme (measure ordered *ab initio*).
7. Semi-liberty ordered *ab initio*.

1. André Kuhn, University of Lausanne, Roy Walmsley of the UK Home Office, expert adviser to the *European Institute for Crime Prevention and Control* (HEUNI, affiliated with the United Nations), and Pierre Tournier

8. Conditional release of an offender before completion of the sentence.

9. Combined sanctions and measures, other than those mentioned in item 5.c: a. unsuspended custodial sentence, followed by an obligation to undergo treatment after release, b. unsuspended custodial sentence, followed by community service after release, c. other cases.

10. Other sanctions and measures which the respondent considers important in statistical terms and which are not covered by the preceding categories.

For purposes of comparison, data were also collected on prison sentences without either partial or full suspensions, specifying length of sentence.

Presentation of the statistical data

Conventions

Case 1 – When the completed questionnaire explicitly indicates that the CSM does not exist in the legislation of a state, the entry in the tables is “***” meaning “question not applicable”.

Case 2 – When the completed questionnaire explicitly indicates that the CSM exists in the legislation of a state but that it was not ordered during the reference year, the entry in the tables is “0”.

Case 3 – When the completed questionnaire explicitly indicates that the CSM exists in the legislation of a state but that relevant statistical data are not available, the entry in the tables is “—”.

Case 4 – When it cannot be definitely decided whether the situation is as specified in Case 1 or Case 2, the symbol “(***)” is entered. This is done when the questionnaire is simply marked “0” without further particulars. The fact that no measure was ordered during the reference year is known, but not the reason.

Case 5 – When it cannot be decided whether the situation is as specified in Case 1 or Case 2 (no CSMs), or rather Case 3 (data not available), a “?” is entered. This is done when the questionnaire box is left blank or bears a symbol of imprecise meaning (eg “/”, “-”).

To sum up:

***	Question not applicable
0	No CSM ordered, but it exists in law
—	Statistics not available, but the CSM exists in law
(***)	Unable to decide between *** and 0
?	Unable to decide between “no CSM ordered” (***) or 0 and “statistics not available” (—).

The total numbers for the ten categories of sanctions or measures defined above are given in Table 1.

Tables 2, 3 and 4 contain the data concerning prison sentences without full or partial suspension. These provide a means of comparison for determining the frequency with which the various CSMs are applied.

On that basis we have calculated *two indices*: a *global frequency index (GFI)* obtained by finding the ratio of the number of CSMs in a given category ordered in 1997 to the number of prison sentences without full or partial suspension ordered the same year (figure per 100), and a *specific frequency index (SFI)*, calculated as before but including only sentences of less than one year in the denominator.

The GFI figures for each of the main categories are given in Table 5 and the SFI figures on Table 6 (they are not calculated in respect of conditional releases).

Where no sentences of less than one year were ordered (eg in Liechtenstein), the SFI is obviously valueless, and in this case a cross (x) has been entered in the tables.

Tables 7-11 deal with CSMs which may take different forms: treatment ordered, community service, probation, combined sanctions and measures, and others.

Measures of conditional release (CR) have undergone special processing (Table 12). GFI and SFI figures are not at all meaningful for these measures, which apply to prisoners serving a custodial sentence. It is more instructive to work out a ratio between the number of CRs for the year and the average number of prisoners eligible for them, using as the denominator the number of finally sentenced prisoners present at 1.9.1997 given in SPACE I. At all events this does not represent a “rate of award”, as not all prisoners serving sentences necessarily fulfil the prescribed conditions to be granted conditional release.

A number of Council of Europe member states did not respond to the survey (six): Bulgaria, Spain, Greece, Luxembourg, Russia and Ukraine. Turkey responded, but with the observation that its legislation on execution of sentences did not provide for community sanctions and measures.

Table 1: Community sanctions and measures ordered in 1997: numbers

	Deferral	Treatment ordered <i>ab initio</i>	Compensation order	Community service	Probation	Electronic monitoring	Semi-liberty ordered <i>ab initio</i>	Conditional release	Combined sanctions and measures
Albania	—	3	—	0	28	***	0	—	—
Andorra	***	31	186	***	43	***	0	27	3
Austria	***	123	***	***	—	***	***	1 344	***
Belgium	6 146	***	***	882	1 707	0	28	892	—
Croatia	0	224	***	***	0	***	***	***	***
Cyprus	***	0	***	0	60	***	***	151	***
Czech Republic	***	617	***	1 598	***	***	***	3 409	***
Denmark	—	—	1 884	679	1 748	***	***	1 620	—
Estonia	4 000	?	?	?	?	?	?	?	?
Finland	***	***	***	3 206	1 596	***	***	813	***
France	4 928	***	***	24 310	56 113	***	3 762	5 204	***
Germany	***	2 250	3 096	***	87 440	***	—	—	***
Hungary	14 782	232	***	1 700	15 272	***	***	4 960	***
Iceland	0	—	—	49	—	***	***	136	***
Ireland	1 851	1	***	1 119	1 386	***	***	85	0
Italy	***	***	***	4	***	***	286	80	8 713
Latvia	576	29	—	***	—	***	***	1 098	—
Liechtenstein	***	***	***	***	***	***	***	5	***

Table 1: Community sanctions and measures ordered in 1997: numbers (continued)

Reference: SPACE II – 1997

	Deferral	Treatment ordered <i>ab initio</i>	Compensation order	Community service	Probation	Electronic-monitoring	Semi-liberty ordered <i>ab initio</i>	Conditional release	Combined sanctions and measures
Liechtenstein	***	***	***	***	***	***	***	5	***
Lithuania	11 215	***	***	***	***	***	99	2 990	***
Malta	4	2	(***)	(***)	47	(***)	(***)	(***)	(***)
Moldova	***	111	—	***	***	***	452	591	***
Netherlands	***	***	3 865	15 896	***	96	***	***	***
Norway	—	—	—	779	—	***	***	—	—
Poland	21 321	?	?	—	126 679	?	12 306	20 958	?
Portugal	***	***	***	172	707	***	12	1 839	***
Romania	***	***	***	***	***	***	***	—	***
Slovakia	14 237	***	***	***	***	***	***	2 793	324
Slovenia	***	30	***	—	3 683	***	***	426	***
Sweden	***	***	—	504	5 656	3 809	***	4 979	***
Switzerland	***	—	—	2 010	33 978	***	***	2 440	—
"the former Yugoslav Republic of Macedonia"	1 954	?	?	?	?	?	?	761	?
Turkey	***	***	***	***	***	***	***	—	***
<i>United Kingdom</i>									
England and Wales	***	***	6 750	47 120	54 090	430	***	73 648	***
Northern Ireland	—	***	***	598	1 202	***	***	1 628	***
Scotland	***	***	—	5 707	6 814	***	***	209	***

Table 2. Number of prison sentences ordered in 1997 (without full or partial suspension) per 100 000 inhabitants

