



International Centre for Prison Studies

ICPS NEWS DIGEST

5th Edition – September/October 2011

Welcome to the fifth 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 is produced bi-monthly and this issue covers the period from 1 September to 31 October 2011. Please click on the blue highlighted words to access the news reports.

Prison populations

The issue of prison overcrowding continues to cause problems in many countries. The [Czech](#) Ministry of Justice has announced that the prisons are 'full' and is planning to petition judges for the conditional release of some prisoners and greater use of alternative sentences. In [Zambia](#) the Prison Service has bemoaned the overcrowding of all the prisons in Eastern Province, which is making operating the prisons difficult. One of the reasons given for the overcrowding was the amount of time cases take to go through the courts. In [Cambodia](#) the rights group Licadho reported that prison occupancy was close to 180 percent, making it among the 25 most overcrowded prison systems in the world. The overcrowding is attributed in part to the practice of detaining those who are unable to pay criminal fines, and the use of prison sentences that are not commensurate with the crimes committed.

In the [US](#), the state of Illinois has changed the way that prison space is calculated by introducing a measure called 'operational capacity' which states the percentage of available beds occupied by prisoners. Previously the Department of Corrections had stated the design capacity of prisons and calculated whether the prison was at, above or below capacity based on that figure. Under the new calculation the prison claims to be at 99 percent of 'operational capacity', despite holding more than 1,200 prisoners in a facility designed for 600.

In [Georgia](#) the Public Defender's Office has repeatedly requested the closure of two of the country's prisons, saying that their infrastructure is so obsolete that they can no longer be renovated. The key challenge facing the two prisons is overcrowding. Batumi prison has a capacity of 557 but is holding 652 prisoners, while the Zugdidi prison is designed for 305 but is currently holding 378 prisoners.

The government of the Australian state of [Victoria](#) has warned that the state's prisons will be unable to cope with rising prisoner numbers within five years. Prison numbers have risen by 21 percent over the past five years and that rate of growth is expected to continue. The main driver of the growth is sentencing reform which has seen the abolition of home detention and suspended sentences, as well as a proposal for mandatory minimum sentences for certain serious offences.

In [Jamaica](#) the national security ministry is exploring the likely transfer of low risk prisoners from maximum security prisons to low security institutions as part of efforts to reduce the overcrowding of prison facilities. The island's two main adult prisons are seriously overcrowded, with St Catherine's Adult Correctional Centre holding almost 1,200 prisoners in a facility built for 800, and Tower Street Adult Correctional Centre holding 1,500 prisoners although it was designed to house 850. In [Angola](#) the Home Affairs Minister has announced the construction or reconstruction of six prison facilities in the country, which will increase the capacity of the prison system by an additional 9,000 places. The Minister says this will reduce the level of overcrowding which currently stands at around 21 percent.

In some jurisdictions prison populations are declining. A report from the [Florida](#) Department of Corrections in the US has found that in 2010 fewer people were sent to prison and the number of people who returned to prison also declined. One of the reasons given for the decline is probation officers being given greater latitude in reporting some probation violations. In [New South Wales](#), Australia, prisoner numbers are at their lowest level for five years, partly due to the introduction of new intensive correction orders under which those given the orders undertake unpaid community work and attend programmes to address their offending behaviour. In [New Zealand](#) for the first time in over 80 years the prison population has shown a sustained drop and is on track to fall further. The decrease is being attributed to a falling crime rate and to new police tactics that have seen fewer people brought before the courts. The number of prisoners in [Estonia](#) has decreased by a thousand since 2007, when the state introduced a more liberal early release policy.

Drugs

The United Nations Development Programme has reported that the prison population in the [Maldives](#) could be reduced by up to two thirds if the government would 'de-criminalise the offence of drug usage and propose mandatory rehabilitation.' At the time of the report 66 percent of prisoners polled were in jail for drug use or possession.

Nearly 40 years after tough new drug laws led to an explosion in the number of prisoners, the state of [New York](#) in the US has dramatically reversed course with a 62 percent drop in people imprisoned for drug crimes compared with in 2000. The drop is attributed to an

array of factors including the diversion of more drug offenders to treatment, changes in drug laws and lower crime rates.

The aim of the 10 member Association of Southeast [Asian](#) Nations (ASEAN) to make the region 'drug free' by 2015 has led to the countries taking a harsh approach towards drug use. According to a Human Rights Watch report, those held in the Somsanga Treatment and Rehabilitation Centre in Vientiane, Laos, are subject to routine, en masse detention without due process, denial of effective drug dependency treatment and physical abuse. In Cambodia rights activists have criticised a new draft drug law which they say treats all drug users as addicts and allows authorities to commit them to state-run 'social affairs' centres where abuse and mistreatment are rampant. However some small organisations across the region are pioneering health-based approaches to drug abuse and have achieved some successes. Yakita, established in Indonesia in 1999, now has 15 clinics across the archipelago that use detoxification, recovery, education and counselling to help drug users off drugs.

