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# COUNCIL OF EUROPE

  

# SPACE I

(COUNCIL OF EUROPE ANNUAL PENAL STATISTICS)

**Survey 2003**

prepared by

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## Council of Europe Annual Penal Statistics SPACE I: 2003 survey on prison populations

by Marcelo F. Aebi<sup>1</sup>

The SPACE I data presented below was obtained by means of the questionnaire introduced since the 1997 survey, in its simplified version. Prison population figures (stock) relate to the situation at **1<sup>st</sup> September 2003**, while flow of entries, total number of days spent in penal institutions, and incidents (escapes, deaths and suicides) relate to the year **2002**.

### I. PRISON POPULATIONS

#### I.1. State of prison populations at 1<sup>st</sup> September 2003

The situation of prison populations at a given date ("stock statistics") is set out in eleven tables and four supplementary tables.

##### **Table 1. Situation of penal institutions on 1<sup>st</sup> September 2003**

- (a) Total number of prisoners (including pre-trial detainees);
- (b) Prison population rate per 100,000 inhabitants: number of prisoners (including pre-trial detainees) present at 1<sup>st</sup> September 2003 in relation to the number of inhabitants at the same date (in view of the information available, the figure actually used is the number of inhabitants at 1<sup>er</sup> January 2003). This indicator is sometimes referred to as "detention rate", or "prisoner rate", or "imprisonment rate";
- (c) Capacity of penal institutions: number of places available in penal institutions;
- (d) Prison density per 100 places: number of prisoners (including pre-trial detainees) in relation to the number of places available in penal institutions.

As a complement to Table 1, we include three supplementary tables:

##### **Table 1.2. Situation of penal institutions on 1<sup>st</sup> September 2003 by decreasing prison population rates** In this table, countries are sorted according to their detention rates on 1<sup>st</sup> September 2003

##### **Table 1.3. Evolution of prison populations between 1999 and 2003**

This table presents the total number of prisoners (including pre-trial detainees) and the prison population rate per 100,000 inhabitants on 1<sup>st</sup> September 1999, 2000, 2001, 2002 and 2003. Data are taken from the corresponding surveys of SPACE I.

The table indicates also the evolution (in percentage) of prison populations rates between 1999 and 2003 as well as between 2002 and 2003.

##### **Table 1.4. Year-on-year rates of increase and decrease of prison population rates between 2002 and 2003**

This table shows the evolution of prison population rates between 2002 and 2003. Countries are classified in three categories according to the increase or decrease of their prison population rates between 1<sup>st</sup> September 2002 and 1<sup>st</sup> September 2003:

- (a) Increase of more than 5%
- (b) Between -5% and +5%
- (c) Decrease of more than 5%

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The author wishes to thank Mrs. Graciela Kronicz Aebi (BA, Law) for her assistance in the process of entering the data provided by countries into the database.

**Table 2. Age structure of prison populations**

- (a) *Median age of prison population (including pre-trial detainees) at the date of the statistics;*
  - (b) *Prisoners under 18 years of age (including pre-trial detainees): number and percentage;*
  - (c) *Prisoners between 18 and 21 years of age (including pre-trial detainees): number and percentage.*
- Data not collected in this enquiry (simplified version).**

**Table 3. Female and foreign prisoners**

- (a) *Female prisoners (including pre-trial detainees): number and percentage;*
  - (b) *Foreign prisoners (including pre-trial detainees): number and percentage.*
- Data not collected in this enquiry (simplified version).**

**Table 4. Legal status of prison populations on 1<sup>st</sup> September 2003 (numbers)**

- (a) *Untried prisoners (no court decision yet reached)*
- (b) *Prisoners convicted but not yet sentenced*
- (c) *Sentenced prisoners who have appealed or who are within the statutory time limit for doing so*
- (d) *Sentenced prisoners (final sentence)*
- (e) *Other cases.*

**Table 5. Legal status of prison populations on 1<sup>st</sup> September 2003 (percentages and rates)**

We have selected four indicators as a basis for comparing the situations of the various populations:

- (a) *Percentage of prisoners not serving a final sentence at 1<sup>st</sup> September 2003* (often inaccurately referred to as *percentage of unconvicted prisoners*): the number of prisoners whose sentence is not final, present at that date, expressed as a percentage of the total number of prisoners at the same date;
- (b) *Rate of prisoners not serving a final sentence per 100'000 inhabitants at 1<sup>st</sup> September 2003*: the number of prisoners whose sentence is not final, present at that date, in relation to the number of inhabitants at the same date – expressed per 100'000 inhabitants;

In order to calculate indicators (a) and (b), the number of prisoners not serving a final sentence is obtained by adding headings (a), (b), (c) and (e) of Table 4. However, when there is no data available under heading (c) "*sentenced prisoners who have appealed or who are within the statutory time limit for doing so*" of Table 4, without any further information being provided, it is assumed that prisoners in that situation are included among those under heading (d) "*sentenced prisoners, final sentence*". In that case, the indicators cannot be calculated.

- (c) *Percentage of untried prisoners (no court decision yet reached) at 1<sup>st</sup> September 2003*: the number of untried prisoners (not yet convicted), present at that date, expressed as a percentage of the total number of prisoners at the same date;
- (d) *Rate of untried prisoners (no court decision yet reached) per 100'000 inhabitants at 1<sup>st</sup> September 2003*: the number of untried prisoners (not yet convicted), present at that date, in relation to the number of inhabitants at the same date – expressed per 100'000 inhabitants

In order to calculate indicators (c) and (d), only prisoners under heading (a) "*untried prisoners (not yet convicted)*" of Table 4 are taken into account. However, when there is no data available under heading (b) "*prisoners convicted but not yet sentenced*" of Table 4, without any further information being provided, it cannot be excluded that prisoners in that situation are included among those under heading (a) "*untried prisoners (no court decision yet reached)*". In that case, the indicators calculated are presented between brackets and must be interpreted cautiously.

**Table 6. Breakdown of sentenced prisoners (final sentence) by main offence on 1<sup>st</sup> September 2003 (numbers)**

**Table 7 Breakdown of sentenced prisoners (final sentence) by main offence on 1<sup>st</sup> September 2003 (percentages)**

Tables 6 and 7 present the breakdown of prisoners with final sentence –those under heading (d) of Table 4– according to the main offence for which they were convicted. The following breakdown is used:

- (a) *Prisoners sentenced for homicide (including attempts);*
- (b) *Prisoners sentenced for assault;*
- (c) *Prisoners sentenced for rape;*
- (d) *Prisoners sentenced for robbery;*
- (e) *Prisoners sentenced for other types of theft;*
- (f) *Prisoners sentenced for drug-related offences,*
- (g) *Prisoners sentenced for other offences.*

**Table 8. Breakdown of sentenced prisoners (final sentence) by length of the sentence on 1<sup>st</sup> September 2003 (numbers)**

**Table 9. Breakdown of sentenced prisoners (final sentence) by length of the sentence on 1<sup>st</sup> September 2003 (percentages)**

Tables 8 and 9 present the breakdown of prisoners with final sentence –those under heading (d) of Table 4– according to the length of the sentence imposed to them. The following breakdown is used:

- (a) *Prisoners sentenced to less than one month;*
- (b) *Prisoners sentenced to one month to less than three months;*
- (c) *Prisoners sentenced to three months to less than six months;*
- (d) *Prisoners sentenced to six months to less than one year;*
- (e) *Prisoners sentenced to one year to less than three years;*
- (f) *Prisoners sentenced to three years to less than five years;*
- (g) *Prisoners sentenced to five years to less than ten years;*
- (h) *Prisoners sentenced to ten years to less than twenty years;*
- (i) *Prisoners sentenced to more than twenty years;*
- (j) *Prisoners sentenced to life imprisonment;*
- (k) *Prisoners sentenced to death.*

**Table 10. Breakdown of sentenced prisoners (final sentence) by length of the sentence on 1<sup>st</sup> September 2003 (cumulative percentages)**

This table presents the breakdown, expressed in cumulative percentages, of prisoners with final sentence –those under heading (d) of Table 4– according to the length of the sentence imposed to them. The following breakdown is used:

- (a) *Percentage of prisoners sentenced to less than one year;*
- (b) *Percentage of prisoners sentenced to one year and over (fixed-term sentence);*
- (c) *Percentage of prisoners sentenced to three years and over (fixed-term sentence);*
- (d) *Percentage of prisoners sentenced to five years and over (fixed-term sentence);*
- (e) *Percentage of prisoners sentenced to ten years and more (fixed-term sentence);*
- (f) *Percentage of prisoners sentenced to fixed-term sentences*
- (f) *Percentage of prisoners sentenced to life imprisonment;*
- (g) *Percentage of prisoners sentenced to death.*

**Table 11. Breakdown of prisoners sentenced (final sentence) to less than one year, by length of the sentence on 1<sup>st</sup> September 2003 (percentages)**

This table presents the breakdown, expressed in percentages, of prisoners sentenced to less than one year according to the length of the sentence imposed on them. The following breakdown is used:

- (a) *Prisoners sentenced to less than one month;*
- (b) *Prisoners sentenced to one month to less than three months;*
- (c) *Prisoners sentenced to three months to less than six months;*
- (d) *Prisoners sentenced to six months to less than one year.*

## I.2. Flow of entries, length of imprisonment, escapes and deaths in 2002

Tables 12 to 15 show the number of entries into prison (flow statistics), the length of imprisonment, and the number of escapes and deaths in penal institutions in the year 2002.

### Table 12. Flow of entries to penal institutions in 2002

- (a) Total number of entries to penal institutions in 2002. This indicator is usually known as "flow of entries";
- (b) Rate of entries to penal institutions per 100'000 inhabitants: the number of entries for 2002, in relation to the average number of inhabitants during the same period (in view of the information available, the figure actually used is the number of inhabitants at 1<sup>er</sup> January 2003).
- (c) Entries before final sentence: number and percentage.

The term "entry" refers to all entries into penal institutions, except in the following situations:

- Entry following transfer from one penal institution to another;
- Entry following the prisoner's removal from the institution in order to appear before a judicial authority (investigating judge, trial court, etc);
- Entry following prison leave or a period of authorized absence;
- Entry following an escape, after re-arrest by the police.

The figures do not relate to the number of individuals but to the number of events (entries). The same individual may enter in prison several times in the same year for the same case. This applies, for instance, to an individual who is placed in pre-trial detention during year n (first entry), released by the investigating judge at the pre-trial investigation stage, tried without being re-detained, convicted and sentenced to a term of imprisonment exceeding the period of pre-trial detention, and re-imprisoned during the same year n to serve the remainder of the sentence (second entry). A fortiori, the same individual may enter in prison several times in the same year for different cases.

Only entries of untried prisoners (not yet convicted), prisoners convicted but not yet sentenced, or sentenced prisoners who have appealed or who are within the statutory time limit to do so are recorded under (c). This figure therefore corresponds to part of the entries recorded under (a). These of course include entries for pre-trial detention.

### Table 13. Indicator of average length of imprisonment in 2002, based on the total number of days spent in penal institutions

- (a) Total number of days spent in penal institutions in 2002;
- (b) Average number of prisoners in 2002:  $(b) = (a) / 365$ ;
- (c) Total number of entries to penal institutions in 2002 (flow of entries) = heading (a) of Table 12;
- (d) Indicator of average length of imprisonment (D) expressed in months: quotient of the average number of prisoners in 2002 (P) by the flow of entries during that period (E), multiplied by 12 (months):  $D = 12 \times P/E$

The figure under heading (a) corresponds to the total number of days spent in penal institutions by all persons placed in detention for at least one day during the reference year (2002). This may be time spent in pre-trial detention or time spent serving a prison sentence, or may even correspond to other circumstances (detention for failure to pay a fine, for instance). No distinction is made here between those categories.

This type of data is usually prepared by the departments responsible for prison budgets and is used to calculate the average daily cost of imprisonment.

By dividing the number of days of imprisonment by 365 (366 in leap years) we obtain the "average number of prisoners in the year" or the number of "prisoners-year" (b), which constitutes probably the best possible indicator of the average number of prisoners present in the year.

Nevertheless, as some countries did not provide data regarding the total number of days spent in penal institutions in 2002 –heading (a) of Table 13– and other provided figures that did not seem reliable (see Notes to Table 13), we have added **Table 13.1 (Indicator of average length of imprisonment in 2002, based on the total number of prisoners on 1<sup>st</sup> September 2002)** in which we have used the total number of prisoners on 1<sup>st</sup> September 2002 as an estimate of the average number of prisoners in that year (source: SPACE 2002). We have also use this indicator to work out other figures presented in Tables 14 and 15 (escape rate, mortality rate and suicide rate).

**Table 14. Escapes of prisoners in 2002**

The table includes two types of escape:

- (a) *Escapes by prisoners (convicted prisoners or pre-trial detainees under the responsibility of the prison administration) from a closed penal institution or during an administrative transfer (for example, to or from a court, another penal institution, or a hospital).*

In the event of a group breakout, the number of escapes is equal to the number of inmates involved.

Relating the number of escapes to the total number of prisoners on 1<sup>st</sup> September 2002 (used here as an estimate of the *average number of prisoners*) provided in SPACE 2002 we obtain the *rate of escapes per 10'000 prisoners*:  $10'000 \times (a) / \text{total number of prisoners on 1}^{\text{st}} \text{ September 2002}$ .

- (b) *Other forms of escape (absconding or running off):* Examples are escapes from open institutions (such as work farms) or from semi-detention, and escapes during an authorised short-term absence (or leave) from all kinds of institutions (including closed institutions).

We have not worked out the rate here, as that would lead to calculate the ratio of escapes (other forms) to the average number of prisoners without taking account of the proportion of inmates placed in "open institutions".

