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CRCC

Crime Repression Costs in Context

Deliverable D1

**Direct and indirect costs of crime? A
discussion of penological paradigms in relation
with crime prevention strategies**

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**Direct and indirect costs of crime?
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The present report is a product of **Work package 1**. The first work package, as described in the Annex I - "Description of Work", was devoted to theoretical premises of research, and generated an analysis of the **theoretical paradigms** that shape European penal policies, with special concern for criminological and penological paradigms and for strategies of crime prevention and crime repression.

An in depth discussion took place during **Project Management Meeting 1**, held in Florence on May 24th – 26th, on the specific contribution of every partner for Work package 1. During that meeting every partner confirmed its intention to take part to the activities foreseen for this workpackage, as described in Annex I, with the sole exception of partner 10, that expressed the intention to have an only indirect involvement, revising and discussing the other partners' contributions.

Moreover, besides the general description of this workpackage, partner 6 expressed the intention to focus on other theoretical paradigms that shape European penal policies, beside the ones sketched in the description of WP1. Partner 8 planned to discuss in particular the impact of the incapacitating model on Cyprus penitentiary system and Partner 4 to focus also on the Soviet paradigm, very influential for the evolution of the Lithuanian penal policies.

Most of the partners wanted to discuss the issues covered by WP1 with a specific concern for their national situation. The discussion of the international debate on these same issues has been developed by Partner 1, 6 and 4.

The results of this work package have been extensively discussed during **Workshop 1**, held in Barcelona on 23rd and 24th November 2007. Data, deliverables and results presented during the workshop converged in real time on the research online platform (<http://www.tsd.unifi.it/CRCC/>), developed using a software (Moodle) designed to create an online research community, in order to make possible an immediate debate among the partners

As we declare in the project our intention was to start from the assumption reported in Task 2 that *"Estimating the cost of crime as a percentage of the gross national product is an important mean to justify spending public money on safety for citizens and security against threats to society. But it is only very recently that EU countries have started generating figures on the cost of crime, and methodological problems still exist in developing the methods of calculating these costs"*. Our intention was to focus on the fact that costs of crime are not neutral. They have to be connected also with political and social costs that are associated to criminal policy's choices.

Contrarily to what every serious epistemology would recommend, the approaches to the study of the costs of crime seem to ignore that the definition of the objects of analysis is not neutral to the theoretical assumptions of the researcher. Briefly, they ignore that the preliminary definition of *what* is the cost of crime and moreover of what is *criminality* as a social problem and a source of costs, could not be taken for granted as *natural* assumption, given that this preliminary definition is closely related with the theoretical paradigm assumed and the general political culture that shaped it. This is particularly clear in the case of the different meanings that the term *security* could assume, that is the specific *good* which the criminal policies should be intended to secure. To analyze this complex topic in the project we proposed to use as theoretical tools two ideal types. The first ideal type, what we have named *social-preventive-resocializing ideal type*, is premised upon a quite broad notion of *security*, something much more related with the idea of *social security* meant as public duty to secure not only the private sphere from direct

threats, but even a more general security from troubles deriving from social, economic and psychological needs. On the contrary, with the development of the *retributive-incapacitating ideal type* the semantic sphere of the term *security*, and therefore the idea of costs of crime, seems to have been drastically reduced to a range closely related with the needs of protection of the private sphere.

Our project instead starts from the evidence that there are many possible ways of evaluating the costs of crime and that these different ways are not neutral as regards the fundamental political and theoretical options of a given criminological culture. In order to give an epistemological base to the assessment of strategies aiming at fighting against crime, it will then be necessary to make clear that every evaluation refers to a specific universe of values.

The first step of the research should have been to point out the existing problems in costs' evaluation. Surprisingly, however, in none of the research units' countries, with the exception of Lithuania (where the Government, starting from 2004 onwards, calculates the cost of crime following the Instruction on Filling, Registration, Submittal, and Storage of Statistical Cards on Objects in Departmental Register, approved by the order No. 1V-252 of the Minister of the Interior Affairs on June 30, 2006¹), did governments work out an estimate of crime costs or officially charge research bodies to work out methods of calculating these costs. This discovery made our work quite troublesome, for we had planned to start with an analysis of the data about costs and the methods of gathering these data in order to understand what is considered as a cost of crime, and so to trace the data about crime costs back to different penological paradigms. Thus, we decided to base the first workshop not on crime costs data provided or being gathered by individual governments but on the theoretical question of assessing these data. At the same time we decided to include research institutes into the check of crime costs analysis, and to connect the results of theoretical discussion with the gathered data later on, at report time. That is the reason why the first report has not been delivered within the project's deadline.

The finding of what individual research institutes are doing in different countries has turned out much harder than we had foreseen since none of the research units' governments has shown an awareness of the researches with which they have entrusted different agencies in this field. We are difficulty surveying the researches under way in different countries, starting with the research funded as part of the sixth framework programme, that also involves Italian and Spanish research units and is meant to define a methodology for estimating costs. While drawing this map it turned out that there are also researches related to specific kinds of crimes – e.g., about the costs of foreigners' crime – or related to specific sectors that also involve a criminal activity – e.g., about the costs of drug addiction. This remarkably complicates the work of drawing a map of what is taken to be a cost of crime.

An additional difficulty has been the discovery of the scarcity of data about the crime repression system. Governments of some countries involved in the research are reluctant to communicate the data concerning prison population, and sometimes these data do not seem to have been gathered at all. The case of Germany, where there are different and conflicting data about prison population, is remarkable. Even concerning such obvious phenomena as the number of detainees or prison entrances, to make different countries' data comparable has been a very complicated and time consuming task. Whereas data about detention costs can only be compared at an impressionistic level, and it is often hard to understand what exactly they refer to. Many governments are unable to provide data about the prison system cost, and none can provide data about the cost of probation and similar institutes.

As a consequence, a comparison between the theoretical map built up during work package 1 and discussed in Barcelona, and the actual data about costs, has not yet been possible. This is the reason why we have not yet delivered our report six months after the deadline. There emerges a first important conclusion: before a research about crime financing, a research is needed a research that may lead to establish an European observatory on sentence serving and set up shared methods of gathering data on punished population and at least on the direct costs for

¹ Official Gazette "Valstybės žinios", 2006, No. 79-3118.

states of the different ways of managing punishments. For it is only these methods that can provide scientific community, but mostly governments, with reliable and comparable data about how many and which people enter prisons, how many and which people serve their terms on probation or under similar conditions, how the system of sentence serving affects them. Without these givens, even such phenomena as relapse or the impact on drug addiction of the ways of sentence serving cannot be analysed and therefore cannot be discussed. The case of Portugal is noteworthy: it has no data about the cost of its repression system, but it has just reformed its criminal and criminal procedure laws in order to reduce detention rates, on the basis that detention cost was too high (see the paper by Paulo Albuquerque on the web site).

Please note that these difficulties, besides being themselves an important outcome of the research enabling us to re-orient the parts of it that are currently under way (in particular about relapse and drug addiction), did not result in a relevant delay in carrying out the research itself, for we have been carrying on our work within the original schedule. It has only caused a six months delay in drafting the reports about the first work package and a few months delay in drafting the report about the second work package.

At this point, after a few days of online exchanges with the heads of different groups, the person responsible for the research decided to draft the report on the first work package with the results of the theoretical discussion only, and to keep working at the report on ongoing researches and the data they are producing about costs survey. When this survey is finished, it will be the subject of a dedicated report that was not foreseen in the original product. At the very least, this report will state the situation of the researches we have found and the costs they have estimated, and will briefly discuss them in the light of the theoretical analysis that is the subject of this report.

In order to discuss computational methods of evaluating costs and benefits of different criminological and penological strategies, there should be an agreement about what shall be considered as a cost and what shall be considered as a benefit when proposing and adopting a specific policy. In our opinion, there's actually no agreement on this point in the community of European experts in the criminological and penological field.

Just to concentrate on the costs for repressing crime, which is the topic of our research, it is evident that their evaluation depends on the implicit assumptions on penitentiary system's tasks. Traditionally, as Durkheim pointed out in his famous essay on the two laws of the evolution of punishment, the sufferance of the punished has been considered a cost of the repressive system and the progressive humanization of punishments a gain, until to arrive, with the abolitionist paradigm, to the idea that even the mere deprivation of liberty is an unacceptable cost for the repressive system. Today, more specifically, the answers to two questions depend on the conceptualization of the task of the repressive system: the question whether torture and abuse of prisoners are considered costs and how they are estimated, and, more importantly, the question whether recidivism is considered more costly than a "first" crime and, vice versa, whether the fact that an author of a criminal act doesn't commit any new crime is a gain greater than the general prevention of criminal acts. But even less obvious aspects depend on the implicit assumption about the task of the repressive system: whether costs of repressive system should include such things as the high levels of "shadowed" illness, symptoms and pathologies, suicides and other deaths, or other sufferings not only experienced by prisoners but also by their relatives, families breakdown caused by incarceration, psychological and social effects on detainees' children, social panic due to high criminalization, development of a private prison system always asking for more incarceration, police abuses, the effectiveness of inmates' rights like those to a remunerated work, to education, to health, etc.

Approaching the repression of crime in general and the prison system in particular in order to make an investigation that is aimed, amongst others, at getting to know the "costs" generated by the implementation of a criminal system, requires, first of all, the establishing of an epistemological position that indicates *from where* or *under which view* the *prison issue* is contemplated (see Rivera Beiras 2006). The latter because it is clearly different to contemplate

such an institution highlighting its alleged re-socializing functions than doing it emphasizing the punishment or under the perspective of management and efficiency or in light of respecting prisoners' fundamental rights, or pretending its disappearance. Each one of these "views" not only has a history and very precise and diverse records, but also claims to carry out very different or even opposed objectives.

This way, we can draw up in an epistemological map different models and paradigms in relation to the "prison universe" (see Pavarini 2006), some of which come from a long criminological tradition, others from post-modern approaches and some others put together by critical postures. In fact, we can think in a correctional paradigm (based in the "re" ideologies that have normally been attributed from prescriptive fields). On the other hand, we can outline another with *incapacitator* style (which can be total or selective, modulating the intensity of legal suffering of retributive nature). But going even further than these two paradigms known from the oldest positivist ideas, we can shape another that could be named *managerial* (which according to alleged punitive rationalities related to technocracy, will only look for the systemic efficiency of an agency that "works" on its administrative management). We can even think of a paradigm that *strictly provides with guarantees* (that will measure the named "universe" throughout the perspective of greater or lesser respect for prisoners' fundamental rights) and yet we can accept the existence of an *abolitionist* paradigm (that would be against the existence of prisons and plead for its disappearance or for overcoming it throughout other measures of criminal law or even measures from outside of criminal law). The views, and more importantly their consequences, are obviously different.

In relation with the "costs" that could be paid for the maintenance of a particular criminal and penitentiary system for the repression of crime, the mentioned epistemological positions will also attend to different meanings. Some of them will indicate *economical and budgetary costs*, whilst others include in that chapter elements such as the greater or lesser *respect of fundamental rights* (which entails the quality of the notion of citizenship and therefore of democracy). Others will include variables that contemplate diverse interests: from the design of *programmes for the attention of prisoner's relatives*, to *trade union complaints* coming from penitentiary officials, including *investment in infrastructure*, maintenance of facilities and political discourses to present to the citizenship *determined models of greater or lesser punitive management*.

Evidently, the diverse views and the different positions from where the universe of imprisonment is contemplated (as prisoner, guardian, administrator, relative, scholar, lawyer, businessman, person with political responsibility...) highlight the existence of different interests in relation with the "prison artefact" and can provoke the usage of opposing languages that combine fields that should be previously clarified. From which position shall we be placed when treating the issue of the costs that must be assumed for the maintenance of a certain penitentiary system?

It is our intention to check the consistency between the elements that individual governments would consider as the social costs of crime and the assumed legitimate social costs of crime repression. The lack of an elaboration of governments' estimates made this work impossible until today. Thus, we have simply made an analysis and abstract treatment of the two ideal types of criminal policy that we have presented in the project: the *social-preventive-resocializing ideal type* and the *retributive-incapacitating or neoliberal ideal type*. Moreover, we have focused in particular on the *retributive-incapacitating or neoliberal ideal type*, because it seems to be the theoretical matrix of the policies adopted in most European countries and in all the countries in which the researched is going on (see the papers about every single country in our web site). Even if, in continental Europe the *welfarist ideal-type*, which seems almost disappeared in the scientific debate and the political discourse, seems to resist in public discourse and in administrations' practice, but this survival will be discussed in two specific work packages (3 and 4).

In the seventies high rates of delinquency emerged as salient feature of advanced industrial societies. This feature increasingly attracted both the concern of public opinion and the

interest of criminological research, bringing about a twofold effect: on one hand, during the last decades of twentieth century, the problem of *security* played a crucial role within the broader political and institutional debate; on the other hand a broad and intense discussion on the proper *strategy* of social control and its theoretical paradigm raised within the field of criminological and penological sciences, producing a practical and theoretical turn.

We could synthesize this radical turn of the general criminological knowledge saying that the whole theoretical and practical approaches to the criminal question up to that moment dominant were going through a serious crisis of their hegemony. The criminological and penological attitude that characterized the *welfarist* political culture, largely *social-preventive and resocializing*, was increasingly challenged by a growing new attitude.

The *penal welfarism* can be traced back to approaches with different matrixes and general aims, such as the *special prevention*, which finds its roots in criminological positivism, Durkheimian functionalism and Parsons' thesis on social control; and the *social prevention*, developed on the basis of the revisionist (Foucault, Ignatieff and Rothman) and Marxist (Rusche and Kirchheimer) historiography, and the interactionist approach to the sociology of deviance (labelling theory developed by Becker and Lemert; theory of total institution developed by Clemmer and Goffman; theory of social stigma developed by Goffman, etc.).

Facing the failure of the promises of *penal welfarism*, the continuous growth of rates of delinquency and the perpetual reproduction of recidivism, a sense of distrust in the old criminal policies (expressed with the common slogan *nothing works*) arose, providing the political and cultural environment suitable for the development of a new criminological and penological paradigm (see: Garland, 1996; 1997; 2001). It took shape at first in the Anglo-Saxon countries, where most deep and evident was the crisis of the social-democratic culture, and in a second moment spread its influence in almost all the industrial countries.