In [Russia](#) the country's anti-drug agency has drafted changes to the Criminal Code that would see repeat drug users go to jail. The agency proposes to outlaw drug use, and those caught using drugs will be either sent to prison or sent to obligatory rehabilitation centres.

In [Indonesia](#) the Law and Human Rights Ministry has announced plans to improve surveillance in prisons in Jakarta, as overcrowding has led to an increase in drug trafficking. A former prisoner reported that the drug trade within the prison he was held in involved almost everyone in the prison, including the guards. He also said that small time traffickers who enter the prison often come out as a medium or big-time player because of building networks within the prison.

Health

The [World Health Organisation](#) (WHO) has produced a study showing that women in prison have a higher rate of mental health problems, and self-harm and commit suicide more than male prisoners. Women are also at greater risk than men of entering prison with sexually transmitted infections such as chlamydia, gonorrhoea, syphilis and HIV/AIDS, often as a result of past high-risk sexual behaviour including sex work or being a victim of sexual abuse. The report calls for healthcare in prisons to focus on the specific needs and problems facing women and girls.

In [Australia](#), a Canberra prison officer, former prisoners and health experts are warning of a looming HIV epidemic in the country's prisons. It comes as 40 percent of prisoners at a prison in Canberra tested positive for Hepatitis C. One Canberra prison officer says there are more dirty needles in the prison now than ever before, but the union which represents prison officers remains strongly against a proposed trial prison needle exchange programme in the state. In [Canada](#) a senior analyst has testified during a House of Commons standing committee meeting that prison needle exchange programmes could help reduce the high rate of HIV and Hepatitis C among Canada's prisoners. The level of HIV among Canadian prisoners is at least 10 times higher than the general population, while the Hepatitis C rate is at least 20 times greater.

The former President of [Botswana](#), Festus Mogae, has said that Botswana should decriminalise homosexuality and prostitution to prevent the spread of HIV. Botswana has one of the highest rates of HIV/AIDS in the world – 17 percent of the population is HIV positive. He also called for condoms to be distributed in prisons.

In [Pakistan](#) the Sindh High Court has directed the provincial secretaries of the finance, health and planning and development departments to provide facilities for medical screening of prisoners living with HIV/Aids in all prisons of the province.

The Deputy Commissioner of the [Zimbabwe](#) Prisons Service has rejected calls by campaigners to distribute condoms to the country's 13,000 prisoners to curb the spread of sexually transmitted diseases, including HIV, stating that it would require a change in the law to legalise homosexuality before prison authorities can distribute condoms to prisoners.

Also in [Zimbabwe](#) the prison authorities are braced for another outbreak of cholera following the ongoing strike by municipal workers which has caused serious water shortages in the capital city, Harare. Medecins Sans Frontiers is working with the Zimbabwe Prison Services to install emergency cholera kits in all the country's jails, and has called on the International Committee of the Red Cross to intervene and address widespread water shortages and sanitation problems by drilling boreholes and installing water tanks at prisons around the country. In [Ghana](#) Nsawan Medium Security Prison, which holds over 3,300 prisoners, is also suffering from an acute water shortage.

In [Russia](#) doctors have been ordered to check the health of prisoners being punished with solitary confinement, following the deaths of two high profile prisoners. The decree states that a doctor must examine a prisoner after the prison director orders him or her placed in solitary confinement, must study records of the prisoner's medical history and listen to any complaints, then write down all the information in the prisoner's medical records and sign a document supporting or rejecting the solitary confinement order. The final decision then rests with the prison director.

A report, The Health of [Australia's](#) Prisoners 2010, reveals that smoking and mental illness are among the biggest health problems for prisoners in the country. The report found that 30 percent of prisoners surveyed had some history of mental illness, four in five prison entrants were smokers while more than half reported drinking alcohol at risky levels. Two thirds of prison entrants said they had used illicit drugs in the past 12 months and over half had injected drugs at some time in their lives.

