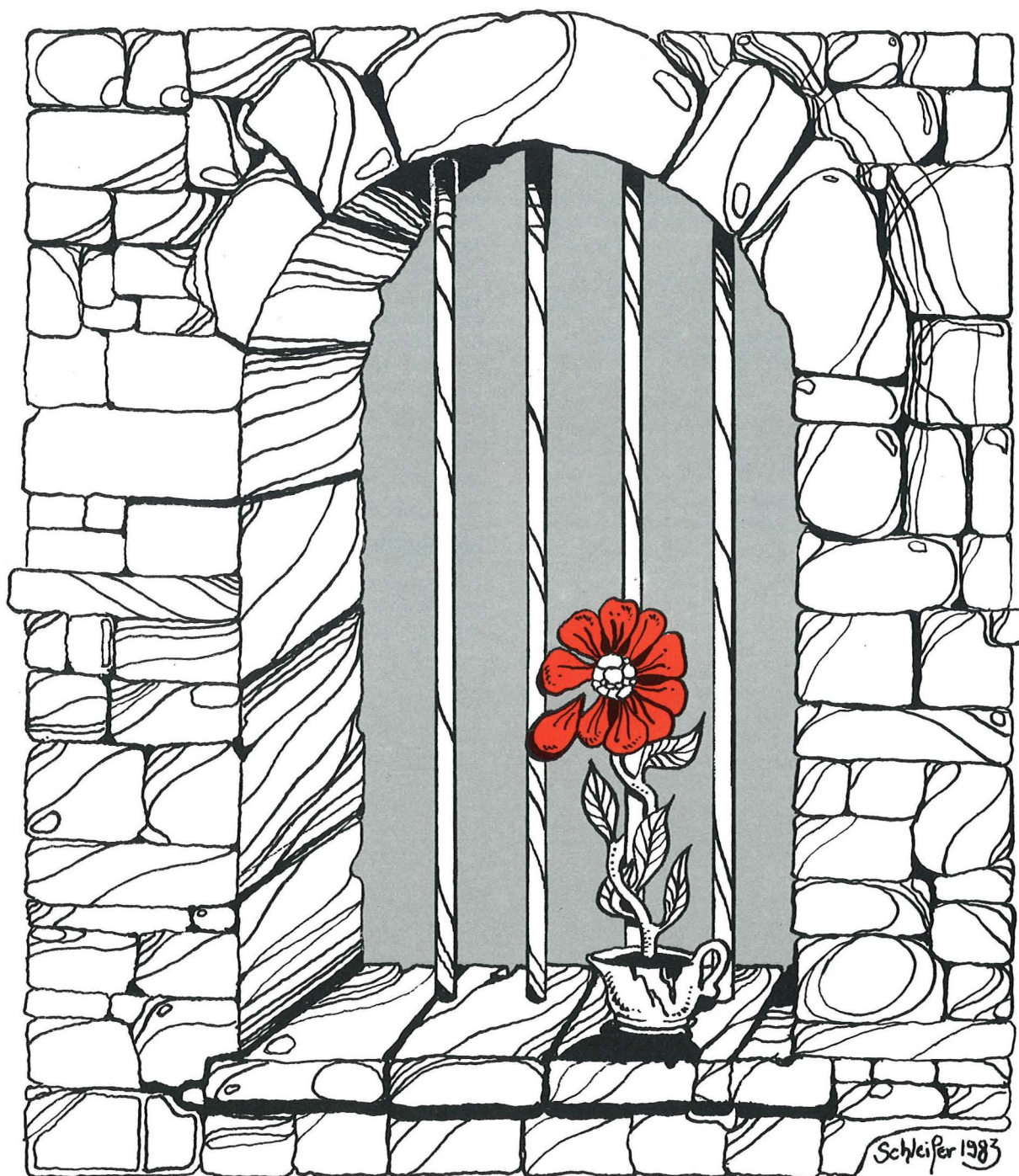


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# Prison Information Bulletin



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With best wishes  
for 1987

# PRISON INFORMATION BULLETIN

2/86

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## FOREWORD

*In 1963, 1967 and again in 1969 the Council of Europe published three important reports on the status, selection and training of prison staff. Ten years later, in 1979, a further study was initiated which culminated in the valuable report "Prison Management", issued in 1983. The Council of Europe's long and continuing interest in these matters arises to no small degree because, in our various countries, our prison systems are consistently required to face new challenges.*

*In my own country, Sweden, a series of reforms has been undertaken to create conditions which will, to the greatest possible extent, contribute to the rehabilitation of offenders. One of our strivings in that connection has been to substitute non-institutional treatment for custodial measures. In consequence, the number of prisoners in Swedish prisons, seen against the background of the total number of offenders has gone down. At the same time however those offenders who do go to prison now are more criminal than was previously the case and often in a deplorable condition because of long-term misuse of alcohol and drugs. For this latter reason, their work capacity is, in many cases, seriously reduced. It has therefore been necessary in some measure to replace work, which traditionally has been focussed on production, with activities which, more than formerly, can be adjusted to the individual inmate's capacities and needs. This means that there has to be a greater emphasis on occupational therapy. Then too, deficiencies in the basic education of inmates have led to increased opportunities for educational improvement. Collaboration between the various*

*parts of the prison and probation system and the whole spectrum of social service agencies has also been intensified.*

*The need for such rehabilitation efforts among inmates means that prison work has become considerably more demanding over recent years. The new directions that are being taken presuppose the full involvement of the staff concerned. Better information and training programmes of various kinds have been one response to the new demands. But if prison staff are to be able to experience stimulation and satisfaction in their work it is important that they should be able to exercise increased influence over their work situation. Here too, new circumstances arise and must be taken into account. An experiment is currently under way concerning the delegation of a number of decision functions to line managers.*

*The research which has been carried out by the Swedish Foundation for Occupational Health and Safety among State Employees is described in this publication. The findings show that there are clear indications of stress among a not inconsiderable number of the staff in the prisons that were studied. These are important findings. It is my sincere hope that the results of this research will provide a basis for the taking of yet further steps to improve the work situation of prison staff and thereby improve still further the quality of the work carried out in the prisons.*

Sten Wickbom  
Minister of Justice  
of Sweden

# Stress among prison staff in Sweden\*

## Introduction

During 1986 a major research project on stress among prison staff was brought to a conclusion. The study has taken four years to complete. With the exception of an earlier Finnish study (Kalimo, 1980) the present research is probably unique. To my knowledge no similarly comprehensive research has been undertaken on the prison as a work environment. The main aims of the study were as follows:

- to investigate the extent and nature of stress reactions among prison staff
- to identify the factors associated with the emergence of stress reactions
- to identify factors associated with absence of stress reactions
- to survey the potentialities for making any necessary changes in the work environment of the prison so as to reduce undue stress and promote well-being at work.

More than 2,000 persons in the main operational grades of the prison service working in all types of prison—67 in all—were studied.

The research was initiated jointly by the various staff associations (trades unions) and the Swedish Prison and Probation Administration. It was carried out by the Swedish Foundation for Occupational Health and Safety among State Employees. Ms. Annika Härenstam, who has had long experience as a psychologist in the prison service, was seconded to that organisation to act as project leader. Professor Töres Theorell of the National Institute of Psychosocial Factors and Health, acted as scientific consultant. Professor Theorell is one of the country's leading experts on stress research. Practical planning work was carried out by a steering group consisting of representatives from the staff associations and the Swedish Prison and Probation Administration, the project leader and her research assistant together with a representative of the Swedish Foundation for Occupational Health and Safety among State Employees. The research was financed by a grant from the Swedish Foundation for Employee Safety.

Before I go further with this account of the research it may be as well to clarify the notion of stress.

## What is stress?

One of the simplest definitions of stress as that it is a non-specific reaction to demands made on the individual. It arises, in other words, when there is some kind of mis-match between the individual and the demands made by his/her environment. This disturbance of the individual's interaction with the environment can have many causes.

Stress reactions can be classified as psychological, behavioural or physiological. Feelings of anger, irritation, anxiety, sadness and depression are some examples of psychological responses to stress. Sleeplessness or dependence on alcohol are

examples of behavioural responses. Physiological responses are complex and involve the body's various systems but everyone is familiar with the relation between stress and such illnesses as peptic ulcer or heart disease.

How the individual experiences stress is not a simple matter. A lot of research has been done which shows that there is a relationship between the stressful factors in the environment and mitigating or moderating factors of these stressors. One such important mitigating factor is called "decision latitude". This refers to the extent to which the individual can exercise some degree of influence or control over the stress producing situation. Not surprisingly, the sense of powerlessness contributes to the experience of stress.

Another mitigating factor of importance is the social support which the individual feels himself/herself to have. When the individual feels "backed up" and not isolated, stress is more easily mastered.

Some stress is inherent in nearly all situations—at least for some of the time. The mitigating factors are therefore important as a way of reducing or eliminating the worst effects of stress. Not only that, the successful mastery of stress may even lead to positive effects for the individual. Under favourable circumstances he/she can experience learning, achievement and personal development instead of misery. And under-stimulation, especially when combined with very little decision latitude, leads to passivity. This is a common complaint made against dull, monotonous and routine work tasks. Extreme under-stimulation is probably as bad for human functioning as the experience of intense over-stimulation.

As I have already indicated there are a number of effects of stress which occur in the short run. But continued exposure to stress inducing factors often leads to cumulative effects. Not infrequently the final consequences are physical illness or crippling psychological or behavioural handicaps. This is the cost to the individual. But failure to manage stress situations properly has serious consequences for organisations and administrations too. Human resources are wasted and work is carried out with less than optimum effectiveness. When one thinks about what is known about stress it seems surprising that it has been so little studied in relation to the prison as a work environment.

## Methods of the present study

The *first phase* of the present study consisted of a preliminary but extremely intensive study of a small group of individuals at four very different prisons. In all 74 persons made up the sample. They were chosen at random from three different categories of prison staff, namely, the basic grade staff, the staff

\* The opinions expressed in this article are personal ones. They are not necessarily those of any administration, organisation or association involved in this research.

responsible for inmate industrial work and the senior managerial staff.

The purpose of this part of the research was to collect objective data on stress reactions, to obtain insights and understanding of work situations so as to facilitate interpretation of data (especially that obtained in the third phase — see later description) and to gain practical experience in the administration of the project.

Continuous measurement of heart beat was carried out by electro-cardiogram during a 24-hour period. Blood pressure and pulse were recorded for each waking hour during a three-day period. The production of stress hormones during a three-day period was also measured.

That the body produces adrenalin as a response to stress is well known. The stress hormone cortisol is perhaps less well known although it has come to be one of the most important indicators used in stress research. Cortisol is produced as a response to actual or anticipated distress. The measurement of cortisol levels gives therefore an indication of the extent to which the subject is experiencing, or believes that he/she will experience, discomfort, unpleasantness or even suffering.

In order to relate objective data to subjective experience, subjects were asked to keep a simple log-book recording work assignments, mood, sense of fatigue and stress. A first interview was conducted with each person within two days of the final measurement day. This interview was used to penetrate more closely the factual course of events during the days of measurement and the response to those events. A second interview with each subject was carried out within three weeks from the final measurement day. The purpose of this interview was to gain a more general understanding of the individual's life and career experience. A medical examination of all subjects was also carried out and any necessary remedial measures were discussed with the person concerned.

Since I propose in this article to devote most attention to the very large scale investigation which was carried out as phase 3 of the study, I shall only report briefly on the results of the first phase. To begin with, it was apparent that a not inconsiderable number of persons were showing objective signs of stress. In particular, the average level of cortisol among the staff at all four prisons was markedly higher than is customary in studies of other professional groups. For this reason it was decided that cortisol levels would be included in the phase 3 study. Disturbances in the regularity of heart beats (ventricular ectopic activity) are an indication of irritation of the heart's muscles and can be caused by psycho-physical tensions. Prison staff with little decision latitude and those on day/night shift work (there may be overlap between these categories) were found to display this symptom more often than other subjects (Härenstam A., Theorell T., et al. 1986). Those reporting low levels of work satisfaction tended also to have higher blood pressure.

Of interest for the further planning of the study was the fact that a number of questions put to those

taking part appeared to distinguish between the four prisons and show that the "environmental climate" varied considerably between them. On the other hand there was little difference between the various categories of staff. Only one factor appeared to be of importance in showing differences between them—experienced work satisfaction. Senior management, including especially assistant governors, showed the highest levels of work satisfaction and prison officers the lowest.

The *second phase* of the research consisted of interviews with a small number of persons who had been the subject of special measures by reason of illness or some other form of incapacitating handicap which had occurred before reaching the age of pension. In some cases these persons had been prematurely retired whilst in others they had been transferred to less demanding work. The aim of these interviews was to secure qualitative, subjective perceptions of factors in the work situation that the subjects believed were important for the onset of their incapacitation. They were also asked to give their opinions about the help that they had received thereafter. These interviews also deepened understanding of the factors which tend to promote and to hinder work incapacitation.

The *third phase* was the most important since it would test the ideas and hypotheses from the first phase on a very large sample of staff. Just over 2,500 persons were randomly selected in a stratified sample comprising five categories of staff (prison officers, principal and chief officers, prison workshop personnel, clerical and administrative personnel, senior management personnel). It was found however that some 300 persons had only been temporarily employed and had left the service. Of those remaining 8-11%, depending on staff category, failed to return useable questionnaires (see below for brief description). Finally, slightly more than 2,000 staff remained in the sample. They were drawn from 67 prisons of all kinds—remand prisons, national prisons (these tend to be fairly large, more security oriented and take prisoners with longer sentences) and local institutions (which tend to be small—40-60 places—and take prisoners with shorter sentences). Some of the prisons were closed, others were open and they were located in many different parts of Sweden. Some were therefore in isolated country districts, others were right in towns.

Each of the persons in the study was asked to answer a lengthy questionnaire about his/her work conditions and situation. In addition each was asked to attend for a health examination and for the measurement of certain physiological characteristics. The completed questionnaire was handed in when attending for the physical examination. The examination was carried out by the Swedish Foundation for Occupational Health and Safety among State Employees which has a nationwide set of centres for health examinations. The medical examination was of standard character and included blood pressure, pulse and electro-cardiogram measurements. In addition blood tests were taken to determine cholesterol and triglyceride levels (i.e. blood fats),

liver functioning (of some importance for determining alcohol use) and, as mentioned earlier, the levels of the stress hormone cortisol. It was neither technically nor practically feasible to undertake more detailed physiological investigations. Whilst the physical examination was intended to reveal some of the bodily responses to stress, it was the questionnaire which would reveal the psychological responses. At the same time the questionnaire answers would, it was hoped, give some indication of the factors in the work environment which made for stress as well as those which counteracted it. Considerable effort went into designing a questionnaire which would provide the information required.