This new paradigm, largely *retributive and incapacitating*, was developed starting from the great research on the inefficaciousness of the different rehabilitative strategies that were carried out during the seventies to prevent recidivism. But it moved even from the observation that the great amount of crime is committed by people coming from classes which were profiting of social policies intended to prevent crime and from the research on victimization rates carried out by the so called *new criminological realism* that demonstrated, in England, how lower classes are the most affected by crime. Values, needs and hopes that inspire strategic models that could be traced back to this ideal type, seemed to provide a more pragmatic criminological paradigm, intended to the pure management of the oscillations and social impact of a feature, criminality, that started to appear as ineluctable within advanced industrial society. This new paradigm built itself on the theoretical model of the so called *new criminologies* (Backer; Cornish, Clarke; Felson; see: Garland 2000), which started to assume that the crime could be described as a normal event, whose intelligibility does not need to be referred to pathologies or abnormalities of their protagonist any more. Crime was therefore regarded as an event whose costs, as in the case of any risk factors, could be calculated and monetized; while criminal policy, instead of pursuing the chimera of the total elimination of crime, should limit itself to act on the factors capable to affect the opportunity and the frequency of crimes, keeping their economic and social costs within certain limits of tolerability. This new paradigm slowly replaced old programs based on the work of welfare agencies with policies whose crucial aim was managing *dangerous situations* and limiting the presence of *risk factors*; while almost in parallel the penitentiary sphere assumed an analogue function of governing *social dangerousness*, abandoning its claim to individual rehabilitation and limiting itself to a pure *punitive and neutralizing* activity (Greenwood; see: Feeley, Simon; Wacquant; De Giorgi 2006).

All the theoretical and practical approaches based on the retribution-incapacitation ideal-type postulate that it is possible to evaluate in economical terms the impact of crime repression strategies. And then they present themselves as providing the instruments for evaluating the "*effectiveness of strategies to counter-act crime and criminality*" and will give to practitioners and policy makers the tools allowing an attentive choice among different penal strategies. But

the retributive-incapacitating ideal-type seems to have derived its scientific validation a contrario. In fact the policies that can be traced back to this ideal type are grounded on many empirical researches showing how models associated to the social-preventive-resocializing paradigm failed. There are instead very poor research and empirical results showing the efficacy of retributive-incapacitating penal policies. In particular we didn't find any empirical studies justifying success of retributive-incapacitating penal policies from a costs/benefits analysis's point of view (considering as costs and benefits what such policies assume as costs and benefits).

The status of the policies based on retribution and incapacitation is questioned in particular by the ambiguity of their basic assumptions. This ambiguity does not allow the comparison either between "*costs (direct and indirect) caused by criminal activities in the EU*", or between these direct and indirect costs of crime and the costs caused by policies of crime repression. In fact the penal policies that can be traced back to the retributive-incapacitating ideal type seem considered a priori as efficient, whereas policy choices based on the social-preventive-resocializing paradigm seem to be perceived as expensive and unproductive. Examining penological literature, however, these assumptions appear to be poorly grounded. There is no agreement either on criteria that should be employed in evaluating policies' efficacy, or on what kind of costs has to be considered. Models associated to the retributive-incapacitating ideal type differ considerably in defining costs and benefits that have to be evaluated. Suffice it to mention the differences that can be highlighted between the penological approaches based on Gary Becker's studies and on the Chicagoans' thought, which are based on the economical evaluation of behaviour, and the approaches adopted by Charles Murray and the Manhattan Institute. These approaches can be considered as mainstream among the models associated to the retributive-incapacitating paradigm (see, infra work package 1 description). When they have to concretely evaluate the impact of a penal policy, these approaches don't make explicit the choice of variables through which criminal policies' efficacy can be evaluated.

The spread of retributive-incapacitating policies generates in the political-public discourse, which is the discourse aiming at justifying penological choices, the idea that every strategy that is not aimed at incapacitation, every policy that is social and not repressive, is therefore an useless cost. The public-political discourse doesn't take into account the costs, not even merely the economic costs, of retributive-incapacitating strategies. These seem to be justified if they repress crime, even when tolerating it would be more convenient from an economical point of view. In other words the political-popular version of the retributive-incapacitating model, in particular, seems to contradict Gary Becker's school's thesis that a part of crime must be considered as physiologic and repressing it is therefore anti-economic

It is then within this picture that, under the slogan *nothing works* (R. Martinson, 1974), a new criminological discourse developed. A criminological discourse that simply empathizes the needs of control and articulate the meaning of *security* in the sense of the need of protection from a reality, crime, that being not totally eliminable, should be at least confined within tolerable limits. We will try now to analyze this new criminological ideal type, the interplay that it has created between political discourse and the technocratic one, and the contradictions and tensions that characterized it.

Economics in criminology

The new criminological discourse which filled the vacuum created by the demise of the rehabilitative ideology, namely the economic approach to crime and punishment developed mainly from the groundbreaking work of Gary Becker (G.S. Becker, 1968; 1976; F. Jenny, 1977; R. Cooter, T. Ulen, 1988; J. Dohnohue, 2007). As we have said, this economic approach to crime and punishment was the main theoretical element backing the radical turn in criminal policies that characterized last decades, supporting what was named the *new culture of control* by the intellectual hegemony of the economic knowledge.

As widely known, compared with the classic positivist criminology, the economic approach to crime and punishment starts from a radically different anthropological model, eliminating from the scene the old *homo criminalis* affected by some psychological or socio-economic deficit and replacing him with the *rational actor (homo oeconomicus)* who evaluates costs and rewards deriving from its actions. Even the criminal actor can be transformed into an economic actor, because from the point of view of the Chicago school of economics every action, even the one that does not appear at first sight to have any economic rationality, could be studied as an economic one. As Gary Backer explains, indeed, every action has in some way to accept the reality, every choice, even the wrong one from a strictly economic point of view, has to move within the framework of opportunities provided by a given environmental reality (G. Becker, 1976).

Economics, from this point of view, is the science that studies the systematic character of individual actors' replies to the environmental variables (M. Foucault, 2004, 219). Consequently, within the framework of the economic theory of crime and punishment, the actions of the social control agencies have to affect the balance between gains and losses deriving from the criminal action.

From the point of view of the economic approach to crime there are two strategies of enforcement available, both presenting some inconvenient that must be taken in consideration (J. Dohnohue, 2007, 382). On one hand there is a, let's say, *symbolic* strategy, which aims at increasing costs of criminal actions by hardening the punitive responses. Such a strategy does not have necessarily an extraordinary economic costs, it does not imply – at least theoretically speaking - an extensive use of penalties but faces the problem that the criminal action usually is not totally elastic to the penal response as the theoretical model tends to assume. On the other hand there is a, let's say, more *technocratic* strategy, which aims at increasing risks of criminal actions by increasing the efficacy of the agencies of social control and extending their reach. Such a strategy could, to some extent, be set aside from the problem of the elasticity of criminal actors, because it tends to make their action more risky or at least physically impossible, but has to consider the costs of an indefinite extension of the social control agencies' action.

These two possible articulations of the criminal policy proposed by the economic approach to crime, reflect the different ways of thinking about the criminal question typical of late modern societies (Garland 2001; K. Beckett, 1999; J. Young, 1999). On one hand, the *symbolic strategy* seems to reflect the answers to crime problem coming from political actors: more symbolic, centred over discourses about repression, tough justice, war on crime. Here we have a sort of *populist criminological discourse*, a discourse that characterized mostly the rhetoric of neo-conservatives political movements, imposing during the last decades their hegemony over public debate on crime and punishment issues. On the other hand, the *technocratic strategy* seems to reflect the answers to crime problem of technicians, administrators, penologists: more concerned about the question of costs and rewards and therefore careful in evaluating the costs of the extension of the penal realm. Here we have a sort of *administrative criminological discourse*, calling for a more selective and economic criminal policy capable of extending its efficaciousness at the lowest price possible, a discourse that represents a typical expression, in the field of criminal policies, of what was named *advanced liberalism* (N. Rose, 1999).

We are therefore facing two radically different articulations of the same theoretical proposal, coming from two different political cultures, the neo-conservative and the neo-liberal. But these two different articulations, just as the political culture that they express, present many points of contact. More than simply sharing the anti-state or anti-fiscal rhetoric, they converge in advocating a radical cultural reform that should bring at the core of the political debate the need to eradicate the so called *culture of dependence*, enforcing individuals' responsibility and their ability to autonomously solve their own problems and deal with their own needs. As was said by Mitchel Dean, “neo-liberalism and neo-conservatism share this same diagnosis of the problem of the corruption of the people and the need to lead them to accept their responsibilities and become virtuous citizenry again” (M. Dean, 1999, 163).

These political cultures share then a common aim: to restore the culture of autonomy and individual responsibility, spreading an entrepreneurial ethos over society. Anyway, the implications of this common political project over the strategies of social control proposed by the two political cultures are radically different. On one hand, indeed, the neo-conservatives continue to call for the hardening of the classic *juridical technologies*, using the language of repression and punishment for the mistakes of individuals. The discourse of advanced liberalism, on the other hand, is developing a complex of new *actuarial technologies* that concretizes what was recently defined *new prudentialism* (P. O'Malley, 1992, 260; M. Dean, 1999, 166; N. Rose, 1999, 159). A complex that uses the language of insurance and security and tries to govern within tolerable limits the inevitable costs of liberty.

As we will try to show when discussing these two strategies of social control, there is to large extent a complex interplay between them, in spite of the antinomy of the strategies suggested for fighting crime.

Penal populism

The *crime question* became, during the 1980s, a central issue within the political debate mostly thanks to neo-conservative politics that transformed it into the main issue of English and American electoral campaigns. It was this political climate that definitely undermined the rehabilitative ideal and made it possible to build the criminal question as a social control problem rather than a public health or socioeconomic problem (K. Beckett, 1999; S. Hall *et. al.*, 1978; S. Sheingold, 1984).

The neo-conservative proposal for reforming the criminal policies called indeed for firm and speedy application of criminal penalties, mandatory sentences for certain types of crimes, especially drug related crimes, increased use of death penalties. But, more interestingly, it explicitly rejected the whole criminological positivism and the rehabilitative ideal that for long time explained crime as the outcome of a psychological or socio-economic deficit, blaming it for being the expression of the "liberal leniency and pseudo intellectual apologies for crime" (R. Reagan, cit. in K. Beckett, 1999, 49).

Individual characteristics are assumed to be an unalterable nature and policy makers have to focus on the environment and inducements rather than class and propensity. Wilson was, in particular, the strenuous advocate of a criminal policy meant to modify the situational factors that allow or induce to crime, stressing the need for hardening criminal penalties and getting back to their pure deterrent function by introducing a system of mandatory sentencing (J.Q. Wilson, 1975). But, more importantly, he was - with George Kelling - the author of a popular proposal to reform the police activity based on the idea of *order maintenance policing*, or as was otherwise called, *zero tolerance policing*. That is the idea that the police, more than limiting itself in detecting crimes, should go back to its old function of maintaining order within the communities (J.Q. Wilson, G. Kelling, 1982; G. Kelling, 1996; W.J. Bratton, N. Dennis, 1998).

This proposal was outlined in a paper that became probably the most influential criminological essay of the last years, thereby influencing policy makers over the world (V.D. Donnes, Morgan R., 1997; L. Wacquant, 1999; A. De Giorgi, 2000; B. Harcourt 2001). The *Broken Windows* paper stressed the value of the norm of orderliness as a crucial factor in determining social behaviours within a given community. From the point of view of Wilson and Kelling, indeed, the spreading of disorder launches the message that in that area there is a certain degree of tolerance, triggering a spiral of urban decay that leads to more serious crimes.

Zero tolerance policing reflect in some way the same political culture that called for the hardening of criminal penalties, invoking more strict control over incivilities and the so called soft crimes, as a way to restore morality and order within the communities. But, beside this unison appeal to deterrence, there is a clear image underlying these neo-conservative and revanchist criminological discourses, namely the image of the *demoralized other*. All these discourses express the conservative obsession for a segment of population perceived as extremely threatening and unable to cope with the duty and the responsibility that the neo-liberal idea of active citizenry implies. An *underclass* by now exhausted by the culture of dependence and the laxity stimulated by

years of welfare and indulgent criminal policies (M. Katz, 1993; L. Wacquant, 1999; J. Young, 1999; L. Morris, 1999).

New prudentialism

The first to speak about actuarial or insurance technologies of social control was Stanley Cohen (1985), who described the demise of the old *homo criminalis* from the landscape of control strategies and criminological discourse. As Cohen explained, the real focus was starting to be the criminal behaviour, in its physical dimension and its relations with the external environment “the talk now is about spatial and temporal aspects of crime, about systems, behaviour sequences, ecology, defensible space, target hardening” (S. Cohen, 1985, 148). The so-called *actuarial strategies* look at criminal behaviours, at their spatial and temporal distribution, at their consequences over security levels. We can define *actuarial technologies of social control* all those that aim at manipulating the course of risky behaviours, at governing risky populations and managing risky situations to achieve a given standard of security.

The agencies of control here are no longer called to eliminate the causes of crimes, but to reduce and redistribute risks, “the new practices (...) target something very different, that is the crime rate, understood as the distribution of behaviours in the population as a whole” (M. Feeley, J. Simon, 1994, 178).

The *new prudentialism* is grounded on an overall extension of these insurance technologies that multiplies the social spheres to be monitored and governed. Surely there are situations and populations that present higher level of dangerousness and need particular attention, but generally speaking it is the entire social environment that should be considered always *at risk*. This prudentialism is *new* in the sense that it considers the entire social body responsible for dangers and risks implied by its own life styles and different social environments. The distinction is no longer between risky subjects/situations and those who are not. The basic distinction is now between those, the new active and responsible citizen, who are capable to deal with their own risks, and the others that still need state intervention (O’Malley 1992, p. 260, 261; M. Dean, 1999, 167). We can differentiate two spheres of this *new prudentialism* regarding mostly the main target of the technologies of social control implied: the *environment* or the *governed*.

Actions on the environment. This kind of actuarial action is quintessentially economic in its approach to crime because its main aim is to increase the efforts, multiply the risks and reduce the rewards of criminal actions by modifying their own environment: “while the disciplinary regime attempts to alter individual behaviour and motivation, the actuarial regime alters the physical and social structures within which individuals behave” (J. Simon, 1988, p. 773).