In [Liberia](#) the International Committee of the Red Cross (ICRC) is helping the prison authorities to improve prison infrastructure, health and hygiene conditions and water and sanitation systems. In the past year the Liberian Ministry of Health and Social Welfare has included prison health care in its new 'Essential Package of Health Services,' which will ensure that prisoners have prompt access to health services. The ICRC is also working in [Afghanistan](#) helping mentally ill prisoners. The programme involves the prisoners making handicrafts and beadwork items which they can then sell to visitors enabling them to earn money to buy items from the prison shop. ICRC also arranged for a consultant psychiatrist to visit each prisoner when the programme began, who prescribed their initial medical treatment and makes regular follow up visits.

Treatment of prisoners

Prison conditions in many countries continue to give cause for concern. The [Sierra Leone](#) Prison Service has been described as 'under pressure and at breaking point.' According to a Prison Service spokesman the vast majority of prisoners' complaints are about the day to day realities of prison life – badly prepared meals, beating by bullies, congested cells, filthy mattresses, intimidation by staff, poor healthcare and personal hygiene, and lack of training, recreation and constructive activity. Amnesty International have reported that some prison conditions in [Liberia](#) are so poor that they violate basic human rights with prisoners crowded into dirty cells without adequate food, water or healthcare. There was no running water in any of the prisons the organisation visited, and the smell of sewage was overwhelming in most of the cells.

A report on prisons in [Nigeria](#) concludes 'feeding is a luxury, bathing a rarity, recreation zilch, reformation non-existent and privacy a privilege.' A human rights activist who spent time in prison in Lilongwe, capital of [Malawi](#), said he had seen at first hand conditions of overcrowding, poor sanitation and other factors making prisoners vulnerable to contagious diseases such as TB and scabies. He said that some prisoners have to sleep while seated because of lack of space, prisoners with HIV are left to die and older prisoners with TB are not looked after properly.

Measures to address overcrowding, slopping out, violence and the lack of effective complaints and monitoring mechanisms were recommended by 17 of the 48 states present at [Ireland's](#) first hearing under the United Nations Universal Periodic Review. On 17 December 2010, 1,003 men were required to slop out in Irish prisons, while a further 1,866 were required to use the toilet facilities in the presence of others. In [Hungary](#) the civil rights ombudsman has ordered an inquiry into prison conditions, saying that prisoners at Márianosztra prison are kept in inhuman, humiliating and dangerous conditions. Prison cells are overcrowded, toilets separated only by curtains and several prisoners were unable to bathe for two weeks after being admitted. A prisoner in the [Czech Republic](#) is seeking Kč 500 million in damages from the Ministry of Justice for not being provided with his statutory four square metres of living space in his prison cell.

The American Civil Liberties Union (ACLU) has filed a report in the Federal District Court detailing widespread abuses in the [Los Angeles](#) jail system. One prisoner said he was forced to walk down a hallway naked after sheriff's deputies accused him of stealing a piece of mail, Another former prisoner said that after he protested that guards were harassing a mentally ill prisoner the same deputies took him into another room, slammed his head into a wall and repeatedly punched him in the chest. A chaplain said he saw deputies punching a prisoner until he collapsed to the ground. They then began kicking the apparently unconscious man's head and body. The ACLU plans to call for a wide-ranging federal investigation and for the Sheriff of Los Angeles County to resign.

In a bid to curb abuse of prisoners in [Zimbabwe](#) prison officers throughout the country are to get training on human rights as authorities move to ensure standards in prisons are in tandem with international requirements. Prison staff and policemen in [Rwanda](#) have

completed a three week training course in various skills involved in the escorting of prisoners. The Assistant Inspector of Prisons, who undertook the training, said that the techniques and knowledge the participants acquired from the workshop will enable them to carry out their daily duties in accordance with international standards.

A report on prison conditions in [Lebanon](#) is recommending the establishment of an emergency board composed of representatives from seven ministries to take steps to ameliorate conditions in prisons throughout the country. The board would carry out tasks such as maintain electrical wiring, water pipes and improving sanitation in prison, and the Health Ministry would provide medical care for prisoners. Installing cameras for monitoring and recording, continuing to provide pre-paid card phones for prisoners, supplying physical exercise equipment in outdoor yards and setting up a complaints bureau in prisons should also be on the board's agenda.

[Kazakh](#) authorities have introduced new colour-coded uniforms for prisoners which they say will make it easier to catch those who escape. According to a decree issued by the government, all prisoners in minimum security labour camps will have a green uniform, those in maximum security will have a blue uniform, and those in so called 'extremely strengthened' security will wear black uniforms. A human rights activist has said that the introduction of uniforms in prison will add to the stress and depression of the prisoners.

In [China](#) the Ministry of Justice has rewritten the national code of conduct for prisoners, eliminating bans on homosexuality, dyed hair and other lifestyles and practices that were previously not allowed in prisons. The revision was made in order to show respect for the human rights of prisoners, according to the head of the Human Rights in Justice Office at the ministry's Institute for Crime Prevention.

