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OPEN INSTITUTIONS

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In accordance with the tradition of past Congresses, it has been possible to secure the co-operation of certain national prison administrations for the printing of documentation for the First United Nations Congress on the prevention of crime and the treatment of offenders, which is from an historical point of view the Thirteenth International Penal and Penitentiary Congress. Thus the present report has been generously printed by the Federal Bureau of Prisons of the United States of America, in the prison printing plant at Leavenworth, Kansas.

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The only penal institutions in Finland which can be characterized as open institutions are the *State Labour Colonies*, established by the Act of 26 April 1946, the first of which was opened on 1 July of the same year. Owing to the good results of this system, its use has been extended to cover a larger category of inmates in 1954. A new type of institution, the *Prisoners' Colony*, has also been established in 1954 for the highest class of prisoners in the ordinary medium security and closed prisons. These colonies are to be organized in the same way as the State Labour Colonies.

Labour Camps for prisoners on parole are also open institutions. This report covers only the institutions mentioned above so that semi-open institutions, of which there are a great number in Finland, are not described.

A. THE STATE LABOUR COLONIES

1. The nature, situation and size of the institutions

The State Labour Colonies are usually provisional barrack buildings of light construction, situated in isolated parts of the country. They are set up to enable workers to perform a certain amount of work according to an agreement between the Prison Administration authorities and the employer, and according to the employment facilities at hand and the number of inmates. The workers are allowed to wear their own clothing and they are housed together in barracks. No other restraints are imposed on the workers than those required for maintaining good order and work discipline. Security against escape is not provided by any physical means; there are no surrounding walls or fences, and the living quarters of the workers are unlocked even at night. Only the area of the colony is marked off, and it is forbidden to leave it without permis-

sion. There is no other supervisory staff except two officers for every 50 workers.

There are seventeen labour colonies. Their situation with regard to nearby towns and other business centres, their capacity and the nature of the work performed are given on pages 3 and 4.

The number of the labour colonies differs from year to year, according to the need for them and the labour market situation. In addition to the staff mentioned above, every colony has a female cook and one or more foremen, who represent the employer and who supervise the work.

2. The categories of offenders in the labour colonies and the methods of selection

The inmates sent to the labour colonies are persons directly sentenced, for one or several offences, to imprisonment not exceeding two years and to imprisonment in default of payment of fines, provided that the persons in question have not undergone penal servitude or (directly sentenced) simple imprisonment during the five years preceding the sentence. Imprisonment in default of payment of fines, for which there is no maximum time limit with regard to eligibility for a Labour Colony, can in each case be served in the labour colonies, regardless of previous prison sentences. The Prison Administration Department of the Ministry of Justice, upon the proposal of the competent authorities, decides whether a person will be assigned to serve his sentence in a State Labour Colony. The persons assigned to such colonies are given a written labour colony order and directions as to how to get to the institution; they go there without escort or guard. If they are in prison already, the warden makes the proposal and, upon the decision of the Prison Administration Department, sends them to the appropriate colonies. Before a person is sent to a labour colony it must be proved that he is physically able to do the kind of work which is performed in a colony. The workers are only classified insofar as there are special colonies for juveniles and female offenders as well as for intellectual workers who are not fitted for hard field and forest work. A worker is generally assigned to the colony nearest to his home which offers such labour facilities as are suitable for him.

Colony	Location	Capacity	Staff	Work
Hanko (female workers)	Coastal town in Southern Finland (population 7000)	40 workers	4	Sewing, weaving, laundry work for prisons and private employers.
Havumäki	35 km from a railway centre in Southern Finland	25	1	lumber work
Iivantiira	Forest region in North-Eastern Finland	136	4	Road construction
Jaala	30 km from a railway centre in Southern Finland	30	2	Lumber work
Kauppi	30 km from a small town	26	1	Lumber work
Korpilahti	60 km from a medium-size town in Central Finland	24	1	Lumber work
Muurola	25 km from a great business centre in Northern Finland	42	1	Lumber work
Nurmes	20 km from a business centre in Eastern Finland	28	1	Lumber work