The aim of reducing opportunities for criminal behaviours and increasing their riskiness, is then achieved by studying the so called *criminogenetic situations*, that is the environment within which the actors find their targets with their physical and personal characteristics, their life styles, and all that is supposed to affect the victimization risks. This criminological paradigm developed a complex of social control strategies that was named *situational crime prevention*, that is “a whole of measures directed against highly specific forms of crimes, which involves the systematic and permanent management, organization and manipulation of their environment as a way to reduce opportunity for crime and increase risks as they are perceived by a wide series of potential offenders” (R. Clarke, 1983, 225; R. Clarke, 1995).

Action on the governed. The spreading of the actuarial technologies implies even a partial redefinition of the action that agencies of control exert on the governed. A redefinition that is developed along a line of division between actions and techniques intended to stimulate the population in order to autonomously deal with their own risks and to produce the kind of active citizen that advanced liberal societies need, namely the *homo prudens* who is able to satisfy his need of protection from dangers (O’Malley 2004 139, 140; T. Pitch, 2006); and techniques called to deal with the level of dangerousness represented by those who are unable to exercise the new form of responsible and provident citizenry, exposing themselves and the others to treats.

The last type of strategy clearly implies an action that “is concerned with techniques for identifying, classifying and managing groups assorted by levels of dangerousness” (M. Feeley, J. Simon, 1994, 173). It is another example of the economic approach to crime and punishment, because this actuarial strategy tries to multiply the efficaciousness of control agencies by increasing their ability to select their targets.

Despite this clear economic logic that drives their functioning, the main aim of actuarial technologies applied by control agencies when acting upon the governed is not to influence the decision of individual would-be criminal, but simply to identify and incapacitate a designed high-risk population. Unlike the pure economic logic, the *incapacitation logic* treats the offender as an inert risk bearer to be simply neutralized (M. Feeley, J. Simon, 1994, 189). This strategy concretizes itself in a wide range of incapacitating technologies that cover the entire spectrum of criminal justice, from the police activity, to the penitentiary. On one hand we have a first complex of strategies of police action specifically directed to target dangerous situations and dangerous individuals (the so called *profiling*; O'Malley 2004, 140ss.; M. Feeley, J. Simon, 1994; B. Harcourt, 2007). On the other hand we have a second complex of judicial instruments meant to select and treat differently high-rates offenders by increasing the rigour and the duration of the penalties imposed. A complex that was defined as *new penology* (M. Feeley, J. Simon, 1992, 1994; M. Pavarini, 1994; 2001; 2002; A. De Giorgi, 2002; K. Kempf-Leonard, 2000; B. Harcourt, 2007), that ranges from the guidelines for judges, to the statistical instrument for parole-prediction and selective incapacitation, passing through the systems for mandatory sentencing, the so called *three strikes laws*, that giving an extreme relevance to prior criminal records of the defendant have a strong incapacitating nature.

These incapacitation strategies, despite the fact that can appear radically different in their use of actuarial technologies and prediction instruments, owe much for their spread over the criminal system to the neo-conservative culture and the debate about the underclass as dangerous population to be controlled, moralized and neutralized by means of repressive instruments (J. Young, 1999; M. Feeley, J. Simon, 1994). The *new prudentialism* is in some way the technocratic face of the drive toward a repressive management of poverty and social marginality that characterizes the political discourse.

Conclusion

We described two radically different discursive strategies for which any crime (even the petty one) is a considerable cost (the petty ones pave the way towards the more serious ones). One appears to be a populist rhetoric that call for severe punishment, a criminology of the intolerance that constantly launches the idea of a permanent *war on crime* as symbolic instrument for political campaigns (J. Young, 1999). The other appears to be a typical expression of a technocratic rationality that renounces to eliminate crime from the landscape of our society, trying to govern it within tolerable limits in terms of its social, political and economic costs. But, despite the differences, these two strategies appear to be different articulations of the same political project.

What is relevant to stress here as a conclusion, is that, within the articulation of this political project, and its complex relationship with the actual policies of the European countries, the technocratic answer is also compatible with the rehabilitation policies. Assuming a notion of costs of crime that takes into account both the financial costs of the penal and penitentiary apparatus, and the costs of that same apparatus in terms of compression of individual liberties and of the, not uncommon, risk of violation of human rights, the costs of crime can and have to be compared with the costs of punishment. Such strategies as decriminalization, or the resettlement policies to contrast relapses, can be considered as rational strategies to face these specific costs of crime, costs that seem bound to increase because of the permanent *war on crime* mentioned above.

If there is not a necessary link between this technocratic rationality and the rejection of the rehabilitation policies, and if the decline of these policies can be clearly connected with the decline of the welfare state, it is following the logic of an economic rationality that these same policies can find their new rationale. The expansion of the penal state, and the legitimate quest of democratic

countries for human and legal sentence serving conditions, are going to make the costs of punishment unbearable. It is within this framework that the promotion of policies such as depenalization and social resettlement become another answer that is consistent with that very same technocratic rationality. In this direction the recent (august 2007) reform of Portuguese criminal justice system (which changed substantially penal code and crime procedural code) can be assumed as paradigmatic. As illustrated by the paper presented by Paulo Aburquerque (see the web site) the aim of these reforms is to reduce substantially the number of people in jail and its rationale is mainly to reduce the cost of the penitentiary system.

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Annex I

During the Barcelona Workshop, beside the presentation of the works produced for Work Package 1, the partners decided to upload on the online platform a very short report for every country on its penitentiary system, on its criminal policies on drugs, and few figures on his national penitentiary system, presented according to the following template:

- Prison population in the last 10 years.
- Prison population rate (per 100.000 of national population) in the last 10 years.
- The number of persons entering prison yearly in the last 10 years.
- The number of foreign prisoners in the last 10 years.
- The number of drug addict prisoners in the last 10 years.
- The number of pre-trial detainees (considered as all prisoners not serving a final sentence) in the last 10 years.
- Occupancy level in prison in the last 10 years.
- The yearly number of people serving a community sentence in the last 10 years.
- Cost of the penitentiary system, considered as the yearly national budget for the penitentiary system in the last 10 years. If possible, split according the most significant items (staff, facilities maintenance, activities, etc.).

For the sources of the data presented here, more detailed information are available when required but, when not differently stated, the data are collected as follows:

Italy: our elaboration of data from the “Ministero della Giustizia - Dipartimento della Amministrazione Penitenziaria” usually presented on the ministry web site (www.giustizia.it) and updated on the 30th of June and on the 31st of December. The data are usually provided for by penitentiary administration officers in every prison, and sent to the statistical office of the “Dipartimento della Amministrazione Penitenziaria”, where the data are elaborated and presented on the web site or published in the form of reports.

Germany: The federal numbers are put together by the federal statistical office from the numbers provided by the 16 state statistical offices. Whereas the number of prisoners is counted in every state at least three times a year, problems arise with other numbers (e.g. the number of foreigners in prison is not officially counted and published every year, and sometimes only those serving a final sentence are counted for, not those in pre-trial, etc). One major problem is that the official federal statistics do not provide the number of prisoners per 100,000 inhabitants. Our own calculation and the Space I numbers where different from one another, and that’s why we primarily referred to the Space I numbers, since Space I did the same calculations with most of states of the research. However, one problem with the Space I numbers is that they do not include several thousand (numbers rising) inmates of forensic psychiatric and drug therapy institutions.

For reasons of comparability (with data from other states) we referred primarily to the data published by the Council of Europe (SPACE I: Annual Penal Statistics of the Council Of Europe, various years), with one exception were it was obviously mistaken (2001: entries into the prison system). Secondly we referred to the Kings College London Prison Project, and thereafter on two German sources, the Federal Statistical Office (various years), and Heinz, W., *Das strafrechtliche Sanktionensystem und die Sanktionierungspraxis in Deutschland 1882 - 2005* (upto 2005), Konstanz 2007.

Lithuania: The data comes from the Department of Prisons under the Ministry of Justice, from the National Administration of Courts and from the Department of Statistics under the Government of the Republic of Lithuania.

Portugal: Portuguese official data about prison system is produced by Ministry of Justice without any external control. The information available for the administration and for the public is being developed in the last 5 - 10 years. Before, it was produced only for matching international demand from European Council and UN.

Spain: when not specified differently, the data refers to Spain and Catalonia together. Data comes from the Home Office website (www.mir.es) and the Catalan Administration (www.gencat.net). However, these data were limited and usually related to the current year only. Older data are from the annual reports of the Justice Department of Catalonia (Memòries del Departament de Justícia de la Generalitat de Catalunya) and the annual reports of penitentiary administration of Spain (Informes Generales de la Dirección General de Instituciones Penitenciarias, Ministerio del Interior). Other data are from the reports of the National Statistical Institute (Instituto Nacional de Estadística) and the Official National Budget from Catalonia and Spain. Both the Spanish and Catalan administration has been repeatedly asked to provide for the missing data. We are still waiting.

Hungary: statistical data are collected by special departments of organisations taking part in the criminal justice and law enforcement (police, prosecution service, courts and prison service). These data are regularly published in bulletins and on the website of the given organisation. Office of the Prosecutor General and the Ministry of Justice and Law Enforcement publish one of the most detailed statistical bulletins on crime and criminal justice. The Prison Service edits a yearbook every year in which many data are available in printed form and on their website as well. The National Council of Justice fulfils the central duties of administration of courts. One of the most important functions of the Council is to perform and organize the central duties related to the collection and processing of judicial statistical data.

As concerns budget information we can note that the Hungarian Parliament approves the State Budget and its implementation in the form of act. These acts available in any collection of laws (in printed form, on CD-s or on different websites).

Cyprus: the reports published by the Department of statistics provides data from previous years, and goes in some cases back to the establishment of Cyprus republic in 1960. There are no criminal statistics available after the 2005. The book reporting the data for 2005 was published in late 2007, and no data has been published thereafter. The data on people serving community sentence are from the Department of Social Welfare of the Ministry of Labour and Social Insurance. Some figures on prison occupancy come directly from Nicosia Prison.

Turkey: the Ministry of Justice has prepared a “National Judiciary Informatics System (UYAP)” programme, to implement a very ambitious information program involving the Courts and all other institutions of the Ministry, including prisons. UYAP equipped these institutions with computers, network and internet connection, to give them access to all the legislation, the decisions of the Court of Cassation, judicial records, judicial data of the police and army records. As for the missing data, while setting up the UYAP system, most of the data went lost, because of the collapsing of the system.

Bulgaria: the data presented here has been asked, through an official letter, to the Ministry of Justice, that answered providing the relevant information. As to the way data are collected by the Ministry itself, it is most likely that they summarize the information provided to them by every prison or other detention facility.

Please find below a synthesis of the data collected:

Table 1.

Prison Population and Prison Population Rate (Prisoners per 100.000 of national population)																		
Year	Italy		Germany		Lithuania		Portugal		Spain		Hungary		Cyprus		Turkey		Bulgaria	
-	Detainees	Det. Rate	Detainees	Det. Rate	Detainees	Det. Rate	Detainees	Det. Rate	Detainees	Det. Rate	Detainees	Det. Rate	Detainees	Det. Rate	Detainees	Det. Rate	Detainees	Det. Rate
1997	48.495	85	64.680	87	13.628	383	14.361	145	35.792	110	13.405	135	263	35	60.606	94	10.787	131
1998	47.811	84	68.029	92	14.404	407	14.598	146	44.371	110	14.366	144	226	34	66.165	101	11.541	138
1999	51.814	91	69.917	98	14.412	410	12.808	128	44.197	110	15.110	150	247	32	67.581	101	11.237	134
2000	53.165	93	80.610	95	9.516	273	12.675	124	45.104	113	15.539	155	312	40	49.512	73	10.147	121
2001	55.275	97	70.252	95	11.566	333	13.025	131	47.571	117	17.275	173	369	47	55.609	81	8.971	110
2002	55.670	97	78.707	95	11.070	320	13.698	132	51.882	124	17.838	178	345	43	59.429	86	8.994	114
2003	54.237	94	78.506	96	8.063	234	13.817	132	56.096	131	16.507	165	355	44	64.296	92	9.422	120
2004	56.068	96	79.567	96	8.125	237	13.152	126	59.375	137	16.543	165	546	66	57.930	81	10.066	129
2005	59.523	101	79.676	95	8.137	239	12.889	124	61.054	135	15.720	157	536	63	55.870	78	10.871	139
2006	39.005	66	78.992	93	8.079	238	12.636	120	63.452	141	14.811	148	-	-	70.277	96	11.436	147
2007	48.693	81	76.629	-	7.866	234	11.587	110	65.628	147	14.793	144	-	-	90.868	129	11.058	142

Notes to Table 1:

Italy. Source: Ministero della Giustizia - Dipartimento della Amministrazione Penitenziaria. Presences on the 31th of December. The significant decrease of prison population in Italy in 2006, that can be noticed also in the other charts, depends on the “Indulto” pardon law (law 241/2006).

As regards **Germany**, the data for 1999, 2001-2005 is from SPACE I (Annual Penal Statistics of the Council Of Europe), various years; the data for 1997-1998 and 2000 from the Federal Statistical Office, and these two statistics have a basic difference of about 10.000 prisoners. Data for 2006 is from Kings College London, International Centre for Prison Studies, Prison Brief for Germany (2007). 31 March 2008: 75.056.

SPACE I data do not include persons held in forensic psychiatric or closed drug therapy institutions (offenders). This is a rising number in Germany, and there is no time limit for psychiatric institutions (only a court checks every year whether there is still a risk of re-offending, taking into account statements by the institution and external psychiatrists). In Germany the number of persons held doubled from 1996 (4.233; psychiatric inst.: 2.956; drugs: 1.277) to 2007: (8.664; psychiatric inst.: 6.061; drugs: 2.603). The (forced) drug rehabilitation institutions are something different to those institutions where people (including offenders) go voluntarily. In 2007 1.486 (of 2.603) used primarily drugs other than alcohol. The duration in these drug institutions can be up to two years plus two thirds of the sentence (maximum 4 years) - no therapy will take place if the court is convinced that the person is not able to undergo a therapy.

The decrease in numbers of prison inmates in 2000 has occurred due to a proclaimed amnesty. The decrease in the following years could be explained while taking into account the fact that the New Penal Code has entered into force on May 1, 2003. The New Penal Code provides for wider range of punishments and the norm concerning repeat offenders (that used to lead to automatically more harsh punishments) has been abandoned.

