

Five questions for... Nadja Salson (EPSU)

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Nadja Salson

An advisor to the European Federation of Public Service Unions (EPSU), Nadja Salson closely follows issues relating to the European prison services. She explains that the degrading prisoner conditions are also degrading for the staff who work in the prisons. Decision-makers should invest in staff training rather than in building new prisons.

What is the European trade unions' position on imprisonment?

Nadja Salson — The European trade unions subscribe to the Council of Europe's European Prison Rules, under which imprisonment must be a last resort that is limited to the already substantial measure of a custodial sentence. The prison system must protect society from violent individuals but must also ensure the safety of inmates and staff and, at the end of the day, reintegrate, and even socialise, prisoners back into society.

The detention conditions in many prisons hark back to a bygone era. In addition to the deprivation of their liberty, there are daily violations of their fundamental rights, extremely high stress levels for staff and, in addition, significant levels of re-offending. This lack of resources and staff recognition is in stark contrast to the growing complexity of prison work, not to mention the growing diversity of the prison population.

Is prison considered a measure of last resort?

Abuses of pre-trial detention, which account for 22% of all inmates, current spiralling security issues leading to an over-representation of people from migrant backgrounds, drug offences (17% of detainees) and deteriorating healthcare, especially psychiatric, all mean that prison is not a measure of last resort.

The work of our European trade unions is aimed at bringing prisons into the limelight, setting common areas for improvement and challenging the European-level public authorities. Within our social dialogue body, we are highlighting good policies and emphasising the complex link between prisoners' living conditions and staff working conditions. Degrading prisoner conditions are also degrading for the staff. Prison work is a difficult but worthy public service that should be more highly valued.

Norway is fulfilling its reintegration mission by training prison staff to have a role that is more one of an educator than a guard. These staff have the same union rights as

any other worker and are working in decent conditions in a country that is implementing a humanitarian prison policy, a restorative criminal policy rather than one based on retribution and revenge.

Having sufficient trained staff and thus ensuring sufficient human interaction with the prisoners and fewer automated surveillance systems was also one of the European Parliament's requirements in its 2017 report.

The solution is not to build more prisons, except where these are needed to replace ageing infrastructure, but to invest in staff training, promote alternative sentencing, encourage supported release and offer reintegration activities.

Are there any examples where trade unionists have taken detention conditions into account when fighting to improve the prison officers' working conditions?

The 630 000 prison inmates throughout the European Economic Area (2015 figures, EPSU report) are generally poorly organised and defended within prison facilities. And yet, in their actions and in their research, the trade unions are taking the rights and concerns of prisoners into account, creating solidarity between workers, improving both the role of prison staff and their relationship with the prisoners.

Many trade union concerns are, in actual fact, related to prison conditions. Overcrowding, for example, was the object of a major European trade union action in Brussels in 2005. Overcrowding remains a real problem in one-third of prisons. Two or three prisoners often have to share a space measuring a mere 9m²; they are clearly the primary victims of the situation but the prison staff also pay a price. The federation is recording problems of a lack of staffing, and safety and violence issues are being raised by our affiliates in France, Spain and the United Kingdom. In addition to this, infrastructure is falling into disrepair, there is a lack of access to quality healthcare, and British prison nurses are working staunchly to defend detox programmes.

Some prisoners are also workers and often thus unionised themselves, or potentially so. The work that prisoners do is often noteworthy for the unacceptable remuneration received, in addition to a total or partial lack of access to skills training. One of our Italian affiliates is working to extend solidarity to prisoners and is, for example, negotiating prisoner wages. In Norway, the focus on staff training is having a positive effect on the prisoners, who also benefit from access to skills training. The Norwegian trade unions' right to strike is an effective one and has no negative impact on the prisoners as these prisons are running well below their maximum capacity level.

The latest report from the Council of Europe indicated a decline in the rate of imprisonment. What is the main reasons for the disparities between the different countries? Is the Council of Europe listening to the trade union movement?

The most recent crime statistics from the Council of Europe, for the period 2015 to 2018, show a global decline in the rate of incarceration even though this was still rising in 2015. This is good news but it remains to be seen whether these trends will continue over time. It is clear that this report confirms some significant disparities between countries and even between prisons in the same country. In terms of prisoner numbers as a proportion of the population, this varies from 51.1 per 100 000 in Finland to 234.9 per 100 000 in Lithuania. The proportion of prisoners is generally lowest in the Nordic countries and highest in eastern and central Europe. The country with the largest prison population remains the United Kingdom, with nearly 94 000 prisoners.

One-third of prisons in the European Union are overcrowded bearing in mind that they should be no more than 90% full to leave a margin for manoeuvre.

The disparities can be explained first and foremost by the role of the welfare state, which is protective and reduces social inequalities. The prison population largely

comprises young men from disadvantaged backgrounds – as is often the case for the prison staff – and so a custodial conviction is equivalent to a double sentence. Access to quality public services such as education, culture, healthcare, including psychiatric care, social services and meaningful employment is a key factor in explaining a high or low rate of imprisonment.

Specialists already know what works in terms of imprisonment: open prisons and alternatives to confinement result in lower levels of re-offending than closed prisons, which are also more expensive to run. Small-scale structures, in the town centre to facilitate visits and contact with the outside world, are more effective. In countries where the staff are better trained and benefit from the same union rights as other sectors, prisons are more "normalised" and free from violence.

The Council of Europe statistics are useful insofar as they also include information on the ratio of prisoners to people. While these statistics remain somewhat theoretical, the many recommendations adopted by our ministries of justice are generally positive although also still not implemented in far too many prisons. Multiple condemnations of countries by the European Court of Human Rights, particularly France and Belgium, have unfortunately had no effect.

The Council of Europe could, however, be more open to the analyses and demands of the trade union movement, for example regarding their opposition to all forms of commercialisation and privatisation of prisons, and could include them in its recommendations, particularly when related to staff. For example, in 2011, a staff code of conduct was adopted by the Council of Europe without taking the unions' opinions into account and this code consequently fails to mention either social dialogue or union rights.

What is your view on the economic management of prisons in Europe?

The 2008 crisis exacerbated a prison situation that was already under pressure in many countries, with the justice system being the

poor relative of public services. According to an EPSU report published in 2015, prison staffing levels in half the countries of the European Economic Area (EEA) fell by 5%, from 308 647 to 293 356, in 2013. The situation was worst in the United Kingdom where, despite an increase in the number of prisoners, there was a 21% decline in staffing numbers over the same period.

In 2012, our Greek comrades even went on hunger strike in protest at the violence that was being created by the unacceptable overcrowding. The Korydallos prison in Athens is, moreover, the worst prison we have ever visited, with 2 300 prisoners housed in a prison with the capacity for 900.

The social and human cost of austerity is still with us. Social movements have proliferated more recently in Belgian, French, Spanish and Italian prisons. Lawyers and judges have even held several protests to condemn the lack of State resources being provided to the justice system in general and the prison sector in particular.

A recent EPSU report on the quality of employment in prisons in Italy, Greece, the United Kingdom and Sweden revealed alarming situations, with staff even afraid to go to work every day. What is worrying is that, even in a country like Sweden, there is now less investment in the task of reintegration, although the situation still remains far better than in other countries.

Member States may also be tempted to free themselves from the responsibilities of the prison service by privatising prisons. For the moment, the United Kingdom is the exception in Europe, with 13 fully privatised prisons being run by companies such as G4S, Serco and Sodexo, although there are also many public-private partnerships in other countries such as France and Belgium. ●