

FACT SHEET ON THE CORRECTIONAL SERVICES IN NORWAY

The Correctional Services are responsible for carrying out remands in custody and penal sanctions in a way that takes into consideration the security of all citizens and attempts to prevent recidivism by enabling the offenders, through their own initiatives, to change their criminal behaviour.

Central principles in Norwegian corrections

Principle of normality:

- The punishment is the restriction of liberty; no other rights have been removed by the sentencing court. Therefore the sentenced offender has all the same rights as all other who live in Norway.
- No-one shall serve their sentence under stricter circumstances than necessary for the security in the community. Therefore offenders shall be placed in the lowest possible security regime.
- During the serving of a sentence, life inside will resemble life outside as much as possible.

The possibility to implement the principle of normality fully is of course limited by reasons of security, order in the institution and personnel, infrastructural and financial resources. Yet the basic principle is there, and deviation from it will need to be based on argumentation. You need a reason to deny a sentenced offender his rights, not to grant them.

Progression towards reintegration:

In accordance with the principle of normality, progression through a sentence should be aimed as much as possible at returning to the community. The more closed a system is, the harder it will be to return to freedom. Therefore one will proceed towards release gradually from high security prisons to lower security prisons and possible through halfway houses. Release on license is stimulated and the correctional services will use their discretionary powers to arrange for a process where serving the sentence is adjusted to individual risks, needs and resources.

Discretionary powers concerning the contents of the sentence:

The Correctional services have the possibility to implement a sentence by the court in various ways, and to provide it with various forms of contents.

- An unconditional imprisonment may be implemented by placement in various types of security levels. In addition, there is a possibility to serve one's sentence wholly or partially in a treatment or special care institution when the prison system is unable to deal with the specific type of problems the offender presents, for example with serious addiction.
- Up to half of an unconditional prison sentence may be served at home under certain conditions.
- A full sentence of up to four months unconditional imprisonment may be changed by the correctional services to home detention with electronic monitoring by means of an ankle bracelet. The offender must be active during daytime – through school, work, etc. – and at home at given times. Being at home while one should be out is considered a breach of conditions and

may lead to (re-)imprisonment. Home detention with electronic monitoring is also possible as a substitute for the last four months of a longer sentence.

- It is possible to be released on license after having served two-thirds of the sentence and a minimum of 74 days. One will need to report to the probation office at regular times, refrain from the use of alcohol and comply to any other specific conditions that have been imposed.
- The prisoner himself will have to apply for the various forms of serving a sentence. The correctional services can then grant or deny the application based on specified arguments.

Import model

Crucial services for reintegration are delivered to the prison by local and municipal service providers. Prisons do not have their own staff delivering medical, educational, employment, clerical or library services. These are imported from the community. The advantages are:

- A better continuity in the deliverance of services – the offender will already have established contact during his time in prison;
- Involvement from the community with the prison system – more and better cross-connections and an improvement of the image of prison and prisoners
- The services in questions are financed by other bodies as they are part of the rights of any inhabitant of Norway.

Reintegration guarantee

The Norwegian government has decided to establish a reintegration guarantee for those who have served their sentence. They shall – if relevant – have an offer of employment, education, suitable housing accommodation, some type of income, medical services, addiction treatment services and debt counseling. Relevant services will be identified and included in such a way as to optimize their effect by reintegration coordinators employed by the correctional services. The guarantee is political in character and not legal. It represents the intentions of the whole government and its underlying public institutions to cooperate around this issue.

Organization

Because of the special geographical shape of the country and its low population density, combined with an intention to let the offender serve his sentence as close to the place where he lives (nearness to social network and to relevant service providers), there is a need for a relatively large number of relatively small prisons. In total, Norway has a capacity of almost 3,900 cells in 43 prisons spread over 61 locations. Almost two-thirds of these are high-security. The largest prison is in Oslo with a capacity of 392 cells. The smallest prison has 13 cells, and the average is about 70.

Norway has no special prisons for those in pre-trial detention.

