

ALTERNATIVES TO IMPRISONMENT IN SPAIN

Federación Andaluza

A VIEW FROM





What is ENLACE?

- **Andalusian Federation of 105 associations.**
- **Working in prevention, treatment and social integration of persons with drug addictions.**
- **Created 25 years ago.**
- **Many drug addicts end up in prison, so we work in:**
 - **Alternatives to imprisonment.**
 - **Restorative Justice.**

WHY PRISONS?

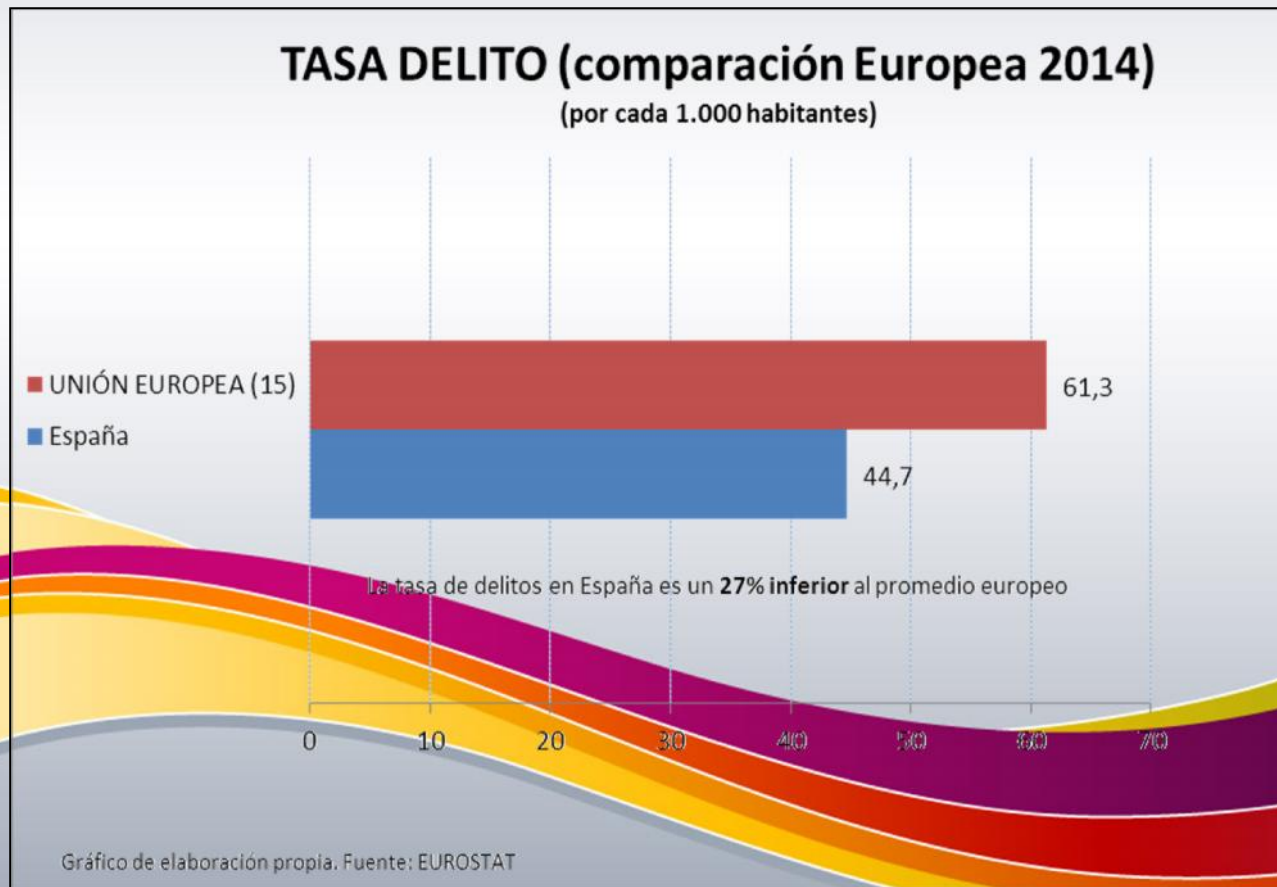
- **"I never feel sorry for myself, as one might expect, but only for the other prisoners and altogether, for the fact that prisons must exist and that they are as they are, and that mankind has not so far invented a better way of coming to terms with certain things." (Havel, 1983)**
- **"Prisons are a necessary evil" (Spanish General Penitentiary Law, 1979)**