Reference: SPACE II - 1997

	Number of prison sentences	Number of inhabitants (average in 1997)	Prison sentence rate per 100 000 inhabitants
Albania	846	3 234 000	26.2
Andorra	156	64 892	240
Austria	5 988	8 079 698	74.1
Belgium	13 588	10 181 245	133
Croatia	1 503	4 500 000	33.4
Cyprus	750	654 850	114
Czech Republic	13 934	10 304 131	135
Denmark	13 877	5 284 990	263
Estonia	2 401	1 457 987	165
Finland	8 052	5 139 835	157
France	80 005	60 283 850	133
Germany	45 035	51 850 000	86.9
Hungary	10 264	10 154 900	101
Iceland	312	270 899	115
Ireland	6 220	3 670 000	169
Italy	157 272	57 512 166	273
Latvia	3 238	2 469 136	131
Liechtenstein	10	31 000	32.3
Lithuania	11 052	3 706 800	298
Malta	246	375 237	65.6
Moldova	2 554	4 360 000	58.6
Netherlands	26 939	15 685 267	172
Norway	7 126	4 405 156	162
Poland	—	38 666 145	—
Portugal	6 126	9 945 690	61.6
Romania	42 240	22 537 000	187
Slovakia	4 949	5 383 291	91.9
Slovenia	630	1 985 956	31.7
Sweden	14 208	8 844 735	161
Switzerland	10 289	7 087 400	173
"the former Yugoslav Republic of Macedonia"	3 190	1 989 500	160
Turkey	—	—	—
<i>United Kingdom</i>			
England and Wales	93 190	52 110 700	179
Northern Ireland	1 393	1 675 000	83.2
Scotland	16 178	5 125 250	316

See remarks

Table 3.1 Prison sentences ordered in 1997 (without full or partial suspension): breakdown according to length/numbers

Reference: SPACE II – 1997

	Less than one year	1 to 3 years	3 to 5 years	5 to 10 years	10 to 20 years	20 years and over	Life sentence
Albania	614		139	59	26		8
Andorra	111	33	5	7	0	0	***
Austria	4 479	1 123	211		164	***	11
Belgium	11 371	1 605	423	185	4	***	***
Croatia	967	360	77	52	47	***	***
Cyprus	489	203	45	10	3	0	0
Czech Republic	8 757		4 560		613		4
Denmark	13 117	588	98		74	0	0
Estonia	542	1 248	244	320	47	(***)	(***)
Finland	6 645	1 053	192	128	29	***	5
France	63 859	9 930	2 475	2 231	1 311	168	31
Germany	24 945	14 444	3 773	1 573	178	***	122
Hungary	6 026	3 037	695	419	71	(***)	16
Iceland	259	35	12	4	2	0	0
Ireland	4 688	1 002	245	230	29	1	25
Italy	114 931	34 699	4 549	2 389	544	154	6
Latvia	642	1 280	764	497	54	***	1
Liechtenstein	0	5	3	2	0	***	0
Lithuania	387	3 317	3 464	3 087	753	2	34
Malta	127	71	25	14	7	1	1
Moldova	337	585	630	811	142	35	14
Netherlands	23 317				3 622		
Norway	6 455	488	107	64		12	***
Poland	—	—	—	—	—	—	—
Portugal		3 676	1 103		1 347		***
Romania	9 215		30 345	2 053	618		9
Slovakia	1 217	1 604	783	891	463	(***)	1
Slovenia	408	153	38	21	10	0	***
Sweden	12 166	1 397	430		206		9
Switzerland	9 138	799	230	94	25	(***)	3
"the former Yugoslav Republic of Macedonia"	2 929	197	44	11		9	(***)
Turkey	—	—	—	—	—	—	—
United Kingdom							
England and Wales	63 060	20 330	5 850	3 030	580	***	340
Northern Ireland	856	343	104	50		33 7	
Scotland	14 112	1 235	359	369	54	2	45

See remarks

Table 3.2 Prison sentences ordered in 1997 (without full or partial suspension): breakdown according to length/percentages

Reference: SPACE II – 1997

	Less than one year	1 to 3 years	3 to 5 years	5 to 10 years	10 to 20 years	20 years and over	Life sentence
Albania	72.6	16.4		7.0	3.1		0.9
Andorra	71.2	21.1	3.2	4.5	0.0	0.0	***
Austria	74.8	18.8	3.5	2.7		***	0.2
Belgium	83.7	11.8	3.1	1.4	0.0	***	***
Croatia	64.3	24.0	5.1	3.5	3.1	***	***
Cyprus	65.2	27.1	6.0	1.3	0.4	0.0	0.0
Czech Republic	62.8	32.7			4.4		0.1
Denmark	94.6	4.2	0.7	0.5		0.0	0.0
Estonia	22.6	52.0	10.2	13.2	2.0	(***)	(***)
Finland	82.5	13.1	2.4	1.6	0.4	***	0.0
France	79.9	12.4	3.1	2.8	1.6	0.2	0.0
Germany	55.3	32.1	8.4	3.5	0.4	***	0.3
Hungary	73.1	22.1	2.9	1.5	0.3	0.1	0.0
Iceland	83.0	11.3	3.8	1.3	0.6	0.0	0.0
Ireland	75.3	16.1	3.9	3.7	0.5	0.0	0.5
Italy	73.1	22.1	2.9	1.5	0.3	0.1	0.0
Latvia	19.8	39.5	23.6	15.3	1.7	***	0.0
Liechtenstein	0	n.s.	n.s.	n.s.	0.0	***	0.0
Lithuania	3.5	30.0	31.4	28.0	6.8	0.0	0.3
Malta	51.6	28.9	10.2	5.7	2.8	0.4	0.4
Moldova	13.2	22.9	24.7	31.7	5.6	1.4	0.5
Netherlands	86.6			13.4			
Norway	90.6	6.8	1.5	0.9	0.2		***
Poland	—	—	—	—	—	—	—
Portugal	60.0		18.0		22.0		***
Romania	21.8	71.8		4.9	1.5		0.0
Slovakia	24.5	32.4	15.8	18.0	9.3	(***)	0.0
Slovenia	64.8	24.3	6.0	3.3	1.6	0.0	***
Sweden	85.6	9.8	3.0		1.5		0.1
Switzerland	88.9	7.8	2.2	0.9	0.2	(***)	0.0
"the former Yugoslav Republic of Macedonia"	91.8	6.2	1.4	0.3	0.3		(***)
Turkey	—	—	—	—	—	—	—
<i>United Kingdom</i>							
England and Wales	67.6	21.8	6.3	3.3	0.6	***	0.4
Northern Ireland	61.4	24.6	7.5	3.6	2.4		0.5
Scotland	87.3	7.6	2.2	2.3	0.3	0.0	0.3

See remarks

n.s. non significatif, effectif trop faible

Table 3.3 Prison sentences ordered in 1997 (without full or partial suspension): breakdown according to length/cumulated frequencies in %