A number of the questions were directed at the respondents' own possible experience of stress. They were asked about tiredness, difficulties in relaxing, inability to engage in family life, the feeling that the work was a strain and trying, etc. Many more questions were devoted to establishing what was positive and negative in the work situation. Such questions took up how work was planned (or not planned!) and carried out. The degree of support received from immediate work companions, immediate superiors and those at a greater hierarchical distance was explored. The perception of the work climate at the various prisons was later, during the analysis of data, broken down into a number of dimensions. Included in the questionnaire were other questions relating to career experience within and outside the prison service, need for change in prison work, possible obstacles to any necessary changes, etc.

One further source of information about the prisons and their activities is of course the comprehensive statistics which are kept. Some of these statistics relate to the inmates (numbers received, sentence lengths, age distribution, drug misuser status on entry, etc.) whilst others relate to the prison's activities (hours worked, numbers and types of occupational opportunities, inmate sickness rates, inmate refusals to work, disciplinary punishments, etc.). Yet other statistics are concerned with staff and of these perhaps the most important are the short period absences by reason of sickness (1-3 days) and the long period absences (4 days or longer).

### Analysis of data

It will be obvious from the foregoing that analysis of the data has to take account of all that emerges about the individual's medical status and physiological functioning as well as his/her perception of experienced stress and relate this information to the individual's perception of his/her work environment and a number of objective facts about that environment. As can be imagined the volume of data which has to be analysed is enormous. A main aim of the analyses is therefore to compress the data in meaningful ways so that it can be understood. The process of analysis is not entirely complete at the moment of writing. More remains to be done but sufficient has been done to make possible a presentation

of some of the more important findings in a later part of this article.

What is important in the analytical process is to have a clear idea about *outcome* measurements and *explanatory* measurements. The outcome measurements or variables are the various indications of stress experienced or found among individuals. The obvious questions are: what factors are most correlated with these stress responses? are they *individual* factors such as age, weight, previous medical history? Or are they related to *professional category*? And to what extent are *prison-related* factors found in association with stress? (Finding the answers to these questions is complicated by the fact that there can be interaction between the factors operating at the individual, professional and institutional levels). These factors are those which are said to explain the outcome measurements, at least in the statistical sense that they show a strong association with the outcome variable.

However, as soon as a first set of explanatory variables are found by means of statistical analysis, it becomes natural to repeat the question: what further factors underlie these explanatory variables? And so a new statistical hunt begins for a second set of explanatory variables. The most important techniques used are those of regression analysis, the analysis of variance and co-variance and correlations.

But there is no need to worry the non-technically minded reader with excursions into statistical methods. Instead I shall try to review some of the results of the research that are available now.

### Findings

1. In the questionnaire staff were asked to report on experienced stress, for instance, inability to relax when away from work, inability to engage in family activity, sense of mental fatigue, frequent feelings of anxiety because of unexpected happenings, uncertainty about how to act in crucial situations, etc. They were also asked to report on favourable aspects and unfavourable aspects of their working environment.

Somewhat surprisingly, the way staff describe themselves and their work environment was not (statistically) significantly related to:

- the size of the establishment
- the staff/inmate ratio
- the geographical location of the prison (country district, small town, large town).

2. On the other hand, staff reported a worse psychosocial climate, lower levels of work satisfaction and more negative effects of work at those establishments with the highest proportions of drug misusers among the inmates. At these establishments staff were also more often absent by reason of sickness and had higher levels of the stress hormone cortisol. Of particular importance is that they were more dissatisfied with senior management. (All findings were statistically significant). It may well be that the severe problems posed by the fact of having many drug misusers in the prison exposes senior

management to exceptional challenges. Unusually effective management approaches are required if the staff is to be able to have a unified policy and practice concerning drug misuse and drug misusers in the prison. The research conclusion is that it does not so far seem that this has been achieved.

3. How *prison officers* saw their work environment was also related to the proportion of drug misusing inmates in the different prisons using rank ordered correlations. These showed that the *greater the proportion of drug misusing inmates at the prison*:

- the lower the level of work satisfaction
- the less prison officers were interested in influencing drug misusers to become drug-free
- the less prison officers believed themselves to have information about inmates of use for decision making
- the less they considered that such information as they did have, was used
- the more they desired a purely custodial role
- the less they reported inmates for misconduct
- (a) because they considered no real action was taken
- (b) because they feared inmate retaliation
- the lower their opinion of senior management
- the less they considered their work effort was appreciated
- the more negative their perception of staff-inmate relations.

(All correlations were statistically significant at the conventional 5% level).

4. On the basis of questions in the questionnaire on decision latitude, all prisons were divided into three groups—those showing most, least and moderate amounts of decision latitude. Those prisons with most decision latitude were compared with those showing least. At the prisons with least decision latitude, the male staff had a greater incidence of intestinal symptoms and reported more symptoms *in toto*. These findings were highly statistically significant. They also displayed more symptoms of mental stress or illness, higher levels of cortisol and had more sickness absence for periods of four days or more. (These findings were not statistically significant at the 5% level. All were at less than the 10% level however). Female staff had (statistically) significantly more sickness absence for from 1-3 days and also for more than four days.

5. All prisons were divided into three groups in the same way as described earlier concerning the perception of the psychosocial climate. The average number of days absent by reason of sickness per person per year was 20 in the establishments with the most favourable perceptions of climate and 27 in those with the least favourable climate. The difference is highly statistically significant.

6. All prisons were divided into three groups as described earlier concerning agreement about how the specific work of the prison in question should be carried out as well as more general goals for prison work. As before the prisons with the highest degree of agreement were compared with those showing the

least agreement. Male staff showed more symptoms *in toto*, more symptoms indicative of mental stress or illness, more sick leave for four days or more and a higher number of persons reporting sick at the establishments with a low degree of agreement about goals of work. Female staff showed more sick leave for periods of four days or more and a higher number reporting sick at the same establishments. (The findings concerning mental stress and numbers reporting sick were statistically significant at the 10% level. The other findings were significant at the conventional level of 5%).

7. A marked difference between male and female staff was found when the prisons were divided into three groups and those with the least degree of under-stimulation were compared with those showing the greatest degree of under-stimulation. At the latter prisons and among male staff, the only difference was in the numbers of persons reporting sick. But among female staff there were:

- higher levels of cortisol
- more intestinal symptoms
- more symptoms *in toto*
- more persons on sick leave for 1-3 days
- more persons on sick leave for four days or more.

8. At the prisons where the degree of under-stimulation was *least*, the replies to the questionnaire showed that basic grade staff welcomed an active role with opportunities to try to help inmates. They also considered that their knowledge and abilities were fully used.

9. At the prisons with the highest degree of agreement about the goals of prison's own activities and also those of the prison service in general, the staff, not surprisingly, attached value to having unified and well-co-ordinated work routines. They also considered that it was of great importance that the inmates should feel that they were fairly treated.

10. At the prisons where staff were of the opinion that the climate was a good one, staff saw themselves as supportive of one another, able to use direct language to each other and give honest feedback to one another, open to consider new ideas and new initiatives and generally positive to change.

11. So far as the general management of the various prisons was concerned, it seems that management style, especially of the governor, is of paramount importance. At those prisons where management style was perceived as being good, it was found that the basic grade staff:

- considered that their work efforts were valued and appreciated
- did not fail to report misconduct on the grounds that no action was taken
- saw themselves as having a lot of information about inmates
- thought that their prison was orderly and hygienically sound
- considered that routines for order and security worked well

— appreciated the opportunity to be present when misconduct of an inmate was being investigated if it concerned an inmate in whom the staff member was especially interested

— believed that they were doing something positive for inmates

— saw no great difference between the job that they in fact had and the ideal job that they desired.

The staff in general considered it to be an attribute of good leadership that senior management worked for a good understanding between all grades of staff and for a good atmosphere. But—and the reservation is important—this did not mean working to preserve a surface calm. On the contrary, good management meant conveying to staff “this is a place where we do our utmost to identify our problems and then, together, deal with them”.

The selection of findings given above are taken from the statistical analyses which have been done. Yet more are still being undertaken. Unfortunately, in a short article, it is impossible to do justice to another rich source of information which exists in this research, i.e. the answers given in interviews and the frequently long and carefully written replies in the questionnaire responses. Perhaps one of the most important insights given by these replies is the interest, engagement and ambition that many staff manifest for their work. I will cite one such reply—obviously without making any claim for its being representative of all replies given. But it can be taken as representative of the many positive replies that were given. The speaker is a prison officer, relatively young and with 2 years experience. He is replying to two questions that were put to him in an interview. The questions were: would you like to have more or less contact with inmates? do you think you can do something positive for inmates? He replied:

“More. That’s the job we should be doing. After all, we are here to help the inmates and try to give them a fresh start. Of course, that doesn’t work all the time—that would be utopia. But we should be able to help them to be ordinary normal persons in some respects. Rogues are always rogues—you can’t alter that. But to be able to function out in the community, that should be possible. You don’t have to function like a rat because you are a thief—it should be possible to be a bit more like Svensson (i.e. an ordinary Swedish citizen). Yes, we do do something positive for inmates here. They meet a staff that is decent and kind, they meet ordinary human beings. Here we don’t believe in dividing up our roles into guards and treaters. The emphasis is more on being work comrades. It’s always been like that here. The inmates think well of us. What we should do is to divide the inmates up into small groups of four or five and we should follow them during their stay, help them with their outside problems ...” (he elaborated at some length on this theme).

Later in the interview, when asked about how work affects him he says:

“Yes, I am affected by the job—a bit more short tempered, I get more easily irritated. Yes, my wife thinks that I have been affected a bit by the job. If I

don’t get some time for myself when I come home I can’t put up with chatting—not like I used to before (I worked in a prison). I need some time for myself to wind down, so that I can be normal again. I think the work is mentally trying because it isn’t so meaningful and there’s always the element of uncertainty, that one can’t fully trust inmates. But there—it’s our job!”

One further observation—not a finding since it arises from what has happened after the report on the third phase was sent out to prison staff—comes from the project leader. She has now taken part in a long series of meetings and discussions following the completion of the main analyses. The purpose has been to inform staff about the results of the research to date and to hear their reactions. Several hundred staff of all grades have taken part in the meetings that have been arranged.

The research has been greeted with very great interest, sympathy and enthusiasm. A common reaction is that it describes well what many think, feel and experience. The overwhelming impression is that staff think it lies close to the realities that they live. But this is not the most important thing. More important is that the project leader has been profoundly impressed by the expressions of a will to improve the existing state of affairs. And in these expressions of a desire for change lie many imaginative, constructive and realistic new ideas.

The replies to certain questions in the questionnaire also suggest that there is considerable potential for constructive change among the staff. In particular, there was clear evidence that many thought that the time was ripe for a thoroughgoing decentralisation of welfare and administrative tasks. This, it was believed, would add much more meaning to the work of the basic grade staff and would free senior members of staff for support, supervision and planning work.

### Some personal reflections

Although there are still some further analyses to be made and a final integrating report has yet to be published, some conclusions seem inescapable.

The research results clearly suggest that about one-third of the staff of all grades at about one-third of the prisons studied experience satisfaction in their work, professional pride and they appear not to be burdened with serious stress reactions. Their institutions are characterised by comprehensive, honest and direct communication between all categories of staff. They are rightly proud of an institutional ideology which places value on identifying problems, discussing these problems in order to analyse them and then to find solutions to them. Since these institutions also have a climate which is favourable to change, new solutions can more easily be tested. Senior management, especially in the form of the governor, has an important function at these institutions for promoting and maintaining this ideology.

At another third of the prisons studied the conditions appear to be precisely the opposite. There was little sense of professional pride or work satisfaction. Staff often felt isolated and unsupported and that no-one seemed to take responsibility for anything.

Communication and information-giving function badly. Many of these prisons have a difficult work situation because of a high proportion of drug misusers among the inmates. At these prisons however staff were less motivated to try to deal with the drug problem than at prisons with lower proportions of drug misusing inmates. There was less confidence in senior management at these establishments. And there were many indications of stress responses.

Earlier in this article I have urged that undue stress is not only a matter of individual suffering but also a source of organisational inefficiency. In this connection it may be noted that the 22 prisons with the worst psychosocial climate have, on average, 27 days per person and year lost through sick leave. The corresponding figure for the 22 prisons with the best psychosocial climate is 20 days per person and year. Taking into account the size of establishments and the numbers of staff involved, this means that about 10,700 *more* man-days are lost because of sickness in the prisons with the worst climate. The cost of these days in terms of sick-pay can be put at rather more than 4,000,000 Swedish crowns (about 562,000 US dollars).

In face of the findings no-one should feel complacent about the state of the prisons in Sweden so far as the staff is concerned. And it is even harder to feel complacent when one thinks that new and severe demands are going to be made on prison staff in the immediate future.

A recent report from the National Prison and Probation Administration (PSF Report 1986:4) shows that the number of drug misusing inmates received into the prisons during 1985/86 is about the same as for the two previous years—just over 2,800. But when the composition of the drug misusing group is studied, it appears that there has been an increase in the number of *serious* misusers. This includes those who inject drugs. It is this group which is a high risk group for infection by the AIDS-virus. As in many other countries, the Swedish government is taking action to combat the AIDS menace. The prison system, by reason of the large number of drug misusers received into it, is an important part of that campaign. Extensive plans are currently under way to intensify the measures against drug misuse among

those received into prison. It seems abundantly clear that such plans will stand or fall depending on prison staff capacity to implement them. The findings of the present research give no grounds for easy optimism.

Changing the structure, methods of work and the climate of a number of prisons is not merely a matter for the prisons themselves. Each prison is part of a larger organisational whole. Any changes which are made will also be dependent on the quality of regional and central management. Bold and imaginative initiatives are required here just as much as in the internal affairs of the prison. Perhaps in the next number of the Prison Information Bulletin an account could be given of the action that is being taken in the light of the research on stress among prison staff?

*Norman Bishop*  
*Former Head of the Research*  
*and Development Group,*  
*Swedish Prison and Probation Administration*

It is hoped that a fairly comprehensive report on the research will be available in English during the first half of 1987.

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# Selecting prison officers in Great Britain

Every month approximately 1,000 people apply to become Prison Officers in England and Wales. Some candidates are rejected on information contained in their application form, indicating, for example that they have inadequate physique or criminal convictions. The remaining candidates take selection tests at one of 50 penal establishments which have personnel trained to administer the tests. Subsequently, about 250 candidates are interviewed by one of four Prison Officer Selection Boards. Ultimately some 80 out of the original 1,000 candidates commence training as Prison Officers.