**Table 15. Deaths in penal institutions in 2002 (including suicides)**

This table includes:

- (a) *Total number of deaths in penal institutions in 2002;*
- (b) *Number of suicides in 2002;*
- (c) *Suicides as a percentage of total deaths:  $100 \times (b)/(a)$*

Relating the total number of deaths in prison (a) and the number of suicides in prison (b) to the total number of prisoners on 1<sup>st</sup> September 2002 (used here as an estimate of the *average number of prisoners*) provided in SPACE 2002 we obtain respectively:

- (d) *Mortality rate per 10000 prisoners:  $10'000 \times (a) / \text{total number of prisoners on 1}^{\text{st}} \text{ September 2002}$*
- (e) *Suicide rate per 10000 prisoners:  $10'000 \times (b) / \text{total number of prisoners on 1}^{\text{st}} \text{ September 2002}$ .*

Deaths of convicted prisoners and pre-trial detainees while in hospital are included in this table.

<b>II. PRISON STAFF</b>
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***Data not collected in this enquiry (simplified version).***

## PRESENTATION OF THE STATISTICAL DATA

### Conventions used

***	The question is irrelevant; the item refers to a concept not found in the penal system of the country concerned.
0	The number is 0 but the concept exists in the penal system of the country concerned.
...	No figures available, but the concept exists in the penal system of the country concerned.
( )	When the data are shown in brackets this means that they are not strictly comparable with the data requested by SPACE. The divergences are explained in the notes to the relevant table. As a rule, this applies to items whose definition is not the same as the one used by SPACE.
	When the questionnaire box is left blank or a symbol is used whose meaning is not explicit (for example "/" or "-"), we leave the box blank.

### Measures of central tendency

In tables containing rates or percentages we have used the following measures to describe the distribution of the data:

- (a) Mean: the arithmetic mean is the sum of the data supplied divided by the number of countries supplying them. The mean is sensitive to very high or very low values, which is why the median is also used as a measure of central tendency.
- (b) Median: the median is the value that divides the data supplied by the countries concerned into two equal groups so that 50% of the countries are above the median and 50% are below it. The median is not influenced by very high or very low values.
- (c) Minimum: the lowest recorded value in the table
- (d) Maximum: the highest recorded value in the table

For reasons of accuracy we have calculated the mean and median values from the original database, which contains all the decimals not presented in the tables. Readers who rework the calculations from the data in the tables - which only contain one or two decimals - will therefore obtain slightly different results from ours.

## DEMOGRAPHIC DATA

The rates of imprisonment have been calculated using demographic data at 1<sup>st</sup> January 2003 taken from "Recent demographic developments in Europe, 2003" (Strasbourg: Council of Europe Publications, 2003).

When no information was available at 1<sup>st</sup> January 2003, we have used the latest demographic data available. That was the case for the following countries:

- Albania: Demographic data relate to 1<sup>st</sup> January 2000.



- Bosnia and Herzegovina (Federation of Bosnia and Herzegovina and Republika Srpska): Demographic data are estimates.
- France: All data included in SPACE refer to the European territory of France (known as the *Métropole*) and the French overseas territories (Guadeloupe, Martinique, Guyane and Reunion, known as DOM or *Départements d’Outre-mer*). Demographic data are estimates calculated by the *Institut National de la Statistique*, INSEE ([http://www.insee.fr/fr/ffc/pop\\_age.htm](http://www.insee.fr/fr/ffc/pop_age.htm)), and relate to 1<sup>st</sup> January 2004.
- Greece: Demographic data relate to 1<sup>st</sup> January 2001.
- Italy: Demographic data relate to 1<sup>st</sup> January 2002.
- Serbia and Montenegro: Demographic data are estimates.
- “The former Yugoslav Republic of Macedonia”: Demographic data relate to 1<sup>st</sup> January 2002.
- United Kingdom: Demographic data for England and Wales, Northern Ireland and Scotland are estimates calculated by National Statistics Online (<http://www.statistics.gov.uk/cci/nugget.asp?id=6>) and relate to the mid-2002 population.
- Canada: Demographic data are estimates calculated by Statistics Canada / Statistiques Canada (<http://www.statcan.ca/english/Pgdb/demo02.htm>) and relate to the situation at 1<sup>st</sup> July 2003.

## DATA VALIDATION PROCEDURE

According to the authors of the European Sourcebook of Crime and Criminal Justice Statistics (Strasbourg, Council of Europe, 1999), "validation is often the most important - and in many cases the most forgotten - stage of the data collection process". Therefore, since the 2002 survey of SPACE, we have introduced a validation procedure for the data received. Such procedure substantially increases the workload of all the individuals and countries involved in the elaboration of SPACE. It also delays the publication of the data. However, we believe that the results obtained –in other words, the improvements to the quality of the data– justify its use.

As part of the validation procedure, we produced a preliminary version of SPACE and a series of control tables that revealed a number of inconsistencies in the data received from some countries. Those countries were contacted again by means of a personal letter –sent by e-mail or fax– setting out the specific problems encountered in their data. Most of them answered our request. In general they corrected their figures, sent new ones for certain parts of the questionnaire, or indicated the reasons for the divergences identified. Such divergences are mainly due to differences in the national prison statistics systems as well as in criminal justice systems across Europe and are explained in the notes to the relevant tables.

Nevertheless, despite our efforts to identify errors and inconsistencies, some of them may still remain and others may have been introduced involuntarily during the data processing. Moreover, it has not always been possible to correct the inconsistencies discovered in a totally satisfactory way. In that context, any readers' comments, notes or criticisms are welcomed.



## **STATISTICAL TABLES**

## **I.1 PRISON POPULATIONS**

### **State of prison populations on 1<sup>st</sup> September 2003**

**General Notes (on, inter alia, legislative or other measures which directly influence trends in the number of prisoners)**

**Armenia:** The new criminal code, adopted on 18<sup>th</sup> April 2003, entered into force on 1<sup>st</sup> August 2003.

**Austria:**

- Collective pardon every year at Christmas
- An amendment to the Prison Act has made it possible for judges to order the suspension of the commencement of a sentence in a wider category of cases.

**Azerbaijan:**

- Amnesty
- Pardon Act

**Bosnia and Herzegovina – Federation of Bosnia and Herzegovina:** The President of the Federation of Bosnia and Herzegovina has made 15 decisions on pardoning convicted persons and reduced the sentence of imprisonment of 128 persons already serving their sentences in penal institutions.

**Cyprus:** Some special remissions

**Denmark:**

- Amendment of the Executive Order on Release of Inmates Serving a Prison Sentence (Release Order) (Section 27(3) of Executive Order no. 601 of 25<sup>th</sup> June 2003): In order to secure the possibility for earlier release on parole of foreign inmates who are serving a prison sentence of up to eight years and who are to be expelled having served their sentence with a permanent entry prohibition when 1/2, but not less than two months<sup>(1)</sup>, of the term of imprisonment has been served.  
<sup>(1)</sup> Formerly: "... when 7/12 of the sentence but not less than two months..."
- Act amending (law no. 386 of 28<sup>th</sup> May 2003) the criminal code, Section 245a, which renders the circumcision of women illegal.
- Act amending (law no. 38 of 28<sup>th</sup> May 2003) the criminal code, Section 110c(3) concerning acts aiming at fully or partially preventing the financial or economical relations with one or more countries, persons, groups of persons or legal entities outside the European Union in violation of EU regulations passed in accordance with Article 60, 301 or 308 in the Treaty of the European Union.

**Estonia:** A new Penal Code entered into force on 1<sup>st</sup> September 2002. One of the aims of the new Penal Code was to create an effective system of punishments according to which the court would be able to impose a suitable and fair sentence on every offender. In addition to imprisonment and financial punishment, it is now also possible to impose, for example, community service, weekend imprisonment, etc. All sentences that were valid at the time the Penal Code entered into force were reviewed: over 1000 applications were presented before the courts asking for the enforcement of sentences to be discontinued or for the modification of the punishment.

**France:** The pardons decree of 9 July 2003 grants convicted persons an exceptional reduction of sentence.

**Georgia:** Collective pardon for 617 prisoners

**Germany:** Data relate to 31<sup>st</sup> March 2003 instead of 1<sup>st</sup> September 2003.

**Hungary:** According to a modification of the Criminal Code that entered into force on 1<sup>st</sup> March 2003, multiple recidivists can be conditionally released. As a consequence, approximately 800 people were released in 2003.

**Italy:**

- Includes data on juvenile prisons and prisoners (that used to be presented in a separate appendix in previous editions of SPACE I).
- Nevertheless, it is necessary to note that minors, sentenced or awaiting trial, are committed not only to juvenile prisons (*istituti penali per i minorenni*), which this survey concerns, but also to other penal institutions (*centri di prima accoglienza, comunità, uffici di servizio sociale per i minorenni*). In particular, the Juvenile Court can commit to open institutions (so-called *comunità*) both minors awaiting trial subject to preventive measures and convicted minors serving alternative measures.

- Law No 207 passed on 1<sup>st</sup> August 2003 on the “Conditional suspension of sentences of imprisonment not exceeding two years”: This law provides that sentenced prisoners who have served at least half of their sentence are granted a suspension of the enforcement of the remaining part of their sentence for a term not exceeding two years. Such an order shall be made by a judge on a case-by-case basis.

**Liechtenstein:** According to a treaty between Liechtenstein and Austria, long-term prisoners usually serve their sentences in Austrian penal institutions. Thus, six of the eighteen prisoners of Liechtenstein serve their prison sentences in Austria.

**Lithuania:** On 1<sup>st</sup> May 2003 three new laws came into force: the Criminal Code, the Criminal Procedure Code, and the Penal Enforcement Code. According to the provisions of the new laws:

- 1) A first time offender committed of a minor offence is usually given an alternative punishment rather than a prison sentence;
- 2) A broader range of alternative punishments is available;
- 3) Conditional release can be granted more frequently.

**Netherlands:**

- Because of a lack of places in penal institutions, more than 4800 persons were released earlier (with a mean of 20 days earlier).
- Because of a lack of places in penal institutions, more than 4200 persons were not committed to penal institutions but were released by the police subject to the obligation to return in three months to serve their sentences.

**Portugal:** Provisional data

**Romania:**

- Law No 543, passed on 4<sup>th</sup> October 2002, concerning the remission of certain sanctions and measures
- Instant Ordinance No 18, passed on 2<sup>nd</sup> April 2003, amending Art. 8 of Law No 543/2002 concerning the remission of certain sanctions and measures
- Instant Ordinance No 108, passed on 29<sup>th</sup> October 2003, abolishing fine defaulters’ imprisonment
- Successive amendments of the Criminal Proceedings Code by Law No 281 (24.06.2003) Instant Ordinance No 66 (10.07.2003) and Instant Ordinance No 109 (26.10.2003)
- Law No 429 (29.10.2003) introducing amendments to the Constitution was approved by referendum.

**Russian Federation:**

- Federal Law No 162-FZ passed on 8<sup>th</sup> December 2003 “on the amendment of the Criminal Code of the Russian Federation”: This law provides for the further liberalization of the criminal policy concerning offenders who have committed petty crimes. For the first time in the history of Russia such a concept as torture and sanctions for it will be defined in the Criminal Code. As a result, during 2003-2005 the total number of prisoners is expected to decrease even further (approximately by 150000).
- Federal Law No 161-FZ passed on 8<sup>th</sup> December 2003 “on bringing the Code of Criminal Procedure and other legislative acts into conformity with the federal law” on the amendment of the Criminal Code of the Russian Federation”: This law provides for an extension of the rights of the prisoners to receive psychological and legal aid and to leave the premises of the penitentiary institutions; it also shortens the terms that they have to serve before they can be transferred from correctional colonies of various security types to settlement colonies.
- High security prisons for women are being abolished. The same bill provides for the conversion of areas within correctional institutions for juveniles into minimum-security prisons for those who turn 18 while they are serving their sentence.

**San Marino:** Under the Criminal Code (Art. 99), any person serving a punishment of at least six months imprisonment in San Marino may be transferred to a “foreign penal institution”, if the competent judge so decides and if there is a relevant international agreement. These prisoners are not included in San Marino statistics.

**Sweden:** Data relate to 1<sup>st</sup> October 2003 instead of 1<sup>st</sup> September 2003.

**Switzerland:** All institutions holding persons deprived of their liberty are, in principle, included. Police stations in cantons where custody may last for more than 24 hours are also included if the detention institutions in the cantons in question are subject to the police and justice department. Institutions where persons are committed on account of mental disorder or alcohol or drug dependence are not necessarily

included. There are no national statistics on minors in the care of cantonal education departments, hence, they are not included; however, those committed to the aforementioned detention institutions have been counted.

**“The former Yugoslav Republic of Macedonia”:**

- Amnesty: 45 prisoners released.
- Collective Pardon: 15 prisoners released.
- Individual pardon: 4 prisoners released.
- Conditional release (pardon): 422 prisoners released.
- Released by a court decision: 369 prisoners released.

**Turkey:** From 6<sup>th</sup> August 2003 to 11<sup>th</sup> December 2003, 2,464 prisoners who were accused or convicted of terror crimes applied on the grounds of the Law “Reintegration into Society” (Repentance Law) No 4959, which came into force in 2003. In accordance with that law, 958 prisoners were released.

**Ukraine:** According to a law “on Amnesty” passed on 11<sup>th</sup> July 2003, 5032 prisoners were released.

**United Kingdom – England and Wales:** The extension of the Home Detention Curfew Scheme has enabled the early release of prisoners, using electronic tagging to restrict their movement.

**United Kingdom – Scotland:** Changes in Criminal Justice (Scotland) Act 2003 on sentencing issues include (a) clarification of license periods, and (b) consecutive life sentences. Nevertheless, these changes have so far had very little impact on the number of prisoners.