Reference: SPACE II – 1997

	Total sentences	1 year and over	3 years and over	5 year and over	10 years and over	20 years and over	Life sentence
Albania	100	27.4	—	11.0	4.0	—	0.9
Andorra	100	28.8	7.7	4.5	0.0	0.0	***
Austria	100	25.2	6.4	2.9	—	0.2	0.2
Belgium	100	16.3	4.5	1.4	0.0	***	***
Croatia	100	35.7	11.7	6.6	3.1	***	***
Cyprus	100	33.8	6.7	1.7	0.4	0.0	0.0
Czech Republic	100	37.2	—	4.4	—	—	0.1
Denmark	100	5.5	1.2	0.5	—	0.0	0.0
Estonia	100	77.4	25.4	15.2	2.0	(***)	(***)
Finland	100	17.5	4.4	2.0	0.4	***	0.0
France	100	20.1	7.7	4.6	1.8	0.2	0.0
Germany	100	44.7	12.6	4.2	0.7	0.3	0.3
Hungary	100	41.4	11.8	5.0	0.9	(***)	0.2
Iceland	100	17.0	5.7	1.9	0.6	0.0	0.0
Ireland	100	24.7	8.6	4.7	1.0	0.5	0.5
Italy	100	26.9	4.8	1.9	0.4	0.1	0.0
Latvia	100	80.1	40.6	17.0	1.7	***	0.0
Liechtenstein	100	n.s.	n.s.	n.s.	0.0	***	0.0
Lithuania	100	96.5	66.5	35.1	7.1	0.3	0.3
Malta	100	48.4	19.5	9.3	3.6	0.8	0.4
Moldova	100	86.8	63.9	39.2	7.5	1.9	0.5
Netherlands	100	13.4	—	—	—	—	—
Norway	100	9.4	2.6	1.1	—	—	***
Poland	100	—	—	—	—	—	—
Portugal	100	—	40.0	22.0	—	—	***
Romania	100	78.2	—	6.4	1.5	—	0.0
Slovakia	100	75.5	43.1	27.3	9.3	(***)	0.0
Slovenia	100	35.2	10.9	4.9	1.6	0.0	***
Sweden	100	14.4	12.9	4.5	0.1	—	0.1
Switzerland	100	11.1	3.3	1.1	0.2	(***)	0.0
"the former Yugoslav Republic of Macedonia"	100	8.2	2.0	0.6	0.3	—	(***)
Turkey	100	—	—	—	—	—	—
United Kingdom	100						
England and Wales	100	32.4	10.6	4.3	1.0	0.4	0.4
Northern Ireland	100	38.6	14.0	6.5	2.9	—	0.5
Scotland	100	12.7	5.1	2.9	0.6	0.3	0.3

See remarks

n.s. non significatif, effectif trop faible

Table 4.1 Prison sentences of *less than one year* ordered in 1997 (without full or partial suspension): breakdown according to length/numbers

Reference: SPACE II – 1997

	Less than 3 months	3 months and less than 6 months.	6 months and less than one year	Total: less than one year
Albania	—	—	—	614
Andorra	48	42	21	111
Austria	2 012	1 216	1 251	4 479
Belgium	6 468	3 082	1 821	11 371
Croatia	253	356	358	967
Cyprus	227	143	119	489
Czech Republic	—	—	—	8 757
Denmark	10 528	1 689	900	13 117
Estonia	—	—	—	542
Finland	1 607	3 304	1 734	6 645
France	25 429	22 803	15 627	63 859
Germany		10 572	14 373	24 945
Hungary	***	3 320	2 706	6 026
Iceland	138	69	52	259
Ireland	2 678	805	1 205	4 688
Italy	35 850	39 896	39 185	114 931
Latvia	—	—	—	642
Liechtenstein	0	0	0	0
Lithuania	***	93	294	387
Malta	60	34	33	127
Moldova	***		337	337
Netherlands	17 110	4 104	2 103	23 317
Norway	4 768	729	958	6 455
Poland	—	—	—	—
Portugal	—	—	—	—
Romania	—	—	—	9 215
Slovakia		321	896	1 217
Slovenia	121	146	141	408
Sweden	8 753	1 250	2 163	12 166
Switzerland	8 004	730	404	9 138
"the former Yugoslav Republic of Macedonia"	1 377	1 052	500	2 929
Turkey	—	—	—	—
<i>United Kingdom</i>				
England and Wales	21 980	27 420	13 660	63 060
Northern Ireland	209	356	291	856
Scotland	4 970	6 620	2 522	14 112

See remarks

Table 4.2 Prison sentences of *less than one year* ordered in 1997 (without full or partial suspension): breakdown according to length/percentages

Reference: SPACE II – 1997

	Less than 3 months	3 months and less than 6 months.	6 months and less than one year	Total: less than one year
Albania	—	—	—	100
Andorra	43.2	37.8	18.9	100
Austria	45.0	27.1	27.9	100
Belgium	56.9	27.1	16.0	100
Croatia	26.2	36.8	37.0	100
Cyprus	46.5	29.2	24.3	100
Czech Republic	—	—	—	100
Denmark	80.2	12.9	6.9	100
Estonia	—	—	—	100
Finland	24.2	49.7	26.1	100
France	39.8	35.7	24.5	100
Germany		42.4	57.6	100
Hungary	***	55.1	44.9	100
Iceland	53.3	26.6	20.1	100
Ireland	57.1	17.2	25.7	100
Italy	31.2	34.7	34.1	100
Latvia	—	—	—	100
Liechtenstein	0.0	0.0	0.0	100
Lithuania	***	24.0	76.0	100
Malta	47.2	26.8	26.0	100
Moldova	***		100.0	100
Netherlands	73.4	17.6	9.0	100
Norway	73.9	11.3	14.8	100
Poland	—	—	—	100
Portugal	—	—	—	100
Romania	—	—	—	100
Slovakia		26.4	73.6	100
Slovenia	29.7	35.7	34.6	100
Sweden	71.9	10.3	17.8	100
Switzerland	87.6	8.0	4.4	100
"the former Yugoslav Republic of Macedonia"	47.0	35.9	17.1	100
Turkey	—	—	—	100
<i>United Kingdom</i>	100			
England and Wales	34.9	43.4	21.7	100
Northern Ireland	24.4	41.6	34.0	100
Scotland	35.2	46.9	17.9	100

See remarks

Table 4.3 Prison sentences of *less than one year* ordered in 1997 (without full or partial suspension): breakdown according to length/cumulated frequencies in %

Reference: SPACE II - 1997

	Less than 3 months	Less than 6 months	Less than one year
Albania	—	—	100
Andorra	43.2	81.0	100
Austria	44.9	72.1	100
Belgium	56.9	74.0	100
Croatia	26.2	63.0	100
Cyprus	46.5	75.7	100
Czech Republic	—	—	100
Denmark	80.3	93.1	100
Estonia	—	—	100
Finland	24.2	73.9	100
France	39.8	75.5	100
Germany	—	42.4	100
Hungary	***	55.1	100
Iceland	53.3	79.9	100
Ireland	57.1	74.3	100
Italy	31.2	65.9	100
Latvia	—	—	100
Liechtenstein	0.0	0.0	100
Lithuania	***	24.0	100
Malta	47.2	74.0	100
Moldova	***	—	100
Netherlands	73.4	91.0	100
Norway	73.9	85.2	100
Poland	—	—	100
Portugal	—	—	100
Romania	—	—	100
Slovakia	—	26.4	100
Slovenia	29.7	65.4	100
Sweden	71.9	82.2	100
Switzerland	87.6	95.6	100
"the former Yugoslav Republic of Macedonia"	47.0	82.9	100
Turkey	—	—	100
<i>United Kingdom</i>			100
England and Wales	34.9	78.3	100
Northern Ireland	24.4	66.0	100
Scotland	35.2	82.1	100

See remarks

Table 5. Community sanctions and measures ordered in 1997: global frequency index (GFI) per 100 prison sentences (without full or partial suspension)

Reference: SPACE II – 1997

[illegible]

Table 5. Community sanctions and measures ordered in 1997: global frequency index (GFI) per 100 prison sentences (without full or partial suspension) (continued)

