

“Is This Really a Prison?” Conditions of a Women’s Prison in Norway

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Bredtveit Prison has a lot of visitors—including national and international boards and groups—as the largest prison for women in Norway. Bredtveit Prison houses both women in pretrial custody and women serving sentences of all lengths. It is also the only prison housing women sentenced to “security detention,” an indeterminate sentence for serious crimes applied to people considered to represent a more or less permanent threat to society. Even with this large diversity of inhabitants, the population of this prison is just 64 prisoners. (This must be seen in the context of Norway’s entire inmate population of only about 4,000.) Back to the visitors, however, the foreign visitors often ask: “Where are the gunmen posted? Where are the dogs?” And the outburst that often comes when we deny the existence of either of these security measures is, “Is this really a prison?” “Yes,” we state clearly, “it is.” And it is a high-security prison, complete with a low-security wing.

My scope in this talk is to convey to you the thinking and the ethical values inherent in the ideology governing the correctional services in Norway. These values particularly color our treatment of female prisoners. The notion of human dignity is the basis of all of our rules and regulations, and in the daily handling of inmates. Imprisonment is in itself loss of freedom, that is the punishment per se, and from incarceration also follows a loss of free choices and freedom of movement. Prison should not, and does not have to, however, imply the loss of basic human rights and inherent dignity. For example, all prisoners should have the right to vote in national elections. Prisoners who are Norwegian citizens have that right in Norway.

Since the program for this symposium tells me that there are not many actual practitioners in the business of prison governing among the presenters here, I have chosen to be rather factual and “down to the prison floor” in my presentation of our striving to comply with the Bangkok Rules. The fundamental question is what you consider as the main task of a prison. Is it simply to administer the stay in prison as correctly as possible? Or is it to make the conditions as harsh as possible within the framework of the law as to scare the offender into never coming back? Or finally, is it to use the time, the incarceration, to assist the inmate in building a new life after release, in other words, to re-socialize the offender?

Our experience is that when you let prisoners keep as many rights as possible in the restrained context of a prison, and when they are treated with dignity, they gradually adopt the attitude of ordinary citizens. There are, of course, I must admit, exceptions to this. We are however striving for normality in daily prison life. For instance, prisoners do not wear uniforms; they wear ordinary clothes. They do not live in large dormitories; everyone has their own room. All of our measures are meant to prepare them for release and are aimed at rehabilitation. That implies assisting the convict in taking the responsibility for getting the skills and options for a life without crime after prison. We may call it “rehabilitative correction.”

I find this ideology especially valuable in a female prison. As we know, female prisoners all over the world are a very vulnerable minority. Therefore, the Bangkok Rules are quite welcome as a guide and a benchmark for the best treatment of incarcerated women. Let me show you how we conceptualize and practice security measures without guns and dogs. Here, I define security as the totality of measures to prevent situations in which the safety of the society, the staff, or the inmates may be at risk. Of course, we also have mechanical and “static security,” but at a minimum level. We believe in “dynamic security” as the most human, and surprisingly effective, measure. This is the term for the security you create when prison officers build friendly but professional relations with the inmates. They share the daily life of the prisoners, and thereby get important and relevant knowledge of the individual inmate and the inmate population. The staff

eats their meals with the inmates, they watch TV and play games with them in the evenings, and they participate in physical training and so on.

In addition to these communal activities, we appoint a special “contact officer” to every inmate to assist her through her stay in prison. This is considered to be the best and most effective “tool” in the rehabilitation process in our prisons. The main task for the contact officer is to ensure a prisoner’s positive entry into the prison through talks about their rights and plights during their stay, that is, to familiarize them with the needs and challenges of the newcomer. Furthermore, the task is to motivate for change and to cooperate with the inmate in fulfilling a “future plan,” i.e., a formula for describing the paths and options necessary to be best prepared for release. The contact officer also gives her/his voice in matters concerning “their” inmate, for instance, changing of wings, applications for home leaves, release conditions, and so on.

The Bangkok Rules point to a lot of measures with the aim of securing the dignity of female prisoners. Here, I will list some examples of how we try to fulfill this aim at Bredtveit Prison. First and foremost, negative stereotypes towards the female sex are not accepted in any form. I do not ever remember such attitudes being expressed in my 12 years in a female prison. All strip searches are done only by female officers, and if invasive body searches are needed to look for drugs or illicit items, prisoners are transported to a hospital outside the prison for the search to be conducted by a physician. Urine samples for drug control are monitored by female staff only. In long distance transports there is always one female officer in the crew. Incarcerated mothers are allowed extra time per week to talk with their children on the phone, uncontrolled. Mothers also get more visiting hours when their children come to visit and may stay with them overnight in a special flat designed for that purpose on the prison premises. Disciplinary reactions never include breaches of the contact with inmate’s children. The prisoners are allowed conjugal visits, and the father of a child is also allowed to be with the prisoner and their child/children in the special flat for such visits. He is not, however, allowed to stay overnight.

These provisions are made because in Norway, the prisoners’ children are not allowed to stay permanently in the prison. There are very few countries that have such a law. I support such a law. No child should have their childhood in prison. I find it better to arrange, as well as possible, for maintaining contact between the child and the mother when the mother goes to prison. For instance, sometimes the mother is allowed to serve her sentence with her child in a childcare institution. However, we will never find a good solution to this sad situation, I fear.

As in other countries, female inmates are a minority in Norway’s prison population, but the percentage of women in prison is growing. In Norway, the ratio was about 6 percent for many years but has now increased to about 9 percent. There also seems to be a trend towards women committing more violent crimes and receiving longer sentences. This is not easily explained. Could this be seen as a consequence of the growing equality of men and women around the world?