**Table 1 Situation of penal institutions on 1<sup>st</sup> September 2003**

Reference: Council of Europe, SPACE 2003.1

	Country population (in thousands)	Total number of prisoners (including pre-trial detainees)	Prison population rate per 100,000 inhabitants	Capacity of penal institutions	Prison density per 100 places
Albania	3401,2	...	...	...	...
Andorra	67,2	61	90,8	85	71,8
Armenia	3210,0	3429	106,8	4720	72,6
Austria	8067,3	7816	96,9	8022	97,4
Azerbaijan	8202,5	16345	199,3	24670	66,3
Belgium	10355,8	8688	83,9	8090	107,4
BH: Federation BH	2600,0	1265	48,7	1506	84,0
BH: Rep. Srpska	1400,0	892	63,7	960	92,9
Bulgaria	7845,8	10056	128,2	6306	159,5
Croatia	4442,2	2594	58,4	3069	84,5
Cyprus	802,5	355	(44,2)	227	156,4
Czech Republic	10203,3	17053	167,1	15707	108,6
Denmark	5383,5	3577	66,4	3743	95,6
Estonia	1356,0	4797	353,8	(5220)	(91,9)
Finland	5206,3	3437	66,0	3420	100,5
France	61700,0	57440	93,1	48590	118,2
Georgia	4342,6	6406	147,5	10195	62,8
Germany	82536,7	79567	96,4	78099	101,9
Greece	10564,7	8555	81,0	5584	153,2
Hungary	10142,4	17012	167,7	11299	150,6
Iceland	288,5	112	38,8	137	81,8
Ireland	3963,6	2986	75,3	3313	90,1
Italy	56305,6	57238	101,7	42641	134,2
Latvia	2331,5	8135	348,9	8996	90,4
Liechtenstein	33,9	18	53,1	(22)	(54,5)
Lithuania	3462,6	9958	287,6	9718	102,5
Luxembourg	448,3	498	111,1	778	64,0
Malta	386,9	278	71,9	444	62,6
Moldova	3618,3	10729	296,5	12105	88,6
Netherlands	16192,6	18242	112,7	19205	95,0
Norway	4552,3	2914	64,0	2965	98,3
Poland	38218,5	80692	211,1	(69079)	(116,8)
Portugal	10407,5	14232	136,7	12109	117,5
Romania	21772,8	45337	208,2	36918	122,8
Russian Fed.	143097,0	860640	601,4	954323	90,2
San Marino	28,8	(0)	...	(15)	...
SM: Montenegro	700,0	734	104,9	670	109,6
SM: Serbia	10000,0	7487	74,9	10184	73,5
Slovak Republic	5379,2	8829	164,1	9546	92,5
Slovenia	1995,0	1099	55,1	1067	103,0
Spain	40683,0	55244	135,8	48420	114,1
Sweden	8940,8	6755	75,6	6317	106,9
Switzerland	7317,9	5266	72,0	6513	80,9
"The former Yugoslav Republic of Macedonia"	2038,7	1598	78,4	2225	71,8
Turkey	69629,9	64051	92,0	70320	91,1
Ukraine	48003,5	198386	413,3	220387	90,0
UK: England and Wales	52480,5	72992	139,1	76450	95,5
UK: Northern Ireland	1696,6	1185	69,8	1798	65,9
UK: Scotland	5054,8	6642	131,4	6843	97,1
<i>Mean</i>			138,0		97,4
<i>Median</i>			96,9		95,0
<i>Minimum</i>			38,8		54,5
<i>Maximum</i>			601,4		159,5

**Notes - Table 1**

**Bosnia and Herzegovina:** Demographic data are estimates.

**Cyprus:** Demographic data refer to the whole island, but prison population figures do not include prisoners held in the northern part of the island, which is not under control of the authorities of the Republic of Cyprus. Therefore, the prison population rate per 100000 population is underestimated.

**Estonia:** Data on capacity of penal institutions relate to 1<sup>st</sup> September 2002 (Source: SPACE I, 2002).

**France:** All data included in SPACE refer to the European territory of France (known as the *Métropole*) and the French overseas territories (Guadeloupe, Martinique, Guyana and Reunion, known as DOM or *Départements d'Outre-mer*). Demographic data are estimates by the *Institut National de la Statistique*, INSEE ([http://www.insee.fr/fr/ffc/pop\\_age.htm](http://www.insee.fr/fr/ffc/pop_age.htm)), and relate to 1<sup>st</sup> January 2004.

**Germany:** Data relate to 31<sup>st</sup> March 2003 instead of 1<sup>st</sup> September 2003.

**Greece:** Demographic data relate to 1<sup>st</sup> January 2001.

**Italy:**

- Data include 487 juvenile prisoners and 718 places in juvenile prisons, which used to be presented in a separate appendix in previous editions of SPACE I (see general notes).
- Demographic data relate to 1<sup>st</sup> January 2002.

**Liechtenstein:** There is one prison with capacity for 22 prisoners in Liechtenstein but, according to a treaty between Liechtenstein and Austria, long-term prisoners usually serve their sentences in Austrian penal institutions. As 6 of the 18 prisoners of Liechtenstein serve their prison sentences in Austria, the prison density is calculated on the basis of 12 prisoners for a total capacity of 22.

**Netherlands:**

- Data on the number of prisoners and prison capacity include data for TBS clinics, institutions for juvenile delinquents, and institutions for drug smugglers.

<i>Total</i>	<i>Of which</i>
Total number of prisoners (including pre-trial detainees): 18242	14025 in penal institutions 2175 in institutions for juvenile offenders 1308 in TBS clinics 734 in institutions for drug smugglers.
Total capacity of penal institutions: 19205	14352 in penal institutions 2290 in institutions for juvenile offenders 1298 in TBS clinics 1265 in institutions for drug smugglers

- A TBS clinic is a hospital/clinic for the treatment of criminals who have committed very serious crimes but are considered mentally ill. Possible translations of this concept into English include: Forensic Psychiatric Hospital, Custodial Clinic, or Placement under a Hospital Order.
- Institutions for drug smugglers: These are special penal institutions for drugs-smugglers who have been convicted of carrying small amounts of drugs. Persons with a long prison sentence serve their time in regular penal institutions.

**Poland:** Data on capacity of penal institutions relate to 1<sup>st</sup> September 2002 (Source: SPACE I, 2002).

**Portugal:**

- Provisional data.
- The total number of prisoners includes 172 people with psychiatric troubles placed in psychiatric institutions outside prison.



**San Marino:** Under the Criminal Code (Art. 99), a person serving a punishment of at least six months imprisonment in San Marino may be transferred to a “foreign penal institution”, if the competent judge so decides and if there is a relevant international agreement. These prisoners are not included in the San Marino statistics.

**Serbia and Montenegro:** Demographic data are estimates.

**Sweden:**

- Data relate to 1<sup>st</sup> October 2003 instead of 1<sup>st</sup> September 2003.
- The total number of prisoners includes prisoners in remand prisons. It also includes persons serving their sentence outside prison in institutions for the treatment of drug addicts, hospitalised prisoners and escapees.

**Switzerland:** Total capacity of penal institutions includes custody in police stations for more than 24 hours (see General Notes).

**“The former Yugoslav Republic of Macedonia”:** Demographic data relate to 1<sup>st</sup> January 2002.

**United Kingdom:** Demographic data for England and Wales, Northern Ireland and Scotland are estimates from National Statistics Online (<http://www.statistics.gov.uk/cci/nugget.asp?id=6>) and relate to mid-2002.

**Table 1.2** Situation of penal institutions on 1<sup>st</sup> September 2003 by decreasing prison population rates

Reference: Council of Europe, SPACE 2003.1.2

	Total number of prisoners (including pre-trial detainees)	Prison population rate per 100,000 inhabitants ( <i>detention rate</i> )
Russian Fed.	860640	601,4
Ukraine	198386	413,3
Estonia	4797	353,8
Latvia	8135	348,9
Moldova	10729	296,5
Lithuania	9958	287,6
Poland	80692	211,1
Romania	45337	208,2
Azerbaijan	16345	199,3
Hungary	17012	167,7
Czech Republic	17053	167,1
Slovak Republic	8829	164,1
Georgia	6406	147,5
UK: England and Wales	72992	139,1
Portugal	14232	136,7
Spain	55244	135,8
UK: Scotland	6642	131,4
Bulgaria	10056	128,2
Netherlands	18242	112,7
Luxembourg	498	111,1
Armenia	3429	106,8
SM: Montenegro	734	104,9
Italy	57238	101,7
Austria	7816	96,9
Germany	79567	96,4
France	57440	93,1
Turkey	64051	92,0
Andorra	61	90,8
Belgium	8688	83,9
Greece	8555	81,0
"The former Yugoslav Republic of Macedonia"	1598	78,4
Sweden	6755	75,6
Ireland	2986	75,3
SM: Serbia	7487	74,9
Switzerland	5266	72,0
Malta	278	71,9
UK: Northern Ireland	1185	69,8
Denmark	3577	66,4
Finland	3437	66,0
Norway	2914	64,0
BH: Rep. Srpska	892	63,7
Croatia	2594	58,4
Slovenia	1099	55,1
Liechtenstein	18	53,1
BH: Federation BH	1265	48,7
Cyprus	355	(44,2)
Iceland	112	38,8
San Marino	(0)	...
Albania	...	...

**Table 1.3 Evolution of prison populations between 1999 and 2003**

(a) Total number of prisoners (including pre-trial detainees) on 1<sup>st</sup> September of each year (source: SPACE)

(b) Prison population rate per 100000 inhabitants on 1<sup>st</sup> September of each year (source: SPACE)

% Change 1999-2003= Evolution (in percentage) of prison population rates between 1999 and 2003

% Change 2002-2003= Evolution (in percentage) of prison population rates between 2002 and 2003

Reference: Council of Europe, SPACE 2003.1.2

	1999	1999	2000	2000	2001	2001	2002	2002	2003	2003	% change 1999-2003	% change 2002-2003
	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)		
Albania	1112	33	1467	43,5	1635	48,1	1785	52,5	...	...	...	...
Andorra					48	72,5	55	82,9	61	90,8	...	9,5
Armenia					4213	111	5624	148	3429	106,8	...	-27,8
Austria	6877	85,1	6896	83,1	6915	85,1	7511	92,3	7816	96,9	13,9	5,0
Azerbaijan							18321	225	16345	199,3	...	-11,4
Belgium	8411	82,3	8671	84,7	8764	85,4	9253	90,2	8688	83,9	1,9	-7,0
BH: Federation BH							1293	49,7	1265	48,7	...	-2,0
BH: Republika Srpska							816	58,3	892	63,7	...	9,3
Bulgaria	10787	132	9424	115	9283	114	9607	121,7	10056	128,2	-2,9	5,3
Croatia	2027	44,5	2027	44,4	2623	59,9	2584	58,2	2594	58,4	31,2	0,3
Cyprus					369	48,6	345	(45,1)	355	(44,2)	...	-2,0
Czech Republic	23060	224	22489	219	21206	207	16861	164,2	17053	167,1	-25,4	1,8
Denmark	3560	67	3279	61,5	3150	58,9	3439	64,1	3577	66,4	-0,9	3,6
Estonia	4332	300	4720	328	4789	350	4640	340,9	4797	353,8	17,9	3,8
Finland	2598	50,4	2703	52,3	3040	58,7	3466	66,7	3437	66	31,0	-1,0
France	53948	88,5	48835	80,1	47005	77,1	53463	87,6	57440	93,1	5,2	6,3
Georgia							7343	186	6406	147,5	...	-20,7
Germany	80610	98,3			78707	95,8	78506	95,2	79567	96,4	-1,9	1,3
Greece	7525	71,4	8038	76,2	8343	79	8284	78,4	8555	81	13,4	3,3
Hungary	15228	151	15821	158	17119	171	18054	177,4	17012	167,7	11,1	-5,5
Iceland	93	33,8	82	29	110	38,8	107	37,3	112	38,8	14,8	4,0
Ireland	2741	...	2887	76,4	3025	80	3028	78	2986	75,3	...	-3,5
Italy	51427	89,3	53481	92,7	55136	95,3	56200	99,8	57238	101,7	13,9	1,9
Latvia	8665	355	8555	353	8617	364	8517	363,1	8135	348,9	-1,7	-3,9
Liechtenstein							(17)	...	18	53,1	...	...
Lithuania	14207	384	8867	240	10750	291	11345	326,4	9958	287,6	-25,1	-11,9
Luxembourg	387	90,2	394	90,4	357	80,9	380	85,6	498	111,1	23,2	29,8
Malta					257	67,2	283	71,7	278	71,9	...	0,3
Moldova	10188	...	9754	...	10679	250	10532	290,4	10729	296,5	...	2,1
Netherlands	13231	84	13847	90,1	15246	95,4	16239	100,8	18242	112,7	34,2	11,8
Norway	2602	58,5	2643	59	2666	59,2	2662	58,8	2914	64	9,4	8,8
Poland	54842	141	65336	169	80004	207	80610	208,7	80692	211,1	49,7	1,1
Portugal					13500	132	13730	132,8	14232	136,7	...	2,9
Romania	51396	229	49682	221	50370	225	51476	229,5	45337	208,2	-9,1	-9,3
Russian Fed.					971496	671	919330	638,6	860640	601,4	...	-5,8
San Marino							(1)	...	(0)	...	...	...
SM: Montenegro									734	104,9	...	...
SM: Serbia									7487	74,9	...	...
Slovak Republic	6904	128	7128	297	7509	139	7849	145,9	8829	164,1	28,2	12,5
Slovenia	935	47,3	1136	57,3	1155	58	1120	56,2	1099	55,1	16,5	-2,0
Spain	45004	114	45044	114	46962	117	50994	126,2	55244	135,8	19,1	7,6
Sweden	5484	61,9	5678	64,1	6089	68,5	6506	73	6755	75,6	22,1	3,6
Switzerland	6294	88,5	6390	89,2	5160	71,6	4987	68,7	5266	72	-18,6	4,8
"The former Yugoslav Republic of Macedonia"	1238	61,4	1394	69	1413	69,9	1248	61,2	1598	78,4	27,7	28,1
Turkey	69277	108	71860	110	61336	93,2	60091	86,7	64051	92	-14,8	6,1
Ukraine					198885	406	198946	405,7	198386	413,3	...	1,9
UK: England and Wales	64529	122	65666	124	67056	126	71324	137,1	72992	139,1	14,0	1,5
UK: Northern Ireland	1262	...	980	...	877	51,6	1076	63,8	1185	69,8	...	9,4
UK: Scotland	6018	...	5855	...	...	...	6513	128,7	6642	131,4	...	2,1