Reference: SPACE II – 1997

	Deferral	Treatment ordered <i>ab initio</i>	Compensation order	Community service	Probation	Electronic-monitoring	Semi-liberty ordered <i>ab initio</i>	Conditional release	Combined sanctions and measures
Lithuania	101	***	***	***	***	***	0,90	***	
Malta	1,6	0,81	(***)	(***)	19	(***)	(***)	(***)	
Moldova	***	4,3	—	***	***	***	18	***	
Netherlands	***	***	14	59	***	0,36	***	***	
Norway	—	—	—	11	—	***	***	—	
Poland	—	?	?	—	—	?	—	?	
Portugal	***	***	***	2,8	11	***	0,19	***	
Romania	***	***	***	***	***	***	***	***	
Slovakia	290	***	***	***	***	***	***	6,5	
Slovenia	***	4,8	***	—	580	***	***	***	
Sweden	***	***	—	3,5	40	27	***	***	
Switzerland	***	—	—	20	330	***	***	—	
"the former Yugoslav Republic of Macedonia"	61	?	?	?	?	?	?	?	
Turkey	***	***	***	***	***	***	***	***	
United Kingdom									
England and Wales	***	***	7,2	51	58	0,46	***	***	
Northern Ireland	—	***	***	43	86	***	***	***	
Scotland	***	***	—	35	42	***	***	***	

Table 6. Community sanctions and measures ordered in 1997: specific frequency index (SFI) per 100 prison sentences (without full or partial suspension)

Reference: SPACE II – 1997

[illegible]

Table 6. Community sanctions and measures ordered in 1997: specific frequency index (SFI) per 100 prison sentences (without full or partial suspension) (continued)

Reference: SPACE II – 1997

	Deferral	Treatment ordered <i>ab initio</i>	Compensation order	Community service	Probation	Electronic-monitoring	Semi-liberty ordered <i>ab initio</i>	Conditional release	Combined sanctions and measures
Lithuania	2 900	***	***	***	***	***	26		***
Malta	3.1	1.6	(***)	(***)	37	(***)	(***)		(***)
Moldova	***	33	—	***	***	***	130		***
Netherlands	***	***	17	68	***	0.41	***		***
Norway	—	—	—	12	—	***	***		—
Poland	—	?	?	—	—	?	—		?
Portugal	***	***	***	—	—	***	—		***
Romania	***	***	***	***	***	***	***		***
Slovakia	1 200	***	***	***	***	***	***		27
Slovenia	***	7.4	***	—	900	***	***		***
Sweden	***	***	—	4.1	46	31	***		***
Switzerland	***	—	—	22	370	***	***		—
"the former Yugoslav Republic of Macedonia"	67	?	?	?	?	?	?		?
Turkey	***	***	***	***	***	***	***		***
United Kingdom									
England and Wales	***	***	11	75	86	0.58	—		***
Northern Ireland	—	***	***	70	140	—	—		***
Scotland	***	***	—	40	48	—	***		***

Table 7.1 Treatment ordered *ab initio* in 1997: numbers

Reference: SPACE II – 1997

Treatment ordered. for					
	Drug-dependent offenders	Alcoholics	Offenders with mental disorders	Persons convicted of a sexual offence	Total
Albania	—	—	—	—	3
Andorra	6	17	6	2	31
Austria	—	—	—	***	123
Belgium	***	***	***	***	***
Croatia		190	34	***	224
Cyprus	0	0	0	***	0
Czech Republic	144	260		213	617
Denmark	20	—	352	—	—
Estonia	?	?	?	?	?
Finland	***	***	***	***	***
France	***	***	***	***	***
Germany	***	1 116	739	395	2 250
Hungary	***	201	31	***	232
Iceland	—	—	—	—	—
Ireland	1	0	0	0	1
Italy	***	***	***	***	***
Latvia	—	—	—	—	29
Liechtenstein	***	***	***	***	***
Lithuania	***	***	***	***	***
Malta	2	(***)	(***)	(***)	2
Moldova	***	47	64	***	111
Netherlands	***	***	***	***	***
Norway	—	—	—	—	—
Poland	?	?	?	?	?
Portugal	***	***	***	***	***
Romania	***	***	***	***	***
Slovakia	***	***	***	***	***
Slovenia		27	3	0	30
Sweden	***	***	***	***	***
Switzerland	—	—	—	—	—
"the former Yugoslav Republic of Macedonia"	?	?	?	?	?
Turkey	***	***	***	***	***
United Kingdom					
England and Wales	***	***	***	***	***
Northern Ireland	***	***	***	***	***
Scotland	***	***	***	***	***

See remarks

Table 7.2 Treatment ordered *ab initio* in 1997: percentages

Reference: SPACE II – 1997

	Treatment ordered. for				
	Drug-dependent offenders	Alcoholics	Offenders with mental disorders	Persons convicted of a sexual offence	Total
Albania	—	—	—	—	100
Andorra	n.s.	n.s.	n.s.	n.s.	100
Austria	—	—	—	***	100
Belgium	***	***	***	***	100
Croatia		84.8	15.2	***	100
Cyprus	0	0	0	***	100
Czech Republic	23.3	42.1	34.6		100
Denmark	—	—	—	—	100
Estonia	?	?	?	?	100
Finland	***	***	***	***	100
France	***	***	***	***	***
Germany	***	49.6	32.8	17.6	100
Hungary	***	86.6	13.4	***	100
Iceland	—	—	—	—	100
Ireland	100	0	0	0	100
Italy	***	***	***	***	100
Latvia	—	—	—	—	100
Liechtenstein	***	***	***	***	100
Lithuania	***	***	***	***	100
Malta	100.0	(***)	(***)	(***)	100
Moldova	***	42.3	57.7	***	100
Netherlands	***	***	***	***	100
Norway	—	—	—	—	100
Poland	?	?	?	?	100
Portugal	***	***	***	***	100
Romania	***	***	***	***	100
Slovakia	***	***	***	***	100
Slovenia		90.0	10.0	0.0	100
Sweden	***	***	***	***	100
Switzerland	—	—	—	—	100
"the former Yugoslav Republic of Macedonia"	?	?	?	?	100
Turkey	***	***	***	***	100
United Kingdom					100
England and Wales	***	***	***	***	100
Northern Ireland	***	***	***	***	100
Scotland	***	***	***	***	100

See remarks

n.s. non significatif, effectif trop faible

Table 8.1 Penalties of community service ordered in 1997/numbers

- a. Sanction in its own right after an offender has been found guilty
- b. Sanction in cases where a fully suspended prison sentence has been passed
- c. Sanction imposed in the case of non-payment of a fine

Reference: SPACE II – 1997

	(a)	(b)	(c)	Total
Albania	0	0	***	0
Andorra	***	***	***	***
Austria	***	***	***	***
Belgium	***	882	***	882
Croatia	***	***	***	***
Cyprus	0	***	***	0
Czech Republic	1 598	***	***	1 598
Denmark	114	565	***	679
Estonia	?	?	?	?
Finland	3 206	***	***	3 206
France	12 502	11 808	***	24 310
Germany	***	***	***	***
Hungary	1 700	***	***	1 700
Iceland	***	49	***	49
Ireland	1 119	***	***	1 119
Italy	***	***	4	4
Latvia	***	***	***	***
Liechtenstein	***	***	***	***
Lithuania	***	***	***	***
Malta	(***)	(***)	(***)	(***)
Moldova	***	***	***	***
Netherlands	15 896	***	***	15 896
Norway	779	***	***	779
Poland	—	—	—	—
Portugal	40	***	132	172
Romania	***	***	***	***
Slovakia	***	***	***	***
Slovenia	—	***	***	—
Sweden	504	***	***	504
Switzerland	***	—	—	2 010
"the former Yugoslav Republic of Macedonia"	?	?	?	?
Turkey	***	***	***	***
<i>United Kingdom</i>				
England and Wales	47 120	***	***	47 120
Northern Ireland	598	***	***	598
Scotland	5 707	***	***	5 707