Colony	Location	Capacity	Staff	Work
Osmajärvi	15 km from a business centre in Eastern Central Finland	26	1	Lumber work
Renko	20 km from a smaller town in Southern Central Finland	24	1	Lumber work
Riihaho	22 km from railway station in Southern Central Finland	22	1	Lumber work
Rusko	8 km from the town of Turku	100	3	Airport construction
Seutula	12 km from Helsinki	400	10	Airport construction
Suomussalmi	20 km from a railway station in North-Eastern Finland	40	1	Lumber work
Tuovi	A boat warped from one place to another in the archipelago of South-Western Finland	30	1	Lumber work
Vihhti	20 km from Helsinki	22	1	Lumber work
Viitasaari	In the forest region in Central Finland	25	1	Lumber work

The State Labour Colony workers are usually first offenders, and their offences are mostly of an accidental nature and therefore efforts are made to keep them from coming under the demoralizing influence of a closed prison.

3. The Duration of the sentence

For information on the maximum time of the sentences, see 2 above.

According to the law, a person sentenced to penal servitude and simple imprisonment (except life imprisonment) may be paroled after having served a certain part of his sentence. It is a condition of parole that first offenders must have served one half and recidivist two thirds, but not less than six months, of their time. Persons imprisoned in default of payment of fines are not eligible for parole, neither are persons sentenced to prison for less than six months.

A person assigned to a State Labour Colony may serve his whole sentence in such an open institution.

A colony worker, who, by no fault of his own, is found unfit for work (e. g. in case of illness or accident), will be transferred to an ordinary closed prison for medical treatment. In such a case the time already served in the colony will be counted to his credit. When his capacity for work has been restored he will be sent back to the colony.

If, on the other hand, a colony worker is found guilty of a disciplinary offence, such as leaving the colony area without permission, violation of the colony regulations, etc., the authorities of the prison administering the colony notify the Prison Administration Department, which then transfers the worker to an ordinary closed prison. In this event the prisoner must serve his sentence from the beginning, i.e., he is not given the credit for the time he had been detained in the labour colony.

The majority of persons sentenced to simple imprisonment (but never to penal servitude) may be assigned to the labour colonies, since those who are sentenced to more than two years' imprisonment only amount to approximately two per cent of the total prison population.

The system in operation in the Labour Colony is not considered suitable for extension to persons sentenced to imprisonment for more than two years. The temptation to escape

would be too serious a risk in view of the open conditions of the colonies. It has also been realized that education is so essential to a person serving a sentence of more than two years that he could not be assigned to a colony, where no educational facilities are available.

It is evident from statistics that the nature of the offences committed by persons assigned to the labour colonies is mostly accidental. Of the five hundred persons assigned to the colonies in 1946, 117 later returned to prison. The corresponding number of five hundred first offenders serving sentences of equal length in ordinary prisons was 197. Thus, of the persons assigned to the colonies 23 per cent were returned to prison during the observation period of five years, whereas the percentage of persons having served their sentences in ordinary prisons was 40 per cent or considerably higher.

4. The work performed by the inmates

The work performed in each colony consists of serving, weaving, laundry work for prison and private employers, lumber work, road and airport construction (see 1 above).

The educational aspect of rehabilitation has given way to work, which is necessary in view of the nature of the offences committed by the workers.

Free skilled persons are used as foremen in the ordinary daily work as well as in technical occupations, since the inmates usually are unskilled.

5. The administration of the Labour Colonies

Order and discipline as well as all matters concerning the execution of sentences in the Labour Colonies fall under the Prison Administration. The practical direction and supervision of the work, on the other hand, belongs to the employer. Thus a certain kind of dualism is a dominant factor in the administration. Under no conditions are the workers left to the employer's control except in technical matters. The State, rural communities, lumber industries and factories act as employers. The Prison Administration Department of the Ministry of Justice makes a contract with the employer for each colony.

Every colony is subject to the administrative authority of a

particular prison. The prison officers are responsible for all matters concerning the execution of sentences.