Source: SPACE I, 1999 to SPACE I, 2002

**Table 1.4 Year-on-year rates of increase and decrease of prison population rates between 2002 and 2003**

Increase of more than 5%		Between -5% and +5%		Decrease of more than 5%	
Luxembourg	29,8	Austria	5,0	Hungary	-5,5
"The former Yugoslav Republic of Macedonia"	28,1	Switzerland	4,8	Russian Fed.	-5,8
Slovak Republic	12,5	Iceland	4,0	Belgium	-7,0
Netherlands	11,8	Estonia	3,8	Romania	-9,3
Andorra	9,5	Denmark	3,6	Azerbaijan	-11,4
UK: Northern Ireland	9,4	Sweden	3,6	Lithuania	-11,9
BH: Republika Srpska	9,3	Greece	3,3	Georgia	-20,7
Norway	8,8	Portugal	2,9	Armenia	-27,8
Spain	7,6	Moldova	2,1		
France	6,3	UK: Scotland	2,1		
Turkey	6,1	Italy	1,9		
Bulgaria	5,3	Ukraine	1,9		
		Czech Republic	1,8		
		UK: England and Wales	1,5		
		Germany	1,3		
		Poland	1,1		
		Croatia	0,3		
		Malta	0,3		
		Finland	-1,0		
		Slovenia	-2,0		
		Cyprus	-2,0		
		BH: Federation BH	-2,0		
		Ireland	-3,5		
		Latvia	-3,9		

**Table 2 Age structure of prison populations on 1<sup>st</sup> September 2003: median age, minors and persons between 18 and 21 years of age**

Data not collected in this enquiry (simplified version).

**Table 3 Structure of prison populations on 1<sup>st</sup> September 2003: female prisoners and foreign prisoners**

Data not collected in this enquiry (simplified version).

**Table 4 Legal status of prison populations on 1<sup>st</sup> September 2003 (numbers)**

Reference: Council of Europe, SPACE 2003.4

	(a) Untried prisoners (no court decision yet reached)	(b) Prisoners convicted but not yet sentenced	(c) Sentenced prisoners who have appealed or who are within the statutory time limit for doing so	(d) Sentenced prisoners (final sentence)	(e) Other cases
Albania	...	...	...	1702	0
Andorra	33	5	9	14	0
Armenia	581	64	141	2707	***
Austria	2193	***	...	4994	629
Azerbaijan	1053	522	190	14580	0
Belgium	2502	***	684	4748	754
BH: Federation BH	280	***	76	852	57
BH: Rep. Srpska	133	47	22	690	0
Bulgaria	350	1512	...	8194	0
Croatia	824	...	...	1553	217
Cyprus	47	***	...	...	308
Czech Republic	1525	1649	...	13744	135
Denmark	869	186	...	2495	27
Estonia	383	940	221	3253	***
Finland	500	...	...	2937	0
France	19625	***	1653	36142	20
Georgia	1794	203	485	3924	0
Germany	...	16973	...	62288	306
Greece	2439	***	...	6116	0
Hungary	3057	961	...	12730	264
Iceland	8	***	...	104	0
Ireland	432	...	...	2554	...
Italy	12082	...	9102	34850	1204
Latvia	454	1110	1003	4834	734
Liechtenstein	5	0	2	11	0
Lithuania	1136	68	366	8388	0
Luxembourg	146	***	71	247	37
Malta	92	***	...	186	***
Moldova	130	1487	997	8115	0
Netherlands	5703	...	...	5817	2505
Norway	...	643	...	2180	91
Poland	20366	...	...	60326	0
Portugal	3569	...	531	9893	239
Romania	3619	4762	...	36853	103
Russian Fed.	30794	62948	...	738454	28444
San Marino	0	0	0	0	0
SM: Montenegro	50	40	41	400	203
SM: Serbia	875	1285	245	5428	363
Slovak Republic	2923	***	...	5906	0
Slovenia	57	155	126	717	44
Spain	12267	***	...	41940	1037
Sweden	...	1401	...	5320	34
Switzerland	1741	526	...	2629	370
"The former Yugoslav Republic of Macedonia"	112	68	116	1302	***
Turkey	28321	1952	2369	31409	***
Ukraine	26071	...	9858	151883	10574
UK: England and Wales	7980	5118	...	58780	1114
UK: Northern Ireland	414	...	...	739	32
UK: Scotland	1109	131	...	5402	7

#### **Notes - Table 4**

**Armenia:** The breakdown of prisoners by legal status concerns a total of 3493 prisoners instead of the 3429 in Table 1.

**Belgium:** (e) The category "other cases" includes:

- Mentally disturbed offenders in detention
- Offenders/detainees held under section 21 of the Social Protection Act
- Vagrants/beggars placed at the government's disposal
- Foreign nationals placed at the government's disposal
- Repeat/habitual offenders placed at the government's disposal (under the Social Protection Act)
- Procurers placed at the government's disposal (under Article 280 B of the Criminal Code)

**Bosnia and Herzegovina – Federation of Bosnia and Herzegovina:** (e) Persons sentenced for minor offences.

**Czech Republic:** (e) 96 in custody pending expulsion and 39 in custody pending extradition (total: 135).

**Denmark:**

- (b) (c): It is not possible to keep these groups apart in the statistics.
- (e) Detainees under the Aliens Act.

**France:**

- (c): At appeal or pending appeal.
- (d): In cases of enforcement against the person.

**Germany:**

- Data relate to 31st March 2003 instead of 1st September 2003.
- (a) (b) (c): It is not possible to keep these groups apart in the statistics.
- (e) Prisoners in preventive detention.

Italy: (e) Internees, that is persons subject to personal security measures, held in special penal institutions.

**Latvia:** (e) Persons awaiting enforcement of their sentence: 499; persons in a remand prison in accordance with the Penal Code (Sections 16 and 20): 21; persons awaiting transport from a remand prison to prison: 78; persons in transit: 7; persons in a Prison Hospital: 129. Total: 734.

**Luxembourg:**

- The breakdown of prisoners by legal status concerns a total of 501 prisoners instead of the 498 in Table 1.
- (e) 9 minors and 28 persons in administrative detention. Total: 37.

**Netherlands:**

- The breakdown of prisoners by legal status concerns the 14025 prisoners serving their sentence in penal institutions. Prisoners in institutions caring for juvenile delinquents, institutions for drug smugglers, and TBS clinics are not included (see Notes to Table 1).
- (e) detention: 411; illegal aliens: 1355; waiting for TBS: 213; other: 326; unknown: 200. Total: 2505.

**Portugal:**

- Provisional data.
- (e): Security measures applied to prisoners with psychiatric disorders.

**Romania:** (e) Fine defaulters.

**San Marino:** Under the Criminal Code (Art. 99), a person serving a punishment of at least six months imprisonment in San Marino may be transferred to a "foreign penal institution", if the competent judge so decides and if there is a relevant international agreement. These prisoners are not included in San Marino statistics.

**Serbia and Montenegro – Serbia:** The breakdown of prisoners by legal status concerns a total of 8196 prisoners instead of the 7487 in Table 1.

**Spain:** (e) Security measures and weekend imprisonment.

**Sweden:**

- (a) (b) (c): It is not possible to keep these groups apart in the statistics.
- (e) Include prisoners who are drug addicts, illegal immigrants awaiting deportation, persons awaiting placement in psychiatric institutions and persons who have broken probation rules.

**Sweden:** Data relate to 1<sup>st</sup> October 2003 instead of 1<sup>st</sup> September 2003.

**Switzerland:** e) The *other* cases include: Confinement for purposes of assistance within the meaning of Articles 314a and 397 of the Civil Code, prisoners awaiting transfer or movement, military arrest, and detention of minors on grounds of safety.

**United Kingdom – England and Wales:** (e) Civil prisoners.

**United Kingdom – Northern Ireland:** (e) 14 fine defaulters and 18 immigration detainees. Total: 32.

**United Kingdom – Scotland:**

- The breakdown of prisoners by legal status concerns a total of 6649 prisoners instead of the 6642 in Table 1 (i.e. without the 7 cases counted under [e] "other cases").
- (e) 3 prisoners with an invalid or missing sentence (due to the provisional nature of the data this will be corrected as part of our data clearing procedures) and 4 cases that include persons awaiting deportation, civil prisoners, and persons subject a court martial. Total: 7.



**Table 5 Legal status of prison populations on 1<sup>st</sup> September 2003 (percentages and rates)**

Reference: Council of Europe, SPACE 2003.5

	(a) Percentage of prisoners not serving a final sentence	(b) Rate of prisoners not serving a final sentence per 100,000 inhabitants	(c) Percentage of untried prisoners (no court decision yet reached)	(d) Rate of untried prisoners (no court decision yet reached) per 100,000 inhabitants
Albania	...	...	...	...
Andorra	77,0	69,9	54,1	49,1
Armenia	22,5	24,5	16,6	18,1
Austria	...	...	28,1	27,2
Azerbaijan	10,8	21,5	6,4	12,8
Belgium	45,3	38,0	28,8	24,2
BH: Federation BH	32,6	15,9	22,1	10,8
BH: Rep. Srpska	22,6	14,4	14,9	9,5
Bulgaria	...	...	3,5	4,5
Croatia	...	...	(31,8)	(18,5)
Cyprus	...	...	13,2	5,9
Czech Republic	...	...	8,9	14,9
Denmark	30,2	20,1	24,3	16,1
Estonia	32,2	113,9	8,0	28,2
Finland	...	...	(14,5)	(9,6)
France	37,1	34,5	34,2	31,8
Georgia	38,7	57,2	28,0	41,3
Germany	21,7	20,9	...	...
Greece	...	...	28,5	23,1
Hungary	...	...	18,0	30,1
Iceland	...	...	7,1	2,8
Ireland	...	...	(14,5)	(10,9)
Italy	39,1	39,8	(21,1)	(21,5)
Latvia	40,6	141,6	5,6	19,5
Liechtenstein	38,9	20,6	27,8	14,7
Lithuania	15,8	45,3	11,4	32,8
Luxembourg	50,7	56,7	29,1	32,6
Malta	...	...	33,1	23,8
Moldova	24,4	72,2	1,2	3,6
Netherlands	...	...	(40,7)	(35,2)
Norway	25,2	16,1	...	...
Poland	...	...	(25,2)	(53,3)
Portugal	30,5	41,7	(25,1)	(34,3)
Romania	...	...	8,0	16,6
Russian Fed.	...	...	3,6	21,5
San Marino	...	...	...	...
SM: Montenegro	45,5	47,7	6,8	7,1
SM: Serbia	33,8	27,7	10,7	8,8
Slovak Republic	...	...	33,1	54,3
Slovenia	34,8	19,1	5,2	2,9
Spain	...	...	22,2	30,2
Sweden	21,2	16,1	...	...
Switzerland	...	...	33,1	23,8
"The former Yugoslav Republic of Macedonia"	18,5	14,5	7,0	5,5
Turkey	51,0	46,9	44,2	40,7
Ukraine	23,4	96,9	(13,1)	(54,3)
UK: England and Wales	...	...	10,9	15,2
UK: Northern Ireland	...	...	(34,9)	(24,4)
UK: Scotland	...	...	16,7	21,9
<i>Mean</i>	33,2	43,6	19,9	22,5
<i>Median</i>	32,4	36,3	17,3	21,5
<i>Minimum</i>	10,8	14,4	1,2	2,8
<i>Maximum</i>	77,0	141,6	54,1	54,3

**Notes - Table 5**

- See Notes on Table 4.
- **Croatia, Finland, Ireland, Italy, Netherlands, Poland, Portugal, Ukraine, United Kingdom - Northern Ireland:** See below (Reminder, point 2).