Norway is a country with equal rights for men and women. Last year we celebrated the 100-year anniversary of women’s right to vote. I think this deeply rooted attitude and politics have created the structural foundation for the “democratic” way of handling our criminals. For instance, we have female prison officers in men’s prisons and male officers in women’s prisons at 40:60 ratios—the majority of the officers are the same sex as the inmates. Perhaps this is the reason why we have not seen evidence of degrading treatment or violence towards women in prisons or during arrest.

However, because female prisoners are a minority group, they are nearly forgotten by the media, research centers, and politicians. We do what we can to focus on the need for a better understanding of female delinquency, and more research on “best practices” in handling female

prisoners. Also, we need more attention and political actions focused on young girls getting into crime. Norway does not have a juvenile court with special judges as many countries have, and there are no prisons particularly designed for youngsters, except for a micro prison-like institution for two juvenile boys. Such a specially made prison for delinquents below 20 years of age has been planned for years, with much political discussion by different governments, but no results so far. It is a shame. Young people should never be incarcerated with older inmates.

A growing challenge to our correctional services is the share of perpetrators who are not Norwegian citizens. Norway has seen a large increase in illegal immigrants in recent years, partly due to the recession in other European countries. In Bredtveit Prison, as in many other prisons, immigrants account for as much as one third to one half of the prison population. Foreign languages and different cultures create many problems and make it difficult, sometimes impossible, to comply with all of the Bangkok Rules. We have not found a solution to this. Economy limits the use of translators, and inmates who speak foreign languages are thus not able to profit from the rehabilitative activities offered. Now, however, the political will to transfer foreigners to serve the last part of their sentences in their home countries, if the home country agrees, seems to be increasing.

To secure the rule of law in a nation's use of power towards its citizens, the right to complain and an easily understandable system for complaining, is fundamental. In our correctional services, all formal decisions, disciplinary reactions, and ill treatment may be the subject of complaint. Most formal decisions are made at the level of the local prison. This "democratic" system is based on the belief that the best decisions are made by the staff knowing the individual inmate, and that the use of power on behalf of society will then be appropriate. We have five levels of decision-making authority: 1) prison officers closest to the inmate, 2) senior officers, 3) the prison governor, 4) the regional governor, and 5) the Ministry of Justice. For instance, release on probation is decided by the prison governor for all sentences up to 10 years, whereas the regional governor decides upon longer sentences. Complaints are directed to the next level in the hierarchy.

Another important tool to make closed institutions humane and transparent for the rest of society, and to prevent possible ill treatment, is inspections made by independent supervisory boards. Our prison system is divided into five regions with one supervisory board per region headed by a judge or a lawyer and with members from all parts of civil society. Boards make both scheduled and unscheduled visits to our institutions. They may speak in separate rooms with any inmate who wants to speak with them. They may read files, attend meetings, and so on. After each visit, they write a report which the prison governor has to respond to, and the reports go further to the regional level and eventually to the Ministry of Justice. We also have free judicial assistance from the law faculty especially for female inmates, and we have the national ombudsman who will handle all inmates' complaints.

Now you may think: what a chauvinistic presentation of a closed institution loaded with power. I have until now presented the elements of our services designed to accord with the Bangkok Rules and the basic conventions for prisoners' rights. There are, however, a lot of situations we do not handle as well as we should, and want. First, we do not have enough competency in handling mental problems and their behavioral expressions. We have a competent health service which is not under the governor's authority, but is a part of the ordinary health system in the municipality where the prison is situated. However, the health personnel mostly address the somatic problems. Specialists in psychiatry are part of another system outside the prison and have scarce resources to help us. I must mention also that in 2011, Norway was criticized by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)

because health personnel were not available during evenings and nights in our prisons. I agree with that criticism.

I must underline, however, that I do not disagree with the fact that the responsibility for the healthcare of prisoners is not part of the prison governor's authority. Few prison governors around the world have medical competency. The same goes for other agencies assisting in work with prisoners. They are all inherent parts of their "mother-agency" in the civil society, for instance, the education, the library, the social agency, the dentist, the work agency, the religious service, and, of course, nongovernmental agencies such as the Red Cross and the Salvation Army. All of these agencies cooperate with the prison governor and staff to establish the broadest and best basis for good rehabilitation. They work on a daily basis in the prison and they have their offices on the premises. We call this "the import model": the prison imports the expertise we need in addition to the competency of educated prison officers. I have to add that it is said that Norway has the world's longest education and training program for prison officers, which lasts two years. The correctional students will go through a process of theoretical education, that covers law studies, psychology, sociology, ethics, and other relevant subjects, and, of course, practical training on prison premises. This training is supervised by experienced officers, and students have their own coach. The best guarantee against ill treatment and torture in prison is the presence of professional staff with relevant education and highly developed social skills.

To sum up, I will present our best "medicine": communication. Bredtveit Prison is a "talking prison"—we talk and talk with each other, vertically and horizontally, staff and inmates. My main message to our staff is: "Let's talk about it. Don't write reports." An English woman, having started her sentence in a London women's prison, said that our prison was like "a British country club." I have to say, however, that this is not every inmate's opinion. However, that characterization gives a hint of the atmosphere of Bredtveit Prison. Re-socialization is the best way to reduce recidivism, and to re-socialize we have to connect and build relations. Norway seems to have the lowest rate of recidivism in the Nordic countries.