In the [Philippines](#) authorities at the National Bilibid Prison in Muntinlupa City have come up with a uniform design for prisoners' cubicles, or kubol, to ensure equal treatment for both rich and poor prisoners. In Bangalore, [India](#), the prisoners of Parappana Agrahara Central Jail are welcoming the increasing numbers of 'VIPs,' including former ministers, who are entering the prison as it has made the state government begin to improve conditions at the prison. In [Russia](#) the governor of a prison in the Volgograd region has lost his job after he was revealed to be supplying jailed crime bosses with luxury cells filled with plasma televisions, fish tanks and drinks cabinets stocked with vodka and whisky.

The [Cayman Islands](#) Human Rights Commission has expressed its concern about two issues relating to the country's prison system. The first concern is what they refer to as 'unwritten policies and procedures' which govern strip search of prisoners. The second regards whether the prison system's complaints procedure is being adhered to 'in the strictest sense'. The Cayman Islands Complaints Commissioner is also investigating an [incident](#) where three 18 year old female prisoners reported that they had been asked to remove their clothing in order to be strip searched. Two of the prisoners refused and were physically wrestled to the ground and one had her shorts cut off. The Commissioner subsequently [concluded](#) that the strip search had been done in retaliation after two of the prisoners and two other prison guards heard one of the officers who had carried out the search saying "that's what you get for writing letters about officers." The day before some of the prisoners

had sent letters complaining about certain prison rules and claiming guards were lazy or not doing their jobs. The Commissioner said she believed an apology made over the incident by government officials and disciplinary action against two prison officers was appropriate.

A report on Bandyup Women's Prison in Western [Australia](#) by the Inspector of Custodial Services found that Aboriginal women prisoners are being held in the 'most impoverished areas' of the prison where 'anxiety and despair' is palpable. The Inspector said he "found too many areas where the facilities and services for the women prisoners fall well short of equal treatment with male prisons" and signalled that the Western Australian government could be liable to challenges under the Equal Opportunity Act.

In [Saudi Arabia](#) some women choose to stay in prison instead of going back to their homes because of stress and guilt, and in some cases families of the prisoners refuse to receive them. The General Secretary of the National Human Rights Society branch in Makkah has called for the setting up of shelters for women who have completed their prison terms and are rejected by their families.

Prison violence

Three prisoners died when they were attacked by other prisoners during a riot in Pattani Central Prison in [Thailand](#), while in [Venezuela](#) four prisoners were killed and seven others wounded when a grenade went off inside Injuba prison in the northwestern state of Barinas. The grenade incident was apparently connected with the murder hours earlier of a 50 year old prisoner who was shot five times by fellow prisoners.

Prisoners at a maximum security prison in central [Kazakhstan](#) have severely cut themselves to protest against alleged beatings and the strict regime at the prison. A Kazakh human rights activist said that special security forces and Interior Ministry troops entered the prison on September 23 and started systematically beating the prisoners. He said that some of those beaten slashed their wrists and/or stomachs so that the beatings would stop. The director of the prison denied that the prisoners were beaten.

A prisoner in [France](#) has managed to kill himself with his government-issue anti-suicide kit. The prisoner hanged himself with his paper pyjamas after finding a way to make the paper capable of holding his weight. He is the second prisoner in six months to die this way. More than 70 prisoners a year kill themselves in French prisons, with hangings accounting for 96 percent of all suicides.

In [Turkey](#) the families of five prisoners who died when a van transporting them to a prison in Istanbul burst into flames have announced they will file a criminal complaint against the prison officials on duty whose negligence may have played a part in the incident. The families claim the officials watched the prisoners burn to death without any real attempt at saving them.

In [Poland](#) a prison governor stabbed a prisoner to death when he was inspecting his cell. Investigators said they were following two possible motives: either a conflict between the two men or that the governor had personal problems. In [Mozambique](#) a prison guard has

been accused of beating two prisoners to death after they tried to escape. A deputy prison governor of a women's prison colony in the far Eastern Amur region of [Russia](#) has been arrested after video footage of him walking up to women in a cell and lashing out at them with his fists and boots and pulling their hair was posted on the internet.

A 14 year old girl has told police she was held and raped for four days by prisoners after being taken inside a men's prison in northern [Brazil](#). The head of the juvenile division of police in Para state said he believes the girl was taken into the prison by someone intending to charge prisoners money to have sex with her. The director of the prison and 19 other people who were working in the prison at the time have been fired.

