

Facts about

# The Prison and Probation Service



2003



Kriminalvården

# **FACTS about the Prison and Probation Service in Sweden**

Sources: Official Prison and Probation Statistics, other material from the Prison and Probation Administration

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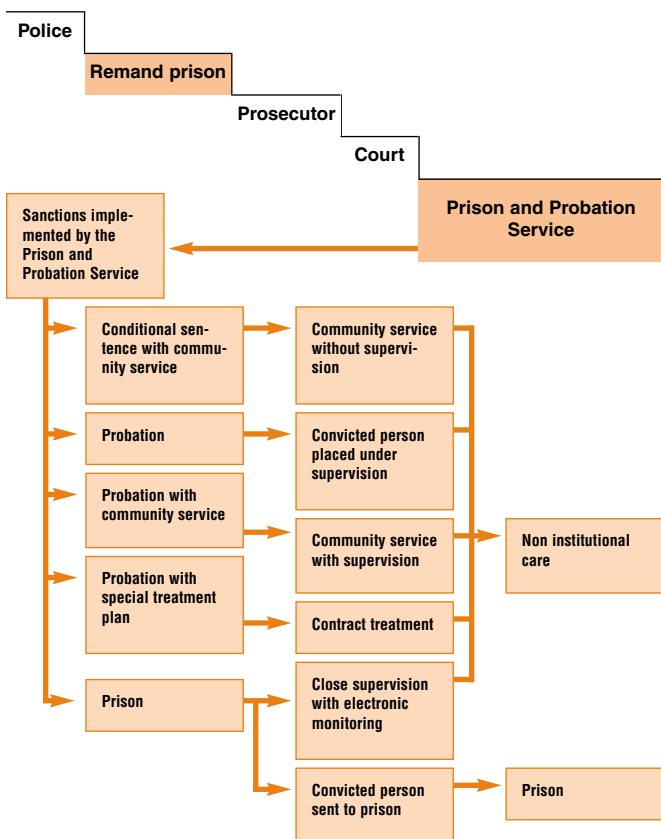
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# Prison and Probation Service

The treatment of offenders is a component of the national judicial system. The objective of criminal policy is to reduce criminality and enhance safety and security in society at large. The main tasks of the Prison and Probation Service are to implement the sanctions of prison and probation, to supervise conditionally released persons, to implement instructions for community service, and to carry out pre-sentence investigations in criminal cases.

The Prison and Probation Service are also responsible for the activities of remand prisons. The Service also manages our own transports and also arranges for the transportation of other individuals who have been detained, including those who have been refused entry into Sweden or those who are to be deported.



# Sanctions

The sanctions envisaged in the Penal Code are: fines, imprisonment, conditional sentence, probation, and committal for special care.

## **Sanctions implemented by the Prison and Probation Service**

### **Imprisonment**

With certain exceptions, imprisonment for a determinate period may not exceed ten years and may not be less than 14 days. As a collective sanction for several crimes, the upper time limit may be exceeded by up to four years. In certain cases of severe recidivism, a special provision on increase in the severity of sanctions allows for prison sentences of up to 18 years. An individual serving a prison sentence of a fixed period shall be unconditionally released after serving two-thirds of his or her sentence. An inmate may not be released on parole, however, until he or she has served at least one month of the total sentence. Similarly, an inmate may not be released on parole if the sanction imposed is probation and imprisonment, or imprisonment as a substitute for a non-collectible fine.

A person sentenced to life imprisonment may not be released on parole unless the government (by pardon) converts the sentence to imprisonment for a fixed period.

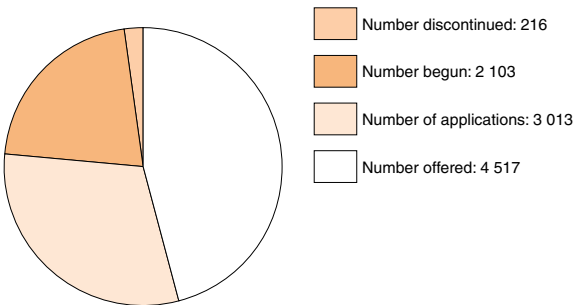
### **Close supervision with electronic monitoring**

Close supervision with electronic monitoring is a means of serving a prison sentence and has been used as form of implementation of sentence since 1993. Persons sentenced to prison for no more than three months may apply for close supervision with electronic monitoring. Supervision decisions are made by the local Prison and Probation Authority following an investigation by the probation service. The convicted person wears a transmitter – an electronic bracelet – round his or her ankle which transmits radio signals to a computer programmed to recognise the schedule drawn up for that particular individual.