The longest prison sentence in Norway is 21 years, although the new Penal Code provides for a 30-year maximum sentence for crimes related to genocide, crimes against humanity or some other war crimes. The average sentence is around 8 months. Over 60 % of unconditional prison sentences are up to 3 months, and almost 90 % is less than a year.

There is a one-man-one-cell policy based on the principle of a humane detention that has created some problems in the sense that the capacity not always has been sufficient to receive the number of sentenced persons. A “waiting list” for sentenced prisoners occurred, implying that one was released after the passing of the sentence and received a letter saying when to report at which prison at some point

afterwards. This could take up to a year. Since this was considered bad practice and an extra punishment for the offender, extensive measures were taken to reduce this list. At the moment it has been reduced to some 25 % of its length.

There are almost no escapes from prison in Norway and over 99 % of all prisoners on temporary leaves return on time.

Some 3,600 full-time equivalent staff is employed in the prison service, and around 325 in probation.

Prison staff

Prison officers in Norway go through a two-year education at the Staff Academy, where they receive full pay and are taught in various subjects like psychology, criminology, law, human rights and ethics. Every prisoner in Norway is assigned a contact-officer who assists in contacts with third parties like service providers or officials within the correctional system. He or she helps find the most appropriate way to serve their sentence and fill out applications. Prison staff in Norway is unarmed and consists for about 40 % of female officers.

Probation

There are 17 probation offices in 40 locations. Probation offices are responsible for the implementation of community sanctions, like the community sentence, the program against intoxicated driving, release on license, home detention with or without electronic monitoring, and for the writing of pre-sentence reports.

A community sentence is imposed by the court and can run from 30 to 420 hours. The probation office in charge of implementing the sentence will then carry out an intake with the offender and establish the contents in the sentence. This may consist of (a part with) unpaid work and other activities that are deemed to be important for preventing re-offending for the individual offender. In 2011, a little over 60 % of all hours on community sentence consisted of unpaid work and the remainder of varying activities like education, training of different skills, acquiring working experience, treatment, mediation etc.

Specific groups

The pressure on the correctional system has been increased over the past five years by the emergence of a growing number of foreign nationals in Norwegian prisons. Compared to 2006, the number has almost doubled. This presents a number of challenges for the staff as to language, religion and culture. In addition, a part of this category consists of more or less professional criminal offenders with a certain degree of organization who may be responsible for security problems, criminal activity in or from prison and recruitment of young offenders.

Visiting facilities and rehabilitation measures are much harder or impossible to create for offenders who will be deported to their home country after serving their sentence.

A large number of prisoners have to cope with psychiatric or other mental health difficulties, often combined with addiction problems. The correctional services do not always have the resources and the competency to manage these problems. There are plans to create special resource wards where people with specific mental health problems will receive the cross-professional attention they need.

In 2011, 58 young offenders under 18 years of age were admitted to prison. Norway does not have special legislation for young offenders and the age of criminal responsibility is at 15. The government policy is that no-one under 18 should be imprisoned, but in case the offence is very serious it will be inevitable to impose a prison sentence. Two specific institutions – of which one is already active - will be established to receive these offenders. These institutions are characterized by a very high staff-prisoner ratio and a cross-professional approach.

In 2011, 76 offenders were serving a sentence of preventive detention. This sanction is imposed by the court on dangerous and sane offenders when an ordinary time-limited prison sentence in itself is considered insufficient for protecting the community. Those on preventive detention have committed an offence that is harmful to other's life, health or freedom and are considered to be a substantial risk for re-offending in a similarly serious manner. After the minimum period of preventive detention has been served, an assessment will be made as to the continued dangerousness of the offender. If this is found to be the case, the detention period may be prolonged by the court with a period up to five years. Then the process is repeated, so that preventive detention in principle may result in a life sentence. The correctional services have a responsibility to work intensely with the offender towards an improvement in the risk situation.

Those who are found to have been unaccountable for their deeds because of serious psychiatric disturbances that led to them not being aware of committing a crime in the moment of their actions, may be sentenced to mandatory psychiatric treatment. They will then become the responsibility of the health authorities and not of the correctional services.

Recidivism

An independent study published in 2010 showed that the number of people who were released from prison and reoffended within two years was at 20 %.