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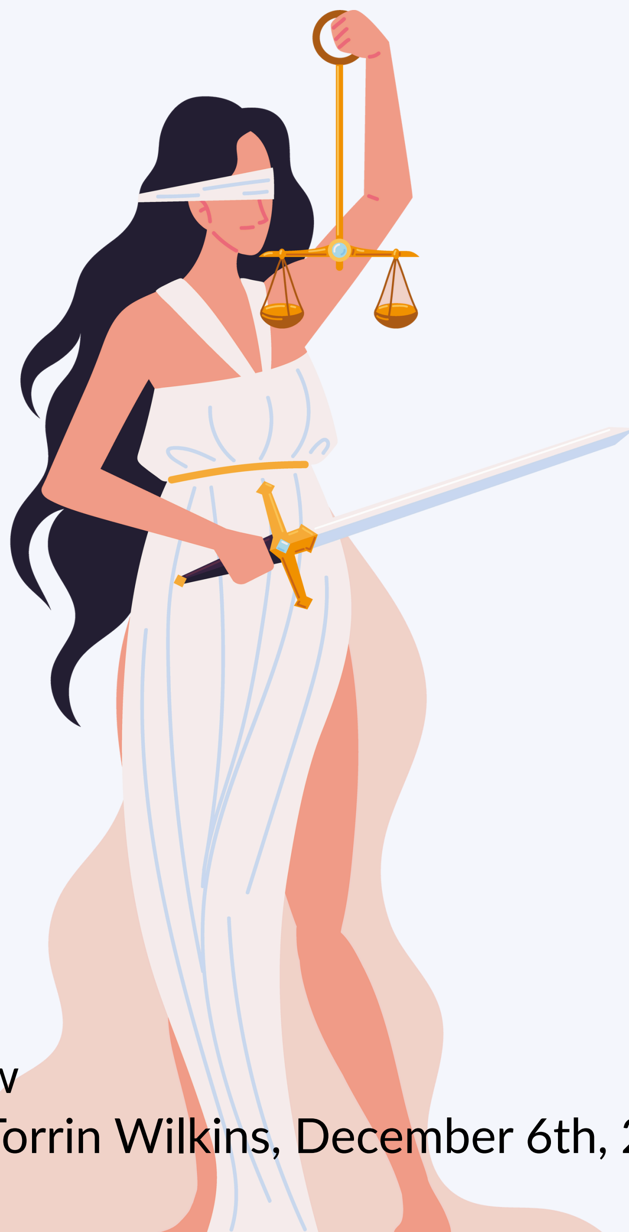
Norwegian prisons

An introduction to the Norwegian prison system and their philosophy



Written interview

Ben Crewe and Torrin Wilkins, December 6th, 2022

Centre

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Interviewer

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Director of Centre Think Tank

Torrin is the Director and Founder of Centre. He has written articles for multiple publications, including a weekly column for Backbench. He has also been interviewed on both the BBC and LBC. Torrin has a Political Studies degree from Aberystwyth University.

Interviewee

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Professor of Penology & Criminal Justice

Ben is a Professor of Penology & Criminal Justice, and Deputy Director of the Prisons Research Centre, at the Institute of Criminology, University of Cambridge.

About Centre

We are an independent non-profit foundation and cross-party think tank. Our mission is to rebuild the centre ground and to create a more centrist and moderate politics. We support better public services and a strong economy inspired by policies from the Nordic countries.

To achieve these goals, we work with people from across the UK and party politics. This includes engaging with politicians and our networks, which include academia, politics, and law.

Our work includes creating new conversations by hosting events and conducting interviews. We also produce new policy ideas to better inform debate, publish papers, and release articles. We aim to build consensus, shape public opinion, and work with policymakers to change policy.

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Introduction

The following is a transcript of an interview between the Director of Centre Think Tank, Torrin Wilkins, and Ben Crewe, who is the Deputy Director of the Prisons Research Centre at the Institute of Criminology, University of Cambridge. This is the second paper in our series looking at the prison system within the UK and how we can learn from Norway.

