

Index¹

A

- access to a lawyer, 111–13
- accountability, 12, 206, 215–18, 221, 222
- aims of imprisonment
 - protecting the community, 91, 92, 190, 196, 257, 282n20
 - rehabilitation, 256
 - response to criminal offence, 257
 - responsibility of the offender, 257
- alternatives to imprisonment, 8, 65, 153, 256, 257, 261, 266, 267, 278, 281n3, 281n4, 283n26, 283n28

B

- budget for prison system, 263

C

- carceral tours, 79–98
- causes for prison overcrowding, 266
- Committee of Ministers (of the Council of Europe), 29n3, 29n8, 38, 255, 279, 282n11, 292
- community sentences, 273, 278
- comparative research/analysis, 9, 84
- complaint
 - by inmates, 66
 - procedures/remedial system, 66, 112, 181, 182, 187
- conditional release/parole, 146, 214, 224n16, 249n5, 266, 273, 314
- corruption, 33n35, 124, 125, 130n34

¹Note: Page number followed by “n” denote footnotes.

Council of Europe, 3, 5, 8, 14, 17, 22, 25, 28n1, 29n3, 29n8, 90, 103–26, 128n13, 135–67, 167n1, 173–99, 207, 214, 215, 267, 273, 278, 279, 292, 311n1, 314, 316

crime rates, 96

criminal code, 65, 114, 115, 129n20, 129n21, 129n24, 260, 261, 263, 279, 280, 283n23, 283n28, 283n29, 287n55

criminal justice system, 98, 103, 223

criminal law, 63, 65, 142, 262, 283n22, 283n28

criminal proceeding, 114, 129n21, 153, 284n30

criminal responsibility, 189, 218, 240

criminogenic needs, 257, 274, 275, 280, 286n46

D

death in prison, 217

dental care services, 268

deportation, 88, 90, 127n4, 242, 283n25

deprivation of liberty, 1, 63, 86, 91, 112, 113, 117, 127n4, 169n12, 182, 235, 264

detention cost, 86

Directorate General of Human Right, 44

disciplinary process, 181

discretionary power, 244

domestic case-law, 196, 197

domestic courts, 7, 38, 66, 116, 191, 196, 197

double bunking, 210, 212

E

early release, 65, 96, 177, 182, 212, 257, 275, 277, 280, 283n25, 286n49, 286n50

economic crisis, 263, 272, 279, 281

education, 42, 123, 235, 236, 243, 265, 274, 275, 293, 297, 298, 302, 309

employment, 123, 155, 157, 235, 265, 275, 297, 298

equality, 88, 93, 94, 141

ethics (ethical dilemma), 83, 85, 138, 270

European Commission of Human Rights (EComHR), 38

European Commissioner for Human Rights of the Council of Europe (CoE), 38

European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), 2, 38, 42, 106, 167n1, 174, 255, 256, 291

impact of, 7, 122, 174, 175, 183–5, 187, 198

European Convention for the Prevention of Torture (ECPT), 5, 11, 13–16, 23, 29n3, 29n9, 30n15, 30n17, 42, 106, 127n6, 135

European Convention of Human Rights (ECHR), 2, 7, 8, 37, 38, 40–6, 51, 52, 67, 69, 73n60, 105, 113, 127n7, 182, 191, 192, 196, 197, 206–13, 217, 219, 220, 222, 232, 233, 236–40,

- 245, 246, 248, 249n5,
249n6, 271, 278, 279
- European Court of Human Rights
(ECtHR)/Strasbourg Court,
2, 37, 106, 173, 188, 192,
206, 219, 224n21, 232,
237, 239, 255, 257, 259,
262, 271, 278, 279, 281n1,
287n52, 291, 292, 307,
313–17, 319
- European decision-making, 174
- European human rights framework,
222
- European prison policy (EPP),
255–281
- European Prison Rules (EPR), 42, 64,
70n7, 127n6, 129n17, 210,
216, 222, 223n7, 257, 264,
273, 277, 282n11, 285n40
- European Standard Minimum Rules
for the Treatment of
Prisoners (ESMR), 42, 264
- European standards, 8, 117, 124,
131n34, 206, 214, 316
- European Union
framework decision, 127n4, 256
integration, 104, 122
membership, 125, 126, 126n1
- Euthanasia, 190
- evolution of imprisonment, 258
- execution stage, 263
- F**
- File for Inmates requiring Special
Supervision' (FIES), 269, 270
- food, 47, 50, 118, 120, 140, 143,
147, 148, 166, 265
- foreign prisoners, 138, 144, 150,
160, 161, 283n25
- forensic psychiatric patients,
120
- G**
- good-time credits system, 275
- guaranteed minimum service, 175,
178–80
- H**
- health care, 3, 39, 43, 69, 140,
143, 145, 147, 148,
150, 155–60, 217,
235, 265, 267–9, 272,
279
- Howard, John, 79–89, 91, 94, 95,
98
- human rights
Act, 209, 233, 236, 237,
240
Advisory Board/Council, 6,
164–6
body, 16
breaches, 12, 206, 239
conviction, 188
implementation, 30n12, 57
influence, 7, 195, 196, 198, 232,
236–40, 278
standards/principles, 37, 40–3,
56, 68, 208, 215
violations, 6, 40, 45–7, 50, 52,
57, 67, 104, 106, 108,
123
- hygiene/sanitary, 38, 47, 56, 120,
130n33, 158, 176, 265