If the convicted person fails to adhere to his or her schedule, an alarm is sent to the probation service, which is on call twenty-four hours a day. During the period of the sentence, the convicted person is prohibited from using drugs or alcohol and, to check that he or she is complying with the regulations, is expected to take a breathalyser test and/or provide a urine sample in conjunction with visits by the probation service to his or her home.

Such visits take place regularly, albeit at irregular intervals. The convicted individual is also expected to take part in a probation programme, in which issues relating to criminality, substance abuse, etc., are taken up for discussion. The daily cost of a client under close supervision is 939 SEK.

### **Number of clients who were offered, sought, begun and discontinued close supervision in 2002**



## **Conditional sentence**

### **Conditional sentence with community service**

Conditional sentences are intended primarily for imposition on persons who have committed an offence of a non-recurrent nature and there is no reason to assume that the individual will commit further offences in the future. In practice, a conditional sentence entails a remission of sanction on condition that the individual refrains from committing further crimes for a probationary period of two years. Persons who have received a conditional sentence are not placed under supervision. Conditional sentences may be associated with an order to perform some kind of community service, provided that the accused agrees.

The court decides on the number of hours of service to be performed – no less than 40 and not exceeding 240 – and ensures that the total period is appropriately related to the severity of the crime. Checks on performance of community services are carried out by the probation service.

## **Probation**

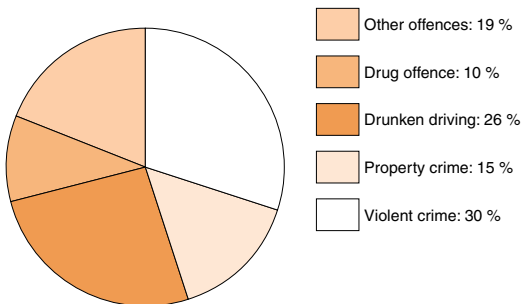
Like conditional sentences, probation is a sanction that does not involve deprivation of liberty, although it is more far-reaching. Probation is regarded as a form of treatment and, as such, is an alternative to treatment in an institution. The period of probation is three years, during which time the party convicted is placed under supervision right from the start of the probationary period.

As a rule, the period of supervision is discontinued on the expiry of the first year of the probationary period. In the event of misconduct, the probationary period may be extended, and, under certain circumstances, may be combined with up to 200 day-fines. Courts are also empowered to combine probation with a short term of imprisonment, which may last for a minimum of 14 days to a maximum of three months. The daily cost of a client on probation is 107 SEK.

### **Probation with community service**

Probation associated with an order to perform some kind of community service has been used as a form of treatment since 1993. The court decides on the number of hours of service to be performed – no less than 40 and not exceeding 240 – and ensures that the total period is appropriately related to the severity of the crime. A fictitious prison sentence is stipulated in the sentence, which the client will risk having to serve if he or she neglects to perform the service satisfactorily. The client is placed under supervision. The daily cost of a client ordered to perform community services is 103 SEK.

## Principal offence: community service order



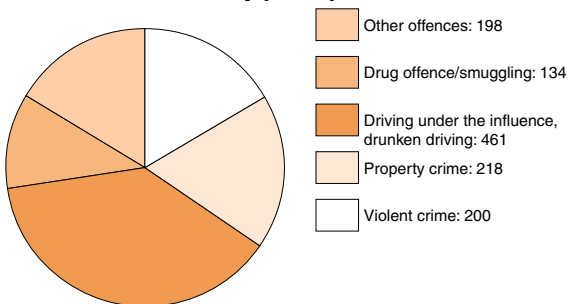
## Probation with special treatment plan – Contract treatment

A prerequisite of a sentence to contract treatment is that some form of abuse or other special circumstance necessitating care or treatment may be assumed to have materially contributed to the offender's criminality.

Contract treatment is a manifest alternative to imprisonment in cases in which the severity of the offence may occasion prison sentences of up to about two years.

Misconduct by the client is regarded as serious neglect and the sentence may instead be converted to imprisonment. The client's consent is required for contract treatment. The suitability of this approach is considered by the probation service in conjunction with the pre-sentence report into the individual's social circumstances. The daily cost of a client undergoing contract treatment is 330 SEK.

