

Probation, Parole & Penitentiary Law

Class 7

Differences between Norway and the Polish penitentiary system



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KATEDRA PRAWA KARNEGO WYKONAWCZEGO

Comparing Inmate Characteristics

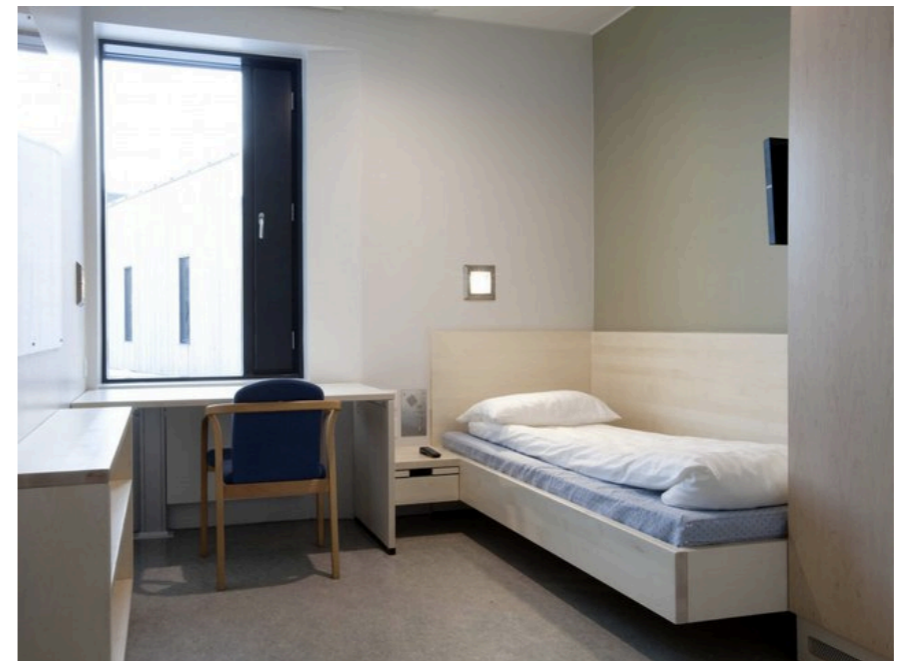
- ▶ **Norway:** Prison population total: 3 034
- ▶ **Poland:** Prison population total: 71 907
- ▶ **5.6%** of prisoners in Norway are female, compared to **3.2%** in Poland
- ▶ By comparison, **14%** percent of inmates are serving a sentence for for rape/sexual assault in Norway, compared to **11% and 7%** in Poland.
- ▶ In contrast, actual data shows that Norway's incarceration rate (**72 per 100,000**) is slightly lower than the average for Poland (**190 per 100,000**) or other Western European countries (**102 per 100,000**).

Comparing Inmate Characteristics

However, it is difficult to compare measures of criminal activity across countries due to differences in reporting current data.



▶ Polish Prison, Wroclaw - Kleczkowska



▶ Norwegian Prison, Halden

Comparing Prison Conditions

- ▶ Another large difference between the Norwegian and American prison systems we can observe in the conditions prisoners encounter while incarcerated.
- ▶ Prisons in Norway follow the “principle of normality,” which dictates that “life inside will resemble life outside as much as possible” and that “offenders shall be placed in the lowest possible security regime.”



▶ Polish Prison, Wrocław - Kleczkowska



▶ Norwegian Prison, Halden

Principle of normality

- ▶ The system tries to place prisoners close to home so that they can maintain links with the families.
- ▶ *(We had a similar rule in Poland, but according to one of the last amendments to the Executive Penal Code, there is no obligation for prison authorities to allocate the prisoners close to their homes)*
- ▶ In addition, low-level offenders go directly to open-type prisons, which have minimal security and more freedoms and responsibilities.
- ▶ Physically, these open-type prisons resemble dormitories rather than rows of cells with bars on the door.