[South Africa](#) MP's have been told that there has been a threefold rise in the number of assaults in prisons over the past three years, from 83 per 10,000 prisoners in 2008-9, to 137.7 in 2009-10 and in 2010-11 there were 317 assaults per 10,000 prisoners. Also in [South Africa](#) senior male prison officials have been accused of abusing their power over junior colleagues, including sexually abusing junior female officers.

In the [US](#), Idaho's largest privately run prison, the Idaho Correctional Center (ICC), remains the most violent prison in the state. Records showed that while the assault rate improved over the four year period examined, prisoners at the ICC are still twice as likely to be assaulted as those at other prisons in the state.

The United Nations has published a report which states that prisoners in some [Afghan](#)-run detention facilities have been beaten and tortured. It says that detainees in 47 facilities in 24 provinces run by the Afghan Directorate of Security and National Police have suffered abuses. The report says prisoners were mostly subjected to interrogation techniques that constituted torture under international and Afghan law, with methods including suspending people by their wrists, administering beatings to the soles of their feet, electric shocks, twisting prisoners' genitals, removing toenails and putting people in stress positions. Children as young as 14 were among those being held and subjected to torture. The Afghan government has denied the allegations.

In [Uzbekistan](#) human rights campaigners are reporting new cases of torture and fabrication of evidence in the country's prisons against those imprisoned for religious reasons and whose sentences are close to being served.

Developments in rehabilitation

A group of over thirty prisoners in Radom, central [Poland](#) have begun a course in 'logistics in the automotive industry' at the city's University of Technology. The three and a half year long course, the first such scheme in Poland, allows the students to gain an engineer's diploma.

Cows raised by prisoners in a County Wicklow prison in [Ireland](#) will be airlifted to an orphanage in Romania at the end of October. Friesian calves were donated by farmers through aid organisation Bóthar two years ago and have been raised since by prisoners at Shelton Abbey. Nine prisoners work on the 40 acre farm at the low security open prison

where they stay on trust without being confined by walls. They also grow vegetables and flowers and care for Bóthar's goats before the goats are transported to Africa.

In [Italy](#) a project has been initiated by Luciana Delle Donne, a top manager in the financial world, who left her job several years ago and has created a tailoring workshop inside Lecce prison where prisoners make bags out of recycled waste material. Universities, trade fairs, supermarkets and festivals are now ordering the 'Made In Carcere' bags.

In [Singapore](#) 206 ex-prisoners have been honoured at a ceremony which recognises their success in leading crime-free lives and becoming contributing members of society. This is the fourth time the ceremony, part of the Yellow Ribbon Project, has been held, which recognises ex-prisoners who have enhanced their skill or education levels, kept themselves gainfully employed, and in doing so have contributed to their families and society. Along with the ex-prisoners 59 employers were also given awards for offering ex-prisoners jobs and thereby supporting their reintegration into society.

Two hundred prisoners across Gauteng province in [South Africa](#) took part in the annual offender choir competition at the Devon Correctional Centre in Leslie, Mpumalanga. The spokesman said "the main purpose of this competition is to help prisoners to rehabilitate through music and to prepare them for the national choir competition" which will take place in Durban in 2012.

A team of six prisoners from Hawke's Bay, [New Zealand](#), have been constructing a four bedroom Habitat for Humanity house for a local family. This is the first time in New Zealand that an entire house has been constructed inside the prison. Prisoners from the prison's rehabilitation unit are constructing the house from the ground up. The project gives prisoners, who are studying for a national certificate, an opportunity to get practical experience which will improve their chances of stable employment on release.

In [Thailand](#), 206 prisoners are to be freed from the overcrowded Phuket Prison on 5 December as part of the celebrations of HM the King's 84th birthday. Those who are to be released will be given training to help them gain work on release.

In [Qatar](#) the Directorate of Prisons and Correctional Centres is finalising a plan to permit the prisoners to speak to their relatives via the internet, including through Twitter and Facebook. A similar system is being piloted in Quezon City Jail, the largest prison in the [Philippines](#), where an electronic prison visit programme allows prisoners to communicate with their families via Skype video chat. Before the e-visit programme was implemented on October 13, many prisoners had endured years without any visits.

The Minister of Justice for [Trinidad and Tobago](#) has announced the establishment of a new Parole Board by 2012 and outlined how the reform of the prison rules will focus on rehabilitation in order to reduce the possibility of prisoners becoming repeat offenders. He also announced that the government will work towards the provision of temporary housing and assistance for newly released prisoners, stating that "when people are released from prison, they simply have nowhere to go because their relatives often do not want them back

at their homes. And often the only people who will accept them are people they have known in prison who may themselves be involved in crime.”