See remarks

Table 8.2 Penalties of community service ordered in 1997/percentages

- a. Sanction in its own right after an offender has been found guilty
b. Sanction in cases where a fully suspended prison sentence has been passed
c. Sanction imposed in the case of non-payment of a fine

Reference: SPACE II – 1997

	(a)	(b)	(c)	Total
Albania	0.0	0.0	***	100
Andorra	***	***	***	100
Austria	***	***	***	100
Belgium	***	100.0	***	100
Croatia	***	***	***	100
Cyprus	0.0	***	***	100
Czech Republic	100.0	***	***	100
Denmark	16.8	83.2	***	100
Estonia	?	?	?	100
Finland	100.0	***	***	100
France	51.4	48.6	***	100
Germany	***	***	***	100
Hungary	100.0	***	***	100
Iceland	***	100.0	***	100
Ireland	100.0	***	***	100
Italy	***	***	100	100
Latvia	***	***	***	100
Liechtenstein	***	***	***	100
Lithuania	***	***	***	100
Malta	(***)	(***)	(***)	100
Moldova	***	***	***	100
Netherlands	100.0	***	***	100
Norway	100.0	***	***	100
Poland	—	—	—	100
Portugal	23.3	***	76.7	100
Romania	***	***	***	100
Slovakia	***	***	***	100
Slovenia	—	***	***	100
Sweden	100.0	***	***	100
Switzerland	***	—	—	100
"the former Yugoslav Republic of Macedonia"	?	?	?	100
Turkey	***	***	***	100
United Kingdom				100
England and Wales	100.0	***	***	100
Northern Ireland	100.0	***	***	100
Scotland	100.0	***	***	100

See remarks

Table 9.1 Probation measures ordered in 1997/numbers

- a. Sentence in its own right after an offender has been found guilty, without the passing of a sentence of imprisonment
 b. Fully suspended prison sentence is passed (*)
 c. Partially suspended prison sentence is passed (*)

Reference: SPACE II – 1997

	(a)	(b)	(c)	Total
Albania	***	28	0	28
Andorra	***	43	***	43
Austria	***	—	—	—
Belgium	***	952	755	1 707
Croatia	0	0	0	0
Cyprus	52	8	***	60
Czech Republic	***	***	***	***
Denmark	—	—	—	1 748
Estonia	?	?	?	?
Finland	43	1 553	***	1 596
France	***	39 531	16 582	56 113
Germany	***	87 440	***	87 440
Hungary	15 272	***	***	15 272
Iceland	—	1	2	—
Ireland	1 373	11	2	1 386
Italy	***	***	***	***
Latvia	—	6 801	***	—
Liechtenstein	***	***	***	***
Lithuania	***	***	***	***
Malta	47	(***)	(***)	47
Moldova	***	***	***	***
Netherlands	***	***	***	***
Norway	***	—	—	—
Poland	?	?	?	126 679
Portugal	***	707	***	707
Romania	***	***	***	***
Slovakia	***	***	***	***
Slovenia	—	—	—	3 683
Sweden	5 656	***	***	5 656
Switzerland	***	33 978	***	33 978
"the former Yugoslav Republic of Macedonia"	?	?	?	?
Turkey	***	***	***	***
United Kingdom				
England and Wales	54 090	***	***	54 090
Northern Ireland	1 202	***	***	1 202
Scotland	6 814	***	***	6 814

See remarks

(*) It is recalled that these measures must entail assistance and supervision in the community.

Table 9.1 Probation measures ordered in 1997/percentages

- a. Sentence in its own right after an offender has been found guilty, without the passing of a sentence of imprisonment
b. Fully suspended prison sentence is passed (*)
c. Partially suspended prison sentence is passed (*)

Reference: SPACE II – 1997

	(a)	(b)	(c)	Total
Albania	***	100.0	0.0	100
Andorra	***	100.0	***	100
Austria	***	—	—	100
Belgium	***	55.8	44.2	100
Croatia	0.0	0.0	0.0	100
Cyprus	86.7	13.3	***	100
Czech Republic	***	***	***	100
Denmark	—	—	—	100
Estonia	?	?	?	100
Finland	2.7	97.3	***	100
France	***	70.4	29.6	100
Germany	***	100.0	***	100
Hungary	100.0	***	***	100
Iceland	—	—	—	100
Ireland	99.1	0.8	0.1	100
Italy	***	***	***	100
Latvia	—	—	***	100
Liechtenstein	***	***	***	100
Lithuania	***	***	***	100
Malta	100.0	(***)	(***)	100
Moldova	***	***	***	100
Netherlands	***	***	***	100
Norway	***	—	—	100
Poland	?	?	?	100
Portugal	***	100.0	***	100
Romania	***	***	***	100
Slovakia	***	***	***	100
Slovenia	—	—	—	100
Sweden	100.0	***	***	100
Switzerland	***	100.0	***	100
"the former Yugoslav Republic of Macedonia"	?	?	?	100
Turkey	***	***	***	100
United Kingdom				100
England and Wales	100.0	***	***	100
Northern Ireland	100.0	***	***	100
Scotland	100.0	***	***	100

See remarks

n.s. non significatif, effectif trop faible

(*) It is recalled that these measures must entail assistance and supervision in the community.

Table 10.1 Combined sanctions and measures ordered in 1997 (other than those indicated in Table 9, item c): numbers

Reference: SPACE II – 1997

	Unsuspended custodial sentence, followed by		Other	Total
	obligation to undergo treatment after release	community service		
Albania	—	—	***	—
Andorra	3	***	***	3
Austria	***	***	***	***
Belgium	—	***	***	—
Croatia	***	***	***	***
Cyprus	***	***	***	***
Czech Republic	—	***	***	—
Denmark	—	—	***	—
Estonia	?	?	***	?
Finland	***	***	***	***
France	***	***	***	***
Germany	***	***	***	***
Hungary	***	***	***	***
Iceland	***	***	***	***
Ireland	0	0	0	0
Italy	4 679	***	4 034	8 713
Latvia	—	***	***	—
Liechtenstein	***	***	***	***
Lithuania	***	***	***	***
Malta	(***)	(***)	***	(***)
Moldova	***	***	***	***
Netherlands	***	***	***	***
Norway	—	33	***	—
Poland	?	?	?	?
Portugal	***	***	***	***
Romania	***	***	***	***
Slovakia	***	***	324	324
Slovenia	***	***	***	***
Sweden	***	***	***	***
Switzerland	—	—	—	—
"the former Yugoslav Republic of Macedonia"	?	?	***	?
Turkey	***	***	***	***
United Kingdom				
England and Wales	***	***	***	***
Northern Ireland	***	***	***	***
Scotland	***	***	***	***

See remarks

Table 10.1 Combined sanctions and measures ordered in 1997 (other than those indicated in Table 9, item c): percentages