The Directorate of Psychological Services was asked by the Prison Department Personnel Division to review the selection procedure, particularly that part concerned with aptitude testing and the assessment of interpersonal skills. This request stemmed from four main concerns. First, whether it would be possible to exclude those candidates with excessively aggressive tendencies by using psychological tests. Second, the need for higher entry standards. Third, the characteristics measured by the selection tests, which had been in use for 25 years, were not sufficiently related to those needed to carry out the job of a modern Prison Officer. Fourth, particular attention needed to be paid to the selection procedure vis-a-vis the racial discrimination legislation.

Consequently, psychologists were asked to:

- i. conduct a formal job analysis on Prison Officers so that relevant cognitive and interpersonal factors could be specified;
- ii. devise a new paper and pencil test battery measuring relevant cognitive abilities;
- iii. provide assistance to Selection Board members in the assessment of relevant interpersonal skills by developing an improved interview;
- iv. train Prison Officers to administer the new test battery and provide further training in relevant interviewing strategies for the Selection Board members;
- v. explore the possibility of using personality tests;
- vi. monitor the administration of the new test battery and the interview procedures and to evaluate the efficacy of the new procedures in terms of their ability to predict "success" whilst undergoing training and in carrying out the job.

## Analysing the job of the prison officer

An analysis of the job of Prison Officer was carried out by a team of 6 Prison Psychologists to identify the essential mental abilities and interpersonal skills required for effective performance of the job of Prison Officer.

The data collected were very wide ranging and involved interviewing 131 Officers in 28 different 'positions' (assignments such as supervising the cell area, censoring mail, staffing the gatehouse and organising the inmates' shop) from 8 kinds of

establishment. Several methods were used to obtain the information including:

- a. interviewing Prison Officers who were considered to be particularly competent, to discover how they did their work, using a standard technique for analysing jobs (The Position Analysis Questionnaire; McCormick et al. 1972);
- b. obtaining from Prison Officers information about Critical Incidents (Flanagan, 1954) which they considered to exemplify particularly effective or ineffective work by Prison Officers;
- c. examining routinely completed annual performance appraisal reports of Officers who had excellent reports and others having very poor reports in order to discover which aspects of their behaviour showed differences;
- d. using a further interview technique (the repertory Grid; Kelly, 1955) with Officers in supervisory positions to discover the factors which distinguished between Officers whose work is good and Officers whose work is poor; 24 Officers from 8 establishments were interviewed.

The results showed that the duties carried out by Prison Officers are varied and consequently not only do Officers require a variety of aptitudes but also personal and temperamental characteristics enabling them to respond to different kinds of situations.

The core abilities, skills and personal characteristics which were identified included:

— mental abilities such as:

- alertness, vigilance and awareness,
- the ability to make use of new information, to understand what is being said and to make decisions based on the information,
- the ability to mentally process information to solve problems,
- the ability to communicate ideas and exchange information effectively (i.e. fluently and easily understood),
- the ability to deal with paperwork accurately and quickly,

— and interpersonal skills and personality characteristics including:

- empathy, interpersonal sensitivity, consideration for others, reliability and a sense of responsibility,
- a sense of humour, social extraversion, personal presence and confidence,
- the ability to direct others, assertiveness without aggressiveness and control of own emotions and behaviour,
- the ability to cope with the variety of duties, long, irregular and sometimes unexpected working hours and the geographical mobility of the job, and
- the ability to tolerate strained relationships and conflict situations.

## Applying the results of the job analysis

These results have been used to improve Prison Officer selection including the construction of new selection tests, modification of the application form, changes to the content of the interview and revision of recruitment advertisements.

Following from the results of the job analysis it was decided to replace the existing selection tests with tests of non-verbal intelligence, verbal ability, observation and clerical aptitude.

Many existing tests were scrutinised and their best features were adopted. The construction of each test involved the creation of many more questions than would finally be used, the administration of the questions to a large sample of Prison Officer candidates and the selection of the best items using statistical criteria.

Some general differences between the new and the old tests are that the new tests have more explanations to candidates, multiple-choice answers and re-usable question books in colour. The new tests are related to the job. The verbal ability and clerical tests use material taken from Prison documentation. Answers to all the tests go onto one sheet which is scored using a transparent overlay or optical mark reader feeding directly into a computer.

The tests have been administered to 1,300 candidates as an adjunct to the selection procedure and the resulting distributions of scores have been used to set the pass mark for each test. The new tests have been in use since April 1986 by the Prison Services of England and Wales, Scotland and Northern Ireland. A leaflet explaining why we use tests, giving examples of the kind of question in each test, is sent to each candidate with the invitation to the test session. The purpose of this leaflet is to reduce the possibility of candidates' (particularly ethnic minority candidates') test performance being affected by their unfamiliarity with tests in general.

The Application Form now incorporates several new questions which are intended to measure the candidate's social and occupational behaviour and motivation such as questions about leisure interests, current work duties and what the candidate expects work as a Prison Officer to be like. The candidates' responses provide basic information which can be explored further in the interview.

The emphasis of the selection interview has been altered to focus on the candidate's social skills, ability to supervise, to cope with the special demands of the job, act responsibly etc. A new set of rating scales has been introduced for this purpose and the members of the Selection Boards have received training to learn about the new scales and the sorts of questions to ask in order to assist them to use them.

A commercially-available personality questionnaire (the Occupational Personality Questionnaire; Saville and Holdsworth, 1985) which has been specifically designed for employment applications has been experimented with and scores have been found to be free from the effects of dissimulation. Therefore it is a potentially valuable tool in selection

and it is intended to introduce it for a period of one year during which it will be administered to candidates but not used in making the selection decision. Candidates who have completed the personality questionnaire and been appointed as Prison Officers will be followed up to discover whether personality scores can predict relevant measures of work performance. If the evaluation is successful then members of the Selection Boards will be trained in the interpretation of test-score profiles and the OPQ will be administered to candidates who pass the mental ability tests.

## Monitoring and evaluation of the selection procedure

The selection procedure is being monitored to discover whether the expected proportion of candidates are passing each stage and also to determine whether there is any bias against ethnic minorities. A question asking candidates about their ethnic origin is now being placed inside the application form for completion on a voluntary basis.

Research is being carried out into the new selection methods which so far confirm that the tests measure the intended abilities and that there is a high degree of agreement between interviewers about candidates.

A study is in progress to evaluate the extent to which successful candidates' test scores, interview grades and other characteristics will predict their subsequent performance at work as a Prison Officer. To measure work performance a set of scales specific to the work of the Prison Officer has been developed, based on the results of the job analysis. These scales refer to specific activities involved in the job and it is planned for them to be completed on newly-appointed Officers by their supervisors at the end of the probationary year.

This project has involved the co-operation of staff of various classes and departments in the Prison Service including psychologists, members of the Prison Officer Selection Boards, members of Personnel Division and Prison Officers responsible for selection testing. It is an evolving project which is linked to continuing improvements in the organisation of Prison Officer recruitment and selection.

Readers who would like to receive a copy of the Information Sheet sent to candidates, which describes the questions contained in the new selection tests, should write to the authors (HM Prison Service Headquarters, Cleland House, Page Street, London SW1P 4LN).

*Barry J McGurk and Neil L Fludger*

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# Permanent European Conference on probation and after care

The Conférence Permanente Européenne de la Probation (hereinafter abbreviated to C.E.P.), founded in 1982, following numerous informal meetings and other contacts between interested persons, is a private association which is formally registered and subject to the national law of its Seat — for the time being the Netherlands — and whose activities are subject to Statutes determined by its full members attending a General Assembly of the association. The membership consists of public and private institutions and organisations that have as their object the provision of probation services including assistance to accused persons both before and after sentence.

The object of the C.E.P. is to promote international co-operation in the field of probation, especially through exchanging of experiences and information; compiling of documentation concerning legislation, jurisprudence and social work practice in European countries in the field of probation and after-care; trying to find solutions to common problems; influencing public opinion; taking initiatives and supporting scientific research in these fields; organising conferences, seminars and other activities.

The C.E.P. is one of the bodies most recently to have been accorded consultative status with the Council of Europe.

There are now 18 organisations from 13 countries in full membership of the C.E.P. and a further 5 organisations from 5 countries in associate membership; in a third membership category there are 3 personal members. The countries from which member organisations are drawn are Austria, Belgium, Denmark, Spain, Finland, France, the Federal Republic of Germany, Ireland, Italy, Luxembourg, Norway, the Netherlands, Portugal, Sweden, Switzerland and the United Kingdom.

Such was the enthusiasm of those organisations that a programme of activities commenced by consent prior to the formal founding. This included seminars in Vienna, Austria, in 1981, and in Helsingør, Denmark, in 1982, which addressed problems faced by probation services in connection with "Assistance to Foreign Offenders". During this preliminary period, in 1981, the organisation also published a reference book "Probation in / en Europe" with contributions on behalf of 14 countries, edited by Cartledge, Tak and Tomic-Malic. This was presented in two languages, English and French, with a German glossary.

Since 1983 the C.E.P. has held further seminars: in 1984, in Bern, Switzerland the topic was "Co-operation between the probation service and the judicial authorities"; in Karlsruhe, Federal Republic of Germany, in 1985, "The Probation Service/Victim/Offender Relationship" was debated. Each seminar has attracted between 50 and 70 participants who either work for or in connection with probation services, or for agencies or organisations which were closely related in terms of the subject topic of the

seminar, and who were nominated by C.E.P. member organisations. The General Assemblies held in the United Kingdom in 1983, and in Italy in March 1986, whilst primarily concerned with formal business, also included a symposium in which there was a debate about, respectively, "Alternative ways of dealing with delinquent behaviour" and "Council of Europe Conventions and Recommendations, and alternative measures".

In addition to these major activities there have been numerous bi-lateral visits by individuals and groups in connection with attendance at meetings and conferences or for study: the main purposes have been to seek information for further developing probation practice or to seek information for further developing probation practice or to observe upon options prior to the introduction of new methods. A number of meetings have also, necessarily, been held in connection with the preparation of major activities; also by the C.E.P. Board.

Practical problems having been dealt with, means have had to be found for communicating accurately technical professional terminology so far as sense and meaning are concerned: very often literal interpretation or translation can lead to misunderstanding rather than the reverse. Accurate understanding of what in fact is practised or happens, as distinct from how this may be expressed in different languages, is of course of the very essence if sufficient common understanding to provide for some more uniform work practices or systems is to develop. Linked with the resolution of this problem is a need for some understanding of the cultures and law bases from which different countries' penal law has developed, this often providing the key to understanding the present role, practice and state of development of the probation service or its equivalent.

It is hoped that the C.E.P. will be able to remain professionally, as against governmentally, focussed. As Ministries of Justice, or their equivalent, are in many cases called upon to finance activities of the C.E.P., it is understandable and right that they should wish to keep a watching brief over, or have some involvement in, its activities. Over-involvement by them would however be likely to result, progressively, in a lower level of first hand co-operation by those most closely involved in the work of the probation services, so reducing the possibility of achieving the objectives of the C.E.P. It should be possible to achieve and maintain an appropriate balance so long as members remain constantly aware that activities and, especially, decisions may have the potential to embarrass government officials, even some governments.

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The symposium included in the 1986 General Assembly held in Frascati, explored the effects in the practice of various Council of Europe Conventions and Recommendations, to determine ways and means of improving information for probation staff,

and to examine the possibility of drawing up standard minimum rules in the field of "milieu ouvert". In addressing such matters the C.E.P. is sensitive to the need for a fine balance to be struck between the wish to promote positive initiatives in the name of the C.E.P., with the need to avoid becoming a pressure group or being seen as such by some.

As a result of the work the symposium of the C.E.P., dealing with Conventions and Recommendations of the Council of Europe, recommended the members:

#### I.

1. To improve information on the instruments adopted within the Council of Europe (Conventions and Recommendations), for example by providing translations into the national languages and, where appropriate, by preparing summaries of these texts accompanied by explanatory comments, and to disseminate them relevant to the specific needs of interested persons (e.g. probation officers, social services, judicial authorities, training schools, ...). This information should also concern the application measures adopted by the member States. In addition the translated texts of the instruments, summaries and explanatory comments as applicable should be made available intact to non-governmental organisations with a direct interest in this field. All this material should be communicated to the Secretariat of the C.E.P., to enable it to comply with requests for documentation and information.

2. To encourage that in training programmes for probation officers and judicial authorities due account should be taken of these texts and that information relating to these texts is continuously provided and kept up-to-date within in-service programmes. In this context, the organisation of seminars, the exchange of staff and the grant of scholarships should be encouraged.

#### II.

As regards non-custodial measures, the Conference agreed that it would be useful, for both offenders and practitioners settling the sentence or responsible for the application of such measures, to underline guiding principles, for example in the field of the aims of non-custodial measures, rules governing the application of such measures, treatment methods, protection of the offenders's rights, resources required ...

To that end, it decided to ask the Board to set up a working group with the task of formulating these guiding principles with a view to submitting recommendations to the Council of Europe, after presenting them for consideration to the C.E.P. members. If a serious objection is being formulated during consultation of the members, the draft text would be previously presented to the General Assembly of the C.E.P.

C. G. Cartledge  
Vice-President of the C.E.P.

# NEWS OF THE COUNCIL OF EUROPE

## Seminar

*held jointly by the Greek Ministry of Justice (Prison Department) and the Council of Europe on "Prison work in open setting — Prison farms" Athens, 22-24 October 1986*

The seminar was attended by 12 participants from 10 member States besides Greece and 40 of their Greek counterparts. A large number of papers were given, notes compared and ideas exchanged. The participants visited the Korydallos complex which comprises a juvenile detention centre, a hospital and neuropsychiatric hospital for prisoners, a men's prison and a women's prison, and the prison farm at Tiryntha (Argolis). The participants were also shown around the Acropolis and the ancient theatre at Epidauros, a marvel of acoustic design.

In his opening speech the Minister of Justice said that to counter the growth of crime every government had a duty to make proper arrangements for the prevention and punishment of crime, and Greece has a group of experts drawing up a new prison code which will establish prisoners' *right* to work, education and recreation as part of individualised prison treatment. To provide employment for far more of the prison population rural prisons will be further developed, and above all every effort will have to be made to ensure outlets for prison-produced goods.

Work must be seen as an everyday ingredient of prison life. It must never be a punishment. Prison is a result of punishment, not a place of punishment.

Work may be productive, educational or domestic. It is not essentially therapeutic though it may be regarded as such in specific cases.