**REMINDER**

- 1) In **Table 4**, when no data has been made available under heading (c) "***sentenced prisoners who have appealed or who are within the statutory time limit for doing so***" and no further information has been provided, it is assumed that prisoners in that situation are included among those under heading (d) "***sentenced prisoners (final sentence)***". In that case, neither rate (a) "***percentage of prisoners not serving a final sentence***" nor rate (b) "***prisoners not serving a final sentence per 100,000 inhabitants***" of **Table 5** can be calculated.
- 2) In **Table 4**, when no data has been made available under heading (b) "***prisoners convicted but not yet sentenced***" and no further information has been provided, it cannot be excluded that prisoners in that situation are included among those under heading (a) "***untried prisoners (not yet convicted)***". In that case, rate (c) "***proportion of untried prisoners (not yet convicted), as a percentage***" and rate (d) "***untried prisoners (not yet convicted) per 100,000 inhabitants***" of **Table 5** **are presented between brackets and must be used with caution.**

**Table 6 Breakdown of sentenced prisoners (final sentence) by main offence on 1<sup>st</sup> September 2003 (numbers)**

Reference: Council of Europe, SPACE 2003.6

	Homicide	Assault	Rape	Robbery	Other types of theft	Drug offences	Other offences
Albania	832	23	63	376	82	179	146
Andorra	2	2	3	1	4	2	0
Armenia	...	...	...	...	...	...	...
Austria	...	...	...	...	...	...	...
Azerbaijan	1892	1596	204	1893	1890	943	6162
Belgium	...	...	...	...	...	...	...
BH: Federation BH	312	224	86	22	85	46	77
BH: Rep. Srpska	290	16	28	113	108	27	108
Bulgaria	973	95	336	854	3494	155	2287
Croatia	523	38	96	122	251	196	327
Cyprus	12	54	17	4	84	43	94
Czech Republic	1211	1104	351	2198	6239	605	2036
Denmark	150	615	50	420	420	470	370
Estonia	708	297	150	750	1925	240	1032
Finland	555	481	59	225	502	496	661
France	3451	6051	8405	3364	3224	4841	6806
Georgia	786	285	55	809	577	300	1112
Germany	4534	5973	2603	4942	13833	9014	21389
Greece	...	...	...	...	...	2328	3788
Hungary	1440	917	387	2402	3954	260	3370
Iceland	11	12	3	2	17	26	33
Ireland	201	56	231	313	286	501	966
Italy	5819	105	1175	4792	1779	13158	8022
Latvia	625	474	160	1034	1560	376	605
Liechtenstein	0	0	0	3	2	1	5
Lithuania	1461	233	438	2472	2703	294	1221
Luxembourg	22	15	33	28	55	41	53
Malta	22	2	9	35	14	59	45
Moldova	1465	468	409	908	3553	285	768
Netherlands	1082	388	196	958	1160	1589	444
Norway	173	299	104	153	429	846	910
Poland	...	...	...	...	...	...	...
Portugal	1098	178	346	1454	1840	4106	871
Romania	6963	342	2187	6298	15766	368	4929
Russian Fed.	104992	169533	23393	65207	228585	70038	70258
San Marino	0	0	0	0	0	0	0
SM: Montenegro	118	2	15	2	60	114	89
SM: Serbia	1069	276	265	906	1382	400	1112
Slovak Republic	601	804	347	1390	3529	225	
Slovenia	92	37	84	91	124	67	222
Spain	2149	1245	2107	19110	1966	12587	2776
Sweden	417	702	158	513	695	1198	1637
Switzerland	...	...	...	...	...	...	...
"The former Yugoslav Republic of Macedonia"	172	19	35	110	478	228	260
Turkey	4153	1338	2308	2590	4418	2900	13702
Ukraine	19774	15667	3774	12394	52689	...	47585
UK: England and Wales	12871		5520	8181	13381	10007	8038
UK: Northern Ireland	157	84	42	102	73	49	232
UK: Scotland	678	846	152	573	763	859	1531

### **Notes - Table 6**

**Albania:** The breakdown of sentenced prisoners by main offence concerns a total of 1701 sentenced prisoners instead of the 1702 under heading (d) of Table 4.

**Estonia:** The breakdown of sentenced prisoners by main offence concerns a total of 5102 sentenced prisoners instead of the 3253 under heading (d) of Table 4. The reason is that the statistical system does not allow for the breakdown of prisoners by *main* offence; therefore each prisoner is counted once for each offence in respect of which s/he has been sentenced (i.e. the counting unit is the *offence*, not the *person*).

**Finland:** The breakdown of sentenced prisoners by main offence concerns a total of 2979 sentenced prisoners instead of the 2937 under heading (d) of Table 4.

**France:** "Rape" includes rape and indecent assault.

**Germany:** Data relate to 31<sup>st</sup> March 2003 instead of 1<sup>st</sup> September 2003.

**Liechtenstein:** The five prisoners included under the heading "other" have been sentenced for fraud.

**Lithuania:** The breakdown of sentenced prisoners by main offence concerns a total of 8822 sentenced prisoners instead of the 8388 under heading (d) of Table 4 (i.e. it includes prisoners under headings (b), (c) and (d) of Table 4).

**Moldova:** The breakdown of sentenced prisoners by main offence concerns a total of 7856 sentenced prisoners instead of the 8115 under heading (d) of Table 4. The reason is that prisoners in transit are not included.

**Portugal:** Provisional data.

**San Marino:** Under the Criminal Code (Art. 99), a person serving a punishment of at least six months imprisonment in San Marino may be transferred to a "foreign penal institution", if the competent judge so decides and if there is a relevant international agreement. These prisoners are not included in San Marino statistics.

**Serbia and Montenegro – Serbia:** The breakdown of sentenced prisoners by main offence concerns a total of 5410 sentenced prisoners instead of the 5428 under heading (d) of Table 4.

**Slovak Republic:** The breakdown of sentenced prisoners by main offence concerns a total of 6896 sentenced prisoners instead of the 5906 under heading (d) of Table 4. The reason is that the statistical system does not allow the breakdown of prisoners by *main* offence; therefore each prisoner is counted once for each offence in respect of which s/he has been sentenced (i.e. the counting unit is the *offence*, not the *person*).

**Spain:** Figures for robbery are quite high because, according to the Penal Code, theft with violence (i.e. robbery according to other legislations) includes all kinds of burglary.

**Sweden:** Data relate to 1<sup>st</sup> October 2003 instead of 1<sup>st</sup> September 2003.

#### **United Kingdom – England and Wales:**

- The breakdown of sentenced prisoners by main offence concerns a total of 57998 sentenced prisoners instead of the 58780 under heading (d) of Table 4. The reason is that in 782 cases the type of offence was not recorded.
- "Homicide and assault": Figures under these headings belong in fact to the category "Violence against the person".
- "Rape": Figures under this heading belong in fact to the category "Sexual offences".
- "Other types of theft" include 4629 prisoners sentenced for theft and handling and 8752 for burglary. Total: 13381.
- "Other offences" include 1000 prisoners sentenced for fraud and forgery, 2757 for monitoring offences, 4238 for other cases, and 43 fine defaulters. Total: 8038.

**United Kingdom – Scotland:** Rape includes completed rape and attempted rape.

**Table 7 Breakdown of sentenced prisoners (final sentence) by main offence on 1st September 2003 (percentages)**

Reference: Council of Europe, SPACE 2003.7

	Homicide	Assault	Rape	Robbery	Other types of theft	Drug offences	Other offences
Albania	48,9	1,4	3,7	22,1	4,8	10,5	8,6
Andorra	14,3	14,3	21,4	7,1	28,6	14,3	0,0
Armenia	...	...	...	...	...	...	...
Austria	...	...	...	...	...	...	...
Azerbaijan	13,0	10,9	1,4	13,0	13,0	6,5	42,3
Belgium	...	...	...	...	...	...	...
BH: Federation BH	36,6	26,3	10,1	2,6	10,0	5,4	9,0
BH: Rep. Srpska	42,0	2,3	4,1	16,4	15,7	3,9	15,7
Bulgaria	11,9	1,2	4,1	10,4	42,6	1,9	27,9
Croatia	33,7	2,4	6,2	7,9	16,2	12,6	21,1
Cyprus	3,9	17,5	5,5	1,3	27,3	14,0	30,5
Czech Republic	8,8	8,0	2,6	16,0	45,4	4,4	14,8
Denmark	6,0	24,6	2,0	16,8	16,8	18,8	14,8
Estonia	13,9	5,8	2,9	14,7	37,7	4,7	20,2
Finland	18,6	16,1	2,0	7,6	16,9	16,6	22,2
France	9,5	16,7	23,3	9,3	8,9	13,4	18,8
Georgia	20,0	7,3	1,4	20,6	14,7	7,6	28,3
Germany	7,3	9,6	4,2	7,9	22,2	14,5	34,3
Greece	...	...	...	...	...	38,1	61,9
Hungary	11,3	7,2	3,0	18,9	31,1	2,0	26,5
Iceland	10,6	11,5	2,9	1,9	16,3	25,0	31,7
Ireland	7,9	2,2	9,0	12,3	11,2	19,6	37,8
Italy	16,7	0,3	3,4	13,8	5,1	37,8	23,0
Latvia	12,9	9,8	3,3	21,4	32,3	7,8	12,5
Liechtenstein	0,0	0,0	0,0	27,3	18,2	9,1	45,5
Lithuania	16,6	2,6	5,0	28,0	30,6	3,3	13,8
Luxembourg	8,9	6,1	13,4	11,3	22,3	16,6	21,5
Malta	11,8	1,1	4,8	18,8	7,5	31,7	24,2
Moldova	18,6	6,0	5,2	11,6	45,2	3,6	9,8
Netherlands	18,6	6,7	3,4	16,5	19,9	27,3	7,6
Norway	5,9	10,3	3,6	5,3	14,7	29,0	31,2
Poland	...	...	...	...	...	...	...
Portugal	11,1	1,8	3,5	14,7	18,6	41,5	8,8
Romania	18,9	0,9	5,9	17,1	42,8	1,0	13,4
Russian Fed.	14,3	23,2	3,2	8,9	31,2	9,6	9,6
San Marino	...	...	...	...	...	...	...
SM: Montenegro	29,5	0,5	3,8	0,5	15,0	28,5	22,3
SM: Serbia	19,8	5,1	4,9	16,7	25,5	7,4	20,6
Slovak Republic	8,7	11,7	5,0	20,2	51,2	3,3	0,0
Slovenia	12,8	5,2	11,7	12,7	17,3	9,3	31,0
Spain	5,1	3,0	5,0	45,6	4,7	30,0	6,6
Sweden	7,8	13,2	3,0	9,6	13,1	22,5	30,8
Switzerland	...	...	...	...	...	...	...
"The former Yugoslav Republic of Macedonia"	13,2	1,5	2,7	8,4	36,7	17,5	20,0
Turkey	13,2	4,3	7,3	8,2	14,1	9,2	43,6
Ukraine	13,0	10,3	2,5	8,2	34,7	...	31,3
UK: England and Wales	22,2		9,5	14,1	23,1	17,3	13,9
UK: Northern Ireland	21,2	11,4	5,7	13,8	9,9	6,6	31,4
UK: Scotland	12,6	15,7	2,8	10,6	14,1	15,9	28,3
Mean	15,4	8,2	5,4	13,6	22,1	14,8	22,5
Median	13,0	6,7	3,9	12,8	17,7	13,0	21,5
Minimum	0,0	0,0	0,0	0,5	4,7	1,0	0,0
Maximum	48,9	26,3	23,3	45,6	51,2	41,5	61,9

**Notes - Table 7:** See Notes on Table 6

**Table 8 Breakdown of sentenced prisoners (final sentence) by length of sentence on 1<sup>st</sup> September 2003 (numbers)**

Reference: Council of Europe, SPACE 2003.8

	(a) less than 1 month	(b) 1 month to less than 3 months	(c) 3 months to less than 6 months	(d) 6 months to less than 1 year	(e) 1 year to less than 3 years	(f) 3 years to less than 5 years	(g) 5 years to less than 10 years	(h) 10 years to less than 20 years	(i) 20 years and over	(j) Life imprison ment	(k) Death sentence d prisoners
Albania	0	0	0	17	42	304	808	455	0	76	***
Andorra	0	0	0	1	4	4	3	2	0	0	***
Armenia	0	0	0	60	520	714	896	473	0	44	***
Austria	44	209	317	633	1816	835	592	363	38	147	***
Azerbaijan	***	***	51	104	2077	4151	5520	2490	0	187	***
Belgium	1	0	9	167	700	1280	1519	...	...	224	***
BH: Federation BH	16	46	86	93	156	125	172	151	7	***	***
BH: Rep. Srpska	6	7	33	57	155	104	132	168	28	***	***
Bulgaria	5	3	479	735	2863	1662	917	1024	148	82	***
Croatia	10	6	57	134	432	253	338	269	54	***	***
Cyprus	...	...	...	...	...	...	...	...	...	12	***
Czech Republic	4	121	535	1546	5101	2306	2608	1375	123	25	***
Denmark	...	...	...	...	...	...	...	...	***	...	***
Estonia	2	19	105	252	919	547	965	399	13	32	***
Finland	48	272	346	535	1770				***	88	***
France	3537			5969	8979	4122	4955	6777	1246	557	***
Georgia	***	1409	909	***	***	***	1460	894	234	18	***
Germany	797	4760	7766	13112	12226	15598	5211	1044	***	1774	***
Greece	205			319	1105		1608	2096		624	1
Hungary	12	92	265	1704	4491	2359	2697	906	0	202	***
Iceland	0	9	14	15	39	6	11	9	1	0	***
Ireland	30	49	97	244	605	545	597	162	13	212	***
Italy	137	179	752	2087	7688	7512	8459	4859	2133	1044	***
Latvia	7	1	24	208	1374	1265	1506	432	***	17	***
Liechtenstein	0	0	0	1	5	2	3	0	0	0	***
Lithuania	0	31	206	464	2733	2083	2297	917	5	86	***
Luxembourg	2	0	8	27	78	26	42	40	12	12	***
Malta	3	3	3	11	47	27	42	36	9	5	***
Moldova	***	***	...	...	513	1442	3782	...	...	59	***
Netherlands	238	395	558	481	2012	976	792	339	19	7	***
Norway	191	266	236	350	567	241	188	116	25	***	***
Poland	...	...	...	...	...	...	...	...	...	...	***
Portugal	35	46	87	277	1563	3848	2028	1761	247	***	***
Romania	0	108	347	1126	7586	12946	8993	4891	750	106	***
Russian Fed.	...	...	...	2250	115399	228642	299487	82488	2623	1117	***
San Marino	0	0	0	0	0	0	0	0	0	0	***
SM: Montenegro	11	15	15	72	64	65	65	93	0	0	***
SM: Serbia	77	330	531	689	1382	530	820	671	63	...	***
Slovak Republic	264			1077	2131	808	1043	567		16	***
Slovenia	3	8	57	80	224	137	144	59	5	***	***
Spain	...	...	...	...	...	...	...	...	...	...	***
Sweden	15	248	431	834	1749	807	813	289	9	119	***
Switzerland	...	...	...	...	...	...	...	...	...	...	***
"The former Yugoslav Republic of Macedonia"	2	4	50	223	459	214	205	137	***	8	***
Turkey	1198	985	1009	1558	5741	3772	5084	7625	2516	1921	***
Ukraine	***	***	***	2380	34496	52511	48553	13228	715	881	(***)
UK: England and Wales	4269			3725	12249	28750		4316		5428	***
UK: Northern Ireland	0	3	22	62	195	126	135	77	7	112	***
UK: Scotland	79	81	412	579	1044	840	1217	241	5	593	***

### **Notes - Table 8**

**Belgium:** The breakdown of sentenced prisoners by the length of the sentence concerns a total of 3900 sentenced prisoners instead of the 4748 under heading (d) of Table 4 because the computerised SIDIS detention system does not use the same categories as those in SPACE. Therefore, to reach the total of 4748 prisoners, the following categories of offenders (representing a total of 848 persons) must be added to those included in the Table:

- Persons sentenced to a correctional term of imprisonment of more than 10 years and up to 15 years: 318.
- Persons sentenced to a correctional term of imprisonment of more than 15 years: 177.
- Persons sentenced to a correctional term of imprisonment of more than 5 years: 1 (a category no longer used but which still applies to one prisoner).
- Offenders serving a fixed term criminal sentence: 352.