Reference: SPACE II – 1997

	Unsuspended custodial sentence, followed by		Other	Total
	obligation to undergo treatment after release	community service		
Albania	—	—	***	100
Andorra	100.0	***	***	100
Austria	***	***	***	100
Belgium	—	***	(***)	100
Croatia	***	***	***	100
Cyprus	***	***	***	100
Czech Republic	—	***	***	100
Denmark	—	—	***	100
Estonia	?	?	***	100
Finland	***	***	***	100
France	***	***	***	100
Germany	***	***	***	100
Hungary	***	***	***	100
Iceland	***	***	***	100
Ireland	0.0	0.0	0.0	100
Italy	53.7	***	46.3	100
Latvia	—	***	***	100
Liechtenstein	***	***	***	100
Lithuania	***	***	***	100
Malta	(***)	(***)	***	100
Moldova	***	***	***	100
Netherlands	***	***	***	100
Norway	—	—	***	100
Poland	?	?	?	100
Portugal	***	***	***	100
Romania	***	***	***	100
Slovakia	***	***	100.0	100
Slovenia	***	***	***	
Sweden	***	***	***	100
Switzerland	—	—	—	100
"the former Yugoslav Republic of Macedonia"	?	?	***	100
Turkey	***	***	***	100
<i>United Kingdom</i>				100
England and Wales	***	***	***	100
Northern Ireland	***	***	***	100
Scotland	***	***	***	100

See remarks

Table 11. Other sanctions and measures ordered in 1997, perceived as important in statistical terms in the country considered, and not covered by the preceding items

Reference: SPACE II – 1997

	Type of measure	Numbers
Andorra	Suspension of driving licence with probation involving medical treatment	4
Belgium	Weekend detention	2
	Provisional release for pardon	4 090
	Provisional release for expulsion	195
	Provisional release for health reasons	7
Denmark	Treatment for certain alcohol addicted offenders	1 116
	Treatment instead of imprisonment at certain institutions	328
Hungary	Probation under the control of probation officers	1 757
	Parole under the control of parole officers	1 039
Iceland	Prisoners transferred from prison the six last weeks of their imprisonment to an impatient treatment program for alcohol and drug addicts in a private institution	30
	Prisoners transferred from prison the last months of their imprisonment to a half way house driven by the prisoners Aid Association.	43
	Conditional withdrawal (waiver) of prosecution with to years supervision.	129
Italy	Probationary assignment of offenders to the Social Service (Art. 47, Act of 26 July 1975, no. 354)	13 556
	Home detention (Art. 47-ter, Act 354/75)	1 352
Malta	Compensation and/or restitution orders of offenders to victims (beside the possible civil action)	—
	Victim offender reconciliations	—
Norway	In 1996 the Probation Service implemented the use of drunk-driver programmes. Instead of giving a custodial sentence the court may order the offender to go through a drunk-driver programme. This is still merely a pilot programme in only 5 counties	182
Portugal	Security measures applied in the community (release on probation and suspension of internment) applicable to persons who are not criminally responsible (mentally ill)	60
	Measures applicable to young adults (16-21 years), special regime	5
<i>United Kingdom</i>		
England and Wales	Combination order – combines elements of both probation supervision and community service orders and may be given to any offender aged 16 or over	1 9 460
Northern Ireland	<i>Attendance centre orders</i>	66

See remarks

Table 12. Conditional releases before completion of sentence ordered in 1997

Reference: SPACE II – 1997

	Total of measures of conditional release granted in 1997	Number of finally sentenced prisoners presents at 1.9.1997	Rate of measures of conditional release per 100 sentenced prisoners
Albania	—	—	—
Andorra	27	—	—
Austria	1 344	4 677	28.7
Belgium	892	5 090	17.5
Croatia	***	1 394	***
Cyprus	151	195	77.4
Czech Republic	3 409	21 560	15.8
Denmark	1 620	2 393	67.7
Estonia	?	3 136	?
Finland	813	2 485	32.7
France	5 204	32 171	16.2
Germany	—	—	—
Hungary	4 960	9 544	52.0
Iceland	136	107	127
Ireland	85	2 201	3.86
Italy	80	28 895	0.28
Latvia	1 098	6 848	16.0
Liechtenstein	5	—	—
Lithuania	2 990	10 362	28.9
Malta	(***)	—	(***)
Moldova	591	—	—
Netherlands	***	6 073	***
Norway	—	1 652	—
Poland	20 958	42 535	49.3
Portugal	1 839	10 033	18.3
Romania	—	26 596	—
Slovakia	2 793	5 750	48.6
Slovenia	426	768	55.4
Sweden	4 979	4 066	122
Switzerland	2 440	4 033	60.5
"the former Yugoslav Republic of Macedonia"	761	759	100
Turkey	—	32 395	—
<i>United Kingdom</i>			
England and Wales	73 550	48 981	150
Northern Ireland	1 628	1 174	139
Scotland	209	5 161	4.05

See remarks

Remarks

Albania: Table 2. Number of inhabitants as at 1 January 1997.

Austria: Table 1. Certain measures are prescribed for juveniles only, such as deferral and community service. As for probation, the figures do not allow a distinction to be drawn between measures with supervision (which are CSMs) and those without supervision (which are not).

Belgium: Table 1. The data concerning deferral relate to the year 1994 (probationary suspension).

- The data on community service are from the Service de Travail Social. They correspond to the number of measures referred to the Service in 1997 (number of sentences passed in 1997 not available for the time being).
- The data on probation and imprisonment without suspension are for the year 1995.

Croatia: Table 1. The 711 conditional releases ordered did not entail assistance and supervision in the community. This figure was therefore not included in the tables.

Czech Republic: Table 12. The number of prisoners relates to 31 December 1997.

France: Table 3. *et seq.* The data cover the mainland and the overseas territories.

Germany: Table 1 *et seq.* The data cover only the former West German Länder and Berlin. The remarks in German were not translated. Table 2 presents the total of prison sentences (39 335 adults and 5 700 young offenders). The number of inhabitants relates to persons of 14 years and over (criminal responsibility). The rate is therefore not fully comparable to the rates of other countries.

Ireland: Table 1. The data on deferral and probation concern "16 and overs".

Italy: Table 1. "compensation order" – in the terms of Article 185 of the Penal Code any offence creates a civil law obligation to repair the damage caused. Any offence which caused personal damage or damage to property obliges the offender and the persons responsible for his actions to compensate the victim.

Table 2.: "Semi-liberty" – the sanction which comes closest to semi-liberty *ab initio* in the Italian system is semi-detention which can be imposed instead of a prison sentence of up to one year. Semi-detention involves, as principal, an obligation for the offender to spend at least ten hours per day in detention. It can also involve additional conditions.

Table 10.2: "Other": controlled liberty as provided for under Act 689/81 is a measure to be imposed in cases of fine default. The obligations involved and the scope of the measure are determined by the judge responsible for the execution of sentences.

Latvia: Table 3. The time-spans of penalties are in fact closed at the right, example: "more than one year to three years" ([1 year; 3 years]), whereas in the questionnaire they are closed at the left and open at the right: "one year to less than three years" ([1 year; 3 years]).

Lithuania: Table 2. The number of prison sentences includes 8 persons sentenced to death who have not been executed because of the abolition of the death penalty in 1998. These persons are not taken into account in the following tables.

Netherlands: Table 1. Le contrôle électronique est dans une phase expérimentale. The data concerning prison sentences (without full or partial suspension) relate to 1995.