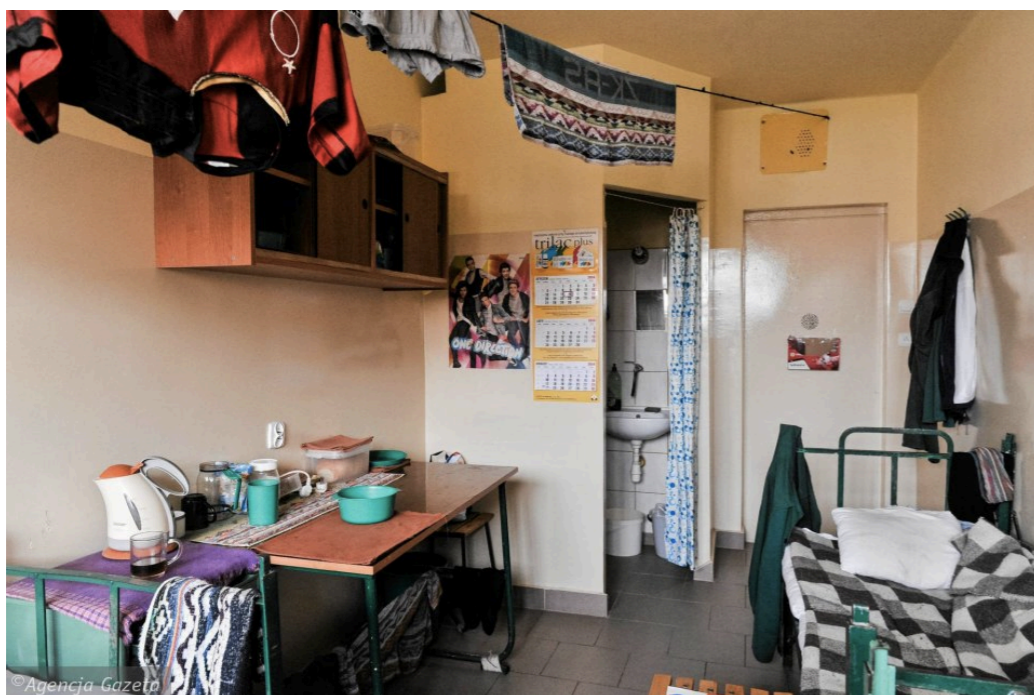
Polish cell for dangerous inmates



Norwegian Maximum Security Prison

Principle of normality

- ▶ More serious offenders who are at risk of violent or disruptive behaviors are sent to closed-type prisons, which have heightened security.
- ▶ The two types of prisons create a separation between minor and more hardened (dangerous) criminals, at least until the more hardened (dangerous) criminals have demonstrated good behavior. *(In Poland units can be organized as open-type, semi-open type, closed-type)*
- ▶ While more serious offenders serve the majority of their sentences in closed-type prisons, they are usually transferred to open-type prisons for resocialization and further rehabilitation before release.



▶ Polish Prison, Wrocław - Kleczkowska



▶ Norwegian Prison, Halden

Principle of normality



- ▶ Inmates in Halden Prison in Norway can book the family house for overnight visits

Principle of normality



- ▶ In Poland prisoners can't have overnight visits with families. But female prisoner can look after their infants in prison before turning 3 in special "House of the Mother and Child"

Principle of normality



- ▶ Prison officer watches along while inmates play a video game on a large TV screen in the common area in a special unit for addiction recovery.

Principle of normality



- ▶ Prisoners can watch TV (even play games) if they are allowed to.

Lack of overcrowding

- ▶ Norway has a policy of **one prisoner per cell**.
- ▶ In contrast, Poland has faced serious overcrowding issues. This means that inmates are often placed in double- or triple- cells.

In Poland

The space for one prisoner should be **at least 3 square meters**
(art. 110 § 2 Executive Penal Code).

However, in certain circumstances, the Executive Penal Code allows putting a prisoner in a smaller cell, as long as there is **not less than two square meters per prisoner**
(art. 110 § 2a Executive Penal Code).

Job training, education, and drug treatment programs

Norway

- ▶ To help with rehabilitation, all prisons in Norway offer education, mental health, and training programs.
- ▶ The most common programs are for high school and work-related training although inmates can also take various courses. All inmates are involved in some type of regular daily activity, unless they have a serious mental or physical disability. If they are not enrolled in an educational or training program, they must work within prison.

Poland

- ▶ It is important to ensure employment primarily to convicts obliged to pay maintenance, and also those with a particularly difficult financial, personal or family situation.
- ▶ Polish law provides convicts with a possibility to continue their education, however, learning is not compulsory.
- ▶ Prisoners can take part in cultural and educational activities. According to the Executive Penal Code, prisoners should be provided with various activities, referring to work, education and socio-cultural activities, and family bonding activities.