For the prison population rate, the source for 1999, 2001-2005 is SPACE I; data for 1997-1998 and 2000 are from Heinz, W.: Das strafrechtliche Sanktionensystem und die Sanktionierungspraxis in Deutschland 1882 - 2005 (up to 2005), Konstanz 2007. Data for 2006 are from Kings College London, International Centre for Prison Studies, Prison Brief for Germany (2007). The decrease in 2007 is officially explained by lower numbers of pre-trial detainees (due to remand avoiding schemes).

Lithuania. Data from the Department of Prisons under the Ministry of Justice of the Republic of Lithuania and statistical data from the Department of Statistics under the Government of the Republic of Lithuania.

Portugal. Data from DGSP – Estatísticas da Justiça (gepmj), 1990 till 1998 and from DGSP website from 1999 till 2006. Also for Portugal the decrease of prison population refers to amnesties (1999). These days in Portugal amnesties are not any more politically acceptable for “cleaning” the prison system.

Spain. Source: Memòries del Departament de Justícia de la Generalitat de Catalunya and Informes Generales of Dirección General de Instituciones Penitenciarias, Ministerio del Interior. The Spanish Penal Code of 1995, despite of being called the “Penal Code of Democracy”, established very harsh penalties, above all for crimes related to drug dealing. Moreover, it derogated the “redemption of sentences because of work” (redención de las penas por el trabajo), which used to shorten a lot the sentences (two days of work remained one of the sentence). On the other hand, although politicians boasted about the alternative measures of the new Penal Code, those measure were rare. This Penal Code has suffered myriad modifications, hardening penalties in different topics (drug dealing, terrorism, smuggling of immigrants, gender-based violence, etc. etc.). Besides, it is getting more and more difficult to get probation. In 2003 there have been several harsh criminal reforms (during the last part of the conservative party PP mandate). This probably lead to more imprisonment in 2004. At the same time, penitentiary administration is worried for the increasing number of prisoners, and is putting more effort in the application of alternative measures (of the few made available by the Ordenamiento Jurídico español).

For prison population rate: own calculus with data from Instituto Nacional de Estadística.

Hungary. Source: Yearbook of the Law Enforcement Organisation. To explain the decrease in prison population after 2002 in Hungary, it has to be considered that the repressive turn in the second part of the 90's was soon followed by another change of paradigm, embodied by Act II of 2003, the new novel of Criminal Code, and in other pieces of law on the field of criminal procedure. At the same time judicial practice extended the application of conditional release. The new legal institution, called mediation (it can be ordered since 01/01/2007) will probably further reduce the number of inmates.

Cyprus. Sources: Republic of Cyprus, Ministry of Finance, Statistical Service. Statistical Abstract 2000-2005. Prison population is recorded on the 1st of September of each year. The increase is directly related to foreigners convicted for entering the country illegally.

Turkey. Source: Ministry of Justice, General Directorate of Prisons and Detention Houses statistics officer. The decrease of prison population between 2004 and 2005 is related to the New Penal Code, that changed some implementation on the Old Code. In the new Code crimes were divided into two as felony and misdemeanor. As a result, some people where released from prison or paid penalties (money). Also the probation system has an important role in these changes.

The increasing prison population might be due to the increasing migration from rural to urban areas, that affects people living standards and their exposure to social exclusion. The new legal changes impact also on the field of criminal procedure. It can be said that interception of organized crime increases at present time. In October 2008 prison population is more than 99.000.

Bulgaria. Source: Ministry of Justice. Data about prison population in Bulgaria refers to 1 January of the respective year, so the decrease actually happened in 2000. Despite the lack of research of this particular tendency one of the reasons could be the amendments of Article 78a of the Bulgarian Criminal Code. It provides for replacement of criminal liability with administrative fine under certain conditions and as from 2000 there is an increase of the upper limit of the penalties for crimes, for which such replacement can be applied, which ended up with less people receiving imprisonment sentences. On the other hand, as noted by the Bulgarian Helsinki Committee in its Annual Report on the Human Rights in Bulgaria for 2000, in contrast to preceding years, the length of pre-trial proceedings in 2000 is already more reasonable and it is only in isolated cases that the accused are detained as such for more than 6 months.

Table 2.

Persons Entering Prison Yearly									
Year	Italy	Germany	Lithuania	Portugal	Spain	Hungary	Cyprus	Turkey	Bulgaria
1997	88.305	146.675	-	7.980	-	19.371	750	62.946	7.016
1998	87.134	153.407	6.468	6.865	47.446	18.698	817	69.077	6.777
1999	87.862	150.745	6.397	6.192	42.108	15.872	1.155	83.466	5.312
2000	81.397	143.280	5.334	5.884	41.564	17.269	1.150	98.969	4.684
2001	78.649	137.917	6.838	-	41.360	20.312	1.318	112.237	5.304
2002	81.185	136.383	6.614	7.264	41.720	22.533	1.254	98.955	5.968
2003	81.790	135.002	5.427	6.872	40.462	20.867	1.314	99.876	6.328
2004	82.275	129.152	5.338	5.632	41.949	20.570	1.385	101.308	7.124
2005	89.887	123.184	5.477	5.617	39.178	21.922	1.188	52.716	7.425
2006	90.714	116.789	5.208	5.775	44.222	21.606	-	77.884	7.192
2007	91.620	109.996	4.628	5.420	-	20.431	-	-	5.654

Italy. Source: Ministero della Giustizia - Dipartimento della Amministrazione Penitenziaria.

Germany. Data for 1997-2001 are from the Federal Statistical Office. Data from 2002 to 2004 are from SPACE I. The number people entering prison is affected also by the number of people sentenced to a fine, but that are unable to pay their fine, and because of this go to jail. This number is growing, mainly because of the worse economic situation following joblessness.

West Länder, incl. Westberlin (since 1995 incl. West and East Berlin)

	Number of sentenced persons	Those sentenced to fines	Imprisonment substituting a fine „Ersatzfreiheitsstrafe“	
			n.	Ratio, related to the number of fines
1976	592,154	492,561	27,469	5,6
1980	599,832	494,114	25,905	5,2
1985	600,798	488,414	30,765	6,3
1990	615,089	512,343	29,503	5,8
1995	683,258	567,195	42,127	7,4
2000	638,893	513,336	46,250	9
2002	618,269	493,083	45,700	9,3

Source: Heinz, W.: Das strafrechtliche Sanktionensystem und die Sanktionierungspraxis in Deutschland 1882 - 2006 (up to 2006), Konstanz 2008.

Lithuania. Data of the Department of Prisons under the Ministry of Justice of the Republic of Lithuania.

Portugal. Source: DGSP Estatísticas da Justiça (gepmj) from 1994 to 2006. 2007 from DGSP web site (www.dgsp.mj.pt)

Spain. Source: Memòries del Departament de Justícia de la Generalitat de Catalunya and Informes Generales of Dirección General de Instituciones Penitenciarias, Ministerio del Interior. The data relating to the entry in prison does not include transfers among prisons. Prison population increases, despite the decrease of the number of persons entering prison, because of longer sentences and more difficulties to access alternative measures and community sentences.

Hungary. Source: Yearbook of the Law Enforcement Organisation.

Cyprus. Sources: Republic of Cyprus, Ministry of Finance, Statistical Service. Statistical Abstract 2000-2005.

Turkey. Source: Ministry of Justice, General Directorate of Prisons and Detention Houses statistics officer.

Bulgaria. Source: Ministry of Justice. The decrease of the prison population in Bulgaria in 2007 actually refers to 2006 since the figure refers to 1 January. One of the reasons for this decrease is the introduction of probation as a penalty under the Bulgarian Criminal Code. This penalty, introduced in 2004, started to apply in practice in 2005 and thus the year 2006 was actually the first full calendar year of its effective application (see the table about people serving community sentences). As long as probation replaced imprisonment for certain types of crimes its effective application reduced the number of persons entering prison.

Table 3.

Foreign Prisoners and Foreign Prisoners % over prison population																		
Year	Italy	%	Germany	%	Lithuania	%	Portugal	%	Spain	%	Hungary	%	Cyprus	%	Turkey	%	Bulgaria	%
1997	10.825	22,3%	-	24,6%	-	-	1.442	10,0%	-	-	638	4,8%	73	27,8%	-	-	-	-
1998	11.973	25,0%	-	24,7%	138	1,0%	1.398	9,6%	7.850	17,7%	623	4,3%	45	19,9%	-	-	-	-
1999	14.057	27,1%	-	24,3%	144	1,0%	1.244	9,7%	7.900	17,9%	729	4,8%	48	19,4%	-	-	189	1,8%
2000	15.582	29,3%	-	-	122	1,3%	1.547	12,2%	8.990	19,9%	807	5,2%	96	30,8%	-	-	156	1,4%
2001	16.294	29,4%	-	22,5%	107	0,9%	1.582	12,1%	11.095	23,3%	874	5,1%	129	35,0%	-	-	136	1,2%
2002	16.788	30,1%	23.509	29,9%	111	1,0%	2.095	15,3%	13.413	25,9%	825	4,6%	131	38,0%	-	-	155	1,5%
2003	17.007	31,3%	-	-	97	1,2%	2.145	15,5%	15.205	27,1%	746	4,5%	140	39,4%	-	-	191	2,1%
2004	17.819	31,7%	22.474	28,2%	44	0,5%	2.275	17,3%	17.302	29,1%	697	4,2%	212	38,8%	-	-	207	2,3%
2005	19.836	33,3%	22.095	28,0%	43	0,5%	2.386	18,5%	18.616	30,5%	593	3,8%	188	35,1%	-	-	219	2,3%
2006	13.152	33,7%	-	28,2%	50	0,6%	2.552	20,2%	20.643	32,5%	538	3,6%	-	-	1.241	1,8%	247	2,5%
2007	18.252	37,4%	-	-	54	0,7%	2.371	20,5%	22.447	34,2%	531	3,6%	-	-	1.207	1,3%	222	2,0%

Italy. Source: Ministero della Giustizia - Dipartimento della Amministrazione Penitenziaria.

Germany. Source Council of Europe, SPACE I. For foreigners %, data from 1997 to 1999 and for 2001 are from the Federal Statistical Office (in relation to sentenced prisoners only). Data for 2002 and for 2004 and 2005 are from Council of Europe, SPACE I. 2006: Kings College London, International Centre for Prison Studies, Prison Brief for Germany (2007).

Lithuania. Statistical Data of the Department of Prisons under the Ministry of Justice of the Republic of Lithuania.

Portugal. Data from DGSP – Estatísticas da Justiça (gepmj) from 1990 till 1998 and from DGSP website from 1999 till 2007.

Spain. Source: Memòries del Departament de Justícia de la Generalitat de Catalunya and Informes Generales of Dirección General de Instituciones Penitenciarias, Ministerio del Interior.

Hungary. Source: Yearbook of the Law Enforcement Organisation.

Cyprus. Sources: Republic of Cyprus, Ministry of Finance, Statistical Service. Statistical Abstract 2000-2005.

Turkey. Source: Ministry of Justice, General Directorate of Prisons and Detention Houses statistics officer. Before 2006 the real number is unknown, due to the lack of official data.

Bulgaria. Source: Ministry of Justice.

Table 4.

Drug Addicts Prisoners									
Year	Italy	Germany	Lithuania	Portugal	Spain	Hungary	Cyprus	Turkey	Bulgaria
1997	14.074	-	-	-	-	-	-	-	87
1998	13.567	-	672	-	19.081	-	-	-	109
1999	15.097	-	1.057	-	21.858	-	-	-	123
2000	14.440	-	635	-	23.069	-	-	-	157
2001	15.442	-	1.301	-	24.304	-	-	-	251
2002	15.429	-	1.464	-	24.015	-	-	-	476
2003	14.501	-	1.148	-	23.353	-	-	-	565
2004	15.558	-	1.265	-	-	-	-	-	693
2005	16.135	-	1.476	-	21.272	-	-	353	1.071
2006	8.363	-	1.488	-	-	-	-	247	1.342
2007	10.753	-	-	-	-	-	-	275	-

Italy. Source: Ministero della Giustizia - Dipartimento della Amministrazione Penitenziaria.

Germany. There are no reliable statistics on the number of prisoners with an addiction to drugs. The only official statistical number available is on the percentage of persons sentenced for drug offences (about 6 %; Jehle, p. 28 for 2003). However, this does not tell whether the sentenced person is addicted or not, it only shows that the person possessed, (attempted) to buy or sell illegalised drugs etc.² It does not even show whether the person committed the offence under the influence of drugs or to buy them. Estimates about the number of problematic drug users in prison vary between 25% (about 20.000)³ and 50% (40.000)⁴ plus about 1.500 in closed (forensic) institutions.

Lithuania. Statistical data of the Drugs Control Department under the Government of the Republic of Lithuania.

Portugal. The official report “Relatório do Grupo de Trabalho Justiça/Saúde do Plano de Acção Nacional para Combate à Propagação de Doenças Infecciosas em Meio Prisional” 2006, mentions 4.073 forbidden drugs “active consumers” out of 10.182 counted total inmates found in 10 central prisons, 2 special prisons and 8 regional prisons, out of the total of 53 prisons (including all types of prisons). This number is near the number produced by 2002 report on the same subject.

Reading health care situation inside each prison at official report “Relatório de Actividades da DGSP” 2005/2006, (36 over 53 prisons offer numbers) one count inmates known as drug consumers as much as 55,3% out of total number of inmates present. One can estimate the real number for all system will be higher, since big prisons, where stay long time condemned inmates (such as Carregueira, Monsanto, St.Cruz do Bispo, Vale de Judeus, Leiria), did not provide data to this counting. The real number is officially unknown.

Spain. Source: Memòries del Departament de Justícia de la Generalitat de Catalunya and Informes Generales of Dirección General de Instituciones Penitenciarias, Ministerio del Interior.

Hungary. No data available, possibly because drug addiction is not a main issue in Hungary, both in Hungarian society and in prisons. The number of drug addict prisoners is quite small and prison administration doesn't collect the data.

Cyprus. There are no statistics kept on prisoners who are drug addicts and or HIV positive.

Turkey. Source: Ministry of Justice, General Directorate of Prisons and Detention Houses statistics officer. Officially unknown before 2005.