With regard to the latter point, the criminal code provides for three types of sentence:

1. Criminal imprisonment, which may be for life or for a fixed term (from 5 to 30 years)
2. Correctional terms of imprisonment
3. Imprisonment for summary offences

In the prison administration system, fixed-term sentences in category 1 are not subdivided according to length, unlike sentences under 2 and 3. All fixed-term sentences are, therefore, recorded under a single heading.

As a result, in the breakdown of prisoners according to length of sentence, relatively long sentences are under-represented.

**Bulgaria:** Data relate to 1<sup>st</sup> November 2003. As a consequence, the breakdown of sentenced prisoners by length of sentence concerns a total of 7918 sentenced prisoners instead of the 8194 under heading (d) of Table 4.

#### **Finland:**

- The breakdown of sentenced prisoners by the length of the sentence concerns a total of 3059 sentenced prisoners instead of the 2937 under heading (d) of Table 4.
- The 1770 prisoners in the category "more than one year" are broken down as follows:
  - 1 year to less than 2 years: 658
  - 2 years to less than 4 years: 577
  - 4 years to less than 8 years: 394
  - 8 years and over: 141

**Georgia:** The breakdown of sentenced prisoners by the length of the sentence concerns a total of 4924 sentenced prisoners instead of the 3924 under heading (d) of Table 4.

#### **Germany:**

- Data relate to 31<sup>st</sup> March 2003 instead of 1<sup>st</sup> September 2003.
- There are differences in the lower and upper limits of categories (d), (e), (f), (g) and (h). These are the limits that have been used:
  - (d) 6 months to one year (instead of 6 months to less than one year)
  - (e) More than 1 year to 2 years (instead of one year to less than 3 years)
  - (f) More than 2 years to 5 years (instead of 3 years to less than 5 years)
  - (g) More than 5 years to 10 years (instead of 5 years to less than 10 years)
  - (h) More than 10 years to 15 years (instead of 10 years to less than 20 years)

#### **Greece:**

- The breakdown of sentenced prisoners by the length of the sentence concerns a total of 5958 sentenced prisoners instead of the 6116 under heading (d) of Table 4 because it does not include 158 minors sentenced to penitentiary restrictions (young sentenced persons under correctional restraint).
- The 1105 prisoners in the category "1 year to less than 5 years" are broken down as follows:
  - 1 year to less than 2 years: 344
  - 2 years to less than 5 years: 761
- The 2096 prisoners in the category "10 years and more" are broken down as follows:
  - 10 years to less than 15 years: 1145
  - 15 years and more: 951



- The figure under heading (k) refers to persons sentenced to death before the abolition of capital punishment.

**Hungary:** The breakdown of sentenced prisoners by the length of the sentence concerns a total of 12728 sentenced prisoners instead of the 12730 under heading (d) of Table 4.

**Lithuania:** The breakdown of sentenced prisoners by the length of the sentence concerns a total of 8822 sentenced prisoners instead of the 8388 under heading (d) of Table 4 (i.e. it includes prisoners under headings (b), (c) and (d) of Table 4).

**Moldova:** The numbers given for sentenced prisoners by the length of their sentence do not add up to the 8115 sentenced prisoners under heading (d) of Table 4 because no data are available for some categories.

**Portugal:**

- Provisional data.
- The breakdown of sentenced prisoners by the length of the sentence concerns a total of 9892 sentenced prisoners instead of the 9893 under heading (d) of Table 4.

**Russian Federation:** The numbers given for sentenced prisoners by the length of their sentence do not add up to the 738454 sentenced prisoners under heading (d) of Table 4 because no data are available for some categories.

**San Marino:** Under the Criminal Code of the Republic of San Marino (Art. 99), a person serving a punishment of at least six months imprisonment in San Marino may be transferred to a “foreign penal institution”, if the competent judge so decides and if there is a relevant international agreement. These prisoners are not included in San Marino statistics.

**Serbia and Montenegro – Serbia:** The breakdown of sentenced prisoners by the length of the sentence concerns a total of 5093 sentenced prisoners instead of the 5428 under heading (d) of Table 4.

**Slovak Republic:** The category “10 years and more” is in fact “10 years to 25 years”.

**Spain:**

- Prisoners sentenced under the old Criminal Code (code of 1973): “less than one month” (33); “one month to less than six months” (74); “six months to less than six years” (1410); “six years to less than twelve years” (937); “twelve years to less than twenty years” (764); “twenty years to thirty years” (862). Total: 4080.
- Prisoners sentenced under the new Criminal Code (code of 1995): “six months to less than three years” (13670); “three years to less than eight years” (15918); “eight years to less than fifteen years” (6500); “fifteen to less than twenty years” (1229); “twenty years to thirty years” (543). Subtotal: 37860. Weekend arrest (419); security measures (for persons not criminally responsible) (618). Subtotal: 1037. Total: 38897.

**Sweden:**

- Data relate to 1<sup>st</sup> October 2003 instead of 1<sup>st</sup> September 2003.
- The breakdown of sentenced prisoners by the length of the sentence concerns a total of 5314 sentenced prisoners instead of the 5320 under heading (d) of Table 4 because there are 6 prisoners whose length of sentence is unknown.

**Ukraine:**

- The breakdown of sentenced prisoners by the length of the sentence concerns a total of 152764 sentenced prisoners instead of the 151883 under heading (d) of Table 4.
- There is a moratorium for prisoners sentenced to death.

**United Kingdom – England and Wales:**

- The breakdown of sentenced prisoners by the length of the sentence concerns a total of 58737 sentenced prisoners instead of the 58780 under heading (d) of Table 4 because no breakdown is available for the 43 fine defaulters included in the total number of sentenced prisoners.

- The 28750 prisoners in the category “3 years to less than 10 years” are broken down as follows:
  - 3 years to less than 4 years: 8397
  - 4 years to less than 10 years: 20353
- The category “10 years and more” is in fact “10 years to less than life imprisonment”.

**United Kingdom – Scotland:** The breakdown of sentenced prisoners by the length of the sentence concerns a total of 5091 sentenced prisoners instead of the 5402 under heading (d) of Table 4.

**Table 9 Breakdown of sentenced prisoners (final sentence) by length of sentence on 1<sup>st</sup> September 2003 (percentages)**

Reference: Council of Europe, SPACE 2003.9

	(a) less than 1 month	(b) 1 month to less than 3 months	(c) 3 months to less than 6 months	(d) 6 months to less than 1 year	(e) 1 year to less than 3 years	(f) 3 years to less than 5 years	(g) 5 years to less than 10 years	(h) 10 years to less than 20 years	(i) 20 years and over	(j) Life imprison ment	(k) Prisoners sentenc ed to death
Albania	0	0	0	1,0	2,5	17,9	47,5	26,7	0	4,5	***
Andorra	0	0	0	7,1	28,6	28,6	21,4	14,3	0	0	***
Armenia	0	0	0	2,2	19,2	26,4	33,1	17,5	0	1,6	***
Austria	0,9	4,2	6,3	12,7	36,4	16,7	11,9	7,3	0,8	2,9	***
Azerbaijan	***	***	0,3	0,7	14,2	28,5	37,9	17,1	0	1,3	***
Belgium	0,02	0	0,2	3,5	14,7	27,0	32,0	...	...	4,7	***
BH: Federation BH	1,9	5,4	10,1	10,9	18,3	14,7	20,2	17,7	0,8	***	***
BH: Rep. Srpska	0,9	1,0	4,8	8,3	22,5	15,1	19,1	24,3	4,1	***	***
Bulgaria	0,1	0,04	6,0	9,3	36,2	21,0	11,6	12,9	1,9	1,0	***
Croatia	0,6	0,4	3,7	8,6	27,8	16,3	21,8	17,3	3,5	***	***
Cyprus	...	...	...	...	...	...	...	...	...	...	***
Czech Republic	0	0,9	3,9	11,2	37,1	16,8	19,0	10,0	0,9	0,2	***
Denmark	...	...	...	...	...	...	...	...	***	...	***
Estonia	0,1	0,6	3,2	7,7	28,3	16,8	29,7	12,3	0,4	1,0	***
Finland	1,6	8,9	11,3	17,5		57,9			***	2,9	***
France		9,8		16,5	24,8	11,4	13,7	18,8	3,4	1,5	***
Georgia	***	28,6	18,5	***	***	***	29,7	18,2	4,8	0,4	***
Germany	1,3	7,6	12,5	21,1	19,6	25,0	8,4	1,7	***	2,8	***
Greece		3,4		5,4	18,5		27,0	35,2		10,5	02
Hungary	0,1	0,7	2,1	13,4	35,3	18,5	21,2	7,1	0	1,6	***
Iceland	0	8,7	13,5	14,4	37,5	5,8	10,6	8,7	1,0	0	***
Ireland	1,2	1,9	3,8	9,6	23,7	21,3	23,4	6,3	0,5	8,3	***
Italy	0,4	0,5	2,2	6,0	22,1	21,6	24,3	13,9	6,1	3,0	***
Latvia	0,1	0,02	0,5	4,3	28,4	26,2	31,2	8,9	***	0,4	***
Liechtenstein	0	0	0	9,1	45,5	18,2	27,3	0	0	0	***
Lithuania	0	0,4	2,3	5,3	31,0	23,6	26,0	10,4	0,1	1,0	***
Luxembourg	0,8	0	3,2	10,9	31,6	10,5	17,0	16,2	4,9	4,9	***
Malta	1,6	1,6	1,6	5,9	25,3	14,5	22,6	19,4	4,8	2,7	***
Moldova	***	***	...	...	6,3	17,8	46,6	...	...	0,7	***
Netherlands	4,1	6,8	9,6	8,3	34,6	16,8	13,6	5,8	0,3	0,1	***
Norway	8,8	12,2	10,8	16,1	26,0	11,1	8,6	5,3	1,1	***	***
Poland	...	...	...	...	...	...	...	...	...	...	***
Portugal	0,4	0,5	0,9	2,8	15,8	38,9	20,5	17,8	2,5	***	***
Romania	0	0,3	0,9	3,1	20,6	35,1	24,4	13,3	2,0	0,3	***
Russian Fed.	...	...	...	0,3	15,0	29,7	38,9	10,7	0,3	0,1	***
San Marino	...	...	...	...	...	...	...	...	...	...	***
SM: Montenegro	2,8	3,8	3,8	18,0	16,0	16,3	16,3	23,3	0	0	***
SM: Serbia	1,5	6,5	10,4	13,5	27,1	10,4	16,1	13,2	1,2		***
Slovak Republic		4,5		18,2	36,1	13,7	17,7	9,6		0,3	***
Slovenia	0,4	1,1	7,9	11,2	31,2	19,1	20,1	8,2	0,7	***	***
Spain	...	...	...	...	...	...	...	...	...	...	***
Sweden	0,3	4,7	8,1	15,7	32,9	15,2	15,3	5,4	0,2	2,2	***
Switzerland	...	...	...	...	...	...	...	...	...	...	***
"The former Yugoslav Republic of Macedonia"	0,2	0,3	3,8	17,1	35,3	16,4	15,7	10,5	***	0,6	***
Turkey	3,8	3,1	3,2	5,0	18,3	12,0	16,2	24,3	8,0	6,1	***
Ukraine	***	***	***	1,6	22,6	34,4	31,8	8,7	0,5	0,6	***
UK: England and Wales		7,3		6,3	20,9	48,9		7,3		9,2	***
UK: Northern Ireland	0	0,4	3,0	8,4	26,4	17,1	18,3	10,4	0,9	15,2	***
UK: Scotland	1,6	1,6	8,1	11,4	20,5	16,5	23,9	4,7	0,1	11,6	***
Mean	1,0	3,2	5,0	9,3	25,4	19,6	22,7	12,3	1,6	2,9	
Median	0,4	0,9	3,7	8,6	25,6	17,1	21,2	11,5	0,8	1,4	
Minimum	0	0	0	0,3	2,5	5,8	8,4	0	0	0	
Maximum	8,8	28,6	18,5	21,1	45,5	38,9	47,5	26,7	8,0	15,2	

**Notes - Table 9**

See Notes on Table 8.

**Belgium:** Totals do not add up to 100% because no data is available for some categories (see Notes on Table 8).

**Moldova:** Totals do not add up to 100% because no data is available for some categories (see Notes on Table 8).

**Russian Federation:** Totals do not add up to 100% because no data is available for some categories (see Notes on Table 8).

