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The Council of Europe in the Field of Crime Problems – Selected Legal Instruments and Events of the Years 1989-1992

1. THE NINTH CONFERENCE OF DIRECTORS OF PRISON ADMINISTRATIONS

Conferences of Directors of Prison Administrations have been organised since 1971 by the Council of Europe on a biannual basis (since 1989 three-yearly). These conferences are geared to responding to the essentially practical concerns of officials directly involved in, and responsible for, the management of prison systems. They offer an excellent opportunity for an exchange of views and practical experiences among relevant stakeholders in the criminal justice system. The ninth² of this series of conferences was held in Strasbourg from 18 to 21 April 1989 and was attended by representatives of 20 Council of Europe member States³, as well as by a number of observers. The agenda focused on three main topics: 'Prisons, the public and the mass media⁴ (Rapporteur: H.J.J. Tulkens, Netherlands), 'Voluntary work⁵ (Rapporteur: V. Stem, NACRO) and 'National and international monitoring of conditions of detention by independent inspectors not attached to the prison administration⁶ (Rapporteur: L. Daga, Italy).

The first report examines the often difficult relationship between the prison institution and the public/media. It sets out that secrecy has been and continues to be an integral part of the prison culture. In addition it states that the public-prison relationship is basically an in-group-out-group relationship that typically generates mutual ignorance and misunderstanding. In order to open up the borderline which separates the public and the prison institution, an active public relations policy on behalf of the institution has to be implemented. Such a policy necessarily presupposes, among other things, the assignment of public relations work to a

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2. Meanwhile a Tenth Conference of Directors of Prison Administrations took place on 25-27 May 1992. It will be reported on in one of the forthcoming reviews on Council of Europe activities.
3. On 8 October 1993 the Council of Europe had a membership of 32 European States. 9 of these are former East Bloc countries which have been joining the Organisation since 1989. The 'new' members are: Bulgaria, Czech Republic, Estonia, Hungary, Lithuania, Poland, Romania, Slovak Republic and Slovenia.
specially trained agent of the prison institution and systematic planning as to what topics might be suitable and interesting to the media.

The second report addresses another crucial feature of the prison-public relationship. It deals with the active involvement of the community and volunteers in the prison context. The report’s point of departure is European Prison Rule No. 65 which states: ‘Every effort shall be made to ensure that the regimes of the institutions are designed and managed so as: (...) c) to sustain and strengthen those links with relatives and the outside community that will promote the best interests of prisoners and their families.’ Although this community-approach appears to be widely accepted, practical problems of implementation still exist. The report provides – on the basis of a survey carried out by means of a questionnaire issued to Directors of Prison Administrations – a brief overview of actual community involvement stressing that while involvement of outside professionals (probation officers, agents from the social welfare system) and lay people from recognised organisations (e.g. Alcoholics Anonymous) represents a current practice in most national prison systems, this does not necessarily apply to ordinary citizens, ex-prisoner’s groups or ‘expert’ volunteers willing to perform very specific tasks such as AIDS, drug and alcohol counselling or vocational training.

The third report is devoted to a rather delicate matter: the ‘on the ground’ inspection of prison institutions by commissioners who are not attached to the prison administrations concerned. Here again, the European Prison Rules are given due attention, in particular Rule no. 5, which states: ‘The protection of the individual rights of prisoners (...) shall be secured by means of control carried out (...) by a judicial authority or other duly constituted body authorised to visit the prisoners and not belonging to the prison administration.’ The report addresses such matters as forms of inspection, the possible role of international and supranational institutions and relevant international texts relating to prisoner’s rights.

On the basis of these reports, combined with other papers submitted to the Conference and a very open and practice-oriented discussion, a number of conclusions were adopted. On ‘Prisons, the public and the mass media’ the Directors of Prison Administrations expressed a strong commitment to public information which is considered a condition for improving the prison system. Public information has to become an integral part of prison policy at both national and local level. Information on incidents should be accompanied by further information on the prison service in general. This would help the media not to use them as ‘scoops’ but as pointers to more relevant policy-oriented concerns. This of course means that public relations work has to become institutionalised, involving the employment of professional and experienced journalists, as well as the systematic promotion of contacts with the media.