Domestic tasks are a necessity but their value must never be over estimated.

Educational work is part of vocational training proper, vocational training of young offenders and unskilled prisoners serving long enough sentences should be developed and may last anything from a period of months to a period of years. As the object is to improve employment prospects it may be worth enlisting the active help of outside occupational bodies or unions and even providing financial incentives to firms to employ prisoners who have successfully completed their training.

Besides providing an essential job qualification, training can encourage the younger prisoner by giving him a taste of success — and case histories show that lack of success, or an inability to recognise success when they achieve it, is a significant factor in young people's alienation. Treatment as individuals plus encouragement boost the young offender's self-respect and self-confidence.

Of course, some prisoners cannot cope with a sustained course of training for a particular trade or occupation. For them, and for prisoners who already have job skills or are not serving long enough sentences for training to be practicable, there is production work which is the commonest type of

prison work and takes a wide variety of forms. The particular kind of production engaged in depends on the available premises, manpower and outlets for the goods produced.

Two policies emerge:

1. to avoid competing unfairly with local private firms production is geared to meeting the needs of the Prison Department or other government departments and thus keeping down public expenditure and saving the taxpayer money;
2. production is geared to selling on the open market, profit goes to the state, and there is scope for close collaboration or joint management with a private firm.

Efficient workshop operation may require high investment since keeping up with private-sector practice and with economic, technical and management developments calls for continual adaptation. The necessary investment will be more acceptable to the public if it can be shown that prison production is competitive, that the workshops are financially viable, and that the prisoners are doing something socially useful by making themselves less of a financial burden to the taxpayer.

So what about prison farms? They are acknowledged to be extremely cost-efficient. Most of their produce goes to supply other prisons. Some countries consider it necessary to set up more prison farms so as to provide work for more of the prison population. Others - on the ground that there are too few prisoners suitable for transfer to the semi-open regime which farmwork requires — are against establishing more farms. In all likelihood prisoner numbers at semi-open prison farms will remain much the same as at present. Analysis of the increase in crime points to an upsurge of violence so any rise in the prison population will primarily affect closed prisons; and because short alternatives to custodial sentences are increasingly popular with the courts it will be even longer before semi-open prisons are overwhelmed.

At the same time advances in agricultural technology, with which the prison authorities must keep pace on financial and educational grounds, mean less manpower is needed. To put the resultant surplus of prisoner labour into stepping up agricultural production — possibly for the open market — is nowadays unjustifiable given the huge over-production at European level. On economic and ecological grounds the view internationally is that the surplus should be put into schemes of obvious benefit to the community but which have not been carried out because financially unattractive, such as countryside improvement, reforestation, biotope creation, demolition work and anything which can be classed as nature conservation or environmental protection.

Daytime assignment of mobile squads of prisoners to schemes of this kind is an arrangement which lies somewhere between the traditional semi-closed prison farm, semi-release and community service.

Quite apart from any direct or indirect financial benefit to the state, production work is good for the prisoner in various ways. Firstly it keeps him occupied. It hardly needs repeating that antisocial behaviour generated by idleness is one of the worst by-products of imprisonment. Secondly he is occupied productively and therefore feels he is doing something useful, that he has a role to perform and that he is respected for his work. The work therefore needs to be of obvious intrinsic value and well-organised.

Pay must be linked to output and the prisoner must have the opportunity to spend some of his earnings. Paid work must be synonymous with earned creature comforts. It must also keep up the prisoner's social security contributions. Financial gain is as much an incentive to the prisoner as to any employee and earning thus has a rehabilitative function.

Of interest here is the Swedish experiment of paying prisoners a wage related to the going rate on the open market. It involves working out a plan stating how much of the pay packet must go to the authorities towards the prisoner's upkeep, how much to the victims in compensation and how much to repay debts or pay fines, how much must be saved up to cover initial expenses after release and how much the prisoner is free to spend as he wishes during his time in prison. The study shows that taking into account the overall proportion which goes to the state either directly (in such forms as social security contributions, payment of fines contributions to upkeep) or indirectly

(e.g. in the form of family maintenance payments and deductions towards preparation for release), the scheme costs the state very little more than does the present system of paying the prisoner a pittance, and that the extra expense is amply justified by the undoubted educational benefit derived.

The Greek authorities operate a system whereby the prisoner is given credit for work performed: according to how specialised the work is, one day's work counts as one and a quarter, one and a half, one and three quarters or even two days' imprisonment so that a prisoner who agrees to perform work has his sentence correspondingly shortened. Although this approach is often criticised as not being "correctional" enough, it has proved its worth and is highly acceptable both to prisoners and public.

The generally established rule is "no work, no pay". Prison work often counts in a prisoner's favour when he applies for privileges or measures such as prison leave or early release.

Another notable aspect of prison work is its socialising function. The mere fact of getting used to a routine and to being punctual and business-like, of developing responsible attitudes and esprit de corps and of accepting a particular regimen and particular rules of hygiene, forces the prisoner to adapt and integrate.

He will acquire social values which will make it easier for him to settle into the community again—the overriding aim against which prison work must be set and seen.

Vincent Theis,  
Governor of Givenich Prison Farm  
(Luxembourg)

## NEWS FROM THE MEMBER STATES

# Statistics on prison populations in the member states of the Council of Europe

The following data, obtained through the data collection system set up by the Committee for Co-operation in Prison Affairs, reflect the position regarding prison populations at 1 September 1986.

The data accumulated since 1 February 1983 enabled us in the previous bulletin to present the changes in prison populations—"stock" statistics—over three years<sup>1</sup>. The present report will concentrate on changes in the committal flow and detention periods from 1982-1985<sup>2</sup>.

From the raw information provided by national administrations, it has been possible to calculate the following indicators:

**Table 1. Situation on 1 September 1986**

- a. Total prison population.
- b. Rate of detention per 100,000: total prison population at 1 September 1986 as a proportion of all inhabitants on that date (Figure 1).
- c. Percentage of unconvicted prisoners: number of

prisoners who have not been convicted as a percentage of the total prison population.

d. Rate of unconvicted prisoners per 100,000: number of unconvicted prisoners as a proportion of inhabitants at 1 September 1986 (Figure 2).

e. Percentage of women prisoners.

f. Percentage of young prisoners.

g. Percentage of foreign prisoners.

Comparison of the data in Table 1 with those previously published<sup>3</sup>, shows a steady rise in the mean rate of detention (57.3 per 100,000 at 1.9.1983, 59.5 at 1.9.1984, 61.9 at 1.9.1985, 63.2 at 1.9.1986) with the distribution spread remaining comparable<sup>4</sup>.

1. Prison Information Bulletin No. 7 — June 1986, 23-31.

2. As in the past, data relating to Finland and Canada are given in Appendices 3 and 4.

3. These calculations do not take account of the position in Turkey, for which we have no data at 1.9.1983.

4. Standard deviation at 1.9.1983 — 23.4; at 1.9.1984 — 22.2; at 1.9.1985; 23.3; at 1.9.1986 — 22.3.

Figure 1

**Breakdown of Council of Europe member states  
by rate of detention per 100,00 inhabitants**

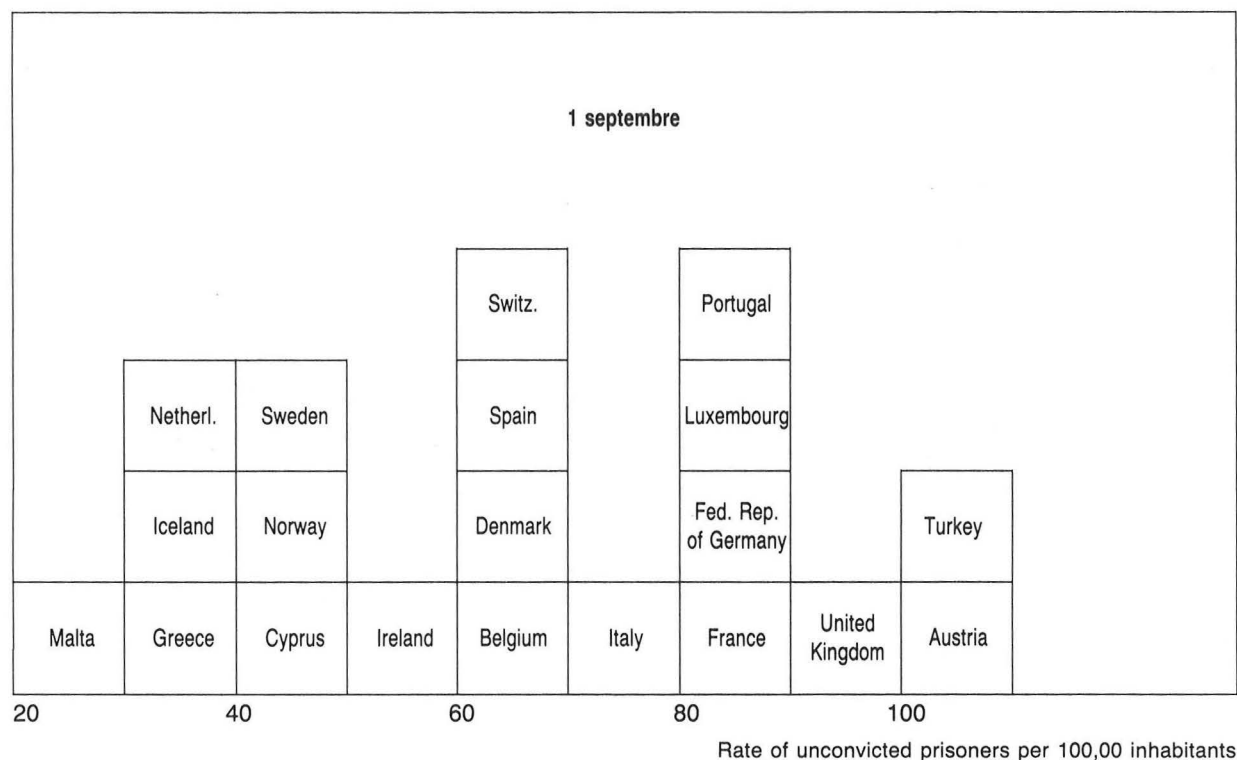
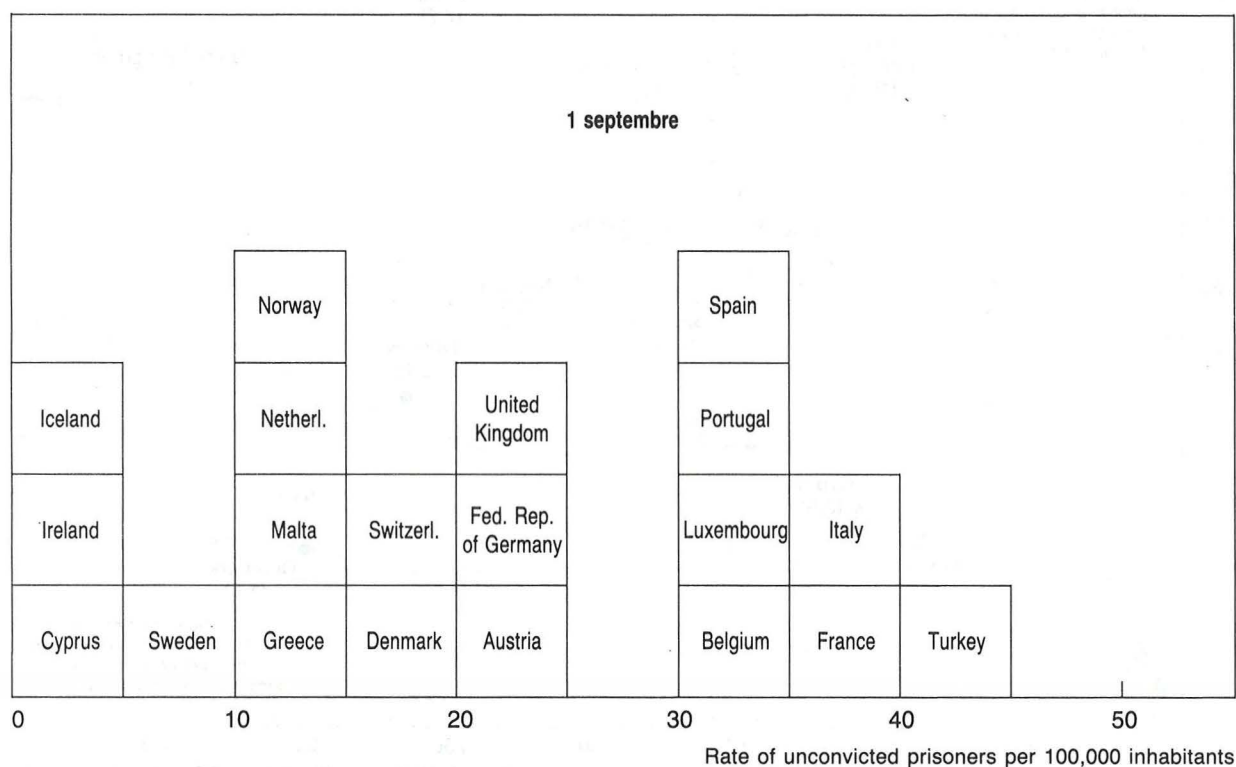


Figure 2

**Breakdown of Council of Europe member states  
by rate of unconvicted prisoners per 100,000 inhabitants**



As we saw in the previous report on the changes in populations over the period 1 February 1983 - 1 February 1986, a wide variety of situations lies beneath the upward trend.

Over the last twelve months, eight out of twenty populations have increased considerably: Cyprus (27.2%), Luxembourg (20.5%), France (17.4%), Spain (13.1%), Malta (9.2%), Norway (8.6%), Greece (8.3%), Switzerland (4.9%).

Six States have remained relatively stable: Denmark (2.1%), Sweden (1.2%), Netherlands (0.4%), Italy (0.2%), Belgium (-0.4%), United Kingdom (-0.9%).

Lastly, six populations have seen a distinct decrease: Federal Republic of Germany (-4.5%), Ireland (-5.7%), Austria (-6.6%), Iceland (-10.8%), Portugal (-11.5%), Turkey (-24.5%).

**Table 2. 1985 Committal flow**

- Number of committals in 1985.
- Rate of committals per 100,000 in 1985: number of committals during 1985 as a proportion of the mean number of inhabitants over that period. Taking into account available data, we have in fact used the number of inhabitants at 1 September 1985 as indicated by the administrations.
- Percentage of unconvicted prisoners committed: number of committals of unconvicted prisoners as a percentage of the year's total committals.

d. Indicator of the average detention period (D): the quotient of the average 1985 population (P) divided by the committal flow over this period (E):

$$D = \frac{P}{E} \times 12 \text{ (duration in months)}$$

Taking into account available information, we took the 1 September 1985 population for P — Figure 3 — <sup>5</sup>.