In the interview, they discussed how the Norwegian prison system came about, the misconceptions that surround it, and the approach currently used in Norway. They also look at funding within the UK prison system and the differences between the public and private sectors.

Chapter one

Interview with Ben Crewe

Torrin Wilkins: Why do you think the UK focuses so much on punishment and why are we so different from Norway, which focuses so much on rehabilitation and reducing reoffending rates?

Ben Crewe: I would start by saying I think Norway's penal philosophy is a bit more complicated than people sometimes believe, but it is more orientated towards rehabilitation than ours. It's also partly about moral communication, meaning that Norway has a lot of people in prison on relatively short sentences, some of whom join what is called the prison queue before they start serving their sentence, which they view as a way to protect against overcrowding. So, if you were given a short sentence, sometimes you would be told "We are finding you guilty but we don't have space for you, so please turn up at a later (specified) date". There is, of course, the argument that if you are safe in the community up until that point, why do you need a sentence anyway? I think part of the answer to that is sentences are intended to carry meaning.

Another part of the answer can be found within Norway and other economies. This isn't my analysis: it draws on other scholarship. In more neoliberal countries, there is a tendency to reward people who are successful within the social and economic system, but the corollary of that is that you are held more responsible if you are a supposed failure within that system. So, different countries have different orientations towards what to do with people who have committed crimes.

The UK is a higher crime country than Norway and that is relevant - people sometimes overlook that when they make slightly reductive comparisons with Norway. But also historically, Norway and the other Nordic countries have been more egalitarian and they have been more ethnically and religiously homogeneous than the United Kingdom. They never had rich land-owning elites, so they are less hierarchical generally. The relevant part of this is that it's easier to punish people who are strangers to you. That is if you live in a small community and there is someone who is a bit wayward, if you know their parents - or you know them – there are alternative ways of dealing with problems and you are less inclined to be punitive. You know them, you may know why they are acting the way they are, and it's a bit harder psychologically to impose harsh punishments. However, in societies that are more unequal, more stratified and where more people are 'unlike' you, it's easier to feel punitively towards them.

Norway has a less punitive culture generally, but there is also more trust in the state and each other. I think that has an impact, although it's hard to know how that impact works. There is also a stronger sense that you are part of a collective, so the language you sometimes hear in Norway is about a kind of "family" or a "family home", and the way you treat a rebellious or badly behaving citizen is how you would treat someone in a family: you try to keep them within the fold and support them, so you do something inclusionary rather than something to exclude or punish them.

Overall, I think the roots are social, historical, and political, but there are also institutional factors. Nicola Lacey has done some fantastic work in this area, and what she tries to explain is why some countries are more insulated from punitive sentiments than others. Some of the explanations have to do with the sort of voting system you have, so for example, we have a First Past the Post voting system rather than PR, which means political parties end up in an arms race to outgun each other on how harsh they are going to be, especially when they are competing for similar parts of the electorate.

Also, in other countries, there is more respect for the civil service, and the expertise that you get within those circles, and more respect for academics. In Norway, for example, academics are taken seriously in national conversations about social and political issues and consider it a responsibility to engage with the public on those issues when they emerge. Whilst some academics within the UK do get involved in this kind of debate, they often feel like it is a bit pointless. Blaming the media isn't always helpful as it only explains some things, but of course, if you do have a national media in which newspapers are competing with each other every day for readers, that tends to ratchet up sensationalist and populist sentiment.

We then move on to the issues that are closer to prisons themselves. With funding, for instance, staff-to-prisoner ratios in Norway are much lower (i.e. better), so you have far more staff per prisoner than in England and Wales, and that costs money. Most of your costs, if you run a prison system once the buildings are built, are staffing.

The prison officers themselves are trained for two years rather than around eight weeks in the UK. It's also a much higher-status job, so it isn't considered "dirty work" in the same way it is within the UK. More training means there is more time to educate prison staff about what you want the system to achieve, how to deal with people in prison, the backgrounds of prisoners, and the challenges they may face. There is also a clearer and firmer commitment to rehabilitation amongst prison staff. I'm not saying that those attitudes are absent from prisons in England and Wales—they're not—but what you often get on top of that is a more cynical or traditional orientation amongst uniformed staff.