**Table 10 Breakdown of sentenced prisoners (final sentence) by length of sentence on 1<sup>st</sup> September 2003 (cumulative percentages)**

Reference: Council of Europe, SPACE 2003.10

	Less than 1 year	1 year and over (fixed-term sentence)	3 years and over (fixed-term sentence)	5 years and over (fixed-term sentence)	10 years and over (fixed-term sentence)	Total fixed-term sentences	Life imprisonment (Table 9)	Prisoners sentenced to death (Table 9)
Albania	1,0	94,5	92,1	74,2	26,7	95,5	4,5	***
Andorra	7,1	92,9	64,3	35,7	14,3	100,0	0	***
Armenia	2,2	96,2	76,9	50,6	17,5	98,4	1,6	***
Austria	24,1	73,0	36,6	19,9	8,0	97,1	2,9	***
Azerbaijan	1,1	97,7	83,4	54,9	17,1	98,7	1,3	***
Belgium	3,7	73,7	59,0	32,0	...	(77,4)	4,7	***
BH: Federation BH	28,3	71,7	53,4	38,7	18,5	100,0	***	***
BH: Rep. Srpska	14,9	85,1	62,6	47,5	28,4	100,0	***	***
Bulgaria	15,4	83,5	47,4	26,4	14,8	99,0	1,0	***
Croatia	13,3	86,7	58,9	42,6	20,8	100,0	***	***
Cyprus	...	...	...	...	...	...	...	***
Czech Republic	16,1	83,8	46,7	29,9	10,9	99,8	0,2	***
Denmark	...	...	...	...	...	...	...	***
Estonia	11,6	87,4	59,1	42,3	12,7	99,0	1,0	***
Finland	39,3	57,9	...	...	...	97,1	2,9	***
France	26,3	72,2	47,3	35,9	22,2	98,5	1,5	***
Georgia	47,1	52,6	52,6	52,6	22,9	99,6	0,4	***
Germany	42,4	54,7	35,1	10,0	1,7	97,2	2,8	***
Greece	8,8	80,7	62,2	62,2	35,2	89,5	10,5	0,02
Hungary	16,3	82,1	46,8	28,3	7,1	98,4	1,6	***
Iceland	36,5	63,5	26,0	20,2	9,6	100,0	0	***
Ireland	16,4	75,3	51,6	30,2	6,9	91,7	8,3	***
Italy	9,1	88,0	65,9	44,3	20,1	97,0	3,0	***
Latvia	5,0	94,7	66,3	40,1	8,9	99,6	0,4	***
Liechtenstein	9,1	90,9	45,5	27,3	0,0	100,0	0	***
Lithuania	7,9	91,1	60,1	36,5	10,5	99,0	1,0	***
Luxembourg	15,0	80,2	48,6	38,1	21,1	95,1	4,9	***
Malta	10,8	86,6	61,3	46,8	24,2	97,3	2,7	***
Moldova	...	70,7	64,4	46,6	...	(70,7)	0,7	***
Netherlands	28,7	71,1	36,5	19,8	6,2	99,9	0,1	***
Norway	47,8	52,2	26,1	15,1	6,5	100,0	***	***
Poland	...	...	...	...	...	...	...	***
Portugal	4,5	95,5	79,7	40,8	20,3	100,0	***	***
Romania	4,3	95,4	74,8	39,7	15,3	99,7	0,3	***
Russian Fed.	0,3	94,6	79,6	49,9	11,0	(94,9)	0,1	***
San Marino	...	...	...	...	...	...	...	***
SM: Montenegro	28,3	71,8	55,8	39,5	23,3	100,0	0	***
SM: Serbia	31,9	68,1	40,9	30,5	14,4	100,0	...	***
Slovak Republic	22,7	77,0	40,9	27,3	9,6	99,7	0,3	***
Slovenia	20,6	79,4	48,1	29,0	8,9	100,0	***	***
Spain	...	...	...	...	...	...	...	***
Sweden	28,8	69,0	36,1	20,9	5,6	97,8	2,2	***
Switzerland	...	...	...	...	...	...	...	***
"The former Yugoslav Republic of Macedonia"	21,4	78,0	42,7	26,3	10,5	99,4	0,6	***
Turkey	15,1	78,8	60,5	48,5	32,3	93,9	6,1	***
Ukraine	1,6	97,9	75,3	40,9	9,1	99,4	0,6	***
UK: England and Wales	13,6	77,1	56,3	7,3	7,3	90,8	9,2	***
UK: Northern Ireland	11,8	73,1	46,7	29,6	11,4	84,8	15,2	***
UK: Scotland	22,6	65,7	45,2	28,7	4,8	88,4	11,6	***
Mean	17,4	79,3	55,2	35,9	14,4	96,4	2,9	
Median	15,1	79,4	54,6	36,2	12,0	99,0	1,4	
Minimum	0,3	52,2	26,0	7,3	0	70,7	0	
Maximum	47,8	97,9	92,1	74,2	35,2	100,0	15,2	

**Notes - Table 10:** See Notes on Tables 8 and 9

**Table 11 Breakdown of prisoners sentenced (final sentence) to less than one year, by length of sentence on 1<sup>st</sup> September 2003 (percentages)**

Reference: Council of Europe, SPACE 2003.11

	Less than 1 month	1 month to less than 3 months	3 months to less than 6 months	6 months to less than 1 year	Total less than 1 year
Albania	0	0	0	100,0	100,0
Andorra	0	0	0	100,0	100,0
Armenia	0	0	0	100,0	100,0
Austria	3,7	17,4	26,4	52,6	100,0
Azerbaijan	***	***	32,9	67,1	100,0
Belgium	0,6	0	5,1	94,4	100,0
BH: Federation BH	6,6	19,1	35,7	38,6	100,0
BH: Rep. Srpska	5,8	6,8	32,0	55,3	100,0
Bulgaria	0,4	0,2	39,2	60,1	100,0
Croatia	4,8	2,9	27,5	64,7	100,0
Cyprus	...	...	...	...	...
Czech Republic	0,2	5,5	24,3	70,1	100,0
Denmark	...	...	...	...	...
Estonia	0,5	5,0	27,8	66,7	100,0
Finland	4,0	22,6	28,8	44,5	100,0
France		37,2		62,8	100,0
Georgia	***	60,8	39,2	***	100,0
Germany	3,0	18,0	29,4	49,6	100,0
Greece		39,1		60,9	100,0
Hungary	0,6	4,4	12,8	82,2	100,0
Iceland	0	23,7	36,8	39,5	100,0
Ireland	7,1	11,7	23,1	58,1	100,0
Italy	4,3	5,7	23,8	66,1	100,0
Latvia	2,9	0,4	10,0	86,7	100,0
Liechtenstein	0	0	0	100,0	100,0
Lithuania	0	4,4	29,4	66,2	100,0
Luxembourg	5,4	0	21,6	73,0	100,0
Malta	15,0	15,0	15,0	55,0	100,0
Moldova	***	***	...	...	...
Netherlands	14,2	23,6	33,4	28,8	100,0
Norway	18,3	25,5	22,6	33,6	100,0
Poland	...	...	...	...	...
Portugal	7,9	10,3	19,6	62,2	100,0
Romania	0	6,8	21,9	71,2	100,0
Russian Fed.	...	...	...	...	...
San Marino	...	...	...	...	...
SM: Montenegro	9,7	13,3	13,3	63,7	100,0
SM: Serbia	4,7	20,3	32,6	42,3	100,0
Slovak Republic		19,7		80,3	100,0
Slovenia	2,0	5,4	38,5	54,1	100,0
Spain	...	...	...	...	...
Sweden	1,0	16,2	28,2	54,6	100,0
Switzerland	...	...	...	...	...
"The former Yugoslav Republic of Macedonia"	0,7	1,4	17,9	79,9	100,0
Turkey	25,2	20,7	21,2	32,8	100,0
Ukraine	***	***	***	100,0	100,0
UK: England and Wales		53,4		46,6	100,0
UK: Northern Ireland	0	3,4	25,3	71,3	100,0
UK: Scotland	6,9	7,0	35,8	50,3	100,0
Mean	8,0	10,8	23,1	64,6	
Median	3,8	6,8	24,8	63,3	
Minimum	0	0	0	28,8	
Maximum	53,4	60,8	39,2	100,0	

**Notes - Table 11:** see Notes on Tables 8 and 9

**I.2 PRISON POPULATIONS**  
**Flow of entries, length of imprisonment, escapes**  
**and deaths in 2002**



**Table 12 Flow of entries to penal institutions in 2002**

Reference: Council of Europe, SPACE 2003.12

	Entries to penal institutions	Rate of entries to penal institutions per 100,000 inhabitants	Entries before final sentence	
			Number	Percentage (%)
Albania	...	...	...	...
Andorra	171	254,5	146	85,4
Armenia	(1574)	...	(2700)	...
Austria	13928	172,6	9579	68,8
Azerbaijan	...	...	...	...
Belgium	15680	151,4	10872	69,3
BH: Federation BH	6744	259,4	1654	24,5
BH: Rep. Srpska	1826	130,4	806	44,1
Bulgaria	5968	76,1	...	...
Croatia	17650	397,3	...	...
Cyprus	1254	156,3	551	43,9
Czech Republic	13787	135,1	7776	56,4
Denmark	...	...	...	...
Estonia	12541	924,9	6461	51,5
Finland	7451	143,1	1843	24,7
France	81533	132,1	58410	71,6
Georgia	7486	172,4	2169	29,0
Germany	136383	165,2	...	...
Greece	...	...	...	...
Hungary	21941	216,3	7236	33,0
Iceland	222	76,9	108	48,6
Ireland	11860	299,2	6824	57,5
Italy	82661	146,8	72774	88,0
Latvia	5175	222,0	...	...
Liechtenstein	173	510,3	...	...
Lithuania	...	...	17905	...
Luxembourg	1096	244,5	508	46,4
Malta	399	103,1	289	72,4
Moldova	...	...	...	...
Netherlands	33108	204,5	18397	55,6
Norway	11580	254,4	3988	34,4
Poland	92180	241,2	46895	50,9
Portugal	7264	69,8	6393	88,0
Romania	35300	162,1	...	...
Russian Fed.	...	...	...	...
San Marino	19	66,0	0	0
SM: Montenegro	4548	649,7	2125	46,7
SM: Serbia	15255	152,6	544	3,6
Slovak Republic	10835	201,4	2105	19,4
Slovenia	4135	207,3	918	22,2
Spain	41720	102,5	28793	69,0
Sweden	...	...	...	...
Switzerland	50777	693,9	26266	51,7
"The former Yugoslav Republic of Macedonia"	4833	237,1	1369	28,3
Turkey	107336	154,2	27655	25,8
Ukraine	42300	88,1	...	...
UK: England and Wales	147864	281,8	91525	61,9
UK: Northern Ireland	5187	305,7	2644	51,0
UK: Scotland	38461	760,9	18759	48,8
<i>Mean</i>		248,1		47,7
<i>Median</i>		187,0		48,8
<i>Minimum</i>		66,0		0
<i>Maximum</i>		924,9		88,0

**Notes - Table 12**

**Armenia:** Data seems unreliable as the number of entries to penal institutions before final sentence is higher than the total number of entries to penal institutions.

**Bosnia and Herzegovina:** Demographic data are estimates.

**France:** All data included in SPACE refer to the European territory of France (known as the *Métropole*) and the French overseas territories (Guadeloupe, Martinique, Guyane and Reunion, known as DOM or *Départements d'Outre-mer*). Demographic data are estimates by the *Institut National de la Statistique*, INSEE ([http://www.insee.fr/fr/ffc/pop\\_age.htm](http://www.insee.fr/fr/ffc/pop_age.htm)), and relate to 1<sup>st</sup> January 2004.

**Italy:** Demographic data relate to 1<sup>st</sup> January 2002.

**Serbia and Montenegro:** Demographic data are estimates.

**“The former Yugoslav Republic of Macedonia”:** Demographic data relate to 1<sup>st</sup> January 2002.

**United Kingdom:** Demographic data for England and Wales, Northern Ireland and Scotland are estimates by National Statistics Online (<http://www.statistics.gov.uk/cci/nugget.asp?id=6>) concerning mid-2002.

**United Kingdom – England and Wales:** “Number of entries before final sentence” does not include appeal data (information not available).

**Table 13 Indicator of average length of imprisonment in 2002, based on the total number of days spent in penal institutions**

Reference: Council of Europe, SPACE 2003.13

	Total number of days spent in penal institutions in 2002	Average number of prisoners in 2002	Total number of entries to penal institutions in 2002 (Table 12)	Indicator of average length of imprisonment (in months)
	a	b = a / 365	c	d = 12 (b/c)
Albania	...	...	...	...
Andorra	19364	53	171	3,7
Armenia	...	...	(1574)	...
Austria	2737154	7499	13928	6,5
Azerbaijan	...	...	...	...
Belgium	3282656	8994	15680	6,9
BH: Federation BH	36360	100	6744	0,2
BH: Rep. Srpska	233728	640	1826	4,2
Bulgaria	...	...	5968	...
Croatia	...	...	17650	...
Cyprus	(355,83)	(1)	1254	...
Czech Republic	6311945	17293	13787	15,1
Denmark	1253738,5	3435	...	...
Estonia	...	...	12541	...
Finland	1253045	3433	7451	5,5
France	19694029	53956	81533	7,9
Georgia	(365)	(1)	7486	...
Germany	...	...	136383	...
Greece	...	...	...	...
Hungary	...	...	21941	...
Iceland	37633	103	222	5,6
Ireland	1155225	3165	11860	3,2
Italy	...	...	82661	...
Latvia	...	...	5175	...
Liechtenstein	7600	21	173	1,4
Lithuania	...	...	...	...
Luxembourg	139166	381	1096	4,2
Malta	...	...	399	...
Moldova	...	...	...	...
Netherlands	4760330	13042	33108	4,7
Norway	998903	2737	11580	2,8
Poland	29707715	81391	92180	10,6
Portugal	8285	23	7264	0,4
Romania	...	...	35300	...
Russian Fed.	...	...	...	...
San Marino	205	1	19	0,4
SM: Montenegro	267910	734	4548	1,9
SM: Serbia	2020461	5536	15255	4,4
Slovak Republic	2800645	7673	10835	8,5
Slovenia	418874	1148	4135	3,3
Spain	18446005	50537	41720	14,5
Sweden	2293099	6282	...	...
Switzerland	1816025	4975	50777	1,2
"The former Yugoslav Republic of Macedonia"	290904	797	4833	2,0
Turkey	27487084	75307	107336	8,4
Ukraine	(1915)	(5)	42300	...
UK: England and Wales	...	...	147864	...
UK: Northern Ireland	...	...	5187	...
UK: Scotland	2337460	6404	38461	2,0
Mean				5,0
Median				4,2
Minimum				0,4

Maximum

15,1

**Notes - Table 13**

**General Notes:**

- The extremely low figures provided by some countries under heading (a) "*total number of days spent in penal institutions*" shows that this concept has not been understood in the same way by all respondents.
- As a consequence, the indicator of average length of imprisonment (in months) for Cyprus, Georgia and Ukraine has not been calculated.
- An alternative indicator of average length of imprisonment (in months) is provided in Table 13.1.