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

**Table 3. Changes in the number of committals**

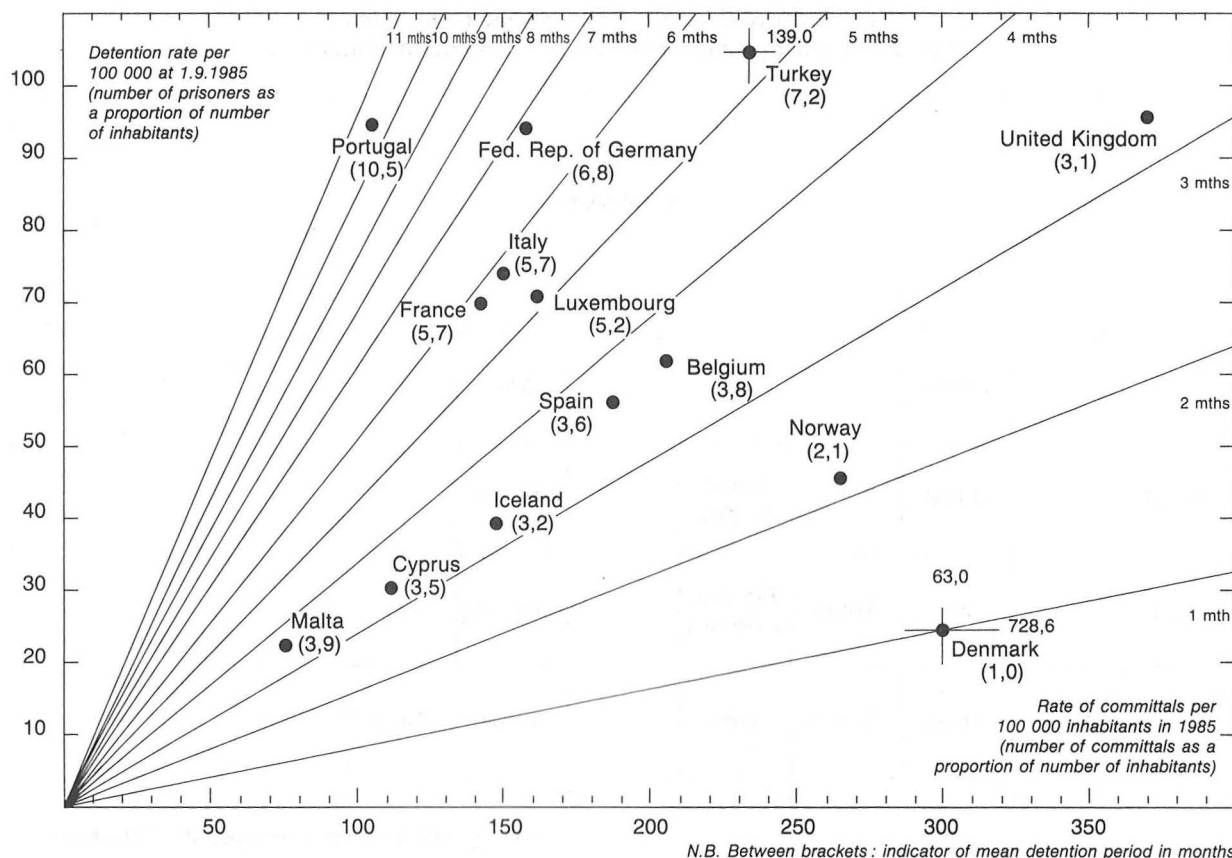
The changes in the number of committals in the various States since 1982 are described by means of the indicator in Table 3 (Figure 4):

$$I(n) = \frac{\text{committals in year } n}{\text{committals in 1982}} \times 100$$

5. Reminder of the key to Figure 3:

- countries on the same vertical line have the same rate of committals,
- countries on the same horizontal line have the same detention rate,
- countries on the same diagonal line have the same indicators of mean detention period.

Figure 3: Indicator of mean detention period (1985)



The 16 States for which calculations were possible can be classified into three groups according to the changes in this indicator from 1982 to 1985:

**Downward trend (6 States):** Federal Republic of Germany, Italy, Luxembourg, Malta, Norway, Turkey.

**Upward trend (7 States):** Cyprus, France, Greece, Iceland, Netherlands, Portugal, Spain.

**Fluctuations (3 States):** Belgium, Ireland, United Kingdom.

The very different patterns of change revealed by these indicators is again apparent when variations in populations, committals and durations of detention are compared.

**Table 4. Comparative changes in populations, committals and the indicator of mean detention period**

For the purposes of these changes, data for 1982 were discarded because, no population figures at 1 September 1982 being available, the indicator of mean detention period for 1982 had been calculated using those at 1 February 1983. This means that the data relating to that year cannot be directly compared to those for the following years.

Figure 5 classifies the States into six groups<sup>6</sup>, according to the direction of the variations—the plus or minus sign for increase or decrease—in the populations at 1 September, in committals and the detention periods from 1983-1984 and 1984-1985.

#### Key to Figure 5

To take the example of Metropolitan France: for the 1983-1984 period, France is included in the group of countries where:

- the number of prisoners increased between 1 September 1983 and 1 September 1984,
- the number of committals in 1984 is higher than for 1983,
- the detention period in 1984 is longer than in 1983.

With one exception<sup>7</sup>, it is seen that all possible cases are represented and that there is no overall majority trend for either the 1983-1984 or the 1984-1985 periods.

Furthermore, only three States, (Iceland, Portugal, Federal Republic of Germany) fall into the same category for both periods.

From the viewpoint of detention periods alone, the general trend is upwards (13 States out of 18 for the 1983-1984 period and 9 States out of 14 for the 1984-1985 period).

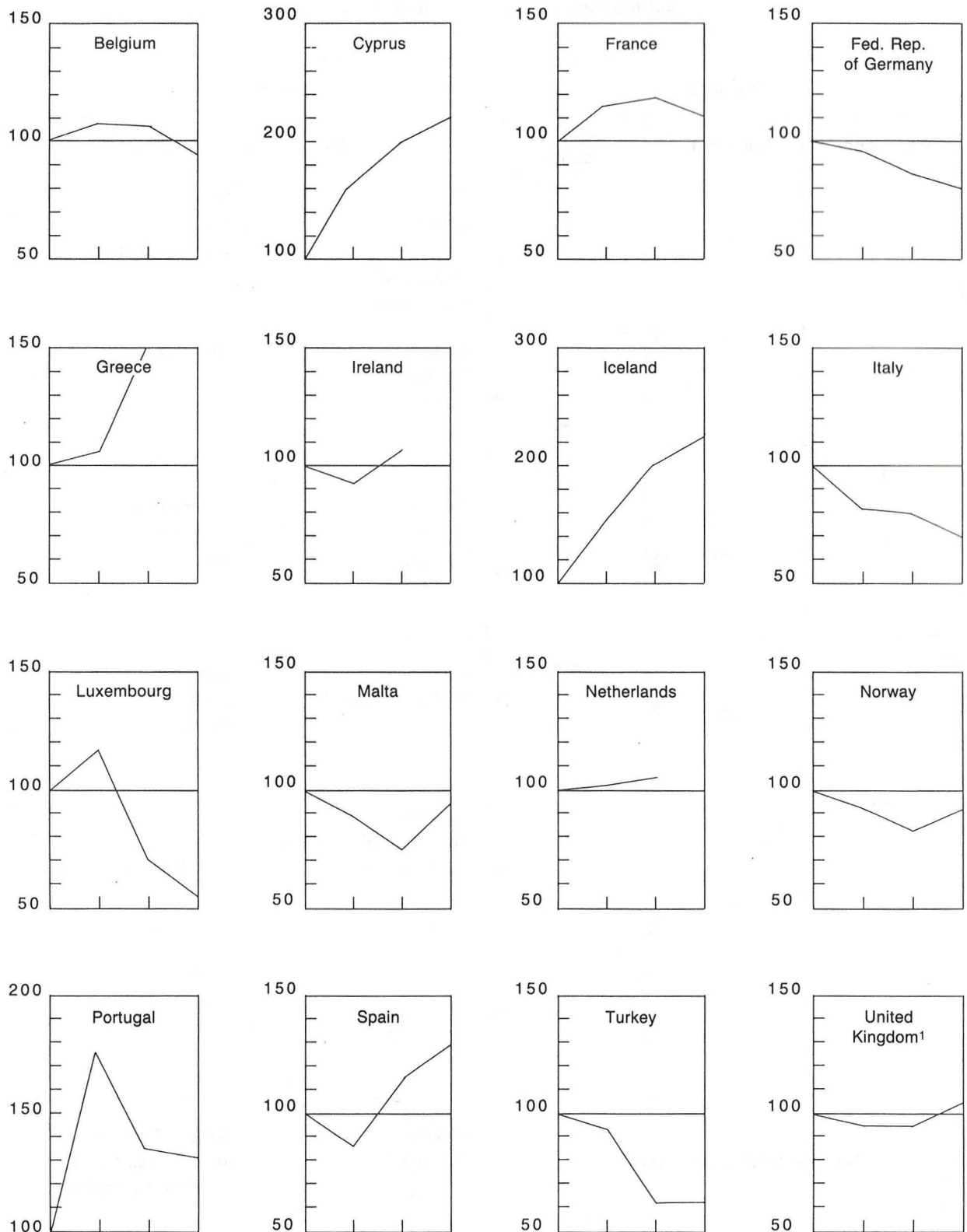
Pierre Tournier,  
Research Engineer  
Centre de Recherches Sociologiques sur le droit et les institutions pénales (CESDIP, UA CNRS 313, PARIS)

6. Using the formula  $D = \frac{P}{E} \times 12$ , if there is an increase in E and a decrease in E, D will necessarily increase; similarly, where P decreases and E increases, D necessarily decreases.

7. Over the period 1983-1984, no State had a simultaneous decrease in population, committals and detention period.

Figure 4

Changes in the number of committals: base of 100 for 1982



1. Excluding Northern Ireland

Reference years : 1982, 1983, 1984, 1985

Figure 5

**Comparative changes in populations, committals  
and the indicator of mean detention period**

Increase			Reference period		
Populations	Committals	Detention period	1983-1984	1984-1985	
<div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div>		+	France Iceland Italy Netherlands Switzerland	Iceland Spain United Kingdom <sup>1</sup>	
	+		Cyprus Ireland Spain	Denmark	
		-			
		+	Belgium Norway Portugal	Luxembourg Portugal Italy	
		-			
		+	Greece United Kingdom <sup>1</sup>	Cyprus Malta Norway	
	-		Denmark Fed. Rep. of Germany Luxembourg Malta Turkey	Belgium France Fed. Rep. of Germany	
		-		Turkey	
			-		
	No overall information available			Austria Sweden	Austria, Greece, Ireland, Netherlands, Sweden, Switzerland

1. Excluding Northern Ireland.

Table 1  
Situation of prison populations at 1.9.1986

	(a)	(b)	(c)	(d)	(e)	(f)	(g)
	Total prison population	Detention rate per 100,000 inhabitants	Percentage of unconvicted prisoners	Rate of unconvicted prisoners per 100,000 inhabitants	Percentage of women prisoners	Percentage of young prisoners	Percentage of foreign prisoners
Austria	7 778	102,5	23,0	23,6	3,8	18 a : 1,4	7,5
Belgium <sup>1</sup>	6 193	62,2	51,1	31,8	3,6	18 a : 0,8	29,3
Cyprus <sup>1</sup>	229	41,0	7,0	2,9	2,8	21 a : 29,1	26,6
Denmark	3 322	65,0	26,9	17,5	4,3	—	—
France <sup>1</sup>	47 628	84,0	45,9	38,6	3,9	21 a : 15,7	27,9
Fed. Rep. of Germany <sup>1</sup>	53 619	87,9	23,3	20,5	3,8	21 a : 12,7	14,5
Greece	3 780	38,8	26,3	10,2	4,3	21 a : 4,6	17,7
Ireland <sup>1</sup>	1 853	52,4	5,6	2,9	2,9	21 a : 26,8	1,5
Iceland	83	34,3	6,0	2,1	4,8	22 a : 16,9	1,2
Italy	43 685	76,3	51,8	37,9	5,0	18 a : 1,5	8,6
Liechtenstein	—	—	—	—	—	—	—
Luxembourg	323	88,5	37,2	32,9	5,0	21 a : 4,0	40,6
Malta	95	28,8	50,5	14,6	8,4	18 a : 2,1	28,4
Netherlands <sup>1</sup>	4 906	34,0	40,5	13,8	2,8	23 a : 16,7	22,1
Norway	2 021	48,5	22,2	10,8	—	21 a : 8,8	9,0
Portugal	8 100	82,0	40,9	33,5	4,3	21 a : 13,3	5,8
Spain	25 059	64,6	46,4	30,0	5,3	21 a : 16,0	12,1
Sweden <sup>1</sup>	4 098	49,0	18,9	9,2	4,6	21 a : 4,9	20,7
Switzerland <sup>1</sup>	4 300	66,6	25,6	17,0	5,2	18 a : 0,6	36,3
Turkey	52 718	102,3	41,6	42,6	3,9	18 a : 1,7	0,5
United Kingdom <sup>1</sup>	53 971	95,3	21,9	20,9	3,4	21 a : 26,3	1,3
England, and Wales <sup>1</sup>	46 581	93,3	22,5	21,0	3,5	21 a : 26,5	1,5
Scotland	5 575	108,9	18,1	19,7	3,0	21 a : 26,8	0,0
Northern Ireland	1 815	116,0	19,1	22,1	1,5	21 a : 19,4	1,1

1. See notes below

#### Notes — Table 1

*Belgium*: The method of calculating indicators (c) and (d) has been modified since the previous surveys. See Appendix 1.

*Cyprus*: Indicators (e) and (f) were calculated on the population of convicted prisoners.

*France*: Data on all persons committed in Metropolitan France and in the overseas departments (population in Metropolitan France = 46,119, population in the overseas departments = 1,509).

— For Metropolitan France, the indicator (b) is 83.2 per 100,000.

— Indicators (e), (f) and (g) were calculated with reference to the situation at 1 July 1986.

*Federal Republic of Germany*: Indicators (f) and (g) are estimates.

*Ireland*: 28 foreigners, not including 71 prisoners from Northern Ireland.