## Principal offence: Number of sentences entailing contract treatment, by principal offence



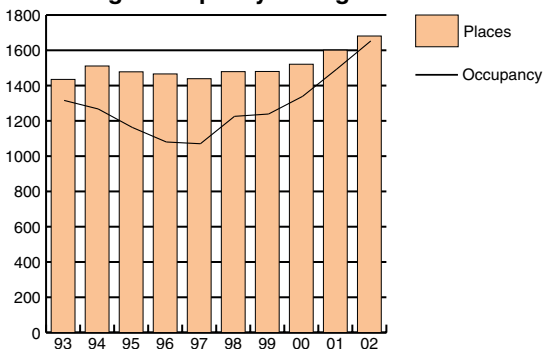
# Operational activities

## Remand prison

Remand prisons accommodate criminal suspects arrested, held or detained on remand, and other categories of individuals taken into custody under the terms of acts such as the Aliens' Act, the Care of Young Persons (Special Provisions) Act (LVU), the Care of Alcoholics and Drugs Abusers Act (LVM), and the Forensic Psychiatric Care Act (LVR). The turnover rate of individuals in remand prison is higher than in the institutions. Persons detained on remand are held for an average period of between one and two months. The average period for other categories of remand prison inmates is considerably shorter.

On 1st January, 2002, there were 28 remand prisons with accommodation for 1 681 persons.

**Average number of available places and average occupancy during 1993-2002**



## Transport service

The transport service play an important role in the overall activities of the Prison and Probation Service. The transport authority employs 230 people and conducts its operations from Gothenburg. During 2002, just over 36 600 clients were transported within Sweden and 2 932 to places abroad. During 2002 two persons absconded directly from a domestic transport.

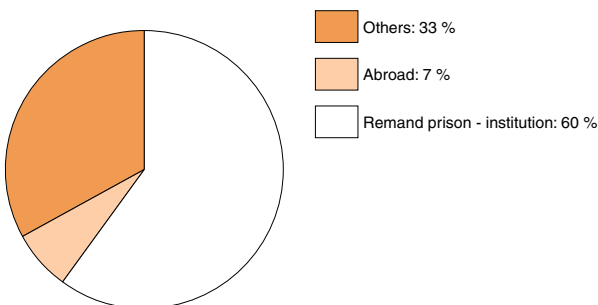
The Transport Service is organized as follows:

All planning is handled by the head office in Gothenburg. Twelve people are occupied with direct planning, which is divided into five domestic areas and two international areas.

Practical transport is handled by transport staff, who are stationed at 24 local offices all over the country, from Malmö in the south to Luleå in the north.

The Transport Service organises domestic transports between the various local prison and probation services, transports between police authorities falling within the province of the Prison and Probation Service, international transports for the Prison and Probation Service, and transports falling within the domain of the Migration Board that are ordered by the police.

### Transport services



### Prison

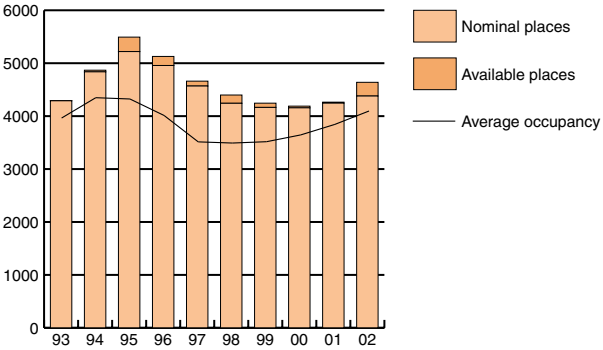
On 1st January, 2002, there were 54 institutions in Sweden with a total of 4 346 places. Institutions may be either open or closed.

Treatment in prison is governed by the Prison Treatment Act. The chief objective of treatment in a prison is to promote the inmate's potential for adaptation to society upon release while attempting to counter the harmful effects of the period of imprisonment.

The vision of the Prison and probation Service is "better out", that is to say persons leaving prison should be better equipped to lead a law-abiding life than when they were imprisoned.

To achieve this goal, institutional work aims at offering the client special PROGRAMMES for the development of personal skills, knowledge and attitude in a positive manner that may be expected to discourage a relapse into crime.