Bulgaria. Source: Ministry of Justice. There are three important factors, influencing the increase of drug addicts prisoners in Bulgaria. The first one is the increase in drug distribution and consumption. The second one is the change of the policy against drug distribution in 2001. According to the report Heroin Users in Bulgaria One Year After Outlawing the Dose for "Personal Use": Law Changes And New Risks (Initiative for Health Foundation and Open Society Institute – Sofia) the period before 2001 saw an exponential growth in drug use, but only in 2001, there came an “abrupt change” in the policy towards drug related crimes, because of the pressure exerted by the public, the media and the politicians on the services of the Ministry of Interior. The third factor is the legislative change of 2004 when the Bulgarian Criminal Code was amended and the provision excluding the criminal prosecution of drug addicts possessing a single dose was abolished (a subsequent amendment, passed in 2006, considerably decreased the sanctions for most drug related offences and the differentiation between distribution and personal use was re-introduced). Thus, drug related crimes became punishable irrespective of the addiction of the offender and the amount of the narcotic substance. According to independent experts, this change overloaded the courts with criminal cases against individuals arrested for

² The only thing which is not criminalized directly is the use of an illegalized drug.

³ Stöver, p. 81, based upon the 2005 EMCDDA “Drug Treatment Overviews” and further research – the numbers seem to refer to opiate users only.

⁴ 2nd PSB, p. 612, speaks about 30-40%, but refers to a study which took into account all incoming prisoners in North Rhine-Westphalia between April and June 1997 (n=1.848): 49,3 % reported prior drug use; 17% of all had drug experiences without addiction symptoms; in 32,3% of all cases the examining MDs found indications for a present drug dependency; indications of a present medicine addiction in 13,4%; and a present alcohol dependency in 8,1%; About 31% of all prisoners used opiates several times a week or daily (usually iv).

possessing small amounts of drugs. Although the expected boom in the number of criminal cases did not happen, there was a certain increase in the number of convictions for drug-related crime.

Table 5.

Pre-Trial Detainees and % over prison population																		
Year	Italy	%	Germany	%	Lithuania	%	Portugal	%	Spain	%	Hungary	%	Cyprus	%	Turkey	%	Bulgaria	%
1997	20.510	42,3%	19.935	30,8%	2.576	18,9%	4.328	30,1%	-	-	3.660	27,3%	42	16,0%	24.272	40,0%	3.962	36,7%
1998	21.952	45,9%	19.049	28,0%	2.421	16,8%	4.250	29,1%	10.790	24,3%	3.909	27,2%	32	14,2%	24.925	37,7%	3.303	28,6%
1999	23.699	45,7%	17.661	25,3%	2.207	15,3%	4.052	31,6%	9.259	20,9%	4.114	27,2%	44	17,8%	23.450	34,7%	2.627	23,4%
2000	24.295	45,7%	17.524	21,7%	1.915	20,1%	3.854	30,4%	8.868	19,7%	4.105	26,4%	39	12,5%	24.657	49,8%	2.113	20,8%
2001	23.405	42,3%	17.805	25,3%	1.811	15,7%	3.690	28,3%	10.141	21,3%	4.263	24,7%	50	13,6%	28.068	50,5%	1.457	16,2%
2002	21.682	38,9%	18.063	22,9%	1.656	15,0%	4.219	30,8%	11.810	22,8%	4.329	24,3%	32	9,3%	28.550	48,0%	1.744	19,4%
2003	20.225	37,3%	16.973	21,6%	1.362	16,9%	3.492	25,3%	12.276	21,9%	3.776	22,9%	47	13,2%	31.581	49,1%	2.029	21,5%
2004	20.036	35,7%	15.999	20,1%	1.284	15,8%	3.000	22,8%	13.112	22,1%	4.101	24,8%	103	18,9%	31.920	55,1%	1.861	18,5%
2005	21.662	36,4%	15.459	19,4%	1.127	13,9%	3.044	23,6%	13.720	22,5%	3.981	25,3%	101	18,8%	31.012	55,5%	1.988	18,3%
2006	22.145	56,8%	-	-	997	12,3%	2.921	23,1%	15.065	23,7%	3.786	25,6%	-	-	34.941	49,7%	2.080	18,2%
2007	28.188	57,9%	-	-	955	12,1%	2.327	20,1%	15.950	24,3%	3.581	24,2%	-	-	53.229	58,6%	1.354	12,2%

Italy. Source: Ministero della Giustizia - Dipartimento della Amministrazione Penitenziaria.

Germany. Data from 1997 to 2000 are from the Federal Statistical Office. 2001-2005 data are from SPACE I. Data for 2006 are from Kings College London, International Centre for Prison Studies, Prison Brief for Germany (2007). 31 March 2008: 12.358.

Lithuania. Statistical Data of the Department of Prisons under the Ministry of Justice of the Republic of Lithuania.

Portugal. Data from DGSP website DGSP - Estatísticas da Justiça (gepmj) from 1990 to 1998 and from 1999 to 2007.

Spain. Source: Memòries del Departament de Justícia de la Generalitat de Catalunya and Informes Generales of Dirección General de Instituciones Penitenciarias, Ministerio del Interior.

Hungary. Source: Yearbook of the Law Enforcement Organisation.

Cyprus. Sources: Republic of Cyprus, Ministry of Finance, Statistical Service. Statistical Criminal Statistics 2005-2006. Recorded on the 1st of September of each year.

Turkey. Source: Ministry of Justice, General Directorate of Prisons and Detention Houses statistics officer.

Bulgaria. Source: Ministry of Justice.

Table 6.

Prison Capacity and Occupancy Level %																		
Year	Italy	Occ. %	Germany	Occ. %	Lithuania	Occ. %	Portugal	Occ. %	Spain	Occ. %	Hungary	Occ. %	Cyprus	Occ. %	Turkey	Occ. %	Bulgaria	Occ. %
1997	43.796	110,7	72.378	94,0	9.941	137,1	10.763	136,0	-	-	10.977	122,0	247	106,5	-	-	-	-
1998	43.121	110,9	73.980	95,0	9.941	144,9	11.065	134,5	-	-	10.221	134,0	247	91,5	-	-	-	-
1999	42.787	121,1	75.102	107,0	9.941	145,0	11.185	117,1	-	109,0	10.230	140,0	247	100,0	-	-	-	-
2000	42.723	124,4	76.646	92,0	9.941	95,7	11.371	112,3	-	106,0	10.249	152,0	247	126,3	73.419	67,4	-	-
2001	42.996	128,6	76.725	103,0	9.941	116,3	11.371	115,3	-	-	10.799	159,0	247	149,4	73.975	75,2	-	-
2002	41.809	133,2	77.887	100,8	9.941	111,4	11.465	120,1	-	112,5	11.416	159,0	247	139,7	71.881	82,7	-	-
2003	42.313	128,2	78.099	101,9	9.941	84,2	12.109	114,1	-	114,1	11.326	145,0	340	104,4	70.662	91,0	-	-
2004	42.523	131,9	79.204	100,6	9.578	84,4	12.789	102,8	-	129,5	11.400	144,0	340	160,6	71.164	81,4	-	-
2005	42.952	138,6	80.297	98,4	9.626	85,9	12.696	101,5	-	133,7	12.008	140,0	340	157,7	70.313	79,5	-	-
2006	43.226	90,2	79.960	95,8	9.476	81,8	12.115	104,3	-	140,0	11.374	130,0	-	-	74.140	94,8	-	-
2007	43.186	112,8	-	-	9.874	79,7	12.416	93,3	-	-	11.535	128,0	-	-	93.337	96,1	7.923	138,3

Italy. Source: Ministero della Giustizia - Dipartimento della Amministrazione Penitenziaria.

Germany, Data for 1999, 2001-2005 are from SPACE I; data for 1997-1998 and 2000 from the Federal Statistical Office. Data for 2006 are from Kings College London, International Centre for Prison Studies, Prison Brief for Germany (2007).

Lithuania. The number of places in penitentiary institutions is approved by the Minister of Justice according to capacities of the institution as well as to norms of hygiene. However the official number of places adopted by the Penitentiary Administration, reported here, and used to calculate Occupancy Rate is different and higher than the one approved by the Minister of Justice. Occupancy level: statistical data of the Department of Prisons under the Ministry of Justice of the Republic of Lithuania.

Portugal. Data from DGSP website “DGSP – Estatísticas da Justiça (gepmj) de 1990 até 1998 e de 1999 a 2007”.

Spain. Occupancy level from the Council of Europe Annual Penal Statistics.

Hungary. Source: Yearbook of the Law Enforcement Organisation.

Cyprus. Sources: Republic of Cyprus, Ministry of Finance, Statistical Service. Statistical Abstract 2000-2005, and Nicosia Prison for occupancy level. Recorded on the 1st of September of each year.

Turkey. Source: Ministry of Justice, General Directorate of Prisons and Detention Houses statistics officer.

Bulgaria. Source: Ministry of Justice.

Table 7.

People serving Community Sentence									
Year	Italy	Germany	Lithuania	Portugal	Catalonia	Hungary	Cyprus	Turkey	Bulgaria
1997	49.306	-	10.806	172	-	1.600	60	-	-
1998	49.559	-	12.015	170	565	1.874	150	-	-
1999	51.072	-	12.080	171	784	2.689	136	-	-
2000	53.338	-	10.690	275	1.115	2.893	132	-	-
2001	55.193	-	11.629	481	1.148	3.458	161	-	-
2002	56.431	-	11.218	777	1.167	4.163	163	-	-
2003	56.081	-	10.406	999	1.316	3.991	154	-	-
2004	56.064	-	11.208	1.438	1.778	4.508	240	-	-
2005	58.817	-	9.005	914	3.284	4.946	391	-	3.252
2006	51.748	-	8.794	663	5.994	5.584	-	50	11.962
2007	42.453	-	9.019	-	5.811	5.413	-	1.592	12.814

Italy. Source: Ministero della Giustizia - Dipartimento della Amministrazione Penitenziaria.

Germany. Not applicable because the German criminal law system knows two main remedies: imprisonment and fines: about 80% of all sentences are fines, about 14% suspended prison sentences. And about 6% are (not suspended) prison sentences (cf. Jehle, p. 30) – N.B. many people in prison are there because they were unable to pay there fines. Other instruments, e.g. community work, can only be imposed by way of terminating the criminal procedure with consent of the accused and the Prosecution Service/ Criminal Court.

Lithuania. Statistical data of the National Administration of Courts.

Portugal. Source: DGRS – Direcção Geral da Reinserção Social – Ministério da Justiça “Prestação de Trabalho a Favor da Comunidade no Sistema Sancionatório” – (www.dgrs.mj.gov.pt).

Spain. Source: Memòries del Departament de Justícia de la Generalitat de Catalunya. He have not found proper data for Spain. We have asked the Home Office.

Hungary. Source: Information bulletin on criminal investigation. Edited by the Ministry of Justice and Law Enforcement, and by the Office of the Prosecutor General, different years. Data in this table refer the number of punishment "work in the public interest" imposed for offences punishable on public accusation.

Cyprus. Sources: Department of Social Welfare of the Ministry of Labour and Social Insurance.

Turkey. Source: Ministry of Justice, General Directorate of Prisons and Detention Houses statistics officer. Similar measures are rather new in Turkey, and had no actual impact before 2005.

Bulgaria. Source: Ministry of Justice. The figures in this column show the number of persons serving probation sentences. Probation is a penalty including one or more of the following measures: compulsory registration at the current address, compulsory regular meetings with probation officer, restrictions on free movement, admission to vocational training courses and/or public intervention programs, corrective labour, community service.

Annex II

Prison Costs

ITALY

Year	Ministry of Justice Budget	Penitentiary Administration Budget	% of Penitentiary Administration Budget over Justice Budget	Penitentiary Health Budget	Daily Cost per Prisoner	Food: Daily Cost per Prisoner
2000	6.195.200.000	2.213.658.000	35,7%	138.866.980	113,00	1,25
2001	6.437.400.000	2.198.366.000	34,1%	134.097.150	109,00	1,25
2002	6.485.300.000	2.355.025.000	36,3%	133.106.970	115,00	1,65
2003	6.736.400.000	2.413.346.000	35,8%	124.040.019	119,00	1,65
2004	6.967.553.000	2.549.831.098	36,6%	129.068.536	124,00	1,65
2005	7.439.879.121	2.585.442.031	34,8%	115.532.773	120,00	2,95
2006	7.702.424.144	2.807.068.728	36,4%	113.656.460	149,00	2,95
2007	7.757.833.159	2.820.987.451	36,4%	-	-	-

Figures are in Euro. Ministry of Justice Budget Source: 2000 - 2003 CNEL elaboration on data from Ragioneria Generale dello Stato. 2005-2007 from Rendiconto Gernale dello Stato. Penitentiary Administration Budget: Ristretti Orizzonti elaboration over data from Ministry of Justice – Dipartimento della Amministrazione Penitenziaria.

In Italy figures on the costs of **alternative measures** are not available yet. We made contact with the Dipartimento della Amministrazione Penitenziaria and set up a working program to elaborate together those data.

GERMANY

To say something about the costs of the prison system or the costs of alternative sanctions in Germany proves to be very difficult for a cluster of problems. First of all Germany has a federal system with 16 states. These states use different accounting systems (e.g. the costs for pensions or health insurance for prison personnel are dealt with differently). Moreover the main features of the alternative sanctions are outside the justice or state system. Institutions dealing with prisoners, or trying to avoid sanctioning or imprisonment, are very often civil society institutions, sometimes with only loose links with state institutions. This includes organisations in drug advocacy as well as institutions trying to avoid imprisonment in case of unpaid fines before or after the sentence, and partly instead of a trial (e.g. victim-offender mediation; organising work instead of prison schemes). It has to be stressed that many people in prison are there because they were unable to pay their fines. The fine is a number of daily incomes: between 5 and 360 days of €1 till € 5000. The amount is the average monthly net-income (dependants will be taken into account) of a person divided by 30. In practice the minimum will be 8 or 10 € per day (rarely 5 €). Thus if someone is sentenced to a fine of 60 days for theft, the fine depends on the actual income. Someone living on social welfare will be fined 60 days of € 8 (€ 480 plus about € 120 trial costs) - possibly by instalments. If unable to pay the fine, the imprisonment would be 60 days (minus

the days being paid for - unpaid trial costs will not bring about imprisonment, and the person pays the fine first). Institutions/individuals trying to avoid imprisonment have different options. They might try to argue with the prosecution service (which is in charge for organizing the sanction) for exceptional clemency. Usually it will be a set up scheme for work instead of imprisonment (one five hour working day will be equivalent to one day fine).