Sentencing and the law

[Ugandan](#) human rights activists are concerned that proposals to do away with bail for people suspected of committing certain crimes could swell the country’s already overcrowded prison system and exacerbate severe problems in delivering health services to prisoners. The proposed law would allow judges to deny bail for at least six months to people arrested for treason, terrorism, rape, economic sabotage and rioting.

In [South Africa](#) the Parliamentary correctional services committee has tabled a report calling for the law to be changed to make it compulsory for magistrates to consider the affordability of the bail amounts they set. This is due to the fact that more than 4,400 people are in prison because they cannot pay bail of R1000 or less – even though the Criminal Procedure Act allows for these prisoners to be placed under correctional supervision at home.

In [New Zealand](#) bail will be harder to get for those accused of the worst crimes under proposed changes announced by the Justice Minister. A bill to be introduced to Parliament next year would reverse the burden of proof for bail to be granted. Currently the prosecution must prove that the accused is a risk to public safety in order for bail to be denied, but under the new law the defence would have to prove that the accused is not a risk and will not interfere with witnesses of evidence that would affect their trial. Also in [New Zealand](#) legislation has been introduced to Parliament which would allow private prison operators to decide prisoners’ security classifications, and which also grants wider strip search powers, allowing officers to visually examine body cavities and use instruments for searches. Staff can also search without managerial approval and every prisoner who returns from court or other escorted outings will be searched.

The [Kenyan](#) Attorney General has undertaken to reduce the period spent by suspects in remand prison. He said he would liaise with the Director of Public Prosecution to ensure those on remand are treated with sensitivity and eliminate the long time spent in administering justice. Prisoners in [Ghana](#) face the same problem, and have appealed to the Attorney General’s Department to help get them to the courts for their cases to be heard. Some prisoners had been on remand for seven years without a hearing.

A [Brazilian](#) survey has found that 86 percent of those arrested for petty crimes in Rio de Janeiro state spend at least one month in jail, even when the alleged crime is not punishable with a prison sentence. One in three of those detained for petty crimes spend months in jail but do not receive a prison sentence. The study also showed that 71 percent of poor detainees meet their defence lawyer at the same time they appear before a judge.

The [Irish](#) Justice Minister has announced a new plan to boost community service numbers by compelling judges to factor it in as a sentencing option. Judges will now be required to consider community service instead of jail for minor offenders, in a move the government hopes will save money and ease pressure on crowded prisons. Also in [Ireland](#), despite a

fivefold increase in the number of people being jailed for non-payment of court fines since 2007, laws passed in June 2010 to address the issue, by introducing a system whereby fines can be paid by instalment, will not be operational for at least a year. The Justice Minister is also under [pressure](#) to fund more prison spaces after it was revealed that one in seven prisoners is being let out on temporary release due to a lack of space in the country's prisons.

In [Saudi Arabia](#) the Minister of Justice has announced that options other than prison time are to be considered when judges pass sentence on minor crimes, saying that discretionary punishments can be used for a crime where religious texts do not stipulate specific penalties and so the punishment is at the discretion of the judge. He added that a judge must take into consideration public interest and should seek to reform and rehabilitate the person being sentenced.

Also in [Saudi Arabia](#) the Ministry of the Interior says newly released prisoners who pose a threat to society will be electronically tagged. The surveillance method will be adopted as and when the law on alternative penalties is approved. Electronic tagging is also due to be tested as an alternative to prison in [Finland](#), where the Ministry of Justice calculates that an ankle bracelet tracking device would be used by 100 prisoners on a daily basis from 2014. The arrangement would also be cost effective costing 60 Euros a day as opposed to 200 Euros per day to keep the person in prison. A report from [Portugal](#) showed that each of the 582 prisoners and suspects pending trial who had been given an electronic bracelet or 'tag' instead of being put in prison are saving the government 33 Euros per day. The cost of the tag is 17.20 Euros per day as opposed to the 50 Euro per day cost of keeping someone in prison.

In [Switzerland](#) the government has announced plans to scrap suspended prison sentences in favour of short prison stays. Suspended sentences were only introduced in 2007 but have been criticised for not being a strong enough penalty. The plans now need to be agreed by the justice ministry and then passed by parliament.

The head of the Bureau of Crime Statistics and Research in New South Wales, [Australia](#), has blamed sensationalist media reporting for the false impression that sentencing in the state is too lenient. An analysis of sentences handed out to people convicted of eight common offences over the past two years has shown that the vast majority are imprisoned.

Women in prison in [New Zealand](#) are now able to keep their babies with them for longer under a law change that has just taken effect. The age limit for infants living in prison is now extended from nine months to two years.