Two steps strategy

- 1) Alternatives to imprisonment must be real alternatives.**
- 2) The penal system must be the exception, not the norm. (Communities can be safer and fairer if we promote Restorative Justice)**

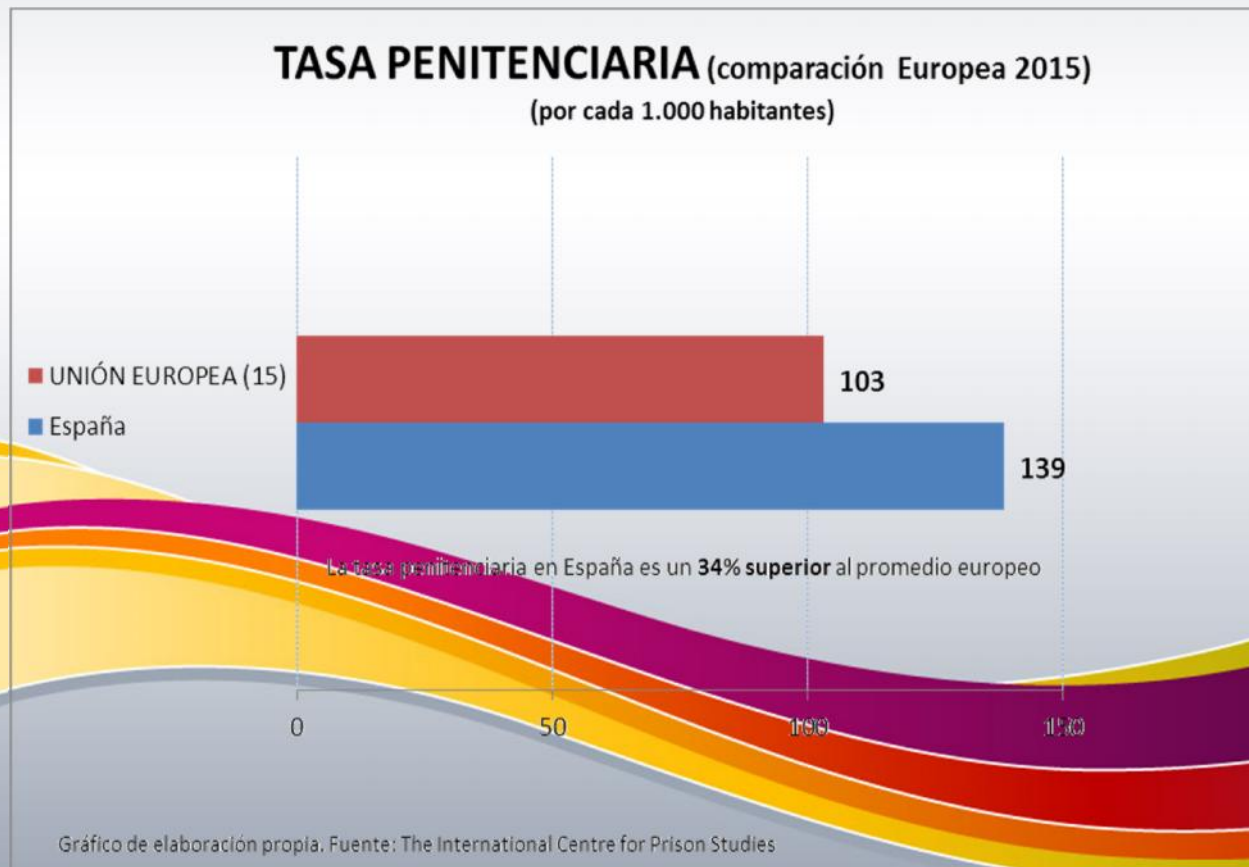
Penal situation in Spain

Criminality Rate (per 1.000 inhabitants)