For the costs, that differ to some extent from state to state within the Federal Republic of Germany, we singled out the lowest and the highest numbers only, without referring to the single state the relevant number applies to.

The following data refer largely to a research project at the University of Darmstadt, Germany by Oeconomics and Business Administrators.

Average 2001-2003	Lowest	Highest	Average = Germany
Prison costs per day and inmate (without building costs)	62,0	91,0	-
Buildings (day/ inmate)	1,3	39,0	-
Total	69,0	126,0	-
Earnings of the prison (work) per inmate/year	138,0	3.865,0	1.480,0
State payments per inmate/year ⁵	22.245,0	48.802,0	31.381,0
Inmate-Personal-ratio (Personal per 100 places for detention) in 2003	43,1	58,1	48,4

Figures are in Euro. Source: Entorf, Evaluation des deutschen Strafvollzugs: Ergebnisse einer ökonomisch-kriminologischen Feldstudie, Darmstadt 2006.

2006	Lowest	Highest	Average = Germany
Number of Prisoners/100,000	55,0	156,0	95,0
Prison costs per day and inmate (without building costs)	61,9	105,5	84,7
Costs per inhabitant/year	18,2	55,4	27,0
Inmate-Personal-ratio (Personal per 100 places for detention) in 2006	40,5	63,0	48,7

Figures are in Euro. Source: Freie Hansestadt Bremen, Die Senatorin für Finanzen, Die bremischen Ressorts im Städte- und Ländervergleich – Benchmarking-Bericht 2007 –, Bremen 2007.

⁵ Overall costs in relation to the number of prisoners on 31/03/2004 (total: 81.166).

LITHUANIA

Costs of Prison System in Lithuania

Relevant indicator is the sum of money allocated to maintaining of one penitentiary inmate per day. The average sum in Lithuania in 2007 was 50,51 litas (approximately 15 €). 70 percent of the sum were allocated to salaries and instilments for social insurance of the staff of the institutions and 10 percent of the sum were allocated to nutrition of the inmates. It should be noted that the aforementioned sums differ in different institutions from 36 litas (10 €) in Alytus penitentiary to 116 litas (34 €) in the Juvenile Penitentiary, 123 litas (36 €) in Vilnius 1st Correctional House, and 150 litas (44 €) in Penitentiary Hospital.⁶

Consolidated Expenses Incurred for Maintaining of Penitentiary Inmates (2007)

Sum in Euro (per day per person)	
Staff Salaries	8,14
Social Securities Payments	2,15
Nutrition	1,31
Pharmaceuticals	0,14
Heating	0,5
Electric Power	0,42
Communication Services	0,07
Maintenance of transport means	0,15
Clothing and Footwear	0,21
Printings	0,01
Other goods	0,19
Secondments	0,02
Remuneration for Experts, Consultants and Commission Expenses	0
Water Supply and Canalization	0,29
Rent of Long-Term Property	0
Repairs of Long-Term Property	0,39
Qualification Raising	0,04
Service Leasing	0
Other Expenses	0,09
Interest Payments, Subsidies and Other Transferred Expenses	0,48
Total (Euro)	14,63
Average number of penitentiary inmates in 2007: 7.860	

The total sum of the state expenses allocated to the system of execution of penalties is increasing constantly. During the last 6 years it has almost doubled – from 27,4 million Euro in 2001 to 53 million Euro in 2007.

It should also be noted that maintenance of the sentenced under the supervision of correctional inspections requires a few litas per day only (there were 8.125 sentenced persons under supervision of 194 correctional inspections on 1 October, 2007,⁷ i.e. as many persons as in the whole penitentiary system).

⁶ Data based on reports of the Prisons Department under the Ministry of Justice of the Republic of Lithuania as for February 2008.

⁷ One officer supervises 42 sentenced persons approximately.

Changes in State Expenses on the Penitentiary System (Mln. €)⁸

* Planned

Year	Guaranteeing Functioning of the Penitentiary System	Drug Control and Prevention of Drug Addiction	Construction, Projection and Purchase of Long-Term Property	Professional Training of Staff	Organization of Execution of Pre-Trial Detention, Punishments and Probation	Retirement Supplies	Provision of Labor Activities for the Sentenced Persons	Special Program of Provision of Paid Services	Total Expenses Mln. €
2001	-	-	1,80	-	-	-	-	-	27,40
2002	-	-	1,90	-	-	-	-	-	30,00
2003	-	-	2,30	-	-	-	-	-	35,30
2004	-	-	3,30	-	-	-	-	-	38,70
2005	-	-	4,00	-	-	-	-	-	41,20
2006	42,22	0,19	4,31	0,35	1,29	1,02	0,15	0,03	49,60
2007	45,07	0,04	4,63	0,36	1,47	1,17	0,32	0,03	53,10
2008	58,58	0,07	5,07	0,44	2,14	1,18	0,32	0,04	67,80
2009*	58,58	0,07	25,55	0,44	2,14	1,18	0,32	0,04	88,30
2010*	58,58	0,07	8,89	0,44	2,14	1,18	0,32	0,04	71,40

PORTUGAL

Portuguese state budget by organic classification

1994 till 2001: millions of contos ⁹						
	State Budget		Justice		Internal Affairs	
1994	4.359,00	(21.795,00)	49,80	(249,00)	188,40	(942,00)
1995	4.716,40	(23.582,00)	58,70	(293,50)	181,90	(909,50)
1996	4.871,00	(24.355,00)	64,10	(320,50)	184,00	(920,00)
1997	5.019,50	(25.097,50)	76,00	(380,00)	195,50	(977,50)
1998	5.292,30	(26.461,50)	77,20	(386,00)	212,10	(1.060,50)
1999	5.863,60	(29.318,00)	86,90	(434,50)	224,60	(1.123,00)
2000	6.235,20	(31.176,00)	93,10	(465,50)	221,60	(1.108,00)
2001	9.138,80	(45.694,00)	211,60	(1058,00)	265,50	(1.327,50)
2002 till 2007 (millions of Euro)						
	State Budget		Justice		Internal Affairs	
2002	47.169,60		629,10		1.352,50	
2003	37.332,10		912,80		1.439,50	
2004	38.701,10		885,90		1.428,90	
2005	40.463,70		952,00		1.442,30	
2006	43.741,50		886,70		1.474,40	
2007	44.699,60		1.191,40		1.606,50	

⁸ Strategic Plans of the Prisons Department for the years 2006-2008, 2007-2009, 2008-2010.⁹ Between brackets the value in Euro, with an indicative exchange rate of 1 Conto = 5€.

By percentage		
Year	Justice	Internal Affairs
1994	1,1	4,3
1995	1,2	3,9
1996	1,3	3,8
1997	1,5	3,9
1998	1,5	4
1999	1,5	3,8
2000	1,5	3,6
2001	2,3	2,9
2002	1,3	2,9
2003	2,4	3,9
2004	2,3	3,7
2005	2,4	3,6
2006	2	3,4
2007	2,7	3,6

Source: *Orçamentos do Estado de 1994 a 2006. Ministério das Finanças e da Administração Pública – DSI-DGO e 2007, from website of Ministério das Finanças e da Administração Pública.*

Cost per prisoner in Portugal in Euro.

Year	Penitentiary Administration Budget ¹⁰	N. inmates	Cost Inmate/Day
2004	204.244.401	13.549	41,30
2005	205.994.086	12.968	43,52
2006	205.237.208	12.762	44,06
2007	186.087.220	11.587	44,00

Sources: 2004 till 2007 – *Prison administration activity reports and Statistic Reports of Prison Administration (DGSP); 2007. Mean spending by inmate/day is obtained by interviewing Graça Poças, prison administration health care director; number of inmate counted at 31 December 2007 (no official report available yet).*

¹⁰ Current expenses budget (no investment counted).

SPAIN

Yearly National Budget of Penitentiary Administration

Only Spain (without Catalonia) in Mln€						
	Total Penitentiary Administration Budget	Centres and penitentiary institutions	Work, training and assistance to prisoners	Budget of the Ministerio de Justicia	Budget of the Ministerio del Interior	% of Penitentiary Administration Budget over Ministerio del Interior
1998	483,20	455,30	27,90	758,02	3.819,79	12,6%
1999	506,00	473,50	32,50	848,07	4.105,05	12,3%
2000	551,70	514,40	37,30	910,73	4.293,00	12,9%
2001	636,79	-	-	1.073,73	4.380,65	14,5%
2002	673,73	-	-	1.129,95	4.582,64	14,7%
2003	702,59	-	-	1.038,77	5.066,64	13,9%
2004	731,40	-	-	1.091,16	5.506,24	13,3%
2005	787,80	745,40	39,30	1.184,97	6.757,57	11,7%
2006	899,50	851,30	48,20	1.294,70	7.123,36	12,6%
2007	1.022,60	989,30	33,30	1.411,83	8.138,42	12,6%
2008	1.107,00	1.076,00	31,00	1.522,98	-	-

Only Catalonia in Mln€									
	Staff	Durables, perishables and services	Funds transfers ¹¹	Real Estate Investments	Financial assets	CIRE (Rehabilitation Initiative Centre) ¹²	Total Penitentiary Administration Budget ¹³	Budget of the Departament of Justicia	% of Penitentiary Administration Budget over Departament of Justicia
2000	56,00	30,00	1,50	2,90	0,40	9,50	100,30	414,21	24,2%
2001	61,00	30,70	1,40	3,40	0,40	9,70	106,60	439,2	24,3%
2002	65,50	33,70	2,50	8,00	0,46	12,00	122,16	513,19	23,8%
2003 ¹⁴	71,90	34,20	3,00	12,70	0,47	12,70	134,97	1040,31	13,0%
2004	81,00	44,00	7,00	13,90	0,60	18,20	164,70	547,4	30,1%
2005	90,00	47,00	8,40	12,50	0,60	18,50	177,00	806	22,0%
2006	129,40	58,00	10,00	18,80	0,60	23,20	216,00	680	31,8%
2007 ¹⁵	155,40	70,00	11,00	22,30	0,70	27,00	286,40	770,7	37,2%
2008	187,50	83,40	11,60	21,20	0,70	32,90	337,30	898	37,6%

¹¹ To the Rehabilitation Initiative Centre (Centre d'Iniciatives per a la Reinserció, CIRE).

¹² The Centre d'Iniciatives per a la Reinserció (CIRE) is a public agency of the Departament de Justicia de la Generalitat de Catalunya whose main mission is social resettlement of people serving a sentences, providing training (formación profesional ocupacional) and a working habit through the activities of the productive workshops inside and outside prisons (trabajo productivo).

¹³ Approximate statistics (round figures, double summed items –“CIRE” statistics include “Funds transfers”–, etc.).

¹⁴ This year, the budget was made together for the Department of Justice i Interior. The breakdown of them gave no clarity on what was strictly for "Justice". But it can be thought that could be around 530.000.000 Euro.

¹⁵ In 2007 the average cost of prisoner in Catalonia: 64,5 €/day (source: Catalan budget 2007).

HUNGARY

Cost of the penitentiary system in thousand HUF¹⁶

Year	Budget of the Prison Service as part of the Ministry of Justice		Staff		Inmates maintenance	
1995	10.065.000	(40.260.000)	-	-	-	-
1996	11.791.000	(47.165.600)	-	-	3.605.663	(14.422.652)
1997	14.460.000	(57.841.200)	-	-	4.125.656	(16.502.624)
1998	16.543.000	(66.172.400)	8.032.558	(32.130.232)	4.668.543	(18.674.172)
1999	19.321.000	(77.283.200)	9.202.981	(36.811.924)	5.849.084	(23.396.336)
2000	23.310.000	(93.238.000)	10.885.397	(43.541.588)	6.552.527	(26.210.108)
2001	28.458.000	(113.832.000)	14.125.744	(56.502.976)	7.956.814	(31.827.256)
2002	37.330.000	(149.320.800)	21.966.217	(87.864.868)	8.723.169	(34.892.676)
2003	37.450.000	(149.800.000)	23.434.327	(93.737.308)	9.231.685	(36.926.740)
2004	38.899.000	(155.594.400)	24.867.339	(99.469.356)	10.009.980	(40.039.920)
2005	38.795.000	(155.179.200)	25.709.370	(102.837.480)	9.485.884	(37.943.536)
2006	39.329.000	(157.317.200)	26.934.480	(107.737.920)	9.181.505	(36.726.020)
2007	41.885.555	(167.542.220)	29.525.894	(118.103.576)	10.236.923	(40.947.692)

Other justice budgets in million HUF¹⁶

Year	Budget of the Courts		Budget of the Public Prosecution Service		Budget of the Ministry of Justice		Budget of the Prison Service as part of the Ministry of Justice	
1995	11.038	(44.152.000)	4.671	(18.684.000)	22.395	(89.578.000)	10.065	(40.260.000)
1996	14.304	(57.214.800)	5.257	(21.027.200)	13.016	(52.064.000)	11.791	(47.165.600)
1997	19.148	(76.593.200)	7.210	(28.839.200)	16.905	(67.618.400)	14.460	(57.841.200)
1998	25.130	(100.519.600)	9.243	(36.972.800)	18.416	(73.662.000)	16.543	(66.172.400)
1999	30.192	(120.768.400)	11.024	(44.096.000)	23.956	(95.824.800)	19.321	(77.283.200)
2000	31.808	(127.232.400)	12.465	(49.860.400)	30.307	(121.228.400)	23.310	(93.238.000)
2001	37.532	(150.128.000)	16.074	(64.296.800)	37.409	(149.637.200)	28.458	(113.832.000)
2002	42.085	(168.340.000)	17.519	(70.074.000)	45.459	(181.837.200)	37.330	(149.320.800)
2003	51.731	(206.925.600)	21.388	(85.552.000)	47.205	(188.820.000)	37.450	(149.800.000)
2004	69.678	(278.712.000)	28.365	(113.458.800)	52.483	(209.932.400)	38.899	(155.594.400)
2005	75.585	(302.340.800)	29.157	(116.628.000)	63.257	(253.029.600)	38.795	(155.179.200)
2006	73.498	(293.993.600)	30.516	(122.064.400)	359.651 ¹⁷	(1.438.604.400)	39.329	(157.317.200)
2007	-	-	-	-	-	-	-	-

Source of the data is the act on the fulfillment of the budget of the given year.