6. Treatment of the inmates

The introduction of the Labour Colony into the French correctional system originates in the desire to avert the ruinous effect of closed prisons on first offenders sentenced to short terms. As the offence of the persons assigned to the Labour Colonies usually is of an accidental nature and as their terms of sentence are short, it is not considered appropriate to give them any ordinary training and education. Instead, the Labour Colonies are of great importance as schools of social life and work schools.

A colony worker is paid wages similar to those of free workers, but 25 per cent are deducted by the state to cover the administrative costs. Deductions are made from the remainder to cover taxes, food, clothes, family care and obligatory savings. The income is liable to taxation. The worker also pays for his own food, which is available in the colony mess hall. Usually the worker wears his own clothing, but he may also borrow it in the colony.

There are no restrictions of freedom except for the risk of transfer to an ordinary prison in case of disciplinary offence. The most common of such offences are failure to report to the colony, absence without permission and breaking the regulations. If a worker is transferred to an ordinary prison, the time already served in the colony will be counted in his favour. When a worker is transferred to an ordinary prison because of illness, accidents or other similar reasons not depending on his own will, the time already served in a colony is taken into account.

Leave from the colonies is granted only in case of death or severe illness of a near relative. The conditions of leave are thus the same as in ordinary prisons. The workers may, however, visit sports events and religious meetings outside the colony area with the officers.

The right to exchange letters is unrestricted, and the letters are not censored. Visits to the colony are allowed every Sunday and if necessary even during the week.

There are several opportunities for leisure time activities. Sports fields, social games, newspapers and the radio are

available to each worker, and hobby handicrafts are widely practised.

Absence without leave, although forbidden, is not punishable by law as escape from prison would be. The only sanction is transfer to prison, as described above. A person assigned to a Labour Colony is called "worker" instead of "prisoner" or "inmate".

B. THE PRISONERS' COLONIES

As a consequence of a new Act of this year (1954), a new type of institution, the Prisoners' Colony, is coming into use. It has been introduced for the purpose of giving the prisoners of the highest class in the ordinary closed prisons who have behaved well (both penal servitude and simple imprisonment prisoners) a better chance than before to become accustomed to work in circumstances similar to those of free workers before their final release. In principle, this programme will be carried into effect by giving the Ministry of Justice the power to transfer prisoners of the highest class, sentenced to penal servitude or simple imprisonment for a prescribed term, to special Prisoners' Colonies. As this system is quite new, no actual Prisoners' Colonies exist as yet.

C. LABOUR CAMPS

A labour camp system which has been in use since 1948, has proved to be an important factor in the after-care of released prisoners and has given good results, but the Labour Camp is not an obligatory step between the prison and unrestricted freedom. If, however, a prisoner has agreed to work at such a camp, he must stay there until he has been able to secure sufficient work and everyday clothing, the tools necessary to his trade as well as acceptable quarters and employment outside the camp. The minimum time provided is three months.

As the camp workers are no longer prisoners, there are no concrete restraints on freedom. The men live in barracks. The employer provides the work, supervision and wages, but order and discipline are controlled by the officers employed by the Prison Society. Violation of the disciplinary rules, i. e. drunkenness, absence without leave or failure to arrive at the camp, results in the worker's return to prison.

The work consists of road construction. Specially trained technicians are also used. The wages are similar to those of other free workers, but deductions are made to cover the maintenance costs. The workers are granted regular leave.

The Labour Camps are of great significance as schools of work and social life. The material conditions are similar to those of the State Labour Colonies.

Labour Camps have been organized for male parolees only. For female parolees, the Prison Society has organized a home-makers' school especially for juvenile female offenders. At the school they are given training in household duties, needle-work and gardening.

This archiving project is a collaborative effort between United Nations Office on Drugs and Crime and American Society of Criminology, Division of International Criminology. Any comments or questions should be directed to Cindy J. Smith at CJSmithphd@comcast.net or Emil Wandzilak at emil.wandzilak@unodc.org.