I

ill-treatment, 7, 12, 13, 15, 20, 37, 39, 51, 60, 62, 66, 70n2, 104, 107–16, 120, 123, 130n33, 137, 139, 142–6, 149, 163, 175, 249n10, 267, 269, 271, 272, 279

immigration detention centre, 8, 241

impact of the CPT, 7, 122, 174, 175, 183–5, 187, 198

importation model, 235

incarceration rates, 87, 97

Incentives and Earned Privilege (IEP) system, 86, 88

individual responsibility, 88, 92

industrial actions/strikes, 7, 175, 188

inspection bodies, 85

international standards, 12, 27, 98, 119, 222

interned offenders/internees, 188–91

Irish Penal Reform Trust, 209, 212, 219, 223

J

juvenile prisoners, 143–5, 148, 153, 154

L

legal position, 181, 182, 197, 220

M

medical examination, 111, 120, 140, 141, 145, 150, 155, 157, 158

monitoring bodies, 4–6, 79, 80, 85, 86, 90, 91, 98, 104, 106–8, 122, 185, 186, 211, 240, 245, 248, 308, 315

N

national human rights institutions (NHRIs), 45, 128n10

national legislation, 104, 105, 121, 237

National Preventive Mechanism (NPM), 5, 11, 21, 107, 165, 185, 243, 248

guidelines, 21

NGO, 41, 66, 69, 108, 113, 168n11, 186, 223, 237, 240

(non-)compliance, 107

normalization (of prison life) principle, 256, 264, 265, 267, 269, 309

O

Ombudsman Optional Protocol to the UN Convention against Torture (OPCAT), 3, 5, 11, 13, 16, 17, 21–4, 29n10, 29n11, 30n16, 30n17, 33n44, 107, 165, 248, 249n10, 250n16, 317

open regime, 267, 274–7, 280, 286n49, 286n50

P

Parliamentary Assembly of the Council of Europe (PACE), 45

penal policy, 7, 67, 70, 80, 97, 205–9, 221, 223, 232

- penal/legislative reform, 40, 65, 67,
106, 195, 263, 316
- pilot arrest, 192
- pilot judgment procedure, 45, 49
- police
Aliens Holding Centre, 240, 241
detention, 165, 248
torture, 109, 113, 271, 279, 308
- political prisoner, 105, 126n2
- pre-trial criminal proceedings, 153
- pre-trial detention/remand, 1, 6, 41,
47, 61, 63, 104, 105,
108–10, 112, 113, 115–20,
123, 125, 130n29, 257,
259, 263, 278, 282n20,
284n32, 308
- prevention, 12–15, 20, 21, 25, 28,
30n17, 32n31, 33n35, 125,
142
- prison
accommodation, 210
activities (out-of-cell), 47, 88,
123, 146–8, 154, 295, 300
administration, 83, 125, 141,
155, 190, 216, 272, 275
admission, 258, 259, 261, 263,
265, 279, 284n32
in Albania, 6, 116, 117
in Austria, 135
in Azerbaijan, 82, 90, 91, 96, 316
in Belgium, 198
in Britain, 82, 92
building, 63, 64, 108, 117, 125,
176, 177, 263, 266, 272
in Bulgaria, 46, 49, 52
capacity, 96, 97, 116, 175
committees, 141
conditions, 1, 39–41, 46, 56, 60,
63, 66–8, 85, 87, 90, 92,
177, 206, 209, 210, 221,
222, 265, 318, 319
- facilities, 48, 63–5, 85, 87, 117,
118
- in France, 52, 56, 60, 82, 89, 96,
319
- function, 91
- in Georgia, 15, 56, 60
- governor, 176, 179, 186, 296
- in Greece, 46, 52, 56, 60, 65, 68
- history, 187
- in Hungary, 15, 52, 56, 60, 65,
319
- infrastructure, 108, 175
- inspection (service), 270
- inspector, 208, 211, 216–18
- in Ireland, 206
- in Italy, 89
- law, 181–3, 186, 187, 206, 207,
212, 221, 222, 258, 265,
274, 277, 281n1, 286n47
- management, 64, 146, 156, 297,
302, 317
- monitoring commissions, 139,
142, 163
- in Netherlands, 88, 96, 97, 175,
319
- in Norway, 7, 8
- officer, 7, 50, 87, 89, 146, 147,
149, 150, 154, 155, 158,
161, 162, 175, 178–80,
187, 188, 211, 218, 241,
269–71, 299
- organization, 39, 41, 310
- overcrowding, 3, 39, 41, 42, 49,
52, 56, 60, 64–8, 70, 97,
108, 115, 152, 153, 175–8,
184, 186, 187, 257, 265,
266, 279, 310