Budget of some organisations taking part in criminal justice are parts of other ministries (e.g. budget of the Military Prosecution Service is part of the budget of the Ministry of Defence and till June of 2006 the Police belonged to the Ministry of Internal Affairs).

Amounts above mean the total expenditures of the given organisation, not only sum spent on criminal justice.

CYPRUS

¹⁶ Between brackets the value in Euro, with an indicative exchange rate of 250 HUF = 1€.

¹⁷ In 1996 the Police and some other organs of the Ministry of Internal Affairs became part of the Ministry of Justice and the name of that Ministry changed to Ministry of Justice and Law Enforcement. This is the reason of the increase of the budget. Between brackets the value in Euro, with an indicative exchange rate of 250 HUF = 1€.

Justice and Penitentiary System in Euro¹⁸

Year	Ministry of Justice	Penitentiary System	% of Penitentiary System over Justice Budget	Penitentiary System		
				Staff	Facilities Equipment & Maintenance	Other
1998	125.305.752	5.666.951	4,52%	5.118.843,0	35.978,0	512.129,9
1999	137.720.293	6.351.070	4,61%	5.193.636,0	40.835,0	1.116.598,8
2000	143.142.875	6.007.668	4,20%	5.687.169,0	46.436,0	274.063,2
2001	153.228.074	6.336.806	4,14%	5.614.375,0	71.373,0	651.058,4
2002	167.122.635	12.389.551	7,41%	7.255.861,0	3.373.022,0	1.760.667,9
2003	180.157.861	10.704.639	5,94%	7.351.008,0	3.218.151,0	135.480,2
2004	251.501.635	11.380.687	4,53%	8.305.564,0	1.793.912,0	1.281.210,7
2005	230.277.742	11.385.036	4,94%	9.168.386,1	339.070,0	1.877.579,9
2006	233.149.740	12.177.022	5,22%	9.793.640,0	271.146,0	2.112.236,0
2007	282.833.777	16.577.745	5,86%	10.405.592,9	3.882.216,0	2.289.936,1
2008	304.309.887	17.363.459	5,71%	11.130.010,0	3.656.304,0	2.577.145,0

The data is from the annual budget published by the Ministry of Finance. The figures, but 2007 and 2008, refer to actual and not budgeted figures.

The government has as priority to address crime especially with reference to illegal entry into the country and the war on drugs. To this effect they have increased the budget for the police (hire more people and enhance the technology used via radars and naval ships) the court (built new facilities in all major cities) and prison systems (have allocated a lot of money since the early 2000's in upgrading and extending the prison system and building a new facility to house illegal emigrants). In the case of the war on drugs there are educational programs to inform young people and help rehabilitate drug users.

TURKEY

Cost Index of Prisons and Convicts in YTL ¹⁹	
General Directorate of Prison and Detention House 2007 Budget	1.259.190.000,0 (642.186.900,0)
L type Prison Capital Cost (2004)	13.759.383,0 (7.017.285,3)
F type Prison Capital Cost (2000)	4.060.000,0 (2.070.600,0)
Daily Cost of a Convict	34,0 (17,3)
Monthly Cost	1.011,0 (515,6)
Annual Cost	12.130,0 (6.186,3)

Source : D. Murat Cevher, Head of the staff training centre, March 2006.

F Type High security closed prisons are room system structures, featured with suitable places for all treatment programs, housing only dangerous convicts and prisoners according to their legislation. Electronic security systems and security guards inside and outside minimize security threatening elements, preventing escapes of prisoners.

F type prison where housing, on the 30/09/2008, 4.609 inmates.

L Type Normal Security Prisons: These prisons are either replaced with the old ones or constructed for dealing with capacity inadequacies. They are of international standard closed prisons.

They have personal rooms the doors of which stay open during the day and locked at night. The convicts and prisoners have the chance to come together during day hours at common living units and the courtyard.

L type prison where housing, on the 30/09/2008, 15.347 inmates.

¹⁸ Exchange rate 1 € = 0,585 Cyp for all years.

¹⁹ Between brackets the value in Euro, with an indicative exchange rate of 1,95 YTL = 1€.

Daily, monthly and annual cost for detainees reported above refer to F type and L type prison only. Overall daily cost of a convict, reported below, includes costs for food, fuel, wages of prison and Ministry of Justice employees, travel allowances, equipment and fuel consumed for the transfer of the prisoners.

The general cost of a convict is calculated by dividing the budget of General Directorate of Prison and Detention House. Daily sustenance cost is the 3-course meal cost of a prisoner which is 3.00 YTL (1,54 Euro).

Distribution of national budget and General Directorate budget in 2008 in YTL¹²	
National budget	222.553.216.800 (114.129.854.769)
Ministry of Justice budget	2.847.927.000 (1.460.475.385)
General Directorate of prison and detention house budget	1.086.411.700 (554.069.967)

The Cost of a Prisoner/Convict to the State in 2008 in YTL¹²	
Annual cost of a Prisoner/Convict	7.375,00 (3.782,00)
Monthly cost of a Prisoner/Convict	615,00 (315,00)
Daily cost of a Prisoner/Convict	20,00 (11,00)
Daily sustenance cost	3,00 (1,54)

SOURCE: Ministry of Justice, General Directorate of Prison and Detention House, 2008. Number of Convicts/Prisoners at 30/04/2008: 96462.

BULGARIA

The most current official data on some of the costs of criminal justice and the prison system is found in the Report of the Ministry of Justice on the Draft Budget for 2008 and Budgetary Forecast for 2009-2010 in Programme Format (hereinafter, the Ministry of Justice Report).

In the Ministry of Justice Report the components of the work of the Ministry of Justice are divided into 9 programmes:

- Programme 1 – Legal Framework and Services for the Functioning of the Judiciary;
- Programme 2 – E-justice
- Programme 3 – Registers
- Programme 4 – Security of the Judiciary and of Persons, Endangered by Criminal Proceedings;
- Programme 5 – Equal Access to Justice
- Programme 6 – Investments of the Judiciary
- Programme 7 – Prisons – Isolation of Offenders
- Programme 8 – Investigation Detention Facilities and Probation
- Administration Programme

Some of the costs of the prison system are dealt with under Programme 7 – Prisons – Isolation of Offenders. As for the costs of the criminal justice system, their components are scattered under the headings of other programmes.

The Criminal Justice System

There is no unified methodology, classification or procedure to calculate the costs of the criminal justice system. Almost every programme of the Ministry of Justice contains items, which could be subsumed under such a heading and this makes the calculation virtually impossible. Here is a non-representative sample of what criminal justice components the different Ministry programmes comprise:

- Programme 1 – Legal Framework and Services for the Functioning of the Judiciary contains components like providing assistance and compensation to Bulgarian and foreign victims of crime, as well as international legal assistance, including assistance in criminal matters.
- Programme 2 – E-justice involves the computerisation of prisons, investigative detention facilities and probation offices.
- Programme 4 – Security of the Judiciary and of Persons, Endangered by Criminal Proceedings is very directly related to the functioning of the criminal justice system and deals with, *inter alia*, protection of witnesses and other persons, endangered in relation with criminal proceedings.
- Programme 5 – Equal Access to Justice is one of the programmes, where criminal and civil justice are looked at together, since it provides access to justice to indigent persons on criminal, civil and administrative cases.

- Programme 6 – Investments of the Judiciary displays the same situation, because in Bulgaria there is no differentiation in terms of infrastructure between civil and criminal courts and all investments in court buildings and other facilities are of benefit for both systems.
- Programme 8 – Investigation Detention Facilities and Probation deals with persons, detained in custody during the criminal proceedings, as well as with probation, which is hoped to alleviate the overcrowding of Bulgarian prisons.

The following description of expenses shows the allocation of resources for the different programmes of the Ministry's activity. However, there are few programmes, for which further itemisation of expenses is given (one of them is the Prison Programme, see part II below), so the description of expenses indicates only the broadest framework of how money is distributed for different programme priorities:

Description of expenses

EXPENSES UNDER PROGRAMMES in thousands BG levs ²⁰	Expenses - total		Budget expenses		Expenses - total		Budget expenses		Expenses - total		Budget expenses		Expenses - total		Budget expenses	
	2007 - law				2008 - forecast				2009 - forecast				2010 - forecast			
EXPENSES - TOTAL:	179.598,0	(91.595,0)	179.598,0	(91.595,0)	185.639,1	(94.675,9)	185.639,1	(94.675,9)	192.332,5	(98.089,6)	192.332,5	(98.089,6)	202.403,0	(103.225,5)	202.403,0	(103.225,5)
Programme 1. Legal framework and services for the functioning of the judiciary	6.580,8	(3.356,2)	6.580,8	(3.356,2)	5.426,0	(2.767,3)	5.426,0	(2.767,3)	5.567,4	(2.839,4)	5.564,4	(2.839,4)	5.834,5	(2.975,6)	5.834,5	(2.975,6)
Programme 2. E-justice	1.675,1	(854,3)	1.675,1	(854,3)	2.416,4	(1.232,4)	2.416,4	(1.232,4)	2.556,9	(1.304,0)	2.556,9	(1.304,0)	2.603,2	(1.327,6)	2.603,2	(1.327,6)
Programme 3. Registers	10.082,2	(5.141,9)	10.082,2	(5.141,9)	16.134,9	(8.228,8)	16.134,9	(8.228,8)	16.554,1	(8.442,6)	16.554,1	(8.442,6)	17.388,2	(8.868,0)	17.388,2	(8.868,0)
Programme 4. Security of the judiciary and of persons, endangered by criminal proceedings	24.951,8	(12.725,4)	24.951,8	(12.725,4)	26.332,2	(13.429,4)	26.332,2	(13.429,4)	26.480,3	(13.505,0)	26.480,3	(13.505,0)	31.713,4	(16.173,8)	31.713,4	(16.173,8)
Programme 5. Equal access to justice	6.295,4	(3.210,7)	6.295,4	(3.210,7)	6.733,6	(3.434,1)	6.733,6	(3.434,1)	7.629,7	(3.891,1)	7.629,7	(3.891,1)	8.165,2	(4.164,3)	8.165,2	(4.164,3)
Programme 6. Investments of the judiciary	32.652,0	(16.652,5)	32.652,0	(16.652,5)	27.940,5	(14.249,7)	27.940,5	(14.249,7)	28.685,5	(14.629,6)	28.685,5	(14.629,6)	24.280,3	(12.383,0)	24.280,3	(12.383,0)
Programme 7. Prisons – Isolation of offenders	62.340,7	(31.793,8)	62.340,7	(31.793,8)	68.636,5	(35.004,6)	68.636,5	(35.004,6)	71.276,8	(36.351,2)	71.276,8	(36.351,2)	75.996,3	(38.758,1)	75.996,3	(38.758,1)
Programme 8. Investigation detention facilities and probation	30.952,2	(15.785,6)	30.952,2	(15.785,6)	28.039,1	(14.299,9)	28.039,1	(14.299,9)	29.418,8	(15.003,6)	29.418,8	(15.003,6)	32.030,9	(16.335,8)	32.030,9	(16.335,8)
Administration Programme	4.067,8	(2.074,6)	4.067,8	(2.074,6)	3.979,9	(2.029,7)	3.979,9	(2.029,7)	4.163,0	(2.123,1)	4.163,0	(2.123,1)	4.391,0	(2.239,4)	4.391,0	(2.239,4)

Source: Ministry of Justice, Report on the Draft Budget for 2008 and Budgetary Forecast for 2009-2010 in Programme Format

²⁰ Between brackets the value in thousands Euro, with an indicative exchange rate of 1 BG lev = 0.51 €.

The Prison System

The Ministry of Justice Report admits that at the present moment there is still no legal regulation of the costs, related to prison inmates (food, clothing, etc.), due to which those costs are not covered adequately.

The Report notes that standards for the costs per 1 prisoner in accordance with the international norms in the area are currently being developed and gradually introduced.

As regards the figures for 2007 and the forecasts for 2008-2010, under the Ministry's Programme *Prisons – Isolation of Offenders*, the following figures, regarding number of prisoners, are given.

Number of persons deprived of their liberty

Number of persons, deprived of their liberty	
2007	11.000
2008	11.000
2009	11.500
2010	12.000

Source: Ministry of Justice, Report on the Draft Budget for 2008 and Budgetary Forecast for 2009-2010 in Programme Format

Regarding the expenses under the Prison programme of the Ministry, the following figures are reported/forecast.

Description of Expenses (in thousands BG levs)¹³

Year	Expenses - total		Administration costs		Administrated costs				
					Total		Under budget of primary budget executor		Under other budgets
2007	62.340,7	(31.793,8)	47.310,4	(24.128,3)	15.030,3	(7.665,5)	15.030,3	(7.665,5)	-
2008	68.636,5	(35.004,6)	51.200,4	(26.112,2)	17.436,1	(8.892,4)	17.436,1	(8.892,4)	-
2009	71.276,8	(36.351,2)	55.556,7	(28.333,9)	15.720,1	(8.017,3)	15.720,1	(8.017,3)	-
2010	75.996,3	(38.758,1)	59.704,9	(30.449,5)	16.291,4	(8.308,6)	16.291,4	(8.308,6)	-

Source: Ministry of Justice, Report on the Draft Budget for 2008 and Budgetary Forecast for 2009-2010 in Programme Format

In the itemisation of expenses for the Programme, one of the operative objectives, which the Ministry has set, is the increase of the daily food allowance per prisoner from 3 BG levs in 2008 to 5 BG levs in 2010.

Here is the mid-term budget forecast, divided by administration and administrated items in the Programme, including several components of prisons' and prisoners' costs.