The Supreme Court in [Nepal](#) has told the government to ensure conjugal rights for prisoners to guarantee their reproductive rights. However the court has left it to the government to take a policy decision as to how many hours in a month should be provided to a prisoner and his or her spouse for their conjugal meetings.

The [US](#) Sentencing Commission has released a report concluding that mandatory sentences are 'excessively severe and are applied inconsistently.' The Commission recommends that

Congress consider reform that would allow for flexibility in sentencing ‘low level, non-violent offenders convicted of other offences carrying mandatory minimum penalties.’ The use of mandatory minimum penalties has been cited as one of the contributing factors to federal prison overcrowding.

Also in the US, a prisoner has filed a brief with the [Supreme Court](#) contending that the policy of strip searching all prisoners entering correctional facilities – including those accused of minor offences – violates the Fourth Amendment of the US Constitution’s protection against unreasonable searches and seizures. A Supreme Court [case](#) could also determine whether thousands of prisoners in privately run prisons have the same rights to sue in federal court as prisoners held in facilities run by the US government. The case involves a federal prisoner who wants to sue for damages over alleged violations of the Eighth Amendment ban on cruel and unusual punishment. The prisoner claims he was painfully mistreated after an accident at a for-profit prison. Lower federal courts have split on whether federal private prison detainees can bring such damage claims for alleged constitutional violations.

The chief judge of [New York State](#), US, has called for a less punitive approach to dealing with 16 and 17 year old defendants, calling for jurisdiction for those accused of less serious crimes to be transferred to the family courts which have more access to social services. The plan reflects an emerging consensus in many states that troubled teenagers have been mishandled by the adult court system.

Researchers in [Canada](#) have found that key elements of the federal government’s ‘tough on crime’ package have proven costly and ineffective in other countries and will discriminate against first nations and the mentally ill, who are already over-represented in the prison system. Mandatory minimum sentences for certain crimes will increase both the number of prisoners in the system and the length of sentence they serve. The researchers cited studies from South Africa and the US which showed that such sentences resulted in overcrowding of prisons and disproportionate prison sentences to offences committed. The reforms will also come at a significant cost to taxpayers.

In [Russia](#) the government has introduced a draft law on amending the Penal Code which proposes redesignating mass hunger strikes and self-inflicted injuries in prisons, often staged in protest against inhumane conditions, as gross violations of discipline.

Prison policy

The [South African](#) government has officially cancelled the much-delayed public-private partnership (PPP) procurement process for four new prisons. The Correctional Services Minister instituted a policy and operational review of the process which highlighted a number of financial and operational problems with the PPP model, including the fact that it conflicted with policy stipulating that security and custodial services of the State not be handed over to third parties. The Minister has also [suggested](#) that the country build or convert high rise blocks of flats into prisons or convert the many abandoned military barracks across the country into detention facilities. Another option was pre-fabricated buildings which were ‘cheap and quick to build.’ Such an approach is being taken in [South Australia](#) where an expansion of Mount Gambier prison using converted shipping containers

for cells will house more than 100 extra prisoners. The Correctional Services Minister says the containers are cheaper than traditional buildings and are already being used at other prisons in the state.

In [New Zealand](#) it has been revealed that the government will spend \$11 million on consultants and \$10 million on internal costs before they start building a new prison in Auckland. The 960 bed prison will be a public–private partnership, and the Corrections Department’s own analysis says this may cost more than a publicly owned prison.

The Superintendent of Prisons in [Barbados](#) has said that the legislation governing the country’s prison system needs to be amended to better assist the staff of the prison service in carrying out their duties of rehabilitating prisoners. Referring to relationships between staff and prisoners he said that efforts are underway to develop and distribute a code of ethics and a code of professional conduct which will give prison staff better guidance in this regard. He also called for mandatory drug testing on entry to prison, and efforts to speed up court cases in order to reduce the population on remand.

[Nigeria](#)’s lower house of parliament has approved a deal in which Nigerians convicted in Britain will serve out their jail terms in their home country. The agreement still requires approval from the Senate, where it is likely to pass soon. Around 600 Nigerian prisoners are held in jails in Britain but it is not clear how many will face deportation. Currently prisoner transfer agreements require the consent of the prisoner, but the UK government are working on transfer agreements that do not require such consent.

[Indonesia](#) plans to have a special prison facility for terrorists after rehabilitation showed up weaknesses in the present system, which has lax supervision of terrorists. They are housed together with other prisoners, some of whom end up being indoctrinated with extremist beliefs. Other measures the government has introduced to deal with the issue of extremist prisoners include the blocking of mobile phone coverage, the use of sports such as badminton and soccer to engage the prisoners and enlisting the help of religious leaders.