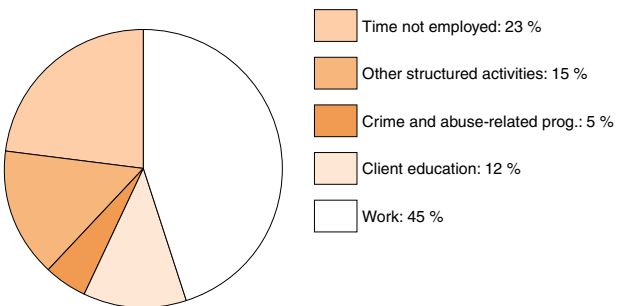
### Development of occupancy: Average nominal and available places and average institutional occupancy



### Programmes

Programmes are here taken as meaning all structured activities meeting pre-defined quality standards and aiming at providing the client with knowledge, skills and a changed mode of behaviour. By taking part in work, education, and crime and abuse-related programmes during both working hours and structured recreational activities, inmates have opportunities for satisfying individual needs and enjoy access to resources promoting their chances of successful release. Compensation is payable for participation in a programme. The average rate of compensation is 9.90 SEK per hour.

### Occupation of inmates: Hours of occupation in 2002

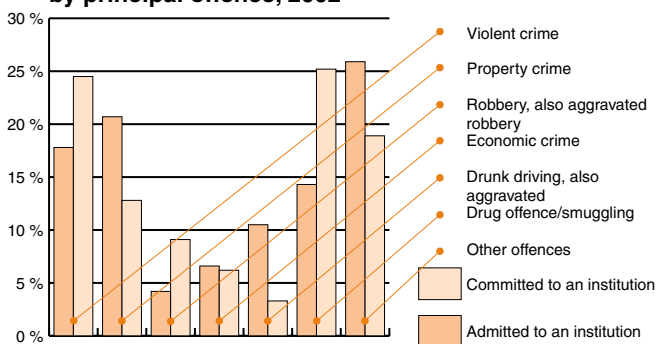


## The clients

In 2002, 10 173 persons were admitted to institutions. Of these 7 % were women, and none were under the age of 18. Prison sentences vary between two weeks and life.

Of all offences, property crimes, at 21 %, made up the largest group. This was followed by violent crime 18 %, drug offences/smuggling 14 %, driving under the influence and drunken driving 10 %. 62 % had some previous experience of prison. On any given day, over 4 100 people are in institutional care. 109 persons are sentenced to life imprisonment. The largest group is aged between 35 and 44. Over 26 % of the inmates are non-Swedish citizens. Of these, 22 % have also been sentenced to deportation.

### Persons sentenced to prison and admitted to an institution and committed to an institution, by principal offence, 2002

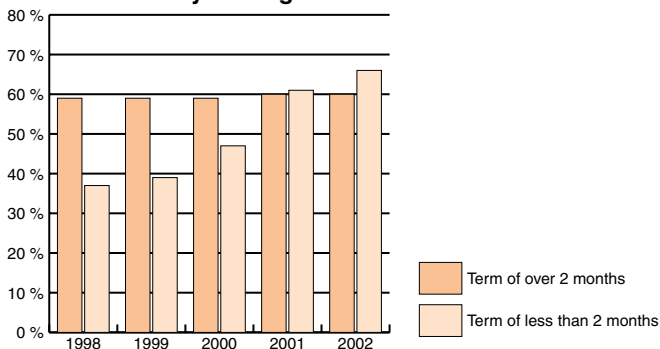


In terms of knowledge there are wide differences among the inmates, varying from illiterates to those who have received an academic education.

Alongside clients with no history of drug abuse, there are abusers both of alcohol and drugs.

A few of those classified as drug abusers were 20 or younger, while just under two-thirds were 30 or older.

## Drug abusers: newly admitted clients with a history of drug abuse



## Young offenders

The age of criminal responsibility in Sweden is 15, which means that people under 15 cannot be punished for offences they may commit. Furthermore, young people between 15 and 17 are rarely given sentences that will lead to an encounter with the Prison and Probation Service. During 2002, 133 young offenders were sentenced to probation; none were committed to prison. Offenders who had committed a crime that would previously have led to prison were instead sentenced to closed institutional youth care.

## Closed institutional youth care

The sanctions system for juvenile offenders aged between 15 and 17 was changed on 1st January, 1999. Instead of prison, offenders are now primarily sentenced to closed institutional youth care.

Closed institutional youth care is a fixed-term penalty based on the severity of the offence. The shortest term is fourteen days, the longest four years, and there is no possibility of parole.

Closed institutional youth care does not fall within the area of responsibility of the Prison and Probation Service. Instead, the overall responsibility for such care lies with the municipal social welfare services, while the National Board of Institutional Care is responsible for providing approved homes for the offenders.

## **Work release system**

Under the work release system, an inmate of prison may be permitted, during working hours, to work or pursue an educational or training course, or to take part in some other form of organized activities outside the prison. In 2002 465 people began taking part in this scheme.