Mid-term budget forecast, divided by administration and administrated items in the Programme (in thousands BG levs)¹³

□	Programme: Prisons – Isolation of Offenders	2007		2008		Dynamics (-/+ 2008-2007)		2009		Dynamics (-/+ 2009-2008)		2010		Dynamics (-/+ 2010-2009)	
I.	Administration costs – total:	47.310,4	(24.128,3)	51.200,4	(26.112,2)	3.890,0	(1.983,9)	55.556,7	(28.333,9)	4.356,3	(2.221,7)	59.704,9	(30.449,5)	4.148,2	(2.115,6)
	Personnel	40.750,4	(20.782,7)	41.665,4	(21.249,4)	915,0	(466,7)	46.021,7	(23.471,1)	4.356,3	(2.221,7)	50.169,9	(25.586,6)	4.148,2	(2.115,6)
	Maintenance	2.540,0	(1.295,4)	4.100,0	(2.091,0)	1.560,0	(795,6)	4.100,0	(2.091,0)	0,0	(0,0)	4.100,0	(2.091,0)	0,0	(0,0)
	Capital expenses	4.020,0	(2.050,2)	5.435,0	(2.771,9)	1.415,0	(721,7)	5.435,0	(2.771,9)	0,0	(0,0)	5.435,0	(2.771,9)	0,0	(0,0)
Administrated expense items															
II.	Administrated expense items under the budget - total	15.030,3	(7.665,5)	17.436,1	(8.892,4)	2.405,8	(1.227,0)	15.720,1	(8.017,3)	-1.716,1	-(875,2)	16.291,4	(8.308,6)	571,3	(291,4)
	1. Inmates with housekeeping functions		(0,0)	1.161,6	(592,4)	1.161,6	(592,4)	1.269,6	(647,5)	108,0	(55,1)	1.382,4	(705,0)	112,8	(57,5)
	2. Food	8.295,8	(4.230,9)	10.065,0	(5.133,2)	1.769,2	(902,3)	10.065,0	(5.133,2)	0,0	(0,0)	10.065,0	(5.133,2)	0,0	(0,0)
	3. Medications	600,0	(306,0)	600,0	(306,0)	0,0	(0,0)	600,0	(306,0)	0,0	(0,0)	600,0	(306,0)	0,0	(0,0)
	4. Bedsheets and clothes	550,0	(280,5)	500,0	(255,0)	-50,0	-(25,5)	0,0	(0,0)	-500,0	-(255,0)	500,0	(255,0)	500,0	(255,0)
	5. Training and library books	8,0	(4,1)	8,0	(4,1)	0,0	(0,0)	8,0	(4,1)	0,0	(0,0)	8,0	(4,1)	0,0	(0,0)
	6. Materials		(0,0)	252,0	(128,5)	252,0	(128,5)	100,0	(51,0)	-152,0	-(77,5)	252,0	(128,5)	152,0	(77,5)
	7. Water, fuel, energy	4.500,0	(2.295,0)	4.664,5	(2.378,9)	164,5	(83,9)	3.627,4	(1.850,0)	-1.037,1	-(528,9)	3.298,9	(1.682,4)	-328,5	-(167,5)
	8. Health insurance of persons deprived of their liberty and persons detained in custody	1.024,5	(522,5)	0,0	(0,0)	-1.024,5	-(522,5)	0,0	(0,0)	0,0	(0,0)	0,0	(0,0)	0,0	(0,0)
	9. External services	52,0	(26,5)	185,0	(94,4)	133,0	(67,8)	50,0	(25,5)	-135,0	-(68,9)	185,0	(94,4)	135,0	(68,9)
III.	Administrated expense items under other budgets, funds and accounts	0,0	(0,0)	0,0	(0,0)	0,0	(0,0)	0,0	(0,0)	0,0	(0,0)	0,0	(0,0)	0,0	(0,0)
	Total administrated expenses (II.+III.):	15.030,3	(7.665,5)	17.436,1	(8.892,4)	2.405,8	(1.227,0)	15.720,0	(8.017,2)	-1.716,1	-(875,2)	16.291,3	(8.308,6)	571,3	(291,4)
	Total budget expenses (I.+II.):	62.340,7	(31.793,8)	68.636,5	(35.004,6)	6.295,8	(3.210,9)	71.276,8	(36.351,2)	2.640,2	(1.346,5)	75.996,3	(38.758,1)	4.719,5	(2.406,9)
	Total expenses (I.+II.+III.):	62.340,7	(31.793,8)	68.636,5	(35.004,6)	6.295,8	(3.210,9)	71.276,8	(36.351,2)	2.640,2	(1.346,5)	75.996,3	(38.758,1)	4.719,5	(2.406,9)
	Number of staff members	3.095,0		3.095,0		0,0		3.095,0		0,0		3.095,0		0,0	
	Number of external collaborators	42,0		44,0		2,0		46,0		2,0		49,0		3,0	

Source: Ministry of Justice, Report on the Draft Budget for 2008 and Budgetary Forecast for 2009-2010 in Programme Format

Budget of the Judiciary and the Ministry of Justice 2000-2003 (in thousand Bulgarian levs)¹³

Item	2000		2001		2002		2003	
Ministry of Justice								
Income	9.156,6	(4.669,9)	7.950,7	(4.054,9)	9.095,5	(4.638,7)	3.228,2	(1.646,4)
Expenditures	58.235,5	(29.700,1)	57.703,7	(29.428,9)	75.932,0	(38.725,3)	80.917,3	(41.267,8)
Transfers	1.890,5	(964,2)	1.700,6	(867,3)	2.183,9	(1.113,8)	3.478,7	(1.774,1)
Subsidies	47.188,0	(24.065,9)	48.052,4	(24.506,7)	64.652,7	(32.972,9)	74.163,0	(37.823,1)
Judiciary								
Income	93.744,1	(47.809,5)	108.245,7	(55.205,3)	144.239,1	(73.561,9)	173.057,9	(88.259,5)
- Income from the operation of the bodies of the judiciary	36.758,4	(18.746,8)	38.746,4	(19.760,7)	44.538,6	(22.714,7)	64.080,0	(32.680,8)
- Aid	n/a		n/a		n/a		n/a	
- Including income from court fees	n/a		n/a		n/a		n/a	
Expenditures (by items)	93.566,7	(47.719,0)	108.255,4	(55.210,3)	143.459,7	(73.164,4)	172.002,8	(87.721,4)
- Current expenditures	88.612,0	(45.192,1)	94.432,6	(48.160,6)	124.606,5	(63.549,3)	156.743,0	(79.938,9)
- Salaries and remuneration for the personnel	47.868,1	(24.412,7)	53.341,3	(27.204,1)	67.738,7	(34.546,7)	87.798,0	(44.777,0)
- Other remuneration and payments for the personnel	7.454,5	(3.801,8)	5.460,5	(2.784,9)	10.887,6	(5.552,7)	10.034,2	(5.117,4)
- Social insurance contributions	16.193,7	(8.258,8)	17.566,9	(8.959,1)	19.615,2	(10.003,8)	31.655,7	(16.144,4)
- Maintenance	17.095,7	(8.718,8)	17.850,9	(9.104,0)	26.364,7	(13.446,0)	27.250,6	(13.897,8)
- Expenditures for membership fees and participation in non-commercial organizations and operations	n/a		n/a		n/a		4,5	(2,3)
- Capital expenses	4.954,7	(2.526,9)	13.822,8	(7.049,6)	18.853,3	(9.615,2)	15.259,8	(7.782,5)

- Reserve for urgent and unforeseen expenses	n/a	n/a	n/a	n/a
Expenditures (by institutions)	93.566,7 (47.719,0)	108.255,4 (55.210,3)	143.459,7 (73.164,4)	172.002,8 (87.721,4)
- Supreme Judicial Council	n/a	n/a	1.100,0 (561,0)	1.784,2 (909,9)
- Supreme Court of Cassation	n/a	n/a	13.800,0 (7.038,0)	11.840,9 (6.038,9)
- Supreme Administrative Court	n/a	n/a	3.500,0 (1.785,0)	4.309,0 (2.197,6)
- Prosecution Service of Republic of Bulgaria	n/a	n/a	29.800,0 (15.198,0)	36.939,7 (18.839,2)
- National Investigation Service	n/a	n/a	3.400,0 (1.734,0)	n/a
- Courts of Republic of Bulgaria (including administrative courts)	n/a	n/a	67.400,0 (34.374,0)	83.115,0 (42.388,7)
- Investigations services	n/a	n/a	24.600,0 (12.546,0)	34.014,0 (17.347,1)
- National Institute of Justice	n/a	n/a	n/a	n/a
- Inspectorate with the Supreme Judicial Council	n/a	n/a	n/a	n/a
Transfers (subsidies)	56.985,8 (29.062,8)	69.499,3 (35.444,6)	99.700,6 (50.847,3)	108.977,9 (55.578,7)
- Subsidy received from the central budget	59.099,3 (30.140,6)	71.197,9 (36.310,9)	101.528,3 (51.779,4)	111.873,2 (57.055,3)

Budget of the Judiciary and the Ministry of Justice 2004-2008 (in thousand Bulgarian levs)¹³

Item	2004		2005		2006		2007		2008	
Ministry of Justice										
Income	10.958,4	(5.588,8)	29.818,8	(15.207,6)	45.243,6	(23.074,2)	43.200,0	(22.032,0)	55.000,0	(28.050,0)
Expenditures	90.996,5	(46.408,2)	94.682,9	(48.288,3)	115.609,3	(58.960,7)	179.598,0	(91.595,0)	185.639,0	(94.675,9)
Transfers	2.346,8	(1.196,9)	555,1	(283,1)	132,7	(67,7)	0,0	(0,0)	-1.108,8	-(565,5)
Subsidies	77.889,0	(39.723,4)	64.641,1	(32.967,0)	70.548,7	(35.979,8)	1.363.980,0	(695.629,8)	131.747,8	(67.191,4)
Judiciary										
Income	55.355,8	(28.231,5)	51.967,9	(26.503,6)	68.232,4	(34.798,5)	50.500,0	(25.755,0)	52.000,0	(26.520,0)
- Income from the operation of the bodies of the judiciary	55.126,5	(28.114,5)	51.401,8	(26.214,9)	68.232,4	(34.798,5)	50.500,0	(25.755,0)	52.000,0	(26.520,0)
- Aid	229,3	(116,9)	296,1	(151,0)	n/a		n/a		n/a	
- Including income from court fees	n/a		n/a		52.781,5	(26.918,6)	38.000,0	(19.380,0)	45.800,0	(23.358,0)
Expenditures (by items)	221.931,2	(113.184,9)	248.655,0	(126.814,1)	303.148,0	(154.605,5)	313.020,0	(159.640,2)	385.300,0	(196.503,0)
- Current expenditures	208.583,0	(106.377,3)	224.208,7	(114.346,4)	267.528,5	(136.439,5)	312.420,0	(159.334,2)	374.600,0	(191.046,0)
- Salaries and remuneration for the personnel	119.463,4	(60.926,3)	131.200,7	(66.912,4)	159.272,1	(81.228,8)	182.776,3	(93.215,9)	213.917,0	(109.097,7)
- Other remuneration and payments for the personnel	15.233,1	(7.768,9)	19.619,3	(10.005,8)	28.984,4	(14.782,0)	22.259,0	(11.352,1)	32.700,0	(16.677,0)
- Social insurance contributions	42.430,6	(21.639,6)	47.142,8	(24.042,8)	47.357,3	(24.152,2)	62.199,7	(31.721,8)	71.022,0	(36.221,2)
- Maintenance	31.451,2	(16.040,1)	26.241,2	(13.383,0)	31.909,8	(16.274,0)	45.179,0	(23.041,3)	59.951,0	(30.575,0)
- Expenditures for membership fees and participation in non-commercial organizations and operations	4,8	(2,4)	4,8	(2,4)	4,8	(2,4)	6,0	(3,1)	10,0	(5,1)
- Capital expenses	13.348,2	(6.807,6)	24.446,3	(12.467,6)	35.619,4	(18.165,9)	n/a		10.100,0	(5.151,0)

- Reserve for urgent and unforeseen expenses	n/a		n/a		n/a		600,0	(306,0)	600,0	(306,0)
Expenditures (by institutions)	221.931,2	(113.184,9)	248.655,0	(126.814,1)	303.148,0	(154.605,5)	313.020,0	(159.640,2)	385.300,0	(196.503,0)
- Supreme Judicial Council	1.752,2	(893,6)	5.248,3	(2.676,6)	12.361,1	(6.304,2)	3.275,0	(1.670,3)	4.776,0	(2.435,8)
- Supreme Court of Cassation	14.234,0	(7.259,3)	11.880,9	(6.059,3)	13.307,2	(6.786,7)	12.170,0	(6.206,7)	13.889,0	(7.083,4)
- Supreme Administrative Court	5.246,1	(2.675,5)	10.187,5	(5.195,6)	10.793,7	(5.504,8)	8.736,0	(4.455,4)	9.829,0	(5.012,8)
- Prosecution Service of Republic of Bulgaria	46.466,3	(23.697,8)	52.736,3	(26.895,5)	70.987,2	(36.203,5)	83.622,0	(42.647,2)	104.346,0	(53.216,5)
- National Investigation Service	6.550,2	(3.340,6)	6.815,8	(3.476,1)	7.601,5	(3.876,8)	7.560,0	(3.855,6)	8.878,0	(4.527,8)
- Courts of Republic of Bulgaria (including administrative courts)	106.807,4	(54.471,8)	117.333,4	(59.840,0)	140.852,9	(71.835,0)	161.879,0	(82.558,3)	200.107,0	(102.054,6)
- Investigations services	39.587,3	(20.189,5)	42.843,0	(21.849,9)	44.079,7	(22.480,6)	32.990,0	(16.824,9)	37.481,0	(19.115,3)
- National Institute of Justice	1.287,6	(656,7)	1.609,8	(821,0)	3.164,6	(1.613,9)	2.188,0	(1.115,9)	2.642,0	(1.347,4)
- Inspectorate with the Supreme Judicial Council	n/a		n/a		n/a		n/a		2.752,0	(1.403,5)
Transfers (subsidies)	168.293,5	(85.829,7)	196.350,9	(100.139,0)	250.173,5	(127.588,5)	262.520,0	(133.885,2)	333.300,0	(169.983,0)
- Subsidy received from the central budget	170.755,8	(87.085,5)	198.105,3	(101.033,7)	250.888,3	(127.953,0)	262.520,0	(133.885,2)	333.300,0	(169.983,0)

Source: figures for 2000-2006 are from the official report of the government on the implementation of the state budget. Figures for 2007 and 2008 are from the budget for the respective years since the official reports on their implementation are not yet available. Hope this could be of some help.