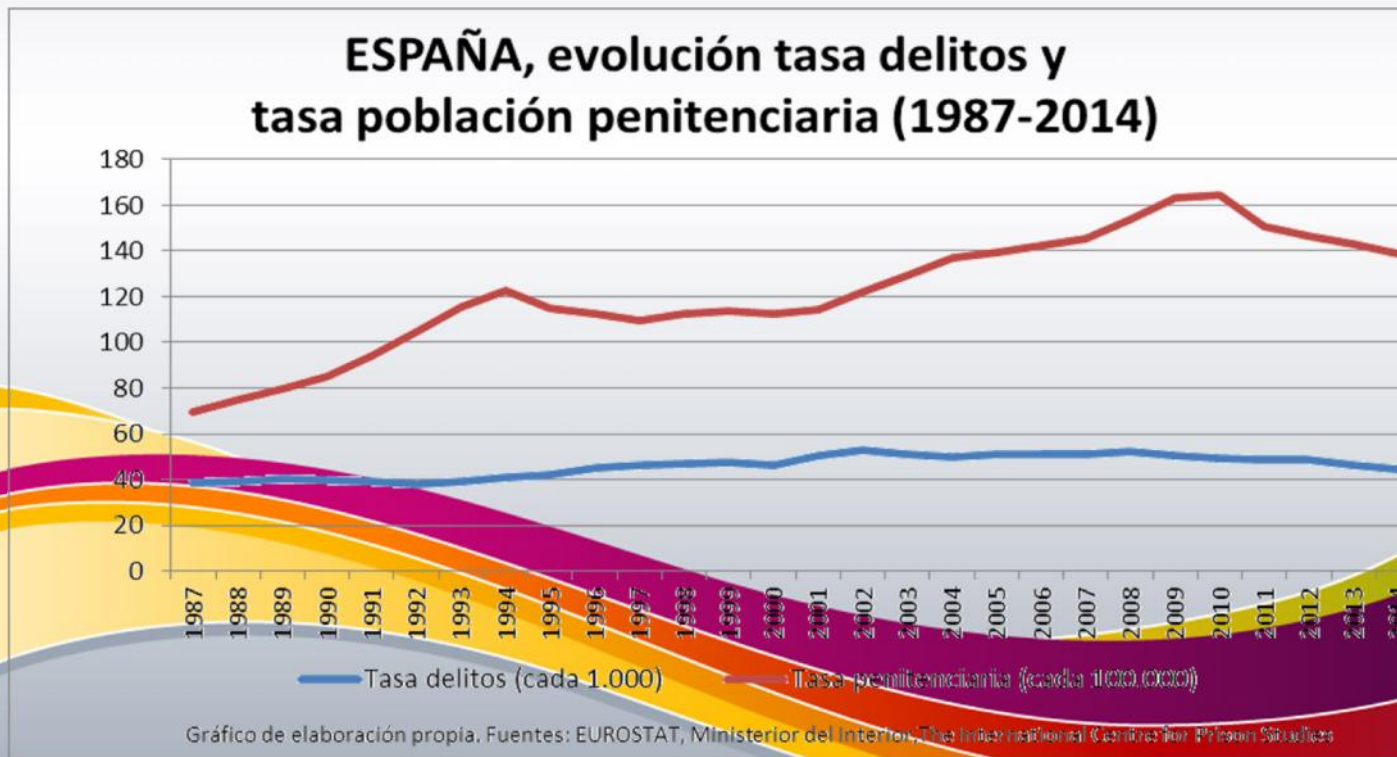
Penal situation in Spain

Imprisonment rate (per 100.000 inhabitants)