## **Leaves**

The number of leaves granted in 2001 sank considerably, partly as a result of modified directives aimed at reducing the number of visits to places outside the prison. During 2002 the number of furloughs increased slightly, when 33 655 clients was given leaves. Of these, 0.5 % were abused through absence (the individual did not return to the institution).

## **Absconders**

Only 179 persons absconded directly from an institution in 2002. Most of these (135 individuals) absconded from open institutions.

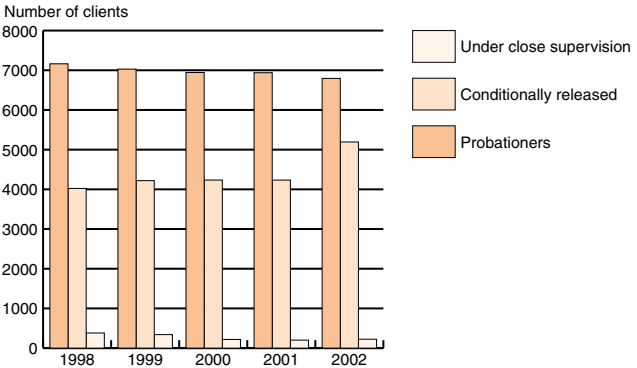
## **Early release under close supervision with electronic monitoring**

Since October, 2001, those serving a prison sentence of no less than two years have been able to serve the final four months before conditional release in their own homes, where they are kept under close supervision with electronic monitoring. This system is designed to ensure a planned transition from the prison to a life in freedom with extensive support and supervision by the Prison and probation Service. All visits outside the home must be planned in advance with the probation authorities, who are responsible for implementing the transition. During the transitional period, alcohol and drugs are strictly forbidden and regular checks are carried out to ensure that the individual is refraining from their use.

# Non institutional care

The basic approach of Swedish criminal policy is that sanctions involving deprivation of liberty should be avoided wherever possible, since such sanctions do not as a rule improve the individual's chances of re-adapting to a life in freedom. Furthermore, non-institutional care is both a more humane and cheaper form of care than care in prison. Non-institutional care is organized by 42 probation offices, whose main concern is the supervision of: conditionally released persons, persons on probation, including those on contract treatment/ community service, and close supervision with electronic monitoring. Other areas of responsibility include pre-sentence reports and implementation of conditional sentences with community service.

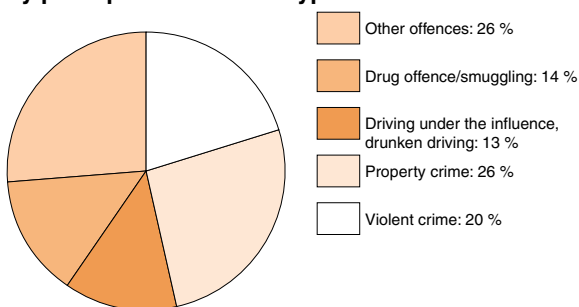
## Client influx



## The clients

In 2002, the number of clients under supervision amounted to about 12 000. The median age was 34. Of the total number of clients, 12 % were women.

### Number of clients who began supervision in 2002, by principal offence and type



## Supervision

To discourage persons on probation from committing further crimes, they are kept under supervision.

Probationers are subject to a probationary period of three years and are normally kept under supervision for one year. Conditional release almost always entails a probationary period of one year.

## Probation officers – lay supervisor

Here, the principle is to appoint a personal supervisor for every client – often a lay supervisor who undertakes supervision on a voluntary basis and in compensation is paid a monthly sum of 400 SEK. On 1st January, 2003, there were 4 783 lay supervisors in Sweden. Probation officers are appointed by the probation service to take charge of the most complicated and most demanding cases.

## Pre-sentence reports

In criminal cases in which an investigation into the suspect's personal circumstances must be made before the issue of sanctions can be decided, the court is expected to ask the probation service for a statement. In 2002, just over 25 000 pre-sentence reports were made.

# Organization of the Prison and Probation Service

The Prison and Probation Administration is the central administrative authority of the Prison and Probation Service. The Prison and Probation Administration is organized into a head office and five regional offices. The Prison and Probation Administration is also the head authority for the local prison and probation authorities and for the Transport Service. The local Prison and Probation Authorities comprises remand prisons, prisons and probation offices. In administrative terms, the Prison and Probation Administration is also the controlling authority of the National Parole Board and the 30 Probation Enforcement Boards.