Norway: Table 3. Age bands "5 years to under 11 years", "11 years to 21 years"? There are no sentences over two years in Norway.

Poland: Table 2. Number of inhabitants as at 30 June 1998.

Slovak Republic: Table 10. "other cases" = court-ordered mandatory treatment during sentence.

Sweden: Table 1. "Community service" is performed as part of probation.

- Probation comprises a. Probation alone (4 373), b. probation combined with imprisonment (271), c. probation combined with treatments (1 012 measures). Probation combined with "community treatment" is not included.

- Table 3 *et seq.* The classes are as follows: "less than 3 months", "3 months to less than 6 months", "one year to less than 2 years", "2 years to less than 4 years", "sentences of 10 years and over", "life".

Switzerland: Table 1. The data concern treatment ordered and probation, and the prison sentences are for the year 1996 – see also the remark concerning Latvia.

"the former Yugoslav Republic of Macedonia": Table 2. Average of the 30 June 1996 and 30 June 1997 population figures.

United Kingdom

Northern Ireland: Table 1. The 1 202 probation measures also include the "supervision orders". Community service = community service orders. Conditional release = conditional discharge.

Scotland: Table 1. 6 777 compensation orders were issued as a primary or secondary penalty. A pilot scheme of electronic monitoring commenced in August 1998.

- Table 2. Average of the 30 June 1996 and 30 June 1997 population figures.

- Table 3. The aggregate also includes two cases where the length of sentence is unknown. Life sentences include "indeterminate detention".

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Summary of survey on the treatment of remand prisoners in Western Europe

HM Prison Service, England and Wales

In June 1999 the Prison Service of England and Wales requested the Department of Crime Problems – Penology and Criminology Division of the Council of Europe – to carry out a survey on the treatment of remand prisoners in Western Europe. The results of this survey as prepared by HM Prison Service, England and Wales are reproduced hereafter.

Areas covered

The survey asked for information in two main areas:

- Whether pre-trial and convicted prisoners have separate living accommodation
- What activities are provided for pre-trial prisoners and whether these are shared with convicted prisoners

Analysis of results

Which Ministry is responsible for pre-trial prisoners who are remanded in custody?

In England and Wales, the Prison Service, an Executive Agency of the Home Office has this responsibility. In most of Western Europe, the Ministry of Justice whether federal or provincial, is responsible. In Spain and Malta as in England and Wales, it is the Ministry of the Interior/ Home Affairs. In Northern Ireland it is the Northern Ireland Prison Service and in Scotland the Scottish Ministers of State.

Are pre-trial and convicted prisoners totally separated in any country – i.e. for accommodation and activities?

Only Denmark has complete separation.

Germany (at present) and Switzerland hold pre-trial and convicted in the same prison but no further mixing takes place

Luxembourg has only one closed prison, but within that strict separation takes place, except that women (pre-trial and convicted) share accommodation

In Cyprus, where there is only one prison, sharing of blocks and landings takes place, but there is no sharing of cells

Do pre-trial and convicted prisoners share cells in any country?

In Iceland, where there is no longer a need for isolation (although there are few unconvicted prisoners)

In Holland the principle is that they are held in separate prisons, but there are some situations where sharing takes place – e.g. in high security prisons and in prison hospitals

In Malta cells are shared

In Northern Ireland, the two categories share cells in the Maze prison but not elsewhere.

In the Republic Of Ireland, there is sharing of cells in some prisons

What is the position on mixing for activities?

Nearly all countries mix pre-trial and convicted for activities, mainly due to lack of resources to do otherwise, small numbers of pre-trial prisoners and overcrowding – pre-trial prisoners would have impoverished regimes. In some countries (e.g. Austria) pre-trial prisoners are prevented from taking part in activities unless a judge agrees. Denmark, Germany and Switzerland separate for all activities, Spain separates except for sports/social activities and Turkey's only joint activity is education.

Overall outcome

The main finding is that (with a few exceptions) the picture on separation across Western Europe is much the same as it is in England and Wales, namely that in principle and as a matter of policy, separation of pre-trial and convicted prisoners both for accommodation and for activities should take place. In practice this does not always happen. The reasons for this are essentially the same as here – overcrowding, lack of resources, danger of impoverished regimes and some positive benefits (i.e. suicide prevention) are identified.

The exceptions to this are Denmark, who have total separation. Switzerland does have pre-trial and convicted prisoners in the same prison sometimes, but they are strictly separated there. This is also the position in Spain, but limited activities do take place together there. Current provisions in Germany call for separate accommodation except in most pressing circumstances. Separation for activities is also supposed to take place.

Separation of prisoners in western Europe

Notes

Austria:

The general principle is not to mix, but it is not always feasible to separate, either for accommodation or activities. Pre-trial prisoners require the agreement of a judge to work or participate in education or treatment programmes.

Belgium:

Legislation provides for separate prisons for pre-trial and convicted, but in practice the same institution can house both, but not in the same wing and never in the same cell. Pre-trial prisoners do not in principle partici-

pate in activities for convicted, but directors of prisons do have discretion to allow access to recreation and exercise.

Cyprus:

Because there is only one prison, it is not possible to accommodate completely separately, but pre-trials never share a cell with a convicted prisoner. Activities are provided together.

Denmark:

No mixing of pre-trial and convicted prisoners takes place at all

Finland:

A third of pre-trial prisoners are held in police custody and do not mix with convicted prisoners. The rest are in pre-trial prisons which can also hold convicted prisoners. They are not mixed on wings or cells. The law states that they should have their own cells/be mixed with convicted prisoners only with consent. Young Offenders are held separately as far as possible.

Pre-trial prisoners do not have to work etc, but may do if they wish, in which case they will be mixed. Visits are under supervision and those with other than close relatives/legal counsel may be denied if the visit would harm the purpose of the remand.

Germany:

The individual Lander are responsible for pre-trial prisoners conditions etc. There is no overall statutory regulation relating to the detention of pre-trial prisoners, but there is an administrative provision which most Lander follow in treatment of them. According to this provision, pre-trial prisoners should be separately accommodated from convicted prisoners and have separate activities. The Federal Government has submitted a Bill to provide statutory regulation for the first time.

Netherlands:

Pre-trial and convicted prisoners are held in separate prisons in general, but sometimes in same one e.g. awaiting placement following conviction. Some specialised prisons (e.g. prison hospitals, high security prisons) hold both categories.

Iceland:

Pre-trial and convicted prisoners are mixed for accommodation and work – but only on the same wing/cell if there is no longer any need for isolation. There are very few pre-trial prisoners so it would not be feasible to provide activities separately.

Italy:

The aim is to ensure that pre-trial prisoners are kept in separate prisons from convicted, but where overcrowding occurs, they can be kept in separate buildings in the same prison. Can participate in joint activities in special circumstances.

Luxembourg:

There is only one closed prison in Luxembourg, which houses pre-trial and convicted. However they are kept on separate wings. They are mixed for some activities (although all types of activities are normally for convicted only).

Malta:

Pre-trial prisoners are mixed with convicted for all accommodation and activities.

Norway:

Pre-trial and convicted are sometimes accommodated on the same wing and have common activities. Pre-trials are not required to work but can do if they wish. Many prisons are quite small so separate accommodation is not feasible, nor for activities.

Ireland:

All six prisons hold both pre-trial and convicted prisoners, but a new prison that is under construction is intended to hold all pre-trials. Two prisons currently have total segregation within them for activities and accommodation, the other four do not.