- prison (*cont.*)
 in Poland, 8, 46, 51, 52, 56, 293,
 296–301, 309, 319
 population, 41, 65, 68, 88, 96,
 97, 116, 117, 146, 152,
 160, 177, 190, 210, 213,
 258–63, 266, 279, 282n15,
 283n24, 283n25
 privatisation, 116
 reform, 38, 39, 315
 regime, 8, 50, 51, 53, 56, 60, 62,
 87, 293–307
 researcher, 82, 83
 in Romania, 46, 52, 56, 65, 69
 in Russia, 46, 52, 56, 64, 65,
 68, 91, 242, 319
 sentence, 41, 88, 89, 129n21,
 178, 234, 235, 257, 259,
 260, 263, 274, 276, 277,
 279, 286n46
 in Spain, 8, 259, 263, 265–7,
 275, 278–80, 281n2,
 286n49, 293, 303, 314
 staff, 64, 89, 145, 150, 175, 186,
 275, 296
 statistics, 96
 Supervision Commission, 177,
 179, 182, 183, 185, 186
 in Turkey, 46, 316
 in Ukraine, 46, 50–2, 56,
 63
 visit, 80, 82, 84–6, 91, 98
 prison ‘tourism’, 5, 83, 86, 316
 prisoners’ rights, 2, 8, 67, 68, 89, 90,
 181–3, 208, 210, 212, 235,
 237, 264
 privacy, 40, 42, 49, 56, 265
 progressive model, 274
 proportionality, 136, 162, 256,
 280
 psychiatric care service, 268
 public statement, 3, 179
- R**
- ratification, 29n11, 31n22, 105,
 107, 122, 174
 recidivism, 235, 277, 282n20,
 287n54
 recommendations, 3, 4, 6–9, 13,
 19–23, 25, 52, 69, 86,
 107–13, 116, 118, 120,
 122–5, 127n9, 135, 141,
 144, 150–64, 166, 167,
 175, 179–84, 186, 187,
 199, 213, 215, 216, 242,
 245, 255, 257, 266–8, 270,
 271, 273, 278, 279, 292,
 293, 298, 300, 302, 306–8,
 310, 314
 follow-up, 8, 184, 292
 reincarceration, 277
 relationships between the human
 right organizations
 between CPT and national states, 1
 between CPT and NPMs, 24
 between SPT and CPT, 16–21
 between SPT and NPMs, 16,
 22
 cooperation, 42, 107, 115
 duplication, 17
 knowledge exchange, 24, 25
 restoration, 319
 restraint measures, 270
 retribution/retributive thinking,
 280

S

safety regulations, 175
 security, 2, 50, 51, 53, 62, 84, 87,
 88, 92, 93, 109, 111, 117,
 120, 127n5, 138–42, 144,
 150, 157, 161, 162, 164,
 181, 189, 235, 238, 239,
 242, 243, 249n5, 268, 275,
 294, 309, 310, 317
 segregation unit, 144, 162, 166,
 272
 sentencing stage, 263
 slopping out, 176, 206, 207,
 210–12, 308
 solitary confinement, 39, 42, 49, 50,
 53, 61, 63, 138, 139, 146,
 151, 162, 163, 238, 240,
 241, 244, 246, 271,
 285n35, 294–6, 303, 304,
 308
 staff
 capacity, 108, 129n18
 shortage, 139, 143, 147, 148,
 153–5
 training/professionalization, 112,
 115
 state implementation
 general measures, 5, 44, 63, 195
 individual measures, 44, 195
 Statute on Police Detention Cells,
 245
 Strasbourg Court, 5, 37–70, 210,
 212, 219, 237, 239
 strikes, 40, 96, 175, 178–80,
 186–8
 strip searches, 3, 49, 50, 53, 61, 63
 suicide, 39, 48, 51, 53, 60, 62, 144,
 163, 178, 179, 242

T

time to implementation, 57, 60–2,
 68, 314
 torture (prevention), 16, 19, 25
 treatment
 degrading, 42, 43, 49–51, 53, 61,
 69, 138, 176, 177, 194,
 209, 210, 238, 285n35,
 318
 inhuman, 42, 49, 60, 303, 304
 personnel, 275, 277, 286n47
 plan, 275
 program, 123, 268, 274, 275,
 306
 respectful, 265, 269–71
 trial stage, 263
 trust in government, 246
 truth-in-sentencing-policy, 263

U

UN Convention on the Rights of the
 Child (UNCRC), 240
 UN Human Rights Committee
 (UNHRC), 124, 211
 UN Standard Minimum Rules for
 the Treatment of Prisoners,
 42
 UN Subcommittee for the
 Prevention of Torture
 (SPT), 3, 5, 11–14, 16–28,
 30n17, 30n18, 31n20,
 31n22, 31n23, 32n28,
 33n35, 33n39, 33n44,
 315–17
 United Nations, 3, 13, 17, 29n3,
 30n17, 31n22, 127n6, 231,
 308

V

Visiting Committee, 215–17

visits/visiting mandate

ad hoc, 31n23, 107, 111, 121,

175, 177, 179, 180, 182,

185, 186, 292

periodic/regular, 107

voting rights (prisoners), 218

W

welfare state, 234–6

Z

zero tolerance, 112