Prison guards in New South Wales, [Australia](#), are calling on the state government to issue them with Tasers, saying they would make the state’s prisons safer. However the Attorney General has dismissed the idea saying he is not persuaded that there is a need for Tasers in the prisons, but is looking at ways of trying to generate more respect and decency towards prisoners. Meanwhile [Western Australia](#)’s prison system is under fire after a comprehensive staff survey revealed fears about workforce shortages, misconduct, racism and bullying. In British Columbia, [Canada](#), the head of the corrections union has stated that prison guards are ‘spread too thin’, facing triple the mental anguish and stress they did a decade ago. This is partly attributed to the decision of the Public Safety Ministry in 2001 to get rid of the rule that required a ratio of 20:1 prisoners to staff. The union reported that the ratio is currently closer to 34:1. A similar problem is being faced in [Malta](#) where the opposition home affairs spokesman has called for an increase in the number of prison staff saying that the last intake was in 2005 and the ratio of prisoners to staff had since then widened considerably, so that in some areas there were 50 prisoners to one or two staff.

The head of [Venezuela](#)'s recently created prison ministry, which was formed earlier this year in the wake of a bloody riot at a notoriously overcrowded prison, has said that building more prisons is not necessary and that the government was considering closing down some problematic urban prisons. The minister had previously caused controversy by announcing plans to release 20,000 prisoners in an effort to make the country's prisons more efficient.

[Saudi Arabia](#) has increased the level of blood money required to be paid to a murdered victim's relatives who agree to accept payment in lieu of execution. With the ever increasing price of camels to contend with, officials propose an increase in diya, the blood money to be paid. Under Islamic law it is deemed that a man's life is worth 100 camels, whilst a woman's is valued at just 50. In financial terms the diya has been set at 110,000 Saudi Rials for almost 30 years and the Supreme Council of Scholars has proposed an increase to SR 400,000. Blood payments for women will remain at just half of those offered for men.

US states are looking at different ways of making up the billions of dollars of deficit they face. New legislation has allowed the [Arizona](#) Department of Corrections to impose a \$25 fee on adults who wish to visit prisoners at any of the 15 prison complexes that house state prisoners. The one time 'background check' fee for visitors has angered prisoner advocacy groups and family members of prisoners, who in many cases already shoulder the expense of travelling long distances to remote areas where many prisons are located. The scheme is intended to make up some of the \$1.6 billion deficit the state faces. In [Texas](#) prison officials have stopped serving lunch at the weekends in some prisons as a way to cut food service costs. Ohio has gone through with a controversial plan to privatize a portion of the state's prison system by selling Lake Erie Correctional Institution to the Corrections Corporation for \$72.7 million. In all the state hopes to sell five prisons but the bids on the other four fell short of the state's hopes and will remain in government hands for now.

[US](#) Senator Jim Webb's effort to reform the criminal justice system has been blocked in the Senate after failing to garner the 60 votes needed. The proposed National Criminal Justice Commission Act would establish a bipartisan commission charged with taking a hard look at the drug war and prison overcrowding, among other criminal justice issues, at the national, state, local and tribal levels. Its findings and recommendations would then be released in the first comprehensive report since 1965 on the state of criminal justice in America. The senator has vowed not to give up on the Act.

More than two thirds of young criminals in [Germany](#) reoffend after being released from custody – largely due to insufficient preparation made for their release according to new research by Greifswald University. The report found that while the number of staff employed in youth detention centres has increased over the last few years, projects that help prepare young people for life after prison are still too thin on the ground.

[Brazilian](#) officials are investigating why 2,600 cans of beer were delivered to a Rio de Janeiro prison that holds former military police charged with crimes. The Public Security Secretary confirmed that a military police lieutenant, on duty when the contraband was delivered, was arrested and charged with breach of orders. Officials at the prison have previously been criticised for lax security measures, most recently when photos of a party inside the prison were leaked to the press.

Prison authorities in Hebei province, [China](#), are speeding up the process of moving Provincial No.3 Prison to a new site after poor management led to a jailbreak that drew national attention. Staff at the prison claimed that poor management and loopholes in security, such as cell phone use, power cuts and even dog breeding among prisoners were to blame for the prisoner escaping. A former prisoner at the prison said that the supervision of door keys in the prison was not strict with some prisoners even owning their own key.

ICPS is very grateful to the Esmée Fairbairn Foundation for supporting this News Digest.



If you would like to unsubscribe from this news digest please contact Helen Fair
Helen.fair@icps.essex.ac.uk