*Netherlands*: The figure of 4,906 prisoners also includes 328 persons detained in police premises, owing to lack of prison space.

*Sweden*: Indicators (e), (f) and (g) were calculated on the population of convicted prisoners.

*Switzerland*: Indicators (a), (b), (c) and (d) are estimates, since there is no record of unconvicted prisoners.

— Indicator (b) was calculated with reference to the total resident population of Switzerland in 1985 (6,455,900).

— Indicators (e) (f) and (g) were calculated on the population of convicted prisoners.

*United Kingdom*:

*England and Wales*: — Indicators (e) and (f) concern the whole of the prison population except "civil law prisoners" (n = 212).

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

Table 2  
Committal flow in 1985

	(a)	(b)	(c)	(d)
	Number of committals in 1985	Rate of committals per 100,000 inhabitants in 1985	Rate of unconvicted prisoners committed in 1985	Indicator of mean detention period in month (1985)
Austria	—	—	—	—
Belgium <sup>1</sup>	19 879	199,8	74,7	3,8
Cyprus	626	116,2	23,6	3,5
Denmark	37 621	728,6	51,7	1,0
France <sup>1</sup>	82 917	150,2	80,0	5,7
Fed. Rep. of Germany	99 051	162,3	—	6,8
Greece	—	—	—	—
Ireland	—	—	—	—
Iceland	349	145,2	42,4	3,2
Italy	91 762	161,1	82,6	5,7
Liechtenstein	—	—	—	—
Luxembourg	617	169,0	77,6	5,2
Malta	269	81,3	70,3	3,9
Netherlands <sup>1</sup>	—	—	—	—
Norway	10 712	258,4	32,0	2,1
Portugal	10 457	106,3	82,0	10,5
Spain	73 058	189,6	90,3	3,6
Sweden <sup>1</sup>	—	—	—	—
Switzerland <sup>1</sup>	—	—	—	—
Turkey	116 903	232,8	74,1	7,2
United Kingdom <sup>1</sup>	207 565	367,7	40,9	3,1
England and Wales <sup>1</sup>	160 739	323,1	40,2	3,5
Scotland	43 237	844,5	43,9	1,5
Northern Ireland	3 589	227,5	37,3	6,6

1. See notes below.

#### Notes — Table 2

*Belgium*: The methods of calculating indicator (c) has been modified since the previous surveys. See Appendix 1.

*France*: Data concern Metropolitan France only.

*Sweden*: 1985 committals: convicted = 13,531.

*Switzerland*: 1985 committals convicted = 10,584.

*United Kingdom*:

*England and Wales*: The number of committals was obtained by adding the number of convicted committals to the number of unconvicted committals. The British administration provided an evaluation of the number of persons committed (without double entries): 124,425. From this figure, we obtained a committal rate of 250.1 per 100,000, and an

Table 3  
Changes in number of committals:  
base 100 in 1982

	1982	1983	1984	1985
Austria	100	—	—	—
Belgium <sup>1</sup>	100	107	106	94
Cyprus	100	161	198	220
Denmark <sup>1</sup>	100	—	—	—
France <sup>1</sup>	100	116	120	111
Fed. Rep. of Germany	100	94	87	80
Greece	100	106	152	—
Ireland	100	95	108	—
Iceland	100	155	197	227
Italy	100	80	81	71
Liechtenstein	—	—	—	—
Luxembourg	100	114	72	58
Malta	100	90	77	97
Netherlands	100	102	107	—
Norway	100	93	86	92
Portugal	100	179	139	135
Spain	100	89	113	129
Sweden	100	—	—	—
Switzerland <sup>1</sup>	100	—	—	—
Turkey	100	94	67	67
United Kingdom <sup>1</sup>	100	97	98	105
England and Wales	100	97	98	102
Scotland	100	97	97	118
Northern Ireland	100	—	—	—

1. See notes below.

indicator of mean detention period of 4.5 months. However, these indicators cannot be directly compared to those for other countries, where the calculation is based on the notion of committal and not of persons committed (this point is made clear in the questionnaire sent to administrations).

#### Notes — Table 3

*Denmark*: The indicators were not calculated, because of lack of comparable data for 1982.

*France*: Data concern Metropolitan France only.

*Switzerland*: The indicators were not calculated, because of lack of comparable data for 1982.

*United Kingdom*: Excluding Northern Ireland (Northern Ireland only started replying to the survey from 1 September 1984).

*England and Wales*: The indicators calculated on the number of persons committed (without double entries) are the following: 1982 = 100, 1983 = 97, 1984 = 98, 1985 = 100.

Table 4

## Comparative changes in populations, committals and indicator of mean detention period

	Population (1 September)			Committals			Period in months		
	1983	1984	1985	1983	1984	1985	1983	1984	1985
Austria	8 387	8 280	8 327	—	—	—	—	—	—
Belgium <sup>1</sup>	6 525	6 908	6 219	22 670	22 493	19 879	3,5	3,7	3,8
Cyprus <sup>1</sup>	188	212	180	456	563	626	4,9	4,5	3,5
Denmark	3 120	3 100	3 253	37 040	34 935	37 621	1,0	1,1	1,0
France <sup>1</sup>	37 772	41 036	39 139	86 362	89 295	82 917	5,2	5,5	5,7
Fed. Rep. of Germany <sup>1</sup>	61 778	59 448	56 154	115 326	107 032	99 051	6,4	6,7	6,8
Greece	3 736	3 613	3 490	7 054	10 108	—	6,4	4,3	—
Ireland <sup>1</sup>	1 466	1 547	1 965	6 199	7 033	—	2,8	2,6	—
Iceland	57	76	93	238	304	349	2,9	3,0	3,2
Italy	41 413	43 351	43 585	103 196	104 196	91 762	4,8	5,0	5,7
Liechtenstein	—	—	—	—	—	—	—	—	—
Luxembourg	245	239	268	1 216	769	617	2,4	3,7	5,2
Malta	97	88	87	249	213	269	4,7	5,0	3,9
Netherlands <sup>1</sup>	4 000	4 783	4 888	24 500	25 500	—	2,0	2,3	—
Norway	1 941	2 004	1 861	10 821	10 039	10 712	2,2	2,4	2,1
Portugal	6 093	7 685	9 149	13 924	10 817	10 457	5,3	8,5	10,5
Spain	14 659	16 950	22 153	50 784	64 266	73 058	3,5	3,2	3,6
Sweden <sup>1</sup>	4 422	3 959	4 049	—	—	—	—	—	—
Switzerland <sup>1</sup>	4 000	4 400	4 100	27 159	27 487	—	1,8	1,9	—
Turkey	76 258	72 678	69 794	165 752	117 833	116 903	5,5	7,4	7,2
United Kingdom <sup>1</sup>	48 436	46 711	52 489	187 883	190 129	203 976	3,1	2,9	3,1
England									
Pays de Galles <sup>1</sup>	43 415	42 091	47 067	152 414	154 797	160 739	3,4	3,3	3,5
Ecosse	5 021	4 620	5 422	35 469	35 332	43 237	1,7	1,6	1,5
Northern Ireland	—	—	—	—	—	—	—	—	—

1. See notes below.

## Notes — Table 4

*Federal Republic of Germany*: The indicator of mean detention period for 1983 was calculated on the population at 31 July 1983.

*Netherlands*: The population at 1 September 1983 is underestimated: persons kept on police premises owing to lack of prison space were not accounted for.

*Turkey*: The indicator of mean detention period for 1983 is calculated on the population at 1 February 1984.

*United Kingdom*: Excluding Northern Ireland.

## Appendix 1. Belgium

Modification in the calculation of penal category indicators:

- In the 1 February 1983 survey, the Belgian administration presented the following data for the penal category:
  1. Total prison population ..... 5,343
  2. Convicted prisoners ..... 2,692 ) 4,712
  3. Unconvicted prisoners ..... 2,020 )

No elucidation was given of the discrepancy between (1), (2) and (3); we therefore calculated the proportion of unconvicted prisoners with reference to the population given in (3), i.e. 37.8%.

- In the second survey (1 September 1983), the data given were as follows:

1. Total prison population ..... 6,525
2. Convicted (sentenced) prisoners ..... 2,883 ) 4,735
3. Unconvicted prisoners ..... 1,852 )

The discrepancy between (1), (2) and (3)—1790 units—was explained as follows:

— detained under the social protection law .....	864
— beggars and vagrants .....	762
— foreigners placed at the disposal of the office of aliens .....	55
— minors placed at the disposal of the government ..	38
— minors in provisional custody for two weeks .....	27
— others .....	44

In order to maintain the presentation of the collected data, we continued to calculate the "percentage of unconvicted prisoners" with reference to the population given under (3), i.e. 28.4%.

• The latest survey (1 September 1986) has yielded the following figures:

1. Total prison population .....	6,193
2. Convicted (sentenced) prisoners .....	3,026
3. Unconvicted prisoners .....	3,167
	4,712

The content of item (3) is explained as follows:

— accused persons .....	1,528
— abnormal persons detained under the social protection legislation .....	868
— vagrants or beggars .....	637
— foreigners placed at the disposal of the government .....	65
— minors .....	49
— others .....	20

The rates of unconvicted prisoners calculated with reference to the population given under (3) — 51.1% — obviously does not have the same significance as the rates published hitherto, referring only to "accused persons" ("inculpés et assimilés"). This new calculation method is moreover in conformity with the definition of "unconvicted prisoners" as used in this data collection system.

The case of Belgium has the merit of explicitly showing that the prisoners accounted for under this head can belong to very different legal categories. This point should be dealt with in more detail in future surveys.

• Modifications in data already published:

— Rate of unconvicted prisoners: 1.2.1983 = 49.6%; 1.9.1983 = 55.8%; 1.2.1984 = 55.3%; 1.9.1984 = 52.7%; 1.2.1985 = 54.2%; 1.9.1985 = 54.3%; 1.2.1986 = 56.6%.

— Rate of detention on remand per 100,000 inhabitants: 1.2.1983 = 26.5; 1.9.1983 = 36.3; 1.2.1984 = 39.8; 1.9.1984 = 34.8; 1.2.1985 = 36.2; 1.9.1985 = 34.0; 1.2.1986 = 36.2.

— Rate of unconvicted prisoners on committal: 1984 = 72.5%.

## Appendix 2. Ireland

The data on committal flow for the year 1984, published in Bulletin No. 6, have been rectified by the Irish administration:

— Number of committals .....	7,033
— Rate of committals per 100,000 .....	200.5
— Percentage of unconvicted prisoners .....	40.2
— Indicator of the mean detention period in months .....	2.6
— Percentage increase in number of committals (1984/1983) .....	13.5

## Appendix 3. Data on the prison population of Finland

The latest data published in the Prison Information Bulletin referred to the situation as 1 September 1985 (Bulletin No. 6 — December 1985).

### 1. Situation at 1 September 1986

a. Total prison population .....	3,702
b. Rate of detention per 100,000 inhabitants .....	75.0
c. Percentage of unconvicted prisoners .....	15.5
d. Rate of unconvicted prisoners per 100,000 .....	11.6
e. Percentage of women prisoners .....	0.4
f. Percentage of young prisoners (21 yrs) .....	8.0
g. Percentage of foreign prisoners .....	0.3

### 2. Changes in populations

Percentage increase in number of prisoners over the period 1 September 1985 to 1 September 1986 . — 6.9

### 3. Committal flow in 1985

a. Number of committals .....	9,407
b. Rate of committals per 100,000 .....	191.8
c. Percentage of unconvicted prisoners .....	30.5
d. Indicator of the mean detention period in months .....	5.1

### 4. Changes in number of committals

— Percentage increase in number of committals 1984/1983 .....	— 0.7
— Percentage increase in number of committals 1985/1984 .....	— 6.5

## Appendix 4. Data on the prison population of Canada

The latest data published in the Prison Information Bulletin referred to the financial year 1983-1984 (1 April 1983 — 31 March 1984) — Bulletin No. 5, June 1985.

### 1. Average situation for the financial year 1984-1985

a. Total prison population .....	27,099
b. Rate of detention per 100,000 inhabitants .....	107.8
c. Percentage of unconvicted prisoners .....	12.5
d. Rate of unconvicted persons per 100,000 .....	13.4

### 2. Changes in average populations

Total population (base 100 for 1982-1983): 1982-1983 = 100; 1983-1984 = 101; 1984-1985 = 99.

Population of unconvicted prisoners (base 100 for 1982-1983): 1982-1983 = 100; 1983-1984 = 95; 1984-1985 = 94.

### 3. Flow of committals for the financial year 1984-1985

a. Number of committals .....	199,632
b. Rate of committals per 100,000 .....	794.1
c. Percentage of unconvicted prisoners .....	35.0
d. Indicator of average detention period in months .....	1.6

### 4. Changes in numbers of committals

Number of committals (base of 100 for 1982-1983): 1982-1983 = 100; 1983-1984 = 94; 1984-1985 = 94.

### 5. Comparative changes in populations, committals and average detention period

	1982-1983	1983-1984	1984-1985
Average population	27,406	27,595	27,099
Number of committals	212,053	199,852	199,632
Average detention period (months)	1.6	1.7	1.6

# EXCHANGE OF INFORMATION ON PRISON MATTERS

## Activities of inmates

In 1982, the Danish Minister of Justice appointed a Committee on the "Activities of Inmates in Danish Penal Institutions" (work, vocational training, education and leisure-time activities).

The Committee was asked to reconsider the content and organisation of prison work, education etc.

To this end, the Committee requested the Council of Europe to obtain up-to-date information from the member States concerning inmates' obligation to work, remuneration, participation in the operation of prisons, types of education, work training, etc.

The replies from the member States enable the following short summary to be given of conditions in Council of Europe member States within some of the areas mentioned.

It appears that, in all member States, prison inmates are under an obligation to work. In some countries weak groups of inmates, such as pensioners, pregnant women and mothers with infants are excepted from the obligation to work.

In most countries the wages paid for work performed by inmates in the institutions are considerably lower than the wages paid for similar work carried out on the free market outside. Various kinds of market wages have, however, been introduced in a few countries, either permanently or for a trial period.

A related question is whether the inmates should pay tax on their wages. In most countries the wages of the inmates, or pocket money, as it is called in many countries, is exempt from taxation, except where the inmate receives normal market wages.

In the assessment of wages various payments in kind must also be taken into account. In about half of the countries asked, various kinds of benefits in kind are received by the inmates — typically various forms of sanitary articles, soap, toothpaste, etc. In a few countries subsidies are, moreover, paid towards transport charges in connection with leave of absence, release, and the like.