Spain:

Pre-trial and convicted are in the same prison, but in separate wings and cells. Generally most wings have their own activities, but sometimes they are mixed for sports/social activities.

Sweden:

Pre-trial and convicted in same wing, but not in same cell. They are mixed for all activities.

Switzerland:

Pre-trial and convicted are separated. They may be in the same prison, but strictly separated. The two categories are separated for activities, but pre-trials do benefit from treatment programmes.

Turkey:

In principle pre-trial and convicted prisoners do not mix for either accommodation or activities. They may be in the same prison due to overcrowding, but not in the same block or dormitory. The only joint activity is education.

United Kingdom Northern Ireland:

The position varies from prison to prison. In one, pre-trial and convicted share cells sometimes and they share the same activities, except that pre-trials do not work. In the others, they share the same accommodation except for cells and share activities.

Scotland:

The Scottish Prison Rule on separation is essentially the same as that for England and Wales. In practice they are mixed in several prisons, down to wing level, but they do not share cells etc. Pre-trial and convicted share association, work and visits in three establishments, and education, programmes, health care and church services more commonly.

Separation of pre-trial and convicted prisoners in western Europe

Country	Responsible ministry (✓ = Ministry of Justice)	Do they have separate accommodation ?				Are they separated for activities			
		Prison	Wing	Landing	Cell	Association	Work/ Education	Visits	Treatment Programmes
Austria	✓	No	No	No	Yes	No	Yes	No	Yes
Belgium	✓	No	Yes	Yes	Yes	No	No	No	No
Cyprus	✓ (and public Order)	No	No	No	Yes	No	No	No	No
Denmark	✓	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Finland	v	Y/N ♦	Yes	Yes	Yes	No ♦	No ♦	Y/N ♦	Not known
France	✓	No	No	No	Yes	No	No	No	No
Germany ♦	✓ of the individual <i>Länder</i>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Iceland	✓ and Ecclesial Affairs	No	No ●	No ●	No ●	No	No	No	No
Italy	✓	No	No	No	Yes	No	Yes	Yes	Yes
Luxembourg	✓	No	Yes	Yes	Yes	Not available	No	No	No
Malta	Ministry of Home Affairs	No	No	No	No	No	No	No	No
Netherlands	✓	Yes/No	No	No	No	No	No	No	No
Norway	✓	No	No	No	Yes	No	No	No	Not available
Rep. of Ireland □	Dept. of Justice, Equality and Law Reform	No	No	No	No	No	No	No	No
Spain	Ministry of the Interior	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Sweden	✓	Yes	No	No	Yes	No	No	No	No
Switzerland	Depts. of Justice (in <i>Cantons</i>)	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Turkey	✓	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes
<i>United Kingdom</i>									
Northern Ireland ★	Northern Ireland Prison Service	No	No	No	Y/N	Y/N	No Disponible	No	Y/N
Scotland	Scottish Ministers of State/s PS	No	No	No	Yes	No	No	No	No

Notes

◆ Some pre-trial prisoners are kept in custody by the police and are thus separate, the rest are in remand prisons which also house convicted prisoners. The latter do not share cells or wings. If a pre-trial prisoner chooses to do so and this will not for example compromise the investigation of the offence, they may undertake work or education. This is not separate. Visits may in some cases be supervised, but not always

◆ Because current statutory regulation of separation of pre-trial prisoners gives rise to problems, a Bill to regulate remand detention is going through Parliament

● The two types of prisoner can share landings and cells if there is no longer a need for isolation

★ The situation varies from prison to prison in Northern Ireland

□ The situation varies from prison to prison in Republic of Ireland

Summary of the survey on the treatment of sex offenders in some of the member states of the Council of Europe

Irene KÖCK, Senior Public Prosecutor
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In January 2000 the Prison Service of Austria requested the Department of Crime Problems – Penology and Criminology Division of the Council of Europe – to carry out a survey on the treatment of sex offenders in the member States of the Council of Europe. The main results of this survey as prepared by the Austrian Prison Service are reproduced hereafter. Answers were received from the following States:

Belgium, Bulgaria, Cyprus, Czech Republic, Estonia, Finland, Germany, Ireland, Latvia, Lithuania, Moldova, Northern Ireland, Romania, Scotland, Slovenia, Spain, Sweden, Switzerland and the "Former Yugoslav Republic of Macedonia".

It would appear from all the replies received, that there is a high degree of awareness in member States with regard to the issue of sex offenders. It seems to be the general approach that sex offenders constitute a particularly dangerous group where measures such as authorised leave, parole and conditional release should be applied with great caution. Amongst the answers received, four were particularly elaborate with regard to the treatment of sex offenders. Their observations can be summarised as follows:

1. Finland:

A special programme, called a "Core-programme" for sex-offenders based on cognitive-behavioural theory has been in operation in a unit of a provincial prison (Kuopio) since March 1999. Participation is voluntary.

As regards pharmacological treatment of sex offenders, "Cyproteroneacetate" may be prescribed – a treatment supervised by a hospital psychiatrist. This treatment is voluntary and confidential and has no effect on administrative decisions concerning release etc.

Concerning the above mentioned "Core-programme", information is gathered during the programme and risk factors which influence recidivism are evaluated.

The first results of the evaluation research should be available in 2005.

2. Germany:

In January 1998 a new law against sex crime came into force which stresses the importance of therapy. Therefore the Prison Act was amended by introducing provisions concerning the classification and allocation of sex offenders to special socio-therapeutic penal institutions. A pre-condition for the therapeutic treatment to be successful is that the sex offenders be transferred as early as possible to the special institutions.

Preparation for release is of high importance. A pharmacological treatment is possible which has to be checked in each case. The German Prison Service enclosed a booklet concerning socio-therapy in prison, containing statistics (*"Sozialtherapie im Strafvollzug 1999"* – published by *Kriminologische Zentralstelle*, Wiesbaden).

3. Spain:

In December 1998 specialists developed and applied a programme known as "The control of sexual aggression". The programme lasts approximately two years and is addressed at groups comprising 10-15 sex offenders. The modules of the programme are as follows:

1. Mechanisms of defence
2. Emotional conscience
3. Empathy towards the victim
4. Cognitive distortions
5. Sex education
6. Style of positive life
7. Control and modification of the sexual impulse
8. Prevention of relapse (this module is taught throughout the whole programme).

At present the Spanish Prison Service runs this therapeutic programme in eight establishments. There is no pharmacological treatment for sex offenders.

4. Sweden:

The Swedish Prison and Probation Administration sent a booklet, edited in 1995, "Treating sexual offenders in prison – Action Programme".

Of special importance is the question of what work should be undertaken to reduce recidivism among those sentenced for sex offences. The present action programme of the Swedish Prison Administration is based on the following principles:

1. The aims of the various efforts being made are to reduce the risk of future crime, counteract the damaging effects of imprisonment and increase knowledge about, and understanding of, sex offenders.
2. Prisoners sentenced for sex offences are to be allocated to a limited number of prisons.
3. Information sessions and personal change motivation courses will be obligatory.

4. Treatment will be voluntary. Psychotherapy will be the preferred treatment method but with the possibility of recourse to pharmacological treatment if necessary.
5. Continuous revision of the programme will take place in accordance with the model for ensuring

quality in the special personal change motivation courses.

6. Programme activities will be continuously followed up and evaluated.

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