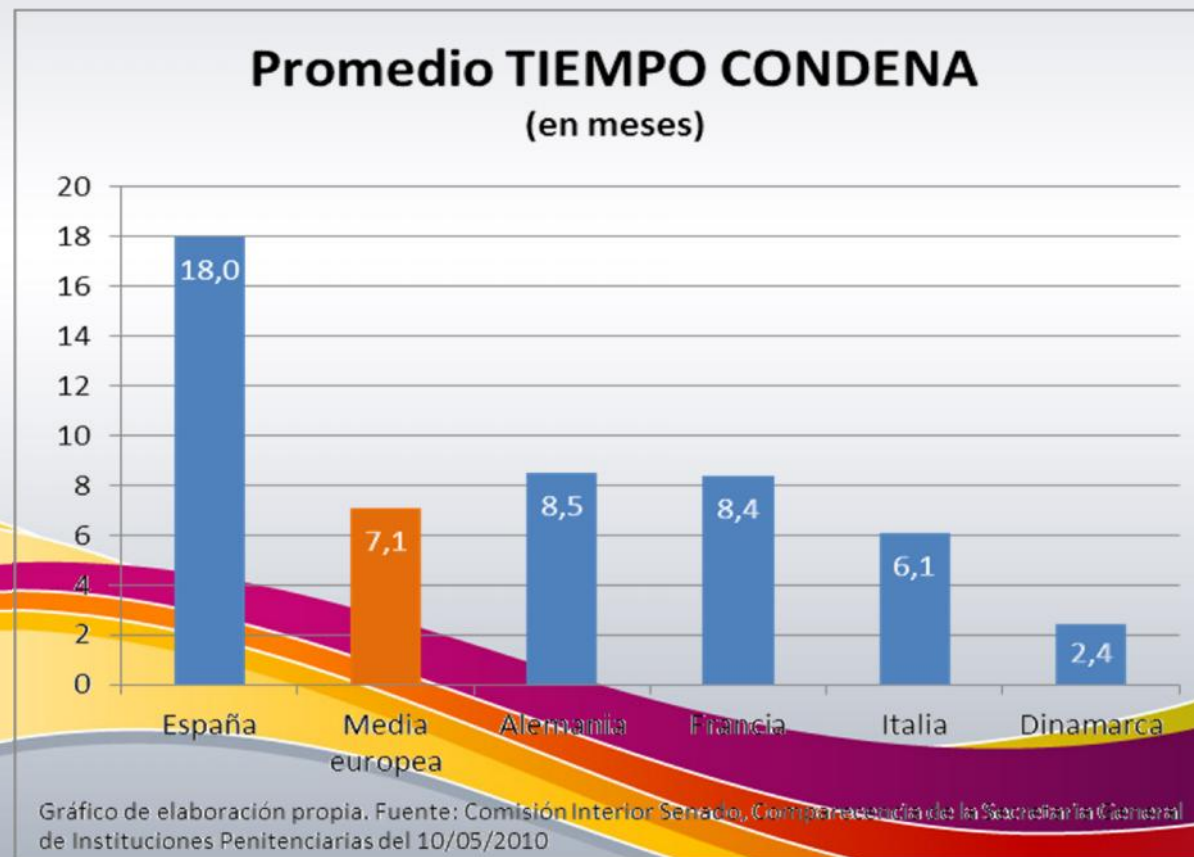
Penal situation in Spain

Comparison and evolution between criminality and imprisonment rate:



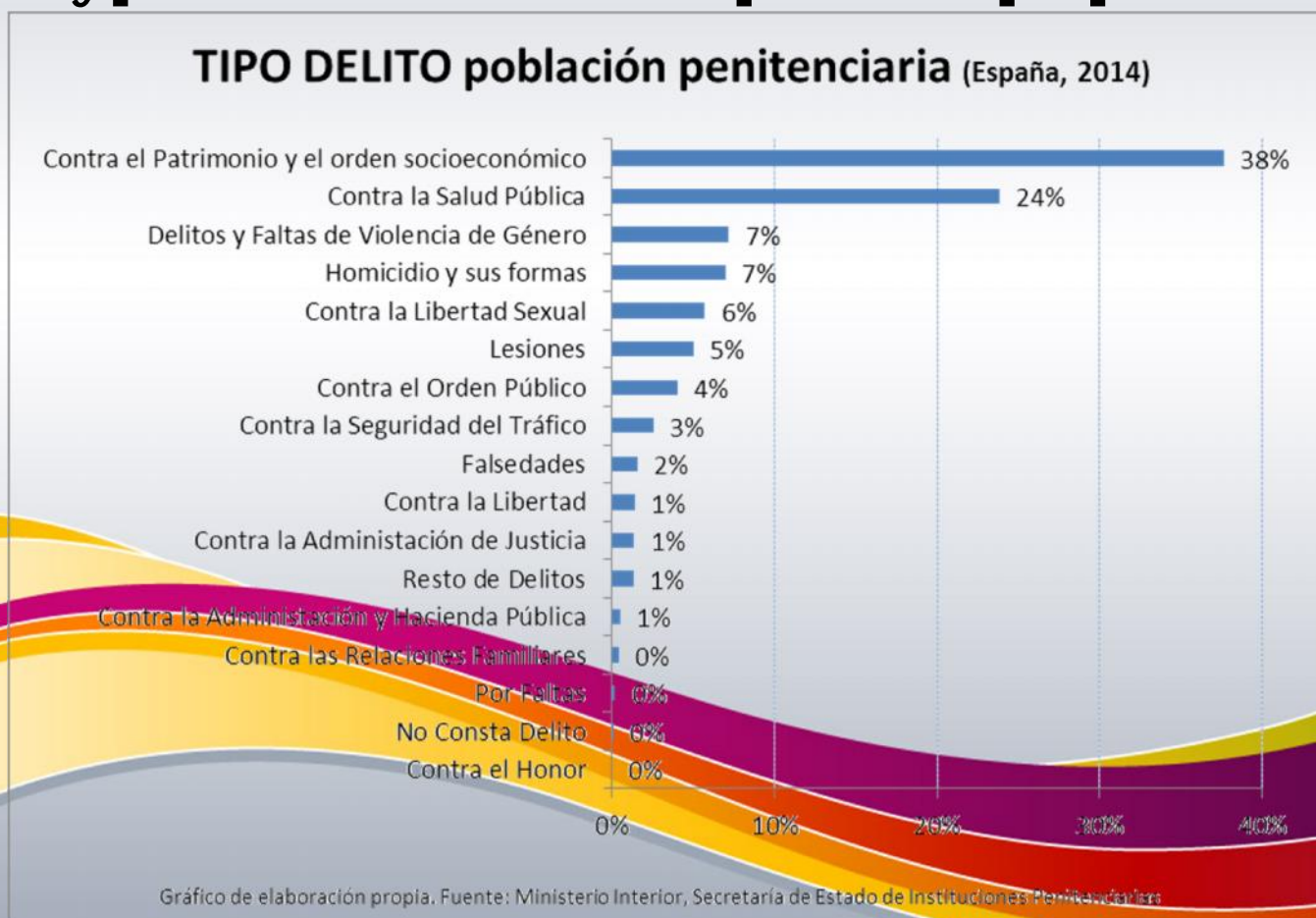
Penal situation in Spain

Average real duration of prison sentences:



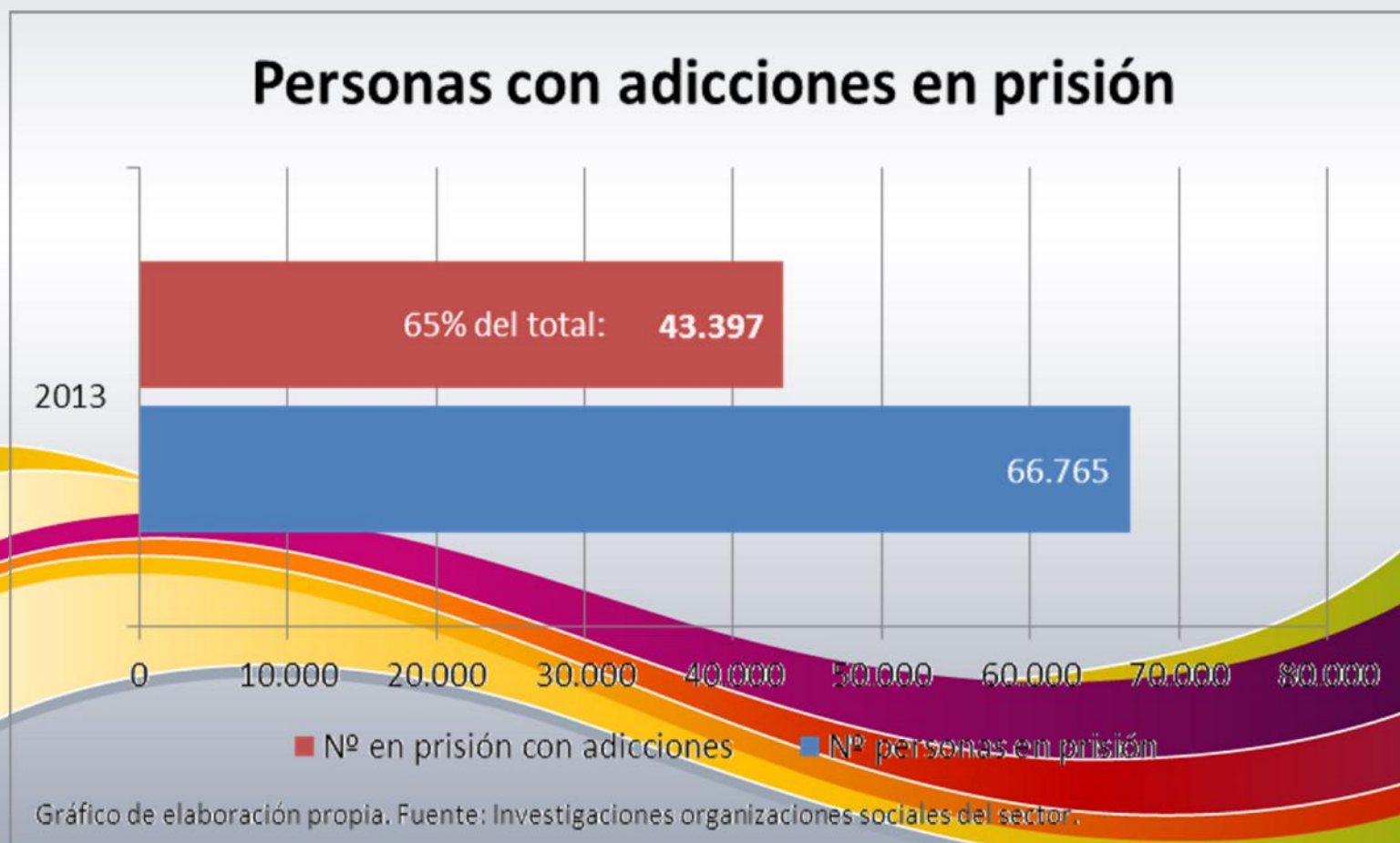
Penal situation in Spain

Types of crimes of prison population:



Penal situation in Spain

Persons with addictions in prison:



Penal situation in Spain

Conclusions:

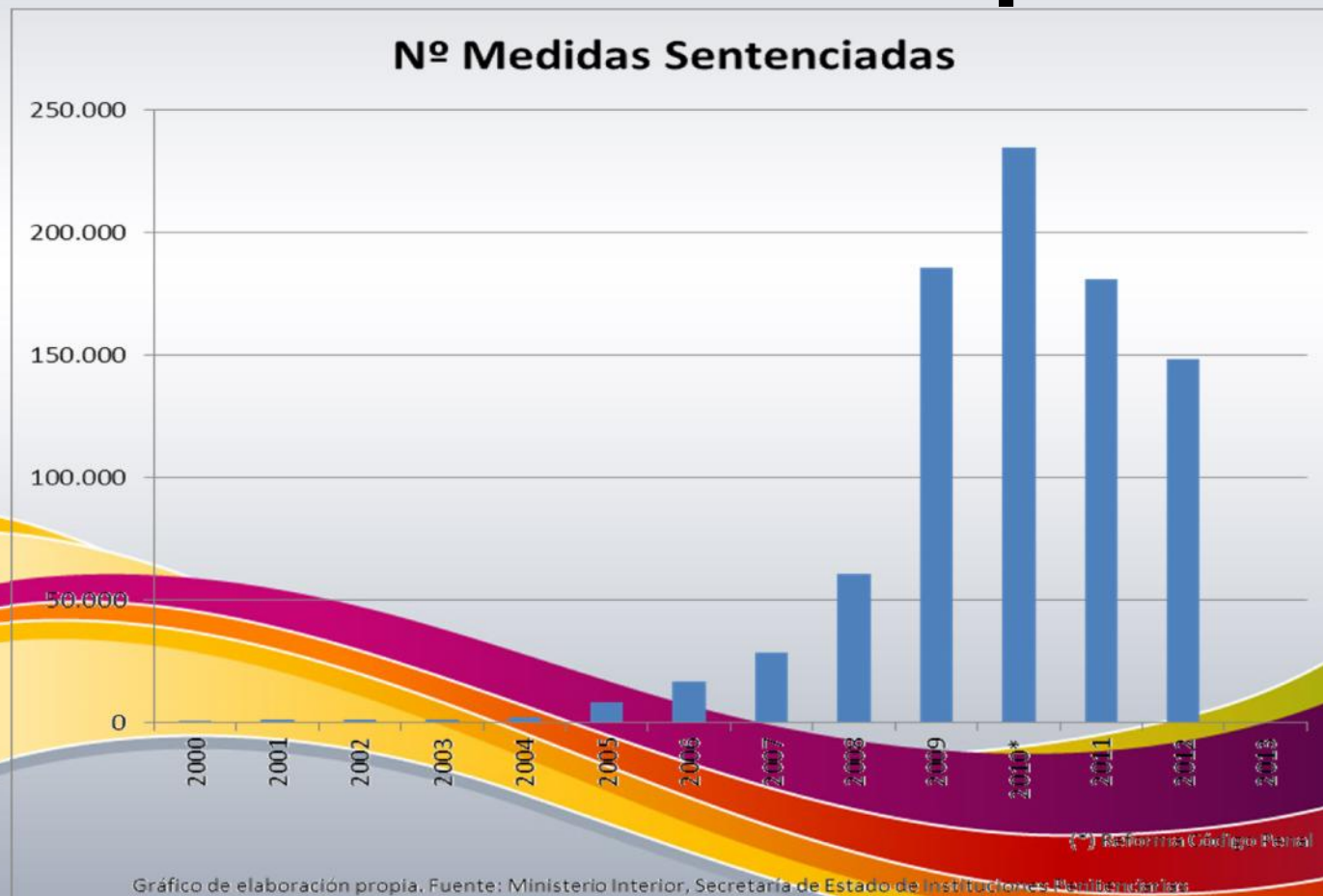
- High rate of imprisonment due to long sentences for robbery, theft and low scale drug traffic (drug related offenses).**
- High social and economic costs of an unrealistic and punitive criminal policy.**