The Committee has also examined participation by inmates in the day-to-day operation of their prison. It appears to be quite common for inmates to participate in the day-to-day operation of their prisons, for instance by performing cleaning and maintenance work.

The Committee furthermore asked the member countries to what extent prison industrial programmes are administered by private-sector firms and under what conditions. It appears that as a rule it is the State which lays down the rules for work routines in the prisons. In a few countries, attempts have been made to establish arrangements to enable private firms to set up production workshops in the institutions. In one country an experiment has been carried out in which the inmates work in a private firm outside the prison.

Finally, the Committee looked into the provision of education in the Council of Europe's member States. It particularly wishes to know whether use has been made of integrated education and practical work. It appears from the answers to this question that most member States offer the inmates some kind of tuition, and that education may be an alternative to work or to leisure-time occupations. A combination of education and practical work is found in many countries, but mostly as a traditional apprenticeship in connection with work in the prison workshops.

The Committee made a report on the employment of inmates in the spring of 1986 (Report No. 1058/1986, "Work, Tuition, Leisure-Time"). The report's proposals may be summed up, as follows:

The obligation to work in the prisons should be extended to constitute an activity obligation comprising both work and education.

If the inmates are late for work, or refuse to work altogether, it should no longer be generally possible to impose restrictions on the inmates' right to congregate with other inmates during off-duty hours, in other words, to impose discipline in the form of punishment cells. The punishment must limit itself to deductions from wages and possibly reduced wages.

In the case of a collective refusal to work, which also involves a risk for the order and safety of the prisons, disciplinary measures should remain available.

The activity obligation of the inmates must correspond to a right to work or education. This right is quite literal, and cannot be regarded as having been exercised by the mere receipt of money payments where no work or education has taken place.

Pensioners and similar groups of inmates have a right to work or education, but are not obliged to exercise it.

40 hours are worked each week, like on the ordinary labour market.

At the moment, appearances before internal units in the institution, like the inspector's office, supervisors, welfare officers etc., take place intermittently during working hours, and according to the Committee they take up two and a half hours each week on average. It is proposed that, where possible, these two and a half hours be gathered and moved to predetermined times, to avoid interference with the inmates' work.

The introduction of so-called production schools is proposed for inmates without any vocational experience and training. The activities taking place at the production schools may be defined as education, where the practical work should be regarded as part of the education according to the "learning by doing" principle.

The Committee recommends the introduction of a new wage system which would increase wages to the level of temporary cash benefits paid pursuant to the social security legislation applying to "free citizens". The increase in the wages earned by the inmates will be financed partly through a conversion of free benefits into cash payments (cf. the comments below on board allowance).

With regard to the inmates' activities in their off-duty hours, the Committee recommends that conditions in the institutions should, as far as possible, approach the conditions found in society. With a view to strengthening the resourcefulness and independence of the inmates, it is proposed that

inmates should prepare their own meals. The proposed new wage system has been designed on the assumption that part of the wages will be used for payment of foodstuffs to be prepared by themselves.

The Committee finally makes a number of proposals for improving facilities for inmates in their off-duty hours, especially at weekends.

In the early part of 1987 a political decision will be taken on the extent to which the proposals may be implemented.

J. Balder

## Laws, bills, regulations

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

### Belgium

*Ministerial Circular 1502 of 9 June 1986 on mail coming under Rule 20 of the General Prison Rules*

Censorship of prisoners' mail is a serious interference with their privacy and must therefore be solely for prison purposes and to maintain order and security.

Outgoing mail is of little danger in the latter respects, and prisoners have various other ways of contacting the outside world which are not subject to censorship.

For that reason letters for posting may henceforth be presented in a sealed envelope provided the prisoner writes his name on the back of the envelope.

Censorship as prescribed by Rule 20 of the General Prison Rules is still allowed, however, if the circumstances warrant it, in which case the prisoner himself will be asked to open the letter.

On grounds of order or security exceptions may be made to the above instruction in particular cases and prisoners required not to seal letters in addition to those covered by Rule 24 (1) and (2) of the General Rules. Central administration (Individual Cases Department) and the prisoners concerned must be informed of any such decision and the reasons for it.

Sealed letters which have not been handed in for posting and are discovered during cell searches and sealed letters handed in by prisoners who are not covered by the general instruction may be opened in the prisoner's absence.

*Ministerial Circular 1503 of 9 June 1986 on articles ordered by prisoners from outside suppliers*

Delivery of articles ordered by prisoners without prior permission from outside suppliers must be refused.

*Ministerial Circular 1504 of 20 June 1986 on prison leave for aliens*

The purpose of the circular is to standardise, in accordance with the variations in the legal position concerning aliens' residence in Belgium, the rules for examining leave applications by foreign prisoners.

*Ministerial Circular 1505 of 13 June 1986 on prisoners' inclusion in population registers*

To enable municipalities to keep their population registers up to date, circular 1185/VI of 6 July 1973 (referred to in circular 1403/VI of 28 October 1981 and circular 1480/VI of 14 September 1984), made it compulsory to inform municipalities of the imprisonment or release of *certain prisoners*.

As the notification requirement applies only to some prisoners, prisoners are sometimes automatically struck off the municipal register if serving long sentences or if, on release, they neglect the registration formalities.

To alleviate the problem, imprisonment or release of the following categories of prisoner shall henceforth be notified:

- vagrants;
- recidivists and the abnormal;
- prisoners serving more than one month's imprisonment;
- remand prisoners and similar on completion of the first month's imprisonment;

The municipality to be notified is the municipality where the prisoner was last entered in the population register or the aliens' register; it is the municipality

appearing in the identity card in the prisoner's last address. Where the prisoner does not possess an identity card, the municipality to be notified is the municipality where, on the basis of the information in the prison admission papers or information given by the prisoner himself, the prisoner was probably resident and/or registered. Further action to determine the relevant municipality is a purely municipal matter for the Ministry of Internal Affairs (Directorate of Elections and Population).

*Ministerial circular 1506 of 29 July 1986 on social protection; abolition of the Committee on Imprisoned Recidivists; new advisory procedure*

The Committee to advise the Minister of Justice on the release of recidivists and habitual offenders, established by ministerial order of 11 June 1938, was abolished by Crown order of 24 February 1986 (Official Gazette of 20 March 1986).

*Ministerial Circular 1507 on toilet articles to be issued to prisoners*

The following items shall be issued to new prisoners at Treasury expense: one roll of toilet paper; one toothbrush; one tube of toothpaste; one cake of soap; one comb and one shaving kit. Prisoners to be transferred to another prison must take these toilet items with them.

The toilet paper and soap prisoners require in prison will be paid for by the Treasury.

Prisoners may buy other toilet articles from the prison stores as and when they require. Such items will be paid for by the Welfare Department where the prisoner does not have the necessary means.

## Denmark

*Lov om forbud mod anonyme vidner. Loven træder i kraft ved bekendtgørelse i Lovtidende. (Acts on prohibition of anonymous witnesses. Coming into force when published).*

*Lov om anvendelse af politiafgifter. Loven træder i kraft 1. juli 1986. (Act on use of police agents. Coming into force on 1 July 1986).*

*Lov om danske domstoles internationale kompetence i straffesager. Loven træder i kraft 1. juli 1986. (Act on international validity of criminal judgements. Coming into force on 1 July 1986)*

*Lov om international fuldbyrdelse af straf. Loven træder i kraft 1. juli 1986. (Act on the transfer of sentenced persons. Coming into force 1 July 1986)*

*Lovbekendtgørelse af borgerlig straffelov. Lovbekendtgørelse nr. 607 af 6. September 1986, Justitsministeriet. (Government order No. 607 of 6 September 1986 of the criminal code. Ministry of Justice).*

*Lovforslag om mere effektiv behandling af sager om økonomisk kriminalitet. Lovforslag nr. L 34, fremsat 8. oktober 1986 af justitsministeren. (Draft legislation on*

more efficient treatment of economic criminality. Draft legislation No. L 34 put forth on 8 October 1986 by the Minister of Justice).

## France

### Laws:

*Act 86-1004 of 3 September 1986 on identity checks.*

*Act 86-1019 of 9 September 1986 on combating crime.*

*Act 86-1020 of 9 September 1986 on combating terrorism and on violations of state security.*

*Act 86-1021 of 9 September 1986 on sentence enforcement.*

*Act 86-1025 of 9 September 1986 on conditions of aliens' entry to and residence in France.*

### Decree:

*Decree 86-1111 of 15 October 1986 on compensation of victims of terrorism.*

### Circulars:

*Circular AP 86-20 GH1 of 25 July 1986 (applying the decree of 14 March 1986) on the organisation of Committees on probation and after-care.*

*Circular AP 86-21-G3 of 8 August 1986 (applying the decree of 6 August 1985 and 14 March 1986) on sentence enforcement in respect of prisoners on semi-release or engaged in outside work.*

*Circular AP 86-23-H3-GH1 of 13 October 1986 on the keeping of probation committee accounts.*

## Netherlands

*In force since 7 April 1986 an act enabling most of those who are deprived of their liberty to vote by proxy. If they are detained in a penal institution from which they can periodically enjoy a home-leave or if they are authorised to be outside the institution on the election day, they can vote in person.*

*In force since 15 August 1986, an act concerning the automatic registration of management information about the enforcement of penal law — a computer programme concerning, for the time being, only the so-called deferred sentences. This act contains privacy protection rules for all those who have been introduced into the system. The computerised information system applies to short-term offenders who have not been in preventive detention before reporting to serve their sentences in a half-open prison.*

## Norway

Some new regulations may be of interest: Regulations relating to visits in prison to stronger administrative sanctions against violations of the prison regulations including the consumption of and possession of drugs, and to control of correspondence.

## Switzerland

On 1 January 1987 the Federal Grants (*Enforcement of Sentences and Measures*) Act and the implementing regulations (of the same title) came into force. The Act replaces the Act of 6 October 1986 on federal grants to establishments for the enforcement of sentences or measures and to reformatories.

## Turkey

### *Recent Amendments of the Law on the Execution of Punishments Nos. 647*

The following amendments were brought about with the Council of Ministers' Decree having force of law, which became effective on the date of 15 October 1986:

1. The observation folders are no longer sent to the Ministry of Justice for the determination of the institution in which the convict shall serve punishment with the exception of those groups of offenders specified by the Ministry.
2. Convicts whose remaining term of imprisonment before final release or conditional release falls below the limit set by the Ministry in the month of January of each year shall be transferred from Central Prisons to County Prisons. The principle of proximity is taken into account for determining the institution in which the convict shall serve punishment.
3. In the determination of the time for conditional release, the reduction of six days for every month served in the institution is taken into account subject

to the condition that the convict be classified to an open or semi-open institution and the decision to that effect be approved by the Ministry. With this amendment, Ministerial approval is no longer necessary. The decision given by the Prison Administrative Board is enough for the special reduction.

4. a. As a result of the above-mentioned time-limits to be set by the Ministry, it was decided that only the folders of drug offenders and terrorists are to be sent to the Ministry for final classification and allocation purposes. In the remaining cases, the individual observation and classification centre has the final say in the matter concerned.

b. At the time of final judgement, if the convict's remaining term of imprisonment before final release is not more than six years and if those convicts' term of imprisonment before conditional release as a result of periodical observation and classification process every six month falls below six months, they are to be sent from Central Prisons to County Prisons.

c. In the process of allocating the convicts to the Central Prisons, the principle of proximity i.e. allowing the individual convict to serve his punishment in an institution which is either in the location of his residence or very close to it, has become a guiding rule.

## Finland

### *Decree on Prison Administration.*

The decree came into force on 1 March 1986.

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## 1. The aims of the research

The aim of the research is twofold: description and analysis. First, an effort is made to describe the prison guard's scheme of interpretation. Secondly, the connections of the scheme of interpretation to other social phenomena are analysed.

The concept of the interpretative scheme is used in a similar way both in phenomenologically oriented sociology and cognitive psychology. The phenomenological work of Alfred Schutz serves in this study as the theoretical starting point. The interpretative scheme is defined as cognitive structures, which are shaped by a person's previous experiences. Situations are defined with the help of these structures. As experiencing is always socially conditioned, so the schemes of interpretation are mostly social and not individual.

The notion of typification developed by Schutz is very useful in elucidating the nature of the interpretative scheme. Schemes of interpretation can be said to be typificatory schemes. We perceive and interpret the world around us with the help of different kinds of typifications. Nothing is experienced as completely new. We experience everything in relation to our former experiences; these are stored in our minds in the form of typifications. By typifying a particular object or event, we see it in relation to other objects and events belonging to the same type. The type has its general characteristics. Most typifications are not individual but collective property. I experience things in everyday life for the most part as others in my society do, because we use common sets of typifications.

When describing the guards' scheme of interpretation, different kinds of typifications are identified. Typifications are sought and found in relation to different aspects of the guards' life-world in prison. The aspects considered are:

1. the prisoners,
2. the treatment of the prisoners,
3. the prison as an institution,
4. guards' work, and
5. how the guards learn the skills needed in their work.

The descriptive goal of this study is fulfilled by describing the guards' typifications related to these five aspects of their life-world. The analytic goal of the study is reached by reflecting on the relationship of the guards' interpretative scheme to:

1. the general cultural and symbolic structures of our society,
2. to the formal social organisation of prison,
3. to the interaction between guards and prisoners in prison, and
4. to the possibilities of reforms in prisons.

## 2. The methods applied

The empirical data of the study consist of in-depth interviews with eleven guards of the Helsinki Central Prison. With most of the interviewees the researchers discussed three times; with some of them only twice. The interviewees were selected according to the advice of a key-informant. The criterion was that the interviewees should represent different age-groups and that they could be expected to be able and willing to express themselves verbally on the matters studied. The Helsinki Central Prison is a closed institution, with about 450 male prisoners, and a staff consisting of about 260 people of whom about 150 are guards.

The basic methodological assumption in the study is that the guards' way of talking about their work and matters related to it reveals the typifications they have concerning those things. According to Schutz—as well as many other scholars in different traditions—the language 'contains' the results of type constitution and type variation that have been

accumulated over a long time and demonstrated to be trustworthy. Thus the work-related language of the guards is assumed to contain the typifications related to the work.

The central methodological technique applied in the study is the documentary method of interpretation, expounded by Harold Garfinkel. A single utterance, or proposition, in the talk of the guards was seen as a document of an underlying pattern. The underlying patterns sought in this study were the cognitive structures and typifications related to the work of the guards. The procedure in the analysis of the interviews consisted of the construction of hypotheses about such underlying patterns on the basis of single utterances, and in the interpretation of single utterances in the light of the hypothetical patterns thus constructed.