Something that is built in with Norway is the "normality principle". In other words, in Norway, the philosophy and practice are that prisons, as much as possible, should resemble the community as much as they can. Although in England and Wales, prisoners should receive the same levels of healthcare and education as in the community, they don't. Part of the problem there is an informal view that prisoners are less eligible for those things than people in the community, whereas in Norway it is just built into the system. The quality of professional training, education, and healthcare is the same as it is within the community and generally, it is provided by the same people. This also extends to more formal elements of citizenship, so you retain the right to vote. Whether or not prisoners care about having the right to vote is a slightly separate issue, but what it communicates is that in Norway, the deprivation of liberty is what the punishment is. Beyond that, imprisonment is meant to be minimally damaging, and although technically that is often said in England and Wales as well, in practice, prisoners have a lower moral status in the eyes of the state, and this is made very clear to them.

Torrin Wilkins: How large do you think the disconnect between decision-makers in government and those on the frontline as prison staff is, and how do we reduce it?

Ben Crewe: Something that may be relevant is the huge turnover of Prison and Justice Ministers that we have. This creates instability, and even some of the most committed Ministers of the past few years know they won't be in the position for long. A recent Prisons Minister, who was the best we have had for some time, said to people, 'I probably only have twelve months in this job.'

The other issue is that most of the people who are appointed either as Justice Secretary or Prisons Minister and frankly most politicians, have never been to a prison. They have been to a school and they have been to a hospital - that may not have always advantaged schools and hospitals - but almost every citizen has direct experience of those public services. Far fewer have direct experience in prisons. So, the starting point is often that they don't know anything about the world they are trying to shape, which is very unhelpful.

Practically speaking, the high turnover of Justice Ministers and Prison Ministers is pretty awful for almost everyone within their professional jurisdiction. Think of how many times civil servants in the Ministry of Justice, along with prison governors and prison staff, have had to reset. You have a new Minister come in, you have to educate them about what they need to understand which takes quite a lot of time, and then they may take you in a very different direction from the previous Minister. Even within political parties, you see shifts like we did from Grayling to Gove to Truss. These are often huge changes, which produce quite a lot of cynicism on the ground level about the whole of the political domain.

One way to reduce that disconnect between the two may be to make visiting a prison an element of citizenship. That doesn't just mean being taken on a tour of all of the nice cells but speaking to the prisoners about what their experiences are like and speaking to staff about the same kinds of things.

Torrin Wilkins: What do you think of ministers who become more liberal on prisons after leaving office or, I should say, where they seem to express more liberal sentiments than when they were in office?

Ben Crewe: I think this is an area where it is very hard to overlook the role of the popular press. Particularly with a Labour government, they are always extremely anxious about being seen to be soft on crime. I guess that most politicians know that the evidence base is pretty strong that where there is the option of giving someone a community rather than a custodial penalty, that is more effective than giving someone a custodial sentence. However, they may feel they can't possibly say that with press backlash.

There is a very interesting counterexample. When David Gauke was Justice Secretary and Rory Stewart was Prisons Minister, they got very close to abolishing short sentences. From what I understand, they decided that they could make a pretty good case that short sentences are ineffective and expensive, so just decided to be not so intimidated by blowback. Sadly, politics happened, and then they weren't in those roles, but it shows what is possible. It is harder for Labour. I could be totally wrong on this, it's just speculation, but Blair may well have been personally more liberal on crime than he appeared, but had battles to fight on credibility with the press.

I do think politicians could be braver, however. Research demonstrates that when you actually give people information about the way sentencing works and the sentences that are actually given out for particular offences, they are often more liberal than you would expect. The other thing is, if you give people research when carrying out deliberative polling, you tend to find people are actually quite ambivalent about punishment. They recognise you need a system that is more oriented towards rehabilitation, and they want fewer victims rather than harsh punishments.

