

# International Centre for Prison Studies

## ICPS NEWS DIGEST

### 1<sup>st</sup> Edition – January/February 2011

Welcome to the first edition of the ICPS News Digest, a selection of news items from around the world on prison and the use of imprisonment. The articles have mainly been selected for their relevance to current debates in the UK. The Digest will be produced bi-monthly and this issue covers the period from 1 January to 28 February 2011. Please click on the blue highlighted words to access the news reports.

#### Prison populations

The size of prison populations continues to cause concern, with [Denmark](#) reporting its highest number of prisoners since the Second World War, [Switzerland](#) its highest since 1999 and the tripling of the prison population in [Brazil](#) in the last 15 years. In [Zambia](#) the Justice Minister reported that prisons are overcrowded by 250%. In [South Africa](#) the problem of prison overcrowding is exacerbated by the length of time pre-trial prisoners are held in custody awaiting trial.

Some jurisdictions are making efforts to reduce their use of prison. In the US a [report](#) by the Sentencing Project showed that in 2010 twenty three States adopted new criminal justice legislation aimed at reducing the prison population and facilitating successful reintegration back into the community on release from prison. Also in the US there is increasing pressure on the Government from both the right and the left of American politics, from organisations such as the [Right on Crime coalition](#) and the [Smart on Crime coalition](#) to reduce the prison population.

Various policies are being introduced to try and reduce prison populations. In [Mozambique](#) a Bill to introduce alternatives to imprisonment for minor offences is being considered by the government, while the [Turkish Justice Ministry](#) is preparing to adopt a law allowing those who are sentenced to up to two years imprisonment to instead be placed on house arrest and electronically monitored. In [Ireland](#) the Criminal Justice (Community Service) (Amendment) Bill 2011 has been published which seeks to expand the use of community sentences to ease the pressure on the overcrowded prison system.

Other countries are moving in a different direction. As part of its “Tough on crime” agenda the Canadian government has recently [announced](#) the expansion of eight prisons, taking the number of those listed for expansion to over two dozen over the past five months.

#### Drugs

Imprisonment for offences connected to illegal drugs is an important factor in the use of imprisonment in many countries. A recent report from [Singapore](#) showed that in 2010 about 58.7% of the prison population was made up of those convicted for drug offences. In [Abu Dhabi](#) the Minister of the Interior has ordered an evaluation of drug laws with a view to reforming the system so that drug offenders should receive community service or be sent to a rehabilitation centre rather than prison. In [Canada](#) a Bill has been tabled by the minority Conservative government that would impose mandatory minimum sentences on people convicted of drug offences, a move that has been criticised by more than 500 doctors, academics and scientists. The parliamentary budget officer has estimated that just one of the crime bills — eliminating credit for time served before sentencing — will hike prison costs by \$5 billion over five years. The Liberal party have announced that they will not support the Bill, meaning that the Conservatives will not have enough support for the Bill to pass.

In Australia, the Health Minister of the Australian Capital Territory has proposed the introduction of a [needle exchange](#) programme in the Alexander Maconochie Centre, a proposal which is opposed by staff at the prison.

## **Treatment of prisoners**

The treatment of women and juveniles in prison continues to be a matter of concern in many countries, an issue which was the focus of a workshop in [Pakistan](#) which reinforced the need for a minimum set of standards of human rights for detainees, in particular those of children in prison.

In Maricopa County, Arizona, [chain gangs](#) have been introduced for women prisoners who perform such tasks as burying the dead in paupers' graves and clearing wasteland. They sleep outside under surplus Second World War Army tents.

Illness, both mental and physical, is prevalent in prisons. A study of the largest prison in [Switzerland](#) showed that 45.3% of men and 56.6% of women suffered from psychological problems. In [Bangalore](#), India, a study called for increased attention to the prevention of suicide in prisons by addressing the mental health needs of prisoners through "proper identification, sensitive handling with established protocols for crisis intervention and psycho social intervention." The health problems of prisoners in Bangalore are exacerbated by the severe [shortage](#) of medical staff, with only two doctors in the central jail attending to a prison population of over 4,000.

Prisoners in [Nepal](#) are being denied treatment after the Prison Hospital, which provides treatment to five prisons holding a total of around 3,000 prisoners, used up its annual budget in the first six months of the financial year and had not received any further funding.

In [Taiwan](#) a specialist medical centre is being built next to Taichung Prison which will house around 100 sex offenders who will receive mandatory treatment upon their release from prison.

## **Prison violence**

Violence in prisons is a long running problem. In Latin America the situation is particularly bad. In [Brazil](#) a riot in the state of Maranhao left six prisoners dead, at least four of whom were decapitated, while in Uruguay a riot following an encounter between rival groups of prisoners in a prison in Montevideo left five police and 11 prisoners injured.

In the [US](#) the Attorney General and the Department of Justice have issued details of a proposed rule based on recommendations of the National Rape Elimination Commission aimed at combating sexual abuse in the countries' detention facilities.

## **Developments in Rehabilitation**

Interesting ideas on how to improve the way prisoners are treated are reported in a number of countries. In [India](#) a scheme has been launched in which prisoners in Hyderabad are being trained as 'outsourcing providers', learning data entry skills and receiving English language tuition with the aim of establishing a call centre within the prison where the prisoners will work.

In [Trinidad and Tobago](#) the Government is working on a plan to give a grant of \$5,000 to ex-prisoners to allow them to buy food and find a place to live on release from prison, to encourage them not to commit further crime. The Government will also introduce a 200 percent tax credit to private employers who hire ex-prisoners.