Alternatives to prison in Spain

- **Suspended sentence.**
- **Suspended sentence for drug addicts.**
- **Community services (?)**
- **Conditional release and open prison (?)**

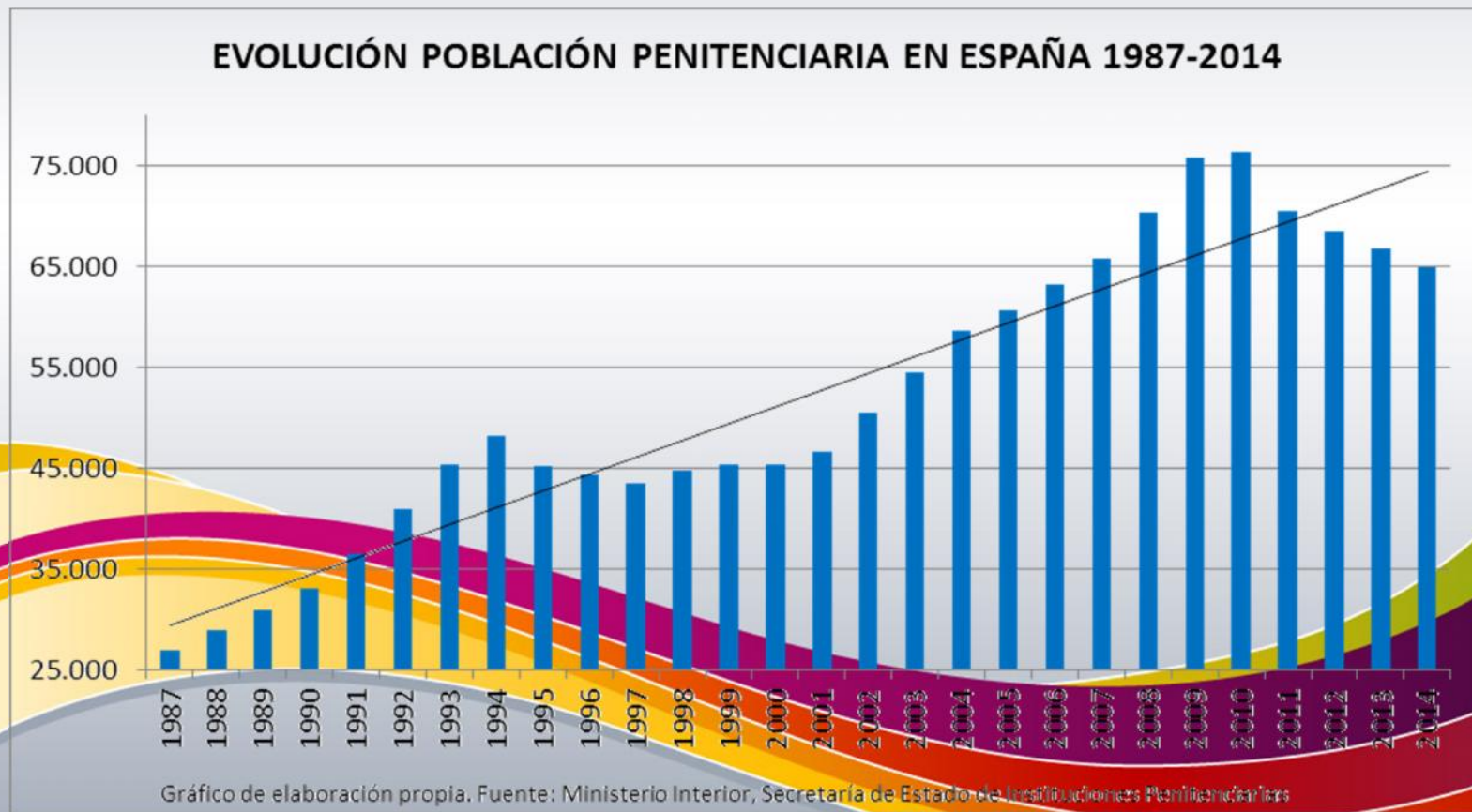
Alternatives to prison in Spain

Use of alternatives in Spain



Alternatives to prison in Spain

Evolution of prison population

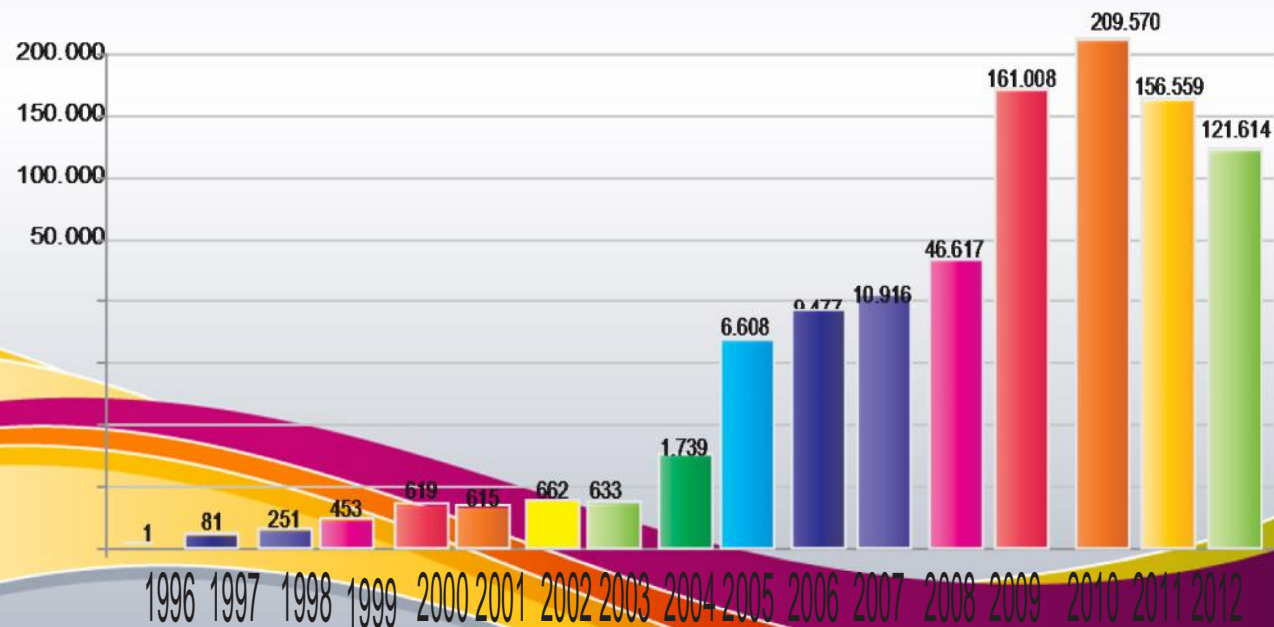


Alternatives to prison in Spain

Community service in Spain

(December 2007, driving without license became a crime)

Gráfico 1. Número de condenas de trabajos en beneficio de la comunidad desde 1996. Stock a 31 de diciembre¹²⁰⁷



Alternatives to prison in Spain

Conclusion:

- Most of “alternative” sentences are community services for driving without license.**
- There is a “widening the net” effect, not a reduction of the use of prison.**

Good practice in the promotion of alternatives to prison

Implementing a program of legal advice to drug addicts.



CONSEJERÍA DE IGUALDAD
Y POLÍTICAS SOCIALES

Federación Andaluza



Good practice in the promotion of alternatives to prison

Since 2000 pilot program in Seville and extending progressively to all Andalusia.

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	PERSONS
1826	1792	1881	1907	1924	1693	1880	1591	1629	1351	17.474

Good practice in the promotion of alternatives to prison

Objectives of the program:

- Promotion of social reintegration of drug addicts with legal problems (administrative, penal, penitentiary...)**
- Promotion of Restorative Justice (mediation).**
- Promotion of suspended sentence for drug addicts.**
- Promotion of transfers from prison to therapeutic community and early release.**

Good practice in the promotion of alternatives to prison

**Economic and social benefits of this holistic
and therapeutic approach.**

Cost of prison	2000 €/month per person
Cost of therapeutic community	1360 €/month per person
Cost of outpatient treatment	12 €/month per person
Cost of legal advice	9 €/month per person

A lot of work to do...



“Civilization means reducing the use of legitimate violence” Wallerstein

“Theft exists only in communities where some have got more than is sufficient while others have not enough.” Thoreau



... So let's do it

!!



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