So, I think there are times when politicians use the idea of a punitive public, which doesn't really correspond with the evidence. The newspapers do that but in a much more deliberate way, so that sets the terms of the debate in the wrong place, but I think there is more room to manoeuvre than some politicians think.

Torrin Wilkins: Norway uses short-term sentences quite a lot. How do we ensure they are used in the least damaging and most effective way possible?

Ben Crewe: One interesting thing is how contradictory some people can be in their orientation to Norway. What I mean by that is prison reformers will often say that we should be like Norway and that we shouldn't use short sentences. In reality, Norway uses a lot of short sentences. That's why your question is important, as it asks us to look at how we could make shorter sentences more productive. The way you phrased it is very helpful, as I think there are ways in which you can make it both less damaging and more productive.

So, some of this I have already mentioned, but you can make prisons less damaging by making them less punitive. You can also try to reduce the extent to which the sentence removes people psychologically from society and cuts people off from all of the things we know are more likely to make it possible to desist from crime. What I mean is, what are the sorts of things that help people move away from crime? Well, stable relationships, jobs, accommodation, and so on. And what does imprisonment do? It cuts those things off for you, and it makes it harder for you to reform those things on release.

Norway is just better at that stuff. Their prisons are more porous and permeable, so the experience of imprisonment isn't as 'deep'. You are less cut off from society, and there are more opportunities to go out into the community while you are serving your sentence.

Secondly, and this is really important, Norway makes much more use of open prisons than most other countries. So just to give an example, if you are given a relatively short sentence in England and Wales, you are likely to spend all of it in the worst conditions that we have in our system. So, you commit a crime and you end up in your local prison where you are probably locked up most of the time and there isn't a huge amount of purposeful activity. The physical infrastructure may be poor and there could be a large amount of turnover for staff. In Norway, unless you are a repeat offender, if you are given a short sentence, you are likely to spend all of it in an open establishment.

You could make the case that you don't need short sentences if you are just going to put someone in an open prison. If you are, though, it does seem quite a bad idea that people serving short sentences are put into the prisons we know to be least decent and most isolated from the community. In an open prison, it's less oppressive but also easier to maintain contact with family members, and you may also be doing work back out in the community straight away.

So, lots of the ties that we know help people to exist aren't broken in quite the same way. There also seems to be more discretion around whether you do or don't lose your benefits. In the study that my colleagues and I did, more people didn't lose their benefits, didn't lose their jobs, and didn't lose their accommodation than in England & Wales. Their lives weren't negatively impacted in quite the same way.

All of those things make a difference, but there are other things that make short sentences more productive. For instance, the quality of education and training you receive is better in Norway. Prisoners there are often trained to do really skilled work and given high-quality education. Within England and Wales, there is still quite a high degree of worklessness.

So, whilst I'm not in favour of shorter sentences generally, if we are to have them, there are ways they can be more productive. That's about doing the opposite of what we tend to do here where you may not come out of your cell much, you may not have access to a telephone and there are limited spaces in education. That just doesn't seem sensible if you want to minimise damage and maximise opportunities. You also get more opportunities for family visits in Norway, helping you to maintain family ties, and there is more green space and more opportunities to exercise.

There are also some other things that apply across the board like the fact that prisons in Norway are much smaller. We can say quite confidently, based on survey data that my colleague Alison Liebling has analysed, that generally, the smaller the prison, the less damaging it is. Smaller prisons are more likely to be safer, and more respectful, and prisoners will report higher levels of fairness.

In Norway, the largest prison is Oslo Prison, which has a capacity of around 350 people. That would be considered a very small prison here in England & Wales. It has advantages in that prisoners and prison staff get to know each other, and prisoners also get to know each other. That produces more psychological safety, but also in Norway, you are likely to be living in a smaller living unit with more staff who get to know you better. That is just a more civilized environment. So smaller prisons, smaller units, higher quality training and education, higher levels of staffing, and better-trained staff all make a difference.