In [Georgia](#) the Minister of Penitentiary, Corrections and Legal Aid has announced the introduction of facilities to allow juvenile prisoners to have four 24 hour long visits a year, and prisoners in two adult establishments to have two such visits a year. The visits will allow prisoners to spend time with family members "in a clean and comfortable environment within the boundaries of the penitentiary establishment." However the proposal to charge the prisoners families to participate in a long term visit has been criticised.

In [Sri Lanka](#) a competition has been launched to find the "Prisoner of the year." The prisoner will be chosen on such criteria as conduct during their time in prison and effectiveness as a team player. The chosen prisoner will be given the opportunity to serve the rest of their sentence in an open prison, have home visits and the opportunity to expedite being released on a permit.

In the Russian capital [Moscow](#), an internet shop has been set up to allow prisoners' families and friends to buy goods which are then delivered to the prisoners within three days of the order being placed. The online store is currently only available in the pre-trial prisons, but there are plans to extend it to all seven of Moscow's prisons.

The [Australian Institute of Criminology](#) has produced a literature review looking at "Good practice in women's prisons." The review includes examples from across Australia on such issues as architecture, prison management, prison programmes and health issues. The report also looks at key international developments. It argues for 'the development of specific policies, practices and initiatives that ... place female rehabilitation as a central criminal justice priority in its own right'.

## Sentencing and the law

In [Jordan](#) the Government has amended the Penal Code to reduce the sentence for consensual adultery to between six months and two years in prison. The penalty for sexual assault has been set at 15 years imprisonment with hard labour, and for the sexual assault of someone under the age of 15 it is 20 years imprisonment with hard labour.

In [New Zealand](#) a Bill is before Parliament that would make the penalty for unpaid fines imprisonment or home detention sentence. The proposal has been criticised as those who will be sent to prison in these circumstances are likely to be the poor and unemployed, and with the current overcrowding in the New Zealand prison system alternatives to prison should be sought wherever possible.

The European Court of Human Rights has ordered [Germany](#) to pay 125,000 Euros to three sex offenders who were held in prison beyond their original 10 year tariff. The men were held under Germany's preventive detention system which allows prisoners considered dangerous to be detained for an indefinite period. However the men were convicted before a 1998 change to the law that lifted a ten year limit on preventive detention; therefore the European Court ruled that the courts responsible for the execution of their sentences would not have had the jurisdiction to extend the duration of detention beyond the original tariff of 10 years.

[Turkey](#) has passed a law placing a ten year limit on the length of time suspects can be held before trial. The law was passed as part of Turkey's efforts to conform to the regulations of the European Union, which it is seeking to join.

The Australian Institute of Criminology has published a study carried out in [Tasmania](#) on "Public judgement on sentencing." The study used jurors in real trials to gauge public opinion about sentences and sentencing. Based upon jurors' responses from 138 trials, the study found that more than half of the jurors surveyed suggested a more lenient sentence than the trial judge imposed. Moreover, when informed of the sentence, 90 percent of jurors said that the judge's sentence was (very or fairly) appropriate. In contrast, responses to abstract questions about sentencing levels mirrored the results of representative surveys which show a general view that sentences are too lenient. The results of the study also suggest that providing information to jurors about crime and sentencing may be helpful in addressing misconceptions in these areas.

## Prison policy

The Governor of [Hawaii](#) has brought 243 prisoners back to Hawaii from two prisons in Arizona where they were being held due to shortage of space in Hawaii's prisons. The move came after over two dozen prisoners brought lawsuits claiming that while being held in the Arizona facilities, which are run by the private company Corrections Corporation of America, they were ""beaten and assaulted, including by having their heads banged on tables while

they were stripped to their underwear and while their hands were handcuffed behind their backs," by a group of prison guards and "the warden himself."

In [Hong Kong](#) an environmentally friendly prison has been opened housing 1,400 female prisoners. The \$200 million facility took three years to complete and features a green roof, solar panels, solar water heaters, natural lighting and an enhanced ventilation system. The prison has been hailed by human rights groups but has been criticised by opponents who say that the prisoners are living in comfortable conditions while many Hong Kong residents live in dark, unventilated public housing estates.

In [Finland](#) the Criminal Sanctions Agency is preparing a report into the use of weapons by staff in Finnish prisons. Staff had been anxious that the report might strip them of their weapons to bring them into line with other Nordic and European countries, but the Agency is confident that this will not be the outcome necessary.

### **Monitoring of prison conditions**

In [Hungary](#) the Government is considering signing up to the Optional Protocol to the United Nations Convention Against Torture (OPCAT), which would allow independent organisations to monitor prison conditions in the country.

The Association for the Prevention of Torture has produced its bi-monthly [briefing](#) concerning issues regarding the ratification and implementation of OPCAT. As of 3 January 2011 there are 57 States parties to OPCAT and 21 additional States signatories.

### **Prison population rates per 100,000 of the national population in selected jurisdictions**

<b>Jurisdiction</b>	<b>Prison population rate</b>
United States of America	743
Russian Federation	577
South Africa	319
Brazil	253
New Zealand	203
Spain	159
England and Wales	152

Scotland	147
Australia	133
China	120
Canada	117
Portugal	110
Republic of Ireland	99
France	96
Netherlands	94
Germany	85
Northern Ireland	84
Sweden	78
Denmark	71
Norway	71
Finland	60
Japan	59
India	32

These statistics were taken from World Prison Brief Online at 1 March 2011. Statistics are not necessarily from the same year but represent the most recent figures available. Further statistics can be found on the World Prison Brief page of the International Centre for Prison Studies website [www.prisonstudies.org](http://www.prisonstudies.org)

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