Job training, education, and drug treatment programs

Norway

- ▶ By law, all prisoners in Norway have the same rights to health care services as the rest of the population. Most notably, 18% of inmates participate in a drug-related treatment program while in prison.

Poland

- ▶ In some Polish prisons, there are therapeutic units/ wards for prisoners with non-psychotic mental disorders or sexual disorders, mentally ill or disabled and prisoners addicted to drugs or alcohol.

Prisoners are provided range of therapies including: pharmacotherapy, psychotherapy, addiction therapy, therapy meetings and even art therapy (including drama therapy).

- ▶ However, data analysis finds that funding for such initiatives is still lacking.
- ▶ Overcrowding and limited funding have led to long waiting lists for treatment in such system.

Post-release support

Norway

- ▶ Norway has been a leader in reforming its penal system to help integrate inmates back into society upon release.

“Better out than in” is an unofficial motto of the Norwegian Correctional Service... It works with other government agencies to secure a home, a job and access to a supportive social network for each inmate before release.

- ▶ While offenders in Norway may lose their job when they go to prison, they are usually not asked or required to disclose their criminal record on most job applications.
- ▶ In Norway, there is an emphasis on helping offenders reintegrate into society after their release. Released offenders have access to active labor market programs established to help ex-convicts find a job and to a variety of social support services such as housing support, social assistance, and disability insurance.

Post-release support

Poland

- ▶ In Poland ex-convicts often have a difficult time after release accessing services.

Polish criminal justice system needs more resources to improve reintegration efforts and help ex-offenders find jobs and housing so they're less likely to re-offend

- ▶ Ex-prisoners face the society-wide stigma of being an ex-convict, which severely limits the number of job opportunities available to them.
- ▶ Many employers conduct criminal history checks on prospective employees and reject anyone with a criminal history.
- ▶ Finding safe and affordable housing is difficult for ex-prisoners who often face limitations on where they can live.

Policy Proposals

The research on Norway's criminal justice system proved that time spent in prison with a focus on rehabilitation can help ex-convicts reintegrate into society.

- ▶ The Norwegian prison system is successful in increasing participation in job training programs, encouraging employment, and discouraging crime, largely due to changes in the behavior of individuals who were not working prior to incarceration.
- ▶ This suggests that job training, employment, and reduced recidivism go hand in hand.

Shorter sentence lengths, better prison conditions and programs, and post-release support helps rehabilitate ex-convicts.

Policy Proposals

Proposals:

- * **Shorten Prison Sentences:** Reduce average prison sentence lengths from the current average of three years to less than one year. This can be achieved by changing mandatory minimum penalties, considering alternatives to incarceration such as electronic monitoring, increasing the use of probation and parole, expanding the use of residential reentry centers, and easing conditions under which courts can reduce an inmate's sentence.
- * **Improve Prison Conditions and Prisoner Safety:** Reduce inmate-to-staff ratios and eliminate overcrowding to comply with the operational capacity of prisons. Increase the separation of hardened criminals from low-level offenders, especially in state prison systems.

Policy Proposals

Proposals:

- * **Increase Funding for Job Training, Educational, and Drug Treatment:** Programs Increase funding for these oversubscribed programs to meet demand. Also, impose a mandatory requirement to participate in job training, education, or prison employment programs if physically and mentally able while in prison.
- * **Expand Post-release Programs:** Promising post-release strategies include comprehensive and high-quality support services (housing, employment, substance abuse, cognitive behavioral therapy), and reducing the intensity of supervision for probationers and parolees.

Summary

Conclusion:

- * The rehabilitation process in Norwegian prisons has led Norway to have one of the lowest recidivism rates in the world.
- * The Norwegian prison system is widely regarded worldwide for its focus on prisoner treatment, rehabilitation and successful reintegration in the society with low reoffending rates of 20%
- * In contrast with other European countries such as England and Wales that have a reoffending rate of 45%
- * In Poland -reoffending rate in the first five years after release - 25.5 %

Summary

Conclusion:

- * Nordic countries are considered to maintain more humane prison regimes because of their distinctive welfare state models.
- * Well-designed prison system can reduce recidivism and allow for successful re-entry into the labor market.

The goal of the Norwegian penal system is to get inmates out of it.

- * Maybe some several possible policy reforms that could be adopted in Poland.