Torrin Wilkins: You have spoken in the past about how heavy and present prison staff are in both private and public sector prisons. Do you think private or public prisons are better at striking a balance?

Ben Crewe: Overall, I don't think the public and private split is the huge variable in this. My colleagues Alison Liebling, Susie Hulley, and I did quite large projects on this around 2007 and 2008. What we found was that it wasn't as simple as public prisons are good and private prisons are bad, or vice versa. We found variation in quality in both settings, and that is still the case. If you look at the performance ratings of private prisons, one or two are rated as very good and one or two are of serious concern. Some of that is about the quality of management, and some of that is about how well-funded the contract is.

There are some characteristic features of both sectors or at least there were when we did our study. One of the things we argued was that public sector prisons had an under-appreciated strength in terms of staff professionalism. Just to explain that a bit better, prisoners in the private sector prisons would often say 'Officers here are really nice and are doing their best but they aren't very good at their job'. What they meant was that these staff had benign intentions and were friendly, but that didn't always lead to better outcomes because often they were inexperienced. This meant their knowledge base was lower, and they weren't always very confident in using their authority. They would underuse it in ways that were not helpful, and thin staffing levels meant that there just wasn't enough staff around or there wasn't enough administrative staff to help prison officers on the front line answer questions and so on. So, there was less "jail craft," to use the term that is often used in prison, which meant that even when staff had very positive intentions, this wasn't always translated into good outcomes.

In the public sector, we found the opposite, so amongst uniformed staff, we more often heard rather punitive and cynical attitudes. However, staff were often quite skilled in using their authority. They could use it slightly heavily, too heavily sometimes, and prisoners would sometimes say staff could be a bit unfriendly. But they would also say that actually 'they know what they are doing and they can answer our questions'. We described public sector prisons as well-oiled machines, and that term 'machine' is quite fitting as sometimes the level of care is not high. There was a baseline of competence, so the regime was predictable, prisoners knew what the boundaries were, and there was a level of experience amongst the staff group that gave them a sense of safety and reassurance.

The problem is that since we did that research, so much money has been taken out of the prison system that the public sector has lost some of that strength. Lots of experienced staff took early retirement, and if you look at levels of experience among public sector prison officers, especially in the south, where you can earn more money doing jobs that are a lot less dangerous and stressful, the staff profile in terms of experience and turnover now looks a lot more like private sector prisons. Right when we were saying that there was a strength here to do with experienced staff and how they use their authority, there were suddenly fewer of those staff around.

I know that for prison governors, especially in the south and the Midlands, although not exclusively in those places, the level of turnover is a real problem. You have prison officers coming in who don't necessarily see prison work as a job for life, and even if they do, because staffing levels are lower and prisons are less safe and more stressful, this means they may not stay in the job for that long. Prison governors are constantly trying to plug those gaps without enough staff and with quite a lot of staff who have not been in the job for all that long.

The private sector has been good at establishing more positive cultures and being a bit more innovative. Part of that is people being more free in terms of procurement and HR. What they can lack is stability among staff, and in some places, professional competence is not as high.

There was a period when private and public sector prisons were learning from each other, and there was some healthy competition. I think the issue is that during a time of austerity or brutal cuts to public spending, the government looks at private prisons and decides you can run prisons really cheaply. The public sector was, in effect, asked to match private sector costs and savings. What that produces is a race to the bottom where you have loads of prisons running on a very tight budget. Whilst there may be some learning going on, the main dynamic is just cost reduction. In that regard, competition has driven down costs in a way that is very unhealthy - unless the only thing that you care about is cost. You really shouldn't just think about the costs of imprisonment - you are talking about people's lives and their humanity. You are also talking about what happens after release. When you move towards a low-cost model, you end up doing less productive work with people.

So, there might be two questions here. First, what do the public and private sectors do well, and how can the two sectors learn from each other? Second, how does the existence of the private sector impact the public sector? Over the last few years, when money has been tight, the impact has been quite damaging. It means public sector prisons have been pushed to cut costs beyond a point which is sensible or humane.

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