**Armenia:** See Notes on Table 12.

**Liechtenstein:** The total number of days spent in penal institutions in 2002 (including pre-trial detention) was 7600 of which 5068 in Liechtenstein prisons and 2532 in Austrian prisons.

**Table 13.1 Indicator of average length of imprisonment in 2002, based on the total number of prisoners on 1<sup>st</sup> September 2002**

Reference: Council of Europe, SPACE 2003.13.1

	Total number of prisoners on 1 <sup>st</sup> September 2002 (SPACE 2002)	Total number of entries to penal institutions (Table 12)	Indicator of average length of imprisonment (in months)
	a	b	c = 12 (a/b)
Albania	1785	...	...
Andorra	55	171	3,9
Armenia	5624	(1574)	...
Austria	7511	13928	6,5
Azerbaijan	18321	...	...
Belgium	9253	15680	7,1
BH: Federation BH	1293	6744	2,3
BH: Rep. Srpska	816	1826	5,4
Bulgaria	9607	5968	19,3
Croatia	2584	17650	1,8
Cyprus	345	1254	3,3
Czech Republic	16861	13787	14,7
Denmark	3439	...	...
Estonia	4640	12541	4,4
Finland	3466	7451	5,6
France	53463	81533	7,9
Georgia	7343	7486	11,8
Germany	78506	136383	6,9
Greece	8284	...	...
Hungary	18054	21941	9,9
Iceland	107	222	5,8
Ireland	3028	11860	3,1
Italy	56200	82661	8,2
Latvia	8517	5175	19,7
Liechtenstein	(17)	173	...
Lithuania	11345	...	...
Luxembourg	380	1096	4,2
Malta	283	399	8,5
Moldova	10532	...	...
Netherlands	16239	33108	5,9
Norway	2662	11580	2,8
Poland	80610	92180	10,5
Portugal	13730	7264	22,7
Romania	51476	35300	17,5
Russian Fed.	919330	...	...
San Marino	(1)	19	...
SM: Montenegro	...	4548	...
SM: Serbia	...	15255	...
Slovak Republic	7849	10835	8,7
Slovenia	1120	4135	3,3
Spain	50994	41720	14,7
Sweden	6506	...	...
Switzerland	4987	50777	1,2
"The former Yugoslav Republic of Macedonia"	1248	4833	3,1
Turkey	60091	107336	6,7
Ukraine	198946	42300	56,4
UK: England and Wales	71324	147864	5,8
UK: Northern Ireland	1076	5187	2,5
UK: Scotland	6513	38461	2,0
Mean			9,0
Median			6,2
Minimum			1,2
Maximum			56,4

**Notes - Table 13.1**

**General note:** As some countries did not provide data regarding the total number of days spent in penal institutions in 2002 –heading (a) of Table 13– and other countries provided figures that did not seem reliable (see Notes on Table 13), in Table 13.1 we have used the total number of prisoners on 1<sup>st</sup> September 2002 as an estimate of the average number of prisoners in that year (source: SPACE 2002).

**Armenia:** See Notes on Table 12.

**Liechtenstein:** In 2002, prisoners serving long-term sentences (placed in Austria) were not included in the statistics.

**San Marino:** In 2002, prisoners serving long-term sentences were not included in the statistics.

**Table 14 Escapes of prisoners in 2002**

(a) Escapes by prisoners (pre-trial detainees or convicted prisoners) from a closed penal institution or during administrative transfer (2002)

(b) Other forms of escape (from an open penal institution - agricultural colony or other - from semi-detention, or during an authorised short-term absence or leave, etc.) in 2002

Reference: Council of Europe, SPACE 2003.14

	(a) Number of escapes by prisoners	Total number of prisoners on 1 <sup>st</sup> September 2002 (SPACE 2002)	Rate of escape per 10,000 prisoners	(b) Other forms of escape
Albania	0	1785	0	0
Andorra	0	55	0	0
Armenia	1	5624	1,8	0
Austria	8	7511	10,7	319
Azerbaijan	0	18321	0	0
Belgium	117	9253	126,4	15
BH: Federation BH	2	1293	15,5	77
BH: Rep. Srpska	9	816	110,3	24
Bulgaria	18	9607	18,7	63
Croatia	12	2584	46,4	14
Cyprus	0	345	0	0
Czech Republic	1	16861	0,6	41
Denmark	48	3439	139,6	575
Estonia	0	4640	0	16
Finland	34	3466	98,1	41
France	15	53463	2,8	240
Georgia	9	7343	12,3	0
Germany	18	78506	2,3	646
Greece	13	8284	15,7	92
Hungary	9	18054	5,0	108
Iceland	0	107	0	2
Ireland	11	3028	36,3	121
Italy	23	56200	4,1	267
Latvia	0	8517	0	33
Liechtenstein	0	(17)	...	0
Lithuania	0	11345	0	3
Luxembourg	0	380	0	14
Malta	0	283	0	0
Moldova	5	10532	4,7	656
Netherlands	20	16239	12,3	789
Norway	19	2662	71,4	201
Poland	77	80610	9,6	361
Portugal	52	13730	37,9	200
Romania	1	51476	0,2	6
Russian Fed.	202	919330	2,2	111
San Marino	0	(1)	...	0
SM: Montenegro	0	...	...	2
SM: Serbia	12	...	...	266
Slovak Republic	0	7849	0	8
Slovenia	21	1120	187,5	104
Spain	7	50994	1,4	18
Sweden	50	6506	76,9	396
Switzerland	...	4987	...	...
"The former Yugoslav Republic of Macedonia"	9	1248	72,1	84
Turkey	8	60091	1,3	238
Ukraine	4	198946	0,2	31
UK: England and Wales	78	71324	10,9	864
UK: Northern Ireland	0	1076	0	0
UK: Scotland	1	6513	1,5	56



**Notes - Table 14**

**Austria:** (a) Number of escapes: 4 from closed penal institutions and 4 during administrative transfers. Total: 8.

**Denmark:**

(a) Number of escapes: 21 from closed penal institutions and 27 during administrative transfers (includes escapes from courts, hospitals, etc.). Total: 48.

(b) Other forms of escape: 199 from open penal institutions and 376 during authorised leaves.

**Hungary:** (a) Number of escapes: 9 persons (during 7 escape incidents).

**Latvia:** (a) Other forms of escape: 13 from open penal institutions and 20 during an authorised short-term absence or leave. Total: 33.

**Luxembourg:** (b) Other forms of escape include 2 persons that did not return after an authorised leave.

**Portugal:**

(a) Number of escapes: Includes escapes from closed and open penal institutions, but does not include escapes during authorised leaves.

(b) Other forms of escape: Refers to escapes during authorised leaves.

**Slovak Republic:** (b) Other forms of escape: 1 while in semi-detention, and 7 during authorised short-term absence (or leave). Total: 8.

**Ukraine:** (b) Other forms of escape: 28 while in semi-detention, and 3 during authorised short-term absence (or leave). Total: 31.

**Table 15 Deaths in penal institutions in 2002 (including suicides)**

Reference: Council of Europe, SPACE 2003.15

	Total number of deaths	Number of suicides	Suicides as a percentage of total deaths	Total number of prisoners on 1 <sup>st</sup> September 2002 (SPACE 2002)	Mortality rate per 10,000 prisoners	Suicide rate per 10,000 prisoners
Albania	3	0	0	1785	16,8	0
Andorra	0	0	...	55	0	0
Armenia	25	0	0	5624	44,5	0
Austria	40	9	22,5	7511	53,3	12,0
Azerbaijan	206	...	...	18321	112,4	...
Belgium	25	20	80	9253	27,0	21,6
BH: Federation BH	3	...	...	1293	23,2	...
BH: Rep. Srpska	2	2	100	816	24,5	24,5
Bulgaria	24	4	16,7	9607	25,0	4,2
Croatia	6	0	0	2584	23,2	0
Cyprus	0	0	...	345	0	0
Czech Republic	14	13	92,9	16861	8,3	7,7
Denmark	7	3	42,9	3439	20,4	8,7
Estonia	11	7	63,6	4640	23,7	15,1
Finland	8	6	75,0	3466	23,1	17,3
France	244	122	50	53463	45,6	22,8
Georgia	39	2	5,1	7343	53,1	2,7
Germany	162	71	43,8	78506	20,6	9,0
Greece	30	1	3,3	8284	36,2	1,2
Hungary	39	1	2,6	18054	21,6	0,6
Iceland	0	0	...	107	0	0
Ireland	7	4	57,1	3028	23,1	13,2
Italy	160	52	32,5	56200	28,5	9,3
Latvia	39	10	25,6	8517	45,8	11,7
Liechtenstein	0	0	...	(17)	0	0
Lithuania	30	9	30	11345	26,4	7,9
Luxembourg	2	1	50	380	52,6	26,3
Malta	0	0	...	283	0	0
Moldova	93	6	6,5	10532	88,3	5,7
Netherlands	26	10	38,5	16239	16,0	6,2
Norway	9	2	22,2	2662	33,8	7,5
Poland	96	40	41,7	80610	11,9	5,0
Portugal	97	19	19,6	13730	70,6	13,8
Romania	118	4	3,4	51476	22,9	0,8
Russian Fed.	4259	315	7,4	919330	46,3	3,4
San Marino	0	0	...	(1)	0	0
SM: Montenegro	3	1	33,3	...	...	...
SM: Serbia	26	9	34,6	...	...	...
Slovak Republic	9	3	33,3	7849	11,5	3,8
Slovenia	7	4	57,1	1120	62,5	35,7
Spain	152	24	15,8	50994	29,8	4,7
Sweden	20	8	40	6506	30,7	12,3
Switzerland	...	...	...	4987	...	...
"The former Yugoslav Republic of Macedonia"	3	1	33,3	1248	24,0	8,0
Turkey	93	16	17,2	60091	15,5	2,7
Ukraine	691	28	4,1	198946	34,7	1,4
UK: England and Wales	166	94	56,6	71324	23,3	13,2
UK: Northern Ireland	1	1	100	1076	9,3	9,3
UK: Scotland	16	8	50	6513	24,6	12,3
			35,2		29,0	8,2
			33,3		23,9	6,8
			0		0	0
			100		112,4	35,7

**Notes - Table 15**

**United Kingdom – England and Wales:** Data on suicide refer to “self-inflicted death”.

# APPENDIX

**Data concerning Canada**

**I.1 Population of penal institutions (1<sup>st</sup> September 2003)**

Total number of prisoners	13110
Total capacity of penal institutions	14040

Prison density per 100 places	93,4
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**Breakdown of prisoners by legal status**

Number untried (i.e. no court decision yet reached)	***
Number convicted, but not yet sentenced	***
Number of sentenced prisoners who have appealed or who are within the statutory limit to do so	***
Number of sentenced prisoners (final sentence)	13110
Other cases (Specify the make-up of the category "other cases")	0

**Breakdown of sentenced prisoners by main offence**

Homicide (including attempts)	3305
Assault	1539
Rape	1365
Robbery	2637
Other types of theft	195
Drug offences	753
Other offences	3316

% homicide (including attempts)	25,2
% assault	11,7
% rape	10,4
% robbery	20,1
% other types of theft	1,5
% drug offences	5,7
% other	25,3

**Breakdown of sentenced prisoners by length of sentence**

Less than 1 month	***
1 month to less than 3 months	***
3 months to less than 6 months	***
6 months to less than one year	***
1 year to less than 3 years	3152
3 years to less than 5 years	2776
5 years to less than 10 years	2678
10 years to less than 20 years	1203
20 years and over	357
Life imprisonment	2944
Death sentenced prisoners	***

% less than 1 month	***
% 1 month to less than 3 months	***
% 3 months to less than 6 months	***
% 6 months to less than one year	***
% one year to less than 3 years	24,0
% 3 years to less than 5 years	21,2
% 5 years to less than 10 years	20,4
% 10 years to less than 20 years	9,2
% 20 years and over	2,7
% life imprisonment	22,5
% death sentenced prisoners	***

**I.2 Flow of entries, length of imprisonment, escapes and deaths in 2002**

Total number of entries in 2002	7549
Number of entries before final sentence, in 2002	***
Total number of days spent in penal institutions / prisons, in 2002 (including pre-trial detention)	4878046
Number of escapes, in 2002 from a closed penal institution or during administrative transfer	43
Other forms of escape in 2002	522
Total number of deaths in penal institution in 2002 / prison	92
Number of suicides in penal institutions / prisons in 2002	11

Indicator of average length of imprisonment, in months	21,2
Escape rate per 10,000 prisoners	32,8

% of suicides among deaths in penal institutions	12,0
Mortality rate per 10,000 prisoners	70,2
Suicide rate per 10,000 prisoners	8,4

**Note: Data relate to the federal system only.**

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