## 3. Results of the descriptive part of the study

The typifications found in the guards' way of talking about the prisoners can be summarised in four dimensions. Expressing these typifications as dimensions rather than as single attributes is more valid, because of the ambiguities of the prison-guards' way of talking. These dimensions show what is relevant in a prisoner, from the point of view of a guard:

1. difficult to handle—co-operative,
2. deceptive—trustworthy,
3. abnormal—normal,
4. wild—submissive to order.

The first two dimensions are most directly related to the everyday activities of the guards. Dimensions three and four are general descriptions of prisoners, with less connections to the daily activities with prisoner. In the first two dimensions the guards' way of talking is coherent. Most prisoners are seen as rather co-operative, but the minority that is difficult to handle requires the attention of the guard. All the prisoners are considered deceptive, not trustworthy. In the two latter dimensions the guards' way of talking was ambivalent. Two different kinds of discourses could be identified, one of the two discourses defines the prisoners as people like all of us, and submissive to the social order represented by the daily order of the prison. The other discourse emphasises the abnormality of the prisoners, and characterises them as something like untamed creatures following blindly their own desires and impulses. The interviewed guards cannot be divided into two sub-groups according to the choice they make between these discourses. The two ways of talking seemed to be available to any guard: which of them is used depends on the topic of discussion, and the context of and intention in talking.

The typifications found in the guards' way of talking about the treatment of prisoners can be summarised in six principles. These principles reveal the appropriate way of dealing with prisoners from the guards' point of view. Because all the principles are not so easy to follow, there are individual and situation-bound exceptions to them. The principles are the following:

1. The principle of toughness. A guard should have self-evident authority over the prisoners, and he should follow his own line clearly, without doubting.
2. The principle of equal treatment. Different prisoners should be treated in equal way, and all guards should have similar policies in dealing with prisoners.
3. The principle of mistrust. Guards should never trust prisoners.
4. The principle of matter-of-factness. The prisoners should be treated in a non-emotional and rational way. The guard should state reasons for the orders he gives to prisoners, e.g. by appealing to the prison rules.
5. The principle of being easy. The guard should be flexible and he should have a sense of humour in his work.

6. The principle of positivity. The guard should be reasonably interested in the needs of prisoners, and should not be impolite towards them.

There are certain tensions between the different principles of prisoners' treatment. It is difficult to maintain toughness and to be easy at the same time, as it is difficult simultaneously to be mistrusting and positive. But the tensions are not considered contradictions by the guards.

The way of talking related to the prison as an institution revealed that the guards see protection of society as the main purpose of prison. Prisons are needed, because they are the only means to isolate those people from society, who can or will not follow the rules of society. Some people threaten the normal way of life, and they "must be put somewhere".

An underlying pattern concerning the nature of prison was found when the interviews were analysed with the help of the documentary method of interpretation. The guards' way of talking revealed an implicit assumption, according to which the prisoners should not feel good in prison, but they should feel bad and suffer.

The interviews revealed a two-sided picture of the guards' relation to the prison management. On the one hand, the management is felt to have recently come closer to the guards than it was before. The amount of authoritarianism has reduced. But on the other hand, the guards feel that the leaders have abandoned them. A guard is supposed to do his work, without the help or intervention by the people above him in the hierarchy. A certain lack of trust towards the management of the prison is identified in the way of talking about the management as well as a feeling that the leaders do not trust the guards either. The triangle prison—guard—leader is found to be full of tensions, and the possibilities of different kinds of alliances are present.

When talking about their own work, the guards presented continuously three themes concerning the aim of their work. These three themes express the possible and relevant tasks that the guard can set himself, when following the lines of thought given by the prevailing scheme of interpretation. The first relevant task is maintaining order and security in prison. The second is educating the prisoners, and the third taking care of the everyday matters in the prison. About educating the prisoners the guards talked in an ambivalent way. They expressed both an expectation that they should educate the prisoners, and a mistrust in the possibility of success in this. A hypothesis is posed, according to which the first two relevant tasks fit well together, and constitute the traditional self-understanding of a prison-guard. The third one represents a different kind of thinking, a modern pragmatism which puts aside all moral considerations.

The ability to handle the prisoners in everyday occurrences was presented as the most important part of the professional skills of a guard.

The guards' conception about the learning of the skills needed in their work puts the emphasis on practice and advice from the work-mates. One becomes a skilful guard mostly through doing the work and following the advice of older guards. The formal training provided by the Prison Staff's Training Centre was mostly considered unrealistic, unpractical, and based on too humanistic attitudes. Following the documentary method of interpretation, guards' way of talking about learning their work, as well as their critical attitude towards the prisoners going to school and studying, revealed a general opposition between theory and practice in the guards' scheme of interpretation. The guards take their side in this opposition, they are men of practice.

#### 4. Results of the analytic part of the study

In his study about prison guards in Auburn, U.S.A., Lucien Lombardo has stated that the guards do not form a unified group sharing common views and opinions, but that they are a highly fragmented collection of individuals. This study did not give support to Lombardo's view. Although the guards had different opinions and ways of emphasising things, they did share a common language. With the help of this common, shared way of talking they presented their ideas, also in most of the cases where there was disagreement. Thus, the guards of the Helsinki Central Prison cannot be considered a highly fragmented collection of individuals, but a group sharing a basically common scheme of interpretation.

There existed more contradictions and tensions within the shared scheme of interpretation than between individual interviewee's attitudes. When the interpretative scheme is analysed as a whole, it is noticed that it is organised between two poles. One pole is the pragmatic orientation of the guards, and the other is the legitimization of prison and guards' activities within this institution. The ambiguities of the guards' way of talking, e.g. when describing prisoners, can be at least partly traced back to this two-poled structure.

One pole of the overall structure of the scheme interpretation of the guards can be called the homology of practical orientation. Homology refers to a basic similarity or resemblance between different parts of the interpretative of the guards can be called the homology of practical orientation. Homology refers to a basic similarity or resemblance between different parts of the interpretative scheme. Practical orientation is an underlying theme, which binds together various aspects of the interpretative scheme, related to prisoners, prison, and to guards themselves. The everyday activities that the guards have to go through with the prisoners are like the basic reality, or the basic horizon. Many things are interpreted in relation to this basic reality. The constructive everyday activities are things like making sure that the prisoners wake up in time, get up from bed, go to their working places and do some work, eat their meals and go to the yard in time, and go to their cells in the evening. These activities are mostly determined by the daily schedule of the institution, which is warranted by the formal rules of the institution. The schedule has to be followed, and rather with as little effort as possible.

But not all the features of the interpretative scheme of prison guards reflect the homology of practical orientation. The other discourse describing the prisoners mentioned above does not fit in this homology. Seeing the prisoners as completely abnormal and wild people, who would seriously threaten the security of innocent people if they were not isolated in prison, cannot be traced back to the practical needs of everyday life in prison. Neither can the underlying assumption, according to which prisoners should feel bad and suffer in prison, be included in the homology of practical orientation. Things like these refer to another pole organising the guards' scheme of interpretation, which is the need for the legitimization of prison and the guards' activities within it.

According to Berger and Luckmann, legitimization explains the institutional order by ascribing cognitive validity to its objectivated meanings. The guards' inclination to define prisoners as wild and abnormal people, who deserve suffering in prison, can be seen as a collection of rudimentary theoretical propositions legitimizing the institutional order of prison.

According to Berger and Luckmann, a major means in the legitimization of a particular institution is the integration of the stock of knowledge connected to this institution, into the overall symbolic structures of society. Several points were found in the prison guards' scheme of interpretation which serve to legitimate prison in this way. One of those points is

the character of prison as a symbol of order. When interpreting the guards way of talking, the prison was revealed as a symbol of order, which protects society against the ever present possibility of dissolution and chaos. The chaos is for its part represented by the wild nature of the prisoners. Another symbolic meaning legitimating the prison is symbolism of masculinity. Especially in the stories told by the guards about old legendary guards, masculinity was represented in an extreme form. Prison is revealed as a stronghold of masculinity, which is threatened in so many ways in the world today.

Rudimentary theoretical propositions and integration into the overall symbolic structures of our society seem not to be enough for the legitimation of the prison guards' work. The guards' inclination to make a clear-cut difference between their private life and their work was interpreted to be a means of legitimation as well. Where integration and rationalisation do not suffice as legitimations, separation can be used paradoxically to serve the same purpose. The need for this separation reveals the difficulties of the legitimation of prison today.

The relationship between the formal social organisation of the prison and the guards' scheme of interpretation was identified as one instance of a more general question bothering the Finnish sociologists today. This question is the relationship between the social structure and the culture. In this study, special attention was paid to the impact of the official rules of the prison on the guards' scheme of interpretation. As a result of this consideration, a hypothesis was made, according to which in prison neither the social structure is determining the culture of the guards, nor is the culture developing independently of the social structures. The social structure sets certain challenges, certain problems that the guard has to cope with in his work. These problems stem largely from the coercions imposed on the guards by the official rules of the prison. The guards' scheme of interpretation reveals the solutions that the culture has produced to the challenges imposed on it. What kind of solutions the culture finds, depends on wide cultural

processes as well as the choices and practical action of all the participants of the everyday life in prison, in addition to the character of the structural challenges.

When reflecting on the impact of the guards' scheme of interpretation on the interaction between guards and prisoners, a line of thought developed by ethnomethodologists like Garfinkel and Wieder was applied. The guards' scheme of interpretation is not a stable cultural fact determining the actions of the guards. Interpretation and action are intertwined. The guards use and shape the scheme of interpretation in their actions, situationally. An assumption is developed, according to which the guards' scheme of interpretation puts limits to the possible courses of action, which can be considered rational. When using the prevailing scheme of interpretation, one cannot consider rational to be more deeply engaged in the affairs and problems of the prisoner than on the level of practical things. Friendship with prisoners and taking their troubles as one's own go beyond the limits of reasonable courses of action which could be considered rational in the light of the prevailing scheme of interpretation. In actual situations and interactions between guards and prisoners different elements of the scheme of interpretation can be used to account for different courses of action.

Major changes in everyday life in the prison are possible only if some modification takes place in the guards' scheme of interpretation. But a serious doubt must be expressed whether this kind of modification may be brought about by developing the formal training of the guards. Guards' scheme of interpretation cannot be changed from above, by means of formal education or administrative orders. As the guards' scheme of interpretation is in a meaningful relation both the overall cultural structures of our society and to the formal social organisation of the prison, it cannot be manipulated voluntarily. And as the scheme of interpretation is produced, shaped, and reproduced in everyday actions in prison, by the interactions of all participants in prison life, it cannot be manipulated from outside the prison.

## News in brief

### Greece

Under Ministry of Labour decision 31481/7-7-1986 published in the Official Gazette (No. 551/12-8-1986/B), a scheme of grants to employers has been set up to create 30 jobs for released juvenile offenders.

Firms employing juveniles who are on probation or have been released from detention will receive a sum equal to an unskilled worker's minimum wage.

Job and grant are for a period of at least 12 months.

### Netherlands

Deconcentration policy of the prison administration: it is intended to limit the rôle of the central administration to the establishment of the general framework whose practical implementation will be for the various institutions.

Each institution must therefore submit before the end of 1987 a basic structure plan, indicating the actual state of affairs in the institution and the intended future planning, underlining at the same time the possible problem areas and the costs. Only after

approval of the plan by the Central Administration can it be enforced.

### Sweden

The Swedish Prison and Probation Administration has in co-operation with the local social service authorities in the cities of Stockholm, Malmö and Gothenburg started special programmes in order to prevent the dissemination of AIDS/HIV-virus. The experience shows that the majority of the misusers of hard drugs sooner or later pass through the remand prisons of these cities. The purpose of the programmes is to reach all narcotic drug addicts at the remand prisons with information about AIDS/HIV-virus, to motivate them for blood tests and, if possible, for treatment for their drug addiction.

Nurses at correctional institutions are also of great importance in the above-mentioned motivation work with drug addicted inmates. The Prison and Probation Administration has in a first step received 2.4 million SEK to finance a number of extra staff for the AIDS/HIV projects at the remand prisons in the above-mentioned cities and to increase the number of nurses at the prisons.

# List of directors of prison administrations of the member states of the Council of Europe

**Austria:** Dr. Helmut Gonsa, Director of the Prison Administration (responsible at international level), Ministry of Justice, Museumstrasse, 7, 1016 Vienna.

**Belgium:** M. Julien de Ridder, Directeur Général de l'Administration Pénitentiaire, Ministère de la Justice, Avenue de la Toison d'Or, 55, 1060 Bruxelles.

**Cyprus:** Mr. I. Iacovides, Director of the Prison Department, Nicosia.

**Denmark:** Mr. A. Trolborg, Direktor for Kriminalforsorgen, Justitsministeriet, Klareboderne, 1, 1115 Copenhagen K.

**France:** M. Arsène Lux, Directeur de l'Administration Pénitentiaire, Ministère de la Justice, 13, Place Vendôme, 75042 Paris Cedex 01.

**Federal Republic of Germany:** Dr. Klaus Meyer, Ministerialrat, Bundesministerium der Justiz, Heinemannstrasse, 6, Postfach 200650, 5300 Bonn 2.

**Greece:** M<sup>me</sup> Fotini Tzerbi, Directeur de l'Exécution des Peines, Ministère de la Justice, Section des Relations Internationales, 2, rue Zinonos, Athènes.

**Iceland:** Mr. Thorsteinn A. Jonsson, Head of the Division of Correction, Ministry of Justice, 101 Reykjavik.

**Ireland:** Mr. M. J. Mellet, Head of Prisons, Department of Justice, 72-76, St Stephen's Green, Dublin 2.

**Italy:** M. Nicolo Amato, Direttore Generale per gli Istituti di Prevenzione e Pena, Ministero di Grazia e Giustizia, Via Silvestri, 252, 00164 Rome.

**Luxembourg:** M. Pierre Schmit, Avocat Général, Délégué du Procureur Général d'Etat pour la Direction Générale des Etablissements Pénitentiaire et Maisons d'Education, Parquet Général, Côte d'Eich, 12, Luxembourg.

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**Netherlands:** Mr. H.B. Greven, Director of the Prison Administration, Ministry of Justice, Schedeldoekshaven, 100, 25-0 EH The Hague.

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**Turkey:** M. Cahit Ozdakis, Directeur Général des Etablissements Pénitentiaires, Ministère de la Justice, Adalet Bakanligi, Bakanliklar, Ankara.

**United Kingdom:** Mr. Christopher J. Train, Director General of the Prison Service, Home Office, HM Prison Service Headquarters, Cleland House, Page Street, London SW1P 4LN.